



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY

FEBRUARY 1, 2016

7:00 P.M.

*Attending:*

*Mayor David Ryder*

*Councilor Ivan McPike*

*Councilor Stephen Wilde*

*Councilor Dennis Marble*

*Councilor Mark Cormier*

*Councilor Terry McAvoy*

*Town Manager Angus Jennings*

*Town Clerk Denise Hodsdon*

*A Member of the Media*

*Citizens*

*Mayor Ryder called the meeting to order at 7:00 pm.*

**A. PLEDGE OF ALLEGIANCE** – *Mayor Ryder led the Pledge of Allegiance*

**B. CONSENT AGENDA** – *Motion by Councilor Marble, seconded by Councilor Wilde to accept the Consent Agenda. Unanimous vote in favor.*

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

**a. January 19, 2016 Meeting Minutes**

**3. COMMUNICATIONS**

- a. Maine Municipal Bond Bank – Debt Service Payment Schedule**
- b. Hampden Business Association – Notice of Meeting on 2/4/2016**
- c. Aimee Smith – Application for Reappointment to Board of Appeals – Referral to Finance & Administration Committee**
- d. Correspondences received re Sewer Rates**

**4. REPORTS**

**a. Finance Committee Minutes – 12/21/2015**

**C. PUBLIC COMMENTS** – *None*

**D. POLICY AGENDA**

**1. NEWS, PRESENTATIONS & AWARDS** - *None*

**2. PUBLIC HEARINGS** - *None*

**3. NOMINATIONS – APPOINTMENTS – ELECTIONS** - *None*

#### 4. UNFINISHED BUSINESS

- a. **Proposed Amendments to Town Council Rules – Motion by Councilor McPike, seconded by Councilor Marble to adopt the amendments to Town Council Rules as proposed. Unanimous vote in favor.**
- b. **Update re Preparations for 2/16/2016 Public Hearing re Sewer Rates – Manager Jennings informed the Council that a one-page insert was included with the billing that was sent out at the end of last week and a page has been added to the Town's website, which has a lot of the key information to assist the public in understanding the issue. He has received a couple of written correspondences and expects he will receive more before the hearing. He is maintaining a list of questions and hopefully the presentation at the hearing will be entirely responsive to those questions. He noted that we are not just looking at sewer revenue, we are looking at costs as well and we are still trying to get to the bottom of the formatting of the sewer billing from Bangor. He is meeting with Bangor's Superintendent on Wednesday of this week. This will be part of the presentation at the hearing so that everyone is clear as to what the costs are and how we can expect our costs to increase as a result of both the rate increases anticipated from Bangor in FY17 as well as capital improvement costs. It was noted that the new rates will be established based on the information and comments received at the public hearing.**
- c. **Discussion of MRC/Fiberight and PERC Proposals for Municipal Solid Waste and Establish Schedule & Process for Review – Manager Jennings noted that the Town has now received the final proposal from MRC/Fiberight and that the proposal from PERC had been received in December. Review of both proposals will begin at the Planning & Development Committee meeting this Wednesday, February 3<sup>rd</sup>. The review may continue until the Committee's next meeting on February 17<sup>th</sup> before it is ready for recommendation to the full Council.**
- d. **Update re RSU #22 School Board Meeting on 1/20/2016 – Manager Jennings shared his memo to the School Board which he presented at their meeting on January 20<sup>th</sup>. He said the information was received in the spirit in which it was offered and a meeting between the Town Managers and the Superintendent and Assistant Superintendent has been scheduled for February 25<sup>th</sup>. He reported that ultimately the School Board did vote to proceed with the next phase of planning on the project, but that the funds for that phase had already been included in the current budget. Councilors Wilde and Marble said they were very pleased to see that communication was going both ways between RSU #22 and the Towns in the District.**

**DRAFT OF PROPOSED AMENDMENTS TO COUNCIL RULES 2/1/2016**Deletions are ~~Strikethrough~~Additions are Double Underlined**HAMPDEN TOWN COUNCIL RULES**

Introduction & Statement of Purpose - Public Service, even at the local level, can be challenging. As elected officials' sphere of influence and relationship with citizens ebbs and flows according to issues and policy topics, it is sometimes challenging for said officials to be even-handed and broad minded in the sense of the whole community. This is why government service at all levels is guided by core values and ethical standards. In keeping with that idea, the following defines the way in which Hampden elected officials shall approach the matters that come before them:

**A Simple Three Way Test**Is it the truth?Is it fair to all concerned?Will it be beneficial for the Town?**The Hampden Councilor...**Will not act out of spite, bias, or favoritismWill contribute to a climate of mutual trust and respectHas the courage of his/her convictionsNever forgets that he/she is working for the people – all of the peopleWill understand and demonstrate the elements of teams and teamworkWill clearly define roles and relationshipsWill establish and abide by a Council-staff partnershipAnd will allocate Council time and energy appropriately.

