



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

SEPTEMBER 16, 2013

7:00 P.M.

• **5:30 pm – Finance & Administration Committee Meeting**

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. August 19, 2013

3. COMMUNICATIONS

- a. Highlands Corner Market – Victualers License Renewal
- b. Maine Municipal Association Risk Management Services – Dividend Payment
- c. Municipal Review Committee – Candidate Nomination Letter

4. REPORTS

- a. Library Board Minutes – 5/8/2013
- b. Lura Hoit Pool Board Minutes – 8/13/13
- c. Finance & Administration Committee Minutes – 8/19/13
- d. Infrastructure Committee Minutes – 8/26/13
- e. Lura Hoit Pool Board Minutes – 7/9/13
- f. Bangor Humane Society Stray Animal Report – August 2013

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. School Board Resignation – Nick Winchester
  - 1. Attorney Russell Memo re options for filling vacancy

3. UNFINISHED BUSINESS

- a. Use of Marina Reserve Funds – Repair of Town Float

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

4. NEW BUSINESS

- a. Proposed Zoning Map Amendment, Swan Property – Referral to Planning Board
- b. Maine Municipal Association Annual Business Meeting Voting Delegate
- c. Request to Connect Ammo Industrial Park to Hampden Utilities

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

A-2-a

MONDAY

AUGUST 19, 2013

7:00 P.M.

Attending:

Mayor Janet Hughes  
Councilor Tom Brann  
Councilor David Ryder  
Councilor William Shakespeare  
Councilor Carol Duprey

Town Manager Susan Lessard  
Town Attorney Thomas Russell  
Town Clerk Denise Hodsdon  
Citizens

The meeting was called to order by Mayor Hughes at 7:07 pm.

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

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Hampden Country Club – Victualers License Renewal
- b. Municipal Review Committee – Quarterly Tipping Fees Distribution

4. REPORTS

- a. Planning & Development Committee Minutes – 7/17/2013
- b. Finance & Administration Committee Minutes – 8/5/2013
- c. Bangor Humane Society Stray Animal Report – July 2013
- d. Pool Board Minutes – 7/9/2013

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

C. **POLICY AGENDA**

1. PUBLIC HEARINGS

- a. **Proposed E911 Addressing Ordinance** – Manager Lessard explained that this proposed ordinance was drafted based on the State's model ordinance and its purpose is to standardize the process of assigning addresses within the Town. She noted that this would only impact new roads going forward and does not affect existing roads. She further noted that in the Town's newer subdivisions even

*numbers appear on the right side of the road and odd numbers on the left side but Section 7.1.2 of the model ordinance indicates that even numbers would be on the left side and odd numbers on the right. Mayor Hughes opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed.*

*In order to be consistent with the numbering in existing newer subdivisions, Councilor Brann moved and Councilor Shakespeare seconded to amend Section 7.1.2 to assign even numbers on the right side of the road and odd numbers on the left side of the road.*

*Unanimous vote in favor.*

*Motion by Councilor Brann, seconded by Councilor Shakespeare to adopt the proposed e911 Addressing Ordinance as amended.*

*Unanimous vote in favor.*

- b. Proposed Ordinance Enacting Charter Amendments –** *Mayor Hughes explained that the purpose of the proposed amendment to Section 207 is to define the number of absences a councilor can have before forfeiting the office and that the amendments to Sections 801, 802 and 805 are administrative changes to clarify the language. Mayor Hughes opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Duprey, seconded by Councilor Ryder to adopt the amendments to the charter as proposed. Unanimous vote in favor.*

## **2. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. Nomination Papers Available for November 5, 2013 Election –** *This item was informational only. Town Clerk Denise Hodsdon noted that nomination papers must be returned prior to close of business on September 5<sup>th</sup>.*
- 1. District 1 Councilor - to fill vacancy until 12/31/2014**
  - 2. Councilor At-Large - to fill vacancy until 12/31/2015**
  - 3. RSU #22 Board of Directors – 3-year term**
  - 4. Hampden Water District Trustee – 5-year term**

## **3. UNFINISHED BUSINESS**

- a. Set Mil Rate - 2013/2014 Tax Year –** *Manager Lessard explained that the Town had reduced its budget to accommodate the reduction in State revenue sharing, however increases in County tax and RSU #22 appropriation necessitates an increase in the mil rate. She presented two options for Council consideration – 1) a mil rate of \$16.55 would provide an overlay of \$37,564 or .38%; and 2) a mil rate of \$16.65 would provide an overlay of \$98,207 or 1%. She explained the purpose of the overlay is to absorb any tax abatements and to build fund balance. The recommended overlay is between 1% and 5%. She noted that the Finance & Administration Committee had discussed the*

*options earlier in the evening and voted 3-1-1 to recommend a mil rate of \$16.65. Motion by Councilor Shakespeare, seconded by Councilor Brann to set the mil rate at \$16.65, a \$.75 increase over last year. Vote was 4-1 (Duprey) – motion carried. Tax bills will be sent out next week and the first half will be due on October 2<sup>nd</sup>.*

#### **4. NEW BUSINESS**

- a. Application for renewal of Liquor License – Armstrong Tennis Center (f/k/a Bangor Tennis & Recreational Center) at 60 Mecaw Road** – *Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the application for renewal of liquor license for Armstrong Tennis Center. Unanimous vote in favor.*

*Although this was not on the agenda, Mayor Hughes pointed out that the next regular Council meeting would fall on Labor Day September 2<sup>nd</sup> and typically the meeting would be moved to Tuesday, September 3<sup>rd</sup>. Due to a light agenda with no pressing matters it was decided to cancel the first meeting for September and the next meeting will be on September 16<sup>th</sup>.*

#### **D. COMMITTEE REPORTS**

**Planning & Development Committee** – *Councilor Brann reported that the next meeting will be at 6:00 pm on August 21<sup>st</sup>; the committee took a walking tour of the village commercial district last week and will be discussing that at this meeting.*

**Infrastructure Committee** – *Councilor Shakespeare reported that the next meeting will be at 6:00 pm on August 26<sup>th</sup>. Mayor Hughes requested that discussion of the intersection of Route 1A and Western Avenue be included on the agenda.*

**Services Committee** – *In Councilor Lawlis' absence, Manager Lessard reported that the committee met on August 12<sup>th</sup> and approved creation of a Town Twitter account and a YouTube account with the plan to upload recorded Council meetings so that anyone can view them online.*

**Finance & Administration Committee** – *Mayor Hughes reported that at its meeting earlier in the evening, the committee discussed the options for setting the mil rate.*

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

- F. COUNCILORS' COMMENTS** – *Mayor Hughes commented that Hampden Children's Day was a wonderful event and she was pleased to see all the businesses involved. She thanked the Recreation Department and the many volunteers for all their hard work.*

- G. ADJOURNMENT** – *The meeting adjourned at 7:50 pm.*



Denise Hodsdon  
Town Clerk

MANAGER'S REPORT  
August 19, 2013

Tax Liens – Tax Liens for unpaid 2013 property taxes are being filed on Wednesday. The 30 day notice period has expired. 92 accounts will have liens placed on them for a total of \$138,161. The original commitment for real estate taxes for 2012/2013 was \$8,855,050.26, which translates to a collection rate prior to lien of 98.5%.

