



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

MAY 7, 2012

7:00 P.M.

Attending:

Mayor Janet Hughes

Councilor Andre Cushing

Councilor Kristen Hornbrook

Councilor Shelby Wright

Councilor Tom Brann

Councilor Jean Lawlis

Town Manager Susan Lessard

Town Attorney Tom Russell

Public Works Director Chip Swan

Public Safety Director Joe Rogers

Recreation Director Kurt Mathies

Citizens

The meeting was opened at 7:06 p.m. by Mayor Hughes.

Motion by Councilor Wright, seconded by Councilor Lawlis to excuse Councilor Williams from attending this meeting. Unanimous vote in favor.

Motion by Councilor Cushing, seconded by Councilor Brann to approve the consent agenda. Vote 5-1 (Hornbrook).

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Goodwill Riders Snowmobile Club – Thank You Letter
- b. Victoria Levesque – New Application for Pool Board of Trustees – Referral to Services Committee
- c. Mike Jellison – New Application for Pool Board of Trustees – Referral to Services Committee
- d. David Caliendo – Application for Reappointment to Board of Assessment Review – Referral to Services Committee
- e. William Sinclair – New Application for Personnel Appeals Board – Referral to Finance & Administration Committee

4. REPORTS

- a. Infrastructure Committee Minutes – 4/30/2012

B. PUBLIC COMMENTS - *None*

C. POLICY AGENDA

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

1. PUBLIC HEARINGS

- a. Application for Victualer's License received from MWP Enterprises LLC d/b/a Nealley's Corner Store at 1230 Kennebec Road – *The Public Hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor Against – None. The Public Hearing was closed. Motion by Councilor Cushing, seconded by Councilor Wright to approve. Unanimous vote in favor.*
- b. Application for Victualer's License received from Anglers Restaurant at 91 Coldbrook Road – *The Public Hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor Against – None. The Public Hearing was closed. Motion by Councilor Cushing, seconded by Councilor Lawlis to approve. Unanimous vote in favor.*
- c. Application for Liquor License received from Anglers Restaurant at 91 Coldbrook Road – *The Public Hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor Against – None. The Public Hearing was closed. Motion by Councilor Cushing, seconded by Councilor Wright to approve. Unanimous vote in favor.*
- d. Proposed Code of Ethics Ordinance – Repeals existing Ordinance adopted on May 15, 2000 – *The Public Hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor Against – None. Motion by Councilor Cushing, seconded by Councilor Wright to approve. Unanimous vote in favor.*
- e. Proposed Outdoor Facilities Ordinance – Repeals existing Dorothea Dix Park Ordinance and Papermill Road Recreation Area Ordinance – *The Public Hearing was opened by Mayor Hughes. Proponents – None. Opponents – None. Neither for nor Against – None.*

Council discussion: Councilor Lawlis has concerns over the proposed ordinance because of language that requires dogs to be on leash on all town properties. Councilor Hornbrook also believes that section is too stringent. Mayor Hughes is not in favor of firearms at playgrounds and sports fields. Councilor Hornbrook indicated that it violated the 2nd amendment to restrict the right to carry. Councilor Cushing considers this a sensitive issue, but there are some places where the right to carry is limited. The Town attorney will check into this matter to see if the Town has any legal rights to limit weapon carry. Motion by Councilor Cushing, seconded by Councilor Wright to refer this back to the Services Committee for further work. Unanimous vote in favor.

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Warrant and Notice of Election – SAD #22 Budget Validation Referendum – Countersigned by Council – *The Council countersigned*

the SAD #22 Warrant and Notice of Election for the Budget Validation Referendum.

