



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING

MINUTES

MONDAY

OCTOBER 7, 2013

7:00 P.M.

Attending:

*Mayor Janet Hughes
Councilor Tom Brann
Councilor David Ryder
Councilor Jean Lawlis
Councilor Bill Shakespeare
Councilor Carol Duprey*

*Town Manager Susan Lessard
Town Clerk Denise Hodsdon
Town Planner Bob Osborne
Citizens*

The meeting was called to order by Mayor Hughes at 7:07 p.m.

A. CONSENT AGENDA – *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept the Consent Agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. **Municipal Review Committee – Letter Discussing Legislation Impacting Future MSW Disposal**
- b. **Hampden Historical Society/Gretchen Heldmann – Thank You**

4. REPORTS

- a. **Finance & Administration Committee Minutes – 9/16/13**
- b. **Infrastructure Committee Minutes – 9/23/13**
- c. **Monthly Department Reports – September 2013**
- d. **Rapid Renewal Reports – July, August & September 2013**

B. PUBLIC COMMENTS – *There were none.*

C. POLICY AGENDA

1. PUBLIC HEARINGS – *There were none.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

NOTE: The Council will take a 5-minute recess at 8:00 pm.

- a. **Warrant for Municipal Election** – *Motion by Councilor Lawlis, seconded by Councilor Brann to approve the warrant for the Municipal Election. Unanimous vote in favor.*
- b. **Notice of Election – State of Maine Referendum** – *This item was informational only.*

3. UNFINISHED BUSINESS – *There was none.*

4. NEW BUSINESS

- a. **Request to use Computer Reserve funds for Replacement of Town Office Server** – *Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the expenditure of \$9,305.13 from the Computer Reserve account to replace the Town Office server. Unanimous vote in favor.*
- b. **Rancourt Town Farm Subdivision Open Space Acceptance Request** – *Town Planner Bob Osborne informed the Council that developer Harry Rancourt has requested that the Town accept the open space abutting the rear property lines of 33 Country Meadow, 39 Country Meadow and 25 Country Meadow. Bob explained that these are narrow strips of land that do not adjoin any other town open space. When the Planning Board approved the plan, the open space was to be retained by the developer and if it had been the intent to convey it to the Town, it would have gone to the Recreation and Conservation committees for review. The Planning & Development Committee has discussed the request and unanimously recommended to not accept the open space as offered by the Rancourts. Manager Lessard noted that she has talked with Mr. Rancourt and he has indicated that he will stop paying the taxes on this property so the Town will own it eventually. Motion by Councilor Brann, seconded by Councilor Lawlis to not accept the open space. Vote was 3 in favor (Lawlis, Brann and Shakespeare) and 3 opposed (Duprey, Ryder and Hughes); motion failed. Motion by Mayor Hughes, seconded by Councilor Lawlis to accept the open space. Vote was 3 in favor (Duprey, Ryder and Hughes) and 3 opposed (Lawlis, Brann and Shakespeare); motion failed.*
- c. **Chickadee Crossing Subdivision** – *It was noted that Attorney Russell has reviewed the proposed deed and the title insurance policy and has found both to be satisfactory.*
 1. **Acceptance of Chickadee Lane as Town Way** – *Motion by Councilor Lawlis, seconded by Councilor Shakespeare to accept Chickadee Lane as a town way. During discussion, Councilor Brann said he had a problem with accepting the drainage ditches and considers them to be mini wetlands which would be impossible for the Town to manage as open space. He feels they should be attached to the lots and not given to the Town.*

Councilor Lawlis pointed out that this has already been through the process and it is not right to second-guess it now. Attorney Russell recommended amending the motion to include the six open space parcels. Councilor Lawlis and Councilor Shakespeare amended the motion to accept Chickadee Lane as a town way and the six open space parcels included in the deed. Vote on the motion as amended was 5-1 (Brann); motion carried.

- 2. Acceptance of Conservation Easement** – *Engineer Jim Kiser explained that the conservation easement is part of mitigation of wetland impact. Motion by Councilor Brann, seconded by Councilor Lawlis to accept the conservation easement. Unanimous vote in favor.*

- d. School Resource Officer – Acceptance of Grant** – *Manager Lessard explained that this grant would be for a second School Resource Officer. The grant is for \$125,000 for a 3-year period with the requirement to retain the SRO for a 4th year at the expense of the Town and/or School District. She said the school board has not approved funding for this additional position at this time. She reported that the Finance Committee voted 4-2 to accept the grant.*

Councilor Ryder noted that the current budget does not include funding for the position and questioned where the money would come from for this year. Manager Lessard said the position would not be filled until at least January and we could use 50% of the grant to fund until the end of the fiscal year with the understanding that the next two years would be at a lesser rate.

Councilor Shakespeare commented that the 4-year commitment is scary, but feels that the benefits far outweigh that cost. He did feel that the School District should commit to some funding.

Motion by Councilor Brann, seconded by Councilor Shakespeare to authorize the Town Manger to accept the grant on behalf of the Town. Following discussion vote on the motion was 4-2 (Ryder and Duprey); motion carried.

- e. Sucker Brook Watershed Plan – Acceptance of Grant** – *Manager Lessard explained that Sucker Brook will be declared an impaired water body and the Town will be required to develop a plan for mitigation. She informed the Council that this grant would be for approximately \$20,000 with no out-of-pocket expense required from the Town but would require dedication of staff time. Motion by Councilor Brann, seconded by Councilor Shakespeare to accept the grant. Unanimous vote in favor.*

- f. Reschedule Meetings:**

- 1. November 4th Council Meeting** – *Manager Lessard noted that the first meeting of November was the night before the Election and asked the Council if it wished to meet on that date. Motion by Mayor Hughes, seconded by Councilor Lawlis to cancel the*

November 4 Council meeting unless there was a need for a meeting, at which time it would be rescheduled to another date. Unanimous vote in favor.