Children's Day – The Recreation Department reports that Children's Day on August 17<sup>th</sup> was a big success with a great attendance. The wonderful weather helped! Many thanks to the volunteers who devote countless hours to this event over the course of the year.

Tax Bills – Tax bills will be going out on August 28<sup>th</sup>. The first half are due by Tuesday, October 2<sup>nd</sup> to avoid interest. Persons interested in participating in the town's 'tax club' should contact Cheryl Johnson at 862-3034. Persons who are current on property taxes are eligible to participate in the club which allows equal monthly payments of taxes without interest accruing as long as payments are made on time each month.

Time Warner Update– For those with a built-in digital cable tuner (QAM or Clear QM) – you will still be able to continue to view programming on Cable Channel by accessing channel 121-222. For those without this option – you can still order a digital adapter from Time Warner at no charge by calling 1-855-286-1736 or at [twc.com/digitaladapter](http://twc.com/digitaladapter).

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone  
Fax: (  
email:

A-3-a

August 20, 2013

Frank & Renee Clark  
Highlands Corner Market  
557 Kennebec Road  
Hampden, ME 04444

Dear Frank and Renee:

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

Enc

**VICTUALER'S LICENSE CERTIFICATE**

No. 14

**MUNICIPALITY OF HAMPDEN, MAINE**

To all whom these presents may concern: Date: August 20, 2013

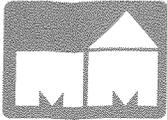
**KNOW YE**, that Renee Clark and Frank Clark III,  
doing business as Highlands Corner Market

has been duly licensed as a Victualer at 557 Kennebec Road

in the Municipality of Hampden by said Municipality until September 4, 2014,

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

Authorized Municipal Officer CODE ENFORCEMENT OFFICER



## MAINE MUNICIPAL ASSOCIATION

### **Risk Management Services**

60 Community Drive  
P.O. Box 9109  
Augusta, Maine 04332-9109

#### **Telephone No.**

(207) 626-5583  
(800) 590-5583 Maine Only  
Fax No. (207) 626-0513

A-3-1

**DATE:** August 8, 2013

**TO:** Members of the Workers Compensation Fund and the Property & Casualty Pool

**FROM:** Patricia Kablitz, CPCU, ARM  
Director, Risk Management Services

**RE:** Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 23, 2013 meeting to allow a dividend to the members of the Fund who meet the established criteria. Continuing members whose contributions are greater than \$25,000 annually, whose 2012 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 6.55% dividend. Continuing members whose contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2012, will receive a 6.55% dividend. All losses are valued as of June 30, 2013.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 23, 2013 meeting to allow a dividend to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2011 to June 30, 2012, calculated and valued as of June 30, 2013. Continuing members whose participation began on July 1, 2007 or prior will earn a 5.32% dividend and members who joined after July 1, 2007 will receive a 4.32% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. You are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool. Therefore, if you earned a dividend for either or both programs, the additional 1% has been included in the calculation.

Dividends are being paid in the Workers Compensation Fund and Property & Casualty Pool totaling \$1,198,714. Both governing boards are very pleased with the results of their respective programs and thank you for your support and continued participation. Good management practices and sound loss prevention measures on the part of all of the members have contributed to the success of these programs. Your entity is a big part of this success.

Your check is enclosed with this letter. We have also enclosed a press release that may be used to announce the result of your successful risk management activities and good loss experience to your community. If you have any questions about the dividends or any of the Risk Management Services programs, please call me at 800-590-5583. Additional copies of this letter are included for your elected officials.

**PRESS RELEASE**  
**For Immediate Release**

Municipal officials are pleased to announce that the **Town of Hampden** has received a **\$10,642** dividend check from the Maine Municipal Association as a result of its good loss experience and loss prevention programs.

The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: the Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. Each year the boards review the programs' loss experience to determine if dividends may be paid. Patricia Kablitz, Director of Risk Management Services for MMA, said more than 78 percent of program participants received a dividend this year for their good risk management practices and loss experience.

This year the Workers Compensation Fund has distributed almost **\$650,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$550,000**, for total payments of over \$1.1 million provided directly to MMA members.

Since 1997, the three programs have returned over to **\$15 million** in dividends to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at [www.memun.org](http://www.memun.org) and click on the Risk Management Services link, or call 1-800-590-5583.

■ 395 State Street  
■ Ellsworth, ME 04605  
■ www.mrcmaine.org



866-254-3507  
207-664-1700 ■ Voice  
207-667-2099 ■ Fax  
glounder@mrcmaine.org ■ E-mail

## Memorandum

To: MRC Member Communities  
From: Greg Louder, MRC Clerk   
Date: September 6, 2013  
Subject: **MRC Board of Directors Election – Candidate Nomination Form**

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Please find enclosed a nomination form for candidates to serve on the MRC Board of Directors. Candidates receiving the three highest numbers of votes in the upcoming election will fill three seats whose terms expire on December 31, 2013. The three-year terms of office will run from January 1, 2014 through December 31, 2016. The MRC Bylaws limit the slate of candidates to the first nine nominations received. Nominees are placed on a slate of candidates for election by a vote of the MRC membership and Directors are elected to serve the membership at large. Current MRC Directors whose terms expire are eligible to be nominated.

Please complete and return the enclosed form if your municipality wishes to nominate an individual for consideration of placement on the slate of candidates. The Board of Directors is a highly active decision and policy-making body for the organization. **We highly encourage you to discuss, with potential nominees, the level of Board of Directors activity described below.**

The Board of Directors meets, at a minimum, six times annually. Regular board meetings are at least four hours long. In light of the substantial volume of work associated with the Post 2018 Planning process, there will be a number of additional duties and time commitments including special meetings, sub-committee assignments and general oversight of the organization's business.

Regular and Special board meetings are held in the greater Bangor area, with Regular meetings typically held on the 4<sup>th</sup> Wednesday in January, April, July and October from 10:00 AM to 2:00 PM. The Annual Meeting is usually held the second week of December. If potential candidates have questions concerning the Board of Directors' duties, please contact a current member of the MRC Board of Directors (contact list enclosed) or Greg Louder (866-254-3507 or 664-1700).

The deadline for submitting a nomination form is October 11, 2013. An annual election ballot with the final slate of candidates will be prepared and mailed to all MRC Members on or before October 28, 2013. The results of the election will be announced at the MRC Annual Meeting to be held in the second or third week of December of 2013.

