



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY DECEMBER 3, 2012 7:00 P.M.

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

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. October 17, 2011
- b. November 21, 2011
- c. December 5, 2011
- d. December 19, 2011
- e. August 20, 2012
- f. September 17, 2012
- g. October 1, 2012
- h. October 15, 2012
- i. October 29, 2012
- j. November 19, 2012

3. COMMUNICATIONS

- a. Bangor Police Department – Request for use of the Old Hampden Academy – Planning & Development Committee Approved

4. REPORTS

- a. Infrastructure Committee Minutes – 11/26/2012

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Foreclosure – 1037 Kennebec Road – Finance & Administration Committee Recommendation

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

- b. Library Furnace Bids – Finance & Administration Committee Recommendation
- c. VFW – Games of Chance License

4. NEW BUSINESS

- a. Application for renewal of Victualers License received from Mark & Tina Carroll d/b/a Pat's Pizza at 662 Main Road North
- b. Bangor Hydro Electric Co. – Approval of Terms of Credit Enhancement Agreement – Planning & Development Committee and Finance & Administration Committee Recommendations
- c. Calvary Apostolic Church Request for use of Old Academy Building Library – Planning & Development Committee and Finance & Administration Committee Recommendations
- d. Holiday Hours

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

Minutes

A-2-a

MONDAY

OCTOBER 17, 2011

7:00 P.M.

*Attending:*

*Mayor Janet Hughes  
Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Shelby Wright  
Councilor Kristen Hornbrook  
Councilor William Shakespeare  
Councilor Jean Lawlis*

*Town Manager Susan Lessard  
Citizens*

*The meeting was opened at 7:02 p.m. by Mayor Hughes.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Brian Moussally – New Application for Recreation Committee – Referral to Services Committee

4. REPORTS

- a. Finance Committee Minutes – 10/3/2011

*Motion by Councilor Brann, seconded by Councilor Cushing to accept the consent agenda. Unanimous vote in favor.*

B. PUBLIC COMMENTS –

*Lisa Carter – Western Avenue – At the last council meeting she requested information on bids and who they went to. She had expected to get an email in this regard and wonders when she can look at the bid and non-bid jobs. She also considers that at the last council meeting some Councilors made embarrassing and disrespectful comments and that people should get an apology for them. One example cited was in regard to the request for an extension of time by the Citizen's Comprehensive Planning Committee when Councilor Brann made the comment 'I believe I am smarter than them'.*

*Terry McAvoy – Monroe Road – Agrees with everything Mrs. Carter said and also questioned why the Town Attorney was at the meeting – was he a formal part of the Town Council?*

*Clare Cole – Sidney Boulevard – Thanked the Council for the job they are doing under difficult circumstances.*

*Motion by Councilor Brann, seconded by Councilor Cushing to set aside the rules to add an item to the agenda related to adding a church as a conditional use in the Commercial Services District. Unanimous vote in favor. This item will be item C-3-f.*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. *Application for Renewal of Victualers License received from Hannaford Bros. Co. d/b/a Hannaford Supermarket & Pharmacy #8417 at 77 Western Avenue – The public hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Cushing, seconded by Councilor Brann to approve. Unanimous vote in favor.*
- b. *General Assistance Ordinance – Adoption of Appendixes A, B & C for 2011/2012 – The public hearing was opened by Mayor Hughes. Proponents- None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Brann, seconded by Councilor Cushing to adopt Appendixes A, B & C for 2011/2012. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. *Council Committee Assignments – Mayor Hughes asked Councilor Hornbrook to replace Councilor Lawlis on the Committee on Committees. Councilor Hornbrook is not comfortable meeting offsite and is happy to serve on the committee if it is held where the public can attend. Mayor Hughes suggested that the committee meet the same time as Communications. Mayor Hughes asked Councilor Wright to also serve on the Committee on Committees.*
- b. *Hampden Academy Re-use Update – The Mayor informed the Council that the School District had offered the property to the Town for a price of \$386,100 and wanted a response by December 5, 2011.*

*Public Comment –*

*Alex King – Remembers that the \$1 million dollar assessment was for land only and only if rezoned for commercial use. With a cost of \$300-400,000 to maintain the buildings the town should take it over but not pay more than \$1 for the property.*

*Terry McAvoy – 59 Monroe Road – Questioned what would happen if the Town does not buy the property. The Mayor responded that if the Town rejects the offer it will be sold by the school and the money will go to payoff*

*the state debt for the school – not the local debt for the new school. He said that with so many unknown costs he does not understand why the Council would want to take it over.*

*Rich Armstrong – 109 Kennebec Road – stated that he is not familiar with the purchase and if there is no benefit it is not a good idea if it is only for sentimental reasons. He also wanted to know the breakdown of the demolition costs cited and wondered why the Town would not send an employee for training in asbestos.*

*Jeremy Jones – Partridge Road – believes it should be sold to the highest bidder and become a tax generating property.*

*Mayor Hughes stated that the demolition estimate is \$1m to \$1.5m and it is unclear how much validity we can put into that estimate. The next step in this process is two-fold; 1. Is to insure that the costs for the estimated demolition are appropriate and 2. Is to show that the \$1m of value does not include the demolition of the buildings.*

*The Town Manager reported that an attorney specializing in school law had investigated options and the school agrees that the amount that can be charged is the 'fair market value'.*

*Councilor Lawlis talked about the advantages and the potential to put tax generating entities on the property. Since it is located in the heart of the community she wonders what citizens would like to see there.*

*Councilor Shakespeare called it 'funny math' in that the price and the demo are equal in value. He would not want to saddle the taxpayers with such a ridiculous proposal and would rather see it sold outright.*

*Councilor Cushing asked about the consequences of the options. The Town Manager responded that the school had three options; 1. To lease the school for no longer than 4 years, and retain it for future educational opportunities, 2. To offer it to the Town, or 3. If the Town declines, the school could reconsider selling which has little economic benefit to the district.*

*The Town Manager reminded the Council of the visioning sessions held by the School at the beginning of the process and the desire on the part of many people to see a mixed use at that site. The outcome could be that the School retains it and it not only would not be tax generating – it would be an additional financial burden on the School District that would be passed on to taxpayers.*

*Councilor Cushing asked if the town buys it, can the school keep the money. The Manager responded that they could and it would go towards their budget.*

*Councilor Shakespeare is concerned that there are all kinds of expenses for us to incur and that the taxpayers will be saddled with them. He is concerned about the impact to the mil rate from the new school and does not want to put the town in a position where they are burdened with more.*

*Councilor Cushing reminded people that the \$6m in local debt on the new high school was estimated to add a possible .35 to the mil rate. He also aired concerns that operational costs for the new facility could be higher than anticipated. However, doing nothing is not an option because whether the Town takes it or the School keeps it – Hampden will be the major payer in whatever happens.*

*Mayor Hughes indicated that the Planning & Development Committee was hoping to get the property for \$1 and get it onto the tax rolls. The Committee can continue to investigate options but the Town needs to respond to this letter from the School District.*

*Motion by Councilor Brann, seconded by Councilor Cushing (for discussion purposes) to authorize the Economic Development director to collect additional information and spend up to \$5,000 to obtain an opinion as to whether the appraisal of SAD 22 for the old Hampden Academy property is at fair market value and to take the funds from the Host Community Benefit fund.*

*Discussion-*

*Attorney Russell suggests hiring our own appraiser to determine fair market value.*

*Councilor Brann- questioned what kind of appraisal we want to seek since appraisals can be very costly.*

*Councilor Shakespeare – Needs more time and the Town needs to negotiate. He is not willing to spend 10% of the value for an appraisal.*

*Councilor Cushing – also needs more time to consider this. Believes we should let them know that we are diligently pursuing this but need to explore it more. This is a good faith offer but we need to decide on parameters that affect taxpayers.*

*Councilor Brann questioned whether it was legal for them to give an appraisal amount of \$1m without buildings since the buildings are currently there.*

*Public Comment before vote:*

*Jeremy Jones –Partridge Road – Can the public see the appraisal? Could we do a cold shutdown of the facility and leave the demolishing to a prospective buyer? He believes it can be a lot simpler and is not comfortable with SAD #22 calling the shots.*

*Terry McAvoy – Monroe Road – believes that the most reasonable action would be to say no thank you – we are not interested and let them put it on the market and they will quickly find out what fair market value is.*

*Vote on motion – 5 in favor, 2 against (Shakespeare, Hornbrook) Motion carried.*

- c. Hamlin's Marina/Town – Land Transfer Agreement – *Motion by Councilor Brann, seconded by Councilor Lawlis to authorize the Town Manager to sign the agreement on behalf of the Town. Vote 6 in favor, 1 opposed (Hornbrook). Motion carried.*
- d. Authorization to Fund Comp Plan Costs – Finance Committee Recommendation – *The Finance Committee recommends that the council vote to fund the \$5,479.68 which was over and above the original amount approved for the budget for the update of the Comprehensive Plan. Motion by Councilor Brann, seconded by Councilor Shakespeare, to authorize \$5,479.68 in additional funds be approved for expenses related to the update of the comprehensive plan to come from Host Community Benefits. Vote 6-1 (Hornbrook). Motion carried.*
- e. Epstein Commercial Real Estate/Town - Exclusive Authorization to Sell – Hampden Business Park – Planning & Development Committee Recommendation – *Attorney Russell has reviewed the proposed agreement and made some suggested changes. The document presented is in the final form. Motion by Councilor Brann, seconded by Councilor Shakespeare to authorize the Town Manager to sign the contract with Epstein Commercial Real Estate. Vote 6-1 (Hornbrook). Motion carried.*
- f. *Added to this agenda. Allowing Church as a conditional use in the Commercial Services District. Councilor Brann introduced this for public hearing.*

#### 4. NEW BUSINESS

- a. Change of Name of Hampden Business and Commerce Park to "Hampden Business Park" – Planning & Development Committee Recommendation – *Councilor Brann indicated that the real estate broker had suggested that the name should be changed for marketing purposes. Motion by Councilor Shakespeare, seconded by Councilor Cushing to change the name to the Hampden Business Park. Unanimous vote in favor.*
- b. Offer for Lot #5, Hampden Business Park – Finance Committee Recommendation – *This item was not discussed.*
- c. Municipal Building Reserve Use - \$1,100 – Maine Tree & Landscape – *This item covers the removal of three dead trees at the end of the parking lot at the request of public safety and is not part of the operating budget. Motion by Councilor Brann, seconded by Councilor Shakespeare to authorize expenditures from the Municipal Building reserve of \$1,100 for tree removal. Unanimous vote in favor.*
- d. Application for Renewal of Liquor License received from Bangor Tennis & Recreation Club at 60 Mecaw Road – *Motion by Councilor Lawlis seconded by Councilor Wright to waive the public hearing. Unanimous vote*

*in favor. Motion by Councilor Lawlis, seconded by Councilor Brann to approve the liquor license renewal. Unanimous vote in favor.*

D. COMMITTEE REPORTS

*Communications Committee – Councilor Cushing – reported that the Committee was still working on live streaming and that Rodney Verrill of NESCOM is working on finding us more interns.*

*Planning & Development – Councilor Brann – reported that the committee is still working on the sign ordinance and that the Citizen’s Comprehensive Plan Committee appears to be working well.*

*Services – Councilor Lawlis – the committee had a special meeting with SAD 22 in regard to the trails project in order to try and get it in this grant cycle. The committee will meet again next month.*

*Infrastructure – Councilor Shakespeare – the committee will meet on the 24<sup>th</sup> with the Hampden Water District from 6 -7 and then the Committee meeting at 7 p.m.*

*Finance & Administration – The Town Manager reported that the Committee had discussed a request for use of the government channel, reviewed warrants and approved minutes.*

- E. MANAGER’S REPORT – *Dog licenses for 2012 are now available, there will be a candidate forum on 10/19/2011, there is a special council meeting on 10/25/11 for an executive session for a review of applications for the Town Manager position. The Infrastructure Committee will be reviewing the revisions to the Sewer Ordinance at its next meeting.*

F. COUNCILORS’ COMMENTS –

*Councilor Hornbrook thanked residents for coming and indicated that several people had asked about the Hamlin project and stated that it was convoluted and confusing and since she cannot explain it to people – she cannot vote for it.*

*The next meeting will be held on November 14, 2011 at 7:30 p.m. The Services Committee will meet from 5:30 – 7:30 p.m.*

G. ADJOURNMENT

*The meeting was adjourned at 9:47 p.m.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

Minutes

MONDAY

NOVEMBER 21, 2011

7:00 P.M.

Attending:

Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Jean Lawlis  
Councilor Shelby Wright  
Councilor William Shakespeare  
Councilor Kristen Hornbrook  
Town Manager Susan Lessard  
Jim Kiser  
Citizens

Staff members: Kathy Cole  
Tammy Ewing  
Cheryl Johnson  
Kelly Karter  
Amy Eaton  
Public Works Director Chip Swan  
Public Safety Director Joe Rogers  
Former PW Director Greg Nash

The meeting was called to order at 7 p.m. by Deputy Mayor Andre Cushing.

Motion by Councilor Shakespeare, seconded by Councilor Brann to excuse Mayor Hughes from tonight's meeting. Unanimous vote in favor.

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. email – Mark Cormier – incorrect ballot on voting day
- b. email – Kim Gray – incorrect ballot on voting day
- c. MRC – Guaranteed Annual Tonnage Trade Information
- d. MRC – Survey to Address GAT Shortfall Penalties & Post 2018 Disposal Solutions
- e. Email – Town Manager to Council, media, District Candidates regarding voters list sort and ballot comparison
- f. Email – Lisa Carter/Town Manager regarding opening of ballot containers
- g. Email – Cynthia Philbrick – candidate withdrawal from election/ballot ordering information
- h. Email – Bernie Philbrick – Rain Garden Information

4. REPORTS

Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the consent agenda. Unanimous vote in favor.

B. PUBLIC COMMENTS- *None*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Victualer's License received from Elisaveta Turla d/b/a Angelo's Pizzeria at 102 Main Road South - *The public hearing was opened by Deputy Mayor Cushing. Proponents – None. Opponents – None. Neither for nor against – None. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Election Results 11-08-2011 – *Attorney Russell informed the Council that a formal vote on the elections results is not legally required by Maine statute. Since there has been a request for a recount, motion by Councilor Brann, seconded by Councilor Wright to postpone this item.*

3. UNFINISHED BUSINESS

- a. Open Space – Billington subdivision – Planning & Development Committee Recommendation – *Planning & Development recommend that the Town accept the open space plan submitted for the Billington subdivision. The issue under consideration is who will own the open space. Motion by Councilor Brann, seconded by Councilor Lawlis to accept the open space easement for the Billington subdivision. Motion withdrawn. Motion by Councilor Brann, seconded by Councilor Lawlis that the Town take ownership of the open space easement for the Billington subdivision. Unanimous vote in favor.*

4. NEW BUSINESS

- a. Sewer Ordinance Revision – Introduction for Public Hearing – Infrastructure Committee recommendation – *The Town Manager explained that as part of our agreement with the City of Bangor for the use of their sewer treatment plant, our sewer ordinance needs to be consistent with theirs. Former Public Works Director Greg Nash has worked with staff and the City of Bangor to update the existing Sewer Ordinance. Since there were so many changes to be made, the new one will totally replace the old one after passage. In particular, there were a number of changes that needed to be made in regard to industrial pretreatment requirements. Mr. Nash gave an overview of the changes which also clarify authority, eliminated the Sewer Board and requires annual inspection of privately owned sewer extension. In addition, pump stations that are installed will require back-up generators. Councilor Shakespeare introduced this item for public hearing.*

- b. Design & Consulting Services – Betsy Poulin – Marina Project – Finance Committee Recommendation/Planning & Development Committee Recommendation – *The cost for this work would be reimbursed from the Chevron grant that has been received for the marina project. Motion by Councilor Brann, seconded by Councilor Lawlis to authorize payment to Betsy Poulin with funds not to exceed \$9500 to be paid from escrowed Chevron grant monies. Unanimous vote in favor.*
- c. Contract – In Depth Archeology – Marina Project – Planning & Development and Finance Committee Recommendations – *As part of the application process for the land swap between Hamlin and the Town, a Phase I archaeological assessment is required. The funds for payment of this study will come from the Chevron grant. Motion by Councilor Shakespeare, seconded by Councilor Brann to expend up to \$6300 for a Phase I Archaeological Assessment by In-Depth Archaeology with funding to come from the Chevron grant. Unanimous vote in favor.*

D. COMMITTEE REPORTS

*Communications – Councilor Hornbrook reported that the next meeting would be on 12/13. Planning & Development – Councilor Brann stated that there were several items on the agenda tonight that were referred by this Committee. It is also still working on the sign ordinance.*

*Services – Councilor Lawlis had no report.*

*Infrastructure – Councilor Shakespeare noted that the next meeting would be next Monday at 6 p.m.*

*Finance Committee – The Town Manager reported that the Finance Committee met before the Council meeting and discussed payment warrants, a draft of the personnel handbook, and a request to purchase a small piece of town property by Aubrey Hoyle.*

- E. MANAGER'S REPORT – *A copy of the Manager's Report is attached hereto and made a part of the minutes.*

F. COUNCILORS' COMMENTS

*Councilor Lawlis commented on the election and her belief that staff acted appropriately. Councilor Brann stated that all members of the Town Council should attend a municipal official's workshop. He believes that it is important that all Councilors know what their role is, and how government at this level works.*

*Councilor Hornbrook – Wished everyone a Happy Thanksgiving.*

*Councilor Wright – Apologized for her illness last week and wished everyone a Happy Thanksgiving.*

- G. DISCUSSION OF TOWN MANAGER CANDIDATES (Due to the nature of this item it may be discussed in Executive Session pursuant to 1 MRSA §405 (A) Personnel Matters, and (F) Confidential Records) – *Motion by Councilor Wright, seconded by Councilor Shakespeare to enter executive session pursuant to MRSA Title 1 §405 (A) Personnel Matters and (F) Confidential Records to include the Town Attorney at 8 p.m. Unanimous vote in favor.*

**MANAGER'S REPORT**  
**11-21-2011**

Thanksgiving Holiday – The Town Office will be closed on Thursday for the Thanksgiving Holiday, as will the pool, public works, the transfer station, and the library. The Transfer station will be open on Friday, November 25<sup>th</sup>.

Elected Officials Workshop – On December 14<sup>th</sup> from 5 – 8 p.m. the Maine Municipal Association is holding an elected officials workshop for elected officials from the communities of Bangor, Brewer, Hampden, Old Town & Orono at the Bangor Civic Center from 5 – 8 p.m. This session is the first to be held specifically for communities with a Council/Manager form of government. Attached is an email from Chris Lockwood, Executive Director of MMA in regard to the program.

Infrastructure Committee – The Infrastructure Committee is meeting on Monday, November 28<sup>th</sup> at 6 p.m. Councilors with items for that agenda should provide them to me by Wednesday morning to allow for posting of the agenda prior to the long holiday weekend.

*Motion by Councilor Brann, seconded by Councilor Shakespeare to re-enter regular session at 8:58 p.m. Unanimous vote in favor.*

*It was the consensus of the Council to invite three candidates in for second interviews and to conduct background checks on these candidates.*

H. ADJOURNMENT

*The meeting was adjourned at 9 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodsdon".

*Denise Hodsdon  
Town Clerk*



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

A-2-c

Minutes

MONDAY

DECEMBER 5, 2011

7:00 P.M.

*Attending:*

*Mayor Janet Hughes  
Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Shelby Wright  
Councilor Jean Lawlis  
Councilor Kristen Hornbrook  
Councilor William Shakespeare  
Citizens*

*Town Manager Susan Lessard  
Economic Development Dir. Dean Bennett  
Former PW Director Greg Nash  
Public Works Director Galen Swan  
School Supt. Rick Lyons  
Citizen's Comp Plan Committee members  
Councilor-elect Jeremy Williams*

*The meeting was opened by Mayor Hughes at 7:02 p.m. Her remarks expressed hope for a positive holiday season and an increased level of cooperation at Council Meetings.*

*A request was made by Mayor Hughes to consider adding an item to the agenda for the purpose of scheduling Town Manager interviews. Motion by Councilor Brann, seconded by Councilor Cushing to set aside the rules and add Item C-3-d Scheduling Town Manager Interviews. Unanimous vote in favor.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. Minutes – November 14, 2011

3. COMMUNICATIONS

- a. Emails – Bernie Philbrick – Rain Garden & Bangor Area Stormwater Group
- b. Emails – Cindy Philbrick – Request for New Election

4. REPORTS

- a. Finance Committee Minutes – 11/21/2011
- b. Pine Tree Landfill Complaint Report – October 2011

*Councilor Hornbrook requested that item A-3-b be pulled for discussion.*

*Motion by Councilor Cushing, seconded by Councilor Brann to accept the balance of the consent agenda. Unanimous vote in favor.*

*Councilor Hornbrook stated that Mrs. Philbrick would like Item A-3-b placed on the regular Council agenda for the 12-19-2011 meeting. She has information that she wishes to present on that item and could not be here tonight to do so. Motion by Councilor Hornbrook, seconded by Councilor Cushing to accept item A-3-b. Unanimous vote in favor.*

B. PUBLIC COMMENTS - None

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. Application for Victualer's License received from Carroll Crew, LLC d/b/a Pat's Pizza at 662 Main Road North – *The public hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Brann to approve. Unanimous vote in favor.*

b. Amendment by Substitution of the Town of Hampden Sewer Ordinance – *The Town Manager explained the reasons why the Sewer Ordinance was being updated, which are primarily due to the need for the Town of Hampden ordinance to be consistent with the City of Bangor ordinance because Hampden utilizes the Bangor Sewer Treatment Plant. This ordinance has been reviewed and recommended by the Infrastructure Committee and has been reviewed also by the Town Attorney.*

*The public hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor against – None. The Public hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Brann to adopt the sewer ordinance as presented. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. Report of Election Results 11-08-2011 – *Public Comments – Sheila Williams questioned whether the Town will be reviewing voter files to see if voter addresses are incorrect since there were incorrect ballots given at the election. It was explained that the addresses on the voter list are correct. That any problem would have been someone receiving a ballot from the wrong district – not that their address was listed incorrectly. Results of the election were read. Extensive discussion ensued in regard to the conduct of the election. Both the Town Clerk and the Town Manager answered questions related to processes followed. A recount was held on November 28<sup>th</sup> that validated the election results reported after the election. The Town Manager presented a memo (attached) to the Council in regard to this issue. No action for acceptance of results is necessary for the Council. This item is for informational purposes only.*

3. UNFINISHED BUSINESS

C-2-a

TO: Hampden Town Council  
FROM: Sue Lessard, Town Manager  
DATE: November 29, 2011  
RE: Election Results/Request for New Election

The purpose of this email is to provide information related to the election results that appear on this agenda as well as the email request for a new election submitted by Mrs. Philbrick.

