



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

SEPTEMBER 16, 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
Representatives from Maine Ground
Developers
Citizens*

The meeting was called to order by Mayor Hughes at 7:00 pm.

Mayor Hughes moved and Councilor Ryder seconded to set aside the rules and to add items to the agenda under New Business: Item C.4.d. Condition of Town Sidewalks; Item C.4.e. Easement for Hampden Water District; and Item C.4.f. Public Safety Air Fill System Bid Results. Unanimous vote in favor.

- A. CONSENT AGENDA** – *Mayor Hughes requested that Items A.3.b. and A.4.d. be set aside. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept the balance of the Consent Agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. August 19, 2013**

3. COMMUNICATIONS

- a. Highlands Corner Market – Victualers License Renewal**
b. Maine Municipal Association Risk Management Services – Dividend Payment –*Manager Lessard explained that this is a notification that our loss experience in both worker's comp and property & casualty have resulted in a dividend payment to the Town in the amount of \$10,642.00. She noted that this is unanticipated revenue that will be set aside for next year's budgeting process. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept Item A.3.b (and Item A.4.d.) Unanimous vote in favor.*
c. Municipal Review Committee – Candidate Nomination Letter

4. REPORTS

- a. Library Board Minutes – 5/8/2013**

- b. **Lura Hoit Pool Board Minutes – 8/13/13**
- c. **Finance & Administration Committee Minutes – 8/19/13**
- d. **Infrastructure Committee Minutes – 8/26/13** – *Mayor Hughes noted that the Committee had discussed the condition of sidewalks at the intersection of Route 1A and Western Avenue. She asked that the minutes be amended to include that Public Works Director Chip Swan had indicated that there was no budget currently for sidewalk maintenance and improvements. Mayor Hughes said that is of issue to her and that is why she asked to have that added to the Council agenda tonight. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept (Item A.3.b and) Item A.4.d. Unanimous vote in favor.*
- e. **Lura Hoit Pool Board Minutes – 7/9/13**
- f. **Bangor Humane Society Stray Animal Report – August 2013**

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **School Board Resignation – Nick Winchester**
 - 1. **Attorney Russell Memo re options for filling vacancy** – *School Board member Nick Winchester submitted his resignation on September 6, 2013 to be effective that same day. The deadline for submission of nomination papers was also September 6th, therefore there was no opportunity for any potential candidates to take out papers. Ballots for the November 5th Election have already been sent out for printing and the voting machines are in the process of being programmed. Attorney Russell informed the Council that there are two options: Shorten the nomination period and filing deadline and have a separate paper ballot to fill the vacancy; or given the circumstances of timing of the vacancy, Attorney Russell advised that it would be reasonable for the Council to exercise its authority to appoint an interim director until the regular municipal election on November 4, 2014. Motion by Councilor Lawlis, seconded by Councilor Brann to appoint an interim director until next year's election. Unanimous vote in favor. This item was referred to the Infrastructure Committee to set a process for advertising and interviewing candidates.*

3. UNFINISHED BUSINESS

- a. **Use of Marina Reserve Funds – Repair of Town Float** – *Both the Infrastructure Committee and Finance & Administration Committee*

have discussed this and both have recommended approval. Motion by Councilor Brann, seconded by Councilor Shakespeare to authorize the Town Manager to pay the bill using funds from the Marina Reserve account. Unanimous vote in favor. Manager Lessard informed the Council that Public Works Director Chip Swan has talked with the Marina operator to let them know that in the future no repairs should be made until authorized by the Town.