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy.
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the said item.
4. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:

- a. Cell phones shall be silenced during Council & Committee meetings by Town Councilors, staff, and the general public.
  - b. Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings.
  - c. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
5. Town Councilors shall participate in Freedom of Information Act training within 120 days of being sworn in as a Town Councilor and documentation of that training shall be filed with the Town Clerk.
6. Town Councilors shall participate in Elected Officials training offered by the Maine Municipal Association within the first year of office. If a Councilor is unable to complete this training within the first year, the deadline may be extended upon petition by the Councilor and assent of a majority of the Council.
7. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.
- ~~8. Excused absences for Councilors for Council meetings may be granted as the result of illness, vacation, work commitments, or family illness.~~
9. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed to the following order of business:  
*(Amended 1/21/2014; 4/7/2014; 5/19/14)*
  - A. Pledge of Allegiance
  - B. Consent Agenda
    1. Signatures – Treasurer's Warrants, etc
    2. Secretary's Report
    3. Communications
    4. Reports
  - C. Public Comments
  - D. Policy Agenda
    1. News, Presentations & Awards
    2. Public Hearings
    3. Nominations-Appointments – Elections
    4. Unfinished Business
    5. New Business
  - E. Committee Reports
  - F. Manager's Report
  - G. Councilor Comments
  - H. Adjournment
10. In the absence of the Mayor, the Deputy Mayor shall preside over the Town Council meeting. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting.
11. When a question is under debate, the Mayor shall receive no motion but to adjourn, or for the previous question, to lay on the table, or to postpone to a day certain, or to refer to a committee or some administrative official or to amend, or to postpone indefinitely; which several motions shall have precedence in order in which they stand arranged.

12. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.
13. When any member is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake.
14. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be so excused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
15. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
16. Any person wishing to address the Town Council will be given the opportunity to do so in accordance with the following procedure:
  - a. Persons wishing to address the Council on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item, at which time they may address the Council on that particular item. There shall be a five minute limit on such comments per person, per item. In the event that a large number of persons wish to speak on an issue, this limit may be changed to insure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.
  - b. Any person wishing to address the Council on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five minute limit on such comments per person per subject raised. Items heard during Public Comment may be agendaed for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council on a subject raised during Public Comment without a vote by the Council to set aside the rules and add it to the regular agenda for consideration.
  - c. Any person wishing to address the Council shall signify their desire by raising their hand and, when recognized by the Mayor, such person shall thereupon request

permission to address the Council, giving their name and address the name of the road on which they live and then designating the subject matter on which they desire to address the Council.

17. At the commencement of the Calendar year, or as soon thereafter as possible, there shall be chosen the following Committees, each Committee to consist of three (3) or four (4) members of the Council as the Mayor may designate, or, upon a motion, the Council may ballot.
  - a. Finance & Administration – The purpose of this committee shall be to review all items related to their fiscal impact on the Town as well as all matters that pertain to items of administrative procedures. This committee will also have the responsibility for the review and signature of all payment warrants.
  - b. Services Committee – The purpose of this committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, the library, the pool, communications and other items related to non-emergency or public works services provided in the community
  - c. Infrastructure – The purpose of this Committee shall be to review all matters pertaining to public Infrastructure including buildings, roads, and all town capital equipment.
  - d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
  - ~~e. Communications – The purpose of this Committee shall be to review all matters related to the Town Website, Town Newsletter, Town Cable Channel 7, and other town sponsored communication activities.~~
18. Committee procedure shall be governed as follows:
  - a. All Committees will be required to post an agenda at least 48 hours prior to the meeting and no issue may be voted on unless it is agendaed.
  - b. It shall be the responsibility of the Committee Chair to discuss the development of the meeting agenda with the assigned staff person at least 24 hours before the meeting is required to be posted.
  - c. The assigned staff member shall prepare and post the agenda.
  - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within three business days.
  - e. Committee meeting minutes shall be posted on the Town website following their voted approval by the Committee.
  - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of

an issue, providing that at least two of the three appointed members of the committee are present.

- g. Two appointed members of the Committee shall constitute a quorum
  - h. ~~The Mayor shall serve as an ex-officio member of all committees with the exception of Finance & Administration, and shall serve as a member and Chairperson of that Committee. The Mayor, when serving as an ex-officio member, shall not count as an appointed member for the purpose of establishing a quorum at all other Committee meetings~~ a member of all Committees for quorum purposes.
19. ~~The Mayor of the Council may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council. No Committee shall have the power of executive action unless specifically authorized and shall report back to the Council for action on its recommendations or proposals.~~
  20. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "Roberts Rules of Order" shall be taken as authority to decide the course of proceedings.
  21. The first and third Mondays of each month are designated as 'regular' council meetings with the provision that a unanimous vote of the council would cancel a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day.
  22. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Bulletin Board, on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held). The agenda for a Special Meeting shall be prepared as follows;
    - A. Call to order
    - B. Subject(s) for meeting
    - C. AdjournThe general public shall be allowed to comment on subjects at Special meetings in the same manner as for Regular Council meetings. There shall be no general Public Comment section for items not contained on the agenda for Special Council meetings.
  23. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.
  24. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.
  25. The Councilor Comment section of the agenda is reserved for the purpose of enabling any Council member to discuss matters not previously

mentioned on the agenda. No official Council action can be taken at this time.

