



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JULY 1, 2013

7:00 P.M.

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

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. May 20, 2013
- b. June 17, 2013

3. COMMUNICATIONS

- a. Nealley's Corner Store – Victualer's License Renewal

4. REPORTS

- a. Finance & Administration Committee Minutes – 6/17/2013
- b. Services Committee Minutes – 6/10/2013
- c. Pool Board Minutes – 5/14/2013
- d. Infrastructure Committee Minutes – 6/24/2013

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. FY 2014 Town Budget Adoption
- b. Sewer Bond Ordinance – Introduction for Public Hearing
- c. Zoning Ordinance Text Amendment – Article 3.6.2 Interchange District – Introduction for Public Hearing

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



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY MAY 20, 2013 7:00 P.M.

Attending:

Mayor Janet Hughes
Councilor Tom Brann
Councilor David Ryder
Councilor Jean Lawlis
Councilor Bill Shakespeare
Councilor Carol Duprey

Town Manager Susan Lessard
Town Attorney Thomas Russell
Town Clerk Denise Hodsdon
Pool Director Darcey Peakall
Library Director Debbie Lozito
Recreation Director Kurt Mathies
Economic Dev. Director Dean Bennett
KahBang Representative Tim Lo
Citizens

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

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

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. May 6, 2013
- b. May 13, 2013 Budget Meeting

3. COMMUNICATIONS

- a. Municipal Review Committee – 2013 2nd Quarter Distribution
- b. Maine Dept. of Marine Resources – Acknowledgment of Alewife Fishing Rights
- c. Municipal Review Committee – PERC Environmental Performance

4. REPORTS

- a. Services Committee Minutes – 5/13/2013
- b. Bangor Humane Society Stray Animal Report – April 2013
- c. Dyer Library Trustees Minutes – 3/13/13
- d. Finance & Administration Committee Minutes – 5/6/2013
- e. Voting Results with 6 Councilors

B. **PUBLIC COMMENTS** – There were none.

C. **POLICY AGENDA**

1. PUBLIC HEARINGS

- a. **Application for Liquor License received from Reid McLaughlin, d/b/a McLaughlin's at the Marina at 108A Marina Road** – Mayor Hughes opened the hearing; no one spoke in favor or opposition and there were no general comments or questions. The hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Ryder to approve the application. Unanimous vote in favor.
- b. **Ordinance Authorizing Conveyance of Land Owned by the Town of Hampden – Marina Parcel** – Mayor Hughes opened the hearing; no one spoke in favor or opposition and there were no general comments or questions. The hearing was closed. Motion by Councilor Brann, seconded by Councilor Lawlis to adopt the ordinance. Unanimous vote in favor.

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Warrant and Notice of Election – MSAD #22 District Referendum – Bond for Renovations and Improvements – June 11, 2013** – Motion by Councilor Lawlis, seconded by Councilor Shakespeare to countersign the Warrant & Notice of Election. Unanimous vote in favor.
- b. **Warrant and Notice of Election – MSAD #22 Budget Validation Referendum – June 11, 2013** – Motion by Councilor Lawlis, seconded by Councilor Shakespeare to countersign the Warrant & Notice of Election. Unanimous vote in favor.

3. UNFINISHED BUSINESS

- a. **Jeep Bid Results – Finance Committee Recommendation** – It was the recommendation of the Finance Committee to accept the highest bid from Barry Moses in the amount of \$4,567.89. Motion by Councilor Brann, seconded by Councilor Shakespeare to accept the bid from Barry Moses in the amount of \$4,567.89 with the proceeds to be deposited into the fire truck reserve account. Unanimous vote in favor.
- b. **Fireworks Ordinance – Planning & Development Committee's Recommendation to Introduce for Public Hearing** – Councilor Brann introduced this item for public hearing at the next meeting.
- c. **Public Works Truck Bid Results – Finance Committee Recommendation** – This item was postponed until after the next meeting of the Infrastructure Committee.
- d. **Committee Assignments** – Mayor Hughes asked for a motion to set aside the rules to add an item to the agenda. Councilor Brann so moved and Councilor Shakespeare seconded the motion. Vote was unanimously in favor. Motion by Councilor Brann, seconded by Councilor Shakespeare to add committee assignments to the agenda.

Unanimous vote in favor. Due to the resignation of Councilor Wright, Mayor Hughes asked Councilor Shakespeare to chair the Infrastructure Committee and she said she would take Councilor Wright's place as a voting member of the Infrastructure and Services Committee.

- e. **Re-use of Old Hampden Academy Property** – *Motion by Councilor Brann, seconded by Councilor Lawlis to set aside the rules to add another item to the agenda. Unanimous vote in favor. Motion by Councilor Brann, seconded by Councilor Shakespeare to add discussion of re-use of the Old Hampden Academy property to the agenda, which may go into executive session. Unanimous vote in favor.*

4. NEW BUSINESS

- a. **KahBang Temporary Campsite** – *Tim Lo KahBang Executive Director Tim Lo informed the Council that he has reached out to the Planning & Development Committee about the KahBang Festival's desire to set up their temporary campsite at the Business Park. He realized that it was most likely too late for this year, but he wanted to open up discussion with the Council and hoped to gather sentiment as to whether the Town would be interested in going forward in 2014. Jeremy Jones of 72 Partridge Road informed the Council that he had done some measurements of the area to get an idea of whether traffic flow would be a problem when Mr. Lo approached the Town last year, and said he didn't see any problem with traffic according to the plan submitted at that time. He encouraged the Council to let them use the business park until the park fills up with businesses. Councilor Brann noted that this use does conform to the Town's codes and he sees no reason not to support this next year. It was the consensus of the Council that there would be support for the campsite next year. However, Councilor Brann did note that the Town does have an RFP out for development of that portion of the business park and warned Mr. Lo that the Town may not still own the property next year.*
- b. **2013/2014 Budget:**
 - 1. **Manager's PowerPoint Presentation** – *The Town Manager gave a Power Point presentation concerning the budget and information related to the fiscal position of the Town. The Power Point and Budget Message will be posted on the Town Website and attached to the minutes as part of the permanent record. Jeremy Jones of 72 Partridge Road commented that the Town needs to act as a corporation and we need to live within our means. He urged the Council to cut, cut, cut and not raise taxes.*
 - 2. **Library** – *Library Director Debbie Lozito presented the proposed budget which was reviewed line by line. Terry McAvoy of 59 Monroe Road and Alex King of 807 Kennebec Road both had questions*

regarding how funds from the library's endowment fund are used. Debbie will get information together for discussion at the next Finance & Administration Committee meeting. No change was made to the proposed total budget of \$238,092.00.

