



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

OCTOBER 6, 2014

7:00 P.M.

NOTE: These minutes are action minutes only recording motions and votes. Video tapes of all meetings are available for review at the Town Office.

Attending:

<i>Mayor Carol Duprey</i>	<i>Councilor William Shakespeare</i>
<i>Councilor Tom Brann</i>	<i>Councilor Greg Sirois</i>
<i>Councilor Jean Lawlis</i>	<i>Councilor David Ryder</i>
<i>Councilor Ivan McPike</i>	<i>Town Manager Susan Lessard</i>
<i>Town Clerk Denise Hodsdon</i>	<i>Town Attorney Tom Russell</i>
<i>Public Safety Director Joe Rogers</i>	<i>Town Planner Bob Osborne</i>
<i>Citizens</i>	<i>Senator Andre Cushing</i>
<i>Council Candidates Stephen Wilde and Dennis Marble</i>	
<i>State Rep Candidate James Davitt</i>	
<i>Media representatives</i>	

The meeting was called to order at 7:00 p.m. by Mayor Duprey.

- A. PLEDGE OF ALLEGIANCE** – *Mayor Duprey led the pledge of allegiance.*
- B. CONSENT AGENDA** – *Councilor Lawlis requested that Items B-3-b and B-3-d be set aside for discussion. The balance of the consent agenda was accepted without objection.*

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. **Penobscot County Commissioners – Municipal Review Committee Nomination**
- b. **Hampden Garden Club – Thank You** – *Councilor Lawlis thanked the Garden Club for their work through the year.*
- c. **Hannaford Supermarket & Pharmacy – Renewal of Victualers License**
- d. **Chris Packard – Email re Bog Road Boat Launch and Land for Maine's Future Grant** – *Councilor Lawlis believes it is a good idea to investigate this parcel of land as a possible business or residential development location.*
Items B-3-b and B-3-d were accepted without objection.

4. REPORTS

- a. **Bangor Humane Society Stray Animal Report – August 2014**
- b. **Department Monthly Reports – August & September 2014**

C. PUBLIC COMMENTS – *Cindy Mitchell, 85 Summer Street, stated that she is tired of hearing negatives from the council and that when she goes to work people ask why she lives in Hampden. She believes that there are people with an agenda working behind the scenes and that if things don't change people will start leaving the community.*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - *None*

2. PUBLIC HEARINGS - *None*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS – *None*

4. UNFINISHED BUSINESS

- a. **Proposed Amendment to Town Charter – Article II Section 211 Procedure – Councilor Brann** – *No action taken on this item.*
- b. **Zoning Ordinance Text Amendment – Article 4.6 Rural Cluster Housing Open Space Exception – Introduction for Public Hearing**
Councilor Ryder introduced Article 4.6 Rural Cluster Housing Open Space Exception zoning ordinance text amendment for public hearing.

5. NEW BUSINESS

- a. **Proposed Amendments to Business Park Covenants – Introduction for Public Hearing on November 17, 2014** – *Councilor McPike introduced proposed amendments to business park covenants for public hearing.*
- b. **Application for Renewal of Liquor License received from Country Meadow, Inc. d/b/a Pizza Gourmet at 60 Main Road North** – *Motion by Councilor Brann, seconded by Councilor Lawlis to approve the Liquor License for Country Meadow, Inc. d/b/a/ Pizza Gourmet at 60 Maine Road North. Unanimous vote in favor.*
- c. **Robo Calls of 9/30/2014 – Councilor Brann** – *Mayor Duprey stated that she apologized for the poor timing of the robocalls that she initiated about Council candidates and any confusion that they caused. She apologized to Councilor McPike for not being completely truthful when she told him she had nothing to do with the robocalls. She has returned money to all donors of the PAC that was formed and has personally reimbursed the PAC for the cost of the robocalls. She also*

apologized to her husband and is sorry if she confused constituents but she will not apologize for 'holding people accountable for their votes'.

Councilor Brann indicated that he had requested that this item be put on the agenda because of the disruption caused to the Town Office activities by the confusion caused by the robocalls. He believes that the Town Council is supposed to be a non-political entity and that statements were made in the robocalls that were not accurate. He believes that the calls were a total misrepresentation of the facts. Ron Hidu, 85 Summer Street said he had received a disparaging robocall and he feels that the Mayor conducting such behavior created the real appearance of impropriety.

Judy Rollins, 142 Kennebec Road received two calls and thought at first that they were from the Town Office. The office of Mayor is a leadership position and the definition of leadership is building consensus not creating division. She stated that she supports the staff and encourages the Council to find ways to work together.

