

## TOWN COUNCIL MINUTES

OCTOBER 20, 2008

The regularly scheduled meeting of the Hampden Town Council was held on Monday, October 20, 2008. The meeting was held at the municipal building council chambers and was called to order by Deputy Mayor Andrew Colford at 7:04 p.m.

**Attendance: Councilors:** Deputy Mayor Andrew Colford, Matthew Arnett, Thomas Brann, Andre Cushing, and Shannon Cox; Mayor Rick Briggs and Edward Murphy were absent

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** Public Works Director Galen Swan

### A. CONSENT AGENDA

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

### B. PUBLIC COMMENTS

There were none.

### C. POLICY AGENDA

#### 1. PUBLIC HEARINGS

There were none.

#### 2. NOMINATIONS-APPOINTMENTS-ELECTIONS

##### a. NOVEMBER 4, 2008 ELECTION INFORMATION – TOWN CLERK

Town Clerk Denise Hodsdon reported that voting will be in the Community Room and polls will be open from 7:00 am until 8:00 pm. She reported that there have been many new voters and the Clerk's office will be open on Thursday, October 30<sup>th</sup> until 7:00 pm for the purpose of registering new voters. There is a significant increase in absentee ballot requests for this Election and all next week Election Clerk staff will be in the Council Chambers to administer in-person absentee voting. Denise reminded everyone that there will be no in-person absentee voting the day before the Election, but all other methods of absentee voting will be available.

### 3. UNFINISHED BUSINESS

a. GOODWILL RIDERS SNOWMOBILE CLUB – REQUEST TO USE  
TOWN PROPERTY FOR TRAIL

Trailmaster Steve Eyles of Shaw Hill Road requested permission from the Council to relocate the existing snowmobile trail in order to avoid the recent residential expansion on Constitution Avenue and make a safer crossing zone on Reeds Brook. Mr. Eyles explained that the Club proposes moving the existing trail to the south side of Reed's Brook over Town-owned land and he provided a map indicating the proposed relocation area. Ryan Armstrong of Kennebec Road will be taking on this project as his Eagle Scout project.

Councilor Arnett said this sounds like a great idea, but asked if the Conservation Commission has reviewed this proposal. Mr. Eyles said he had not been in contact with anyone from the Conservation Commission.

Motion by Councilor Arnett, seconded by Councilor Cox to grant Goodwill Riders Snowmobile Club the use of the Town property subject to affirmative approval from the Conservation Commission – unanimous vote in favor.

b. HAMPDEN ENVIRONMENTAL TRUST – TRUSTEE  
RECOMMENDATION TO MOVE TRUST

Manager Lessard reported that due to a substantial increase in the maintenance rates charged at the existing institution, the Trustees of the Environmental Trust have recommended moving the trust funds to Bangor Savings Bank. Motion by Councilor Brann, seconded by Councilor Cox to authorize moving the trust account from Bank of America to Bangor Savings Bank – unanimous vote in favor.

A special Council meeting was scheduled for 7:00 pm on November 24<sup>th</sup> for the purpose of the Landfill Consultants to give an update on the landfill.

c. APPLICATION FOR RENEWAL OF OUTDOOR WOOD BURNING  
FURNACE LICENSE RECEIVED FROM DOUG AND APRIL  
STANHOPE, 560 WESTERN AVENUE

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

d. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED  
FROM PIZZA GOURMET WITH REQUEST TO WAIVE PUBLIC  
HEARING

Motion by Councilor Arnett, seconded by Councilor Cox to waive the public hearing – unanimous vote in favor.