Enclosures: Nomination Form  
2013 Board of Directors List

**MUNICIPAL REVIEW COMMITTEE, INC.  
2013 Election – BOARD OF DIRECTORS  
NOMINATION FORM**

Submitted by MRC Member: \_\_\_\_\_  
(Town/city/county/regional association)

Nominee Name: \_\_\_\_\_

Circle and list all that apply to Nominee for questions 1. through 3. below:

1. YES / NO - Legal Resident of MRC Member: \_\_\_\_\_

2. YES / NO - Elected or Appointed Official of MRC Member: \_\_\_\_\_

3. YES / NO – Employee of MRC Member: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_ Email: \_\_\_\_\_

**The below provided biographical information is to be provided by the nominee. The information, as provided, will accompany the voting ballot provided for the MRC membership's consideration.**

Biography:

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**REMINDER: The final slate is limited to the first nine (9) nominations received**

Please return this form by mail on or before October 11, 2013 to:  
Municipal Review Committee, Inc.  
395 State Street  
Ellsworth, Maine 04605

Delivery via FAX is permitted at: (207) 667-2099 Attn: Greg Louder or via email attachment to: [glounder@mrcmaine.org](mailto:glounder@mrcmaine.org)

**Municipal Review  
Committee, Inc.  
2013**

**Board of Directors**

**January 2011 to December 2013**

**Elery Keene**  
Executive Director,  
KVCOG (retired)  
3 Pat Street  
Winslow, Maine 04901  
  
Voice: 872-5231  
[no fax]  
[wekeene@me.acadia.net](mailto:wekeene@me.acadia.net)

**Robert A. Peabody, Jr.**  
70 Cedar Street  
Rockland, Maine 04841  
  
Voice: 542-8100  
FAX:  
[peab2@roadrunner.com](mailto:peab2@roadrunner.com)

**Chip Reeves**  
Director of Public Works  
49 Park Street  
Bar Harbor, Maine 04609  
  
Voice: 288-1026  
FAX: 288-0961  
[chip@barharmoraine.gov](mailto:chip@barharmoraine.gov)

**January 2012 to December 2014**

**Philip O. McCarthy**  
Town of Clinton  
780 Hinckley Road  
Clinton, Maine 04927  
  
Voice: 426-2003  
[no fax]  
[pcmccarthy987@roadruner.com](mailto:pcmccarthy987@roadruner.com)

**Joshua Reny**  
Town of Fairfield  
19 Lawrence Ave  
PO Box 149  
Fairfield, Maine 04937-0149  
  
Voice: 453-7911  
FAX: 453-4280  
[jreny@fairfieldme.com](mailto:jreny@fairfieldme.com)

**Sophia Wilson**  
Town Manager  
Town of Orono  
59 Main Street  
Orono, Maine 04473  
  
Voice: 866-2556  
FAX: 866-5053  
[sophiew@oronno.org](mailto:sophiew@oronno.org)

**January 2013 to December 2015**

**Catherine Conlow**  
City of Bangor  
73 Harlow Street  
Bangor, Maine 04401  
  
Voice: 992-4200  
FAX: 945-4449  
[cathy.conlow@bangormaine.gov](mailto:cathy.conlow@bangormaine.gov)

**Karen Fussell**  
City of Brewer  
80 North Main Street  
Brewer, Maine 04412  
  
Voice: 989-8440  
FAX: 989-8435  
[kfussell@BrewerMaine.gov](mailto:kfussell@BrewerMaine.gov)

**Tony Smith**  
Town of Mount Desert  
PO Box 248  
Northeast Harbor, Maine  
04662-0248  
  
Voice: 276-5742  
FAX: 276-3232  
[director@mtdesert.org](mailto:director@mtdesert.org)

Edythe Dyer Community Library Board of Trustees' Annual Meeting

May 8, 2013

- A. **Call to order:** The meeting of the Board of Trustees of the Edythe L. Dyer Community Library, Hampden, Maine on May 8, 2013 at 7:38 a.m.

**Members present:** Don Desmarais, Richard Jenkins, Dave Barrett, John Skehan, Yvonne Lambert, Ruth Stearns, Mary Ann Bjorn, Tony Mourkas, Cheri Condon, Mark Russell

**Members absent:** none

- B. **Approval of minutes:** Cheri/Yvonne approved as written

- C. Library reports

Fees and fines

Circulation

Director

- D. **New Business**

1. Slate of officers presented as Mark Russell, Chair; John Skehan, Vice Chair; Dave Barrett, Treasurer. **The slate was elected unanimously as presented.**
2. Acceptance of Mrs. Dyer's portraits with the suggestion that the enlarges photo be moved from the top of the ramp to a less visible place because Mrs. Dyer did not like attention or having her picture taken.
3. Memorial gift—to the Library from the Thelma Watson Trust on behalf of Margaret Willard. Town Manager suggests that the gift of \$20,000 go into the Library Reserve Account. The gift comes with no instructions, but is given to the Library not the Town.  
**Cheri/Yvonne moved that the funds be placed into the Endowment Fund. Unanimously approved.**
4. Bill Arata is unable to attend. Dan Rozario called the Library on Tuesday to explain reasons the Arata team believes it is prudent to lower the Endowment Fund's gold holding from 14% to 5%, a list of the reasons was distributed. **Don/Tony moved acceptance of the Bill Arata's team. Unanimously approved.**

- E. **Unfinished business**

1. Policy work--Cheri

**Tony/Yvonne moved to accept the contents page. Unanimously approved.**

**Tony/Mary Ann moved to accept the Bylaws. Unanimously approved.**

**Tony/Mary Ann moved to accept the Internet Acceptable Use Policy. Unanimously approved.**

**Cheri/Tony moved removal of the 7 day wait period of policy changes to review the Friends Policy. Unanimously approved. The word 'fundraising' was added to the Friends Policy.**

**Tony/John moved acceptance of the change to the Friends Policy.**

- F. **Addition to the agenda**

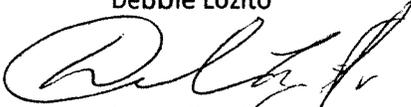
1. Meeting time—Don

suggested changing the meeting time to evening, if not for all meetings, at least the meeting when the state of the Endowment is to be discussed. He had to leave before the discussion ended. No action was taken.

The meeting was adjourned at 8:50 am

The next meeting is scheduled for September 11, 2013 at 7:30 am.

Debbie Lozito



Recording Secretary

Date of approval \_\_\_\_\_

A-4-b

Lura Hoit Pool ~ Board Meeting Minutes ~ 8-13-13

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

Those present: Cedena McAvoy, Karen Brooks, Mike Jellison, Josh Sargent, Sarah McVeigh, Pat Foley, Darcey Peakall and Julie Macleod. Not present: Jim Feverston, Sam Manhart, Vickie Levesque, Sue O'Brien and Ben Curtis. Absent Excused: Greg Hawkins

The secretary's minutes were accepted as presented.

The Director's Report:

- ~ The number of participants in July was down 84 people.
- ~ Daily receipts in July were up \$112 compared to last year and the pool rental income was down \$460 compared to last year.
- ~ The monthly fuel usage was down 246.1 gallons compared to last year.

Darcey has received new annual corporate membership contracts from Maine Savings Bank and CUSO Mortgage.

Darcey has received requests about giving a military discount. She proposed to extend the corporate membership discount program to include military members. A motion was made to include military members in the 15% yearly membership discount program pending Susan Lessard's approval. Motion was passed 6-0.

The treasurer's report was accepted as presented.

Darcey presented a bill for \$595 for re-imburement for session V swim lessons. A motion was made to pay \$595 from the Susan Abraham Account for swim lessons. The motion was passed 6-0.

