

## TOWN COUNCIL MINUTES

MARCH 17, 2008

The regularly scheduled meeting of the Hampden Town Council was held on Monday, March 17, 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, Shannon Cox, Andre Cushing and Edward Murphy. Councilor Colford was excused.

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell was on vacation.

**Department Heads/Staff:**

A member of the press and citizens

Councilor Colford was unable to attend the meeting due to an illness in his family and had requested an excused absence. Motion by Councilor Arnett, seconded by Councilor Cushing to excuse Councilor Colford – unanimous vote in favor.

### A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Councilor Murphy requested that Items A.4.a. and A.4.d. be set aside; Councilor Arnett requested that Items A.3.a., A.4.b. and A.4.f. be set aside. Motion by Councilor Brann, seconded by Councilor Murphy to accept the balance of the Consent Agenda – unanimous vote in favor.

#### A.3.a. DHHS/TOWN – GENERAL ASSISTANCE LETTER

Councilor Arnett asked Manager Lessard if Hampden comes anywhere near the proposed threshold \$166,395. Manager Lessard explained that Hampden's General Assistance budget is \$10,000 and we usually expend only half of that so there is no need to change our reimbursement arrangement, which is currently 50% of the amount expended. Motion by Councilor Arnett, seconded by Councilor Cushing to accept Item A.3.a. – unanimous vote in favor.

#### A.4.a. BANGOR REGION LEADERSHIP INSTITUTE – SPEECH GIVEN BY DEAN BENNETT

Councilor Murphy noted that this is an excellent speech, but pointed out that Dean's name was not on the written copy. Councilor Arnett thought it was an extraordinary presentation regarding economic development and planning and said he would like to invite Dean to speak to the Council on this topic. Motion by

Councilor Murphy, seconded by Councilor Arnett to accept Item A.4.a. – unanimous vote in favor.

**A.4.b. LIBRARY TRUSTEES MEETING MINUTES – 1/9/08**

Councilor Arnett expressed concern that these are the minutes of the January 9<sup>th</sup> meeting and the Council is only getting them in late March. One item in the minutes referred to the proposed air conditioning project and the bid process and if he had seen these minutes prior to the last Council meeting, he would have raised his concerns about that project in a more timely fashion. He requested that the Town Manager remind all staff that all capital items that require bids need to be brought to Council before they move forward. Councilor Arnett moved and Councilor Cox seconded to accept Item A.4.b. – unanimous vote in favor.

**A.4.d. BUS RIDERSHIP REPORT – 12/07**

Councilor Murphy asked how 2007 total ridership compared with the 2006 total. Manager Lessard noted that by adding the additional run in 2003, ridership doubled in 2004 and has continued to increase every year. She informed the Council that there have been increased requests for a Saturday run and when the Council looks at the bus schedule in the budget process this year, there will be the option of adding a Saturday run. Motion by Councilor Murphy, seconded by Councilor Cushing to accept Item A.4.d. – unanimous vote in favor.

**A.4.f. FINANCE COMMITTEE MINUTES – 2/28/08**

Councilor Arnett commended the Finance Committee for the excellent work they have done and for the excellent minutes. He noted that one of the proposals is that the GIS/IT position be funded for full-time employment and he said it was nice to see that this was put before the committee before budget discussions begin. Motion by Councilor Arnett, seconded by Councilor Cushing to accept Item A.4.f. – unanimous vote in favor.

**B. PUBLIC COMMENTS**

Jim Feverston, Scholarship Committee Chair and Treasurer of the Lura Hoit Pool Board of Trustees reported that the spaghetti dinner and silent/live auction to benefit the Susan G. Abraham Scholarship was very successful. A detailed report will be coming on Thursday. Jim thanked all those folks who volunteered and participated, as well as the donors and contributors and all who turned out in support of this cause.

**C. POLICY AGENDA**

**1. PUBLIC HEARINGS**

- a. APPLICATIONS FOR RENEWAL OF VICTUALER'S LICENSES:

1. BANGOR TENNIS & RECREATION CLUB, 60 MECAW ROAD
2. BEST WESTERN WHITE HOUSE INN, FILIBUSTER LOUNGE, 155 LITTLEFIELD AVENUE
3. DYSART'S TRAVEL STOP, 366 COLDBROOK ROAD
4. HAMPDEN BLUE CANOE, 63 MAIN ROAD NORTH
5. McK'S VARIETY, 995 WESTERN AVENUE
6. PIZZA GOURMET, HANNIBAL HAMLIN PLACE
7. R & K VARIETY, 573 MAIN ROAD NORTH
8. SUBWAY OF MAINE, 7 WESTERN AVENUE

Mayor Briggs explained the procedure for the public hearing and then opened the hearing. One hearing was held for all 8 applications and Mayor Briggs read the list of applicants for the record.

