

TOWN COUNCIL MINUTES

APRIL 22, 2008

Due to the Patriot's Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Tuesday, April 22, 2008. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:00 p.m.

Attendance: **Councilors:** Mayor Rick Briggs, Thomas Brann, Matthew Arnett, Andrew Colford, and Shannon Cox - Andre Cushing and Edward Murphy were excused.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Works Director Chip Swan and Recreation Director Kurt Mathies

Citizens

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. The balance of the Consent Agenda was accepted without objection.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. MODEL ALEWIFE ORDINANCE

Mayor Briggs explained the procedure for the public hearing and then opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Colford, seconded by Councilor Brann to adopt the Model Alewife Ordinance for 2008 – unanimous vote in favor.

- b. APPLICATION FOR VICTUALER'S LICENSE RECEIVED FROM LAURIE LEE d/b/a COFFEE BREAK CAFÉ at 75 MAIN ROAD NORTH

Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Arnett, seconded by Councilor Brann to approve the application – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

- a. FRIENDS OF DOROTHEA DIX PARK

The Community Services Committee has requested that the Council approve the formation of a “Friends of Dorothea Dix Park” committee, which would be a sub-committee of the Community Services Committee. Councilor Cox explained that the purpose of the sub-committee would be to focus on the needs of the park and the work that needs to be done there and to provide stewardship for the park. Primary responsibilities of the group would include the construction and repair of trails and pathways, construction and repair of facilities and equipment, secure grants and operate fund-raisers, park enhancement and beautification projects, educate the public on the historical significance of the park, and maintain a schedule of events for the park coordinating with the Recreation Department, Tree Board, Conservation Commission, Hampden Historical Society and Hampden Garden Club.

Councilor Brann added that Prentiss & Carlisle will work on an hourly basis at \$60 per hour, up to \$4,000 to assist the committee in defining the location of where trails should be and the work that is required. He requested authorization from the Council to go ahead with that as well so that the committee can begin this season. He requested a motion to support the formation of the “Friends of Dorothea Dix Park” sub-committee and authorize them to work with Prentiss & Carlisle to assist in the process of planning.

Motion by Councilor Colford, seconded by Councilor Arnett to support Councilor Brann’s recommendation on the formation of the “Friends of Dorothea Dix Park” committee and authorize them to work with Prentiss & Carlisle, with funding to come from the Open Space Reserve account – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Cox to create a designated reserve fund to hold funds for the benefit and use of Friends of

Dorothea Dix Park to develop and maintain Dorothea Dix Park – unanimous vote in favor.

Councilor Brann noted that the Council still needs to appoint members to the recently created Tree Board. He said several people have put in an extreme amount of effort in the Tree City process and he suggested that the Community Services Committee come up with a recommendation for a slate of charter members to serve on the Tree Board for an initial time period, recognizing the amount of effort they have put in. He moved that the Council authorize the Community Services Committee to come up with a slate of members for presentation at the next Council meeting. Councilor Colford seconded the motion and vote was unanimously in favor. Councilor Colford informed the Council that the Appointments Committee will be interviewing applicants for the Tree Board on April 29th and will bring recommendations to the full Council on May 5th.

b. MAYO ROAD ENGINEERING STUDY

Public Works Director Chip Swan has received a proposal from Woodard & Curran for the engineering services for the redesign of Mayo Road. The cost for a survey and right-of-way definition would be \$20,000; the geotechnical study cost is \$7,500; and the study/concept design phase, including one public meeting is \$20,000 for a total initial study and design cost of \$47,500.00.

Woodard & Curran's estimate for the total reconstruction of Mayo Road is \$2,255,000, but Chip noted that by using our own gravel pit, there would be a savings of approximately \$100,000. Manager Lessard pointed out that should the Council elect to go forward with the redesign after the engineering study is completed, this would be a bonding project that would require a referendum vote.

Motion by Councilor Brann, seconded by Councilor Colford to authorize the Public Works Director to begin the engineering aspects for the redesign of Mayo Road to be included in the next fiscal budget – unanimous vote in favor.

Mayor Briggs asked Chip to look into any federal grants that may be available.

c. PAVING PLAN/PAVING BID RESULTS

Public Works Director Chip Swan reported that the paving bids were opened on April 7th. There were two bidders and he recommended acceptance of the low bid from Lane Construction in the total amount of \$289,931.60. Chip noted that this is a 14.4% increase over last year. The contractor has already placed funds in reserve for the paving of Graystone Drive (total \$30,843.00) and the amount budgeted for paving this year was \$229,175.00. This would leave a balance of \$29,913.60 which would have to come from the reserve account. Chip pointed out that the Library Road

has not been paved in over 20 years and asked the Council to consider the possibility of paving that road from the last intersection of Avalon Village to the Library and the parking lots for an additional cost of \$12,000.

