

TOWN COUNCIL MINUTES

MAY 21, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, May 21, 2007. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:04 p.m.

Attendance: Councilors: Mayor 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, Library Director Debbie Lozito, Town Assessor Vivian Gresser, GIS/IT Specialist Gretchen Heldmann, Pool Director Darcey Peakall, Economic Development Director Bion Foster and Recreation Director Kurt Mathies

Pine Tree Landfill representatives, Communications Committee Vice-Chair Andre Cushing, Economic Development Committee Chair Colby Clendenning, William and Rachel Shakespeare and citizens

A. CONSENT AGENDA

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

Bill Shakespeare of 1060 Western Avenue addressed the Council and expressed disappointment in how the Council handled his complaint. A copy of his comments is attached.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE RECEIVED FROM WARREN CARUSO, d/b/a DANA'S GRILL at DOCKSIDE, 100 MARINA ROAD

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

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

- a. WARRANT AND NOTICE OF ELECTION – SAD #22 BUDGET VALIDATION REFERENDUM TO BE HELD ON 6/12/07 – COUNCIL'S COUNTERSIGNATURES

The Warrant and Notice of Election was circulated for Council signatures.

3. UNFINISHED BUSINESS

- a. MORATORIUM ORDINANCE – MINERAL EXTRACTION

The Earthmoving Moratorium Ordinance that was in effect expired on May 14th and if the Council wishes to continue with a moratorium it must adopt a new moratorium ordinance. Councilor Arnett reported that the Charter & Ordinance Committee has completed its work on the Mineral Extraction Ordinance and will be referring it to the Town Attorney and Planning Board. It is the Committee's intent to make the ordinance retroactive to May 14th. The Committee does not wish to hinder construction activity and recommends that the moratorium extension may not be necessary. However, Attorney Russell advised introducing the moratorium for public hearing and have it in place while work is completed on the Mineral Extraction Ordinance. The moratorium could be repealed when the new ordinance is enacted. Councilor Brann introduced the Moratorium Ordinance for public hearing at the next meeting.

- b. HAMPDEN'S SLOGAN CONTEST WINNER

Councilor Arnett informed the Council that the Communications Committee has chosen a winning slogan "The Community of Choice in Central Maine" to be used on the new website. He asked for official Council endorsement of this slogan. Councilor Gilberti so moved; Councilor Brann seconded the motion and vote was unanimously in favor.

- c. ECONOMIC DEVELOPMENT DISCUSSION

The purpose of this discussion was to identify goals and objectives and to determine if the current arrangement with Economic Development Director Bion Foster will meet those goals and objectives. Bion and Manager Lessard requested this discussion in order to put forth a 2008 budget that meets the Council's expectations. Bion gave a brief history of his contractual relationship with the Town and informed the Council that he is currently averaging fourteen hours per week. Bion pointed out that with the long-range plan focusing on development of the Coldbrook Road corridor, Main Road North and waterfront area and the Four-Mile Square area, we are looking at a timeline that could be out several years. Bion said that if the Council wishes to move forward with all these areas simultaneously and continue to promote the Business Park, he has

concern about being able to devote enough time to the Town. He noted that beyond January 1st he will not be able to commit anymore time than he is currently. He said he would be able to provide a higher overview level of economic development initiatives as long as it does not exceed the current number of hours he devotes now.

Following considerable discussion, it was decided that Bion and Manager Lessard would prepare a budget that includes an additional staff person to work with the Economic Development Director as well as the Planner and Code Enforcement Officer.