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

Motion by Councilor Murphy, seconded by Councilor Brann to approve all eight applications – unanimous vote in favor.

## **2. NOMINATIONS-APPOINTMENTS-ELECTIONS**

There were none.

## **3. UNFINISHED BUSINESS**

- a. WATER DISTRICT: - COMMITTEE APPOINTMENT  
- ATTORNEY ENGAGEMENT

The Town Council had previously directed Manager Lessard to locate a law firm that, if necessary, the Town could utilize as part of any action related to the possibility of annexing the Hampden Water District. She has contacted Pierce Atwood and they forwarded a letter of engagement together with a Standard Terms of Engagement for Legal Services for her signature. Manager Lessard said she is not recommending that the Council spend any money at this time, but is recommending signing a letter of engagement.

Motion by Councilor Brann, seconded by Councilor Cox to authorize the Town Manager to sign the agreement with Pierce Atwood – unanimous vote in favor.

The Water District provided a copy of a proposed Resolution Supporting Increased Interlocal Cooperation with the Town of Hampden (copy attached), which their Board of Trustees will consider adopting at their meeting on April 20<sup>th</sup>.

Councilor Brann moved and Councilor Arnett seconded to indicate support and willingness to participate in the joint working group as

set out in the resolution that the Hampden Water District is anticipating adopting.

During discussion, Councilor Arnett expressed appreciation to the Water District for their spirit of cooperation and looks forward to doing a joint activity with them. He did note however, that the Council may have other agenda items that will need to be added to the list, specifically the concern about future water supplies.

By roll call, vote on the motion was unanimously in favor.

Councilors Brann, Arnett and Murphy volunteered to serve on the working group with the Water District. Motion by Councilor Arnett, seconded by Councilor Cushing to appoint Councilor Brann, Councilor Arnett and Councilor Murphy to the joint working group, with Mayor Briggs to serve as the alternate member – unanimous vote in favor. Councilor Brann recommended offering the Council chambers for the meetings.

**b. WATER DISTRICT – RATE HEARING RESOLUTION**

Manager Lessard reported that there is a resolution to the rate increase request. What was originally an 18.26% increase has been resolved at a 14.2% increase. It has been accepted, but the paperwork has not yet been signed. It is anticipated that the rate increase will take affect with the April billing.

**c. AMBULANCE BILLING – FINANCE COMMITTEE RECOMMENDATION**

Councilor Brann reported that the Finance Committee concurs with Manager Lessard's recommendation to abate ambulance bills prior to January 1, 2007 and recommends that the Finance Committee annually review outstanding ambulance accounts to determine action necessary to keep the ambulance receivables list updated.

Motion by Councilor Brann, seconded by Councilor Cushing to abate the accounts receivable prior to January 1, 2007 and to support the process outlined by the Finance Committee – unanimous vote in favor.

**d. BUDGET WORKSHOP DATES – 2009 BUDGET**

The Council approved the proposed schedule for budget workshops prepared by Manager Lessard (copy attached).

**e. TRANSFER STATION – STICKER FEES/FINES – COUNCILOR ARNETT**

Councilor Arnett informed the Council that the Ordinance Committee has taken a first look at this issue but is not ready to make a

**2009 BUDGET WORKSHOP SCHEDULE**

**PROPOSED 03/12/08**

<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>DEPARTMENTS</u></b>
04/28/08	7:00 p.m.	Public Safety Police Non-Department Utilities Fire Administration Assessing/Planning/CEO Municipal Building Tax Collector Municipal Elections
5/5/08	7:00 p.m. (Council)	Recreation Pool Library
5/12/08	6:00 p.m.	Highway Solid Waste Municipal Garage Buildings & Grounds Marina Economic Development Revenues
5/19/08	7:00 p.m. (Council)	Town Council Communications GIS/IT
5/27/08	7:00 p.m.	Debt Service Reserves/Capital Budget Social Services
6/02/08	7:00 p.m. (Council)	Discussion of Budget overview
6/03/08	7:00 p.m.	Additional Meeting, If necessary
6/16/08	7:00 p.m. (Council)	Public Hearing – Final Budget Adoption

recommendation at this time. He moved that this item be postponed until the next meeting. Councilor Brann seconded the motion and vote was unanimously in favor.