Darcey contacted Keith Bourgoin from the Hampden Business Organization about adding an informational flyer and free swim pass into the Welcome to Hampden Packet. Josh agreed to design the flyer and Cedena will get them copied. Josh will bring the draft to the September meeting.

Mike contacted the Bangor Region Chamber of Commerce about getting an insert into a future monthly newsletter. It is free to insert and will cost \$150 to print. Mike will call the Chamber to see if the flyers are to be one or two sided and if that would change the cost. Mike, Josh and Darcey will put something together and will bring the draft to the September meeting.

The alternate budget proposal was tabled until the September meeting due to Jim's absence.

Darcey stated that the RH Foster banner has been on display for one year and that their sponsorship contract is up. Mike Jellison will contact RH Foster to see if they would like to continue being a sponsor.

Pat Foley discussed fundraising options. He suggested having a raffle where you sell a certain amount of tickets for an item that the board has purchased or had donated. Some examples are IPOD Shuffle or Kindle. He is also looking into restaurants that would host a Lura Hoit Pool benefit night where the pool would hand out pre-printed coupons to be presented and a certain percentage of the diner's total bill would go to the pool. The board is to brainstorm a list of raffle items by the next board meeting.

Darcey mentioned that Shaw's Supermarket has different organizations use their parking lot to park cars during the Waterfront Concert Series as a fundraising opportunity. She will contact John Weinmann about how his organization was able to get to use the parking lot. Sarah has agreed to contact Shaw's for details.

It has been three years since the original capital campaign and the board would like to do another mass mailing. Darcey will contact Snowman Printing for prices and the board will need to make changes to the original letter that was sent. This will be discussed at the September meeting.

Meeting adjourned at 8:25pm.

Respectfully submitted,



Julie A. Macleod

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES  
Monday, August 19, 2013

Attending:

Mayor Janet Hughes  
Councilor Carol Duprey  
Councilor Tom Brann  
Councilor William Shakespeare  
Councilor David Ryder

Town Manager Sue Lessard  
Resident Terry McAvoy

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

1. Meeting Minutes
  - a. August 5, 2013 – The minutes were reviewed by the Committee and no errors or omissions were noted. They were approved by unanimous consent.
2. Review & Sign Warrants – The Committee reviewed payment warrants and signed them.
3. Old Business - None
4. New Business
  - a. Tax Commitment – The Town Manger explained the two options presented for a mil rate for 2013-2014, one with a 65 cent increase and one with a 75 cent increase. The 65 cent increase resulted in an overlay of only \$37,564.52 – which is 1/3 of one percent of the allowable 5% overlay. The 75 cent increase resulted in an overlay of \$98,026.90. Two years ago the Council had to abate a large amount of personal property taxes due to two company bankruptcies. This resulted in a loss of fund balance because the overlay was not sufficient to cover the abatement. The larger overlay this year would allow some of those funds to be repaid to fund balance. Maintaining a sufficient fund balance allows the Town to pay its bills between tax collection dates and not have to borrow money in anticipation of taxes. Motion by Councilor Shakespeare, seconded by Mayor Hughes to recommend to the full Council a mil rate of \$16.65 for the 2013-2014 year. Vote 3 – 1 – 1 (Duprey in opposition, Ryder abstained)
5. Public Comment - None
6. Committee Member comments – None

Respectfully submitted,

Susan Lessard  
Town Manager

INFRASTRUCTURE COMMITTEE MEETING MINUTES  
Monday August 26, 2013

Attending:

- |                               |                                 |
|-------------------------------|---------------------------------|
| Councilor William Shakespeare | Mayor Janet Hughes              |
| Councilor David Ryder         | Town Manager Susan Lessard      |
| Councilor Tom Brann           | Public Works Director Chip Swan |
| Councilor Carol Duprey        | Resident Terry McAvoy           |

The meeting was opened at 6 p.m. by Councilor Shakespeare.

1. MINUTES OF 7/22/2013 – The minutes were reviewed by the Committee and no errors or omissions were noted. They were accepted by unanimous consent.
2. OLD BUSINESS
  - A. Discussion of sidewalk/intersection at Route 1A/Western Avenue – Mayor Hughes – The Committee discussed ideas about how to improve the area on the corner of Route 1A and Western Avenue. Although the Town has no property maintenance ordinance, the Town Manager was asked to contact the owner of the property to see what plans he/she has for improvements to the building. It was also noted that the sidewalk is in very poor condition around that corner and that it needs to be repaired. The Public Works director will get information from MDOT on the size of the right of way at that location as well as cost information for redoing the sidewalk. It was also suggested that the Town Manager contact the property owner who owns the building at the corner of Route 1A and Kennebec Road to find out what his plans are for the building.
  - B. Wood Disposal Alternatives – Councilor Ryder – Councilor Ryder explained that he had contacted DEP about the idea of making an area adjacent to the transfer station for the deposit of brush. The only thing the Town would have to do is provide either a paved pad (and address any runoff issues) or a gravel pad constructed according to their specifications and it can be up to an acre in size. He also noted that Hugh Pomeroy would be willing to come and clean up the pad twice a year at no cost to the town. The Committee discussed the idea of having the wood trucked to Pomeroy’s instead of using DM & J because of the disposal fee, and because the brush might need to be taken care of more often than twice a year. The Public Works director will talk to DM & J about their pricing and further information on the cost of a pad will be obtained for the next meeting.
  - C. Marina Float Repair – Information Update – The Town Manager reported that the Public Works Director had met with Hamlin’s Marine representatives about the bill for the float repair. Going forward no work will be done unless they receive an authorization from the Town. The underside of the floats – lumber and foam was in very bad condition and had to be replaced. Review of the bill indicated that an incorrect hourly rate had been charged. That was changed and

the bill reduced. It was the consensus of the Committee to forward the bill to the Council for payment from Marina Reserve.

3. NEW BUSINESS

A. Concealed Weapon Permit – Type Issued/Equipment needed to change – Councilor Duprey – Councilor Duprey discussed her concerns over the fact that the Town uses a paper permit for concealed weapons permits – not a laminated one with a photo on it. She indicated that she felt that it would be quite easy for someone to create a fake paper one – and less so with a laminated one with a photo. The Town Manager explained that the Town used to issue a laminated one with a photo but it was not in the format approved for use by the State. Only two forms are allowed – one is the paper one that the Town currently uses and the other requires the purchase of software and a machine that cost approximately \$6,000. Bangor and Brewer both have these machines and although it may be possible to use them – there would be a fee that the Town has no way to recover. The Town Manager will obtain information on how many permits we issue a year so that the Committee can decide whether to pursue obtaining the equipment necessary to do laminated with photos.

4. PUBLIC COMMENTS - None

5. COMMITTEE MEMBER COMMENTS

Councilor Brann discussed a meeting that he had attended with Bangor Gas and the Economic Development Director. Bangor Gas is investigating use of the Loring Pipeline to bring gas and may locate a substation in Hampden.

Councilor Ryder reported that he had talked to Nino Capeone of Orrington who has a pulp loader and that it would cost \$180 a load to take brush from the transfer station to Hugh Pomeroy's in Hermon for chipping. In order to determine whether it was comparable in cost to what the town currently pays for hauling brush to DM & J, it would be necessary for a test load to go by pulp loader with the truck being weighed at Dysart's before going to Pomeroy's and again after dropping off the load.

