

Approved 8/15/16



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

AUGUST 1ST, 2016

7:00 P.M.

• 6:00 pm – Finance & Administration Committee Meeting

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

Attending:

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

Town Manager Angus Jennings
Town Clerk Paula Scott
Mallory Bruen & Family

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

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. July 18th, 2016 Council Meeting minutes

3. COMMUNICATIONS

- a. Final submittal and certification for the Local Road Assistance Program for FY16
- b. Town of Hampden response to June 7th, 2016 MS4 Audit Conducted by Maine DEP

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

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4. REPORTS

- a. Planning & Development Committee Minutes – July 6th, 2016
- b. Finance & Administration Minutes – July 5th, 2016
- c. Infrastructure Committee Minutes – June 20th, 2016
- d. Services Committee Minutes – none

C. PUBLIC COMMENTS - *None*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - Certificate of Recognition presented to Hampden 6th grader Mallory Bruen of the Reeds Brook Middle School for first place in the All American Soap Box Derby – ***Mayor Ryder asked Mallory to approach the podium where he presented her with a certificate of recognition from the Town Council, congratulating her for placing 1st in the All American Soap Box Derby held in Akron, OH. He noted how building the cars is more difficult than it would seem and that it is nice to see that the whole family takes part in the process. He congratulated her and stated that perhaps one day we will see her on the NASCAR circuit.***
2. PUBLIC HEARINGS - *None*
3. NOMINATIONS – APPOINTMENTS – ELECTIONS
4. UNFINISHED BUSINESS
 - a. ***Request authorization to use public works equipment reserve funds (03-717-00) in the amount of \$36,500.00 for the purpose of purchasing a public works plow truck. – Mayor Ryder stated that this was discussed in the last two Finance Committee meetings with a recommendation to bring to the Council for vote. Councilor Sirois made a motion to authorize use of public works equipment reserve funds in the amount of \$36,500.00 to purchase a public works plow truck. Motion was seconded by Councilor McPike. Councilor McAvoy read from a prepared statement, which are attached to these minutes as Exhibit A, asking the Council to vote no. There was no further discussion and the motion was brought to vote. Mayor Ryder, Councilor Sirois, Councilor McPike, Councilor Wilde and Councilor Marble***

voted in favor. Councilor Cormier and Councilor McAvoy voted in opposition. Motion carries.

5. NEW BUSINESS

- a. Recommendation of Chief Joe Rogers for the turnout gear cleaning/drying system as bid by Industrial Protection Services, LLC on July 28th, 2016 and request authorization to use Matching Grant reserve account funds in the amount of \$818.00 for its purchase. – ***Mayor Ryder stated this was discussed in Finance Committee with a recommendation to bring to Council for a vote. Councilor Marble made a motion to authorize Matching Grant reserve account funds in the amount of \$818.00 for the town's share of the purchase price for the turnout gear cleaning system. Motion was seconded by Councilor McAvoy. Unanimous vote in favor.***

- b. Discussion of the timeline and process for the anticipated local referendum during the November 8th, 2016 election. – ***Manager Jennings reported that at Finance Committee the process and requirements for bond referenda was discussed. The bonds would be for potential capital projects. The first project under consideration is Hampden's share of the cost of reconstruction of 1.73 miles of Main Rd. North which is on DOT's schedule. If this goes forward it is a \$4.65 million dollar project of which Hampden's share would be \$465,000.00. The second project being considered is reconstruction of School House Lane between Old County and Rte. 1-A which is a \$310,000.00 project, which is entirely a Hampden responsibility. These two projects are on general obligation side. The third project is on the sewer side and it is part of the interlocal agreement with the City of Bangor for the discharge of our sewer. Bangor has initiated some capital improvement projects and Hampden's share is estimated at \$400,000.00. This will be paid for out of sewer funds. Finally, as people are aware, the Sewer Department is currently significantly behind in its bills to Bangor so discussion is on whether or not to borrow money to make whole our obligation to Bangor and pay it off over a couple of years. All of this will be presented in greater detail at the August 15th meeting for possible referenda in November. Also to be discussed is the Western Avenue sidewalk project that has been underway for several years. There has been some money previously allocated for it, but it will be discussed with Council to determine if it will be brought into referendum.***