As to the election results, as cited by Town Attorney Russell at the last meeting, although it has been the past practice of the Council to vote to approve and sign the election results, there is no legal requirement or authority for this action. Election results are certified by the warden on Election night and become official, pending recount requests/activity. The results therefore appear on the agenda as a report to the Council instead of a request for action.

Mrs. Philbrick sent an email request for a new election on November 17th, which I forwarded to the Town Council for your information. I have discussed this matter with the Town Attorney and there is no legal provision for a 'do-over' election. In the case of a tie, a run-off election would be conducted, and, as in the case of Candidate Gray from District 2, if a candidate wants to insure that all ballots were appropriately counted, they can request a recount. The five ballots that were identified as having been given to people in the wrong district, while certainly unfortunate, is less than a .2% margin of error for this election and does not negate the election results. Even if those 5 voters had voted for Mr. Gray, that would not have changed the outcome of the election of a councilor for District 2. Further, the contention in the email that multiple people 'insisted' to the clerks at the election that they received the wrong ballot is not backed up the actual events of the day. The Clerk was notified days after the election by one individual that he and his wife had received the wrong ballot, and that they questioned an election official about it and was told it was correct. To date, the Clerk has talked to the election workers at the polls and finds no one that remembers such an encounter, and certainly one that rose to the level of 'insistent' would have been remembered. Standard practice when a question occurs at the polls is for the election worker to seek the assistance of the Warden or the Town Clerk – both of whom are there from the beginning to the end. On election day one person reported that they had the wrong ballot and it was exchanged for a correct one. Prior to election day, Staff discovered that two absentee voters had been given the wrong ballot, contacted the voters involved, and new ballots were issued, and one other individual who picked up an absentee ballot called to say that he had the wrong ballot and a new ballot was issued in that case as well. No other individuals have reported to the town that they received the wrong ballot on or before Election Day, or that they spoke to an election official about it on or before Election Day.

Finally, the question related to the votes that have been represented as being 'not counted' for a candidate was answered at the recount held on November 28<sup>th</sup>. These are votes that either were write ins, or ballots that people did not complete before returning or putting in the machine. They could not be counted because they did not contain anything to count. Blank ballots could not be counted for either side.

- a. 2010 Draft Comprehensive Plan – Citizens Comp Plan Committee Recommendation – *Mayor Hughes thanked all who participated in the 2010 Comprehensive Plan including both the original committee members and the citizens who recently reviewed it as well as staff.*

*Economic Development Director Dean Bennett presented the draft and its history. He indicated that the Citizen Committee vote to endorse the plan was 15-1-1.*

*Jeremy Williams, 1334 Carmel Road North commented on his participation on the Committee. He thanked staff and urged the Council to accept the recommendations and move the plan through the process.*

*Rich Armstrong, Kennebec Road, said that the Committee had met the deadline and done what it was asked to do and that this plan is a much better plan which takes people's property rights into consideration.*

*Councilor Brann stated that there are still three things that have to be done; 1. The Committee must hold a public hearing, 2. The Planning Board must review the document and make a recommendation, 3. The State Planning Office must review the changes for consistency with the growth management act, and finally the Town Council must hold a hearing to consider adoption once those steps have been taken.*

*Motion by Councilor Brann, seconded by Councilor Shakespeare that the Comprehensive Plan be forwarded to the planning board for review and a joint public hearing with the Comp Plan Committee.*

*Discussion – Councilor Hornbrook would not support that motion until she has a chance to review the document and wants to postpone the decision until the next meeting.*

*Councilor Brann suggested sending it as is from the Committee without any modifications at this time.*

*Original motion withdrawn.*

*Motion by Councilor Hornbrook, seconded by Councilor Lawlis to postpone this item until the next meeting. Unanimous vote in favor.*

*Attorney Russell felt that it would make sense to hold a workshop between the Council and the Committee before sending it to the Planning Board.*

*The workshop for this purpose will be held on December 13<sup>th</sup> from 7-9 p.m.*

- b. Hampden Academy Re-Use Offer from School Board – *Mayor Hughes gave background on the offer tendered by the School Board to the Council for the acquisition of the old Hampden Academy property. The Board has requested a response by December 5<sup>th</sup>, which is the date of this meeting.*

*The offer was for the Town to pay \$386,000 as the Hampden share of the fair market value of the property. The Town's review of that appraisal indicates that it is much too high because it does not consider the cost of demolition of the buildings.*

*Councilor Hornbrook has concerns about the price offered for the sale of the old academy.*

*Motion by Mayor Hughes to enter negotiations with SAD 22 on a price for the Old Hampden Academy. Vote 5-2 (Hornbrook, Shakespeare)*

*Roland Narofsky, vice-chair of the School Board stated that WBRC had determined that the buildings are obsolete for educational purposes but that all buildings are up to code for other uses. The appraisal was a 'land only' appraisal.*

*Mayor Hughes believes that the Council needs an open forum with the School Board.*

*Councilor Shakespeare stated that the buildings are outdated and it would take a lot to develop them. He noted that comparisons mentioned of the prices for the sale of the Foster subdivision as well as the strip mall adjacent to the old high school are not really comparable.*

*Councilor Cushing stated that statutory requirements need to be met throughout this process.*

*There was extensive discussion among Councilors about the best way to move forward with this matter.*

*Motion by Councilor Cushing, seconded by Councilor Brann to reconsider the previous motion. Unanimous vote in favor.*

*Motion by Councilor Brann, seconded by Councilor Lawlis to make an offer to the School Board to enter into negotiations for the old Hampden Academy property. Unanimous vote in favor.*

- c. *Introduce Personnel Rules and Policies Ordinance/Handbook for Public Hearing (To replace Personnel Policy Ordinance by substitution) – Councilor Brann introduced this item for public hearing.*
- d. *This item was added to the agenda. Scheduling Town Manager interviews. There are three pending candidates and the 12<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup> are available dates. We need at least two councilors to take candidates to meet with department heads and have dinner with the candidates. Councilor availability for meetings was discussed. It was the consensus of the Council to meet with candidates on the 12<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup>. The Mayor will contact MMA representative David Barrett to set up the interviews.*

#### 4. NEW BUSINESS

- a. MRC Board of Directors Ballot – *Mayor Hughes asked the Town Manager for a recommendation of the candidates presented. The Town Manager recommended Philip McCarthy because she knows him well and he has been a well-respected manager for many years. Motion by Councilor Cushing, seconded by Councilor Brann to vote for Philip McCarthy for the MRC Board of Directors. Vote 5 – 1 (Hornbrook) – 1(Wright). Motion carried.*
- b. VFW – Games of Chance License – *Motion by Councilor Cushing, seconded by Councilor Wright to approve. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

*Infrastructure – Councilor Shakespeare - the last meeting was cancelled.*

*Services - Councilor Lawlis - There has been no meeting since the last Council meeting.*

*Planning & Development – Councilor Brann stated that the committee was working on the sign ordinance and the comprehensive plan.*

*Councilor Cushing – The Committee on Committees work is on the draft handbooks and orientation for committee members. The next meeting will be 12/27 at 6.p.m.*

*Communications – Councilor Hornbrook – The next meeting will be on 12/13 at 6 p.m.*

*Finance & Administration – Mayor Hughes reported that the committee was working on a review of the Code of Ethics and of the Council Rules.*

- E. MANAGER'S REPORT – *The Manager's Report is attached hereto and made part of the minutes.*

#### F. COUNCILORS' COMMENTS

*Councilor Wright – Commended the hard work of the Citizen's Comprehensive Plan Committee and is anxious to meet with them to discuss their work.*

*Councilor Hornbrook – Stated that it is nice to see everyone who comes to the meeting and encouraged people to continue to keep the calls and emails coming.*

*Councilor Cushing – Thanked the Comprehensive Plan Committee and is looking forward to the holidays.*

*Councilor Brann – Asked the Council to have the Town Attorney explore taking action against individuals who make slanderous comments against staff and the Town Council. He wants to know what the options are and wants the subject put on the next Council agenda.*

*Councilor Lawlis – Received a fundraising letter from the pool board fundraising committee asking people to donate to help with the air handling system. She urged everyone to think about making a contribution.*

*Councilor Shakespeare – Supports what Councilor Brann said. The public should be aware that there is a fine line between freedom of speech and defamation of character. He also noted the beautiful Christmas tree in the Council chambers.*

Council Meeting – 12/5/2011

G. ADJOURNMENT

*The meeting was adjourned at 9:40 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodson". The signature is written in black ink and is positioned above the printed name and title.

*Denise Hodson*  
*Town Clerk*

**MANAGER'S REPORT**  
December 5, 2011

Reeds Brook Thank You – Attached to this report is a thank you letter from Thomas Ingraham, Principal of the Reeds Brook School to Town Clerk Denise Hodsdon and staff for assisting them with a student voting project by allowing the use of the 'real' voting booths. Town staff also delivered and set them up.

State Planning Office Notification – The Town has received a notification from the State Planning Office that the Town of Carmel has submitted a Comprehensive Plan to that office for review for consistency with the Growth Management Act. Deadline for submission of comments on the proposed plan is January 9, 2012.

Penobscot County Refund – The Town received a check in the amount of \$23, 838.45 from Penobscot County as a refund of part of the County Tax paid this year that was supposed to offset the addition of the City of Bangor to the regional dispatch system. Since that was defeated in Bangor, as promised, the County Commissioners refunded \$450,000 to county communities. That is a 3.6% return of the total County Tax of \$662,171.22

Elected Officials Workshop – December 14<sup>th</sup> – A reminder to Councilors that the Maine Municipal Association will be conducting an elected officials workshop at the Bangor Civic Center on Wednesday, December 14<sup>th</sup> from 5 p.m. to 8 p.m. for Councilors from Bangor, Brewer, Old Town, Orono, and Hampden. I have not yet heard from all Councilors on whether they will be attending – if those of you who have not yet done so could let me know, I will notify MMA.

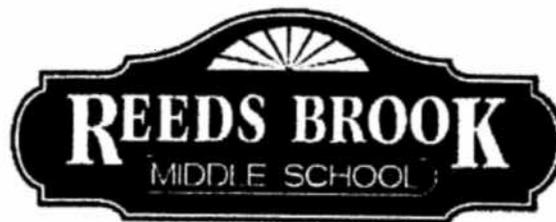
Kiwanis Christmas Party – Thanks go to the Kiwanis Club for once again sponsoring the Tree Lighting and children's Christmas party held on December 4<sup>th</sup>. There was a great turnout for the event.

Municipal Review Committee Meeting – The next meeting of the Municipal Review Committee will be on Tuesday, December 13<sup>th</sup> at 3 p.m. at the Orono Municipal Building.

Penobscot Cable Consortium – The next meeting of the Penobscot Cable Consortium is scheduled for Tuesday, December 6<sup>th</sup> at 1:30 p.m. at Eastern Maine Development Corporation. I will be attending.

Salvation Army Tree – There are still a few tags left on the 'tree' in the Town Office lobby for anyone interested in making a child's Christmas gift wish come true.

County Budget Hearing – The public hearing on the Penobscot County 2012 budget will be held on Tuesday, December 20<sup>th</sup> at 10 a.m. at the County Commissioner's Office on the 2<sup>nd</sup> floor of 97 Hammond Street. It reflects an overall reduction of 1.03% from taxation.



*Reeds Brook Middle School, a supportive learning community,  
challenges all students to achieve individual success.*



November 30, 2011

Ms. Denise R. Hodsdon  
Hampden Town Clerk  
106 Western Avenue  
Hampden, Maine 04444

Dear Ms. Hodsdon,

On behalf of everyone at Reeds Brook Middle School, I want to thank you and the members of your staff who helped us provide Reeds Brook's students with an authentic voting experience.

As you may know, we recently conducted a school-wide campaign to select our school mascot and logo. This followed an extensive process that included students submitting mascot candidates and new logos; our Student Council and Civil Rights Team played important leadership roles in this work.

As our voting day approached a member of the Reeds Brook staff contacted folks in your office about borrowing the town's actual voting booths. I thank you and your staff for not only providing us with the booths but for delivering, erecting and removing them as well. This was very generous and helpful and we truly appreciate it.

I want you to know that our students were very excited about completing ballots in an actual voting booth: this helped make it real and meaningful. It was great.

Again, thanks to all. You folks made a big difference.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Ingraham", written over a large, stylized flourish.

Thomas Ingraham  
Principal

cc: Susan Lessard, Town Manager  
Richard Lyons, Superintendent  
Emil Genest, Asst. Superintendent

28A Main Road South, Hampden, ME 04444 • [www.sad22.us/rb](http://www.sad22.us/rb) • Tel. 207-862-3540 • Fax 862-3551

Thomas Ingraham  
Principal

Paul O'Brien  
Assistant Principal

Ann Moody  
Guidance

Laura Matthews  
Athletic Director



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

A-2-d

Minutes

MONDAY

DECEMBER 19, 2011

7:00 P.M.

*Attending:*

*Mayor Janet Hughes*

*Councilor Andre Cushing*

*Councilor Tom Brann*

*Councilor Kristen Hornbrook*

*Councilor Shelby Wright*

*Councilor Bill Shakespeare*

*Councilor Jean Lawlis*

*Town Manager Susan Lessard*

*Town Staff members*

*Citizens*

*Economic Development Dir. Dean Bennett*

*The meeting was opened at 7 p.m. by Mayor Hughes.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Maine Bond Bank – Refinancing Credit – Municipal Building Addition Loan
- b. Email – Bernie Philbrick – Rain Garden, Bangor Area Stormwater Group
- c. Email – Lisa Carter/Secretary of State's Office

4. REPORTS

- a. Finance Committee Minutes – 12/5/2011
- b. Lura Hoit Pool Board Minutes – 10/11/2011

*Motion by Councilor Cushing, seconded by Councilor Brann to accept the consent agenda. Unanimous vote in favor.*

B. PUBLIC COMMENTS –

*David King – 54 Summer Street – spoke to the fact that it had been a controversial several months at council meetings and he thanked the Town Council for being professional and compassionate in spite of that. He also thanked the Town Manager and the Town Clerk for their efforts.*

*Lisa Carter – Western Avenue – Stated that she wanted to clear the air which had been polluted with rumors and propaganda. She read a prepared statement but did not provide a copy for the minutes. She also said that it was in the common interest to protect the rights of the people and that the shenanigans surrounding the election were wrong.*

*Terry McAvoy – Monroe Road – The Town Council convened a meeting on December 5<sup>th</sup> which was calm until the end when Councilor Brann used his time to criticize citizens. He stated that there would be a higher level of scrutiny of the Council over the next three years.*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. *Adoption of Proposed Personnel Rules and Policies Ordinance/Handbook – Mayor Hughes opened the public hearing. Proponents – None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Cushing, seconded by Councilor Lawlis to adopt the Personnel Rules & Policies Ordinance/Handbook. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. *Request for New Election – Cindy Philbrick – Mrs. Philbrick requested a new election for all four voting districts because she says that errors occurred which impacted the outcome of the election.*

*The Town Attorney responded that there is no statute or legal precedent to call a new election. There is no avenue for such an event . A recount is the avenue available for a contested election and one was requested and done.*

*Councilor Hornbrook questioned why if there is no legal precedent that it means a new election cannot be held. She believes that the Council should pursue options for holding a new election.*

*Rick Kelley – 840 Kennebec Road – said that at a previous council meeting it had been stated that the seal would not be opened until 5 p.m. on Thursday. Attorney Russell stated that in hindsight the Town probably gave the candidate an extra day to request a recount. Business days is defined in statute and we do not have anything different in our charter.*

*Councilor Brann stated that if a mistake had been made it was to allow the extra day for a request for a recount.*

*Councilor Hornbrook questioned if there was any law forbidding a new election.*

*Mayor Hughes stated that we have no recourse for a new election. The Town had consulted with its attorney and needs to move forward.*

b. Comprehensive Plan –

1. Re-Affirm Citizen Committee's Charge
2. Assign Citizens Comprehensive Plan Committee the responsibility for public hearing per statutory requirement:  
Title 30-A M.R.S. § 4324 Responsibility for Growth Management  
Sec. (2) Planning Committee  
Sec. (8) Public Hearing Required

*Mayor Hughes gave an update on the progress to date, which includes the fact that the scheduled workshop had been cancelled. Councilor Hornbrook stated that she has many questions and wants to reschedule the workshop.*

*State Statute requires the Citizen's Committee to hold a public hearing with at least a 30 day notice.*

*There were no public comments on this issue.*

*Councilor Hornbrook suggested that the Communications Committee could host a workshop on this topic.*

*Councilor Cushing requested that the Economic Development Director outline the time frame and the process for the plan from here forward. Dean Bennett explained that first there needed to be a public hearing by the Citizen's Committee, then review by the State Planning Office, then a review and recommendation from the Planning Board, and finally, a public hearing at the Town Council level for adoption.*

*Jeremy Williams, 1334 Carmel Road North, feels that a workshop is a less formal way of taking information.*

*Councilor Hornbrook reiterated that she thought it was a good idea to reschedule the workshop.*

*Mayor Hughes suggested that the Council send it back to the Citizen's Committee to schedule a workshop or a public hearing as they see fit.*

*Spencer Meyer, Summer Street, feels that the Committee has served its purpose and held its ten workshops. He believes the Committee should hold the public hearing it is required to hold without additional workshops.*

*Motion by Councilor Hornbrook, seconded by Mayor Hughes that the Comp Plan workshop be rescheduled.*

*Discussion: A workshop with the Council and Committee will not fulfill the public hearing requirement of the Committee.*

*Vote on the motion – 3 in favor (Cushing, Hughes, Hornbrook) and 4 opposed (Brann, Shakespeare, Lawlis, Wright) Motion fails.*

*Motion by Councilor Brann, seconded by Councilor Lawlis that the Comprehensive Plan be sent back to the Citizen's Committee to hold the required public hearing. Vote 6 in favor and 1 opposed (Hornbrook).*

- c. *Old Hampden Academy Re-Use Update – Mayor Hughes reported that she had attended a meeting with the school board and reviewed the two appraisals and options for redevelopment. For the next agenda the Council needs to schedule an executive session to discuss negotiation options. She considered the meeting to be very productive and sees a good relationship between the Town and the School District. There were no public comments or questions.*

*Councilor Shakespeare said that even though it was his last meeting as a Town Councilor it was his opinion that the Town should not go forward with this.*

*The next meeting for the Mayor and the School is on Friday, January 6, 2012 at the Superintendent's office.*

- d. *Town Manager Search Update – The Mayor reported that there have been four interviews conducted with three chosen for second interviews. At least one Councilor is needed for a tour and meeting with department heads and then the interview for all Councilors.*

#### 4. NEW BUSINESS

- a. *Annual Report – 2011 – Town Manager – The Town Manager read the 2011 Annual Report. A copy of the report is attached hereto and made a part of the minutes. The report will also be posted on the Town website.*

D. *COUNCILOR SHAKESPEARE RECOGNITION – Mayor Hughes presented Councilor Shakespeare with a gift and Councilors wished him well. Councilor Shakespeare expressed his appreciation to the Council and staff.*

#### E. COMMITTEE REPORTS

*Communications Committee – Councilor Hornbrook reported that the next meeting would be held on January 10<sup>th</sup> at 6 p.m.*

*Committee on Committees – Councilor Cushing reported that the next meeting would be on the 27<sup>th</sup> of December.*

*Services Committee – Councilor Lawlis reported that the Committee had a brief meeting and discussed the Community Garden concept.*

*Finance Committee – Mayor Hughes reported that the Finance Committee reviewed the Code of Ethics and Council Rules and that the current Town Manager has offered to continue to work part time until a replacement is hired*

F. *MANAGER'S REPORT – The Manager read the annual Christmas Poem. A copy of it is attached hereto and made part of the minutes.*

## 2011 ANNUAL REPORT

To state the obvious, 2011 has had its challenges. However, the Town of Hampden has accomplished a great deal during the past year. In no particular order, those accomplishments include;

- The Town completed the sale of two lots in the Business & Commerce Park
- The Town participated in the Home Composter distribution program through the State Planning Office for the 5<sup>th</sup> year in a row. This program has resulted in the distribution of more than 220 home composters to residents in the community over the past 5 years.
- The Business Evaluation & Retention Program Report was completed and implementation steps established
- Water was re-installed at Dorothea Dix Park
- The Town locked in bid prices for fuel saving nearly \$9,000 for the 2011/2012 fiscal year under what was budgeted
- The Town mil rate was set at 15.90 – the same mil rate for the fourth straight fiscal year.
- The Town accepted a 2002 GMC pick-up truck forfeited through the court system and sold it with the proceeds going to fund the cruiser reserve account
- The Town adopted a PACE ordinance which allows residents access to Efficiency Maine loans for energy improvements to their homes
- The Town paved 4 miles of road
- The Town purchased one new police cruiser, one new plow truck, and two everyday highway department work trucks
- The Kids Korner before and after school program, and the Kids Kamp summer recreational program set record participation rates in 2011
- The Lura Hoit Pool Board of Trustees kicked off a capital fundraising campaign to offset the cost for a new air handling system that is needed for the pool
- Katahdin Trust donated \$5000 to the library for library programming
- The Town purchased a power-lift stretcher for the front-line ambulance to assist with patient safety and help prevent strain/sprain injuries to fire/ems personnel. \$5000 of this cost was defrayed by a donation from Hannaford Supermarkets.
- The Town agreed to TIF financing to assist a local business with an expansion of more than \$3 million dollars in value.
- The Town is the recipient of a \$520,000 supplemental environmental improvement project grant from Chevron to facilitate the development of an 8.5 acre waterfront park on the Penobscot River
- The Town was the recipient of a \$25,000 grant for library improvements including a new circulation desk area, rehabilitation of the children's room, filling of the old 'pool' in the building, and new shelving.
- The Pink Garden in front of the municipal building that was built from the generous donations of taxpayers bloomed for the first time – and more donations of both plants and money have come in since then. Associated with that effort, Team Denise has raised more than \$15,000 for breast cancer research since Denise's diagnosis and treatment in 2008.