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

##### **a. DOLLARS FOR SCHOLARS TOLLBOOTH REQUEST – CARLA BOMMARITO**

This item was moved to the beginning of the Policy Agenda. Carla Bommarito of Dollars for Scholars requested that the Council authorize that group's tollbooth fundraiser again this year. It has been scheduled for April 26<sup>th</sup> from 9:00 to 11:00 a.m. on Route 1A in front of the Superintendent's office.

Motion by Councilor Arnett, seconded by Councilor Brann to authorize the tollbooth as requested – unanimous vote in favor.

##### **b. HOURS OF OPERATION**

Manager Lessard explained that at the present time the Town Office is open from 8:00 am to 4:30 pm from January 1<sup>st</sup> to March 31<sup>st</sup> and from 8:00 am to 5:00 pm from April 1<sup>st</sup> through December 31<sup>st</sup>. Town Office staff has kept an informal tally of the number of customers after 4:30 p.m. and the number averaged less than one per week over the period of time. The staff has requested that the Council consider standardizing the office hours from 8:00 am until 4:30 pm year round. That schedule allows for the general public to use our services in person for 42.5 hours each week. Manager Lessard explained that a majority of the services provided by the Town Office are available either online, by mail, via the drop box in the front of the building or with a phone call. She also pointed out that all State offices close at 4:30 pm so access to information from them ends at that time. Finally, there are safety and security concerns with only one person on staff from 4:30 pm to 5:00 pm and Manager Lessard said she can not justify having all staff here until 5:00 pm with the low volume of customers during that time.

Motion by Councilor Cushing, seconded by Councilor Cox to standardize Town Office hours to 8:00 am until 4:30 pm Monday through Friday – following brief discussion, vote was unanimously in favor of the motion.

Councilor Cushing noted that the key is how the services are delivered and it seems clear that in conjunction with the State, the Town has been able to deliver a level of service online for those who can access that. In addition, there is the drop box out front, which leaves just a small window of services that require people to come to the Town Office. He suggested that part of the responsibilities the Communications Committee is to further educate people as to how services can be accessed. Councilor Arnett

suggested putting a sign on the front door of the Town Office indicating how various types of services can be handled. It was decided that the next newsletter will contain an article explaining the options available.

c. SOUADABSCOOK CANOE RACE

Manager Lessard received a written request from James Mabee of the American Canoe Association of New England (ACANE) for permission to hold the annual Souadabscook Stream Race on Saturday April 12, 2008 starting at 9:00 am.

Motion by Councilor Arnett, seconded by Councilor Cox to grant permission to ACANE to conduct the annual canoe race on April 12, 2008, subject only to authorization from the Dept. of Inland Fisheries and Wildlife – unanimous vote in favor.

d. SUBDIVISION ORDINANCE AMENDMENT CONSIDERATION  
– STAFF REQUEST FOR REFERRAL TO ORDINANCE  
COMMITTEE

GIS/IT Specialist submitted a written request for the Charter and Ordinance Committee to address the lack of requirement within the Subdivision Ordinance for geographically referenced digital material to be submitted with the subdivision application.

Motion by Councilor Arnett, seconded by Councilor Brann to refer this to the Charter & Ordinance Committee – unanimous vote in favor.

e. POLICY REGARDING “AIRTIME” FOR COUNCILORS  
RUNNING FOR OTHER STATE/FEDERAL POSITIONS

Manager Lessard asked the Council to establish a policy in order to give her some direction and guidance regarding a cutoff date for appearance on Cable Channel 7 of persons running for political office. FCC regulations stipulate that the cutoff time is 45 days prior to an election, but she thought it might be better to go with 60 days before any election and the only appearances by candidates would be in conjunction with participating as a council or board member in meetings that the Town broadcasts as opposed to appearing as a host or a guest on a program.

Councilor Arnett moved and Councilor Cushing seconded that 60 days before any election no person running for public office be featured or participate in any Channel 7 programming other than routine Council or Planning Board meetings when they are a member of that group.