4. NEW BUSINESS

- a. Proposed Zoning Map Amendment, Swan Property – Referral to Planning Board** – *Motion by Councilor Brann, seconded by Councilor Lawlis to refer this item to the Planning Board. Unanimous vote in favor.*

- b. Maine Municipal Association Annual Business Meeting Voting Delegate** – *Motion by Councilor Lawlis, seconded by Councilor Shakespeare to appoint Councilor Brann as the voting delegate and to authorize the Town Manager to sign the Voting Delegate Credentials on behalf of the Council. Unanimous vote in favor.*

- c. Request to Connect Ammo Industrial Park Utilities to Hampden Utilities** – *Mayor Hughes explained that Peter Thornton of Maine Ground Developers is seeking council support to allow Maine Ground Developers to extend water and sewer across the Hampden Business Park to the Ammo Industrial Park so that those properties can be serviced by sewer and water. Maine Ground Developers' engineer has designed a sewer line from the Ammo Park Road to the extension of Carey Circle through an easement that was reserved during the design of the Business Park. This request has been reviewed and discussed by the Planning & Development Committee and due to the pending negotiations for infrastructure development of the park under a separate proposal by Sargent Corporation, they have also been involved in discussions. The system has been designed to meet Town conformance requirements and the preferred requirements of Sargent Corporation. Maine Ground Developers is looking for an easement from the Town to install sewer and water across Town property and in the future, after construction has been completed, they will convey the infrastructure to the Town. The first phase of the project will be to run the sewer line from the Ammo Park Road to the proposed extension of Carey Circle and there will need to be a written agreement that in the event that negotiations with Sargent are unsuccessful, Maine Ground Developers will complete the sewer line to the existing Carey Circle. Manager Lessard noted that the easement would go to Carey Circle, although the current proposal only goes to within 1300 feet of the existing roadway. The Town will also provide a third party inspector for the project and Maine Ground Developers has paid the required \$12,000 deposit for that inspector. Following discussion, motion by*

C-4-a



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Map Amendment, Swan Property
DATE: September 5, 2013

At the September 4, 2013 Planning and Development meeting this item was voted unanimously to recommend the Council refer the proposed zoning map amendment to the Planning Board for a public hearing and recommendation.

The proposal is to amend the Zoning Ordinance Map to change Map 44, Lots 81 and 82 which are the old Swan garage and house site from Residential B District to Village Commercial II District. The neighboring four corners are zoned Village Commercial II District and that includes Rawcliffe's Garage, Angelo's Pizza, an office building (and the former town office building) and a retail area (former Dr. Lord's office).