4. NEW BUSINESS

a. GOODELL FARM ROAD – RESIDENTS REQUEST

Denis St. Peter of 741 Western Avenue met with Manager Lessard about what it would take for Goodell Farm Road to be accepted by the Town. The residents of the road have proposed a plan and Mr. St. Peter presented that plan to the Council. There are currently six residents and the road is deteriorating. They propose building the road to town standards for public ways and then have the Town accept the road. They are looking for Council's acceptance of the concept before they proceed. It was the consensus of the Council that the residents should go forward with their plan, with the understanding that roads are accepted on a case-by-case basis at the time they are presented.

b. COUNCIL APPROVAL – RE-REGISTRATION AUTHORITY FOR RENTAL VEHICLES FOR HAMPDEN BUSINESSES

Manager Lessard informed the Council that the Town has the opportunity to gain permission to do re-registrations for rental vehicles with authorization from the Council and staff training. This would include rental cars and for-hire vehicles. Motion by Councilor Brann, seconded by Councilor Colford to authorize the Town to do re-registrations of rental vehicles. Mayor Briggs and Councilor Murphy both said they would abstain from voting. Councilor Brann stated that there would be no conflict of interest as there would be no fiduciary gain for them and moved to reject the request for abstention based on conflict of interest. Councilor Arnett seconded the motion and vote was unanimously in favor. Vote on the main motion to authorize re-registration of rental vehicles was unanimously in favor.

c. BUDGET 2008 – COMMUNICATIONS, RECREATION, POOL, LIBRARY, GIS/IT, ASSESSING/PLANNING, and TAX COLLECTOR

01-03 COMMUNICATIONS

Communications Vice-Chair Andre Cushing presented the budget as drafted, but several Councilors requested a line-by-line breakdown. The budget will be re-drafted to separate the Cable TV budget from other communications expenses and will be re-agendaed for the next meeting.

20-01 RECREATION

No change was made to the proposed total amount of \$119,381.00

20-20 LURA HOIT POOL

No change was made to the proposed total amount of \$328,083.00.

20-10 DYER LIBRARY

Manager Lessard informed the Council that the Library Trustees have requested that the budget include a 3% increase in the book line item. That increase was not included in the proposed budget and would need to be changed if the Council so-desired.

20-10-10-03 INTERLIBRARY LOAN

Library Director Debbie Lozito noted that this amount should be \$1,288.00 instead of \$1886.00.

20-10-10-15 BOOKS/PUBLICATIONS

Motion by Councilor Gilberti, seconded by Councilor Cox to increase this line item from \$12,250.00 to \$13,500.00 – unanimous vote in favor.

20-10-10-16 PERIODICALS

Motion by Councilor Cox, seconded by Councilor Arnett to increase this line item from \$700.00 to \$1500.00 – unanimous vote in favor.

With the above adjustments, the new proposed total amount for the Library is \$220,404.00.

01-02 GIS/IT

No change was made to the proposed total amount of \$81,608.00.

01-25 PLANNING/ASSESSING

No change was made to the proposed total amount of \$225,741.00.

01-15 TAX COLLECTOR

No change was made to the proposed total amount of \$6,000.00.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter and Ordinance Committee met earlier and is recommending that the mineral extraction ordinance be forwarded to the Town Attorney and Planning Board. The private sewer ordinance has already been

forwarded to the Town Attorney and Planning Board. The Committee reviewed a model Non-Storm Water Discharge Ordinance prepared by the Maine Municipal Association, the purpose of which is to create a mechanism at a municipal level to regulate pollutants going into the storm water stream. The Committee endorses the model ordinance and requests that it be introduced for public hearing. The Committee continues its review of the Town Charter. Due to the heavy burden on the Charter & Ordinance Committee, they plan to change their regular meetings to the 2nd and 4th Tuesdays of the month for the near future.

Councilor Brann reported that the Comprehensive Planning Committee has completed a conceptual vision of the triangle in the northeast section of Town and the Consultant is in the process of consolidating that for presentation to the Council.

E. MANAGER'S REPORT

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

REQUEST FOR DONATIONS – FUNDRAISER FOR MAINE TROOPS IN IRAQ –
Councilor Colford requested that this item be agendaed for discussion at the next regular Council meeting.

F. COUNCILOR'S COMMENTS

There were none.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:55 p.m.

Denise Hodsdon
Town Clerk