Councilor Ryder also talked about pot hole filling, gravel on the pavement on Sawyer Road, and asked why all public works vehicles did not have identification decals on the side. The Town Manager said that she would follow up on those items. In addition, it was the consensus of the Committee that they would like to see a monthly activity report from all departments. The Town Manager will notify Department heads and the first report will be due at the end of September and provided to the Council the first week in October.

The meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

A-4e

Lura Hoit Pool ~ Board Meeting Minutes ~ 7-9-13

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

Those present: Cedena McAvoy, Karen Brooks, Mike Jellison, Josh Sargent, Jim Feverston, Sarah McVeigh, Vickie Levesque, Pat Foley, Sam Manhart, Sue O'Brien, Darcey Peakall and Julie Macleod.  
Not present: Ben Curtis Absent Excused: Greg Hawkins

The secretary's minutes were accepted as presented.

**The Director's Report:**

- ~ The number of participants in June was down 158 people.
- ~ Daily receipts in June were up \$1,891 compared to last year and the pool rental income was down \$205 compared to last year. The rental income is down due to SAD 22 decreasing time, Stillwater Academy is not coming for the summer and cancelation of the Friday daycare rental. They now come to open swim and use punch cards.
- ~ The yearly fuel usage was down 1,888 gallons compared to 2011-2012.
- ~ In session IV, the pool provided 234 participants in group lessons and 15 private lessons. Group swim lessons were down 6 participants and private lessons were down by 8 participants. Group lesson income was up \$146 and private lesson income was down \$850 compared to last year.

The treasurer's report was verbally given by Josh and Jim. It was accepted as presented.

Darcey has received annual corporate membership contracts from RSU #22, Penquis, Town of Hampden, St Joseph Healthcare, Bangor Hydro and EMMC. The board members will continue to contact their assigned companies that they have not heard back from. Cedena will contact the Brewer School District.

Dean Bennett referred Darcey to the Hampden Business Association regarding the Welcome packet. Darcey will report at next meeting.

Mike is going to contact the Bangor Chamber of Commerce regarding an insert into the quarterly news letter. He will report back at the next meeting.

A motion was made to accept the changes in wording to Article V, Section 2 in the Pool Board By-Laws that was proposed at the June board meeting. The motion was passed 10-0.

Darcey reviewed the 2012/2013 end of year expense and revenue report. She also reviewed the breakdown of the 2012/2013 net revenue and balance of pool reserve as of 6/30/13. The HCB pay back payment for 2012/2013 will be \$10,000, while the reserve contribution will be \$25,000, leaving net revenue of \$23,400.43 to start the 2013/2014 fiscal year. The 2013 pool reserve yearend balance is \$35,402. Darcey reminded the pool board that they needed to continue fundraising to offset the yearly HCB payback. There is only one more year in pledges remaining from the initial capital campaign mailing. Next month the board members are to come with some fundraising ideas to discuss.

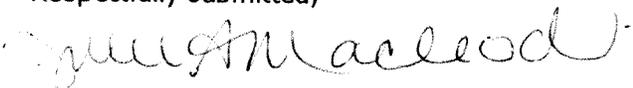
Jim requested to be on next month's agenda to present a different budget structure.

Vickie would like some help trimming the trees out front. Cedena and Sarah volunteered.

The new board members introduced themselves and they look forward to helping the pool thrive.

Meeting adjourned at 8:00pm.

Respectfully submitted,



Julie A. Macleod

A-4-f

**Bangor Humane Society**  
 693 Mt. Hope Avenue  
 Bangor ME 04401

Town of Hampden  
 Attn: Susan Lessard  
 106 Western Avenue  
 Hampden ME 04444

**Stray Animal Statistics, August 2013**

Type Of Animal	Stray Animals Released To BHS By Owners	# Animals Received	# Animals In Holding From Previous Months	# Adopted	# Euthanized	# Reclaimed	# Animals Currently In Holding
<b>Dog</b>	0	0	0	0	0	0	0
<b>Puppy</b>	0	0	0	0	0	0	0
<b>Cat</b>	0	1	1	1	0	0	1
<b>Kitten</b>	0	0	2	2	0	0	0
<b>Other</b>	0	0	2 Rabbits	0	0	0	2 Rabbits

Reasons for Euthanasia

DOGS	0	
PUPPIES	0	
CATS	0	
KITTENS	0	

Animals Returned to Owner

Owner's Name	Address	Impound Fee	Animal	License Info	Reclaim Date

August 2013

1	animals brought to us by private citizens
0	animals brought to us by the ACO
0	animals brought to us by the police department



C-2-a

Lyons Richard <rlyons@rsu22.us>

---

## Resignation

---

Nick Winchester <nawinchester@gmail.com>  
To: Lyons Richard <rlyons@rsu22.us>

Fri, Sep 6, 2013 at 7:55 PM

Rick,

As announced at our last board meeting, I have sold my home and am moving to Holden effective September 6. As such, I need to resign my RSU 22 board seat.

My apologies for not being able to fulfill my full term, but circumstances have taken me outside the district necessitating the need for me to resign from the school board.

Sincerely,

Nick

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Lyons Richard  
**Sent:** Friday, September 6, 2013 2:02 PM  
**To:** Nick Winchester  
**Subject:** Resignation

---

[Quoted text hidden]

*Please note that as of July 2013 the email address for this sender has changed from sad22.us to rsu22.us  
Please ensure to use the rsu22.us address.*

# FARRELL, ROSENBLATT & RUSSELL

ATTORNEYS AT LAW  
61 MAIN STREET  
P.O. BOX 738  
BANGOR, MAINE 04402-0738

ANGELA M. FARRELL  
NATHANIEL M. ROSENBLATT  
THOMAS A. RUSSELL  
JON A. HADDOW  
GREGORY P. DORR  
ROGER L. HUBER

TELEPHONE (207) 990-3314  
TELECOPIER (207) 941-0239  
e-mail: tar@frrlegal.com

## MEMORANDUM

Date: September 10, 2013

To: Denise Hodsdon, Town Clerk  
Susan Lessard, Town Manager

From: Tom Russell

Re: School Director Vacancy

It is my understanding that Nick Winchester, a director representing the Town of Hampden on the MSAD/RSU #22 Board of Directors, announced his resignation to the Board at its last meeting, and followed up with an email to Superintendent Lyons on September 6, 2013. The Town received official notice of the resignation on September 9, 2013.<sup>1</sup> Although the email does not specify an effective date, I believe it becomes effective on September 6, assuming that Mr. Winchester did in fact change his residency from Hampden to Holden on that date.

Both Title 20-A M.R.S. § 1254 (3)(A) [applicable to school administrative districts] and §1474(3)(A) [applicable to regional school units] provide that the municipal officers shall select an interim director to serve until the next annual municipal election, which in Hampden is the Tuesday following the first Monday of November. The 2013 municipal election is November 5<sup>th</sup>.

