



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

MAY 16, 2016

7:00 P.M.

• 6:30 pm – Finance & Administration Committee Meeting

Mayor Ryder called the meeting to order at 7:00 p.m.

In attendance:

Mayor Ryder
Councilor Sirois
Councilor McPike
Councilor Wilde
Councilor Marble
Councilor Cormier
Councilor McAvoy

Town Manager Angus Jennings
Town Clerk Paula Scott
Public Works Director Sean Currier
Rosemary Bezanson
Andrew Scott
Members of the Public

- A. **PLEDGE OF ALLEGIANCE** – *Mayor Ryder led the Pledge of Allegiance*
- B. **CONSENT AGENDA** – *Motion made by Councilor Marble, seconded by Councilor McAvoy to accept the consent agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. May 2nd, 2016 Council Meeting Minutes
- b. May 9th, 2016 Council Budget Workshop Minutes

3. COMMUNICATIONS

- a. Cancellation of Sale of Foreclosed Property notice
- b. Skehan Recreation Center to receive donations from Hannaford Helps Reusable Bag Program
- c. Hampden Farmers' Market promotional flyer
- d. Victualer's license renewal – McLaughlin's at the Marina
- e. Manager's memo to RSU 22 – Re: Proposed FY17 Budget
- f. RSU-22 Board of Directors, Agenda for May 18, 2016 at 5:30 PM

4. REPORTS

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

- a. Planning & Development Committee Minutes – April 20, 2016
- b. Infrastructure Committee Minutes – none
- c. Finance & Administration Minutes – April 19, 2016
- d. Services Committee Minutes – April 11, 2016

C. PUBLIC COMMENTS – None

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - None

2. PUBLIC HEARINGS –

- a. **Anglers Restaurant – Application for a Special Amusement License** – Mayor Ryder opened the Public Hearing regarding the application for a Special Amusement license. During discussion Councilor McPike expressed concern regarding the location of the vendors being at the service entrance and not the parking lot. Discussion followed regarding the amount of attendees expected. (75-100) Andrew Scott suggested that perhaps they could approach Maine Trailer and ask to use their lot for overflow parking. Councilor Sirois suggested that the Chief and CEO be made aware of the concerns over parking and traffic patterns. Mayor Ryder asked to have it written in the record that Public Safety and the Code office meet with Angler's to discuss those concerns. Councilor Marble made a motion, seconded by Councilor McAvoy to approve the Special Amusement license as stipulated. Unanimous vote in favor.
- b. **Proposed Fees Ordinance Amendments-hearing continuation from May 2nd Public Hearing** – Mayor Ryder opened the Public Hearing and turned discussion over to Councilor McPike. Councilor McPike reported that four more sections of the Fees Ordinance have been discussed in Planning & Development committee with a recommendation being made to full Council for a fees increase. Councilor McPike made a motion, seconded by Councilor Marble to approve the changes to the Fees Ordinance, specific to section 2.6 Harbor Ordinance, section 2.12 Subdivision Ordinance, section 2.16 Zoning Ordinance, and under 2.16 of the Zoning Ordinance, subsections 2.16.2, 2.16.4, 2.16.5 and 2.16.8. Unanimous vote in favor.

Mayor Ryder made a motion, seconded by Councilor McPike to close the Public Hearing and revisit remaining Fees Ordinance changes at a later time. Unanimous vote in favor.

X Continuation from 4/19/16
Public Hearing

- 3. NOMINATIONS – APPOINTMENTS – ELECTIONS** – Councilor McPike made a motion, seconded by Councilor Marble to appoint Kristen McAlpine, Brittany Goetting and Andrew Scott to their respective committees. Councilor McAvoy called for a 'point of information' stating his belief was that each appointment was to be voted separately. After confirmation of thus, Councilor McPike withdrew his original motion.
- a. **Nomination of Kristen McAlpine to Historic Preservation Commission-referral from Planning & Development** – Councilor McPike made a motion, seconded by Councilor McAvoy to appoint Kristen McAlpine to the Historic Preservation Commission. Unanimous vote in favor.
 - b. **Nomination of Brittany Goetting to Historic Preservation Commission-referral from Planning & Development** – Councilor McPike made a motion, seconded by Councilor Marble to appoint Brittany Goetting to the Historic Preservation Commission. Unanimous vote in favor.
 - c. **Nomination of Andrew Scott-to Planning Board as an alternate-referral from Planning & Development** – Councilor McPike made a motion, seconded by Councilor Sirois to appoint Andrew Scott as an alternate on the Planning Board. Unanimous vote in favor.
- 4. UNFINISHED BUSINESS**
- a. **Status of Dangerous Building Order from April 19th, 2016 Public Hearing** - Due to the unavailability of Code office staff for tonight's meeting, Mayor Ryder stated he would entertain a motion to table this agenda item. Councilor McPike made a motion, seconded by Councilor Sirois to table this item until the June 6th meeting. Unanimous vote in favor.
- 5. NEW BUSINESS**
- a. **Vendors at Municipal Building – referral from Services Committee –Amendment to Zoning Ordinance, threshold for Building Permit – referral to Planning Board recommended by Planning & Development Committee** – Mayor Ryder turned discussion over to Councilor McAvoy who reported that in Planning & Development committee they had conferred about the agreement with the Farmers' Market on use of the municipal parking lot. Debate also included permitting up to four additional vendors to sell there, as long as those products were agricultural. Councilor McAvoy made a motion, seconded by Councilor Marble, to authorize the Hampden Farmers' Market and up to four additional vendors to use