- 2. October Services Committee Meeting to Tuesday, Oct. 15th –**
The meeting was rescheduled to Thursday, October 17th.

g. Cancer Rate – Coldbrook Road Area – Councilor Duprey

- 1. Request to hear from area residents;**
- 2. Request for Town to pay for 3rd Party Survey of area's current and former residents**

This was a request by Councilor Duprey for the Council to hear from residents of the Coldbrook Road area regarding cancer rates in that area. Jim Barrows of the Coldbrook Road explained that the area affected that he knows about personally is the ½ mile stretch from HO Bouchard to the horse farm. He noted that there are 20 houses within that stretch and he knows of 31 cases of cancer in that area. He believes that has doubled since 2002 when he came to the Town and asked that the Town look into it because the cancer registry has done nothing. In 2002 Manager Lessard wrote to the cancer registry and Mr. Barrows said the state still has done nothing and it is his understanding that until the numbers get higher, they are not going to do anything. Manager Lessard explained that this has been ongoing since 2002 when Mr. Barrows came to see her about cases that went back approximately 15 years. At that time she wrote a letter to the CDC and in 2008 Mr. Barrows indicated that he had never heard from them. She wrote again at that time and in 2010 she contacted Rep. Deschaine who then got involved. She received a response from Dr. Molly Schwenn indicating that she would be contacting Mr. Barrows for a face-to-face meeting.

Mr. Barrows feels that there are two or three businesses who could be the cause of the high cancer rate and said he doesn't know why the Town is covering it up. He believes that the Town should do a survey of residents in a 2-mile radius and thinks we would be shocked at the results.

Manager Lessard pointed out that in order to do a survey, it needs to be compared to something such as where did the person live at the time of diagnosis and what is the time period we are talking about. Someone who moved there a month ago would skew the results and it is critical to frame it correctly; and if there are no controls, nobody will pay attention to it.

Mr. Barrows said somebody needs to step to the plate and find out what is causing it and asked "Don't the people moving into town have the right to know?"

Councilor Duprey said she did not know the best way to proceed, but felt that it was worth looking into; if for nothing else, to know if it is a problem for people moving into that area. She said there may be no way to find out what the problem is, but if there is a problem, we need to figure out how to fix it.

Councilor Lawlis noted that the Town doesn't have the expertise to conduct such a survey and said it seems that the State was not responsive in the beginning, but now seems to be more responsive. She felt we

should ask them to look at it again.

Councilor Duprey said Representative Duprey tried to get answers from the Cancer Registry but got the runaround. Councilor Brann said he didn't know if there was much the Town could do, but found it disconcerting that the State only responded when a Representative got involved. He wanted to know why Representative Duprey was getting the runaround and felt that our State Representatives have to get together to find out what the Cancer Registry is doing and straighten them out.

Motion by Councilor Lawlis, seconded by Councilor Duprey for the Town to give support to Representative Duprey to continue pursuing the matter; to contact Senator Cushing; and for Manager Lessard to write to the CDC with a list of additional cases and request some assistance with the goal of getting someone to attend the next meeting. Unanimous vote in favor.

D. COMMITTEE REPORTS

Services Committee – Councilor Lawlis – the next meeting will be on Thursday, October 17th and the committee will be reviewing the quarterly financial report for the Skehan Center.

Planning & Development Committee – Councilor Brann – the next meeting will be at 6:00 pm on October 16th

Infrastructure Committee – Councilor Shakespeare – the committee met on September 23rd and discussed sidewalks and wood disposal alternatives.

Finance & Administration Committee – Mayor Hughes - The committee met earlier in the evening and all agenda items have already been discussed.

- E. MANAGER'S REPORT** – Manager Lessard noted that her report for the month of September was included with the Department Reports as part of the Consent Agenda. She reported that the Town had participated in the Hazardous Household Waste collection day on October 5th in Bangor. The Candidates Forum will be held on October 16th and will be moderated by Annie Gabbianelli. Manager Lessard also reported that long-time employee Kathy Cole is retiring on January 2nd and she has placed an ad for her replacement. Route 69 has been resurfaced and the intersection of Route 1A and Western Avenue will be done shortly.

F. COUNCILORS' COMMENTS

Councilor Ryder said he has heard from several residents in District 4 who are pleased that Route 69 has been paved.

Councilor Lawlis commented that she heard an aspersion earlier that the Council was trying to protect some businesses and said she has never heard that before.

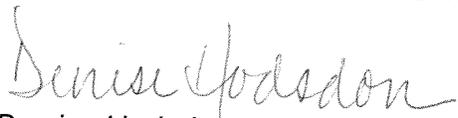
Councilor Shakespeare commented that it was great news that Route 69 has been paved. He said he has known Mr. Barrows for some time and understands his frustration. He said that if he did bring the cancer matter to a committee, which he does not remember doing, there certainly was no effort to squash or hide anything.

Councilor Duprey thanked everyone for the attention to the matter and said she thinks we are headed in the right direction.

Mayor Hughes gave kudos to the Recreation Staff and volunteers for the additional hours they have been putting into some of their programs.

Town Council Meeting
October 7, 2014

G. ADJOURNMENT – *The meeting was adjourned at 9:27 p.m.*

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk