

TOWN COUNCIL MINUTES

MARCH 5, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, March 5, 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: 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 and Recreation Director Kurt Mathies

Pine Tree Landfill representatives, a member of the press and citizens

A. CONSENT AGENDA

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

A.3.f. MAINE HISTORIC PRESERVATION/TOWN – HARMONY HALL:

Councilor Arnett asked for clarification of the implications for the maintenance of a property listed on the National Register of Historic Places. Town Planner Bob Osborne explained that this building is already designated as a historic landmark under the Town's Preservation Ordinance and any alterations of the building would require review by the Historic Preservation Commission to ensure the alterations are done in accordance with their rules. The Commission's rules are based on the federal review process for reviewing alterations to historic structures. Alterations to buildings on the National Register would be akin to what is already in place in the Town of Hampden. Manager Lessard explained the designation would allow the owner of the facility to apply for funds for restoration and renovations that are only available to properties listed on the National Register. Motion by Councilor Arnett, seconded by Councilor Brann to accept Item A.3.f. and to send a letter of support for this nomination – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

There were one.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. APPOINTMENTS COMMITTEE RECOMMENDATIONS

The Appointments Committee meeting scheduled for Friday, March 2nd was cancelled due to weather. The meeting was rescheduled for March 12th at 6:00 pm. Committee Chair Gilberti will be away and Mayor Briggs will fill in for him. Councilor Colford will chair the meeting.

3. UNFINISHED BUSINESS

a. CONSERVATION COMMISSION RECOMMENDATION – ALEWIFE FISHERY 2007

The Conservation Commission has recommended that the Town Council request a moratorium on alewife fishing again this year. The Commission is currently seeking out historical data on the reported harvest of alewife fishing and is contemplating conducting a count of alewife movements on the Souadabscook Stream. Motion by Councilor Brann, seconded by Councilor Gilberti to direct the Town Manager to notify the State that Hampden wishes to maintain fishing rights for alewives and to continue with the moratorium – unanimous vote in favor.

b. DOLLARS FOR SCHOLARS – TOLL BOOTH REQUEST

Carla Bommarito of Dollars for Scholars requested permission to hold their annual toll booth on April 28th from 9:00 am to 1:00 pm on Route 1-A. Motion by Councilor Brann, seconded by Councilor Murphy to grant the request – unanimous vote in favor. Councilor Colford suggested that Public Safety set up the portable sign alerting motorists of the upcoming toll booth.

c. OUTDOOR WOODBURNING FURNACE ORDINANCE – INTRODUCTION FOR PUBLIC HEARING

Councilor Arnett introduced both the proposed Outdoor Wood-fired Boiler Licensing Ordinance and the proposed amendments to the Fire Prevention Code for public hearing at the next regular meeting.

d. HOST COMMUNITY BENEFIT – EXPENDITURE PRIORITIES

There was discussion about the use of lump sum payments that

will be received from Casella under the new Host Community Benefit Agreement. Under the agreement, \$700,000 will be received on July 1, 2007, \$500,000 will be received on July 1, 2008 and \$300,000 will be received on July 1, 2009. Manager Lessard informed the Council that the current balance on the Business Park debt is \$1.2 million and there is a balance of \$360,000 on the LL Bean parcel. There were several suggestions on how to use the lump sum payments to pay off these debts. Councilor Brann suggested using the first payment of \$700,000 together with existing Host Community Funds to pay off both the \$1.2 million debt on the Business Park and the \$360,000 on the LL Bean parcel. Councilor Arnett moved and Councilor Gilberti seconded to endorse the plan put forth by Councilor Brann. By roll call the vote was 7-0.

e. **COMPREHENSIVE PLAN COMMITTEE – COUNCILOR ARNETT**

Councilor Arnett asked for clarification as to the composition of the Comprehensive Planning Committee and what role the Community Services Committee will play in the Comprehensive Planning process. Mayor Briggs clarified there is no comprehensive planning committee as such, but that the Council agreed to hire a consultant from EMDC. At a recent meeting with EMDC there was discussion relative to tentative timetables and priorities. An aggressive plan was put together and because the Community Services Committee meets on a bi-weekly basis, it allows a forum for public input. It was decided that EMDC would make reports to the Town on a 2-week basis. The Community Services Committee will review the reports and provide feedback. Councilor Brann said it was his understanding that the Community Services Committee has been heavily involved because it has been working on land use issues, which was identified as one of the priorities, but it was not the intent to put the entire comprehensive planning process on that one committee. Other portions of the Plan will be referred to other committees and to staff.