the municipal parking lot as a sales area. During discussion, Councilor McAvoy stated that he opposed the motion because he is against allowing public enterprises to conduct business on private property. Mayor Ryder wanted it clarified that the vendors have to be selling agricultural products and have to be Hampden residents. Councilor Marble stated he respected Councilor McAvoy's position and wanted the public to know that the Council has talked this over for a couple of years and the Council is attempting to find an appropriate and safe use to allow an additional source of commerce in the town and that discussions will continue. Councilor McAvoy amended his motion, seconded by Councilor Marble, to authorize the Hampden Farmers' Market and up to four additional Hampden resident vendors of agricultural products to use the municipal parking lot as a sales area. Unanimous vote in favor.

- b. Amendment to Zoning Ordinance – referral to Planning Board recommended by Planning & Development Committee –** Councilor McPike made a motion, seconded by Councilor Marble to refer to the Planning Board, an amendment of the Zoning Ordinance section 5.3 Permits. Unanimous vote in favor.
- c. Amendment to Shoreland Zoning Ordinance – referral to Planning Board recommended by Planning & Development Committee –** Councilor McPike made a motion, seconded by Councilor McAvoy, to refer to the Planning Board an amendment to the Shoreland Zoning Ordinance for mandatory revisions to comply with State standards. Unanimous vote in favor.
- d. Request for Municipal Building reserve funds in the amount of \$550.00 to replace garage door opener –** Councilor Sirois made a motion, seconded by Councilor McPike to authorize use of \$550.00 from the Municipal Building Reserve Funds to replace the garage door opener. Unanimous vote in favor.
- e. Request for Marina reserve funds in the amount of up to \$4,000.00 for channel markers, no wake buoys, mooring equipment –** Councilor Sirois made a motion, seconded by Councilor Marble to authorize use of \$1600.00 from the Marina reserve fund for channel markers, no wake buoys and mooring equipment. Councilor Wilde stated for the public that the approval of this expenditure will bring us into compliance with the ordinance and the law regarding moorings. Unanimous vote in favor.
- f. Request for Streets/Roads reserve funds in the amount of up to \$59,213.00 for 2016 paving projects. –** Councilor Sirois explained that discussion in committee centered on taking advantage of the low fuel prices by moving some planned projects up. Councilor Sirois made a motion, seconded by Councilor Marble to authorize use of \$59,213.00 from the Streets/Roads reserve fund for 2016 paving projects. Unanimous vote in favor.
- g. Manager's proposed FY17 Budget workshop – Review of Public Works, Municipal Garage, Solid Waste, Buildings & Grounds,**

Marina, Non-Departmental utilities and Sewer budgets and the Capital Program –

Review of proposed FY17 budgets as follows:

- a. **Public Works – account 10-01 proposed for \$1,381,060.00 –** Manager Jennings stated that this budget included both personnel and non-personnel items and showed an increase of \$186,093.00. The increase is driven by certain line items, the first one identified is Road Resurfacing. Manager Jennings stated that in past portions of this expense was budgeted into the Street/Rd Reserve account which is not typical. Reserve accounts are for monies not spent within the same year and are for long term planning. Monies spent within the same year should be budgeted into an operating account. Discussion followed with Public Works Director Sean Currier explaining per-mile costs and the 8 year rotation. Manager Jennings listed other factors of the increase as being Tires, Contracted Services and Street/Crosswalk painting. Council members questioned the Director on those line items as well as discussed Wages, Tree Removal, Supplies & Materials, Gas/Oil and Lube, Salt and Road Side & Cemetery mowing. There was much discussion regarding mileage for personal vehicle versus leasing a vehicle. Much discussion on confined space rescue retrieval device. Discussed the telephone line item with Councilors asking about the GPS costs and capabilities. Time constraints have not allowed the analysis of the data. Andrew Scott spoke and said it was not just used as a mileage tracking device, but was similar to an airplane "black box" in that in the event of an accident, date & time of plowing, etc. is stored for retrieval later. Much discussion on the repairing the flail mower vs replacing the sickle bar mower. Discussion followed on the center line striping of certain roads in town.
 - b. **Municipal Garage – account 10-05 proposed for \$34,090.00 –** This budget shows a decrease of 32.5%. Councilor Sirois noted that the reduction in Building Maintenance was due to moving this to the capital program.
 - c. **Stormwater Management – account 1-10 proposed for \$134,305.00 –** Discussion followed on maintenance and repair of culverts. Councilor Sirois questioned the increase in Contracted Services, due to catching up on stormwater repair. Councilors and DPW director Currier discussed locations about town with collapsing culverts. Priorities are identified as North Rd., Old County Rd and Sidney Blvd.
- At 8:15 p.m. Mayor Ryder called for a ten minute break.**
- d. **Solid Waste – account 15-10 proposed for \$359,675.00 –** Differences between the Department head proposed and TM proposed budgets are reflected in payroll and in equipment items moved to the Capital program. Councilor McAvoy questioned the uniform line item and discussion followed regarding approved uniforms. Councilor McAvoy requested break out information on tipping fees, hauling fees, ash testing, C & D and recycling. DPW Director Currier and Manager Jennings stated that the information can be provided as a supplement and can

