

TOWN COUNCIL MINUTES

JUNE 20, 2011

The regularly scheduled meeting of the Hampden Town Council was held on Monday, June 20, 2011. The meeting was held at the municipal building council chambers and was called to order by Mayor Hughes at 7:02 p.m.

Attendance: Councilors: Mayor Janet Hughes, Andre Cushing, Thomas Brann, Jean Lawlis, William Shakespeare, Kristen Hornbrook and Shelby Wright

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Safety Director Joseph Rogers, GIS/IT Specialist Gretchen Heldmann, Assessor Kelly Karter, Economic Development Director Dean Bennett, Town Planner Robert Osborne, Pool Director Darcey Peakhall, Library Director Debora Lozito

Citizens and members of the press

The first order of business was the swearing in of Councilor-Elect Shelby Wright by Attorney Russell.

A. CONSENT AGENDA

Motion by Councilor Cushing, seconded by Councilor Brann to accept the balance of the consent agenda; unanimous vote in favor.

B. PUBLIC COMMENTS

In order to allow ample time for the budget hearing, Mayor Hughes asked to move the Policy Agenda ahead of Public Comments – Councilor Brann so moved; Councilor Shakespeare seconded the motion and vote was unanimously in favor.

Following New Business, the Council returned to the Public Comment portion of the agenda.

Eric McVay of 23 Cottage Street suggested that in reviewing Saturday bus service, perhaps the Council could invite some self-advocates to those meetings. He also announced that he took home the silver medal in the softball throw at the Special Olympics and he finished in 7th place in the 100-meter.

Shelley Blosser of 344 Main Road South said she is a member of HALO, but she is not HALO – she is an individual. She hoped that the Council and citizens would realize that when people get up, just because they are part of an organization does not mean that they represent the entire organization nor does it mean that when they make comments

that the entire organization should be painted with that same brush. She said HALO is not about outstanding conflicts, it is about the concern that there is a philosophy out there in government that really takes some of our constitutional rights and leaves them open to interpretation. She said her philosophy is that government is best when it is limited and that the Constitution was instituted to chain government. She said in her search in comprehensive planning, she has come across some history that is alarming and she is trying to determine what is truth and what is hype. But one thing she is finding is that both sides of the political spectrum are concerned – not just the right, not a just a fringe group and not just Tea Party activists. She circulated a list of websites that she found to be very informative and asked that people take a look at them if they would like to know what members of HALO are concerned about.

Jeremy Jones of the Partridge Road said “as wisdom and warning – with the first link the chain is forged; the first censored speech, the first thought forbidden, the first freedom denied – chains us all irrevocably. The first time any man’s freedom is trodden on we are all enslaved.”

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. APPLICATION FOR VICTUALERS LICENSE RECEIVED FROM MAC’S CONVENIENCE STORE d/b/a CIRCLE K #7057, AT 63 MAIN ROAD NORTH

Mayor Hughes explained the procedure for the public hearing and then opened the hearing. No one spoke in favor or opposition and there were no questions or comments – the hearing was closed.

Motion by Councilor Brann, seconded by Councilor Cushing to approve the application; unanimous vote in favor.

b. ADOPTION OF 2011/2012 BUDGET

Manager Lessard gave a presentation of the proposed budget and noted that as proposed, the Town will be able to retain the current level of services and infrastructure and maintain the current mil rate of \$15.90. The proposed budget also includes the addition of Saturday bus service.

Mayor Hughes opened the public hearing:

Proponents: Eric McVay of 23 Cottage Street urged support of the proposed budget including the addition of Saturday service for the bus.

Opponents: None

Questions/Comments: Lisa Kelley of 19 Clark Circle reiterated the fact that there are several residents who sincerely feel that Town funds should be used to run the Town, and that donations to outside agencies should be left up to individuals.

Alex King of 807 Kennebec Road concurred with Mrs. Kelley and expressed concern with the lack of a policy or criteria on which outside agencies are eligible for funding. Other than that, he felt that the Council has done a very good job with the budget.

Sam Manhart of Elm Street West, a teacher and swim team coach at Hampden Academy, thanked the Council for its commitment to the community and spoke in favor of supporting the Lura Hoit Pool. He noted several benefits of the pool and urged the community and council to consider the pool as neither a luxury that the town can perhaps no longer afford nor as something trivial, but rather as a treasure on par with the Edythe Dyer Library and new Hampden Academy now under construction that will draw people to Hampden.