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

e. PUBLIC WORKS COMMITTEE – REQUEST FOR MEETING TO DISCUSS:

- BUS PROGRAM
- COMPLAINT REGARDING TRANSFER STATION RULES

Motion by Councilor Arnett, seconded by Councilor Cushing to refer these items to the Public Works Committee – unanimous vote in favor. Manager Lessard will contact Public Works Committee Chair Murphy to schedule a meeting.

f. BID RESULTS – MUNICIPAL BUILDING ROOF

Bids for re-roofing of the municipal building were opened on October 17<sup>th</sup>. Six bids were received with three different options, but one of the bids was withdrawn. Public Works Director Chip Swan recommended acceptance of the bid from Catalano's Construction for Option #1 for 30-year architectural shingles on the original municipal building in the amount of \$17,835.00.

Motion by Councilor Arnett, seconded by Councilor Cox to accept and approve the recommendation of the Public Works Director – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Cushing to withdraw the investigation into re-roofing the municipal buildings from the Finance Committee's agenda – unanimous vote in favor.

g. BID RESULTS – PUBLIC WORKS GARAGE DOORS

Three bids were received and opened on October 17, 2008. Public Works Director Chip Swan recommended acceptance of the bid from Overhead Door Co. of Bangor in the amount of \$5,514.00.

Motion by Councilor Arnett, seconded by Councilor Brann to accept the Public Works Director's recommendation and award the bid to Overhead Door Co. of Bangor in the amount of \$5,514.00 – unanimous vote in favor.

#### 4. NEW BUSINESS

a. REQUEST TO CHANGE COUNCIL MEETING DATE

The next regular meeting of the Council is scheduled for Monday, November 3<sup>rd</sup>, which is the evening before the Election. Manager Lessard asked the Council to consider moving the meeting to the second Monday of the month or to have only one meeting in November.

Motion by Councilor Brann, seconded by Councilor Cox to not hold a meeting on November 3<sup>rd</sup> and have only one meeting in November – unanimous vote in favor.

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

Councilor Arnett reported that the Communications Committee met on October 15<sup>th</sup> and the minutes were included in the Council's packet as part of the Consent Agenda.

Councilor Arnett further reported that the Charter & Ordinance Committee has received a request to review sections of the Mobile Home Ordinance regarding the requirements concerning heating units in mobile homes. The Committee met earlier this evening and asked the Town Planner and Code Enforcement Officer to review the relevant sections and bring back a recommendation to the Committee at its next meeting. The Committee continues to work on the Town Way Ordinance as it relates to issuing building permits in subdivisions.

Councilor Brann reported that the Finance Committee will meet this Thursday, October 23<sup>rd</sup> at 7:00 pm.

Councilor Cushing reported that the Economic Development Committee met and is discussing with the current operators of Hamlin Marina a proposal relating to a peninsula of land which Hamlin currently has the option to purchase. It would facilitate them moving some of the public traffic that is currently in the midst of their operation. Economic and Community Development Specialist Dean Bennett has met with officials of State and Federal Government to determine what can be done. Councilor Cushing said this has the potential to be beneficial to the Town and the Committee will keep the Council further abreast of those items as they evolve.

He further reported that the Committee on Committees is working on a draft document and hopes to have something to present to the Council in November. He expressed appreciation to Councilors and residents for their input in this process.

Councilor Cox reported that the Community Services Committee met on October 7<sup>th</sup>. The nature of the meeting focused on discussions with Tree Board members about the future plans of the Tree Board and its role and responsibilities. The Committee has put work on the Recreation Committee bylaws on hold until the work of the Committee on Committees has been completed. There also was discussion about the pool fee increase and how it was brought forth to the Council. Although it went to the Finance Committee, the Community Services Committee felt it should have been brought into that discussion before it was brought to the Council as the Pool does fall under the purview of Community Services. She pointed out that this highlights the work that is being done by the Committee on Committees about purview and streaming of information to certain committees. She hoped that there would be some clarification coming out that work.

Councilor Colford will be scheduling a meeting of the Public Safety Committee in the near future.

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

A copy of the Manager's Report is attached.

MANAGER'S REPORT  
October 20, 2008

Sewer Liens -

Sewer liens for unpaid sewer bills for the last quarter of 2007 and the first quarter of 2008 will be placed this week. Thirty day notices were sent out a month ago and we have had good response.