3. Recreation – *Recreation Director Kurt Mathies presented the proposed budget which was reviewed line by line. Kurt explained that this budget includes only salaries and benefits for himself and the Assistant Recreation Director. All other expenses come out of the Enterprise Account. Mr. McAvoy had several questions regarding the Recreation's Enterprise Account and its Reserve Account. Those questions will be addressed at the next Finance & Administration Committee meeting. No change was made to the proposed total budget of \$136,544.00.*

4. Pool – *Pool Director Darcey Peakall presented the proposed budget which was reviewed line by line. Mr. McAvoy had questions about the Pool's Endowment fund. He also asked what the total cost is to run the Pool and Recreation departments, regardless of which account the expenses come from. This information will also be reviewed at the next Finance & Administration Committee meeting. No change was made to the proposed total budget of \$224,630.00.*

5. Debt Service – *The total debt service budget amount is \$370,670.57.*

D. COMMITTEE REPORTS – *There were none.*

E. MANAGER'S REPORT – *There was none.*

F. COUNCILORS' COMMENTS – *Councilor Shakespeare noted that the Hampden Garden Club volunteers putting the flowers around the Veterans Memorial had informed him that the flowers were donated by John Calkins.*

G. EXECUTIVE SESSION – *Motion by Councilor Brann, seconded by Councilor Lawlis to enter executive session at 9:45 pm to discuss re-use of the old Hampden Academy property pursuant to 1 MRSA §405(6)(c) to include the Town Council, Town Manager, Town Attorney and the Economic Development Director. Unanimous vote in favor. Motion by Councilor Lawlis, seconded by Councilor Shakespeare to re-enter regular session at 10:50 pm. Unanimous vote in favor.*

H. ADJOURNMENT – *The meeting was adjourned at 10:51 pm.*



Denise Hodsdon
Town Clerk



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

A-2-b

MONDAY JUNE 17, 2013 7:00 P.M.

Attending:

*Mayor Janet Hughes
Councilor Tom Brann
Councilor David Ryder
Councilor Jean Lawlis
Councilor Bill Shakespeare
Councilor Carol Duprey*

*Town Manager Susan Lessard
Town Attorney Thomas Russell
Town Clerk Denise Hodsdon
A Member of the Press
Citizens*

The meeting was called to order by Mayor Hughes at 7:02 pm.

A. CONSENT AGENDA - *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept the Consent Agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

4. REPORTS

- a. **Bangor Humane Society Report – May 2013**
- b. **Finance & Administration Committee Minutes – 6/3/2013**

B. PUBLIC COMMENTS – *There were none.*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. **FY 2013-2014 Budget** – *Manager Lessard noted that the State budget as proposed by the Legislature would mean a revenue loss to the Town of Hampden of approximately \$213,000.00. This budget as proposed will absorb that amount. She pointed out that the bottom line of every budget is lower than last year, however the Town's share of the school budget and county budget are both up from last year which will result in an increase to the mil rate of approximately 50 cents. Mayor Hughes opened the hearing at 7:21 pm. Proponents: Eric McVay of 23 Cottage Street spoke in favor of the proposed budget and also commented that social service agencies provide a great service to the Town and those agencies deserve to be funded.*

Opponents: None

Questions/Comments: Lee White of 121 Canaan Road, who works for Eastern Area Agency on Aging thanked the Council for its time and effort on behalf of the citizens. She said she knows the Councilors are doing their best but their agency is in the same situation and this is impacting all of us. She noted that Eastern Area Agency provided over \$41,000 in services to Hampden residents last year and she hoped that if there is room in the budget, that the Council would consider some funding.

The hearing was closed at 7:26 pm.

There was considerable discussion about the School District passing along the additional \$142,000 that the voters added to the school budget. Manager Lessard noted that Hampden's share of that additional amount would be approximately \$89,000. It was pointed out that the State budget as adopted by the legislature would add back in funding for teacher retirement that the District had originally budgeted for in its proposed budget. That amount would more than absorb the additional \$142,000 added by the voters and Councilor Brann said he was not willing to absorb the increase from the Town's side of the budget. Manager Lessard estimated that the result would be another increase of 16 cents on the mil rate. Councilor Brann said he would like to see the 2% cost of living increase for all Town employees, not just the union employees.

Councilor Duprey pointed out that the Town has no say over the school budget and she encouraged everyone to go to the School Board meetings and hold the School Board accountable for the way they are spending your dollars. She hoped that the School Board would step up and absorb the additional funds added by the voters into the increase they will be getting in State funds.

Motion by Councilor Brann, seconded by Councilor Shakespeare to not absorb the additional \$89,000 (63% of the \$142,000 increase) in the school budget from the municipal side of the budget. Following discussion, vote on the motion was unanimously in favor.

Motion by Councilor Brann, seconded by Councilor Ryder to fund an even across the board cost of living increase for all full-time town employees. There was some question about the current CPI and what the union contracts stipulate for cost of living increases. Therefore, Councilor Brann moved and Councilor Duprey seconded to postpone a decision on cost of living increases until the next meeting. Unanimous vote in favor.

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Services Committee Recommendations re New Applications for Appointment to Pool Board of Trustees:** - *Services Committee Chair Lawlis reported that the Committee recommends appointment of all three applicants to the Pool Board.*

1. **Sam Manhart** – *Motion by Councilor Lawlis, seconded by Councilor Brann to appoint Sam Manhart to the Lura Hoit Pool Board of Trustees. Unanimous vote in favor.*
2. **Benjamin Curtis** - *Motion by Councilor Lawlis, seconded by Councilor Brann to appoint Benjamin Curtis to the Lura Hoit Pool Board of Trustees. Unanimous vote in favor.*
3. **Susan O'Brien** - *Motion by Councilor Lawlis, seconded by Councilor Brann to appoint Susan O'Brien to the Lura Hoit Pool Board of Trustees. Unanimous vote in favor.*

3. UNFINISHED BUSINESS

- a. **Ordinance Authorizing Conveyance of Land Owned by the Town of Hampden (Old Hampden Academy Property) – Introduction for Public Hearing** – *Councilor Brann introduced this for public hearing. Mayor Hughes pointed out that the Purchase & Sale agreement has not yet been finalized and that it is still confidential. She believes that it should be finalized in the next few days and that it would need to be available for public review before a hearing is held. It was decided that the hearing will be held at the July 15th meeting.*
- b. **Public Works Meal Certificate Policy – Infrastructure Committee Recommendation** – *Infrastructure Committee Chair Shakespeare read the proposed policy and then moved to accept the policy. Councilor Brann seconded the motion. Attorney Russell recommended that the first paragraph be amended to say that “At such time that Public Works Employees are required to work overtime for the purpose of plowing snow, the Public Works Director shall have the option of distributing a \$10 meal certificate for meals during the overtime period worked.” Following further discussion, it was decided that the proposed policy needed to be referred back to the Infrastructure Committee. Councilors Shakespeare and Brann withdrew the motion.*

4. NEW BUSINESS

- a. **Draft Zoning Ordinance Text Amendment re Village Commercial Signs – Referral to Planning Board** – *Motion by Councilor Brann, seconded by Councilor Lawlis to refer this item to the Planning Board. Unanimous vote in favor.*
- b. **Draft Zoning Ordinance Text Amendment re Bed and Breakfasts in the Residential B District – Referral to Planning Board** – *Motion by Councilor Brann, seconded by Councilor Ryder to refer this item to the Planning Board. Unanimous vote in favor.*
- c. **Draft Zoning Ordinance May Amendment – Old Hampden Academy – Referral to Planning Board** – *Motion by Councilor Brann, seconded by Councilor Shakespeare to refer this item to the Planning Board. Unanimous vote in favor.*

- d. **July Meeting Dates** – *Manager Lessard noted that in past years during the first week of July it has been difficult to obtain a quorum for Council meetings given that Councilors often times are away on vacation during that week. She inquired whether there would be a quorum in order to hold a meeting on July 1st and it was determined that at least five Councilors would be available for that date. The meetings for July will follow the regular schedule of July 1st and 15th.*

D. COMMITTEE REPORTS

Services Committee – *Councilor Lawlis reported that the Committee met on June 10th and discussed progress at the Papermill Road Park. She reported that the poison ivy at the park has been eradicated. A workday is being planned by the Friends of Dorothea Dix Park.*

Planning & Development Committee – *The next meeting will be at 6:00 pm on June 19th.*

Infrastructure Committee – *The next meeting is scheduled for 5:30 pm on June 24th.*

Finance & Administration Committee – *Mayor Hughes reported that the agenda for this evening's meeting only included review of warrants and financial statements.*

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

F. COUNCILORS' COMMENTS

Councilor Ryder said he was thankful that the Shaw Hill Road extension has been fixed. He has heard from several happy residents.

