

## TOWN COUNCIL MINUTES

JUNE 18, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, June 18, 2007. 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, Robert Gilberti, Thomas Brann, Andrew Colford, Edward Murphy, and Shannon Cox. Matthew Arnett was excused.

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** Town Planner Bob Osborne, Assessor Vivian Gresser, GIS/IT Specialist Gretchen Heldmann, Public Safety Director Joseph Rogers and Pool Director Darcey Peakall

SAD #22 Superintendent Richard Lyons and Asst. Superintendent Emil Genest, School Board Chair Tim Pease and School Board Budget Chair Chris Cox, Pine Tree Landfill representatives, Pool Board member Jim Feverston, a member of the press and citizens

### A. CONSENT AGENDA

Mayor Briggs noted that Councilor Arnett had asked to be excused from the meeting this evening and asked if any Councilor would like to make that motion. Councilor Gilberti so moved, seconded by Councilor Cox and vote was unanimously in favor.

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

Pool Board Member Jim Feverston informed the Council that the Pool Board will hold its 2<sup>nd</sup> Annual Yard Sale from 8:00 am to 1:00 pm on Saturday September 15<sup>th</sup> at the Pool. He also reported that the Board has begun work on the Susan Abraham endowed scholarship to support children in need for scholarships for swimming and swimming lessons. The Board will be seeking 501c3 status to accept gifts that may be separate from the Town. The Board will be coming back to the Council with more information in the future.

Manager Lessard introduced new Public Works Director Galen "Chip" Swan, Jr. and his wife Ann. Chip will begin working with current Public Works Director Greg Nash on July 2<sup>nd</sup>. Chip said he is excited about the position and he is looking forward to serving the community.

## C. POLICY AGENDA

### 1. PUBLIC HEARINGS

#### a. 2008 BUDGET ADOPTION

For the record, Mayor Briggs read the proposed budget for each account as published in the public notice, with a total estimated taxation requirement of \$8,407,108.09. Manager Lessard informed the Council that there is additional information that will need to be discussed once the hearing is opened.

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

Manager Lessard informed the Council that this past week she received a phone call from SAD #22 in regard to the municipal appropriation to the Town of Hampden. While the school budget has been adopted and the bottom line is accurate, there was a miscalculation that resulted in Hampden's taxation amount being increased from \$4,970,011.79 to \$5,027,578.79, a difference of \$57,566. While we were working with the prior estimate, this calculation problem became apparent when SAD #22 was doing the actual assessments and the Town is legally obligated to pay the actual assessment amount. Manager Lessard prepared a memo to the Council (copy attached) outlining some options for the Council to consider. One option is to leave the budget as is and increase the mil rate and the other is to find some additional revenues and reduce the town's share of expenditures without raising the mil rate. She prepared a revised budget (copy attached) based on the adjustments outlined in the memo, which would have a zero impact on the mil rate.

Mayor Briggs then asked if anyone wished to speak in favor or opposition – Proponents: None; Opponents: None

General Questions or Comments: School Board Chair Timothy Pease explained that the problem was discovered last week and SAD #22 has to assess tax on the budget that was approved by the voters. They can only spend what has been approved; therefore they have some limitations about what they can do creatively. Mr. Pease said the Board will recommend making a change to their warrant in case of a situation like this in the future – if they get grants or foundation monies, that there is a mechanism in place that the voters approve ahead of time so that they can make changes in allocations.

Mayor Briggs asked what led to the error. Assistant Superintendent Emil Genest distributed a handout to the Council outlining the cost sharing formula. He explained that the error occurred in the calculation of local cost and that the Total from Taxes for Hampden in the amount of \$4,970,011.79 did not equal the Local EPS Commitment of \$3,636,672.00 plus Adult Education of \$18,971.83 plus Other Local Share of

\$1,371,934.86. Those items actually total \$5,027,578.69. He extended apologies to the Council.

Manager Lessard had discussions with Superintendent Rick Lyons about SAD #22 picking up the cost of the crossing guard (\$5535) and the balance to get the resource officer contribution to 50% (\$4200) as per the agreement with the Town. School Board Chair Pease indicated that they have not been able to get a legal opinion on that increase. Superintendent Lyons followed up and said he had committed to Manager Lessard that the school district would do everything it could to make ends meet from a fiscal point of view and a legal point of view. He committed that they will work hand-in-glove to take a look at those situations, if there are any put on the table that seem feasible, and he would have those endorsed by the Finance Committee and Board of Directors.

The hearing was closed at 7:40 pm.

Manager Lessard gave an explanation for the recommended adjustments in her memo and revised proposed budget, which results in a net budget of \$8,407,107.34.

Motion by Councilor Gilberti, seconded by Councilor Brann to accept the recommended adjustments to the Fiscal Year 2008 budget as presented by the Town Manager – By roll call, the vote was 6-0.

Motion by Councilor Gilberti, seconded by Councilor Brann to accept the Fiscal Year 2008 Budget as revised – unanimous vote in favor.

b. NON-STORM WATER DISCHARGE ORDINANCE

Town Planner Bob Osborne gave a brief introduction of the ordinance and noted that staff has recommended acceptance of the model ordinance.