26. Sanctions – Council members who intentionally and repeatedly do not follow council rules may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council.

This policy replaces the Council Rules last updated February 19, 2008.

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Adopted by Town Council: May 21, 2012

Amended: January 21, 2014  
April 17, 2014  
May 19, 2014

**5. NEW BUSINESS**

- a. **Application for Renewal of Liquor License received from Wang & Lo, Inc. d/b/a Fresh Ginger Restaurant at 64 Main Road North – Motion by Councilor McAvoy, seconded by Councilor Marble to approve the application for renewal of liquor license received from Wang & Lo, Inc. d/b/a Fresh Ginger Restaurant. Unanimous vote in favor.**
- b. **Application for Outdoor Wood-burning Furnace License received from John Calkins at 295 Main Road South – Motion by Councilor McAvoy, seconded by Councilor Marble to approve the application for Outdoor Wood-burning Furnace License received from John Calkins at 295 Main Road South. Unanimous vote in favor.**

**E. COMMITTEE REPORTS**

**Services Committee – No report; the next meeting will be at 6:00 pm on Monday, February 8, 2016.**

**Infrastructure Committee – No report; the next meeting will be at 6:00 pm on Monday, February 22, 2016.**

**Planning & Development Committee – No report; the next meeting will be at 6:00 pm on Wednesday, February 3, 2016.**

**Finance & Administration Committee – Mayor Ryder reported that the committee met earlier in the evening and discussed the FY15 Audit, personnel updates and status of several insurance claims.**

**F. MANAGER'S REPORT – A copy of the Manager's Report is attached and made a part of the minutes.**

**G. COUNCILORS' COMMENTS**

**Councilor Marble noted that there will be no District 2 Hot Stove session this month due to there being a Council Goals & Objectives session scheduled for the same date.**

**Councilor McAvoy thanked everyone who came to the inaugural session of his Hampden Taxpayer's Clinic. The next Clinic is scheduled for 11:00 am on Saturday February 27<sup>th</sup> at Anglers Restaurant.**

**Mayor Ryder thanked former Councilor Bill Shakespeare for volunteering to learn to run the audio/visual/CATV equipment.**

**H. ADJOURNMENT – There being no further business, the meeting was adjourned at 7:21 pm.**



Denise Hodsdon  
Town Clerk

Town of Hampden  
106 Western Avenue  
Hampden, Maine 04444



Phone: (207) 862-3034  
Fax: (207) 862-5067  
Email:  
townmanager@hampdenmaine.gov

TO: Town Council

FROM: Angus Jennings, Town Manager

DATE: February 1, 2016

RE: Town Manager's Report to Town Council meeting

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This report is intended to provide brief updates regarding current matters of potential interest that are not otherwise addressed on the Council agenda.

#### MMA Training Calendar

Councilor Wilde and I participated in the Maine Municipal Association Elected Officials Workshop on January 28 in Augusta. This training also served as FOAA training, which every newly elected Councilor (including re-elected Councilors) is required by State law to take within 120 days of swearing-in. The FOAA training is available through an online training. The full calendar of MMA trainings can be viewed online at [www.memun.org](http://www.memun.org).

#### Employee Evaluations Underway

Annual employee evaluations are underway, and are expected to be complete on or before February 5. This includes my evaluation of direct reports, as well as other Department Heads' evaluations of their direct reports (DPW, Police, Fire, Pool, Recreation, Library).

#### Improved Cash Tracking at Pool

The new cash register is now in use at the Pool to allow for better and more efficient tracking of funds received, based on the specific service or item the funds paid for (i.e. swim lessons, facility rentals, swim diapers etc.).

#### Lighting Bids Received for Library

At the bid opening this morning, two bids were received to complete the grant-funded lighting and electrical work at the Library. I will be working with the Library Director, DPW Director and two members of the Library Board of Trustees to prepare a recommendation for contract award for consideration by the Finance Committee and Town Council on February 16.

Exploring Online Registration and Payment Options for Recreation and Pool

The Recreation and Pool Directors, along with our GIS/IT Specialist, will meet with a vendor next week to further discuss the potential to set up online registration and payment. I strongly support this initiative for improved customer convenience and to reduce the administrative burden on staff in these departments.