- The Town was the recipient of a grant for the purchase of a new brush truck valued at nearly \$150,000 to assist the Fire Department in its work.
- A number of new businesses opened their doors in town and others expanded or rehabilitated theirs, including - but not limited to - Katahdin Trust, PDQ Door, Angelo's Pizza, Wight's Sporting Goods, Angler's, Dunkin Donuts, Maine Trailer, Hampden Physical Therapy, McLaughlin's, and Hampden Boat Sales
- The Town permitted fourteen new homes in 2011, and accepted Sunrise Lane and drainage improvements associated with the fifteen-lot Dance Hall subdivision off Route 1A. They also approved one minor 3-lot subdivision on Sawyer Road, and have approved the plan for the 32 lot Chickadee Crossing subdivision at the site of the former Crestwood Trailer park.
- As a result of concerns raised by citizens, the Town Council appointed a second Comprehensive Plan Committee to review the 2010 Comprehensive Plan and make recommendations for changes from the original draft. The work of that Committee was reported back to the Town Council at the beginning of December
- Grants were received for public safety programs in seatbelt awareness and drunk driving as well as for safety equipment, including Kevlar vests.
- The Town received an interest reduction of over \$12,000 on the 2010 bond for sewer work on Route 1A.
- Ordinances were amended to regulate the location of marijuana cultivation and dispensing facilities, to update the definition of family to a more modern and equitable one, to update the sewer use ordinance for consistency with the City of Bangor and their wastewater facility license, to codify the personnel rules of the Town, to amend the setbacks for small accessory structures in the zoning ordinance, to allow church as a use in the commercial services district, to amend the interchange district and to amend the mobile home park ordinance.
- The Public Safety department has distributed a customer-satisfaction survey to determine where improvements in service can be made
- Fire/EMS responded to 488 ambulance calls between January 1<sup>st</sup> and November 15<sup>th</sup> of 2011, and the Police Department responded to more than 4500 complaints
- The Town office registered over 6500 vehicles in 2011, licensed more than 850 dogs, and issued over 890 hunting/fishing licenses, registered over 500 boats, almost 400 snowmobiles and over 200 atv's. It also sent out and collected revenue from over 3600 property tax bills and nearly 6000 quarterly sewer bills.
- The Town issued 23 victualer's licenses
- The Town approved 6 liquor licenses
- The Town received a grant for engineering related to completion of the sidewalk on Western Avenue to Mayo Road.
- Digital equipment was purchased and installed for improvements to the operation of the Cable Television system with funds obtained through the Town's participation in the Penobscot Downeast Cable Consortium

Other projects currently underway by the Town Council include:

- Revision of the Town Council Code of Ethics
- Revision of Town Council Rules
- The Town continues to work with RSU 22 on the future of the old Hampden Academy site
- The Town Council Services Committee continues to work with RSU 22 for development of a trail system in the four mile square area
- The Town continues to work on implementation of the Chevron Grant for development of the waterfront park on the Penobscot River
- The Town Council will be acting on the Comprehensive Plan Draft submitted by the Second Citizen's Comprehensive Plan committee after a Committee public hearing and review by the Town Planning Board
- The Council Communications Committee is considering possible web-streaming options for cable television programming and improvements to options on the Town's website.
- The Town is working on establishing a stand-alone sign ordinance that is more user friendly than the one that is currently part of the zoning ordinance

Former Mayor Matthew Arnett resigned in March as a result of a decision to move to a warmer climate and Shelby Wright was elected in a special Council election in June to fill that unexpired term. In 2011 long-time Town Clerk Paula Newcomb passed away – and she will be missed by many for a long time to come. Finance Director Janie Pitcher resigned and was replaced in the position by finance assistant Tammy Ewing. Amy Eaton was hired in the Front Office to replace Tammy and Rosemary Bezanson from the Assessing Office is being cross-trained in payroll and accounts payable duties.

In August of 2011, after nearly 11 years in office, I resigned my position and the Council began a search process with the assistance of the Maine Municipal Association for the replacement of the manager. It is anticipated that a candidate will be hired close to year end.

I have had the pleasure and the honor of writing these reports for the past 11 years, and for managing this community during that time period. I appreciate the efforts of all of those that I have worked with, and for, in that time. Hampden is a wonderful community and I hope that 2012 is a year of progress and prosperity for the Town.

**MANAGER'S REPORT**  
December 19, 2011

Dog License Reminder – Dogs must be registered no later than January 31<sup>st</sup> to avoid a \$25 late fee.

Transfer Station Decals – Transfer Station decals are now available for 2012. Please bring your vehicle registration with you to pick up the sticker. Per Council policy, those without a new sticker as of January 31<sup>st</sup> will not be allowed to use the transfer station until they pick one up.

Quarterly Newsletter – The next edition of the Quarterly newsletter will be going to the printer at the beginning of January. Anyone with articles for it should have them submitted by Thursday, December 29<sup>th</sup>.

Employee Christmas Party – The employee Christmas party was held on Thursday, December 15<sup>th</sup> at lunchtime. Thanks to Gretchen and the wellness group for organizing the party and thanks to all the employees who brought the delicious food! It was a wonderful and well-attended event. I have attached a copy of this year's Christmas Poem that I wrote and read at the event.

Holiday Schedule – The Transfer Station will be closed Saturday December 24<sup>th</sup> and Sunday December 25<sup>th</sup> – but will be open on Monday, December 26<sup>th</sup> and Tuesday, December 27<sup>th</sup> and will be accepting wood and construction/demolition debris. The Town Office, Library, Pool, and Recreation will be closed on Monday December 26<sup>th</sup> and Monday January 2<sup>nd</sup>, However, Kid's Korner programs will be open on Monday January 2<sup>nd</sup> because school is in session.

First Council Meeting of 2012 – The first Council meeting of 2012 will be on Tuesday, January 3<sup>rd</sup> because Monday is a Town holiday. There will be no Finance Committee meeting prior to that meeting because the current Finance Committee composition ends on 12/31/2011. The first order of business at the first meeting in January is the election of the Mayor and Deputy Mayor; councilors also provide input as to which Council committees that they would wish to serve on for the ensuing year so that the Mayor can prepare the Committee assignments.

CHRISTMAS 2011

IT WAS JUST BEFORE CHRISTMAS,  
NOT A SIGN OF MUCH SNOW –  
NOR SIGN OF MANY CUSTOMERS –  
JUST WHERE DID THEY GO?

BUSINESS WAS SLOW –  
EXCEPT FOR DUMP STICKERS.  
**THOSE** ARE BEING REQUESTED IN DROVES  
BY HOLIDAY PICKERS.

THE PUBLIC WORKS CREW  
IS READY RIGHT NOW  
FOR THE NEXT BIG SNOWSTORM  
TO PLAY WITH THEIR PLOWS.

THE TRANSFER STATION HAS GOT TO BE BY FAR  
THE MOST POPULAR DEPARTMENT – I THINK.  
CALL AFTER CALL – ‘ARE THEY OPEN’  
IT DRIVES THE OFFICE STAFF TO, WELL... YOU KNOW....

FIRE/EMS ARE GLAD  
THE HOLIDAYS ARE HERE  
ARRIVAL OF THE BRUSH TRUCK -  
IS NOW A LITTLE BIT NEARER!

THE POLICE DEPARTMENT HUMS ALONG  
WITH VERY LITTLE FANFARE  
THEY COME TO WORK – THEY DO THEIR JOBS  
WHAT MORE COULD ANYONE ASK FOR?

THE PUBLIC SAFETY DIRECTOR AND KANDY  
KEEP THE COMBINED DEPARTMENT RUNNING WELL –  
SO MANY OTHER PLACES DON'T –  
THERE ARE MORE STORIES THAN I COULD TELL..  
(OF THOSE THAT DON'T!)

POOR DALLAS MISSED A LOT OF WORK –  
BY CRASHING TO THE FLOOR –  
WE ARE GLAD THAT SHE IS BACK  
AND FALLS AT THE LIBRARY ARE NO MORE!

CODE ENFORCEMENT/PLANNING HAS THE UNPOPULAR JOB  
OF POINTING OUT PLAN FLAWS -  
BOB AND BEN AND EVEN DAN  
DO THE BEST THEY CAN WITH ALL THE LAWS!

ASSESSING IS NOT A POPULAR PLACE -  
WHEN TAX BILLS GO OUT THE DOOR –  
PEOPLE OFTEN COMPLAIN OF VALUE –  
BUT THEY WOULD SELL IT FOR EVEN MORE!

IT/GIS IS ALL OVER THE PLACE –  
SHE DOES MAPS AND COMPUTER DEBUGGING  
FOR EVERY DEPARTMENT – AND MORE THAN 60 COMPUTERS  
NO WONDER SHE IS CONSTANTLY RUNNING!

WHEN I HEAR THE SCARY VOICE –  
I KNOW CHERYL IS UNHAPPY AND MORE.  
AND THOSE OF US WHO RECOGNIZE IT –  
DUCK OR HEAD FOR THE DOOR!

KATHY KEEPS US ALL IN LINE  
AND TRACK OF SUPPLIES ALL BY HERSELF –  
WOE TO ANYONE WHO TAKES –  
THINGS OFF THE WRONG SUPPLY SHELF!

AMY IS OUR NEWEST FIND –  
AND SHE FITS IN JUST GREAT  
WE ARE LUCKY THAT SHE CAME HERE TO WORK  
WE HOPE SHE WANTS TO STAY!

JANIE LEFT IN SEPTEMBER  
AFTER DOING A GREAT JOB IN THE FINANCE SEAT  
TAMMY HAS TAKEN THAT JOB OVER –  
AND HAS NEVER SKIPPED A BEAT.

ELECTIONS, CLERK WORK, COUNCIL MEETINGS -  
ATVS, DOGS AND MORE -

DENISE HAS A SMILE FOR MOST EVERYONE  
WHO COMES THROUGH THE FRONT DOOR

ECONOMIC DEVELOPMENT  
HAS CARRIED MUCH OF THE LOAD  
OF NAVIGATING THE COMPREHENSIVE PLAN  
ALONG ITS LONG AND WINDING ROAD.

WITH THREE IN JUST ONE ROOM,  
THEY HAVE THE SMALLEST SPACES.  
BUT RECREATION STAFF DO WELL TO RUN  
MANY PROGRAMS IN MANY PLACES.

THANKS TO DIRECTOR DEBBIE  
THE LIBRARY GOT A FACELIFT AND MORE -  
NEW CIRCULATION DESK, NEW FLOOR - AND NO POOL -  
STEPHEN KING - YOU WE NOW ADORE!  
(THANK YOU FOR THE MONEY!)

AEROBICS, PARTIES, ZUMBA  
SENIOR ACTIVITIES AND THE SWIM TEAM TOO -  
THE LURA HOIT POOL IS BUSY ALL YEAR  
CREATING FUN THINGS FOR FOLKS TO DO.

THE TOWN COUNCIL HAS HAD ITS CHALLENGES  
MORE THAN JUST A FEW  
IF PRAYERS ARE ANSWERED AND GOD IS LISTENING  
PERHAPS THEY WILL BE REDUCED!

IT HAS BEEN A TOUGH YEAR IN MANY WAYS –  
THAT IS AN UNDERSTATEMENT I KNOW  
BUT YOU ARE THE BEST EMPLOYEES AND FRIENDS I HAVE EVER HAD -  
AND I WANTED YOU ALL TO KNOW THAT BEFORE I GO.

HAMPDEN IS A WONDERFUL PLACE –  
AND IS MADE SO IN MANY WAYS  
BY THE EFFORTS OF YOU WHO DO THE GOOD WORK  
AND SHOW UP HERE EVERY DAY!

THIS IS MY LAST CHRISTMAS POEM AS YOUR MANAGER  
BUT I HOPE WE CAN ALL STAY IN TOUCH -  
YOU HAVE ENRICHED MY LIFE IN MORE WAYS THAN I CAN SAY –  
PLEASE KNOW I LOVE YOU ALL VERY MUCH.

THANK YOU-

SUE LESSARD, CHRISTMAS 2011

To the residents of Hampden:

As your duly elected and duly sworn-in Councilor-at-large for Hampden I am responsible for representing the voice of the over 7200 residents who call this town home. I am also responsible for upholding my Oath of Office and the Constitution of this country and of the state of Maine. Over 1400 residents allow me to borrow the power of their voice by casting their vote for me in the 2010 election. Serving the residents of Hampden continues to be one of the great honors of my life.

As you may know, numerous questions have been asked regarding concerns with the recent election, recent comments made by Councilors and the Council Chair, as well as legitimate questions residents have asked in regard to their Constitutional rights and how their tax dollars are being spent. Many of their questions, and mine, go unanswered. I would like residents to know I will continue to do my very best to get the answers you seek.

In regard to recent questions I have asked of this Council, individual Councilors, and the Town Manager, and my recent Freedom Of Access Act (FOAA) request for e-mails from the last two weeks, those questions also continue to go unanswered and my FOAA request has been ignored by all but the Town Manager. I would like to thank Manager Lessard for doing her part to answer my request. I do appreciate your response Manager Lessard.

As for the complete brush off of my FOAA request by ALL Councilors, and the rude and dismissive e-mail response from Council Chair charging me with 'harassment,' simply for asking questions, it is simply unacceptable. As a duly elected and duly sworn-in Councilor-at-large for Hampden it is my legal right to ask these questions and make these requests. It is also your legal responsibility to provide the answers and the documents requested in a timely manner. The fact that you have done neither is again, unacceptable.

Please do not misunderstand me. My concern is not for myself. This is not about me. This problem goes far beyond me or any one person in this town.

My concern is for all the residents who may one day wish to fulfill their civic duty and serve their town. If residents who are simply asking questions of their town officials and elected officials are accused of 'libel' and 'slander' for doing so; and if an elected official, a voice who speaks for over 7200 residents in this town is bullied, yelled at, and accused of 'harassment' simply for asking your questions, who in their right mind will ever step up to serve in this town again?

When I asked for your vote in the fall of 2010 I said I would take my oath seriously and would count it as an honor to serve you. That has not changed. I am not an oath-taker, I am an oath-keeper. If anything, the events of the past year have strengthened my resolve to honor your trust and our Constitution. I will continue to do that until my term expires.

You have told me and I agree with you, the Constitution is not a joke. The Bill of Rights is not an old fashioned document to be mocked and ignored. These documents are what the very foundation of our Republic is built upon. If they are ignored, if our rights are not guaranteed, our Republic will crumble. Let's not let that happen on our watch. I promise you all I will not let it happen on mine.

G. COUNCILORS' COMMENTS

*Councilor Wright – Wished everyone Happy Holidays and a Happy New Year.*

*Councilor Hornbrook read a prepared statement (copy attached), wished all a Merry Christmas and Happy New Year. FOAA requests made in the statement will appear on the next Council agenda.*

*Councilor Cushing thanked the Manager for agreeing to stay on part time and assist in the transition.*

*Councilor Brann wished everyone a peaceful Christmas and welcomed home veterans of the Iraq war.*

*Councilor Lawlis wished everyone Happy Holidays and stated that she was impressed with all the work that got done in 2011 that was listed in the Manager's Annual Report.*

*Mayor Hughes received an email about the possible closure of the mail processing facility in Hampden. She also responded that she takes FOAA requests seriously. In closing she wished all a Merry Christmas and Happy New Year.*

H. ADJOURNMENT

*The meeting was adjourned at 10:20 p.m.*

*Respectfully submitted,*

*Denise Hodsdon  
Town Clerk*



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

A-2-e

MONDAY AUGUST 20, 2012 7:00 P.M.

*Attending:*

*Mayor Janet Hughes                      Town Manager Susan Lessard*  
*Councilor Andre Cushing              Citizens*  
*Councilor Tom Brann*  
*Councilor Shelby Wright*  
*Councilor Jeremy Williams*

*The meeting was opened at 7:05 p.m. by Mayor Hughes.*

*Motion by Councilor Wright, seconded by Councilor Williams to excuse Councilors Hornbrook and Lawlis from attending the meeting. Vote 4-1. (Brann)*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Department of Health & Human Services – General Assistance Audit
- b. Email – Councilor Hornbrook re Questions about Ordinances and Comp Plan

4. REPORTS

- a. Finance & Administration Committee Minutes – 8/6/2012

*Motion by Councilor Cushing, seconded by Councilor Wright to accept the consent agenda. Unanimous vote in favor.*

B. PUBLIC COMMENTS - None

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

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

- a. Mike Jellison – New Appointment to Lura Hoit Pool Board of Trustees – Services Committee Recommendation – *Motion by Councilor Cushing, seconded by Councilor Brann to approve. Unanimous vote in favor.*
- b. Victoria Levesque – New Appointment to Lura Hoit Pool Board of Trustees – Services Committee Recommendation– *Motion by Councilor Cushing, seconded by Councilor Brann to approve. Unanimous vote in favor.*
- c. Sarah McVeigh – New Appointment to Lura Hoit Pool Board of Trustees – Services Committee Recommendation – *Motion by Councilor Cushing, seconded by Councilor Brann to approve. Unanimous vote in favor.*
- d. Joshua Sargent – New Appointment to Lura Hoit Pool Board of Trustees – Services Committee Recommendation – *Motion by Councilor Cushing, seconded by Councilor Brann to approve. Unanimous vote in favor.*
- e. Nomination Papers available for Councilor At-Large; RSU #22 Board of Directors & Hampden Water District Board of Trustees – *This item was for informational purposes only. There are three Council seats available as well as two School Board seats and one Water District Trustee position.*

### 3. UNFINISHED BUSINESS

- a. Request to use GIS Reserve Funds for Digital Documents Scanning Project – *Motion by Councilor Wright, seconded by Councilor Cushing to approve the use of up to \$7500 of GIS Reserve funds for the Digital Documents Scanning Project. Unanimous vote in favor.*

*Councilor Cushing asked if the Town had considered automating the permit application process by accepting all items via email/fillable forms. The Town does not do this at this time. He asked that this topic be referred to the Services Committee.*

- b. Set Mil Rate – 2012/2013 Tax Year – *Public Comment – David Ryder, 315 Meadow Road, asked if the mil rate stayed the same would valuations be going up so that taxpayers would be paying more. The Manager replied that only those who had either done construction on their homes, had a property sale with a much higher value, lost a homestead exemption, or were part of the properties in town which had been taxed at only a partial value due to being incomplete in the prior tax year would see an increase.*

*The Manager recommended a mil rate of \$15.90 with an overlay of .4% at \$38,704.41. Motion by Councilor Williams, seconded by Councilor Wright to set the 2012-2013 mil rate at \$15.90. Unanimous vote in favor.*

- c. Draft TIF Agreement with Dennis Paper – *Councilor Brann explained that the Planning & Development Committee recommended a TIF for the Dennis Paper expansion of 77% for 5 years and 50% for 5 years. Part C of the application outlined that the use of the sheltered taxes would be 80% for economic development purposes and 20% for trails/recreation improvements.*

*Town Attorney Tom Russell clarified that the Town would be approving the terms of the allocation, but that the TIF would not be enacted until after a public hearing, which will be introduced on 9/4/12 and held on 9/17/2012.*

*Motion by Councilor Brann, seconded by Councilor Cushing to approve the allocation of the TIF funds as proposed. Unanimous vote in favor.*

- d. Schedule Site Visit – Old Hampden Academy – *A walk through of the old High School was scheduled for 4 p.m. on Monday, August 27<sup>th</sup>, followed by the grand opening ceremony at the new high school at 5:30 and an Infrastructure Committee meeting at 7 p.m.*
- e. Town Council Rules – Mayor Hughes – *Removed from the agenda by Mayor Hughes.*

#### 4. NEW BUSINESS

- a. Zoning Ordinance Text Amendments – re Definition of Community Building – Referral to Planning Board – *Motion by Councilor Brann, seconded by Councilor Cushing to refer this item to the Planning Board for a recommendation. Unanimous vote in favor.*

#### D. COMMITTEE REPORT

*Infrastructure – Councilor Wright reported that the next meeting will be on 8/27 at 7 p.m. after the grand opening ceremony for the new high school.*

*Planning & Development – Councilor Brann reported that the next meeting will discuss Hampden Academy re-use and comprehensive plan adoption.*

*Communications – Councilor Williams reported that the Communications Committee would be meeting on Tuesday, August 20<sup>th</sup>.*

*Services – Councilor Wright reported that discussion at the most recent meeting concerned the Papermill Road Recreation Area, and the future of Dorothea Dix Park. Open space connectivity was tabled until the next meeting.*

- E. MANAGER'S REPORT – *The Manager reported that tax bills would be out by the end of August with the first half due the first Wednesday in October 2012 and the second half due the first Wednesday in April 2013.*

- F. COUNCILORS' COMMENTS –

*Councilor Williams thanked citizens for coming and is pleased to be able to keep the mil rate the same again this year. He indicated that he had heard from constituents who had received a visit from the Assessor.*

*Councilor Cushing – Thanked and congratulated the members of the Children’s Day Committee for a wonderful event. They do a lot for a totally volunteer organization. He also encouraged residents to consider volunteering for Town committees.*

*Councilor Wright – Thanked all who volunteered and participated in Children’s Day.*

*Mayor Hughes – Indicated that it was nice to see the community coming together and congratulated the Children’s Day Committee on their great work.*

G. ADJOURNMENT

*The meeting was adjourned at 7:57 p.m.*

Respectfully submitted,



Denise Hodsdon  
Town Clerk



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

A-2-f

TUESDAY

SEPTEMBER 17, 2012

7:00 P.M.