Motion by Councilor Brann, seconded by Councilor Colford to accept the bid from Lane Construction in the total amount of \$289,931.60 and add the Library Road and parking lots for an additional \$12,000.00, with the additional \$41,913.60 to be funded from the paving reserve account – unanimous vote in favor.

Chip reported that Lane will begin the paving project on May 19th and continue through May 28th.

Mayor Briggs noted that the parking lot and the exterior of the old fire station that is leased to SAD #22 are not being maintained per the lease agreement. Councilor Brann requested that staff evaluate the condition of the property to determine if the terms of the lease agreement are being violated.

Chip prepared a long-range paving schedule through 2016 for the Council's review (copy attached). He continued with the 6-year paving schedule until 2012, which is the 6-year anniversary of the recently paved gravel roads. It will take approximately 5,000 tons per year for paving, which would allow for steady funding annually.

d. ECONOMIC DEVELOPMENT CONTRACT

The Council reviewed the proposed Services Agreement between the Town of Hampden and Bion Foster. Motion by Councilor Arnett, seconded by Councilor Brann to accept the contract as proposed – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Cox to authorize the Town Manager to sign the contract on behalf of the Town – unanimous vote in favor.

4. NEW BUSINESS

a. SHAW BROOK WATERSHED – URBAN IMPAIRED STREAM DESIGNATION

Manager Lessard informed the Council that Shaw Brook has been designated as an Urban Impaired Stream by the DEP, which results in a higher standard of care for any land use application in that watershed. The brook and its watershed cover part of Hermon, Hampden and Bangor. If any development is proposed for that area, a management plan for the watershed has to be in place. Hampden comprises approximately 14.5% of the watershed and since all three communities are impacted, Manager Lessard has met with representatives from Bangor and Hermon to discuss the feasibility of working together to prepare one plan for the entire watershed. Manager Lessard explained that even though there is a joint

plan, there are some items that each community has to have in place in order to cover the regulations governing the stream. One of those items is a compensation ordinance. She included a copy of the Bangor ordinance and requested that the Council refer this to the Charter & Ordinance Committee for consideration. She also requested that the Council authorize participation with Bangor and Hermon in developing a plan that would govern the management of the watershed in a way that meets the requirements of the law and allows for legitimate development to occur. The first step is a survey of the actual watershed at an approximate cost of \$10,000. The three towns would apply for a grant with a required 40% match. Hampden's share of that survey would be \$600.

Manager Lessard said that Sucker Brook will also be designated as an Urban Impaired Stream in the 2012 cycle. That is also is part in Bangor and part in Hampden. She hopes that with that one, we can work with Bangor and be ahead of the curve and incorporate these regulations in whatever planning we have for the Sucker Brook watershed now so that we don't have to redo it at some later date.

Motion by Councilor Brann, seconded by Councilor Colford to authorize the expenditure of \$600 for Hampden's share to be funded by the grant matching reserve account – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Cox to refer the watershed compensation ordinance to the Charter & Ordinance Committee – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Brann to authorize the Town Manager to move forward with Bangor and Hermon in development of a plan for Shaw Brook and Sucker Brook – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Cox reported that the Community Services Committee will meet on Tuesday May 6th. At its last meeting, the committee discussed the formation of the Friends of Dorothea Dix Park and reviewed the Prentiss & Carlisle proposal. The committee also discussed the stream race, spring cleanup, and Arbor Day. Hampden is now officially a Tree City and the Committee has asked Jim Feverston to head up the planning for the Arbor Day celebration, which will include a formal recognition and presentation program associated with Tree City USA designation.

Councilor Brann reported that the Comprehensive Planning Committee will be reviewing a discussion document from the consultant later this month. They will be scheduling a series of meetings with landowners and stakeholders to begin the process of examining the document. They will break up the meetings into topic areas.

Councilor Arnett reported that the next edition of the newsletter is at the printer and will be mailed next week. He further reported that the joint-committee of the Council and Water District Trustees has held its second meeting. He said the Council is being familiarized with the various regulations and procedures that the Water District has to

deal with. The Water District has provided a copy of its Comprehensive Plan and the Council members are in the process of reviewing that. Councilor Arnett feels that there is a good amount of cooperation between the Water District and Council members. The next meeting will be in late June.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached hereto.

F. COUNCILOR'S COMMENTS

Corrected 5/19/08
D. Hodsdon, Clerk

Councilor Brann moved to excuse Councilors Colford and Murphy from tonight's meeting. Councilor ~~Colford~~ Cushing seconded the motion and vote was unanimously in favor.

Mayor Briggs wished Edna Bragg a Happy 103rd Birthday.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:00 p.m.

Denise Hodsdon
Town Clerk