4. NEW BUSINESS

a. **ROAD ACCEPTANCE – HIGHLAND RIDGE**

Manager Lessard reported that the deed work for this road has not yet been completed and requested that this item be postponed until the next meeting. Councilor Murphy moved and Councilor Brann seconded to postpone this item until the next meeting on March 19th – unanimous vote in favor.

b. **SNOWMOBILE TRAIL MARKINGS AT ROAD CROSSINGS – COUNCILOR BRANN**

Councilor Brann received calls from constituents who have expressed concern about snowmobiles darting out from the trails

onto roads. He suggested that there is a need for road signs at snowmobile crossings. Manager Lessard has talked with Steve Eyles, the trail master for the Snowmobile Club and he would like to meet with the Council or a sub-committee prior to the Town taking any action, but he was unable to attend tonight. This item was referred to the Public Safety Committee and a meeting of that committee was scheduled for Wednesday, March 14th at 6:00 pm.

c. ACCEPTANCE OF FORFEITED PROPERTY

The Maine Attorney General's office has notified the Town that it may be eligible for a criminal forfeiture in the amount of \$512.00 resulting from a criminal investigation by the Hampden Police Department. The Council must vote to accept the transfer of forfeiture assets if the Court so orders. Motion by Councilor Brann, seconded by Councilor Gilberti to accept the transfer and to use the funds toward the Public Safety deck project – unanimous vote in favor.

d. PUBLIC WORKS DIRECTOR RETIREMENT/TRANSITION PLAN

Manager Lessard informed the Council that Public Works Director Greg Nash has announced his retirement effective at the end of August. Manager Lessard's plan is to advertise the position immediately and hire a new Director to work with Greg during a transition period. Following discussion, the Council unanimously endorsed Manager Lessard's plan.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter and Ordinance Committee met earlier and is making good progress on a number of items including the Mineral Extraction ordinance, private pump stations and the Deputy Mayor concept. He reported that it appears no change is needed in the current Mobile Home Park Ordinance to deal with enforcement and administration issues discussed at the last meeting.

Councilor Arnett further reported that the Communications Committee continues development of the website and Cable TV broadcasts of Town committee meetings.

E. MANAGER'S REPORT

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

APPOINTEE - SCHOOL BUDGET COMMITTEE: By unanimous consent Councilor Murphy was appointed as the Council's representative to this committee.

F. COUNCILOR'S COMMENTS

Councilor Murphy toured the new ambulance and commented that it is really nice.

He noted that there is water damage to the floor and sheetrock in the municipal building downstairs hallway near the generator room. He expressed concern that there could be a mold situation developing there if it was not corrected. Manager Lessard informed the Council that an inspector has been in to check for mold and we are seeking persons to remediate that. She also explained that we have taken a number of steps since this portion of the building was constructed to try to correct the water problem and continue to look for solutions.

Councilor Murphy also asked for run statistics for the Fire Department's tank truck for the last three years for review at the Public Safety Committee meeting on March 14th.

Councilor Cox said she received a phone call from a constituent who asked about seeing the language contained in the grant that provides part of the funding for the school safety officer. She asked Manager Lessard for a breakdown of how that position is funded based on grant funding and what comes in from SAD #22.

Councilor Gilberti commented about a recent article in the *Bangor Daily News* concerning the new courthouse being considered in Bangor. He noted that because of the proposed location in proximity to the jail, there is a need for increased security costs and vehicle/transportation costs, which will have a direct effect on the County budget. He felt that the design and location is ill-conceived and that there are other alternatives.

Councilor Colford asked that the Public Safety Committee look at paramedic coverage/staffing at its meeting on March 14th.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:05 p.m.

Denise Hodsdon
Town Clerk