Councilor Lawlis commented that this has been a difficult budget year but noted that there appears to be a lot of new construction in Town and she is optimistic about what that may mean down the road for future budget years.

Councilor Brann said in an effort for the public to learn more about the marina project, he has asked the Manager to have Public Works mow a path so people can walk down in that area. He did note however, that there is poison ivy in the area that needs to be taken care of.

Councilor Shakespeare commented that State employees have not received a cost of living increase for 3 years and they have been hit with furlough days. He hoped that everyone realizes that the Town and Council are doing the best we can to balance our budget and take care of everything.

Councilor Duprey commented that whether the School budget gets funded from the State or from the Town, we are still the ones who pay for it so the only real solution is to get the school budget under control.

Mayor Hughes said she had the opportunity to attend the first graduation ceremony in the new high school and she congratulated the Hampden Academy Class of 2013.

- G. **ADJOURNMENT** – *The meeting was adjourned at 9:27 pm.*



Denise Hodsdon
Town Clerk

MANAGER'S REPORT
June 17, 2013

Clean Up for Cancer Fundraiser – A reminder that there will be a Clean Up for Cancer fundraiser on Saturday, June 22nd at the Skehan Recreation Center. There will be a yard sale from 6 a.m. until 2 p.m. and then an auction from 3 p.m. until 9 p.m.

Safety Grant – Congratulations to firefighter Jason Lundstrom for writing a successful Safety Enhancement Grant application for \$2,000 for the purchase of headsets for emergency communications.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Pt
Fa
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A-3-a

June 24, 2013

Martin Panther
Nealley's Corner Store
1230 Kennebec Road
Hampden, ME 04444

Dear Marty:

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

Please call if you have any questions.

Sincerely,

Denise Hodsdon, CMC
Town Clerk

VICTUALER'S LICENSE CERTIFICATE

No. 10

MUNICIPALITY OF HAMPDEN, MAINE

To all whom these presents may concern: Date: June 24, 2013

KNOW YE, that Martin Panther,

doing business as Nealley's Corner Store

has been duly licensed as a Victualer at 1230 Kennebec Road

in the Municipality of Hampden by said Municipality until May 18, 2014,

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

Authorized Municipal Officer **CODE ENFORCEMENT OFFICER**

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES
Monday, June 17, 2013

Attending:

Councilor Tom Brann
Councilor William Shakespeare
Councilor Jean Lawlis
Councilor Carol Duprey
Councilor David Ryder
Mayor Janet Hughes
Town Manager Susan Lessard

The meeting was opened at 6:35 p.m. by Councilor Brann,

1. Meeting Minutes
 - a. June 3, 2013 – The minutes of June 3rd were approved by unanimous consent with no errors or omissions noted.
2. Review & Sign Warrants – Committee members reviewed and signed the warrants for payment of payroll and accounts payable.
3. Financial Statements – May 2013 – The Town Manager presented the Financial Statements for the period ending May 31, 2013. She noted that 2013 tax collections were at 96% collected and that most revenue streams, with the exception of revenue sharing seemed to be on target for the fiscal year. The Committee will begin review of the list of 'reserve' accounts in the near future to determine whether they accurately reflect the categories that the Town needs to have for long-term financial planning.
4. Old Business - None
5. New Business - None
6. Public Comment - None
7. Committee Member comments – None

The meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

SERVICES COMMITTEE MEETING MINUTES

A-4-b

Monday, June 10, 2013

Attending:

Councilor Jean Lawlis	Benjamin Curtis, Pool Board Candidate
Councilor David Ryder	Jeremy Jones, Papermill Rd Park Patriots
Mayor Janet Hughes	Kurt Mathies, Recreation Director
Susan O'Brien, Pool Board Candidate	Terry McAvoy, Resident

The Meeting was opened at 6 p.m. by Chairman Lawlis

1. Minutes of 5-13-2013 Meeting – The minutes of the 5-13-2013 meeting were reviewed and approved with no changes
2. OLD BUSINESS
 - A. RECREATION DIRECTOR PROGRAM UPDATE – Recreation Director Kurt Mathies presented a report about items received from the closure of the Bangor Auditorium. He indicated that there were many items that were given that were needed at the Skehan Recreation Center. Items such as chairs and tables, 2 way radios, concession stand equipment and much more have been cleaned and most have already been used at the center. An update on the happenings at the Skehan Center was also given. Programs for this summer look great and the department expects another fun filled session. A question was raised about the line item in the Skehan Center Budget dealing with cleaning. Comments were made that instead of using a cleaning service, it might be more cost effective to just hire staff to put on our payroll to just deal with the deep cleaning of the building and still leave the light cleaning duties to staff. Director Mathies concurred and will look into that. It was also reported that Kids Korner Registration for the next school year began on June 2. It was reported that the expansion had cleared the Weatherbee school in the afternoon to no wait list but still left McGraw with a wait list range of 3 to 9 participants and the morning program with a range of 8 – 13. We have discussed it within our staff and decided we need to look at expanding the morning so we will be looking at changes in structure, meeting with RSU#22 building principals and reorganizing current staff to make that happen. Lastly, Councilor Lawlis asked Director Mathies about an update the Hampden Seniors. Was mentioned that with no outside agencies such as the Hammond Street Senior Center in Bangor receiving moneys what was the plan for the Skehan Center as it relates to seniors. Kurt mentioned a reduction in the senior activities line in the Enterprise Budget but that money was allocated for the soul purpose of paying for buses for senior trips which were not being very well attended. A line item in the Skehan Center Budget allows for some resources to be used for senior programs. Many in the senior Fitness Class had mentioned wanting

to see activities such as walking programs, dances and special events and entertainers. Kurt was going to be meeting with the The Hampden Seniors group on Friday at 9:30am.