During discussion, Councilor Cox said she didn't think 60 days goes far enough and that it should be whenever a candidacy is sworn.

Councilor Brann agreed with Councilor Cox, but because of the current programming schedule, he suggested that the policy be effective as of April 1, 2008. Councilor Cox also pointed out that candidates should not be writing articles for the town newsletter. Following further discussion Councilor Arnett withdrew his motion and invited Councilor Cox to make an alternate motion.

Councilor Cox moved that effective April 1, 2008, all public appearance of any local official on the government access Channel 7 and through the community newsletter shall cease as soon as a candidacy for public office is sworn. Councilor Brann seconded the motion but amended it to add "with the exception for activities of which they are formally fulfilling their responsibilities to duly elected office in the Town of Hampden". Councilor Cox agreed to the amendment. By roll call, vote on the motion was 5-0; Councilor Cushing abstained.

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

Councilor Arnett reported that the Communications Committee will meet at 5:00 pm on Wednesday, March 19<sup>th</sup>.

Councilor Arnett further reported that the Charter & Ordinance Committee met this evening and continues to work on the shoreland zoning issue. Because of the important issues in shoreland zoning, the Committee plans to hold public meetings and major discussions with the Council this summer.

Councilor Brann reported that the Comprehensive Planning Committee will meet tomorrow evening at 7:00 pm.

Councilor Brann reported that the Finance Committee met on February 28<sup>th</sup> and discussed several items. A copy of the minutes of that meeting was included in the Consent Agenda and is attached hereto. The next meeting of the Finance Committee will be on March 27<sup>th</sup> at 7:00 pm.

Councilor Cushing reported that the Economic Development Committee met with Bion Foster regarding what role he would be able to continue to serve on behalf of the Town. The Committee is looking forward to getting feedback from Bion to the offer it had presented. Councilor Cushing reported that there is a meeting of the advisory Economic Development Committee on Monday, March 24<sup>th</sup> and he hoped that members of the Council's Economic Development Committee can attend that meeting.

Councilor Cox reported that the Community Services Committee met on March 4<sup>th</sup> and worked on the committee's mission statement and looked at the general scope and purpose of the committee. The Committee also discussed the formation of "Friends of Dorothea Dix Park" and plans to bring back draft language to the next Council meeting about the role and purpose of that organization. There was a brief discussion about doing some type of outreach letter to the SAD #22 Board to let them know about the Community Services

FINANCE COMMITTEE MEETING  
MINUTES  
02/28/08

Attending:

Chairman Tom Brann

Sue Lessard, Town Manager

Councilor Andrew Colford

Public Safety Director, Joe Rogers

Councilor Andre Cushing

The meeting was opened at 7 p.m. by Chairman Brann.

Public Safety Position

The first item discussed was the status of coverage for the firefighter/EMT position that has been covered by call personnel for the past year and a half. Director Rogers explained to the Committee that due to the live-in student leaving for a full-time position in Orono, combined with job changes of the other qualified call personnel who had been filling the shift, we were now down to one call person and the use of overtime with full-time personnel to cover the second person on that shift. Since the council had set the goal of full-time paramedic coverage the Town had worked to complete that without filling the last position with a full-time person. Since it is no longer possible to fill the shift with call people, the Public Safety Director requested permission to advertise for a full time person to fill that spot.

After discussion, it was the consensus of the Committee to recommend to the full Council that the Public Safety Director be allowed to advertise for and fill the firefighter/paramedic slot discussed. Chairman Brann will request that this item be added to the regular agenda of the 03/03/08 Council meeting.

Ambulance Billing

The Town Manager outlined to the Committee what the outstanding receivables were for the ambulance service. A memo that was provided to the Committee is attached to these minutes.

It was the consensus of the Committee to recommend to the Council that all outstanding ambulance receivables prior to 1/1/07 be written off, and that the Finance Committee review ambulance accounts at the end of each subsequent year to determine action necessary to keep the ambulance receivables list updated.