Greg Hawkins of Rawley Drive, Co-Chair of the Pool Board, spoke in support of the budget and expanded on Mr. Manhart's comments regarding the pool. He guessed that the vast majority of people in Hampden, at one point or another, are going to be affected by the pool. He feels that the residents of Hampden are getting a lot for their money with a mil rate of \$15.90 – a fire department; a police department; the best school system money can buy; and a top-notch recreation program, including the pool. He said that if the Council decides to scrap the pool to save \$.40 on the mil rate, he doesn't believe that people will decide to move to Hampden because you lowered the mil rate by \$.40. He feels that the budget is a bargain.

Anne Bennett of Dewey Street expressed concern that the Hampden Garden Club would be lumped with other outside agencies. She explained that the Club has requested funds from the Town to help with the funds needed for the major repairs to historic Harmony Hall.

The hearing was closed at 7:44 p.m.

Councilor Lawlis commented that there has been no proposal that she is aware of to not support the pool in this upcoming budget. She pointed out that the Council has been discussing the need to be pro-active in trying to keep the pool open, but we need to figure out a way to fund it in the future.

Motion by Councilor Brann, seconded by Councilor Cushing to adopt the budget as submitted.

Discussion: Councilor Hornbrook said she supports adoption of the budget with the removal of the entire amount of \$21,193.00 for outside agencies.

Councilor Shakespeare said he will not vote to fund some of the outside agencies, but would support all in Hampden. He felt that citizens don't have to be concerned about the pool right now, but explained that most of the discussion has been on how to make the pool more self-supporting.

Councilor Lawlis commented that the outside agency representatives spoke about who they are and what they do for citizens in the Town of Hampden. She said that if the Town had to provide those kinds of services to our citizens, it would be a lot more expensive than what we donate to those agencies.

Councilor Hornbrook said there a couple of line items in the Economic Development budget and several other items that she wanted to discuss.

There was a question about procedure as to whether the Council should approve each portion of the budget. Councilor Brann pointed out that there is a motion on the floor to adopt the budget as submitted and that the Council needed to vote on that motion first.

Vote on the motion was 4 in favor (Lawlis, Hughes, Brann and Wright) and 3 opposed (Shakespeare, Cushing & Hornbrook) – motion carried.

Mayor Hughes noted that there is considerable concern about the outside agency requests and said she would like to see a policy on how to review those requests. She said she would like to see that policy developed and tried based on the existing budget and that although the Council has approved the budget, that doesn't mean that it has approved each line item. She said she would also like to hear Councilor Hornbrook's concerns.

Councilor Hornbrook said her issues were the outside agency requests and she is uncomfortable spending \$4,500 on marketing and advertising in the Economic Development budget. She noted that there was never any discussion about scrapping the pool, but she wonders if it is possible to privatize its operation.

A copy of the budget as adopted is attached. Implementation of Saturday bus service was referred to the Services Committee and it will be reviewed again six months after it begins. The development of an outside agency funding policy was referred to the Finance & Administration Committee and discussion of funding of advertising and marketing was referred to the Planning & Development Committee.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. OFFICIAL RETURN OF VOTES – SPECIAL ELECTION – 6/14/2011

Town Clerk Denise Hodsdon reported the results of the Special Election and the Official Return was circulated for Councilors' signatures.

3. UNFINISHED BUSINESS

a. RECORD REQUEST FORM

The Council reviewed the proposed form for requesting administrative records from the Town (copy attached). Motion by Councilor Brann, seconded by Councilor Lawlis to adopt the form; unanimous vote in favor. The form will be available on the Town's website.