Motion by Councilor Murphy, seconded by Councilor Colford to adopt the ordinance as proposed – unanimous vote in favor.

c. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE  
RECEIVED FROM HAMPDEN COUNTRY CLUB LOCATED AT 25  
THOMAS ROAD

Mayor Briggs opened the hearing. Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

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

d. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE  
RECEIVED FROM VILLAGE PIZZERIA LOCATED AT 102 MAIN  
ROAD SOUTH

Mayor Briggs opened the hearing. Proponents – None; Opponents –

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

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

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

### **a. VIVIAN GOVE – REGISTRAR OF VOTERS RESIGNATION**

Town Clerk Denise Hodsdon informed the Council that after approximately nine years of service as Registrar of Voters, Vivian Gove has submitted her resignation. Motion by Councilor Gilberti, seconded by Councilor Brann to accept the resignation – unanimous vote in favor. Mayor Briggs expressed appreciation to Mrs. Gove for her many years of service.

### **b. DENISE HODSDON – REGISTRAR OF VOTERS APPOINTMENT**

Motion by Councilor Cox, seconded by Councilor Brann to appoint Denise Hodsdon as Registrar of Voters – By roll call, vote was 6-0.

## **3. UNFINISHED BUSINESS**

### **a. FEES ORDINANCE AMENDMENTS – REFERRAL TO ORDINANCE COMMITTEE**

Motion by Councilor Gilberti, seconded by Councilor Cox to refer the amendments to the Ordinance Committee and the Finance Committee. Following discussion, the motion was amended to send it only to the Finance Committee at this time. Vote was unanimously in favor.

### **b. TANK TRUCK**

Councilor Murphy reported that the Public Safety Committee met with Public Safety Director Joe Rogers and staff to discuss the condition of the current tank truck and the short-term and long-term solutions. H. O. Bouchard has estimated that it would cost approximately \$16,000 to make the necessary repairs to the tank truck. Public Safety staff made three recommendations: 1) To appropriate \$16,000 for the repairs; 2) place an additional \$25,000 into the fire truck reserve account; and 3) place the order for a pumper/tanker truck in 2009 for delivery in 2010 and then place the current pumper truck in second position.

The Committee concluded that the tank truck cannot be operated without the repairs and recommended appropriating \$16,000 from the fire truck refurbishing reserve account.

Councilor Colford moved to take \$200,000 from the Host Community Benefit fund and put it in the fire truck reserve account. Councilor Cox seconded the motion for discussion purposes. A roll call vote was taken

with Councilor Colford voting in favor and all others were opposed – motion did not carry.

Motion by Councilor Murphy, seconded by Councilor Brann to appropriate \$16,000 from the fire truck refurbishing account to allow the department to make the vehicle roadworthy with the intent to order a new truck in 2009 for delivery in 2010. By roll call, motion passed 6-0.

c. LANDCOVER MAP PRESENTATION – GRETCHEN HELDMANN

GIS/IT Specialist Gretchen Heldmann gave a brief background of this project. The Town contracted with Prentiss & Carlisle to produce a landcover map for the entire town as part of the comprehensive planning process. She explained that the map depicts current actual land use based on aerial photo interpretation. The map can be used as a guide by the Code Enforcement Officer in enforcing shoreland zoning regulations. The map will also provide a historical record to track land use over time and determine growth patterns. It can also be used for analysis for percentage comparisons of land use types.

**4. NEW BUSINESS**

a. PENOBSCOT VALLEY PINE TREE ZONE CHANGE

Motion by Councilor Gilberti, seconded by Councilor Colford to authorize the Town Manager to sign on behalf of the Town in support of the proposed amendment to the Penobscot Valley Pine Tree Zone – unanimous vote in favor.

b. ACCEPTANCE OF JOHN'S WAY (SUNSET RIDGE SUBDIVISION)

Manager Lessard informed the Council that all the requirements for road acceptance have been completed and Town Attorney Russell advised that the deeds are satisfactory. Motion by Councilor Colford, seconded by Councilor Gilberti to accept John's Way – unanimous vote in favor.

**D. COMMITTEE REPORTS**

Councilor Gilberti reported that the Economic Development Committee met to discuss two major items. One was a site plan that was presented by the applicant and its contractor for the Haverlock, Estey & Curran building and the plan was accepted by the Committee. The second item was a large project for acquisition of a large lot and construction of a 25,000 square foot building, which would generate tax revenues of approximately \$22,000 to \$25,000 as well as excise taxes of approximately \$35,000 to \$40,000. The developer is looking at options for acquisition of a large parcel of land.

**E. MANAGER'S REPORT**

See copy attached.

The Council decided to hold only one meeting in July, which was scheduled for July 16<sup>th</sup>. The Appointments Committee will meet at 6:00 that evening also.

**F. COUNCILOR'S COMMENTS**

Councilor Colford commented that when traveling the Emerson Mill Road, he was pleasantly surprised that the landfill was much less odorous.

Councilor Murphy offered congratulations to Chip Swan.

Mayor Briggs noted that at the Mecaw Road and Penobscot Meadow Drive, there is an island on Route 202 where the grass has overgrown and signs have fallen down. He wondered whose responsibility it is to maintain those islands. Manager Lessard will look into it and make sure that it is taken care of.

Councilor Cox commented that the outdoor graduation ceremony was a tremendous success and she commended the students for their efforts.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:22 p.m.

Denise Hodsdon  
Town Clerk