- B. PAPERMILL RD PARK – There is a park clean-up day scheduled for June 15, from 9-3 to clean up brush, work on expanding the trails and general park maintenance. All are welcome to help. Also, the portable toilet was delivered which has already been received well from the public. The park was sprayed on June 5th for Poison Ivy. With only small amounts this year, this application should take care of the problem for a few years and with regular inspections of the park, shouldn't be much of an issue for the future.
 - C. DOROTHEA DIX PARK – A clean-up day is scheduled for this park also and will be on June 20th from 4-8pm. This is organized by The Friends of Dorothea Dix Park. Again, all who wish to join are welcome. During that same day, staff will be working on installing the water fountain and planting a few more trees. There were 3 trees planted there on May 22 for Arbor Day by Gretchen Heldmann, Town GIS/IT, Kurt and Denny Babcock and Paul Weaver from Public Works. Materials will be delivered prior to that day so volunteers can work on trails, filling in the driveway and fixing the gardens.
 - D. UPDATE COMMUNICATIONS – Youtube Idea. Was not ready for a report this evening. Will be added to next Services Committee Meeting.
3. NEW BUSINESS
- A. INTERVIEW POOL BOARD APPLICANTS
 1. Susan O'Brien – Teacher of 33 years, avid swimmer and runner. Looking to advocate for the Lura Hoit Pool as it is a fantastic asset to the town. Has experience writing grants as a teacher and wants to support further program growth. Motion was made by Mayor Hughes, seconded by Councilor Ryder to the full Council appointment of Susan O'Brien to the Lura Hoit Pool Board.
 2. Benjamin Curtis – Teacher who feels the pool is an intricate part of the community. Supports the swim team and was a part of his high school's swim team. He saw how that program while he was growing up was so big for the community and would like to see that here. Also talked about the safety aspects of having the opportunities to learn to swim and be safe around water. Motion was made by Mayor Hughes, seconded by Councilor Ryder to the full Council appointment of Benjamin Curtis to the Lura Hoit Pool Board
4. PUBLIC COMMENTS
- Resident Terry McAvoy asked how many cemeteries we have in town and why do we mow the areas of Western Ave Cemetery not with graves. Councilor Ryder said we have 5 and because it's respectful to those who have loved ones buried there to have the area cleaned.
5. COMMITTEE MEMBERS COMMENTS
- Councilor Ryder had mentioned that this would be a good time to start looking at the long term goals and objective for the Recreation Department. He asked that Recreation Director Mathies ask Gretchen Heldmann, who is the town's GIS

specialist, to formulate a few maps so we can see where the town has land and what that land looks like so that we can look at building over time a proper recreation complex.

6. Meeting adjourned at 7:30

Lura Hoit Pool ~ Board Meeting Minutes ~ 5-14-13

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

Those present: Cedena McAvoy, Karen Brooks, Mike Jellison, Josh Sargent, Jim Feverson, Sarah McVeigh, Darcey Peakall and Julie Macleod. Not present: Mary Ellen Conner, Vickie Levesque, Pat Foley and Greg Hawkins.

The secretary's minutes were accepted as presented.

The Treasurer's report was accepted as presented.

The Director's Report:

- ~ The number of participants in April was up 839 people. April school vacation week had better attendance than last year.
- ~ Daily receipts in April were up \$1,586 compared to last year and the pool rental income was up \$75 compared to last year.
- ~ The monthly fuel usage was down 152 gallons compared to last year.

There was a motion to table the Election of Officers until the June meeting due to the concerns of current nominated board members attendance issues. Motion was passed 6-0.

The board requested that Darcey contact Greg about their concern with his attendance and that he was nominated to be co-chair of the pool board. The board members were reminded that they are to attend 2/3's of the meetings throughout the year.

The board has requested that Darcey draft new language for Article V, section 2, in the Pool Board By-Laws specifying that the 2/3's attendance benchmark would apply to the calendar year. Darcey will mail the new wording to the board members in their June packet. There was a discussion on offering people interested in helping the pool an Honorary Member status, as stated in the by-laws, where they can attend meetings and help with projects but would not have voting rights or the free membership.

Darcey reported that the Corporate Membership letter was approved by the Finance Committee. Darcey passed out a list of companies that Mike obtained from the Bangor Chamber of Commerce and Sarah shared a company's wellness contact list. The board members agreed to each take two companies for now to contact, send the letter and conduct a follow up call. The list is as follows:

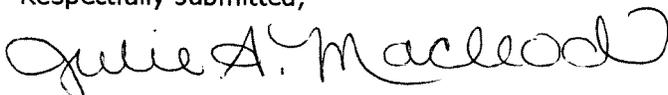
- Cedena - Penquis Cap & RSU #22
- Vickie - St Joseph's Hospital & Bangor School System
- Sarah - Bangor Hydro & Dead River
- Mike - Bangor Saving Bank & Penobscot Job Corps
- Jim - Charlotte White Center, Target & H.O. Bouchard
- Josh - EMMC & EMH - Acadia
- Karen - Hannaford & Maine Savings Bank
- Darcey - Town of Hampden

There was a motion to table the investments discussion until the June meeting. Motion was approved 6-0.

Mike passed out a packet that showed the board members what the Facebook page looks like. He also discussed starting a Twitter Account to "tweet" about what's going on at the pool. A motion was made to let Mike open a Twitter account for the pool to use. Motion was passed 6-0.

Meeting adjourned at 8:28pm.

Respectfully submitted,



Julie A. Macleod

INFRASTRUCTURE COMMITTEE MEETING MINUTES
TUESDAY, JUNE 24, 2013

Attending:

Councilor William Shakespeare	Mayor Janet Hughes
Councilor Thomas Brann	Sue Lessard, Town Manager
Councilor Jean Lawlis	Kurt Mathies, Recreation Director
Councilor Carol Duprey	Terry McAvoy, resident
Councilor David Ryder	Roland Francis, Applicant Water Dist. Board
Marc Beauregard, Water Dist. Board	Jason Richard, Applicant Water Dist. Board

The meeting was opened at 5:35 p.m. by Chairman Shakespeare.

1. MINUTES OF 5/28/2013 – Motion by Mayor Hughes, seconded by Councilor Brann to approve the 5/28/2013 minutes as presented. Unanimous vote in favor.
2. OLD BUSINESS
 - A. PUBLIC WORKS/RECREATION REQUESTS
 1. ZERO STEER MOWER (Discussion postponed at April Meeting) Committee
After considerable discussion of the need for a new mower at this time, concern over use of Recreation Enterprise Funds, the need for review of equipment replacement schedules, the desire to make sure that the department has sufficient equipment to meet its needs, and concern over Committees overstepping their authority by considering the financial aspects of the proposal, a number of motions were made related to the subject. Motion by Councilor Lawlis, seconded by Councilor Duprey to postpone discussion of a new mower purchase until the next regularly scheduled Infrastructure Committee meeting. Vote 2 – 4 (Hughes, Ryder, Brann, Shakespeare) Motion failed.
Motion by Councilor Duprey, seconded by Councilor Lawlis to wait until next Spring to consider purchase of a new mower. Vote 3-3 (Hughes, Brann, Shakespeare). Motion failed
Motion by Councilor Shakespeare, seconded by Councilor Brann to recommend to the full Council the replacement of the zero turn mower and forward the issue to the Finance Committee for funding. Vote 1 – 5 (Brann, Hughes, Ryder, Duprey, Lawlis) Motion failed.
No further action on this item will occur unless or until it is placed on a future agenda.
 - B. WATER DISTRICT TRUSTEE INTERVIEWS
 1. ROLAND FRANCIS – Mr. Francis met with the Committee and discussed his long term record of service to Hampden through work with the Boy Scouts and the Masonic Lodge, his business expertise as a small business owner and former corporate controller, and his knowledge of some of the Water District operations from his friendship with District Trustees John Quesnel and Dana Skinner. He is interested in continuing to volunteer to benefit his community

and believes his background and experience would benefit the Water District as well.

