

TOWN COUNCIL MINUTES

FEBRUARY 5, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, February 5, 2007. The meeting was held at the municipal building council chambers and due to technical difficulties with the broadcast equipment, was called to order by Mayor Briggs at 7:10 p.m.

Attendance: Councilors: Rick Briggs, Robert Gilberti, Thomas Brann, Andrew Colford, Edward Murphy, Matthew Arnett and Shannon Cox.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne

Pine Tree Landfill representatives and citizens

A. CONSENT AGENDA

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

A.3.d. BOARD/COMMITTEE RENEWAL APPLICATIONS:

1. William Shakespeare – Board of Assessment Review
2. Janet Briggs – Dyer Library Board of Trustees
3. Richard Jenkins – Dyer Library Board of Trustees
4. Anthony Mourkas – Dyer Library Board of Trustees
5. Colby Clendenning – Economic Development Committee
6. Betsy Bass – Historic Preservation Committee
7. Mike Pullen – Historic Preservation Committee
8. Warren Miller – Lura Hoit Pool Board of Trustees
9. Daniel Brooks – Lura Hoit Pool Board of Trustees
10. Gerry Ouellette – Personnel Appeals Board
11. Shawn Good – Recreation Committee
12. William Devoe – Board of Appeals
13. Russell Lumley – Board of Appeals
14. Aimee Smith – Board of Appeals

Motion by Councilor Brann, seconded by Councilor Murphy to reappoint all 14 applicants as listed – unanimous vote in favor.

Motion by Councilor Arnett, seconded by Councilor Colford to accept Item A.3.d.
– unanimous vote in favor.

B. PUBLIC COMMENTS

Eric McVay of 23 Cottage Street complained that he has noticed the odor at the landfill for several months and hoped that the Council could take appropriate action in the future to have the problem corrected. Manager Lessard will give Mr. McVay the odor complaint hotline number.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE RECEIVED FROM WANG & LO, INC. d/b/a FRESH GINGER RESTAURANT at 64 MAIN ROAD NORTH

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 Murphy, seconded by Councilor Arnett to approve the application as submitted – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

- a. OUTDOOR WOODFIRED BURNERS

Charter and Ordinance Committee Chair Matt Arnett and Town Planner Bob Osborne reported that the Committee met earlier to review amended licensing ordinance language as requested at the last Council meeting. Several residents attended the committee meeting and they had some questions and suggestions regarding the prohibition of use during summer months and expressed concern about having to obtain an annual license. These residents have requested reconsideration of the prohibition dates. Town Planner Osborne advised that the latest draft is not ready for Council action at this time and recommended postponing this item. Councilor Arnett reported that the Committee would welcome comments and/or suggestions from any Councilor regarding this issue. Motion by Councilor Arnett, seconded by Councilor Gilberti to

postpone this item until more information is available from the Committee – unanimous vote in favor.

b. STREET LIGHT REQUESTS / INFORMATION

Requests had been received for additional street lighting on Cottage Street and Constitution Avenue and in the area between 306 and 312 Main Road South. The requests were forwarded to the Public Safety Department for review and recommendation.

It was Public Safety's recommendation that there is ample lighting on Cottage Street. There is currently no street lighting in the newly developed portion of Colonial Heights and Public Safety recommended that additional lighting would be beneficial on the corner of Constitution Avenue in the new section and at the intersection of Liberty and Constitution. It was Public Safety's recommendation that there is ample lighting between 306 and 312 Main Road South, but it was recommended that a light be installed at the intersection of Main Road South and Foster Avenue.

Manager Lessard provided information regarding the Town's cost of the various types of streetlights. She informed the Council that if there is an existing pole in the location where a light is to be added, there is no capital cost involved and the Town would simply begin to assume the per month flat rate for the type of light that is installed.

Motion by Councilor Brann, seconded by Councilor Colford to authorize installation of the three lights as recommended by the Public Safety Department.

There was some discussion about the guidelines and procedure for Public Safety making recommendations for additional lighting for safety purposes. Manager Lessard will have the Department develop and use a form that lists guidelines, location, dates inspected and recommendation. Councilor Brann felt that the Department should have a blanket authorization to go ahead and have lights installed when needed for safety purposes.

Eric McVay of 23 Cottage Street had requested an additional light between Main Road North and 18 Cottage Street. He felt it is a safety issue as it is very hard for vehicles to see pedestrians in that area after dark. Manager Lessard explained there is a light that illuminates the entrance to Cottage Street which is located on the opposite side of Main Road North and if another was added at the corner of Cottage Street, it would be directly across from the existing light. Manager Lessard will contact Bangor Hydro to see if they have any recommendations to improve the lighting in that area.