Both 20-A M.R.S. § 1253 (SADs) and § 1473 (RSUs) provide that for the purpose of nominations for school board directors, the directors shall be considered to be municipal officials and shall be nominated in accordance with Title 30-A M.R.S., Chapter 121, or with a municipal charter, whichever is applicable. Section 806(b) of the Town Charter provides that nomination papers shall be filed with the Town Clerk not later than 60 days before the election. The nomination papers were due on September 5<sup>th</sup>. It is my understanding that Denise verified the

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<sup>1</sup> I have not researched the current "legal" status of MSAD/RSU #22 to determine whether it is still a school administrative district subject to Title 20-A M.R.S., Chapter 103, or a regional school unit subject to Title 20-A M.R.S., Chapter 103-A, or a combination of both Chapters. It does not matter for the purposes of this Memorandum, as both Chapters use the same language with respect to director vacancies.

nomination papers, and that the proposed ballots have been sent out for printing, and to have the voting machines programmed for those ballots.

Neither Title 20-A M.R.S., nor the Town Charter, provide for a shortened nomination petition process for vacancies. However, Title 30-A M.R.S. § 2528(4)(E) provides that the municipal officers may designate a shorter period for the availability of nomination papers, but it cannot be less than 10 days before the deadline to file the nomination papers with the Town Clerk. In addition, Section 2528(4)(E) provides that the municipal officers may also designate a shorter time period for filing the nomination papers, but not less than 14 days before the election. To meet the absolute minimum statutory deadlines, the nomination papers would need to be due not later than October 21, 2013, and the papers would need to be available no later than October 10, 2013.

However, those dates would limit the time available to prepare ballots, and would not allow the Town Clerk to make absentee ballots available at least 30 days before the election as generally required by 21-A M.R.S. § 752. Section 752 does contain an “emergency” exception, but it is my opinion that it would not apply in this situation because the Town Council could establish an earlier filing deadline for the nomination papers that would permit compliance with § 752. In addition, it is my understanding that there may not be adequate time to re-do the ballots and re-program the new voting machines before the election. If the Town Council decides at its September 16<sup>th</sup> meeting to place this vacancy on the ballot for the November 5<sup>th</sup> election, it is my recommendation that it also designate the following shortened deadlines:

1. Shorten availability of nomination papers to 10 days; and
2. Shorten filing deadline to September 30<sup>th</sup> (nomination papers need to be available no later than 9/18).

By using these recommended guidelines, the Town Clerk would have until October 3<sup>rd</sup> to prepare paper ballots and absentee ballots, and to make the absentee ballots available at least 30 days before the November 5<sup>th</sup> election. Note: October 3<sup>rd</sup> is the last business day of the Town Office that complies with the 30 day requirement.

I realize that this recommendation creates a short time frame for the circulation of nomination papers and also creates a lot of administrative demands on the Town Clerk and election officials, including but not limited to the requirement of using and processing both voter machine ballots and paper ballots at the election. Denise can probably better advise the Town Council on the implications of this recommendation.

Please be advised that the Town Council is not obligated to use the shortened process authorized by 30-A M.R.S. § 2528(4)(E). Under the circumstances of the timing of this vacancy, it is my opinion that it would be reasonable for the Town Council to exercise its authority under Section 1254(3)(A) and Section 1474(3)(A), and to appoint an interim director to serve until the regular municipal election on November 4, 2014.

**Hamlin's Marina, Hampden**  
 100 MARINA RD  
 HAMPDEN, ME 04444

Status : **Processed**  
 Type : **Service**  
 Contact ID : **8008**

Invoice # **3483**  
 Date : **08/02/2013**

**207-907-4385**

*C-3-a*

**TOWN OF HAMPDEN**

106 WESTERN AVE  
 HAMPDEN, Maine 04444  
 UNITED STATES  
 207-862-3034-Home

**Job Title : Repair town floats -**

Item Number	Description	Qty Req	Qty Del	Item Price	Ext. Price
PT LUMBER	PRESSURE TREATED LUMBER /BILLET	1	1	\$725.99	\$725.99
				Shop Materials : \$25.00 + Labor : \$810.00 =	\$835.00
					Job Total \$1,560.99

Service Required  
 18 hours labor @ 45 hr



Acct. No. 3-773-00

Total Parts Requested : 1 Total Parts Delivered : 1

DEPARTMENT HEAD SIGNATURE  
 DATE

BY: \_\_\_\_\_

**Disclaimer**

I hereby authorize this repair work to be done along with the necessary material. I hereby agree you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts. I hereby grant you or your employees permission to operate the vehicle described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanics lien is acknowledged on vehicle to secure the amount of repairs. I further agree to pay all costs of collection including attorney fees should this amount become delinquent.

X \_\_\_\_\_

Other Charges		
Shop Materials	+	\$25.00
Labor	+	\$810.00
Items Total	+	\$725.99
<hr/>		
Total Other Charges=		\$1,560.99

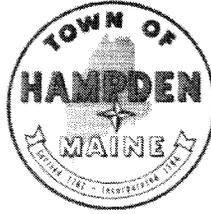
Totals		
Taxable Items	+	\$725.99
Non-Taxable Items	+	\$835.00
<hr/>		
*** Invoice Total	=	\$1,560.99
Amount Paid	-	\$0.00
<hr/>		
*** Transaction Total	=	\$1,560.99
<b>Balance Due</b>	=	<b>\$1,560.99</b>

**Payment Details**

Date	Payment	Amount
08/02/2013	AR	\$1,560.99

Signature \_\_\_\_\_

C-4-a



**TO: Mayor Hughes and Hampden Town Council**  
**FROM: Robert Osborne, Town Planner**  
**SUBJECT: Draft Zoning Ordinance Map Amendment, Swan Property**  
**DATE: September 5, 2013**

At the September 4, 2013 Planning and Development meeting this item was voted unanimously to recommend the Council refer the proposed zoning map amendment to the Planning Board for a public hearing and recommendation.