2. JASON RICHARD – Mr. Richards met with the Committee and discussed his interest in the position, described his educational (Master’s Degree) and work experience credentials (Finance Officer S.W. Cole Engineering), and indicated that his reason for applying was to volunteer in some capacity for the community in which he lives. He is a current customer/user for the District.
 3. RYAN FRANCIS – Not available on this date for an interview.
3. NEW BUSINESS
- A. SIDEWALK PLOWING PRIORITY DISCUSSION – Councilor Ryder had requested that this subject be reviewed based on an estimated cost of keeping sidewalks plowed the same as streets that was much higher than the actual budgeted cost. The cost was reduced from when the policy was first implemented by hiring a part –time worker in the winter instead of paying regular full-time employees overtime for performing the work. No change was suggested for the current policy.
4. PUBLIC COMMENTS - None
 5. COMMITTEE MEMBER COMMENTS – Councilor Ryder would like an agenda item at a future meeting to discuss the idea of changing the manner in which we dispose of waste wood to possibly save money for the Town. Mayor Hughes would like an agenda item added related to sidewalk improvements along Route 1A/Western avenue intersection. Councilor Brann would like an agenda item added relative to the cost of acquisition of the green house property at the corner of Route 1A/Western Avenue, and the former barbershop/town office at the corner of Kennebec Road/Route 1A.

The meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

C-3-a

TOWN OF HAMPDEN

PROPOSED 2014 TOWN BUDGET
(Adjusted 6/27/2013)

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2014
01-01	ADMINISTRATION	\$571,822.00
01-02	GIS/IT	\$115,083.00
01-03	COMMUNICATIONS	\$21,479.00
01-05	TOWN COUNCIL	\$35,090.00
01-10	MUNICIPAL BUILDING	\$85,890.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$7,039.00
01-25	PLANNING/ASSESSING	\$252,149.00
01-30	ECONOMIC DEVELOPMENT	\$113,583.00
05-03	NON-DEPT. UTILITIES	\$468,400.00
05-01	POLICE	\$993,279.00
05-05	FIRE DEPARTMENT	\$960,735.00
05-10	PUBLIC SAFETY	\$185,131.00
10-01	PUBLIC WORKS	\$1,282,415.00
10-05	MUNICIPAL GARAGE	\$29,080.00
15-10	SOLID WASTE	\$388,274.00
20-01	RECREATION	\$136,544.00
20-10	DYER LIBRARY	\$238,092.00
20-20	LURA HOIT POOL	\$224,630.00
20-25	MARINA	\$0.00
25-10	THE BUS	\$89,380.00
30-10	BUILDINGS & GROUNDS	\$91,564.00
*38-00	OUTSIDE AGENCY REQUESTS	\$0.00
40-10	GENERAL ASSISTANCE	\$7,500.00
50-10	DEBT SERVICE	\$370,671.00
55-00	RESERVES	\$140,000.00
67-10	TIF	\$17,110.00
GROSS	MUNICIPAL BUDGET TOTAL	\$6,830,940.00
LESS	MUNICIPAL REVENUES -	\$3,226,750.00

= NET	MUNICIPAL BUDGET TOTAL	\$3,604,190.00
	SAD #22 TAXATION AMOUNT	\$5,650,341.00
	COUNTY TAXATION AMOUNT	\$731,537.00

ESTIMATED TOTAL TAXATION REQUIREMENT \$9,986,068.00

* Outside Agency Requests have been made, but recommendation for funding is not included in this budget.

Proposed FY 2014 budget figures are as of 6/27/13. Estimated mil rate impact as presented is a .65 increase (current mil rate is 15.90/thousand and has been for six years).

Copies of the entire proposed FY 2014 Budget are available for public inspection at the Hampden Town Office.



Denise Hodsdon <clerk@hampdenmaine.gov>

CPI - Union Contracts

1 message

Susan Lessard <manager@hampdenmaine.gov>

Tue, Jun 18, 2013 at 9:46 AM

To: Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, David Ryder <rydertowncouncil@hampdenmaine.gov>, Carol Duprey <dupreytowncouncil@hampdenmaine.gov>

Good Morning-

The union contracts for police and fire set a minimum wage increase annually of 1% and a maximum of 3%. Anything over 1% is based on the CPI- w Northeast from April to April, as reported in June.

When we started doing the budget in February, that CPI was 2 and that is what the public safety director used as a basis for his budget. The April figures, as reported in June, show the actual CPI for April 2012 to April 2013 to be 1.1%, therefore we will be adjusting the police and fire budgets accordingly. The reduction from the Police and Fire budgets for the lower raise figures will be a reduction of approximately \$13,200.

If the council wished to offer that same 1.1% to all other full time employees, the budget impact (including FICA/Retirement) would be approximately \$22,000, a net difference of \$8,800.
I have attached the CPI chart for your information.

Sue

**CPI -Table A.docx**

16K

Table A. Northeast region CPI-U 1-month and 12-month percent changes, all items index (not seasonally adjusted)

Month	2008		2009		2010		2011		2012		2013	
	1-month	12-month										
January	0.4	3.9	0.2	0.5	0.4	3.0	0.4	1.6	0.4	2.9	0.3	1.8
February	0.4	4.0	0.6	0.7	0.0	2.5	0.5	2.0	0.4	2.8	0.6	2.0
March	0.8	3.9	0.2	0.2	0.3	2.6	0.8	2.5	0.5	2.5	0.0	1.5
April	0.5	3.9	0.2	-0.1	0.2	2.5	0.5	2.8	0.3	2.3	-0.1	1.1
May	0.9	4.3	0.1	-0.8	0.2	2.6	0.5	3.2	-0.1	1.7		
June	1.1	5.0	0.8	-1.2	-0.1	1.7	0.1	3.4	-0.2	1.5		
July	0.8	5.7	0.1	-1.9	0.0	1.6	0.2	3.6	-0.1	1.1		
August	-0.3	5.5	0.3	-1.2	0.1	1.4	0.3	3.8	0.5	1.3		
September	-0.4	5.2	0.1	-0.7	-0.1	1.2	0.1	4.0	0.5	1.7		
October	-0.9	4.0	0.0	0.2	0.3	1.5	-0.1	3.6	0.1	1.9		
November	-1.6	1.7	0.2	2.0	0.2	1.5	-0.1	3.2	0.2	1.8		
December	-0.9	0.7	-0.1	2.8	0.0	1.6	-0.3	2.9	-0.3	1.8		



C-3-b

Denise Hodsdon <cle

Sewer Bond Ordinance

1 message

Thomas A. Russell <tar@frrlegal.com>

Wed, Jun 12, 2013 at 2:05 PM

To: Susan Lessard <manager@hampdenmaine.gov>, Denise Hodsdon <clerk@hampdenmaine.gov>

Sue and Denise: Attached is the proposed ordinance concerning the sewer bond. It has been reviewed by Dan Pittman, bond counsel at EatonPeabody, and he made a few changes to my initial draft. Sue will need to insert the financial information. It is structured to be introduced at the 7/1 Council meeting for a public hearing at the 7/15 Council meeting. We should probably canvass the Council to make sure we will have a quorum for those meetings. Tom



Ordinance for Sewer Bond 06 12 13.doc

35K

TOWN OF HAMPDEN

ORDINANCE AUTHORIZING APPROPRIATION AND BORROWING OF FUNDS TO FINANCE VARIOUS SEWER PROJECTS, INCLUDING THE CONSTRUCTION, RECONSTRUCTION, REPLACEMENT OR REPAIR OF SEWER LINES, MANHOLES, PUMP STATIONS, APPURTENANCES, STORMWATER SEPARATION FACILITIES AND OTHER INFRASTRUCTURE IMPROVEMENTS TO THE TOWN OF HAMPDEN SEWER SYSTEM THROUGH ISSUANCE OF GENERAL OBLIGATION BONDS OR NOTES OF THE TOWN OF HAMPDEN WHICH MAY BE CALLABLE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$902,050.