*Attending:*

*Mayor Janet Hughes  
Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Jean Lawlis  
Councilor Jeremy Williams  
Councilor Kristen Hornbrook*

*Town Manager Sue Lessard  
Robert Osborne, Town Planner  
Economic Development Director Dean Bennett  
Ron Dennis, Dennis Paper  
Andrew Neff, Bangor Daily News  
Superintendent Rick Lyons  
Citizens*

*The meeting was called to order at 7:02 p.m. by Mayor Hughes.*

*Motion by Councilor Cushing, seconded by Councilor Lawlis to excuse Councilor Wright from the meeting. Unanimous vote in favor.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. January 3, 2012
- b. September 4, 2012

3. COMMUNICATIONS

- a. Jeremie DayGlider/Town Clerk – Thank You

4. REPORTS

- a. Finance & Administration Committee Minutes – 9/4/2012
- b. Board of Appeals Meeting Report – 8/29/2012
- c. Pool Board Meeting Minutes – 7/10/2012

*Councilor Hornbrook requested that item A-3-a be pulled.*

*Motion by Councilor Cushing, seconded by Councilor Brann to accept the balance of the consent agenda.*

*Councilor Hornbrook asked about the voting/residency laws regarding persons who live overseas but apply for a ballot in their former community. The Town Clerk explained that under the federal Uniformed and Overseas Citizens Absentee Voting*

*Act, US citizens living outside the country are entitled to vote in the last place of residency before leaving the country. Motion by Councilor Hornbrook, seconded by Councilor Cushing to accept item A-3-a. Unanimous vote in favor.*

**B. PUBLIC COMMENTS**

*Katherine Cavness – 240 Carmel Road South – Spoke about the badly deteriorated condition of Route 69. She had spoken with Representative Cushing, Senator Plowman and Senator Thibodeau about it as well. She requested that the Council send a sternly worded letter to MDOT since this area is slated for a just a minor resurfacing and not a rebuild. Councilor Cushing suggested that Ms. Cavness also contact Winterport and Newburgh for support.*

*Ms. Cavness stated also that she is a nurse and works in a nursing home and wants a bill to pass in the legislature to up staffing requirements in nursing homes. She says they are underfunded and the state sets a minimum staffing level which is not safe. She will be asking the Town Council to send a letter of support for this when it goes to the legislature.*

**C. POLICY AGENDA**

**1. PUBLIC HEARINGS**

- a. *Dennis Paper & Food Services Tax Increment Financing District & Development Program with Credit Enhancement Agreement - Economic Development Director Dean Bennett explained the terms of the proposed TIF for Dennis Paper as fifteen years with ten of it having tax rebates to Dennis for 77%/23% for years 1-5 and 50%/50% for years 6-10.*

*Mayor Hughes opened the public hearing. Proponents – None. Opponents – None. Neither for nor against – None.*

*The public hearing was closed.*

*Motion by Councilor Williams, seconded by Councilor Cushing to approve the TIF as proposed for the Dennis Paper expansion. Vote 5-0-1(Hughes due to possible conflict).*

*Owner Ron Dennis thanked the Council for its support and credited staff with being proactive and business friendly. He indicated that he would be willing to provide a positive testimonial on doing business in Hampden.*

**2. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. *Notice of General and Referendum Election – Absentee Ballot Processing Dates/Times – This item was provided by the Town Clerk for information purposes only.*

### 3. UNFINISHED BUSINESS

- a. Reconsideration of the Sale of the 1955 Jeep – Councilor Brann – *Councilor Brann indicated that several residents had asked if the Council would reconsider and keep the 1955 Jeep for parade purposes for the Fire Department. He had spoken with the Public Safety Director who indicated that the grant for the new vehicle only required that the old Jeep be taken out of fire service – not ownership. Councilors discussed the possible value and its potential uses. Motion by Councilor Cushing to refer this item back to the Infrastructure Committee to determine the cost of retaining and maintaining the 1955 Jeep. Unanimous vote in favor.*
- b. Old Hampden Academy Property – Purchase & Sale Agreement - *The Mayor explained that the \$86,000 that was originally part of the agreement has been removed and that the Town accepted responsibility for the current environmental condition. The closing is scheduled for 9/20/2012 at 10 a.m.*

*Town Attorney Russell indicated that the document in the packet had been agreed upon by both sides, but at the SAD #22 board meeting, minor changes had been made to Section 7 but he had no concerns with them. Copies of the changes were distributed to the Town Council.*

*Councilor Cushing expressed concern over the snowmobile trail on the property and insuring that access will be retained or users. Superintendent Lyons indicated that the school district would be continuing access to the snowmobile trail.*

*Motion by Councilor Lawlis, seconded by Councilor Williams to authorize the Town Manager to sign the revised Purchase & Sales Agreement for the old Hampden Academy, continuing on to the closing.*

*Discussion: Councilor Williams reiterated where the Town is in the process, which is a simple land swap with no money changing hands.*

*Councilor Lawlis questioned the insurance needed for the property. The Town Manager indicated that she had already contacted Maine Municipal Association with pertinent information if the Town acquires the property.*

*Vote on motion – 5 in favor, 1 opposed (Hornbrook). Motion carried. Mayor Hughes thanked the Council and staff for all the hard work on this project.*

- c. Authorization to Proceed with Implementation of Marina Plan – *Planning & Development Chair Councilor Brann reported that everything had been submitted to the State/Federal government for the*

*final approval of the land swap, and that we have been assured that it is forthcoming. However, the DEP settlement needs to be expended by a time certain so we need to move forward or lose the money to the State of Maine and the project will fall apart. The request is for the Council to reaffirm that it is ready to proceed with contractors for work at the site and move forward with the project.*

*Motion by Councilor Brann, seconded by Councilor Lawlis to authorize implementation.*

*The Economic Development Director explained that this includes the parking lot, trail system, signage, toilets, replacing the dock and the kayak launch facility.*

*Vote on the motion – 5 in favor, 1 opposed (Hornbrook). Motion carried.*

- d. *2010 Draft Comprehensive Plan – Planning Board Response – Planner Robert Osborne presented the Planning Board comments and read their letter into the record (included and made part of the minutes).*

*There were no public comments on this item.*

*Mayor Hughes suggested sending it to Public Hearing with the Planning Board Comments.*

*Councilor Cushing asked if we could address the typographical errors identified by the Planning Board. Attorney Russell responded that clerical errors could be corrected but no substantive changes without referring it back to the Comprehensive Planning Committee process.*

*The Town Manager questioned some of the contents of the letter as referring to the implementation of the plan – not its adoption. Mayor Hughes asked that the definition of ‘affordable housing’ be included along with the requested map listing and citation document and correction of clerical errors.*

*Councilor Williams indicated that he was surprised that the Planning Board had considered the document to be ‘ambitious’ because it had been watered down a good deal by the Citizen’s Comprehensive Planning Committee.*

*Councilor Brann indicated that the Council needs to hold a public hearing to adopt the plan and then the Planning & Development Committee will take public comments and the Planning Board additional recommendations for implementation into account.*

*Councilor Brann introduced the Comprehensive Plan Draft for Public Hearing by October 15, 2012 after clerical errors are corrected, the*

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 862  
Fax: (207) 862-50  
email: info@ham

C-3-d

September 12, 2012

Dear Hampden Town Council:

The purpose of this letter is to respond to your recent referral of the following item:

*Town of Hampden forwards the 2010 Comprehensive Plan to the Planning Board for recommendations with particular focus on the comprehensive land use policy amendments proposed by the Citizens Comprehensive Plan Committee, and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan.*

The Hampden Planning Board has reviewed the proposed 2010 Comprehensive Plan's comprehensive land use policy amendments as proposed by the Citizen's Comprehensive Plan Committee. Those elements were found to be well considered and generally an incremental change from the 2001 Comprehensive Plan.

The Hampden Planning Board has reviewed the 2010 Comprehensive Plan and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan. The Board discussed the 2010 Comprehensive Plan and generally found that the Board would be able to utilize the plan as drafted to evaluate proposed projects consistency with the Comprehensive Plan. The Board recommends that the Town Council have Town Attorney, Tom Russell develop a priority list of ordinance revisions and replacements needed to be consistent with the 2010 Comprehensive Plan. The Board recommends that priority be given to adjustment of land use ordinances that are not consistent with the 2010 Comprehensive Plan and that a priority list should be developed identifying what ordinances should immediately be modified in some way to be made consistent with the new plan. The Board recommends that in instances where land use ordinances specifically require the Planning Board to determine if an application is consistent with the 2010 Plan that the ordinance offer some parameters for the Board to consider rather than a universal reference to the plan.

The Hampden Planning Board made some general observations about the 2010 Comprehensive Plan that are also included here as well as several recommendations:

**Affordable Housing:** The Plan places considerable emphasis on affordable housing. The Board questions how that is to be accomplished. Is the intention to simply create incentives through subdivision and zoning ordinances such as density bonuses for developers or was there an intention to create some sort of mandatory requirement? The term "affordable housing" is found a number of times in the 2010 Comprehensive Plan. Since "affordable housing" is a State of Maine mandate the Planning Board recommends that the 2010 Plan should include a precise definition of the term "affordable housing".

**Accomplishing the Goals of the 2010 Plan:** The Hampden Planning Board identified an ambitious number of stated goals contained in the 2010 Plan and noted that accomplishing those goals represents a quantifiable amount of time and financial expense. It was suggested that any proposed project that requires additional resources or funding from the Town or State be noted and identified in the plan as to the amount of funding and sources.

As examples, the following projects are referenced.

**2.3 Employment and Economy Implementation Strategies** EE1, EE2, EE3, EE6, EE13, EE16, and EE18;

**3.3 Housing Implementation Strategies** (provide incentives for housing); H1 and H8;

**4.3 Transportation Implementation Strategies** (build alternative methods, sites vs. single passenger trips); T5, T9, T10, T11, T16, T17, and T18;

**5.3 Recreation Implementation Strategies** R2, R6 and R8;

**6.3 Marine Resources Recommendations/Implementation Strategies** MR8;

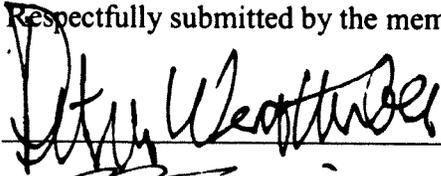
**7.3 Water Resources Implementation Strategies** WR13 (what would be the budget for materials, etc.?)

The Hampden Planning Board noted that the number of projects proposed is ambitious and may exceed the time capabilities of the town's staff if the intent is to pursue all of the stated recommendations of the plan within the timeframe laid out in the plan. As an example, the 2010 Comprehensive Plan assigns the Town Planner/Planning Board with more than 40 immediate projects, 13 ongoing projects, and 22 long term projects without the addition of any new projects. Thus, the Planning Board recommends that there be an effort to review those assigned projects to determine if the current staff and Planning Board has the time to complete the identified projects within the defined timeline. This would also lead to assigning a specific time (weeks, months or years) for each project, and more importantly, a priority system within each of the plan's currently stated times for the projects should be established. Perhaps some of those assigned projects might be accomplished with hired consultants if the Council determines that to be necessary to meet the prescribed timeline to accomplish the stated goals and objectives. The Planning Board suggests that in instances where a design or study would precede a large capital expense that the fiscal prudence be observed to not study and design Town projects that cannot be funded in the immediate future.

**Clerical errors:** The Hampden Planning Board noted that there were a number of clerical errors that they recommend be noted and corrected. They passed those specific comments on to the Town Planner but they are not all detailed here. Generally those issues include page numbering and citations in Book One, a citation to Section 14.8 (that should be 14.7). An error was noted in Book Two regarding the days that the Planning Board meets on. The Board noted that the Map Book should generally be addressed to improve the referencing and citations on the maps. For example the Current Land Use Map inadvertently cites the 2009 Comprehensive Plan.

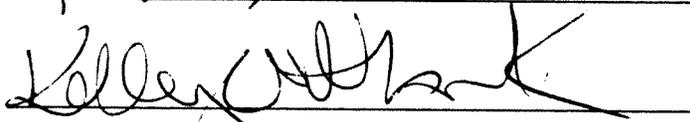
Additional information provided for the plan: The Hampden Planning Board recommends that the Map Listing and Citation Information document the Town Planner provided the Board previously (essentially an index of the maps that was revised because of changes made by the Citizens Committee) become Appendix B of Book 2 and also become the Table of Contents of the Map Book.

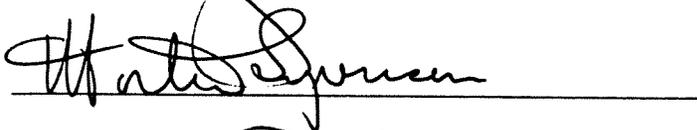
Respectfully submitted by the members of the Hampden Planning Board,



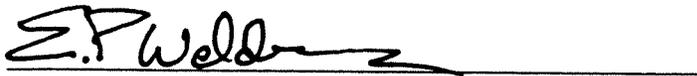
Chairman











\_\_\_\_\_

\_\_\_\_\_

*affordable housing definition is included and the map listing is attached.*

- e. *Town Council – Rules Violation Discussion – Councilor Hornbrook – Councilor Hornbrook asked for this to be put on the agenda in response to a Finance & Administration Committee meeting that was held on 9/4/2012 where a topic was discussed that was not on the posted agenda. She believes that there is no point in having rules if we are not going to follow them. She indicated that she was frustrated and felt 'out of the loop' in regard to information. Additionally, although she had received the Town Attorney's response to the question of whether items could be added to the agenda, she disagreed with it because the rules say that items cannot be added to the agenda of Committee meetings. If the Council is to be transparent, it should follow its own rules.*

*Councilor Lawlis stated that since there is a special meeting tomorrow night in regard to Council rules/ Charter, that would be a great time to talk about this.*

*Councilor Brann stated that there is nothing in the Charter or Council Rules regarding when things can be added to an agenda. Additionally, the Finance & Administration Committee does not spend money – it only makes recommendations to the Council. He was also upset with continued references by Councilor Hornbrook to 'private meetings', although she has not identified what those are or what she considers to be a private meeting.*

*Councilor Hornbrook indicated that she would not address this because Councilor Brann was deflecting on one Councilor and that is not appropriate. She then asked Town Attorney Russell to sum up his opinion of the Council Rules (copy included as part of the minutes) and Section 40 of Robert's Rules.*

*Councilor Hornbrook believes that section 18a of Council Rules would prevail over Section 40 of Robert's Rules of Order. Town Attorney Russell does not agree with her interpretation.*

*Councilor Lawlis indicated that the topic in question was on the Council agenda – just not the Finance Committee agenda.*

*Mayor Hughes apologized if anyone felt misled and took the opportunity that evening when the rest of the Finance Committee items had been discussed to update Councilors on the old Hampden Academy project. She indicated that she is tired of the constant battling.*

*Councilor Lawlis made a motion to table the item.*

## 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, when serving as an ex-officio member, 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 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

Adopted by Town Council: May 21, 2012

*Councilor Hornbrook made a point of order that she has had her hand up and not been recognized by the Chair. She considers that others are deflecting from the issue to her personally. She believes the Council needs to follow its own rules.*

*Motion by Councilor Lawlis, seconded by Councilor Cushing to table until the special meeting on 9/18/2012. Vote 5-1(Hornbrook).*

*Mayor Hughes reminded Councilors and those in attendance and watching on Channel 7 that there would be a special Council meeting on 9/18 for the purpose of discussing Council Rules and the Charter as it pertains to the Council.*

#### 4. NEW BUSINESS

- a. *Voting Delegate for Maine Municipal Association Annual Business Meeting – Motion by Councilor Brann, seconded by Mayor Hughes to nominate Councilor Cushing as the voting delegate for the Maine Municipal Association Business meeting. Vote – 5 in favor, 1 opposed (Hornbrook).*

#### D. COMMITTEE REPORTS

*Services Committee – Councilor Lawlis reported that the Services Committee had met the prior Monday and talked about Dorothea Dix Park and its new picnic tables and water fountain. The Committee also discussed Papermill Road Park and the idea that it is time to take a closer look at the park and restore it to its former glory. The next meeting will be at 5:30 on the 2<sup>nd</sup> Tuesday in October due to the Monday holiday. The Committee will meet at 5:30 at the parking lot and car pool to Papermill Road Park for a tour and then come back to discuss what had been seen.*

*Planning & Development – the next meeting will be on Wednesday, September 19<sup>th</sup>.*

*Communications – The September 11<sup>th</sup> meeting discussed the newsletter, district meetings, the Hampden Academy video project, the candidate forum for 10/2 and trying out new microphones for the Council Chamber. Due to the conflict with Services, the Communications Committee meeting will begin at 6:30 p.m. on 10/9.*

*Finance & Administration – Mayor Hughes reported that the Committee had discussed a request by Liberty Mutual to provide an employee-funded benefit, the election of District Councilors and the upcoming survey that will go out in the January newsletter.*

- E. *MANAGER'S REPORT – The Manager's Report is attached hereto and made a part of the minutes.*

#### F. COUNCILORS' COMMENTS

*Councilor Hornbrook – Appreciates feedback and comments and questions and concerns from the public and she will continue to bring those forward. She has spoken with people who have concerns about the economy and she hopes people will continue to be engaged at the local level.*

*Councilor Cushing – Thanked the Clerk for her leadership in the Race for the Cure, said he was sorry he missed the opening of the new Hampden Academy, that he*

## MANAGER'S REPORT

9-17-2012

Candidate Forum – The Communications Committee is planning a Candidate Forum for Tuesday, October 2<sup>nd</sup> at 6 p.m. here at the Town Office. I have heard back from four of the eleven Candidates thus far and only one cannot make it.

Assessment Questions – The Assessor is back in the office during regular hours and is working through the list of questions that accumulated during her absence. In addition, in response to questions that have been asked related to changes in tax bills this year, the memo attached explains increases, decreases, and their source. I hope this is helpful.

Newsletter Update – The deadline for the newsletter has been changed from 9/13 to Thursday, September 20<sup>th</sup> to allow time for all the candidates to provide their information. So far I have only had information provided by 3 candidates.

Tax Due Date Reminder – The first half of property taxes are due on the first Wednesday in October which is October 3<sup>rd</sup> in order to avoid interest. I am happy to report that payments have already started to come in and that we have collected 7.7% of the real estate tax commitment as of today.

Soccer Program – It is worth noting that the Hampden Recreation Soccer program for this fall session has 211 participants. This is a significant increase in enrollment in the program. Average enrollment generally does not exceed 190 children.

New High School Video – The video done by volunteer resident Jim Folsom and our video intern Justin Foster has a 'draft' ready. Further refinements will be done, but the current draft will air on Cable Channel 7 this week. Town Office staff was able to preview the video last Thursday. Many thanks to Mr. Folsom for his 'idea' and for all the hard work that he put in to making it a reality. Thank you also to MSAD #22 who co-sponsored the video.

2012 Race for the Cure – Bangor – Hats off to Town Clerk Denise Hodsdon for her work – for the 4<sup>th</sup> year! as co-chair – of the Bangor race. She has devoted countless volunteer hours to this 'cause', and also serves on the State Komen Board.

**TO:** Hampden Town Council  
**FROM:** Sue Lessard, Town Manager  
**DATE:** September 17, 2012  
**RE:** Tax billing – Increases/Decreases 2012/2013

The purpose of this memo is to provide information related to tax billing for the 2012-2013 year. Councilors have indicated that they have had questions from residents about increases in property taxes. The following is a breakdown of increases and decreases in tax bills for this fiscal year:

A total of 3,632 real estate tax bills were generated.

275 of those bills contained an increase (7.57%)

Of those 275 increases, 78 (2.15%) were due to Homestead Exemption & Veteran Exemption Changes, leaving 197(5.42%) that were increased for other reasons.

The Town has issued a total of 146 building permits from 2010 through April 1<sup>st</sup> of 2012. Since the date of assessment is April 1<sup>st</sup> of each year, there are always increases related to new construction that are from prior permit years. In addition, at the time the current assessor took over from Vivian Gresser when she retired, there were a number of properties that were only being assessed as partially completed. The current Assessor has also been working on inspections to bring those properties, if completed, in line with completed values.

253 of those bills contained a decrease (6.97%)

Of those 253 decreases, 149 (4.10%) were due to Homestead Exemption & Veteran Exemption Changes, leaving 104 (2.86%) that were decreased for other reasons.