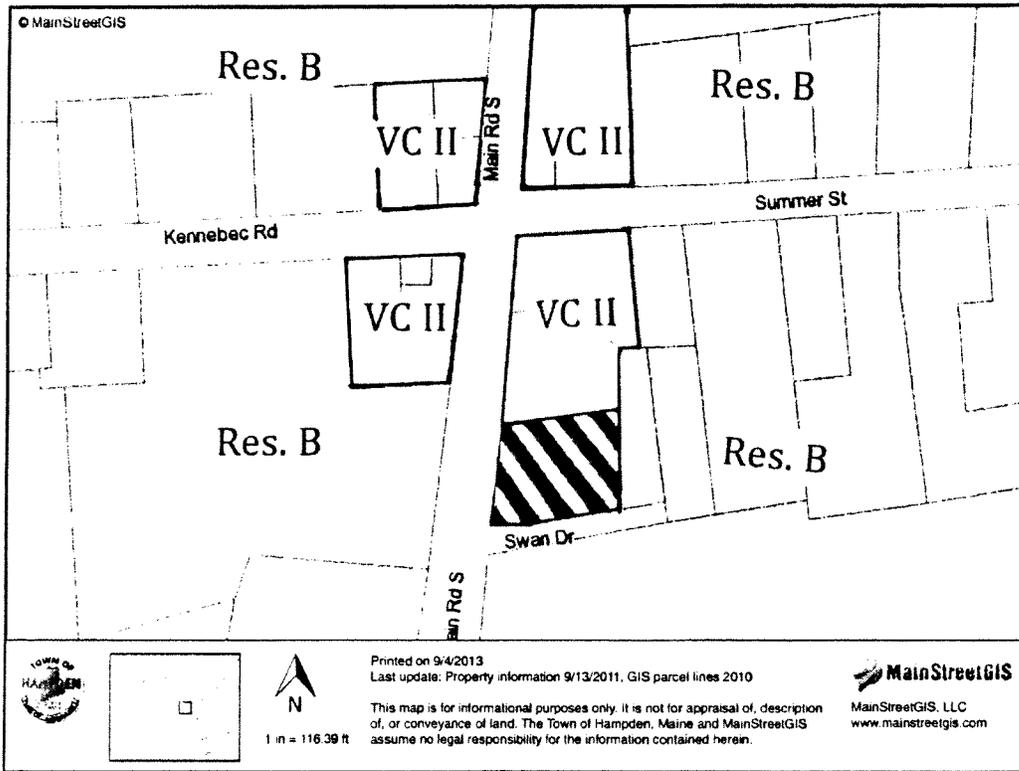
9/16/2013 - Referred to Planning Board

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance Map

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Res. B to VC II District

Mayor Hughes, seconded by Councilor Ryder to provide an easement to Maine Ground Developers from the end of the public sewer to their property contingent upon receiving a copy of the easement and the engineer's review and to authorize Public Works Director Chip Swan to manage the third party inspector and subsequent costs. Unanimous vote in favor.

- d. Condition of Sidewalks (added item)** – *Mayor Hughes noted that during the last Infrastructure Committee meeting there was discussion of the condition of sidewalks and the condition of the intersection of Routes 1A and Western Avenue. At that time Public Works Director Chip Swan had indicated that there was no budget for the maintenance and improvement of sidewalks. Mayor Hughes asked that the Infrastructure Committee keep this on its agenda and to look into the lack of budget for sidewalks. Councilor Brann moved and Mayor Hughes seconded to request that the Town Manager add a line-item to the 2014/2015 budget for the maintenance of sidewalks. Vote on the motion was 5-1 (Ryder).*
- e. Easement for Hampden Water District (added item)** – *Manager Lessard explained that the Water District has requested two easement deeds for the installation of water to service the Chickadee Crossing subdivision. The approved subdivision plan shows the two 30-foot wide easements crossing Town property. Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the easements as referenced and as shown on the subdivision plan for Chickadee Crossing dated April 11, 2012 and approved by the Planning Board. Unanimous vote in favor. Motion by Councilor Brann, seconded by Councilor Lawlis to authorize Manager Lessard to sign the easements. Unanimous vote in favor.*
- f. Public Safety Air Fill System Bid Results (added item)** – *Manager Lessard informed the Council that Jason Lundstrom of the Fire Department has applied for and received a grant for up to \$40,000 for an air fill system for the SCBA tanks. The grant would require a 5% match by the Town. The Department put it out to bid and bids have been opened. Public Safety Director Joseph Rogers reviewed the bids with the Finance & Administration Committee and is recommending approval of the bid from Industrial Protection Services in the amount of \$37,938. Although this was not the lowest bid, they are a Maine company with a local service representative. It was the recommendation of the Finance & Administration Committee to award the bid to Industrial Protection Services. Motion by Councilor Lawlis, seconded by Councilor Brann to award the bid to Industrial Protection Services and take the 5% match from the Matching Grant Reserve Fund. Unanimous vote in favor.*

D. COMMITTEE REPORTS

Infrastructure Committee – Councilor Shakespeare reported that the Committee met on August 26th and discussed sidewalks, brush at the transfer station, marina float repair and concealed weapons permits.

Planning & Development Committee – Councilor Brann – the next meeting is on September 18th. Councilor Brann also reported that Bangor Gas is looking into using the Loring pipeline to deliver natural gas and will need a drop station in the area. They have approached the Town about locating the drop station on town-owned property between the post office and the Lura Hoit Pool. Their goal would be to begin providing service to the Town and all of its buildings in the general area, the post office, the schools and then begin working its way down Western Avenue to Route 1A. They are also investigating coming into the business park and the Ammo Industrial Park.

Infrastructure Committee – Councilor Lawlis – Next meeting will be on October 14th and the committee will review the financials for the Skehan Center.

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

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

F. COUNCILORS' COMMENTS

Councilor Shakespeare commended Public Safety for the great job they did with the railroad accident on Western Avenue.