b. ETHICS ORDINANCE/COUNCIL RULES – REFERRAL TO FINANCE & ADMINISTRATION COMMITTEE

Councilor Brann referred both of these items to the Finance & Administration



**TOWN OF HAMPDEN
FY 2012 BUDGET
ADOPTED BY TOWN COUNCIL
JUNE 20, 2011**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2012
01-01	ADMINISTRATION	\$559,798.00
01-02	GIS/IT	\$100,469.00
01-03	COMMUNICATIONS	\$30,567.00
01-05	TOWN COUNCIL	\$38,491.00
01-10	MUNICIPAL BUILDING	\$105,748.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$6,950.00
01-25	PLANNING/ASSESSING	\$250,605.00
01-30	ECONOMIC DEVELOPMENT	\$92,095.00
05-03	NON-DEPT. UTILITIES	\$467,876.00
05-01	POLICE	\$1,010,777.00
05-05	FIRE DEPARTMENT	\$926,324.00
05-10	PUBLIC SAFETY	\$171,751.00
10-01	PUBLIC WORKS	\$1,366,060.00
10-05	MUNICIPAL GARAGE	\$30,340.00
15-10	SOLID WASTE	\$383,482.00
20-01	RECREATION	\$139,410.00
20-10	DYER LIBRARY	\$237,583.00
20-20	LURA HOIT POOL	\$331,270.00
20-25	MARINA	\$500.00
25-10	THE BUS	\$72,000.00
30-10	BUILDINGS & GROUNDS	\$86,729.00
38-00	OUTSIDE AGENCY REQUESTS	\$21,193.00
40-10	GENERAL ASSISTANCE	\$10,000.00
50-10	DEBT SERVICE	\$403,688.00
55-00	RESERVES	\$240,000.00
GROSS	MUNICIPAL BUDGET TOTAL	\$7,089,706.00
LESS	MUNICIPAL REVENUES -	\$3,684,000.00
= NET	MUNICIPAL BUDGET TOTAL	\$3,405,706.00
	SAD #22 TAXATION AMOUNT	\$5,184,588.00
	COUNTY TAXATION AMOUNT	\$662,172.00
	TIF APPROPRIATION	\$32,000.00

ESTIMATED TOTAL TAXATION REQUIREMENT \$9,284,466.00

As adopted, the 2012 Budget should result in a tax rate of \$15.90 per thousand, the same as 2009 - 2011.

Copies of the proposed FY 2012 Budget are available for public inspection at the Hampden Town Office.

C-3-a

RECORD REQUEST FORM
TOWN OF HAMPDEN

TO BE COMPLETED BY CUSTOMER

DATE: _____

NAME: _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

SPECIFIC RECORD(S) REQUESTED:

FORMAT REQUESTED: _____

SIGNATURE

TO BE COMPLETED BY STAFF AND RETURNED TO CUSTOMER

DATE RECEIVED: _____

ESTIMATED TIME FOR COMPLETION OF REQUEST: _____

ESTIMATED COST:

CD/DVD FEE _____

COPIER FEES _____

\$10 PER HOUR RESEARCH (FOR ALL HOURS OVER 1)

\$10 x ___ HOURS = _____

PAYMENT IN ADVANCE IS REQUIRED FOR ALL ESTIMATES OVER \$100.

____ RECORD IS CONSIDERED CONFIDENTIAL PURSUANT TO MAINE LAW AND
WILL NOT BE PROVIDED

Committee and added that the Town Charter is also in need of review and referred that to the committee as well.

4. NEW BUSINESS

a. NEW COUNCILOR COMMITTEE ASSIGNMENTS

Mayor Hughes appointed Councilor Wright to the Infrastructure Committee and the Services Committee.

b. NEXT MEETING DATE

Due to the Independence Day holiday, Councilor Brann moved and Councilor Lawlis seconded to cancel the first meeting of July; unanimous vote in favor.

D. COMMITTEE REPORTS

Communications – Councilor Hornbrook reported that all the items on the committee's June 16th agenda have been postponed until the next meeting on July 21st.

Infrastructure – Councilor Shakespeare reported that the committee will meet at 6:00 pm on Monday, June 27th.

Finance & Administration – Manager Lessard reported that the committee reviewed bids submitted through Maine Power Options for fuel usage for the coming year – Foster Energy was the low bidder at a price of rack plus .149 cents per gallon and the Town will have the option of locking in a price as we get closer to the heating season. The Town has received information that the Department of Transportation has set aside \$8,000 for engineering work toward completing the sidewalk on Western Avenue. The committee also discussed the lights at the marina parking lot, which apparently have not operated for some time. Paul Philbrick of ELCO Electric has looked at the lights and has estimated that any kind of repair or renovation would be \$10,000 or more. This subject was referred to the Infrastructure Committee.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

F. COUNCILOR'S COMMENTS

Councilor Shakespeare said he was disappointed on the vote on the budget; that it happened so quickly. He said there were some items on the outside agency list that he was definitely against but said one of the great things about this Council is that we can agree to disagree on many items. He congratulated Councilor Wright and welcomed her to the Council.