Bill Lippincott, 30 Wilbur Drive, stated that the robocalls may be legal but in his opinion they were not right. If she felt comfortable with the action she should have given her name. He indicated that it is one thing to give distorted half-truths in a debate if the other party has a chance to respond but another to do so in an anonymous manner. He does not consider the Mayor's actions done as a private citizen.

Anne Powelson, 47 Hatch Lane – Considers that the call was unfair but appreciated the apology call of this evening.

Jim Davitt, 25 Summer Street, the reason for the tax increase was the huge increase in the school budget and the state not funding 55% of education – not just because Councilors McPike and Lawlis voted for the budget.

Deb Plowman, Patterson Road, attended as a principal in PDQ Door who made contributions to the PAC. They have received their donation back. She apologized for the appearance of how PDQ was involved. PDQ is satisfied with the return of their donation and the apology from Mayor Duprey.

Lisa Carter, Western Avenue, stated that she is surprised to hear lectures from people who make robocalls themselves. She is embarrassed by many things this year and there is a whole lot more going on and people should put it into perspective.

Public Comment closed.

- d. Vote of Confidence – Mayor – Councilor Brann** – *Councilor Brann stated that it is no surprise to anyone that he is disappointed in the Mayor's performance over the last year by not adhering to procedures and he gets mad and upset over it. He does not think that the Mayor should continue to be Mayor because negative robocalls have no place in town politics. He considers that this behavior is a breach of Section 6 of the Code of Ethics. Town Attorney Russell stated that that item does not pertain to an ethical breach and is not appropriate. Councilor Brann*

requested that an executive session for the discussion of the validity of a violation of the Code of Ethics by a Councilor be on the next agenda. Councilor Shakespeare called for the resignation of the mayor. Councilor Lawlis said that calling every person in her district to misrepresent information is not right.

- E. COMMITTEE REPORTS** – *Councilor Lawlis reported that there will be a Services Committee meeting next Monday and it will involve a discussion of the needs of the town parks. Councilor McPike reported that Planning & Development discussed steps to study getting natural gas to Hampden, continue review of the subdivision ordinance, work on developing private road guidelines for subdivision frontage and use of town land for mitigation for development. Councilor Ryder reported that Infrastructure did not meet because of lack of a quorum. Mayor Duprey reported that the finance committee discussed amended fees for public safety, feasibility study for natural gas, town newsletter expenses has been referred to Services Committee and consultant expenses has been referred to Infrastructure Committee.*
- F. MANAGER'S REPORT** – *The Manager's Report is attached hereto and made part of the minutes*
- G. COUNCILORS' COMMENTS** – *Councilor McPike stated that the town only has control over 34% of the expenses related to taxes and did not think he was responsible as a result of increasing taxes by ten percent over two years since he was only in office less than one year. Councilor Shakespeare commended the incumbent councilors on their performance at the Candidate forum even though they were under attack by others running for office.*
- H. ADJOURNMENT** – *The meeting was adjourned at 8:30 p.m.*


Denise Hodsdon
Town Clerk

MANAGER'S REPORT
October 6, 2014

Tax Due Date – I am happy to report that as of Thursday, the day after tax due date, the Town had collected 48.3% of real estate taxes due for the 2014/15 year. Thanks to the staff who worked hard to get them all receipted and big thanks to the taxpayers who made the payments.

Halloween Open House – The Town Recreation Department will be having a Halloween Party at the Skehan Recreational Center on Friday, October 31st from 4:00-6:30 p.m. There is no admission charge for this event.

Candidate Forums – Thanks to all who participated in the Town Council and School Board candidate forums last week. We will be airing those sessions on Cable Channel 7, which is also visible on live.hampdenmaine.gov on Ustream as well. We are also doing a council newsletter with an intro by each candidate that will come out the third week in October.

November 3rd Council Meeting – The election falls on Tuesday, November 4th and for the past several years we have had only one council meeting in November to accommodate the fact that this facility is set up for elections the night before. What is the pleasure of the Council this year in this regard?

GIS/IT Replacement – I have hired Kyle Severance as a replacement for Gretchen Heldmann. He will formally begin work on Tuesday, October 14th, although he is helping out with computer backups and such in the interim. We had a going away lunch on Thursday, October 2nd for Gretchen. Thanks to all who attended including Councilors Brann, Lawlis, and Shakespeare.

Personnel Confusion – I have been getting questions from people who want to know when we hired or were going to hire an assistant to the Assessor. I am not sure where this information is coming from, but the Town has no plan to hire any additional personnel in the Assessing Office.

November 4th Election – Town Clerk Denise Hodsdon has put information related to the upcoming election on the Town Website in an effort to keep voters informed. Absentee Ballots arrived today and will be available tomorrow (Tuesday, October 7th).