Mayor Hughes reported that she attended the Habitat of Humanity house opening and got to meet the new owners. Anglers Restaurant provided the food and several members of the Hampden Business Association were also there. Mayor Hughes also commended the Recreation Department staff and volunteers for their work on its programs and facilities, particularly the soccer program and fields.

G. ADJOURNMENT – The meeting adjourned at 8:56 pm.



Denise Hodsdon
Town Clerk

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: September 16, 2013
RE: Manager's Report – September 16, 2013

The past month has been an extremely busy time for town operations. The following is a summary of the highlights, but beginning the first meeting in October, the Council will be receiving monthly reports from Department Heads for activities in their respective operations.

Administration

- 2013-2014 property tax bills went out on August 28th. I am happy to report that we have started to see payments coming in in advance of the first half due date of October 2nd.
- Tax liens were placed on unpaid 2012-13 property taxes on August 19th and we have seen significant payments made on those as well. A little less than 2% of the property taxes assessed for 2012-2013 went to lien for nonpayment.
- The audit for the 2012-2013 year was conducted from September 3rd through September 5th. The auditors were complimentary about the condition of the records and the cooperation and professionalism of the staff. The final report should be received from them within a month.
- Tax due date is Wednesday, October 2nd. Staff will once again be providing refreshments for residents who come to the office that day to pay. The Tax Due Date sign will also be appearing shortly on the front lawn of the municipal building.
- The closing was held on September 6th for the sale of the Old Hampden Academy property to Historic Hampden Academy LLC. We look forward to the revitalization of the property by its new owners.
- We received an insurance rebate from both property and casualty and worker's compensation coverage totaling \$10,642 because of good loss experience.
- Finance Officer Tammy Ewing is working to insure that the Town meets the requirements of the Affordable Health Care Act, the first of which need to be done by October 1st.
- With the lease of the Skehan Center finalized, some offices at the town office were switched. The Economic Development Director is now located in the former recreation office, a small unused office was converted to storage for the new voting machines received from the State, and the former conference room adjacent to the council chambers was restored to its original function.
- The first home built by Habitat for Humanity is now completed and occupied. It is located on Cottage Street and thank to all who participated in this project.
- The next edition of Hampden Highlights Newsletter will be going out at the end of September/beginning of October. It will contain information regarding this year's budget, candidate information for the November election, a summary of the sale of the old Hampden Academy property, plans for the upload of Council/Planning Board meetings to a Hampden You-tube account, and the establishment of a Hampden Twitter account.

- Plans are underway for a Candidate Forum for the candidates for local office, to be held in early October and replayed on Cable Channel 7 during the month preceding the election.

Elections

- There are three candidates for the at-large Council position – Greg Sirois, David King, and Katherine Cavness. There is one candidate for the District 1 seat – Ivan McPike. There are two candidates for two school board seats – Amanda Sidell, and Cindy Mitchell. There is one five year seat available for the Water District Trustees but no candidates took out papers. There is still time for someone to declare as a write in candidate for any of the positions. The deadline for declaration as a write-in candidate is Thursday, September 19th.
- Town Clerk Denise Hodsdon attended the annual training held by the Secretary of State's Office for elections during the week of September 9th through the 13th.
- New voting machines were received this fall from the State of Maine and will be used in the November 2013 election.

Public Works

- The public works department has been working on screening winter sand, cutting brush at the Marina Boat ramp, working on the shoulders on Emerson Mill Road cleaning up accumulated sand by guard rails to allow better drainage, mowing the snow dump, mowing fields and drainage areas, getting equipment ready for the winter season.
- This season the crew also did work to correct drainage problems on Elm Street East.
- This is the last week for seasonal workers to work for the town in the cemeteries and athletic fields mowing.
- The Town is no longer paying a disposal fee for brush that is taken to the transfer station. The former \$58/truckload fee has been discontinued.