The Town of Hampden hereby ordains as follows:

Section 1. That pursuant to Section 5772 of Title 30-A, Maine Revised Statutes, as amended, the Charter of the Town and any other applicable authority under Maine law, the Town of Hampden is hereby authorized to borrow a principal amount not to exceed Nine Hundred Two Thousand Fifty Dollars (\$902,050), said amount to be payable over a period not to exceed thirty (30) years, less the term of the Note described below, at such interest rates and on such further terms and conditions as may be approved by the Treasurer and a majority of the Town Council, the proceeds of said loan to be used substantially for various sewer projects, including the construction, reconstruction, replacement or repair of sewer lines, manholes, pump stations, appurtenances, stormwater separation facilities and other infrastructure improvements to the Town of Hampden Sewer System (the "Project"), said loan to be evidenced by the General Obligation Bond or Bonds of the Town to be executed and delivered on behalf of the Town by the Town Treasurer and countersigned by a majority at least of the Town Council (the "Bond") in a principal amount not to exceed \$902,050 in the aggregate. The Bond may be subject to call for redemption as determined by the Town Treasurer and majority of the Town Council.

Section 2. That in anticipation of the receipt of the Bond proceeds for the Project, pursuant to the Charter of the Town and Section 5772 of Title 30-A of the Maine Revised Statutes, as amended, and any other applicable authority under the laws of the State of Maine, the Town of Hampden is hereby authorized to borrow from a lending institution approved by the Town Treasurer and a majority at least of the Town Council a principal amount not to exceed Nine Hundred Two Thousand Fifty Dollars (\$902,050) and in evidence thereof to execute and deliver one or more General Obligation Bond Anticipation Notes (the "Note") of the Town for a period not to exceed one year and to bear interest at such rate and said Note to be subject to such further terms and conditions as the Town Treasurer and a majority at least of the Town Council shall approve, and said Note, together with interest thereon, to be a general obligation of the Town, and intended to be repaid from the Bond, said Note to be executed and delivered on behalf of the Town by the Town Treasurer and countersigned by a majority at least of the Town Council, and such Note may be refunded from time to time for a period not to exceed an

aggregate of three years, with proceeds to be used to provide temporary funds to accomplish the Project.

Section 3. That the Town Treasurer, Mayor or other officers designated by the Town Council be and each of them hereby is authorized to execute such documents and do all things necessary or convenient in order to issue the Bond or Note or any part authorized to execute and deliver such loan applications as may be necessary or appropriate to the Maine Municipal Bond Bank, or other lender. The Treasurer, Mayor, or other officers designated by the Town Council are further authorized to execute any and all loan agreements or resolutions required by Maine Municipal Bond Bank or other lender as may be selected by the Town Treasurer and approved by a majority at least of the Councilors, in such form as may be required by each lender.

Section 4. That the Town Clerk shall distribute a copy of this ordinance to each Council member and to the Town Manager, and shall file a reasonable number of copies of this ordinance in the office of the Town Clerk and shall post a copy of this ordinance together with a Notice of Public Hearing at the following public places: Municipal Building, Post Office, Dyer Library, Hampden Transfer Station, McK's Variety, Pizza Gourmet and R & K Variety, as well as such other places as may be directed by the Town Manager.

Section 5. That a Public Hearing be held at 7:00 p.m. in the Hampden Municipal Building in Hampden, Maine on July 15, 2013, for the purpose of taking testimony and comments from the public with respect to the proposed issuance of the Bond, and that notice of the public hearing be given by the Town Clerk by publishing a summary of this ordinance and a place where copies of the complete ordinance have been filed and times available for inspection in the Bangor Daily News on or before July 6, 2013, together with a notice setting forth the time and place for the public hearing, and for the consideration of the proposed ordinance by the Town Council at a meeting to be held on July 15, 2013, immediately following the public hearing.

Section 6. That all actions heretofore taken by the Town Council of the Town of Hampden relating to the selling of the Town's General Obligation Bond and Note authorized hereby be and they hereby are ratified, approved and confirmed.

Section 7. That pursuant to the requirements of the Internal Revenue Code of 1986, as amended, the Town designates the Bond and the Note to be "qualified tax exempt obligations" of the Town.

Section 8. That the Town shall take any and all actions required under the Internal Revenue Code of 1986, as amended, to maintain the tax exempt status of the interest on the Notes and Bonds, and to maintain the status of the Bond and the Note as "qualified tax exempt obligations" of the Town; and that in connection with the Notes and the Bonds, the Town Treasurer shall be authorized to execute and deliver on behalf of the Town one or more such Arbitrage and Use of Proceeds Certificates in form approved by the Town's bond counsel, and to covenant on behalf of Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds and Notes; and that the Notes and the Bonds may be subject to such further terms and conditions as may be agreed to by a majority at least of the Councilors and the Treasurer of the Town to carry into effect the full intent of this ordinance.

Section 9. That the Town Council is hereby authorized to retain bond counsel for the Town to advise the Town with respect to the issuance and sale of the Bond and the Note, and to prepare documents and render opinions as may be necessary or convenient for that purpose.

Section 10. That the Town Council and officials of the Town are hereby authorized to execute all documents and certificates, and to take all action, including affixing the seal of the Town, as may be necessary or convenient to carry out the full intent of this ordinance, and to accomplish the Project and issue the Bond and the Note, including approval and signing of contracts and other agreements obligating the Town.

Section 11. That pursuant to Section 902 of the Town Charter, this ordinance shall go into effect only upon approval by the voters of the Town of Hampden. Be it further ordained that a referendum of the Town of Hampden be held to decide this question on November ____, 2013, on the ballot question pursuant to the Town Charter and the laws of Maine. The ballot question shall be substantially as follows:

TOWN OF HAMPDEN
BALLOT QUESTION NO. 1

Ordinance authorizing appropriation and borrowing of funds to finance various sewer projects, including the construction, reconstruction, replacement or repair of sewer lines, manholes, pump stations, appurtenances, stormwater separation facilities and other infrastructure improvements to the Town of Hampden Sewer System through issuance of general obligation bonds or notes of the Town of Hampden which may be callable in the principal amount not to exceed \$902,050.

Shall the above described ordinance be adopted and the municipal officers have the authority to issue general obligation bonds or notes of the Town and accomplish the Project as described above and in the ordinance?

Yes

No

Financial Statement
TOWN OF HAMPDEN

1. Total Town Indebtedness

A. Bonds outstanding and unpaid: \$ _____

B. Bonds authorized and unissued: \$ _____

C. Bonds to be issued if this question is approved: \$ _____

TOTAL: \$ _____

2. Costs

At an estimated maximum interest rate of _____%, the estimated costs of this bond issue will be : _____ (_____) Years _____

Principal: \$ _____

Interest: \$ _____

Total Debt Service:

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Susan M. Lessard
Treasurer, Town of Hampden

C-3-c



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Zoning Ordinance Text Amendment Article 3.6.2 Interchange District
DATE: June 25, 2013

At the June 12, 2013 meeting of the Hampden Planning Board a public hearing was held on the subject draft amendment which the Council referred to the Board at your May 6, 2013 meeting.

No one spoke in favor of the amendment although Mr. Averill was there in support of the amendment. Kathy Walker spoke against the proposed amendment to add single family dwelling to the permitted uses of the Interchange District.

After some discussion the Planning Board made and seconded an "ought to pass" recommendation which received six in favor and one against.

The draft Planning Board Minutes of the meeting are attached.