Councilor Lawlis said she voted for the budget because we have been through many meetings and looked at every item. While she doesn't agree 100% with everything in

MANAGER'S REPORT

June 20, 2011

Everest Presentation – Bangor Public Library – There is a free slide show/presentation on July 7th at 6:30 p.m. at the Bangor Public Library by Everest climber, and photographer Edward Webster. Councilor Hornbrook has been instrumental in fundraising to bring this interesting and informative speaker to the region. It is a family event and all interested residents are encouraged to attend!

Infrastructure Committee Meeting – The next Infrastructure Committee Meeting will be held on Monday, June 27, 2011 at 6 p.m.

Pink Garden Slate – Many, many thanks to Flag Circle of Hampden for the generous donation of the slate to hang in the Pink Garden in front of the Municipal Building. They designed and made the slate and donated it to the Town. It is a beautiful addition and greatly appreciated. A reminder to anyone 'thinning' pink perennials from their home gardens – we are always accepting plant donations for the garden as well.

LD 1 and LD 1575 – The passage and signing of LD1 and LD 1575 allow me to serve out the remainder of my term as Chair of the Board of Environmental Protection. The size of the Board is reduced from 10 to 7 members under LD1, and the scope of work of the Board is reduced. That bill also contains transition language that keeps the current Board intact through September 15th. LD 1575 removes the conflict provision for members who work for employers who hold stormwater or sewer permits. My four year term expires with the mid-September date. The Governor will be making appointments to fill vacancies in the fall session.

Safety Grant - The Police Department has received another safety grant from the Maine Municipal Association. This one is for \$1233.33 for the purchase of traffic safety equipment. Congratulations to Sargent Webber for writing this successful grant application.

Brush Truck Bids – Brush truck bids were opened on June 15, 2011. There were two bidders. The Fire Department is in the process of reviewing the bids insure that both meet specifications and will have a recommendation for the Council at a future Council meeting.

Recreation Running News – The Hampden 8.5 mile Run was held on Sunday, June 19th and hosted 63 participants – the largest field ever! The overall female winner was Elizabeth Brunton of Sullivan and the overall male winner was Matt McClintock of Athens. The 1st ever 1 mile 'Fun Run' was also held on the same date and the winner of that race was Cameron Mathies.

Newsletter – The deadline for the next edition of the Newsletter is Monday – so if anyone has any information for it – please get it to me by that date!

the budget, it looked as if there was large agreement on all the items in the budget. She said she was glad we had the chance to talk about the outside agencies a little more and she looks forward to seeing fully articulated, discussed and agreed to decision criteria for how to evaluate outside agencies. She also informed everyone that the Hampden Garden Club is holding four farmers markets in July, August and September.

Councilor Brann applauded the efforts of the Garden Club in having a farmers market, but noted that people have asked why the Town doesn't have a regular farmers market and he feels that we need to encourage that. He also commented that the budget was not really passed quickly – budget discussions were started several months ago and at every Finance Committee meeting, there is a review of how the money has been spent.

Councilor Cushing let everyone know that the Garden Club is also holding an artists' night this Friday and Saturday at Harmony Hall. Local artists will have their work on display and for sale at the event.

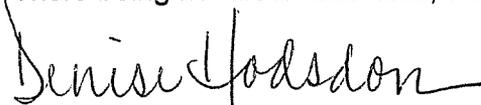
Councilor Hornbrook congratulated Councilor Wright and welcomed her to the Council. She thanked the residents for coming and for watching at home. She also encouraged everyone to attend the presentation by Everest climber and photographer Edward Webster at the Bangor Public Library on July 7th.

Councilor Wright thanked the Council for welcoming her and thanked the Town of Hampden for trusting her and giving her the responsibility to serve. She also thanked her opponent, Bernie Philbrick, whom she said ran a clean and fair race.

Mayor Hughes welcomed Councilor Wright and wished her luck. She also congratulated the Class of 2012 and wished them luck in their future endeavors. She congratulated Katahdin Trust and welcomed them to Town.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:29 p.m.



Denise Hodsdon
Town Clerk