*believes that we made a large step forward tonight in the old Hampden Academy project and the marina project and that the Comprehensive Plan is close to adoption after a long period of time and effort.*

*Councilor Lawlis – Shares Councilor Cushing’s feelings that great things have been happening but believes the best is yet to come with Papermill Park, the Marina, and the new Hampden Academy.*

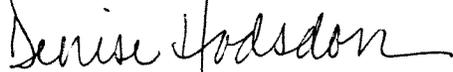
*Councilor Williams – Thanked people for coming to the meeting. Reminded people that the condition of Route 69 will be on the Infrastructure Committee meeting agenda and believes it is appropriate to pressure the state to get work done on that road.*

*Mayor Hughes – Agrees with the comments of the other Councilors that the Council and Staff have been working on some great things including the new school, Papermill Park, and business expansion. The Council has responded to the request of many residents to use the Skehan Center as a Community Center, and the Council will be evaluating its future use during this interim period.*

G. ADJOURNMENT

*The meeting was adjourned at 9:23 p.m.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*



*Councilor Cushing asked the Town Manager to explain the relationship the Town has with the Maine Municipal Association for insurance purposes and how it benefits the Town. The Town Manager explained that the Town participated in a risk pool through MMA with hundreds of communities throughout the state. As a result of shared risk, the Town saved money on its annual premiums, and when its claims experience was favorable, the town received rebates back from Maine Municipal. Motion by Councilor Cushing, seconded by Councilor Brann to accept Item A-3-b. Unanimous vote in favor.*

B. PUBLIC COMMENTS - None

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Ordinance Authorizing Conveyance of Land Owned by the Town of Hampden – *Mayor Hughes explained that the Town Charter requires that an ordinance be adopted with a public hearing for any land conveyance that is to be done by the Town Council. The land conveyance in this matter is the 65 acres of land behind Reed’s Brook School that is being exchanged for the old Hampden Academy property. The Mayor opened the public hearing. Proponents – None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Brann, seconded by Councilor Wright to adopt the ordinance authorizing the conveyance of land owned by the Town of Hampden. Vote – 6 in favor, 1 opposed (Hornbrook). Motion carried.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Warrant for Municipal Election – 11/6/2012 – Council Signatures – *Motion by Councilor Cushing, seconded by Councilor Brann to accept the warrant as prepared. Unanimous vote in favor.*

3. UNFINISHED BUSINESS

- a. Set Service Fees for 2012/2013 – *The Town Manager explained that the purpose of the Service Fees ordinance was to assess congregate care facilities that were real estate tax exempt for the costs of providing services. This requires an annual vote by the Town Council. Motion by Councilor Brann, seconded by Councilor Cushing to approve the service fees assessments for 2012-2013 in the amount of \$37,353.84. Unanimous vote in favor.*
- b. Pilot Program for Recreation Department’s use of Skehan Center through end of Fiscal Year 2013 – Planning & Development Committee Recommendation – *Councilor Brann reported that the Planning & Development Committee had unanimously supported the idea of a six month trial period for the Recreation department to utilize the Skehan*

*Center for recreational programming. Recreation Director Kurt Mathies explained that the department could use the space to expand recreation programs including those for Senior Citizens, adult programs, middle school programs, and possibly Kids Korner.*

*Councilor Williams questioned the cost of maintaining the building for heat and electricity and where the money to pay for that would come from. He also stated that he wanted to see a business plan for the use of the facility. The Recreation Director stated that there was sufficient funds in the Recreation Clearing account to cover the costs for the trial period and that he was still working with Planning and Development on the business plan. Councilor Cushing questioned when programming would start there and the Recreation Director answered that programming could begin in late fall or early winter. Councilor Hornbrook questioned whether there were offices there and was told by the Recreation Director that the department can use the offices there but will need computers and the internet and will need to replace some doors in the facility.*

*Motion by Councilor Brann, seconded by Councilor Wright to authorize the Recreation Department to proceed with implementation of the pilot program to utilize the Skehan Center through the end of FY 2012-2013.*

*Discussion:*

*Councilor Hornbrook – considers this idea too open-ended and cannot support it. Since all costs are not yet known, it looks like a blank check. Councilor Williams – is a bit uncomfortable with this drastic a step and would like to see a business plan completed prior to the authorization. Councilor Lawlis – considers this a very short term plan and if some entity wanted to take over the entire property, it likely would not be before the end of the fiscal year anyway.*

*Councilor Brann – believes that this could open up the before and after school program and that the money in the Recreation enterprise (clearing) account can cover the costs not paid by fees.*

*Councilor Wright – considers this a good opportunity to test the feasibility of a town-operated community/recreation center.*

*Councilor Cushing – questioned funding of this. The Town Manager stated that during budget discussions \$100,000 of host community benefit monies were set aside for the total Hampden Academy Re-use project for the year and that some of those funds had been expended on the environmental evaluations that were done. He then asked the Recreation Director what was available in the Recreation Clearing account and the Director responded that approximately \$90,000 was in that account.*

*Mayor Hughes – is looking at a year at least before anyone is ready to do any development at the site and that it makes sense to evaluate the use of the Skehan Center for community recreation since that has been a goal of several comprehensive plans and utilizing an existing building makes more sense than building a new one.*

*Councilor Wright called the question.*

*Motion by Councilor Wright, seconded by Councilor Lawlis to call the question. Vote – 6 in favor, one opposed (Cushing). Motion carried. Vote on original motion – 5 in favor, 2 opposed (Williams, Hornbrook). Motion carried.*

- c. *Zoning Ordinance Text Amendment, Residential A District, Residential B District and Article 7.1 Definitions Community Building – Introduction for Public Hearing – It was explained that the purpose of this amendment is to allow other uses to occupy spaces within community buildings such as churches and the Masonic Lodge. Councilor Brann introduced this item for public hearing.*
- d. *Route 69 Update – The Town Manager updated the Council on the fact that the Infrastructure Committee had voted to contact Winterport and Newburgh for support on a letter to the MDOT Commissioner requesting more than a skim coat of repair to Route 69.*

*The Council took a ten minute break at 8 p.m.*

*Mayor Hughes thanked the people who contacted the Council during the break in regard to the terrible sound quality of the meeting. The Council will revert to the old microphones for the remainder of the meeting.*

#### 4. NEW BUSINESS

- a. *Municipal Review Committee – Appointment of Representative to Penobscot Valley Refuse Disposal District – Recovery of Municipal Funds – Motion by Councilor Brann, seconded by Councilor Cushing to appoint the Town Manager as representative to the Penobscot Valley Refuse Disposal District. Unanimous vote in favor. The purpose of this is to reactivate the Committee to investigate the use of funds by EMDC that were the property of the PVRDD.*
- b. *Application for Renewal of Outdoor Wood-burning Furnace License received from Doug & April Stanhope, 560 Western Avenue – Motion by Councilor Williams, seconded by Councilor Cushing to approve. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

*Services Committee – Councilor Lawlis - the meeting on 10/9 will be largely devoted to Papermill Road Park and the early tour at 5:30 p.m.*

*Planning & Development – Councilor Brann – the next meeting will be on October 3<sup>rd</sup> at 6 p.m.*

*Communications Committee – Councilor Hornbrook – the microphone fiasco of tonight was the result of the Committee wanting to try out different microphone types. The next meeting will be at 6:30 p.m. on October 9<sup>th</sup>.*

*Infrastructure Committee – Councilor Wright – The Committee met on 9/24 and discussed the 1955 Jeep and the condition of Route 69.*

*Finance & Administration – Mayor Hughes- The committee is working on the Town Charter, Council rules related to attendance, and the community survey.*

- E. **MANAGER'S REPORT** – *The Town Manager reminded residents that the first half of property taxes are due on 10/3, and that the front office staff will be providing snacks again this year. The newsletter will be going to the printers this week and includes the candidate bios and photos. The Candidate forum is at 6 p.m. on Tuesday, October 2<sup>nd</sup> and will be aired live and then rebroadcast up until election.*

F. **COUNCILORS' COMMENTS** –

*Councilor Williams thanked people for coming and encouraged people to attend the candidate forum. He hopes that people will show up and support their candidates and he appreciates the large number of people who have thrown their hats into the ring this time.*

*Councilor Lawlis reminded people of the Services Committee meeting on 10/9 to walk through Papermill Park.*

*Councilor Cushing congratulated the football team on their strong start to the season. Councilor Hornbrook thanked people for coming and expressed appreciation that eight people were running for three seats. She indicated that she found it frustrating to come to meetings that were then cancelled due to lack of a quorum. She also encouraged people to continue to keep the calls and emails coming.*

*Councilor Wright – Apologized for being unable to attend the Candidate Forum but will be out of state but reminded people that they need to remember to vote.*

G. **ADJOURNMENT**

*The meeting was adjourned at 8:40 p.m.*

*Respectfully submitted,*



*Denise Hodsdon*

*Town Clerk*



## 1. PUBLIC HEARINGS

- a. *Adoption of final draft of the 2010 Comprehensive Plan – Mayor Hughes gave a history of the 2010 Comprehensive Plan and then indicated that the Citizen’s Comprehensive Plan Committee had held a Public Hearing on it in March 2012 and that no comments had been made on the plan at that time other than one emailed comment. The plan had been sent to the Planning Board and they had some comments and recommendations. The Town Planner read into the record the letter from the Planning Board (attached hereto). The maps have been amended to reference the 2010 Comprehensive Plan, page numbers and corrections have been made and the table of contents and Appendix B have been incorporated. The Planning Board recommends adoption of the plan. Councilor Williams asked for the definition of affordable housing and the Town Attorney informed him that it was the same definition that is used in the federal definition of the term. The Mayor Hughes opened the public hearing. Proponents – none. Opponents – none. Neither for nor against: Sally Leete, Main Road South stated that in researching other comp plans, such as the Town of Carmel, why is Hampden’s so large? She also noted that the City of Houston, Texas has no comprehensive plan and it is a major city. The Mayor responded that the smaller book is the actual plan and the larger book is the data that supports the plan. Councilor Williams responded that we have a lot more infrastructure than many small communities and the larger book is the inventory of all of that. The public hearing was closed.*

*Motion by Councilor Brann, seconded by Councilor Cushing to adopt the Comprehensive Plan as presented.*

*Discussion:*

*Councilor Hornbrook does not support comprehensive planning and considers it the epitome of overreaching in government. It is not mandatory and she will not support its passage. She supports common sense zoning. She warned viewers that there would be updates to ordinances coming and for those who have not researched it; there is a wealth of information out there on this overreaching process. She will proudly not be supporting the plan.*

*Councilor Williams – agrees with Councilor Hornbrook that the mandatory provision of the Growth Management Act went away and thanked Councilor Hornbrook for bringing to the attention of citizens the negative impacts of the former plan. He thanked Councilor Cushing for the idea of forming a citizen’s committee to review the plan and Dean Bennett for doing a great job in helping the Committee revise it. He believes that the plan will result in the repeal of some overreaching zoning and while he does not like comprehensive planning – he will vote for this because it can help the Town to straighten out and fix overreaching ordinances.*

*Councilor Cushing – appreciates the efforts that have gone into this plan and what has come out was helpful and productive as we continue to grow as a community. Certain aspects of the community have benefited from comprehensive planning and a lot of knowledgeable people came to the table to participate in the process. What we do with it during the implementation phase will have a real impact going forward and there is still a lot of work to do.*

*Councilor Williams – The Communications Committee is working on ways to improve the ways in which we inform the public so that hopefully we do not have cases in the future where people believe that ‘decisions were being made in the dark’.*

*Councilor Brann – stated that the Town Councils of Hampden have long been committed to comprehensive planning and cautioned Councilor Williams that existing ordinances have not yet been changed and that the implementation phase will be where those discussions take place.*

*Mayor Hughes – believes in Comprehensive Planning. The Citizen’s Committee made the plan more flexible. It allows the staff to focus on future visions for sidewalks, roads, recreation, etc. Concerns with shoreland zoning can be worked on separately.*

*Vote on motion – 6 in favor, 1 opposed (Hornbrook). Motion carried.*

*Motion by Councilor Brann, seconded by Councilor Lawlis to forward all Planning Board comments related to the Comprehensive Plan to the Planning & Development Committee. Vote on motion – 6 in favor, 1 opposed (Hornbrook). Motion carried.*

- b. *Application for Victualer’s License – Hannaford Supermarket & Pharmacy, 77 Western Avenue – Motion by Councilor Brann, seconded by Councilor Williams to approve the victualer’s license for Hannaford Supermarket & Pharmacy. Unanimous vote in favor.*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

## 3. UNFINISHED BUSINESS

- a. *Habitat for Humanity – Council Update on the Hampden House Project Amanda Charette of Bangor Habitat for Humanity reported to the Council that they had found a family for the Cottage Street house that was going to be built. They are tentatively scheduling a groundbreaking for this coming Saturday and would like someone from the Town Council to speak. They hope to have the family in by Christmas and they look forward to working with the Town. Anyone who wants to help can contact [habitatbangor.org](http://habitatbangor.org) and a construction schedule will be*

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



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

October 10, 2012

Dear Hampden Town Council:

The purpose of this letter is to respond to your recent referral of the following item:

*Town of Hampden forwards the 2010 Comprehensive Plan to the Planning Board for recommendations with particular focus on the comprehensive land use policy amendments proposed by the Citizens Comprehensive Plan Committee, and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan.*

The Hampden Planning Board has reviewed the 2010 Comprehensive Plan's comprehensive land use policy amendments as proposed by the Citizen's Comprehensive Plan Committee. Those elements were found to be well considered and generally an incremental change from the 2001 Comprehensive Plan. Accordingly, in accordance with Sec. 604 of the Town Charter, the Board hereby recommends the adoption of the 2010 Comprehensive Plan, as revised by the Citizen's Comprehensive Plan Committee in 2012.

The Hampden Planning Board has reviewed the 2010 Comprehensive Plan and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan. The Board discussed the 2010 Comprehensive Plan and generally found that the Board would be able to utilize the plan as drafted to evaluate proposed projects consistency with the Comprehensive Plan. The Board recommends that the Town Council have Town Attorney, Tom Russell develop a priority list of ordinance revisions and replacements needed to be consistent with the 2010 Comprehensive Plan. The Board recommends that priority be given to adjustment of land use ordinances that are not consistent with the 2010 Comprehensive Plan and that a priority list should be developed identifying what ordinances should immediately be modified in some way to be made consistent with the new plan. The Board recommends that in instances where land use ordinances specifically require the Planning Board to determine if an application is consistent with the 2010 Plan that the ordinance offer some parameters for the Board to consider rather than a universal reference to the plan.

The Hampden Planning Board made some general observations about the 2010 Comprehensive Plan that are also included here as well as several recommendations:

**Affordable Housing:** The Plan places considerable emphasis on affordable housing. The Board questions how that is to be accomplished. Is the intention to simply create incentives through subdivision and zoning ordinances such as density bonuses for developers or was there an intention to create some sort of mandatory requirement? The term "affordable housing" is found a number of times in the 2010 Comprehensive Plan. Since "affordable housing" is a State of Maine mandate the Planning Board recommends that the 2010 Plan should include a precise

definition of the term “affordable housing”.

Accomplishing the Goals of the 2010 Plan: The Hampden Planning Board identified an ambitious number of stated goals contained in the 2010 Plan and noted that accomplishing those goals represents a quantifiable amount of time and financial expense. It was suggested that any proposed project that requires additional resources or funding from the Town or State be noted and identified in the plan as to the amount of funding and sources.

As examples, the following projects are referenced.

2.3 Employment and Economy Implementation Strategies EE1, EE2, EE3, EE6, EE13, EE16, and EE18;

3.3 Housing Implementation Strategies (provide incentives for housing); H1 and H8;

4.3 Transportation Implementation Strategies (build alternative methods, sites vs. single passenger trips); T5, T9, T10, T11, T16, T17, and T18;

5.3 Recreation Implementation Strategies R2, R6 and R8;

6.3 Marine Resources Recommendations/Implementation Strategies MR8;

7.3 Water Resources Implementation Strategies WR13 (what would be the budget for materials, etc.?)

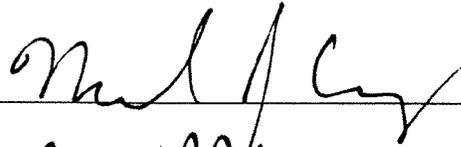
The Hampden Planning Board noted that the number of projects proposed is ambitious and may exceed the time capabilities of the town’s staff if the intent is to pursue all of the stated recommendations of the plan within the timeframe laid out in the plan. As an example, the 2010 Comprehensive Plan assigns the Town Planner/Planning Board with more than 40 immediate projects, 13 ongoing projects, and 22 long term projects without the addition of any new projects. Thus, the Planning Board recommends that there be an effort to review those assigned projects to determine if the current staff and Planning Board has the time to complete the identified projects within the defined timeline. This would also lead to assigning a specific time (weeks, months or years) for each project, and more importantly, a priority system within each of the plan’s currently stated times for the projects should be established. Perhaps some of those assigned projects might be accomplished with hired consultants if the Council determines that to be necessary to meet the prescribed timeline to accomplish the stated goals and objectives. The Planning Board suggests that in instances where a design or study would precede a large capital expense that the fiscal prudence be observed to not study and design Town projects that cannot be funded in the immediate future.

Clerical errors: The Hampden Planning Board noted that there were a number of clerical errors that they recommend be noted and corrected. They passed those specific comments on to the Town Planner but they are not all detailed here. Generally those issues include page numbering and citations in Book One, a citation to Section 14.8 (that should be 14.7). An error was noted in Book Two regarding the days that the Planning Board meets on. The Board noted that the Map

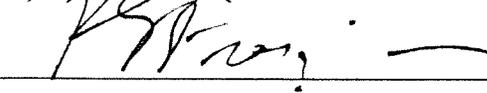
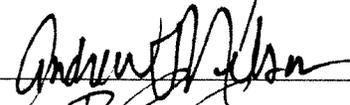
Book should generally be addressed to improve the referencing and citations on the maps. For example the Current Land Use Map inadvertently cites the 2009 Comprehensive Plan.

Additional information provided for the plan: The Hampden Planning Board recommends that the Map Listing and Citation Information document the Town Planner provided the Board previously (essentially an index of the maps that was revised because of changes made by the Citizens Committee) become Appendix B of Book 2 and also become the Table of Contents of the Map Book.

Respectfully submitted by the members of the Hampden Planning Board,



Chairman



---

---

---

---

---

*posted online. Bricks from the original home will be used in the construction.*

#### 4. NEW BUSINESS

- a. Application for Liquor License – Best Western White House Inn – 155 Littlefield Avenue – *Motion by Councilor Williams, seconded by Councilor Cushing to approve the liquor license for the Best Western Whitehouse Inn. Unanimous vote in favor.*
- b. Hampden Business Park Listing Agreement – David Hughes of Epstein Commercial Realty – Planning & Development Committee Recommendation - *Mayor Hughes stated that this is a renewal of an existing contract for the sale of lots in the business park. Motion by Councilor Cushing, seconded by Councilor Brann to contract with David Hughes of Epstein Realty. Vote 6 – 1 (Williams). Motion carried. Motion by Councilor Cushing, seconded by Councilor Brann to authorize the Town Manager to sign the contract on behalf of the Council. Vote 6-1 (Williams). Motion carried.*
- c. Reserve Use Request – Library Reserve – Electrical – *Motion by Councilor Cushing, seconded by Councilor Brann to permit the library to use reserve funds in the amount of \$788.79 for exterior lighting work. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

*Services Committee – Councilor Lawlis – The Committee met last Tuesday and visited Papermill Park. Everyone was impressed with what a beautiful place it was and that it was in relatively good shape. Jeremy Jones has volunteered to get a group together to work on park improvements.*

*Planning & Development – Councilor Brann – Several items on tonight’s agenda were Planning & Development Committee items. The next agenda will include the sign ordinance, the building status of the old Hampden Academy, and beginning discussion of the implementation of the comprehensive plan. The next meeting is on 10/17.*

*Communications Committee- Councilor Hornbrook – The committee met on 10/9 and is working on microphones for the council chambers, ideas for programming on Channel 7 including business testimonials, the Papermill Park project and the marina project. Also discussed was the idea of a video contest of “I love Hampden because...” The next meeting will be on November 13<sup>th</sup> at 6 p.m.*

*Infrastructure – Councilor Wright – The next meeting is on 10/22 at 6 p.m.*

*Finance & Administration – Mayor Hughes – the Committee met prior to the Council meeting and discussed the community survey, and victualer’s license and outdoor woodburning license ordinances.*

- E. MANAGER’S REPORT – *The Manager’s report is attached hereto and made a part of the minutes. It was the consensus of the Council to schedule the next Council meeting for Monday, October 29<sup>th</sup> in order to avoid holding a meeting the day before the election on November 5<sup>th</sup>.*

MANAGER'S REPORT  
10-15-2012

Newsletter – The October edition of the Hampden Highlights Newsletter went to the post office this morning and should be in mailboxes tomorrow.

Political Signs – A reminder to all candidates for all offices that regulations do not allow political signs on public property (which includes road rights of way, intersections, etc. ) until two weeks prior to the election. The date that signs can be out in such locations is October 23<sup>rd</sup>.

Absentee ballot deadline – The deadline for applying for an absentee ballot, except in cases of a documented emergency is November 1<sup>st</sup>.