Following discussion, vote on the motion to install the three lights recommended by Public Safety was unanimously in favor.

c. FOREST INVENTORY PROJECT – COUNCILOR BRANN

Councilor Brann informed the Council that the Town would be eligible for up to \$8000 in matching funds from the State, but the project can not be started until the matching funds have been approved. They will not retroactively reimburse for any project which has already been initiated. The matching funds will not be authorized for at least another month or more, in which case we could not proceed with the inventory nor can we proceed with the mapping until the decision has been made on matching funds. Councilor Brann asked if the Council wished to go forward with the project now or wait until a decision is made on the matching funds. Matching funds will still be available for other projects at a later time. Following discussion relative to the importance of this project in the Comprehensive Planning process, Councilor Colford moved and Councilor Arnett seconded to proceed with the project and authorize Prentiss & Carlisle to begin work. Following discussion, vote on the motion: Councilor Arnett abstained; all others voted in favor – motion carried.

Councilor Brann also distributed information regarding a \$25 million Riverfront Community Development Bond to promote sustainable development along Maine's rivers. This would create a grants program to support voluntary, community-driven projects. Councilor Brann stated that if this bond issue goes through, Hampden can apply for some of that grant money. He moved that the Council send a letter of support for this bond issue to John Burrows of Atlantic Salmon Federation. Councilor Colford seconded the motion and vote was unanimously in favor.

d. EDUCATION PROPOSALS

This item was informational only. Manager Lessard provided a copy of an alternative consolidation proposal by MMA, the Maine Education Association, the Maine State Chamber and the Maine Hospital Association. A public hearing on all of the education consolidation plans was being held in Augusta today. Manager Lessard noted that this is being fast-tracked and something will come this legislative session. She will keep the Council apprised of what develops.

4. NEW BUSINESS

a. LIQUOR LICENSING – DEPT. OF PUBLIC SAFETY

This item was informational only. The Maine Department of Public Safety Liquor Licensing notified the Town that Edwards Family Shop 'n Save, Irving Mainway and Nealley's Corner Store are being considered for agency liquor licenses. The public hearing will be held on February 16th at 9:00 am. Public Safety Director Joe

Rogers has reviewed the list of applicants and reported that there are no issues with any of them.

b. FINANCIAL ISSUES – COUNCILOR ARNETT

- TAXES
- HCB NEW MONEY PLAN
- DEPARTMENT BUDGET PLANNING
- INVESTMENT POLICIES
- INSURANCE/COMPENSATION

Councilor Arnett attended the meeting in Bangor where the Governor presented his Education Consolidation proposal. He said he was struck with the Governor's statement that LD1 had intended to create property tax relief partly through a new funding formula – Essential Programs and Services – and that he was disappointed that although the Legislature was increasing the level of state funding for education, property owners were not seeing very much of that. Councilor Arnett noted that SAD #22 and the Town of Hampden each increased their budgets by approximately 7% last year. He feels that we are at a point where the citizens expect to see some relief and the School Board and Council has a responsibility in that process. Following discussion, it was decided that the Council would hold a pre-budget workshop on Monday, February 26th at 7:00 pm for a round-table discussion of the financial issues listed above and to also include the transfer station, Public Safety and Recreation.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter and Ordinance Committee met earlier and had some discussions with citizens who currently have outdoor wood burning boilers. The Committee continues work on the Mineral Extraction Ordinance and discussion on private pump stations.

Manager Lessard had provided the Council with a list of the items that had been referred to the various Committees as of December 31, 2006. Councilor Gilberti noted that the Appointments Committee had received an application from Peter Weatherbee to be moved from Associate Member of the Planning Board to Regular Member. He moved to suspend the rules to add an item to the agenda to consider Peter Weatherbee's application for Planning Board from Associate to Full Member. Councilor Arnett seconded the motion; Vote on the motion: Councilor Colford opposed; all others in favor – motion carried.

Motion by Councilor Brann, seconded by Councilor Arnett to appoint Peter Weatherbee as a Regular Member of the Planning Board – unanimous vote in favor.

A meeting of the Appointments Committee was scheduled for 6:00 pm on Friday March 2nd.

Councilor Gilberti informed the Council that he will be away for the next regular meeting scheduled for February 20th and the special meeting scheduled for February 26th. He requested an excused absence for both meetings. Motion by Councilor Arnett, seconded by Councilor Brann to excuse Councilor Gilberti for the next regular meeting – unanimous vote in favor. Motion by Councilor Arnett, seconded by Councilor Brann to excuse Councilor Gilberti for the special meeting – unanimous vote in favor.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Arnett reported that the Communications Committee will be televising committee meetings, beginning with the Ordinance Committee, Community Services Committee and Communications Committee this week.

Councilor Murphy said the Cable TV Channel 7 reception at his home is terrible. He has been advised by Time Warner that there is nothing they can do. Manager Lessard has referred this problem to the Town's telecommunications consultant and is awaiting a response back. Councilor Murphy also recommended that the Town Manager draft a letter of appreciation on behalf of the Council to the Public Safety Officers involved in the attempted rape incident.

Mayor Briggs reported that the School Building Committee held a public meeting to obtain input from community members in putting together a concept of what is needed in the community. They are trying to make this a community project and the next meetings will take place on March 9th and 10th.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:25 p.m.

Denise Hodsdon
Town Clerk