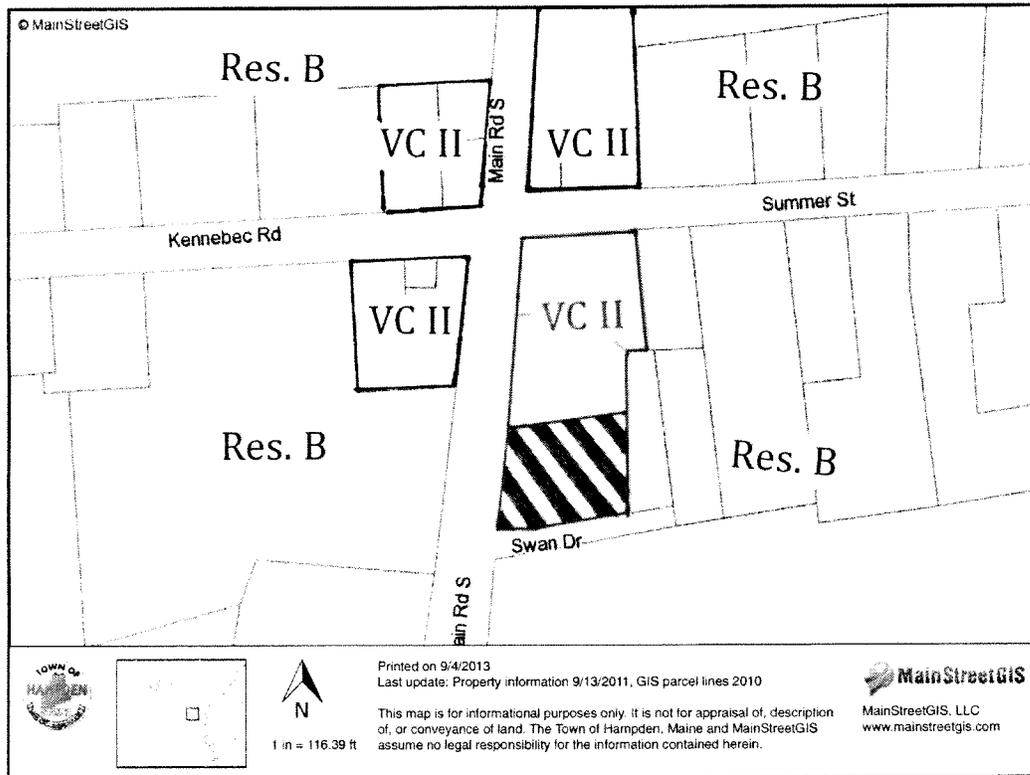
The proposal is to amend the Zoning Ordinance Map to change Map 44, Lots 81 and 82 which are the old Swan garage and house site from Residential B District to Village Commercial II District. The neighboring four corners are zoned Village Commercial II District and that includes Rawcliffe's Garage, Angelo's Pizza, an office building (and the former town office building) and a retail area (former Dr. Lord's office).

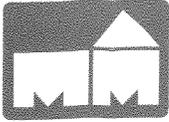
# TOWN OF HAMPDEN Draft

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

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>





# Maine Municipal Association

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

C-4-b

## MEMORANDUM

**TO:** Key Municipal Officials of MMA Member Cities, Towns and Plantations

**FROM:** Christopher G. Lockwood, Executive Director

**DATE:** August 30, 2013

**SUBJECT:** Voting Credentials for MMA Annual Business Meeting

---

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 2, 2013, at 1:30 p.m. in the Cumberland Room at the Augusta Civic Center.** The MMA Bylaws entitle each member community to one (1) voting representative.

Enclosed please find the *MMA Voting Delegates Credential Form* on which the municipal officers may designate their municipality's voting representative and alternate. We have also attached the Proposed Agenda for the MMA Annual Business Meeting for your reference. As you will note, there is a proposed amendment to the MMA bylaws for consideration by the full membership. We have enclosed a separate memo from the MMA Executive Committee that provides information on the proposed amendments and includes tracked changes to the appropriate sections of the MMA bylaws for your easy reference. The current MMA Bylaws as adopted in 2010 will be available at the MMA Annual Business Meeting or may be viewed on the MMA website at <http://www.memun.org/public/MMA/Gov/bylaws.pdf>.

If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the MMA Voting Delegate Credential Form and return to our office by **Monday, September 30, 2013** or bring it with you to the MMA Annual Business Meeting. We have provided a self-addressed self-stamped envelope for your convenience.

We look forward to seeing you at this year's MMA Annual Convention. If you have any questions on this information, please contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or in the Augusta area at 623-8428.

**MAINE MUNICIPAL ASSOCIATION**  
**VOTING DELEGATE CREDENTIALS**

\_\_\_\_\_ is hereby designated as the official Voting Delegate and  
(name)

\_\_\_\_\_ as the alternate voting delegate for \_\_\_\_\_  
(name) (municipality)

to the Maine Municipal Association Annual Business Meeting which is scheduled to be held,  
Wednesday, October 2, 2013, 1:30 p.m., at the Augusta Civic Center, Augusta, Maine.

*The Voting Delegate Credentials may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

Date: \_\_\_\_\_ Municipality: \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

Name: \_\_\_\_\_ Position: \_\_\_\_\_

**Or Signed by a Majority of Municipal Officers:**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please return this form no later than **Monday, September 30, 2013** or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

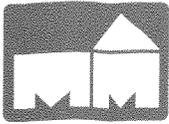
*MMA Annual Business Meeting  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: 207-626-3358*

**Maine Municipal Association  
Annual Business Meeting  
Wednesday, October 2, 2013  
1:30 – 2:30 p.m.  
Augusta Civic Center  
Level 1 – Cumberland Room**

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**PROPOSED AGENDA**

- 1. Introductions and Welcoming Remarks – MMA President Peter Nielsen, (Town Manager, Town of Oakland)**
- 2. Approval of 2012 Annual Business Meeting Minutes**
- 3. MMA President’s Report – Peter Nielsen**
- 4. Vote of Proposed Amendments to MMA Bylaws to clarify the process to be followed when a vacancy occurs in the MMA Officer positions.**
- 5. Announcement of Election Results for MMA Executive Committee and Introduction of New Executive Committee Members**
- 6. Overview of Changes to MMA Municipal Membership Dues Formula**
- 7. Other Business (*comments from the floor*)**
- 8. Executive Director Report - Christopher Lockwood**
- 9. Adjournment**



# Maine Municipal Association

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

**TO:** Key Municipal Officials of MMA Member Cities, Towns and Plantations

**FROM:** MMA Executive Committee

**RE:** Proposed MMA By-law Amendments

**DATE:** August 30, 2013

---

At its meeting on May 23, 2013, the Executive Committee of the Maine Municipal Association voted unanimously to submit to the Municipal Membership the attached proposed amendments to **Article IV: Governance, Section 4 and Section 9** of the MMA By-laws. The purpose of the proposed amendments is to clarify the process to be followed when a vacancy occurs in the MMA Officer positions. The proposed amendments do not make any substantive changes to the By-laws.

The proposed changes to the MMA By-laws are shown in tracking format and are to be voted on by the authorized voting delegates of municipal members at the MMA Annual Business Meeting to be held Wednesday, October 2, 2013 at 1:30 p.m. at the Augusta Civic Center, Augusta, Maine. Please see the other memorandum included with this mailing.

If you have any questions, please do not hesitate to contact Theresa Chavarie, Manager of MMA Executive Office & Members Relations at 1-800-452-8786 ext. 2211. Thank you.

## **ARTICLE IV: Governance**

Section 4. Terms of Office: The President, Vice President and the Immediate Past President shall serve a single one-year term. At the end of the current President's one-year term, the Vice President shall assume the office of President and shall serve a term of one year. No person shall hold the office of President or Vice President unless, at the time of assuming their offices, they have served as a member of the Executive Committee for at least one (1) consecutive twelve-month period during the past five years. Executive Committee members shall serve a three-year term. No member of the Executive Committee may serve more than two consecutive three-year terms except to serve as President, Vice President or Immediate Past President. ~~*Transitional Amendment: The provisions of this amendment shall apply to members of the Executive Committee taking office on or after January 1, 2011.*~~

Members of the Executive Committee serving two consecutive three-year terms will be required to take three full years off from the Executive Committee before being reappointed by the MMA President or nominated for another term on the Executive Committee.