GIS/IT

The Town Manager presented a proposal to the Finance Committee for consideration of making the current GIS/IT position full-time in the next fiscal year. Increasing workload associated with our Information Technology needs across all town departments in addition to continuing work necessary on GIS has created a real need for this position to be made full time. The Town has invested a large sum of money in upgrades to its computer systems and it is necessary not only that we keep up with that commitment --

but that we have in-house expertise that can make sure that we stay up and running at all times, are adequately protected and backed up and that we continue to work on making the Town services more easily accessible through the use of technology. In addition, time is needed to keep the commitment made to GIS and its expanding use as part of planning, assessing, and economic development.

It was the consensus of the Committee to recommend to the full Council authorizing the Town Manager to prepare a 2008 budget with the GIS/IT position as full-time.

Property Tax Rebate Program – Elderly, Long-term Residents.

The Committee discussed the idea of creating a rebate program for property taxes for residents over the age of 65 who have owned property and lived in Hampden for a minimum of fifteen years, with a graduated rebate program increasing to a maximum rebate eligibility after 20 years and a minimum of age 70.. The Committee reviewed information gathered by the Town Manager on programs offered by other Maine communities. In order to proceed with this project, the Town Manager was directed to collect information on how many people at the present time would qualify for this kind of a program and report back to the Committee.

The Town Manager was also instructed as part of the budget preparation process to calculate budget impact based on 1% increment increases in the overall wage and benefits line items.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted –

Susan Lessard, Town Manager

Committee, what it does and how the Committee sees its connection with the work the School Board is looking at in terms of the new high school and the existing space. The next meeting of the Community Services Committee is tomorrow at 6:00 pm.

Councilor Murphy reported that he attended the first SAD #22 Budget Committee meeting on March 12<sup>th</sup>. He reported that the amount Hampden pays in relation to the other two towns is going to drop this year, however state funding to the District is also dropping significantly. The next Budget Committee meeting will be at 5:30 pm on March 26<sup>th</sup> at a location to be determined.

#### **E. MANAGER'S REPORT**

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

#### **F. COUNCILOR'S COMMENTS**

Councilor Cushing informed the Council that the next Hampden Business Association will have a luncheon meeting on April 1<sup>st</sup> at a location to be determined and their annual dinner is scheduled for May 14<sup>th</sup> at Spectacular Events Center.

He also commented that the dinner and auction for the benefit of the Susan G. Abraham Memorial Endowed Scholarship was very well attended and there will be a television program of that event to be aired in April.

Councilor Cushing further informed the Council that the Hike for the Homeless will be held on May 10<sup>th</sup>. He has talked with Walter Cupples, Chair of the Board of the Homeless Shelter and this year there is a concerted effort by Hampden Academy students to involve more people in this event. He encouraged everyone to participate in the walk and issued a challenge to the communities of Bangor, Brewer and Veazie to have more walkers from their communities.

Councilor Arnett asked Manager Lessard if she would conduct a mini-workshop in town finances for the Council before beginning the budget process. She said she would be happy to do that and it was tentatively scheduled for the second week in April.

#### **G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:10 p.m.



Denise Hodsdon  
Town Clerk

## MANAGER'S REPORT

March 17, 2008

Foreclosed Property – Former Perkins Property – Back Winterport Road – Several years ago we put a vacant foreclosed property on the Back Winterport Road out to bid. The bid was granted to a person who ended up not actually purchasing the property. I would like permission to put that property back out to bid and will have it on the April 7<sup>th</sup> agenda for discussion.

Property Taxes – 2<sup>nd</sup> Half Due – A reminder that the second half of 2007/2008 property taxes are due prior to April 2<sup>nd</sup> to avoid interest.

Newsletter – We are now collecting information for the April edition of the newsletter. The focus of this edition will be the budget. The Communications Committee will be meeting on March 19<sup>th</sup> to discuss this and other communication items.

Economic Development – The Citizen Economic Development Committee is holding a meeting on March 24<sup>th</sup> at 7 p.m. to discuss pending changes in the role of personnel. The information related to the Council Economic Development Committee and its work will be on the agenda for discussion on April 7<sup>th</sup>. I would encourage interested Council members to attend the meeting on the 24<sup>th</sup>.

Councilor Colford Absence – Councilor Colford was unable to attend this meeting due to a family illness and would like an excused absence.

Lot 1 – Business Park – We will be closing on the sale of Lot 1 in the Business Park on Thursday of this week with Dr. Farren.

Transfer Station Changes – I will be sending out information packets next week to Transfer Station users about the upcoming changes that will be taking effect at the first of May. Feedback thus far has been positive.