Next Meeting: 10/29

F. COUNCILORS' COMMENTS –

*Councilor Wright – Thanked everyone for watching.*

*Councilor Hornbrook – Appreciates everyone's comments and thanked people for coming.*

*Councilor Cushing congratulated the Hampden Academy football team for winning their homecoming game with MDI.*

*Councilor Lawlis forgot to mention progress by the Recreation Department on using the Skehan Center. They have a tentative program schedule and interest by third parties in renting it. Generous people and businesses in Town have offered time and money to get it up and running.*

*Councilor Williams – thanked everyone for coming and reiterated Councilor Brann's comment that Hampden has had a comprehensive plan for a long time and encouraged people to come forward as we move toward implementation of the plan.*

*Mayor Hughes – Commended the citizens who worked on the Comprehensive Plan both in the first version and the second and also recognized staff members Dean Bennett and Gretchen Heldmann and the Town Manager for their work on the plan.*

G. ADJOURNMENT

*The meeting was adjourned at 8:27 p.m.*

*Respectfully submitted,*



*Denise Hodsdon  
Town Clerk*



1. PUBLIC HEARINGS

- a. General Assistance Ordinance – Adoption of Revised Appendix C - *The Town Manager explained that this item is an annual updating of the State guidelines for General Assistance. The Mayor opened the public hearing. Proponents – None. Opponents – None. Neither for nor against – none. Motion by Councilor Cushing, seconded by Councilor Wright to accept the proposed GA ordinance revisions to Appendix C. Unanimous vote in favor.*
- b. Zoning Ordinance Text Amendment – Article 3.7.6 Residential A District; Article 3.8.6 Residential B District; and Article 7.2 Definitions re Community Buildings – *Planner Robert Osborne introduced this item and reported that the Planning Board had made an ‘ought to pass’ recommendation with two friendly amendments which have been incorporated. The Mayor opened the public hearing. Proponents – None. Opponents – None. Neither for nor against – None. The public hearing was closed. Motion by Councilor Cushing, seconded by Councilor Brann to approve the zoning text amendments as presented. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

3. UNFINISHED BUSINESS

*Motion by Councilor Cushing, seconded by Councilor Brann to set aside the rules and add an item to the agenda. Unanimous vote in favor.*

*Motion by Mayor Hughes, seconded by Councilor Wright to add Old Hampden Academy update to the agenda as item C-3-a. Unanimous vote in favor*

- a. *Old Hampden Academy Update – Mayor Hughes gave an update of where we are in terms of this project as follows: “The Town of Hampden Closed on the real estate transfer of the Old Hampden Academy from SAD #22 in consideration for property located behind the Reed’s Brook School. The Town has taken control of the school and as previously authorized by the Council, the Recreation Department under the supervision of Town Manager Susan Lessard has access to the Skehan Center. Public Works Director Galen Swan will provide oversight of maintenance of the facility.*

*The Planning and Development Committee of the Council has reviewed options for the preferred method of maintenance of the facility to continue heating the facility instead of maintaining the buildings in a manner to support demolition of the facility or portions thereof.”*

*The Mayor encouraged interested citizens to attend Planning & Development meetings and get involved.*

#### 4. NEW BUSINESS

- a. Application for Liquor License – Countrymeadow, Inc. d/b/a Pizza Gourmet at 60 Main Road North, Suite A – *Motion by Councilor Cushing, seconded by Councilor Brann to approve the liquor license application of Countrymeadow, Inc. Unanimous vote in favor.*
- b. Permission to participate in Question 4 Press Conference in support of Transportation Bond – Town Manager – *The Town Manager explained that she had been asked by the Maine Better Transportation Association to speak in support of Referendum Question 4, the Transportation Bond at a press conference to be held at H.O. Bouchard on Wednesday. She provided the Council with the remarks she would make if allowed to attend. In order for the Manager to speak on behalf of any political item, the Council must approve it first. Motion by Councilor Cushing, seconded by Councilor Brann to authorize the Town Manager to speak at the press conference on behalf of Referendum Question 4, the Transportation Bond. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

*Services Committee – Councilor Lawlis – The Committee has not met since the last meeting and there is no meeting in November due to the Veteran’s Day holiday.*  
*Planning & Development - Councilor Brann – the next meeting will include discussion of moving forward with the implementation of the Comprehensive Plan.*  
*Infrastructure – Councilor Wright – Infrastructure Committee met on 10/22 regarding truck traffic and engine braking noise on Monroe Road and road conditions of Route 69. The next meeting will invite construction companies and contractors and the MDOT and residents.*

- E. *MANAGER'S REPORT – The election season is in full swing and the Town has received 800 absentee ballot requests so far. In-person absentee balloting is available in the Town Council Chambers this week. Recreation received a donation to cover the costs of adjustable basketball hoops for the gym. Presentation will be made at a later date.*

#### F. COUNCILORS' COMMENTS

*Councilor Lawlis – The Town Halloween party will be held on October 31<sup>st</sup> from 4-8 p.m. and the Hampden Historical Society is raffling off a beautiful quilt.*

*Councilor Brann- Gave a reminder to be alert to trick or treaters running around on Halloween.*

*Councilor Cushing – Unfortunately the Hampden Academy boys lost, but it was enjoyable to watch the football games this year. He also encouraged everyone to get out and vote.*

*Councilor Wright – Said that she had been through 14 hurricanes and told people to stay safe and dry during the upcoming one. She reiterated Councilor Cushing’s encouragement for people to get out and vote.*

Council Meeting – 10/29/2012

G. ADJOURNMENT

*The meeting was adjourned at 7:40 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the printed name and title.

Denise Hodsdon  
Town Clerk

A-2-j



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY NOVEMBER 19, 2012 7:00 P.M.

Attending:

- Deputy Mayor Andre Cushing
- Councilor Jeremy Williams
- Councilor Jean Lawlis
- Councilor Tom Brann
- Councilor Kristen Hornbrook
- Councilor Shelby Wright

- Town Manager Susan Lessard
- Citizens

The meeting was opened by Deputy Mayor Cushing at 7:03 pm.

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. January 23, 2012 – Special Meeting
- b. May 21, 2012
- c. June 4, 2012
- d. June 18, 2012
- e. July 16, 2012
- f. August 6, 2012

3. COMMUNICATIONS

4. REPORTS

- a. Finance & Administration Committee Minutes – 10/29/2012
- b. Communications Committee Minutes – 11/13/2012
- c. Pool Board Minutes – 10/9/2012
- d. Library Board Minutes – 9/12/2012
- e. MSAD 22 NRPA Permit

Motion by Councilor Lawlis, seconded by Councilor Hornbrook to accept the Consent Agenda. Unanimous vote in favor.

B. PUBLIC COMMENTS - There were none.

C. POLICY AGENDA

## 1. PUBLIC HEARINGS

- a. Application for Victualers License received from Elisaveta Turla d/b/a Restaurant Angelos of Hampden at 102 Main Road South – *The public hearing was opened by Deputy Mayor Cushing. No one spoke in favor or opposition and there were no questions or comments. The hearing was closed. Motion by Councilor Brann, seconded by Councilor Lawlis to approve the application. Unanimous vote in favor.*
- b. Application for Victualers License received from Substreet, Inc. d/b/a Subway Store #16760 at 7 Western Avenue – *The public hearing was opened by Deputy Mayor Cushing. No one spoke in favor or opposition and there were no questions or comments. The hearing was closed. Motion by Councilor Brann, seconded by Councilor Wright to approve the application. Unanimous vote in favor.*
- c. Application for Victualers License received from William Buxton and Cheryl Bouchard d/b/a Coffee Break Café at 75 Main Road North – *The public hearing was opened by Deputy Mayor Cushing. No one spoke in favor or opposition and there were no questions or comments. The hearing was closed. Motion by Councilor Brann, seconded by Councilor Williams to approve the application. Unanimous vote in favor.*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Official Return of Votes for November 6, 2012 Municipal Election – *Town Clerk Denise Hodsdon read the results of the Election. She noted that this was informational only and that the Return has been entered into the Town's permanent records.*
- b. J. Kelley Wiltbank – Application for Appointment as Full Member of Planning Board (currently an Associate Member) – *Planning & Development Committee Chair Brann reported that the committee had interviewed Mr. Wiltbank and unanimously recommended appointment as a full member. He then moved to appoint J. Kelley Wiltbank as a full member of the Planning Board. Councilor Lawlis seconded the motion and vote was unanimously in favor.*

## 3. UNFINISHED BUSINESS

## 4. NEW BUSINESS

- a. Foreclosure – 1037 Kennebec Road – *Manager Lessard explained that unpaid taxes for 2009/2010 are now in foreclosure. The property owners had entered into a payment arrangement with the Town but have failed to keep up with the payments as agreed. She noted that this is not the primary residence of the owners and it is not the first time that the owners have fallen into foreclosure. Motion by Councilor*

*Lawlis, seconded by Councilor Williams to refer this item to the Finance & Administration Committee for discussion at its next meeting. Unanimous vote in favor.*

- b. *Historic Preservation Grant – Garden Club – Manager Lessard explained that this would be a pass-through grant in which the Town would apply as the governmental agency on behalf of the Garden Club for repair work at Harmony Hall. Motion by Councilor Brann, seconded by Councilor Williams to authorize the Town Manager to enter into a grant agreement with the Maine Historic Preservation Commission. Unanimous vote in favor.*
- c. *“I Love Hampden Because....” Video Contest – Communications Committee – Communications Committee Chair Hornbrook informed the Council that the committee is proposing a video contest as a fun creative way to get students and the community involved in the Town. The contest would begin on December 1<sup>st</sup> and run for 3 months. The videos will be limited to three minutes in length and prizes will be awarded monthly with a grand prize at the end of the contest. It was also suggested that the video entries could be linked to the Town’s website for citizens to vote on them. Motion by Councilor Lawlis, seconded by Councilor Wright to authorize a 3-month video contest beginning December 1<sup>st</sup> with monthly winners and a grand prize winner to be selected by citizens who vote online. Unanimous vote in favor.*
- d. *Library Furnace Grant Bids – Finance & Administration Committee Recommendation – Due to the cancellation of the Finance & Administration Committee meeting earlier, this item was postponed until the next meeting.*
- e. *MRC Board of Directors Ballot – Motion by Councilor Williams, seconded by Councilor Brann to cast a vote for Karen Fussell, Finance Director for the City of Brewer. Vote was 5-1 (Hornbrook); motion carried.*
- f. *Sewer Commitment – 7/1/2012 to 9/30/2012 – Motion by Councilor Williams, seconded by Councilor Lawlis to approve the sewer commitment. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

*Councilor Wright reported that the Infrastructure Committee will meet next Monday and agendaed items include truck traffic on Monroe Road and the condition of Route 69. She noted that a representative from the Maine DOT will attend the meeting and encouraged all interested citizens to attend.*

*Councilor Hornbrook reported that the Communications Committee had met on November 13<sup>th</sup> and in addition to the video contest idea, the members discussed ideas*

*for Channel 7 programming and the next newsletter, which will be published in January.*

*Councilor Brann reported that the Planning & Development Committee will be discussing the new sign ordinance, Hampden Academy reuse and will be setting priorities for the implementation of the Comprehensive Plan. The next meeting is at 6:00 pm on November 28<sup>th</sup>.*

*Councilor Lawlis noted that the Services Committee did not meet in November and the next meeting will be at 6:00 pm on December 10<sup>th</sup>.*

E. **MANAGER'S REPORT** – *A copy of the Manager's Report is attached hereto and made a part of the minutes.*

F. **COUNCILORS' COMMENTS**

*Councilor Williams congratulated the newly elected and re-elected Council candidates. He also reported that Bangor Hydro has received final approval for a new facility in Hampden. Groundbreaking for Phase 1 will be in March or April of 2013.*

*Councilor Lawlis commented that this was great news for Hampden.*

*Councilor Brann also offered congratulations to the newly elected Councilors and thanked all the candidates.*

*Councilor Hornbrook wished everyone a Happy Thanksgiving and safe travels. She noted that even with the economy the way it is, we still have a lot to be thankful for.*

*Councilor Wright thanked all the candidates and the citizens who voted to re-elect her for another term. She wished everyone a Happy Thanksgiving and encouraged everyone to shop locally and support small business owners this holiday season.*

*Councilor Cushing also wished everyone a Happy Thanksgiving and thanked the Clerk and staff for the great job they did in this election cycle. He thanked the citizens of Senate District 33 for the honor of serving as their State Senator. He said it has been a pleasure to serve Hampden, Newburgh and Dixmont as their State Representative. He was excited to announce that his daughter got engaged this weekend.*

G. **ADJOURNMENT**

*The meeting was adjourned at 7:53 pm.*

*Respectively submitted,*



*Denise Hodsdon*

*Town Clerk*

MANAGER'S REPORT  
November 19, 2012

Reminder – Dog Licenses for 2013 are available at the Town Office. The deadline for getting a license before a penalty is assessed is January 31<sup>st</sup>.

Update – The meeting of the reconstituted Penobscot Valley Refuse Disposal District will be held on Thursday, November 29<sup>th</sup> at the Town Office in Orono. The purpose of the meeting is to ensure a full accounting of how the District's funds held for the benefits of its member communities were transferred to the control of the Eastern Maine Development Corp and to recover those funds for the benefit of the member communities.

Municipal Review Quarterly Payment – We received our quarterly payment from the Municipal Review Committee for reimbursement of the amount paid over and above the guaranteed tonnage price for the third quarter of 2012 in the amount of \$20,607.82

Lien on New High School – The Town was notified that a lien was being placed on property owned by the School District for nonpayment to a subcontractor related to the new high school construction. Upon review, it was determined that the property on which the lien was placed also included the old Hampden academy – which is now owned by the Town of Hampden and not SAD 22. SAD 22 indicated that there were still some items waiting to be completed at the new school before final payment was rendered and that they anticipated that their General Contractor would be paying the subcontractors when that was complete. In the meantime, the Town has notified the attorney who filed the lien on behalf of the subcontractor that they have cited the wrong property.

Library Grant – Librarian Debbie Lozito has received a grant for \$10,000 for the replacement of the furnace at the Library. The Finance Committee was supposed to meet tonight to discuss bids related to it but this will instead be put on the Finance & Administration Committee agenda for 12/3/2012.

Hi Susan,

My name is Tim Shaw and I am an officer with the Bangor Police Department. I am also a member of the departments Explosive Ordinance Disposal team (Bomb Squad). I spoke with Chris Bailey in regards to requesting use of the Old Hampden Academy for training for both the Bomb Squad as well as our Special Response Team(SWAT). Chris advised me that he asked you about it and you wanted a little more information regarding what we would be doing there if we could get access.

First I can assure you that we would not damage anything in the building. Most of the training involved with the Bomb Squad would involve running controlled scenarios in a school type setting. These scenarios would involve suspicious packages and devices that we would place in different locations for each of the scenarios. We would be using our EOD robot to practice maneuvering in this setting as well as removal of these packages from the school. We would also be suiting up in our bomb suit for manual removal. Finally we would be using our rigging kits which are a series of ropes and pulley's to rig packages out of the school. As always we would exercise extreme caution in not damaging anything in the building.

Training for the SRT Team would include movement exercises in a school setting. There would be no live ordinance during this training and it would specifically be used to train in entry to school settings for incidents such as Active shooter and hostage incidents. Again, Extreme caution would be used by all members of the team in not damaging anything in the building.

The Bomb Squad generally trains twice a month and training would be on a Tuesday. The SRT team trains once a month and the days can vary. We would be looking to get into the school to train once or twice per each team based on your availability. We are very willing to work with you regarding your availability.

We usually train in a variety of different environments to be prepared for any possibility.

However, it is sometimes hard to gain access to places such as schools to train with the different events that go on at schools. We understand however that school violence has been increasing over the nation for years, and the need to prepare for such events is extremely important for the safety of the children, teachers and administrators in our state. If it is possible for us to use this space it would be greatly appreciated and would be a huge help to us. If you have any further questions feel free to call me or email me. I look forward to your response.

Sincerely

Officer Tim Shaw  
Bangor Police Department  
947-7384

INFRASTRUCTURE COMMITTEE MEETING MINUTES  
MONDAY, NOVEMBER 26, 2012

Attending:

- |                             |                                   |
|-----------------------------|-----------------------------------|
| Mayor Janet Hughes          | Town Manager Susan Lessard        |
| Councilor Shelby Wright     | Public Works Director Chip Swan   |
| Councilor Jeremy Williams   | DOT Representative                |
| Councilor Kristen Hornbrook | Citizens                          |
| Councilor Jean Lawlis       | Public Safety Director Joe Rogers |
| Councilor Tom Brann         |                                   |

A G E N D A

The meeting was opened at 6:06 p.m. by Chairman Wright.

1. Minutes of 10/22/2012 meeting – Motion by Councilor Hornbrook, seconded by Councilor Williams to approve the minutes as presented. Unanimous vote in favor.
2. Old Business
  - a. Route 69 Road Condition – The MDOT representative gave an overview of the priority system that roads in Maine were classified under. Route 69 is a Category 4 road and scheduled for only a skim coating of pavement in 2013. PW Director Swan explained a cost sharing program offered by MDOT that would allow the road to be rebuilt if the Town were to assist in paying. Several councilors expressed concern over the current ranking of this road and believed it should be a higher priority. The MDOT representative was not hopeful that this could occur. After considerable discussion, it was requested that the Public Works Director get more information on the cost sharing program, including estimates for construction and possibly some core samples of that road so that it would be possible to know what kind of construction is necessary. This item will be on the agenda for the month of December as well.
  - b. Monroe Road Truck Traffic – Numerous residents and representatives of construction/trucking companies were in attendance and shared their views on the issues of engine braking as well as overall speed on the road. The business people in attendance were in full support of enforcement of the engine braking ordinance, but were in opposition to closing the road to truck traffic. One

resident submitted a letter outlining his concerns about the truck traffic on Monroe Road and his dissatisfaction with the lack of progress he feels has been made to correct it over a significant period of time. No other person in attendance spoke against the engine braking issue, but several talked about their concerns about speed on the road – not just from trucks but from passenger vehicles as well. In order to better understand how big an issue speeding is, Public Safety Director Rogers will be doing a traffic count/speed assessment over the next month and will report back to the Committee at their next meeting. Based on the discussion held, it was the consensus of the Committee not to pursue consideration of closing Monroe Road to truck traffic at this time. The Committee will continue to work on the subject of speed and will continue to have a presence to check for engine braking use as well. Councilor Williams suggested lowering the speed limit on the road but was informed that even local roads need Maine DOT permission to adjust a speed limit and that such things are based on speed surveys.

3. Public Comments - None

4. Committee Member Comments – None

The meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

C-3-a

Re: Tax Repayment Plan for property at  
1037 Kennebec Road in Hampden, ME

Attn: Mayor Janet Hughes

106 Western Ave

Hampden Me, 04444

October 23<sup>rd</sup>, 2012

Brian/Joseph Sullivan

43 Riverside Ave Suite 224

Medford MA, 02155

Dear Mayor Hughes,

I am writing you in the hopes of reinstating the property tax repayment program that was recently submitted for cancellation and subsequent escalation payment. Ms Lessard and her office where more than understanding when they initiated this plan for us, and we deeply regret allowing the September payment to go late. This late payment was caused by circumstances beyond our control, but none the less, the directions for repaying the debt were clear in the plan set forth for us, and we understand fully the reason for the escalation.

We again ask for the kindness and understanding of Your Honor, The Council, and Ms Lessard, to please allow us to continue with our repayment plan that was initiated for the property back in March. We want to repay these taxes as soon as possible and will do so at the very moment we can, but it would be extremely helpful to have a structured payment plan in place so that we could continue to make installments until we have the money necessary to pay the balance in full. We never wanted to be problem for the Town of Hampden and will NEVER allow this to happen again. If I may, I would like to give some background information to support my case and request.

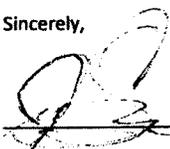
Our situation began when our Father passed away suddenly without a will. We were then forced to mediate our affairs in the long and argues process of the Probate Court. After this painstaking process we fell into our first Tax Foreclosure situation while we were trying to sort out all these new found responsibilities. Ms Lessard and her office were more than gracious in formatting a repayment plan, which we followed to restore the property that we love dearly, back into our families' name. After this time we felt it necessary to ask the assistance of a family friend to help in the financial arrangements of all the matters we had before us. This worked for a few years but we now find ourselves in the same predicament. It had recently come to our attention that this "friend" was far less than virtuous than we thought and had not been attending to our financial matters at all. This great deceit coupled with some major medical issues that befell one of the children in our family have combined to land us in this most recent financial debacle regarding the property in Hampden.

Since discovering these issues, we contacted Ms Lessard and her office; they were again most gracious in allowing the property to be put back into a repayment plan. We were more than grateful and honored by the compassion and professionalism extended to us by Ms Lessard. Since then we have been mostly diligent in keeping up with the arrangement, paying back more than half of the debt including the current year's tax bill (\$4200.00) since April. This is until the September payment was delayed by some extenuating circumstances, and we fell into the current situation of potential retraction of the repayment plan. The payment has since been submitted and the plan is "back on schedule" so to speak. Even so, we did not follow the agreement exactly to its terms, and understandably, are now in risk of an escalation of the balance and the current year's taxes to be due immediately.

If we would need to produce the entire amount due at once, It would force our family into greater financial hardships as it would make other financial responsibilities more difficult to satisfy as well as this one. So it is for this reason we ask the understanding of Your Honor, your Council, and Ms Lessard, to please consider reinstating the repayment plan we began in April. We feel we have made good strides by making the \$600 dollar installments resulting in \$4200.00 in payments during this current repayment plan, reducing the debt substantially. Also, hopefully, we have shown a genuine commitment that we wish to recover this property by way of repaying the debt back to the Town of Hampden. This property means a GREAT DEAL to my Family, and we have a GREAT RESPECT for your Town, and wish to regain good standing with both.

I would like to Thank Your Honor for taking the time to read this letter and I would also like to thank you in advance for any consideration you give this matter. Please feel free to contact me directly with any questions or concern your office may have.

Sincerely,

  
\_\_\_\_\_  
Joseph Sullivan

781-866-9646

  
\_\_\_\_\_  
Brian Sullivan







**COMMITMENT & INTEGRITY  
DRIVE RESULTS**

One Merchants Plaza | Suite 501  
Bangor, Maine 04401  
www.woodardcurran.com

T 800.564.2333  
T 207.945.5105  
F 207.945.5492

November 2, 2012

C-3-b



Galen "Chip" Swan  
Public Works Director  
Town of Hampden  
106 Western Avenue  
Hampden, ME 04444

Re: Bid Recommendation - Edythe L. Dyer Community Library Boiler Replacement

Dear Chip:

All three contractors that participated in the original October 23, 2012, project bid submitted a revised scope and price yesterday. Two of the three proposals met the budget limit of \$10,000. The third (Ray Plumbing Co.) provided two alternates, both above that limit. The tabulated bid result sheet and bids are attached.