present it to Infrastructure Committee. Councilor McAvoy stated he would like to eventually do away with C & D. Sean stated he can do a breakdown of all expenses paid to each vendor.

- e. **Buildings & Grounds – account 30-10 proposed for \$197,544.27** – This budget shows a proposed non personnel change of 204.9%. Discussion followed regarding the flags that the Town is doing for the VFW. Allison Berube was recognized and she gave commentary regarding the flag program and that she believed there should be approximately \$1,200.00 remaining at the VFW for flags that should be transferred to the Town. She stated that when originally started they did not want the town to have to spend any money and that maybe we should spend the remaining \$1,200. - \$1,500.00 and then end the program. Councilor Marble questioned the personnel line item and Manager Jennings reported that this reflects a shift from roads to buildings & grounds. Councilor McAvoy questioned the expense for mowing the cemeteries and fields. Discussion followed regarding time lines for mowing, outsourcing vs keeping it in-house, and snowmobile trails maintenance. Councilor McAvoy requested a breakdown of mowing costs only.
- f. **Marina – account 20-25 proposed for \$0.00**
- g. **Non-department Utilities – account 06-06 proposed for \$544,095.00** – Discussed the requirement to fund 30% of the Water Districts annual budget through hydrant rental. Discussed the PEMCO proposal and alternatives to PEMCO. Councilor Marble informed the public that the Council was investigating ways to save money on street lights.
- h. **Sewer – account 60-10 proposed for \$955,859.96** – Manager Jennings stated that this is substantially similar to the budget provided in February. Includes payments to pay back the General Fund and that this is the first time the sewer budget is being included with its own budget. It also includes the first of a multi-year pay-back of \$100,000.00 to the General Fund. Manager Jennings stated that he believes there should be an accelerated payback. He is also looking at going to referendum in November for a bond to pay back Hampden's obligations for Bangor's treatment plant service charge.
- i. **Capital Program** – due to the length of this portion of the budget the consensus was to set its own meeting. Manager Jennings pointed out the new map, prepared by staff, of Capital programming projects town-wide. He also suggested that a ride-along could be planned whereby Councilors could have DPW Director Currier show them these areas within the Capital Program.

E. COMMITTEE REPORTS –

Services Committee - Councilor McAvoy reported that they discussed the Harbor Ordinance and vendor use of the municipal building parking. Their next meeting will be held on June 13th.

Infrastructure - Councilor Marble stated that the next meeting will be Monday the 23rd at 6:00 p.m.

Planning & Development – Councilor McPike reported that all items discussed in committee were discussed tonight with the exception of the on-going discussion on fees.

Finance & Administration – Councilor Sirois reported that their discussions involved the dangerous building which was moved until next meeting and discussed reserve account spending.

F. MANAGER'S REPORT – REVIEW / UPDATE FY17 BUDGET MEETING SCHEDULE

– Manager Jennings reported that the next budget meeting will be Tuesday May 17th at 7:00. He stated that May 24th will be the final budget work session before the Council review of entire budget on June 6 and then Public Hearing on June 20th.

G. COUNCILORS' COMMENTS –

Councilor McAvoy -Reminded everyone that the next tax payer clinic will be on the 28th at Anglers. He reminded everyone to shop local and buy American.

Councilor Marble - Reminded folks to take part in their town and formally thanked the three residents whose names were accepted tonight for membership on committees and who are willing to serve, reminded everyone that the final Hot Stove will be this Saturday.

Councilor Cormier – no comment

Councilor Wilde – no comment

Councilor McPike – no comment

Councilor Sirois – Thanked Sean and Dudley for all of their thought and hard work on the budget

Mayor Ryder – Thanked the citizens that have been involved and have come out to the Skehan Center for Children's Day planning.

H. ADJOURNMENT – With no other business to conduct, Councilor Sirois made a motion, seconded by Councilor McAvoy to adjourn at 9:00. Unanimous vote in approval.

Respectfully Submitted,



*Paula A. Scott, CCM
Town Clerk*