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.6. Interchange District

3.6.1. Purpose - This district is intended to provide areas for motels, restaurants, service stations and similar uses that provide accommodations for tourists and other travelers using Interstate 95. Residential structures in existence prior to January 1, 1979 may be repaired or modified and accessory structures may be added, provided minimum setback requirements are met.

3.6.2. Permitted Uses (Subject to Site Plan Review) – Any retail or service business, hotel, motel, take-out restaurant, small restaurant, sit-down restaurant, automobile and truck service station and repair facility, gift shop, truck terminal, business or professional office, indoor recreation, single family dwelling on Old Coldbrook Road, home occupation (subject to *Article 4.10*), accessory uses or structures, essential services, and wireless telecommunications facilities (subject to *Article 4.22*).
(Amended: 03-08-99, 05-21-01, 10-01-01, 12-6-04, 03-21-05, 1-17-12).

3.6.3. Conditional Uses (Subject to Site Plan Review) - Fast-food restaurant, outdoor dining restaurant, tavern, bar, dance hall, outdoor recreation, stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities and buildings necessary for essential services. Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment (Amended: 05-21-01, 12-6-04, 12-17-07, 1-17-12)

3.6.4. Lot Dimensions

Minimum Area	-	1 acre
Minimum Road Frontage	-	200 feet
Minimum Setbacks:		
Street Yard	-	30 feet
Side Yard	-	20 feet
Rear Yard	-	20 feet
Maximum Ground Coverage	-	25 percent
Maximum Building Height	-	50 feet

(Amended: 01-19-06)

3.6.5. Special District Regulations

1. Fast-food restaurant use shall be located on a lot having a minimum lot size of 1.5 acres, minimum frontage of 200 feet and no part of the vehicle queue shall be located within 100 feet of a residential structure. (Amended: 12-6-04)
2. Sale or consumption of alcoholic beverages is prohibited for outdoor dining restaurant uses in conjunction with take-out restaurants and fast-food restaurants. (Amended: 12-6-04)
3. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses

proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*

4. No bar or dance hall shall be located within 500 feet of a residence. *(Amended: 12-6-04)*
5. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement. *(Amended: 01-19-06)*

EXAMPLE: A 48 foot tall building is proposed. By subtracting the base Interchange District maximum building height from the proposed height the following is the result $48' - 35' = 13'$. Then add that amount to each yard or setback.

Setback Type		Base Setbacks:	Total Setback
Street Yard	-	30 feet	43 feet
Side Yard	-	20 feet	33 feet
Rear Yard	-	20 feet	33 feet

(Amended: 01-19-06)

**TOWN OF HAMPDEN
PLANNING BOARD
DRAFT MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, June 12, 2013 at the Hampden Municipal Building Council Chambers by Chairman Peter Weatherbee.

Attendance: Planning Board Chairman Peter Weatherbee, Members Michael Avery, Mort Syversen, Eugene Weldon, Peter Frazier, Kelley Wiltbank and Associate Member Jim Davitt.

Also in attendance: Town Planner Robert Osborne and applicants for tonight's meeting.

1. APPROVAL OF MINUTES (May 8, 2013)

Member Syversen made a motion to approve the minutes as written this was seconded by Member Avery. The vote was unanimous in favor of the motion.

2. NEW BUSINESS

A. Zoning Ordinance Text Amendment – Town of Hampden requests amendment to Article 3.6.2 Interchange District Permitted Uses to add single family dwelling on Old Coldbrook Road to the list of permitted uses in the district. – Public Hearing and Recommendation to Town Council.

Chairman Weatherbee asked if this item had been noticed, Mr. Osborne replied that it had been public noticed.

Chairman Weatherbee opened the public hearing asking for anyone wishing to speak in favor of the application, anyone with general questions or comments then anyone wishing to speak in opposition of the application.

Kathy Walker, 5 Old Coldbrook Road, spoke in opposition of the proposed text amendment, to permit single family dwellings on the Old Coldbrook Road in the Interchange District. She stated that the history of the street was that there were six houses there when she first moved there and four of them were subsequently became dilapidated as rentals and were burned down by the fire department after the houses were vacated. She does not want any more trashed and burned houses in the neighborhood.

Ms. Walker expressed some relief that she had spoken to Bob Averill who was also in attendance at this meeting, he is the owner of the former beauty shop and that he intends to convert the building to a single family residence for his family's use as an owner occupied residence.

Ms. Walker questioned why the town would want a residential pod surrounded by industrial uses. She questioned what does this change mean for the surrounding vacant properties? She indicated that the Averill property was constructed by Downeast Associates and has never been a residence although it may have been designed and constructed with the thought that it might be re-used as a house.

Ms. Walker questioned if the town might make the use conditional in a fashion where the town could assess how it had worked out?

Ms. Walker expressed concern for many houses to be built and more rentals to be trashed and burned. She questioned where this fits into the comprehensive plan.

Bob Osborne, town planner, spoke about the text amendment. This draft zoning text amendment which was referred to the Planning Board comes from the Council Planning and Development Committee. The town had received a written request to consider allowing the Averill property to be used as a single family residence. The text amendment limits the area of impact to Old Coldbrook Road (approximately 900 feet in length). He noted that many of the commercial districts in the Town of Hampden contemplate single family residential uses (including Commercial Service, Business, Rural Business, Village Commercial and Village Commercial II Districts however the Interchange and Business B Districts do not). The lot area and frontage requirements of any newly created lots would as stated in the Interchange District (lot area 1 acre and 200 feet of street frontage). Staff recommends that the Planning Board return this item to the Town Council with an “ought to pass” recommendation.

Member Frazier asked Mrs. Walker what the major concern was with having single family dwelling in the Interchange Zone.

Mrs. Walker stated that Dysart’s and Bouchard’s owned several of the houses that had been rentals, then eventually burned down by the fire department due to the poor condition of the dwelling. She stated that it is more fitting to the comprehensive plan that the Coldbrook and Old Coldbrook Road be developed for service industry, not single family dwellings.

Member Weldon stated his understanding of the concerns voiced after living on the Coldbrook Road corridor.

Member Avery made a motion that this is consistent with other zones and an “ought to pass” recommendation be sent back to Town Council, this motion was seconded by Member Syversen. The vote was six in favor of the “ought to pass” recommendation to Town Council and one against the motion. (Member Weldon voted no)

Chairman Weatherbee requested that the Town Planner’s memo to be made part of the public record.

3. STAFF REPORT

Bob Osborne has nothing to report.

4. BOARD MEMBER CONCERNS

5. ADJOURNMENT

Meeting was adjourned at 7:35 p.m.

MEMORANDUM

TO: Town of Hampden Planning Board
FROM: Robert C. Osborne, Town Planner
RE: 7:00 PM, Wednesday, June 12, 2013, Planning Board Agenda
DATE: June 5, 2013

2. NEW BUSINESS

A. Zoning Ordinance Text Amendment – Town of Hampden requests amendment to Article 3.6.2 Interchange District Permitted Uses to add single family dwelling on Old Coldbrook Road to that list of permitted uses in the district - Public Hearing and Recommendation to Town Council

Overview. This item was referred to the Board by the Town Council. As you may be aware Old Coldbrook Road is a short stretch of Coldbrook Road that was realigned when the interstate was constructed. The only current uses on Old Coldbrook Road are single family dwellings. The amendment came to the Council from the landowner of the former Aphrodite and Adonis Beauty Shop who wish to convert this building to a residence which it probably was back in the day but not in recent years. The effect of the amendment which simply adds single family dwelling the list of permitted uses on this short street is of very little impact.