Public Safety

- In addition to their regular duties, the Police Department is working on a new program to assist families of persons with alzheimer's in the community. In addition two members of police and fire attended a week long training on Critical Incidence Response on how to respond to incidents where persons have mental health issues. It is the goal of the department to have all personnel certified in this training.
- Chief Rogers attended the Maine Chief's Meeting during the week of September 9-13th which included a seminar on Police Response to Critical Incidents and how to keep officers and the public safe during such events.
- The Policy Review portion of the post-shooting protocol which involved officer Bailey was held on September 16th and included Chief Perry Antone of the Brewer Police Department, Lieutenant Dan Scott of the Maine Warden Service, Major Chris Grotton of the Maine State Police, Garry Gilpatrick of Hampden Gilpatrick Funeral home, as well as Chief Rogers and Sargent Scott Webber of the Hampden Police Department. The purpose of the review is to analyze whether the policies in effect to cover both the

event which occurred and the aftermath of that event are adequate to cover all requirements and whether or not the officers involved followed them. It is anticipated that the Attorney General's Office will be releasing their review of that event in the near future.

- The Fire Department held a training session on emergency response to Bangor International airport this past month. The department holds at least monthly training activities.
- Thanks also go to the department for preparing the successful grant application that resulted in the ability to acquire the air-fill system for the SCBA tanks.
- Lieutenant Frank Coombs has organized a flu shot clinic for Town Employees on October 3rd. There is no cost to the Town for this event. The entity holding the clinic will bill individual's health care plans.

Recreation

- Programs currently in operation through the Recreation Department include, for adults;
 - Reshaping Retirement (morning program at Skehan Center)
 - Line Dancing
 - Yoga
 - Whole lotta hoopin'
 - Coed Adult Volleyball
 - Coed Adult Basketball
 - Leash Walking your dog

For children, the following are currently in operation;

- Kid's Korner
- Cheerleading
- Soccer
- Flag Football
- Afterschool Science
- Beginners horseback riding
- Art Club
- Field Hockey
- Little Sports Stars

The Recreation department will also be sponsoring a Halloween Open House at the Skehan Center on October 31st from 4-6 pm. The department is also working on other programming for Skehan Center, which the Town now leases from Historic Hampden Academy LLC.

Lura Hoit Pool

The Lura Hoit Pool is in their fall schedule and the following programs are in operation;

- Swim Lessons
- Gentle aerobics
- Senior Swims
- Family Swims
- Lap Swims
- Aqua Exercise

- Pool Rentals for parties
- Business Rentals

The pool did its annual spruce up this year at the beginning of September and the dinosaur slide was repaired, and the lobby and the men's and women's restrooms were painted.

Edythe Dyer Library

The library is offering three children's programs during the fall season – Play and Learn, Pre-school Story Time, and Toddler Story Time. The library also is offering a session on October 8th concerning Planning for Retirement and afternoon and evening book discussions during October as well.

In addition to the library's internal collection of books - the Library is also a Wi-Fi hot spot, and has several computers which may be used by the public. There is an active inter-library loan program and the facility can get books/materials from libraries all over the state of Maine. The Library also has a program by which residents can download books via computer.

Economic Development

The Economic Development Director has been working with the Planning & Development Committee on a proposal submitted for the Business Park on Route 202, with the Ammo Park owners for the possibility of a sewer/water extension to their park, and on completing the paperwork so that work on the Marina Park can begin in the Spring of 2014.

GIS/Planning/Code – Stormwater Management

The requirements of the MS4 Stormwater Program have been on the front burner this fall in a big way. The GIS/It specialist, planner and Code Officer have been working on information necessary to submit the annual report for the town's MS4 stormwater permit as well as working on data for the new 5 year permit which needs to be completed within the next few months. Shaw Brook is currently an impaired water body as defined by the DEP/EPA and it appears that Sucker Brook will attain that classification within the next year. The Town has collaborated on a grant with the City of Bangor for data collection and assessment regarding Sucker Brook and has recently applied for a second grant for additional work that is required of the Town, again in collaboration with Bangor since Sucker Brook is also within their boundaries.

Assessing

The Assessor will be on the agenda for the Finance Committee at the first meeting in October to discuss planning for a community property revaluation. The Town still has a very good rating by the state, but it has been a number of years since a full revaluation was done. The Assessor also staffed a Board of Assessment Review appeal of personal property valuation that was filed recently. The Board affirmed the decision of the assessor.