Perkins Property - Back Winterport Road -

I had an opportunity to meet with Don Pelletier who purchased the other two parcels that we sold that are adjacent to this one. I will be discussing his offer with the Finance Committee meeting on 10/23 so that they can make a recommendation to the full council about whether or not to accept it.

Candidate's Night -

The Communications Committee is sponsoring a Candidate's Night on Monday, October 27<sup>th</sup> at 7 p.m. It will be moderated by Annie Gabbianelli O'Reilly and Heather Seavey. All local candidates for all seats have been invited as well as those involved in the State House and Senate races for this district.

Halloween -

Edward's Shop and Save and the Public Safety Department are sponsoring an outdoor Haunted House on Friday, October 31<sup>st</sup>. There will also be games and indoor activities in the Community Room for children that evening. We are unable to have the indoor Haunted House because it requires that it be set up several days in advance in order to be inspected by the Fire Marshall - and that cannot be done due to the fact that that space is utilized for offices, etc. on a daily basis.

Public Safety

Public Safety Director Joe Rogers has asked for a meeting of the Public Safety Committee of the Council. The department has obtained information on the fire truck that was requested and would like the opportunity to discuss it with the Committee.

Finance Committee Meeting

There will be a Finance Committee meeting on Thursday, October 23<sup>rd</sup> at 7 p.m. at the Town Office. The Committee will discuss possible ordinance language for the proposed Long Term, Over 65 Tax Rebate Program, the ten year Capital Reserve Plan, Fire Truck Funding, and potential impacts from State flat-funding education in the next fiscal year.

### Pool Fees

Attached to this memo is a breakdown of the approximate income difference that would have resulted from the implementation of recently-approved fee increases at the Lura Hoyt Pool if they had been in place for the 2007/2008 fiscal year. With a goal of reaching 50% of operating expenses - we would have been very close if we had implemented these increases at the beginning of the 08/09 Fiscal year in July. This information does not identify how many *different* people utilized the pool - only how many times it was used at all.

### School Funding - Current Year and Next Year

I spoke with the school superintendent in regard to the information coming from the Commissioner of Education's office in regard to reduced/flat funding for the 09/10 year as well as the very real possibility of reductions in General Purpose Aid to Education during this fiscal year. Flat Funding at the State Level would require increases at the local level. Just maintaining current contracts with no additional increases will move the school budget 3-3 ½ % - which translates to \$660,000 to \$770,000 in additional monies from the local share - for Hampden that will be \$409,200 to \$477,400. This year we actually saw a slight reduction in our assessment due to increased state funding and changes in the valuation mix between the three district communities. This impact will be in addition to the effect within two years of borrowing for the new high school project. Since education comprises such a large percent of the tax dollars that we collect - this has a significant impact on how we look at our own budgets over the next several years.



PERKINS PROPERTY – BACK WINTERPORT ROAD – Motion by Councilor Brann, seconded by Councilor Cox to forward this item to the Finance Committee as requested by the Manager – unanimous vote in favor.

**F. COUNCILOR'S COMMENTS**

Councilor Cushing commented that as the Charter & Ordinance Committee met earlier, it ran into a couple of issues regarding Town ordinance standards being higher than those of the State. At times this has created some hardships on individuals and entities in Town to comply with different standards. He suggested it may be time for another goal setting session of the Council and, in the course of that, look at what it is we hope to accomplish and try to develop some guiding principles for staff as we revise the Comp Plan. He feels we need to be sensitive to what drives costs up, but at the same time protect the public good.

In response to Councilor Cushing's comments, Councilor Brann said to keep in mind that when regulations are set by the State and by the Town, they are minimum standards, not the ideal standards. He said the last thing we would want to do is to set the standards so low that when people conform just to the minimum standards, we end up not getting what we would like to see. He said it is a fine line.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:02 p.m.



Denise Hodsdon  
Town Clerk