If a person has been appointed or elected to fill a vacancy pursuant to Article IV, Section 9, or if the Vice President assumes the office of President pursuant to Article IV, Section 9, that remaining term shall not be counted for purposes of this section.

Section 9. Vacancies: If a vacancy shall occur within the non-officer members of the Executive Committee, or if a member of the Executive Committee is elected as an officer, and except as provided in Article V, Section 1, the President, subject to the approval of a majority of the whole Executive Committee, shall appoint a qualified person to fill the remainder of the unexpired term.

If a vacancy shall occur in the office of the President, the Vice President shall immediately assume the office of President for the remainder of the President's unexpired term and shall subsequently serve a full one-year term as President pursuant to Section 4. If a vacancy shall occur in the office of the Vice President, a qualified person shall be appointed by a majority of the whole Executive Committee to fill the remainder of the Vice President's unexpired term. The position of Vice President for the next year shall be elected by the membership pursuant to the nomination and election process set forth in Article V. If a vacancy shall occur in the office of the Immediate Past President, or if no person who served as

President in the preceding year is eligible to serve as Immediate Past President, the MMA Executive Committee may appoint a Past President who holds municipal office to fill all or the remainder of the term.

C-4-c

**MAINE GROUND DEVELOPERS, INC.**  
**422 PERRY ROAD**  
**BANGOR ME 04401**  
**207-945-6451**

September 2, 2013

Mr. Chip Swan, Director  
Public Works Department  
Town of Hampden  
106 Western Avenue  
Hampden, ME 04444

In re: Third-party inspector, Utility Project, Ammo Park

Dear Mr. Swan:

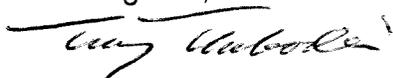
Enclosed please find our check in the amount of \$12,000. It is being submitted pursuant to your discussion with Maine Ground Development personnel concerning use of a third-party inspector for the Utility Project presently under way connecting Ammo Park to Hampden utilities.

I have recently been appointed project manager, and I would like to take this opportunity to set forth my understanding of the role of the third-party inspector for this project. The third-party inspector will be a Town of Hampden employee, with appropriate workers' compensation coverage. In the event the inspector uses his/her private vehicle on the project, we will need a copy of current liability insurance for said vehicle. In addition, it is our understanding that we will be provided a full accounting on a weekly basis of the time and expenses charged to this project.

We would like to set up a meeting between Superintendent Peter Thornton, our engineering firm, and the third-party inspector regarding procedures and expectations.

I would also like to thank you and all the other Town of Hampden personnel who have been so helpful in making this project a reality.

Best regards,



Tracy Thibodeau  
Project Manager

cc: Bob Osborne  
Dean Bennett  
Joe Cyr  
Brenda Thornton  
Peter Thornton

# Memorandum

To: Susan Lessard, Town Manager  
From: Dean Bennett, Director of Community and Economic Development  
Subject: Peter Thornton Agenda Item for September 16<sup>th</sup> Council Meeting  
Date: September 12, 2013

.....

I wanted to provide you with a summation and clarification on the current status of the ongoing Business Park RFP negotiations with Sargent Corporation and the Ammo Park request for sewer and water expansion. This memo is intended to serve as context of the Peter Thornton, Ammo Park Agenda item for the upcoming September 16<sup>th</sup> Council Meeting.

At the August 7, 2013 Planning and Development Committee, Peter Thornton, owner of the Ammo Park expressed his need to connect the Ammo Park to municipal sewer and water. This would require him to access the existing infrastructure via the Business and Commerce Park. The Planning and Development Committee expressed their support for the connection of the Ammo Park pending compliance with all codes and regulations.

**P&D Minutes of August 7, 2013:**

**5. New Business:**

**A. Ammo Park Discussion – Peter Thornton**

Peter Thornton expressed his interest and need for municipal water, sewer and potentially natural gas within the Ammo Industrial Park. He inquired as to whether the town would be willing to work with him in allowing the connections to be tied into the Hampden Business and Commerce Park. Committee members expressed their support of Mr. Thornton's intentions.

I advised Mr. Thornton of our ongoing discussions with Sargent Corporation with regard to their proposal to build out the park. The proposed park expansion would involve the construction of the majority of these same sewer and water lines. I encouraged Mr. Thornton to reach out to Sargent Corporation and collaborate on process and design to ideally present a unified approach with both parties in agreement on how the expansion was to be accomplished.

**P&D Draft Minutes of September 4, 2013:**

**4. Old Business**

**A. Ammo Park – Peter Thornton**

Peter Thornton (Ammo Park), Oscar Emerson (Down to Earth Surveying) and Chip Laite of (Sargent Corporation) presented an overview of the intended utility route through the Hampden Business Park to connect the Ammo Park with sewer and water utilities. Discussions included the collaboration of all parties to accomplish the connection while utilizing third party inspectors selected by the Town of Hampden and in conformance to all codes and regulations. The Water District indicated they would provide their Inspector. The Committee advised Mr. Thornton to seek permission from the full Town Council at the September 16, 2013 Meeting.

On September 10, 2013, Chip Laite of Sargent Corporation provided me with a list of criteria that Sargent would like included in any agreement between the town and Peter Thornton with regard to the connection of infrastructure through the Business and Commerce Park. These have been reviewed by Peter Thornton and are consistent with the existing codes and requirements of the Town.

**Sergeants List of Preferred Requirements:**

The Topsoil should be Roto-tilled & Stockpiled on Lot #27.

All disturbed areas should be stabilized as per Maine Erosion & Sediment Control BMP's.

The sewer line shall be 12" PVC at minimum slope at least to SMH- "A" on the proposed plan PP-1, 8/28/13.

Water to be as per Hampden Water District Specifications.

All materials, pipe sizes & installation to meet Town Standards in consideration of future build-out.

All trenches shall be compacted to 95% of modified proctor and results of compaction tests to be forwarded.

All work shall be limited to the roadway ROW and in conformance with the original plans performed in a workmanlike fashion.

Ideally, the timing would have been such that our discussions and hopefully agreement with Sargent Corporation would be in place prior to an approval with Mr. Thornton. However, due to the fact that Mr. Thornton's needs are immediate and infrastructure expansion approval conditional on *two new development opportunities* within the Ammo Park, I am hopeful of the following actions.

Agenda Item:

September 16, 2013 Council Meeting:

Mr. Thornton to present his needs and desires to the full Town Council seeking approval of access through the Hampden Business and Commerce Park to connect with town sewer and water.

Due to the pending negotiations for infrastructure development of the park under a separate proposal, the Town Council will agree to allow Mr. Thornton access through the park (subject to approval of an easement, conformance with the Sewer Ordinance and all other applicable codes and regulations of the Town of Hampden.

Ideally, we will complete our negotiations with Sargent. If we are successful in coming to an agreement over the park construction, Sargent's interests would be protected. If we are unsuccessful with the Sargent negotiation, we have put in place responsible provisions and conformance requirements to ensure a successful construction project.

Note: Mr. Thornton, in anticipation of getting started as soon as possible, has provided Chip Swan, Public Works Director the required deposit of \$12,000 to pay for the town's third party inspector.