We tasked the bidders to provide you with a package that met the original intent to the extent possible within the \$10,000 budget. Penobscot Temperature Controls, Inc. appears to have provided the best package within that restraint. Both Huntley Oil Company, Inc. (Biasi boiler) and Penobscot Temperature Controls, Inc. (New Yorker boiler) proposed energy star boilers. However, the Biasi boiler is oversized (based on historic fuel consumption) and will likely short cycle. There was also no reset control included with the Biasi product. The short cycling and lack of reset control will both reduce seasonal efficiency. So, within the \$10,000 limit, we suggest you work with Penobscot Temperature Control, Inc.

The third bidder, Ray Plumbing Co., provided two alternatives at \$15,215 and \$12,247 along with payback analysis for each. Given that the Energy Kinetics EK-1 boiler has a built-in blend pump that allows the piping system temperature within the building to fully respond to the outdoor temperature (saving additional energy) while still protecting the boiler, their analysis appears reasonable. The basic reset control proposed by Penobscot requires the entire system to maintain a minimum temperature for boiler condensation and shock protection.

As part of their two revised proposals, Ray would eliminate the indirect water heater and provide a small electric water heater. Given your reportedly low domestic hot water use, a well-insulated electric unit would decrease your costs as compared to the current tankless coil situation and allow the boiler to be completely shut down in summer.

If the Town has additional funds beyond the grant that could be directed to this project, either of Ray's proposals should provide acceptable paybacks

Code issues were not comprehensively reviewed as part of our scope. The oil line is noted as being replaced for all bidders. As you can see from the bids, other code items that concerned the bidders varied per bidder. We suggest you work with local code enforcement and your selected bidder to identify code issues and additional costs prior to awarding a contract.

Please call with any questions or concerns.

Sincerely,

WOODARD & CURRAN INC.

  
Devon Carter, PE, LEED AP  
Project Engineer

DLC/jiv  
213357.00 007



COMMITMENT & INTEGRITY  
DRIVE RESULTS

One Merchants Plaza, Suite 501  
Bangor, Maine 04401  
www.woodardcurran.com

1-800-594-7333  
T: 207-942-5105  
F: 207-942-5492

TOWN OF HAMPDEN, MAINE  
EDYTHE L. DYER COMMUNITY LIBRARY BOILER REPLACEMENT  
PROJECT NO. 213357

November 1, 2012 - Re-Bid Under Reduced Scope

No.	Description	Unit	Estimated Quantity	Ray Plumbing & Heating Co.		Penobscot Temperature Controls, Inc.		Huntley Oil Company, Inc.	
				Unit Price	Value	Unit Price	Value	Unit Price	Value
1	Boiler Replacement	LS	1	See Below		\$9,789.00	\$9,789.00	\$9,996.02	\$9,996.02
	Revised Original Proposal Dated October 15, 2012	LS	1	TOTAL BASE BID	\$18,244.00	TOTAL BASE BID	\$9,789.00	TOTAL BASE BID	\$9,996.02
	Revised Proposal #1	LS	1		\$15,215.00		\$0.00		\$0.00
	Revised Proposal #2	LS	1		\$12,247.00		\$0.00		\$0.00
				TOTAL BID	\$9,789.00	TOTAL BID	\$9,789.00	TOTAL BID	\$9,996.02

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL**

**DATE: October 15, 2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat and Hot Water Boiler Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge, 40 Gallon Hot Water Storage Tank, Heat Exchanger, Smart Pump Kit

Boiler as Listed Above	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
Add Tiger Loop to Oil System	1	
Pipe Existing Zones Supply & Return For Primary/Secondary, Re-use Circulators	1	
10 Zone ERC Control	1	
Injection Zone Valves	2	
Replace Existing Zone Valves	7	
New Thermostats, Honeywell Programmable	7	
Pipe HW Storage Tank w/ Thermal Exp	1	
Watts Mixing Valve for Hot Water	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler	1	
<b>Total for Boiler Replacment</b>		<b>\$18,244</b>

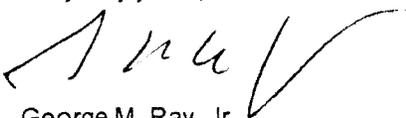
**Options:**

5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
Grundfos Comfort HW Recirc System	1	\$1,360

Notes:  
Code requires whole system be brought up to date, including chimney and oil tank.  
Oil tanks meet code "as is". May want to upgrade due to age.  
Oil line must be changed.  
Chimney is lined. A SS liner is recommended.  
Liner price based on no off-sets or restrictions in chimney.  
There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL Revised #1**

**DATE: October 31, 2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat Only Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge

Boiler as Listed Above, No Tank	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
##Add Tiger Loop to Oil System		
Pipe Existing Zones Supply & Return For Primary/Secondary, Re-use Circulators	1	
10 Zone ERC Control	1	
Injection Zone Valves	2	
Replace Existing Zone Valves	7	
##Re-use Extg Thermostats		
**Pipe HW Storage Tank w/ Thermal Exp		
**Watts Mixing Valve for Hot Water		
% Remove Extg 80 Gal Water Heater	1	
% 30 Gal Electric Water Heater w/ Timer	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler & 80 Gal EWH	1	
<b>Total for Boiler Replacment</b>		<b>\$15,215</b>

**Options:**

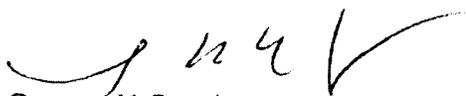
5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
Grundfos Comfort HW Recirc System	1	\$1,360

**Notes:**

- \*\* = Modified, ## = Deleted, % = Added.
- Code requires whole system be brought up to date, including chimney and oil tank.
- Oil tanks meet code "as is". May want to upgrade due to age.
- Oil line must be changed.
- Chimney is lined. A SS liner is recommended.
- Liner price based on no off-sets or restrictions in chimney.
- There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
 207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

**PROPOSAL - Revised #2**

**DATE: October 31,2012**

**FOR: Edythe L. Dyer Community Library**  
**JOB: Boiler Replacement, Town of Hampden, Maine**

**Replace Boiler**

Energy Kinetics System 2000 EK-1 Frontier Premier Heat Only Package: Includes Standard Base, Air Box, Digital Manager, Filter Kit w/ Flex Oil Line, Complete Supply, Return, By-pass Piping, Main Circulator, Air Purger and Vent, Gauge, Relief Valve, Boiler Feeder & Back Flow Preventer, Ball Valve and Purge

Boiler as Listed Above, No Tank	1	
Resettable LWCO & Hi Limit Kit	1	
Re-use Expansion Tank	1	
Smoke Pipe	1	
Air Box Piping w/ Core Drill	1	
Run New Coated Oil Line, Protect @ Door	1	
##Add Tiger Loop to Oil System		
**Connect to Extg Supply & Return As Is, Re-use Circulators	1	
**10 Zone Digital Manager Upgrade	1	
% 7 Zone Interface Relay Set-up	1	
##Injection Zone Valves		
##Re-use Existing Zone Valves		
##Re-use Extg Thermostats		
**Pipe HW Storage Tank w/ Thermal Exp		
**Watts Mixing Valve for Hot Water		
% Remove Extg 80 Gal Water Heater	1	
% 30 Gal Electric Water Heater w/ Timer	1	
Wire Boiler and Controls	1	
Removal/Disposal of Boiler	1	
<b>Total for Boiler Replacment</b>		<b>\$12,247</b>

**Options:**

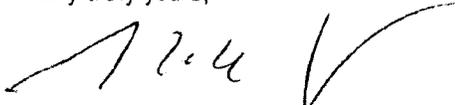
5"SS Chimney Liner, Installed	1	\$2,443
Twin 275 Gallon Oil Tank Package	1	\$2,957
##Grundfos Comfort HW Recirc System		

**Notes:**

- \*\* = Modified, ## = Deleted, % = Added.
- Code requires whole system be brought up to date, including chimney and oil tank.
- Oil tanks meet code "as is". May want to upgrade due to age.
- Oil line must be changed.
- Chimney is lined. A SS liner is recommended.
- Liner price based on no off-sets or restrictions in chimney.
- There may be a 24 hour period when heat and/or hot water will be off.

Thank you for the opportunity to quote on this project. Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,



George M. Ray, Jr.  
 207.667.5536

**Acceptance of Proposal**

The above prices, specification and conditions satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Terms: 50% down, balance as requisitioned.

**Ray Plumbing Co.**  
**P.O.Box 588, 180 Abram Way**  
**Ellsworth, Maine 04605**

Estimated Annual Fuel Use		Gallons Per Year	Fuel Cost	Annual Fuel Cost
Existing Oil Used	2080	\$	3.25	\$6,760
Years Of Use	20			\$135,200
Less Expected Fuel Savings Of Another System 10%	208			
Estimated Fuel Use	1872	\$	3.25	\$6,084
Years Of Use	20			\$121,680
System 2000 Boiler	686.4			
Less 33% Fuel Use	1393.6	\$	3.25	\$4,529
Estimated Fuel Use	20			\$90,584

Replacement System	10/15/2012	Other System - Brand A	10/31/2012	System 2000 EK-1	System 2000 EK-1
System 2000 EK-1	\$18,244	\$	11,500.00	Investment	Investment
Investment					\$12,247
Fuel Use/YR	\$4,529	\$6,084		Fuel Use/YR	
Yrs Of Use	\$90,584	\$121,680		Yrs Of Use	
Total Systems	\$108,828	\$133,180		Total Systems	
Brand A		\$133,180		System 2000	
System 2000		\$108,828		Additional Money Spent On Fuel To Avoid Spending Difference In	
Additional Money Spent On Fuel To Avoid Spending Difference In System		\$24,352		Additional Money Spent On Fuel To Avoid Spending Difference In	
Projected Pay Back Of Both Systems				Projected Pay Back	
System 2000	\$18,244	\$11,500.00		System 2000	\$12,247
Grant	(\$10,000)	(\$10,000)		Grant	(\$10,000)
Total	\$8,244	\$1,500.00		Total	\$2,247
Fuel Savings / Yr \$	\$2,231	\$676.00		Fuel Savings / Yr \$	\$2,231
Yrs To Pay Back	3.7	2.2		Yrs To Pay Back	1.0
ROI	27%	45%			99%

Penobscot Temperature Controls, Inc.

54 Nadine's Way  
 Hampden, ME-04444  
 (207)945-9350

# Quote

Date	Quote #
11/1/2012	72

Name / Address
Town of Hampden 106 Western Avenue Hampden, ME 04444

Item	Description	Project	Location
		New Boiler	Town Office
		Qty	Total
Materials and labor	Edythe L Dyer Community Library Boiler Replacement. We will remove and dispose for the existing boiler. We will provide and install one NY Thermal Odyssey model # CT 120-180 boiler / Riello burner. with Tekmar outdoor reset control, one 40 gallon indirect water heater. Tiger loop oil filter unit, replace existing oil line. Use existing heating circulation pumps and zone valves Thermostat control wire connections. new boiler system start up and check out. One year warranty		9,789.00
Thank you for your business! **This quote may be withdrawn by us if not accepted within 30 days.**		<b>Total</b>	\$9,789.00



HOME | CONTACT US | PARTNER LOGIN

The Future of Home Heating



**PRODUCTS**

- Products
- Pool-Ex
- Energy Star Qualified Boilers

**OIL BOILERS - ODYSSEY**

[DOWNLOAD PDF MATERIALS](#)

[Installation Manual](#)  
[Sales Literature](#)



**FEATURES**

- Its unique three-pass combustion path design generates outstanding performance with efficiencies up to 85 per cent
- The most advanced technology, NTI's Fuel smart Hydrostat 3250 from hydrolevel
- The flame envelope is totally surrounded by water resulting not only in high efficiencies but low installation clearances
- Safely operates at low water temperatures allowing a reliable "cold start" operation
- Lifting holes are provided in the casting to enable the use of lifting bars, making boiler placement efficient and safe
- All boilers are protected with a plastic film to prevent damage before installation
- Certified for low clearance and combustible floor installations
- The snap-off front panel and hinged burner door make cleaning easy and quick

**SPECIFICATIONS**

Model	Input GPH	Heating Capacity BTU	Efficiency	Dimension A	Water Volume	Weight (lbs)
CT-80	.65	77,000	83.6%	17.5	3.8	280
CT-90	.75	88,000	83.0%	17.5	3.8	260
CT-100	.85	99,000	82.4%	17.5	3.6	260
CT-120	1.00	121,000	85.1%	25.5	5.4	390
CT-150	1.25	149,000	84.0%	25.5	5.4	390
CT-180	1.50	176,000	82.8%	25.5	5.4	390
CT-215	1.75	212,000	85.8%	33.5	7.3	500
CT-230	1.85	223,000	85.8%	33.5	7.3	500
CT-250	2.00	240,000	85%	33.5	7.3	500

SUPPLY AND RETURN SIZE	1 1/4" NPT
Stack Size	5"
Allowable operating Range °F	90-220°F
Maximum allowable temperature	240°F
Maximum allowable pressure	50 Psi

PROPOSAL

HUNTLEY OIL COMPANY, INC.  
740 MAIN ROAD NORTH  
HAMPDEN, MAINE 04444  
(207) 945-9378

October 30, 2012

Edythe L. Dyer Community Library  
*PROPOSAL SUBMITTED TO*  
269 Main Road North  
*STREET*  
Hampden, Maine 04444

**We hereby submit specifications and estimates for:** Boiler Replacement at the Edythe L. Dyer Community Library.

Price for the installation: \$9,996.02

We propose hereby to furnish material and labor- complete in accordance with above specifications, for the sum of Nine Thousand Nine Hundred Ninety-Six dollars and 02/100. Payment to be made as follows: \$4,998.01 is due to start the conversion and \$4,998.01 is due once the installation is completed.

*Due to recent world conditions, Huntley Oil Co., Inc. cannot and will not be responsible for any cost increase in any metal or metal made product. We will also reserve the right to substitute Pex tubing for copper tubing. This will depend on price and availability.*

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance and are State of Maine licensed.

Note: This proposal may be  
Withdrawn by us if not accepted  
Within 30 days

Authorized  
Signature   
Stephen M. Huntley, President

**Acceptance of Proposal:** The above prices,  
Specifications and conditions are satisfactory and are hereby accepted.  
You are authorized to do the work as specified. Payment will be made as  
Outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

## PROPOSAL

*HUNTLEY OIL COMPANY, INC.  
740 MAIN ROAD NORTH  
HAMPDEN, MAINE 04444  
(207) 945-9378*

Edythe L. Dyer Community Library  
*PROPOSAL SUBMITTED TO*  
269 Main Road North  
*STREET*  
Hampden, Maine 04444

October 30, 2012

**We hereby submit specifications and estimates for: Boiler Replacement**

1-Biasi cast iron boiler B10-9

1-Rellio 40 F10 oil burner

We will be connecting to the existing piping and zoning system.

Price will include:

- All the necessary piping and wiring for boiler replacement only.
- The installation of a 41-gallon indirect storage tank and all the necessary piping.
- The re-piping of the oil tank vent piping.
- The replacement of the oil supply line and sleeving to the oil burner.
- The removal and hauling off of the existing boiler.

Please note that we recommend the oil tanks to be replaced.

Please note that the public cannot be allowed near the boiler or in the boiler room.

If a wall separation is needed, you will have to provide the necessary combustion and ventilation air requirements at an extra cost.

Please note that all existing A/C ducts need to be closed off during the winter months.

Please note that we will also advise you to have a protective cover built over the oil supply connections at the fuel oil tank.

Please note that if the existing chimney does not meet the code requirements, relining or repair of will be at an extra cost

The work will be done during normal business hours, Monday-Friday, 7:00a.m to 5:00p.m.

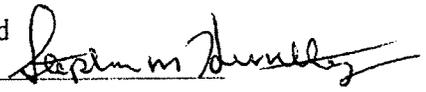
The installation will be installed to comply with All State & local codes.

J&M Chase Electric, Inc will be a subcontractor on this replacement.

*Due to recent world conditions, Huntley Oil Co., Inc. cannot and will not be responsible for any cost increase in any metal or metal made product. We will also reserve the right to substitute Pex tubing for copper tubing. This will depend on price and availability.*

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance and are State of Maine licensed.

Note: This proposal may be  
Withdrawn by us if not accepted  
Within 30 days

Authorized  
Signature   
Stephen M. Huntley, President

**Acceptance of Proposal:** The above prices,  
Specifications and conditions are satisfactory and are hereby accepted.  
You are authorized to do the work as specified. Payment will be made as  
Outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

# The BIASI B-10 Boiler System



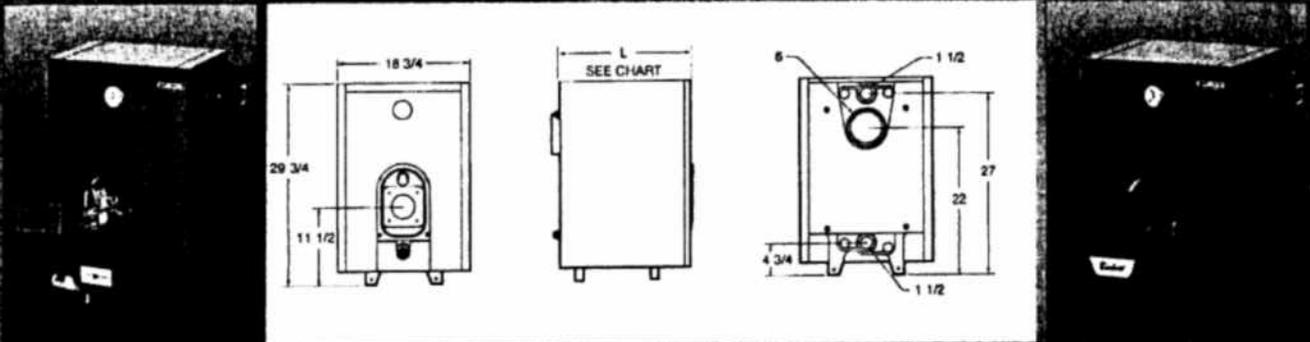
- Energy Star compliant
- Compact size
- Limited lifetime warranty



Quincy Hydronic Technology, Inc. • 1-800-501-7697 • E-mail: [info@qhtinc.com](mailto:info@qhtinc.com)

# BIASI...The Style of Warmth

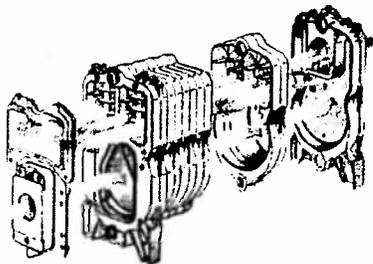
The B-10 boiler system has been heating residential buildings throughout the world for years. It has proven its fuel efficiency and durability in countries where fuel can cost up to four times as much as in the U.S. The same fuel-saving technology is now available here in North America. With the three-pass boiler design and low water content, heat is quickly supplied for your heating zones and hot water needs. Combined with a boiler temperature reset, high limit control, you can achieve a fuel savings of up to 40% over conventional single-pass boilers. You will also have peace of mind since the B-10 boiler package complies with ASME and UL standards. The B-10 boiler system is the cost-competitive heat and hot water system of choice.



## The BIASI B-10 Residential Series

Boiler Model #	DOE Heating Capacity	Gross Input Burner Capacity		Net IBR Output (MBH)	AFUE Efficiency (%)	Water Content (Gals.)	Length (L) (Inches)	Weight (Lbs.)
		GPH	MBH					
B-3	67	0.55	80	58	86.6	3.7	15.5	247
B-4	97	0.80	112	84	86.8	4.7	19.5	307
B-5	124	1.00	140	108	87.2	5.7	23.5	367
B-6	153	1.25	175	133	86.7	6.7	27.5	427
B-7	185	1.50	215	161	86.8	7.7	31.5	486
B-8	211	1.80	257	183	86.8	8.7	35.5	546
B-9	257	2.10	298	223	86.5	9.7	39.5	606

Maximum water working pressure: 58 PSI. (1) The burner input is based on oil with a heat value of 140,000 BTU/Gal.; (2) The net output ratings shown are based on piping and pick-up allowance of 1.15; (3) The efficiency ratings are based on a combustion condition of 12.5% CO<sub>2</sub>. Warranty: The BIASI B-10 boiler has a limited lifetime warranty. A copy is provided with each boiler or is available from your dealer. Built in accordance with the requirements of ASME boiler and pressure vessel code.



A 3-pass boiler design is the most efficient way to get the maximum amount of heat from the fuel, since it contains three times as much interior surface area (compared to a single-pass boiler) to extract heat from.

### Technical Advantages

- Gas or oil burner compatible
- Easy-access swing door
- No flue required; can be direct vented outdoors
- Low water content boiler heats up faster with less fuel
- Efficient 3-pass heat exchanger boiler design
- GG20 cast-iron construction for superior heat retention and durability
- ASME and UL listed
- 58 PSI cast-iron construction



Exclusively distributed by:

**QHT**  
INCORPORATED

Quincy Hydronic Technology, Inc. • 1-800-501-7697 • E-mail: info@qhtinc.com

C-3-a

November 21, 2012

Susan Lessard  
Hampden Town Manager

Dear Susan Lessard,

The purpose of this letter is to ask permission from the Hampden Town Council to allow the Whitcomb-Baker VFW Post 4633 to obtain their annual license for bingo and game of chance for the up coming year of 2013. The license renewal would be from January 1, 2013 to December 31, 2013. If you could please add this to your list of topics to be discussed at the next regular council meeting the VFW would greatly appreciate it. Thank you for your continue support .