Recommendation. Staff recommends that the Planning Board return this item to the Town Council with an “ought-to-pass” recommendation.

Kathy W. Walker
5 Old Coldbrook Road
Hampden, ME 04444

Hampden Town Council
Town of Hampden
106 Western Avenue
Hampden, ME 04444

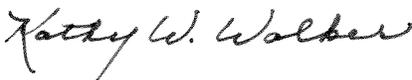
Dear Councilors:

The Hampden Planning Board voted on June 12, 2013 to amend Article 3.6.2 of the town Zoning Ordinance to allow single family dwellings on the Old Coldbrook Road as a permitted use in the Interchange District. The reason for the amendment is to allow the owner of a building that has been the site of many businesses since the mid-sixties to convert this building into a home. I have lived on the Old Coldbrook Road for over forty years and spoke in opposition to the amendment for the following reasons:

- The road now consists of mostly vacant lots. In recent years, the homes previously located on these lots were rented, were trashed by the occupants and were eventually demolished. Only three structures remain on the road. Two remaining structures are homes and the third structure is the business building. The Ordinance amendment does not appear to honor the intent of the comprehensive plan or the interchange zone because it potentially allows new houses to be built in an area of Hampden zoned specifically to encourage business development.
- Lot size is a concern because of the vacant properties on the road. I was told at the public hearing that a one acre minimum lot size would be required for single family dwellings with two hundred feet minimum road frontage. The lot in question at 12 Old Coldbrook Road is only 37,000 square feet in size.
- This amendment adds a new use to the list of permitted uses in the Interchange District. The new use of "single family dwelling", however, is not defined in the amendment. Although I don't support any part of the amendment, I certainly do not want mobile housing units moved into the vacant lots beside my home but there is nothing in the amendment to preclude this from occurring.

The track record of single family dwellings located on the Old Coldbrook road has not been a good one in recent years, especially compared to the businesses that have occupied 12 Old Coldbrook Road. I do not want to encourage any new homes in this area and do not believe it is in the best interest of the Town to do so. Thank you for your careful consideration of this amendment.

Sincerely,



Kathy W. Walker

C-4-a



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Request to Town to Accept Open Space of Halpern Subdivision
DATE: June 25, 2013

At the May 15, 2013 meeting of the Council Planning and Development Committee they reviewed the open space dedication proposed for the Halpern subdivision. This open space provides access from Western Avenue to the large open space that the town owns on Patterson Road.

5. *New Business:*
A. Halpern Open Space

Committee discussed the benefits of accepting the proposed open space within the Halpern Subdivision.

Committee Action: Motion: Carol/Bill to forward to Council with recommendation to accept the open space as proposed. Vote: 5-0

Attorney Russell has reviewed the deed and the plan and finds it to be accurate and ready for town acceptance.

QUITCLAIM DEED

ELIZABETH M. HALPERN of Mount Desert, Hancock County, Maine, as a gift for non-monetary consideration deemed adequate by both parties, grants and releases to the **INHABITANTS OF THE TOWN OF HAMPDEN**, a body politic and corporate, located in Penobscot County, Maine, with a mailing address of 106 Western Avenue, Hampden, Maine 04444, the real property in **Hampden**, Penobscot County, Maine, described as follows:

A certain lot or parcel of land depicted as "Open Space" on a plan entitled "Final Subdivision Plan of Nason Knoll Subdivision, Western Avenue, Hampden, Penobscot County, Maine", dated February 5, 2013, prepared by CES, Inc., hereinafter referred to as the "Plan", the bounds of which being more particularly described as follows:

BEGINNING at a 5/8" capped iron rod to be set in the southerly sideline of Western Avenue at the northwesterly corner of land of D&L Holdings, LLP described as "Parcel One" in a deed from Gregory A. Brodek and Camille M. Brodek dated October 20, 2005, recorded in Book 10150, Page 262 of the Penobscot County Registry of Deeds (PCRD);

THENCE, South 51° 41' 23" West, along the westerly line of said land of D&L Holdings, LLP, a distance of 523.39 feet to a 3/4" capped (PLS #115 1) iron rod found at the northwesterly corner of "Lot 2" as depicted on a plan entitled "Revised Final Subdivision of Town 'N Country Estates Subdivision, Western Avenue — Hampden, Maine", dated August 2, 2001, prepared by Plisga & Day Land Surveyors and recorded in Map File 2001-68 of the PCRD, hereinafter referred to as the "TNC Plan";

THENCE, continuing South 51° 41' 23" West, along Lot 2 and Lot 4 of said "TNC Plan", a total distance of 298.28 feet to a 5/8" capped iron rod to be set;

THENCE, North 38° 15' 42" West, along the northeasterly line of land of the Town of Hampden, a distance of 44.05 feet to a 5/8" capped iron rod to be set at the southeasterly corner of Lot 5 of said "Plan";

THENCE, North 51° 44' 18" East, along the southeasterly line of Lot 5 of said "Plan", a distance of 200.00 feet to a 5/8" capped iron rod to be set in the southwesterly line of Lot 4 of said "Plan";

THENCE, South 38° 15' 42" East, along the southwesterly line of Lot 4 of said "Plan",

a distance of 28.88 feet to a 5/8" capped iron rod to be set at the southeasterly corner thereof;

THENCE, North 51° 41' 23" East, along the southeasterly line of Lot 4 of said "Plan", a distance of 427.07 feet to a 5/8" capped iron rod to be set;

THENCE, North 25° 55' 09" East, along the easterly line of Lot 4 of said "Plan", a distance of 160.85 feet to a 5/8" capped iron rod to be set in the southerly sideline of Western Avenue;

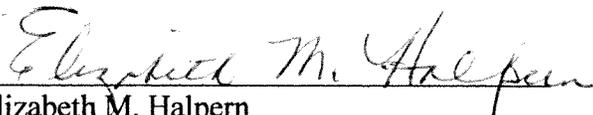
THENCE, easterly, along the southerly sideline of Western Avenue, being a curve to the left having a radius of 5829.65 feet, an arc distance of 42.35 feet to a point of tangency;

THENCE, South 68° 45' 05" East, along the southerly sideline of Western Avenue, a distance of 56.07 feet to the POINT OF BEGINNING.

All iron rods set have surveyor's identifying caps marked "CES Inc. - Brewer, ME, PLS #2292".

For Grantor's source of title, reference is made to the following deeds: (1) Elizabeth M. Halpern to Gordon A. Halpern and Elizabeth M. Halpern, dated December 10, 1969 and recorded in PCRD in Book 2175, Page 100; and (2) Gordon A. Halpern to Elizabeth M. Halpern, dated October 26, 1989, recorded in PCRD in Book 4549, Page 26.

IN WITNESS WHEREOF, Elizabeth M. Halpern has hereunto set her hand and seal this 10 day of May, 2013.

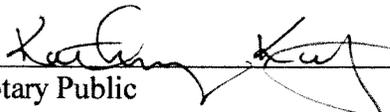

Elizabeth M. Halpern

STATE OF MAINE

Hancock County

May 10, 2013

Personally appeared the above named Elizabeth M. Halpern and acknowledged before me the foregoing instrument to be her free act and deed.


Notary Public

KATHRYN M. KIEF
Notary Public, Maine
My Commission Expires February 15, 2019

Print or type name as signed