- b. *Notice of Election – State of Maine Primary Election – The Town Clerk provided the Council with a copy of the Notice of Election of the State of Maine Primary. No action was required.*
- c. *Zachary Malloy – New Applicant – Board of Appeals – Planning & Development Committee Recommendation – Motion by Councilor Cushing, seconded by Councilor Brann to appoint. Vote 5-1(Hornbrook).*

3. UNFINISHED BUSINESS

- a. *Western Avenue Recreation Area Playground Bid Results – Recommendations of Services Committee and Finance & Administration Committee – Recreation Director Kurt Mathies gave background as to the bid process and where the funds would be coming from for the playground, which would be in the amount of \$20,922 from the Recreation Enterprise account. Motion by Councilor Brann, seconded by Councilor Wright to authorize purchase of Option 2 for playground equipment from M.E.O'Brien, with the funds to come from Recreation Enterprise account. Vote 5-1 (Hornbrook).*
- b. *Outdoor Facilities Rules & Regulations – Services Committee Recommendation – Motion by Councilor Wright, seconded by Councilor Brann to postpone until the Outdoor Facilities Ordinance has been approved. Unanimous vote in favor.*
- c. *Update re Old Hampden Academy Reuse – This item was postponed until the next meeting at the request of Mayor Hughes.*

4. NEW BUSINESS

- a. *Paving Bid Results – Infrastructure Committee and Finance & Administration Committee Recommendations – The recommendation from Infrastructure was to award the bid to B&B Paving at a cost of \$73.25 per ton. Finance recommended that the funding be taken half from Public Works Operations account and half from Streets and Road Reserve. 2-3 roads will be removed from the paving proposal to stay within budget. Motion by Councilor Cushing, seconded by Councilor Brann to accept the \$73.25 per ton and \$100 per ton hand-placed bid from B&B Paving. Unanimous vote in favor.*
- b. *2012/2013 Budget: The Town Manager presented the Budget Overview. A copy is attached and made part of the minutes.*
 - 1. *Public Safety – \$184,381 -The Public Safety Director explained that this budget is the same as last year's with the exception of the 2.5% raise that is included.*

Budget Overview 2012-2013

The goal of this budget is to maintain the mil rate as close to the current rate as possible. The mil rate has remained at \$15.9 for the past five years.

The impact of the new school was estimated several years ago to the voters to be from .35 to .75 on the mil rate. Fortunately, RSU 22 has minimized that impact this year through the use of additional program revenues, estimated revenue from tuition students, and the elimination of 30 positions in the school system over the past 3 years, through attrition and some program changes. The \$117,000 increase equates to a potential mil rate impact of approximately 22 cents. The Council will choose during the budget process whether to absorb all or part of that amount by reductions to town services.

The budget that will be presented keeps intact current programs, includes a 2.5% COLA for employees, and includes funding for the 'shutdown' of Hampden Academy for the next winter (in the event there is not a 'paying use' for part of the property).

At the next budget meeting on May 16th I will present a power point prior to the budget reviews that evening that show the 'tax' impact of each department, the funding sources for each, and the service impact of each. You will also see an outline of changes that I have made to proposals received from Department Heads for the operation of their departments for the coming year.

Challenges:

1. School and County tax increases require an additional \$124,000 in funding.
2. State Revenue Sharing is estimated to be reduced by \$41,600 from the 11/12 fiscal year.
3. Excise tax collection estimates remain flat at \$1,500,000 for the coming year. Excise tax fully funds Public Works.
4. Fuel Price increases may result in higher price-per-gallon agreements for the coming year.
5. A Worker's Comp increase of approximately \$10,000 is expected
6. There are needed repairs to the municipal building (flooring in part of the public safety area as well as some repairs to the downstairs)

Positives:

1. The estimated valuation increase this year due to new construction is approximately \$8 million dollars. That would generate \$127,200 in new tax dollars at the current mil rate.
2. Installation of new boilers at the pool, in combination with the new air handling system should further reduce heating fuel usage at the Pool.
3. Installation of new boilers at the municipal building has reduced fuel usage in the first year that is estimated to be more than sufficient to offset an increased price per gallon.
4. Electrical energy contracts through Maine Power Options have resulted in lower electrical costs in our high-energy use facilities such as the pool and the municipal building and street lights.
5. Proposed changes in types of vehicles purchased should make public works equipment reserve dollars go further.
6. We utilized approximately half the public works diesel estimated in the 2011/12 budget and can carry part of that funding forward so that we do not have to appropriate as much in 12/13 funding. We can also carry forward funds for salt purchases for the same reason.
7. We funded both ambulance and fire truck reserves last year from appropriation remainders in the police and fire budget that resulted from less utilization of overtime/wages than anticipated. It is likely that we will be able to continue at least a portion of that in this year as well.
8. The development of the park at the Marina will be reimbursed from the grant received from Chevron
9. We are bidding the Town's insurance package this year and estimate that we will realize additional savings from that effort

2. Police – \$1,023,927 - *Councilor Hornbrook questioned why there was a \$30,000 unexpended balance at year end the prior year. The Town Manager and Public Safety Director explained that the extra money saved by unused wage monies went into funding reserves. The Public Safety Director uses his best estimations of payroll for 24/7 coverage, which has to take into account vacations and the potential use of sick time.*
3. Fire - \$962,927

D. COMMITTEE REPORTS

Infrastructure – Councilor Wright – The Committee met on 4/30 and discussed paving bids.

Communications – Councilor Hornbrook – The Committee meets tomorrow night at 6 p.m.

Planning & Development – Councilor Brann – The Committee is working on the subject of fireworks, TIF policies, the marina project and finalizing the purchase and sale for the Old Hampden Academy property.

Services – Has not met since the last meeting but the Outdoor Facilities Ordinance will be reviewed at the next meeting which is next Monday night.

Finance & Administration – Mayor Hughes – The Committee discussed the Outside Agency Funding request policy that will be forwarded to the Council, paving bids, and local option excise tax was referred to Planning and Development.

- E. MANAGER'S REPORT – *The Manager's Report is attached hereto and made a part of the minutes.*

F. COUNCILORS' COMMENTS

Councilor Cushing – The legislature will be in session which may affect his attendance on the 16th and he will be out of town on the 23rd.

Councilor Hornbrook- Thanked people for coming and encouraged everyone concerned about their 2nd amendment rights to show up at the Services Committee meeting on Monday.

Councilor Wright – Thanked the MDOT for helping to fix a drainage problem that was creating water in her basement.

Mayor Hughes – Wished Hampden Academy students fun and safety at the prom this weekend, wished everyone a Happy Mother's Day, shared that the VFW would be hosting a Mother's Day Breakfast, and read a letter from the Presque Isle Rotary stating that it had no affiliation with the person who posted critical comments on the Bangor Daily News Website. Mayor Hughes indicated that the letter would be included in the next agenda packet.

- G. ADJOURNMENT – *The meeting was adjourned at 9:30 p.m.*

Respectfully submitted,



*Denise Hodsdon
Town Clerk*

Manager's Report - 5/7/2012

Street/Stream Cleanup – Thank you to those who participated in the street/stream clean up on Saturday, May 5th. The weather was not wonderful but your efforts were appreciated.

Tree City USA – The Town of Hampden attained Tree City USA status for the fifth year in a row. The Town received a 5 year statue that will be displayed in the Council Chambers, as well as a new flag for the front of the Town Office.

1802 Settler Map – Town of Hampden – A big thank you to local historian Richard Newcomb for donating a copy of an 1802 Settler Map of the Town of Hampden that shows the settlers lots of 100 acres each that were deeded from the Commonwealth of Massachusetts. It is framed and will be on display in the Council Chambers. The names of the original grantees are on the map.

Utube video – Alleged Election fraud in Hampden – I have a link to a video prepared by a college student that discusses alleged election fraud in Hampden. His information sources were not named, but he did not contact the Town Office for any information. I may contact the young man to see if he wishes to come in and discuss his video.

Jury Duty – I reported for Jury Duty today in Superior Court in Bangor. I was not selected for a trial but I have to report again on May 21st.