Sincerely,



Richard W. Romesburg  
Quartermaster



C-4-a

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 12/3/2012

Public Hearing: Yes        No X

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

NAME: Pat's Pizza Mark & Tina Carroll  
Business Name Individual

ADDRESS: 662 Main Rd. North PHONE: 570-6375

MAP/LOT: Map 20, Lot 31 DATE: 11/1/2012

DEPARTMENT REPORT:

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

DATE: 11/27/12

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: FIRE/BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 10-31-2012 PHONE NUMBER: 570-6375

NAME(S): Mark + Tina Carroll

ADDRESS: 209 Lower River Rd Greenbush, ME

NAME OF BUSINESS: Pat's Pizza 04418

LOCATION OF BUSINESS: 662 Main Rd N Hampden, ME

SIGNATURE: Tina Carroll

\*\*\*\*\*

(FOR TOWN USE ONLY)

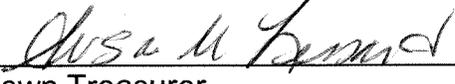
\*This facility has been inspected and meets ordinance criteria.

  
Code Enforcement Officer

  
Fire Inspector/Building Inspector

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

  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: NOV 01 2012 / \$50.00

C-4-b



Emera Companies

**Town of Hampden & Bangor Hydro Electric Company  
A Public-Private Partnership Proposal  
Regarding a  
Proposed Operational Facility Project  
28 Penobscot Meadow Drive  
Hampden, Maine**

---

Bangor Hydro Electric Company requests that the Town of Hampden provide support for its planned \$18 million consolidation investment in the Town over the next six years. By creating a tax increment financing (TIF) district and approving a credit enhancement agreement, Hampden will provide critical assistance in support of this investment, will move Bangor Hydro's extensive fleet to Hampden, and will bring approximately 250 employees to the Town. This support will secure Hampden, Maine as the home-base of Bangor Hydro operations and position it as the likely location for any future expansion.

---

**Background:**

In 2004 Bangor Hydro consolidated most of their Bangor-based office employees from a number of buildings on State Street and Exchange Street in Bangor into a new facility on Telcom Drive in Bangor with the intent of accommodating staff for a 10-15 year period. At that time the company had a total of approximately 210 employees. Since that time employee numbers have increased and continue to do so. To accommodate the growth, Bangor Hydro purchased a 9000 SF building on Illinois Avenue in Bangor and subsequently outgrew this facility as well. To accommodate this further growth Bangor Hydro has leased 6000 SF of space in the Key Plaza building. Currently Bangor Hydro employs 302 people.

**Existing Operations in Hampden:**

Bangor Hydro owns two parcels of land totaling approximately 50 Acres of which half is located in Hampden and half in Bangor. The proposed project would be entirely on the parcel in Hampden.

The site is currently home to a 13,000 Sq. Ft. warehouse storage building built in 2002 and a gravel yard area with fenced enclosure. The original development included the construction of the access road and utilities from Route 202 into the project site. The road, Penobscot Meadow Drive, has since been turned over to the Town of Hampden.

**Proposed Development:**

The project is proposed in two phases.

**Phase 1** is expected to begin construction in the first quarter of 2013 and be completed and occupied by the end of the fourth quarter 2014. Phase 1 includes the construction of additional warehouse space, a Fleet service facility, and a truck parking garage, all of which will be interconnected. Additionally a portion of the new warehouse will have a mezzanine level where offices will be constructed for multiple departments. The estimated direct cost of this project is \$11,500,000. This project will become the new workplace for all of our employees and departments currently housed at Facilities located on Main St in Bangor as well as some employees from other Bangor Hydro Facilities in Bangor. The proposed facility will also house the Company's extensive fleet of vehicles. Excise tax paid on this Fleet to the City of Bangor in 2012 was \$83,554.96.

**Phase 2** consists of the construction of a two-story office building which would be connected with the other buildings constructed in Phase 1. This phase of the project would likely be constructed beginning in the second quarter of 2017 and would be occupied by the first quarter of 2019. The estimated direct cost for this project is \$6,500,000. This would complete Bangor Hydro's long-term vision of having all Bangor region based employees on a single campus where business could be conducted effectively for the foreseeable future.

Bangor Hydro looks forward to working with the various Town of Hampden representatives as part of the team that will guide this project to a successful completion. The Company and this project will become part of the local community and we at Bangor Hydro look forward to this. There are currently 32 Bangor Hydro employees that live in the community. Initially approximately 100 Bangor Hydro employees will be housed in the Phase I Facility. The Phase II project is expected to house all of remaining Bangor Hydro employees working in the Bangor region, the estimated number of additional employees is 150.

**Proposed Tax Increment Financing District:**

Geographic Area:

Proposed district boundaries include the entire parcel of land owned by Bangor Hydro Electric Company at 28 Penobscot Meadow Drive. Specific acreage and boundaries to be identified.

Term:

To provide value to the Town and reduce impact on the general fund due to sudden loss of shelter benefit, a 25 year TIF term is proposed with 20 years of credit enhancement to the Company and a step-down capture in the final 5 years —with the resultant TIF revenue allocated entirely to the Town.

Credit Enhancement Request:

Bangor Hydro Electric Company requests Town assistance with this \$18,000,000 project through a twenty-year credit enhancement of 50% for five years, 75% for five years, 50% for five years, and 25% for the final five years.

It is anticipated that the town would capture 100% in years 1-20 and a step down capture in years 21 through 25 and would utilize the revenues not allocated to the credit enhancement for municipal economic development purposes. This, of course, is at the discretion of the Town. Bangor Hydro representatives will work with the Town to implement the terms and allocation of municipal capture that best meets municipal needs.

	Estimated Annual Investment	Projected Cumulative Investment	Projected Increase in Annual Assessed Value		Annual Assessed Value Retained		Mill Rate	Gross New Taxes
			Real Property	Projected Annual Assessed Value	%	\$ Amount		
base 2013-2014	\$ 7,700,000	\$ 7,700,000	\$ 7,700,000	\$ 7,700,000	100%	\$ 7,700,000	15.90	\$ 122,430
1 2014-2015	\$3,800,000	\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
2 2015-2016		\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
3 2016-2017		\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
4 2017-2018	\$3,250,000	\$ 14,750,000	\$ 14,750,000	\$ 14,750,000	100%	\$ 14,750,000	15.90	\$ 234,525
5 2018-2019	\$3,250,000	\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
6 2019-2020		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
7 2020-2021		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
8 2021-2022		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
9 2022-2023		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
10 2023-2024		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
11 2024-2025		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
12 2025-2026		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
13 2026-2027		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
14 2027-2028		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
15 2028-2029		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
16 2029-2030		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
17 2030-2031		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
18 2031-2032		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
19 2032-2033		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
20 2033-2034		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
21 2034-2035		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	80%	\$ 14,400,000	15.90	\$ 286,200
22 2035-2036		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	65%	\$ 11,700,000	15.90	\$ 286,200
23 2036-2037		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	40%	\$ 7,200,000	15.90	\$ 286,200
24 2037-2038		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	15%	\$ 2,700,000	15.90	\$ 286,200
25 2038-2039		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	5%	\$ 900,000	15.90	\$ 286,200
26 2039-2040		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000				
27 2040-2041		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000				
<b>Cumulative Avg. Annual</b>	<b>\$ 18,000,000</b>		<b>\$ 16,678,000</b>	<b>\$ 16,678,000</b>		<b>\$ 14,554,000</b>		<b>\$ 6,629,505</b>
								<b>\$ 265,180</b>

Years in projection 25  
 Mill Rate (per thousand) 15.90  
 Original Assessed Valuation \$1,204,700 (estimated)  
 Years 26 and 27 shown for tax shift purposes only.



		State/County Projected Tax Shift					Total Tax Shift
		EPS Education Shift	Revenue Sharing Shift	County Tax Shift			
base	2013-2014						
1	2014-2015	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	2015-2016	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	2016-2017	\$ 59,213	\$ 5,397	\$ 9,002	\$ 9,002	\$ 73,612	\$ 73,612
4	2017-2018	\$ 88,435	\$ 8,010	\$ 14,004	\$ 14,004	\$ 110,449	\$ 110,449
5	2018-2019	\$ 88,435	\$ 8,010	\$ 14,591	\$ 14,591	\$ 111,037	\$ 111,037
6	2019-2020	\$ 88,435	\$ 8,010	\$ 15,204	\$ 15,204	\$ 111,649	\$ 111,649
7	2020-2021	\$ 113,428	\$ 10,220	\$ 20,312	\$ 20,312	\$ 143,959	\$ 143,959
8	2021-2022	\$ 138,420	\$ 12,407	\$ 25,819	\$ 25,819	\$ 176,646	\$ 176,646
9	2022-2023	\$ 138,420	\$ 12,407	\$ 26,902	\$ 26,902	\$ 177,729	\$ 177,729
10	2023-2024	\$ 138,420	\$ 12,407	\$ 28,031	\$ 28,031	\$ 178,857	\$ 178,857
11	2024-2025	\$ 138,420	\$ 12,407	\$ 29,206	\$ 29,206	\$ 180,033	\$ 180,033
12	2025-2026	\$ 138,420	\$ 12,407	\$ 30,432	\$ 30,432	\$ 181,258	\$ 181,258
13	2026-2027	\$ 138,420	\$ 12,407	\$ 31,708	\$ 31,708	\$ 182,535	\$ 182,535
14	2027-2028	\$ 138,420	\$ 12,407	\$ 33,038	\$ 33,038	\$ 183,865	\$ 183,865
15	2028-2029	\$ 138,420	\$ 12,407	\$ 34,424	\$ 34,424	\$ 185,251	\$ 185,251
16	2029-2030	\$ 138,420	\$ 12,407	\$ 35,868	\$ 35,868	\$ 186,695	\$ 186,695
17	2030-2031	\$ 138,420	\$ 12,407	\$ 37,373	\$ 37,373	\$ 188,199	\$ 188,199
18	2031-2032	\$ 138,420	\$ 12,407	\$ 38,940	\$ 38,940	\$ 189,767	\$ 189,767
19	2032-2033	\$ 138,420	\$ 12,407	\$ 40,574	\$ 40,574	\$ 191,400	\$ 191,400
20	2033-2034	\$ 138,420	\$ 12,407	\$ 42,276	\$ 42,276	\$ 193,102	\$ 193,102
21	2034-2035	\$ 138,420	\$ 12,407	\$ 44,049	\$ 44,049	\$ 194,876	\$ 194,876
22	2035-2036	\$ 138,420	\$ 12,407	\$ 45,897	\$ 45,897	\$ 196,723	\$ 196,723
23	2036-2037	\$ 138,420	\$ 12,407	\$ 47,822	\$ 47,822	\$ 198,649	\$ 198,649
24	2037-2038	\$ 110,736	\$ 9,983	\$ 39,876	\$ 39,876	\$ 160,595	\$ 160,595
25	2038-2039	\$ 89,973	\$ 8,147	\$ 33,767	\$ 33,767	\$ 131,887	\$ 131,887
26	2039-2040	\$ 55,368	\$ 5,050	\$ 21,661	\$ 21,661	\$ 82,079	\$ 82,079
27	2040-2041	\$ 20,763	\$ 1,908	\$ 8,467	\$ 8,467	\$ 31,138	\$ 31,138
<b>Cumulative</b>		\$ 2,929,506	\$ 263,242	\$ 749,243	\$ 749,243	\$ 3,941,990	\$ 3,941,990
<b>Avg. Annual</b>		\$ 117,180	\$ 10,530	\$ 29,970	\$ 29,970	\$ 157,680	\$ 157,680

base/ Yr. 1	Estimated Annual Investment	Projected Cumulative Investment	Projected Increase in Annual Assessed Value		Annual Assessed Value Retained		Mill Rate	Gross New Taxes
			Real Property	Projected Annual Assessed Value	%	\$		
2013-2014	\$ 7,700,000	\$ 7,700,000	\$ 7,700,000	\$ 7,700,000	100%	\$ 7,700,000	15.90	\$ 122,430
2014-2015	\$ 3,800,000	\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
2015-2016		\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
2016-2017		\$ 11,500,000	\$ 11,500,000	\$ 11,500,000	100%	\$ 11,500,000	15.90	\$ 182,850
2017-2018	\$ 3,250,000	\$ 14,750,000	\$ 14,750,000	\$ 14,750,000	100%	\$ 14,750,000	15.90	\$ 234,525
2018-2019	\$ 3,250,000	\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2019-2020		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2020-2021		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2021-2022		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2022-2023		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2023-2024		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2024-2025		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2025-2026		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2026-2027		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2027-2028		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2028-2029		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2029-2030		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2030-2031		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2031-2032		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2032-2033		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2033-2034		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2034-2035		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2035-2036		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2036-2037		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2037-2038		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2038-2039		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2039-2040		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	100%	\$ 18,000,000	15.90	\$ 286,200
2040-2041		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	80%	\$ 14,400,000	15.90	\$ 286,200
2041-2042		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	65%	\$ 11,700,000	15.90	\$ 286,200
2042-2043		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	40%	\$ 7,200,000	15.90	\$ 286,200
2043-2044		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000	15%	\$ 2,700,000	15.90	\$ 286,200
2044-2045		\$ 18,000,000	\$ 18,000,000	\$ 18,000,000		\$ 2,700,000		\$ 286,200
<b>Cumulative Avg. Annual</b>	\$ 18,000,000		\$ 16,298,333	\$ 16,298,333		\$ 15,098,333		\$ 7,774,305 \$ 259,144

Years in projection 30  
 Mill Rate (per thousand) 15.90  
 Original Assessed Valuation \$1,204,700 (estimated)  
 Years 31 and 32 shown for tax shift purposes only.



base/ Yr	State/County Projected Tax Shift				Total Tax Shift
	EPS Education Shift	Revenue Sharing Shift	County Tax Shift		
2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
2014-2015	\$ -	\$ -	\$ -	\$ -	\$ -
2015-2016	\$ 59,213	\$ 5,397	\$ 9,002	\$ 73,612	\$ 73,612
2016-2017	\$ 88,435	\$ 8,010	\$ 14,004	\$ 110,449	\$ 110,449
2017-2018	\$ 88,435	\$ 8,010	\$ 14,591	\$ 111,037	\$ 111,037
2018-2019	\$ 88,435	\$ 8,010	\$ 15,204	\$ 111,649	\$ 111,649
2019-2020	\$ 113,428	\$ 10,220	\$ 20,312	\$ 143,959	\$ 143,959
2020-2021	\$ 138,420	\$ 12,407	\$ 25,819	\$ 176,646	\$ 176,646
2021-2022	\$ 138,420	\$ 12,407	\$ 26,902	\$ 177,729	\$ 177,729
2022-2023	\$ 138,420	\$ 12,407	\$ 28,031	\$ 178,857	\$ 178,857
2023-2024	\$ 138,420	\$ 12,407	\$ 29,206	\$ 180,033	\$ 180,033
2024-2025	\$ 138,420	\$ 12,407	\$ 30,432	\$ 181,258	\$ 181,258
2025-2026	\$ 138,420	\$ 12,407	\$ 31,708	\$ 182,535	\$ 182,535
2026-2027	\$ 138,420	\$ 12,407	\$ 33,038	\$ 183,865	\$ 183,865
2027-2028	\$ 138,420	\$ 12,407	\$ 34,424	\$ 185,251	\$ 185,251
2028-2029	\$ 138,420	\$ 12,407	\$ 35,868	\$ 186,695	\$ 186,695
2029-2030	\$ 138,420	\$ 12,407	\$ 37,373	\$ 188,199	\$ 188,199
2030-2031	\$ 138,420	\$ 12,407	\$ 38,940	\$ 189,767	\$ 189,767
2031-2032	\$ 138,420	\$ 12,407	\$ 40,574	\$ 191,400	\$ 191,400
2032-2033	\$ 138,420	\$ 12,407	\$ 42,276	\$ 193,102	\$ 193,102
2033-2034	\$ 138,420	\$ 12,407	\$ 44,049	\$ 194,876	\$ 194,876
2034-2035	\$ 138,420	\$ 12,407	\$ 45,897	\$ 196,723	\$ 196,723
2035-2036	\$ 138,420	\$ 12,407	\$ 47,822	\$ 198,649	\$ 198,649
2036-2037	\$ 138,420	\$ 12,407	\$ 49,828	\$ 200,655	\$ 200,655
2037-2038	\$ 138,420	\$ 12,407	\$ 51,918	\$ 202,745	\$ 202,745
2038-2039	\$ 138,420	\$ 12,407	\$ 54,096	\$ 204,923	\$ 204,923
2039-2040	\$ 138,420	\$ 12,407	\$ 56,365	\$ 207,192	\$ 207,192
2040-2041	\$ 138,420	\$ 12,407	\$ 58,730	\$ 209,556	\$ 209,556
2041-2042	\$ 138,420	\$ 12,407	\$ 61,183	\$ 211,919	\$ 211,919
2042-2043	\$ 138,420	\$ 9,983	\$ 48,972	\$ 197,375	\$ 197,375
2043-2044	\$ 138,420	\$ 8,147	\$ 41,469	\$ 188,036	\$ 188,036
2044-2045	\$ 138,420	\$ 5,050	\$ 26,602	\$ 170,072	\$ 170,072
<b>Cumulative</b>	\$ 3,760,026	\$ 323,368	\$ 1,033,451	\$ 5,116,844	\$ 5,116,844
<b>Avg. Annual</b>	\$ 125,334	\$ 10,779	\$ 34,448	\$ 170,561	\$ 170,561

5. New Business

- A. Executive Session pursuant to 1 M.R.S.A. §405 (6)(C) to discuss an economic development proposal.

Motion by Councilor Hughes: To enter into Executive Session pursuant to 1 M.R.S.A. §405 (6)(C) for the purposes of discussing an economic development proposal. In attendance will be:

Committee Members: Tom Brann, Janet Hughes, Jean Lawlis

Councilor Elect: Bill Shakespeare

Bangor Hydro Electric Project Manager: Eric Clapp

Starboard Leadership Consulting: Noreen Norton

Staff Members: Dean Bennett (CED), Bob Osborne (Planner)

Seconded by Councilor Lawlis

Vote 3-0 to enter into Executive Session @ 7:15pm.

Motion by Councilor Hughes to End Executive Session

Seconded by Councilor Lawlis

Vote 3-0 to End Executive Session @ 7:45pm.

**Committee Action:** To support and recommend to the Finance Committee and Town Council approval of the terms of the Tax Increment Financing request as proposed by the Bangor Hydro Electric Company with the exception to extend the terms of the TIF to 30 years. The Credit Enhancement Agreement to remain as proposed. Motion by Hughes/Second by Lawlis. Vote: 3-0

- B. Request from Bangor Police Department for use of the Old Hampden Academy.

**Committee Action:** Committee approved the request as presented and recommended notification of the action to be provided to Council as information. Motion by Hughes/Second by Lawlis. Vote 3-0

- C. Request for use of Academy Building Library – Calvary Apostolic Church

**Committee Action:** To support and recommend to the Town Council the approval of the use of the Library and classrooms of Wing 3 as requested by the Calvary Apostolic Church. Lease agreement to be formalized by Town Council once drafted.

C-4-C

*Pastor Thomas Channell*

Calvary Apostolic Church  
Hampden, ME 04444

Church: (207) 862-3579

Cell: (207) 478-5693

---

November 26, 2012

Planning & Development Committee  
Town of Hampden  
106 Western Avenue  
Hampden, 04444

To whom it may concern:

I would like to thank you for the time that you have allotted me to express the interest of Calvary Apostolic Church in obtaining a lease agreement with the town of Hampden concerning the former Hampden Academy facility. As of right now, we are currently meeting in the former Hampden Physical Therapy building that is owned by Penobscot Community Health Care at 177 Coldbrook Road in Hampden. Our current lease expires on Dec. 31, 2012, and as of now we have not received a renewal of the lease agreement from PCHC. Therefore, we are pursuing another lease option for a temporary meeting place.

Upon receiving information that the Town of Hampden had acquired the former Hampden Academy facility and was interested in possible suitors for use of the building, we contacted Dean Bennett for a tour of the building. After viewing the facility, it was decided by members of our building committee that the library area could be a suitable meeting place for us.

Our proposal for you to consider is a twelve month lease for use of the former library area, entryway, and four adjacent classrooms for \$20,000.00 which includes utilities. In viewing the proposed area of use, an estimate of \$15,000.00 was given to bring the proposed rooms up to a suitable level for our use. This would include new carpeting, painting, and cleaning of the existing rooms.

Our schedule consist of Wednesday evenings and Sunday mornings for a total of 5-6 hours per week.

Thank you for your consideration in this matter.

Sincerely,

Thomas Channell  
Pastor  
Calvary Apostolic Church

5. New Business

- A. Executive Session pursuant to 1 M.R.S.A. §405 (6)(C) to discuss an economic development proposal.

Motion by Councilor Hughes: To enter into Executive Session pursuant to 1 M.R.S.A. §405 (6)(C) for the purposes of discussing an economic development proposal. In attendance will be:

Committee Members: Tom Brann, Janet Hughes, Jean Lawlis

Councilor Elect: Bill Shakespeare

Bangor Hydro Electric Project Manager: Eric Clapp

Starboard Leadership Consulting: Noreen Norton

Staff Members: Dean Bennett (CED), Bob Osborne (Planner)

Seconded by Councilor Lawlis

Vote 3-0 to enter into Executive Session @ 7:15pm.

Motion by Councilor Hughes to End Executive Session

Seconded by Councilor Lawlis

Vote 3-0 to End Executive Session @ 7:45pm.

**Committee Action:** To support and recommend to the Finance Committee and Town Council approval of the terms of the Tax Increment Financing request as proposed by the Bangor Hydro Electric Company with the exception to extend the terms of the TIF to 30 years. The Credit Enhancement Agreement to remain as proposed. Motion by Hughes/Second by Lawlis. Vote: 3-0

- B. Request from Bangor Police Department for use of the Old Hampden Academy.

**Committee Action:** Committee approved the request as presented and recommended notification of the action to be provided to Council as information. Motion by Hughes/Second by Lawlis. Vote 3-0

- C. Request for use of Academy Building Library – Calvary Apostolic Church

**Committee Action:** To support and recommend to the Town Council the approval of the use of the Library and classrooms of Wing 3 as requested by the Calvary Apostolic Church. Lease agreement to be formalized by Town Council once drafted.