MINUTES

- E. COMMITTEE REPORTS –
- Services** – Councilor McAvoy reported that they have not met since 07/18
- Infrastructure** – Councilor Marble reported that at last week's meeting discussions were regarding sewer finances and the review of correspondence from BACTS regarding 20-21 capital work plan. Discussed a citizen concern about jake brakes on Main Rd. South. Discussed the VFW sewer service and who is responsible to pay for it. Going forward it will be absorbed into the Rec program. Councilors also discussed the GPS units and the need to better utilize the data.
- Planning & Development** – Councilor McPike reported that at the meeting on the 20th members discussed the Business Park TIF agreement. Members were updated on MRC and the DEP permitting for the project. MRC has set up a trust for 40 acres of land, however, no trust is willing to run it at this point. This will be discussed further on the 17th. Dewey Street zoning was another topic of discussion.
- Finance** – Mayor Ryder reported that as mentioned earlier, the committee discussed the purchase of the public works plow truck in a 5 year plan as well as the turn out gear system that was put to bid. The potential November referendum was presented and the different projects discussed. Goals and Priorities for FY17 are still being looked at.
- F. MANAGER'S REPORT – Manager Jennings reported on several topics that are of interest. Report attached to these minutes as Exhibit B.
- G. COUNCILORS' COMMENTS –
- Councilor Sirois – none
- Councilor McPike – He and Mr. Woodbury met and decided on a nominee for the Environmental Trust who respectfully declined. The two will be meeting again soon to try to find another trustee.
- Councilor Wilde – none
- Councilor Marble – none
- Councilor Cormier - none
- Councilor McAvoy – Reminded everyone to shop local and buy American
- Mayor Ryder – Stated how it is a pleasure giving out awards such as the one given tonight to Hampden's youth, recognizing that they are the next generation who will be taking care of things in the future.
- H. ADJOURNMENT – Councilor Sirois made a motion, seconded by Councilor McAvoy, to adjourn at 7:25 p.m.

Respectfully Submitted,



Paula A. Scott, CCM
Town Clerk

MONDAY

AUGUST 1ST, 2016

7:00 P.M.

MINUTES

Exhibit A

THANK YOU MAYOR RIDER.

TCM 8-1-16

THIS VOTE IS MORE THAN JUST ABOUT WHETHER OR NOT TO BUY A NEW PLOW TRUCK. THIS VOTE HAS THE POTENTIAL TO RETURN US TO THE DAYS WHEN TAXPAYERS COULD NOT RELY UPON THEIR UNDERSTANDING OR INTERPRETATION OF WHAT WAS BEING PRESENTED AND VOTED ON BY THE COUNCIL. A TIME WHEN THE COUNCIL'S RESPONSE TO TAXPAYER'S NEGATIVE REACTIONS TO A PARTICULAR OUTCOME WAS: ITS NOT OUR FAULT THAT YOU FAILED TO PARSE OUR WORDS; ITS NOT OUR FAULT THAT YOU FAILED TO RECOGNIZE THE NUANCES IMBEDDED IN OUR STATEMENTS. UNACCEPTABLE THEN, UNACCEPTABLE NOW.

TOWN MANAGER JENNINGS RECENTLY PRESENTED THE BUDGET NUMBERS IN A MANNER WHICH ACTUALLY RESTORED MY, AND OTHERS, CONFIDENCE IN WHAT WAS ON THE TABLE AND FOR THAT, WE THANK YOU MR. JENNINGS.

WHEN THE PUBLIC WORKS BUDGET WAS UP FOR CONSIDERATION WE DISCUSSED THE NEED TO PROVIDE FOR THE FUTURE REPLACEMENT OF A PLOW TRUCK. THE BEST WAY TO PREPARE FOR SUCH AN EXPENSIVE EVENTUALITY IS TO ANNUALLY ALLOCATE FUNDS TO A RESERVE ACCOUNT RESULTING IN AN ACCUMULATED BALANCE SUFFICIENT TO FACILITATE A PURCHASE. BEING BOTH SOUND PUBLIC POLICY AND PRUDENT FISCAL MANAGEMENT I JOINED THE REST OF COUNCIL IN APPROVING THAT LINE ITEM. BECAUSE MAYOR RIDERS LEADERSHIP, THE SINCERE EFFORTS OF MOST OF THE COUNCIL, AND THE TRANSPARENCY OF MANAGER JENNINGS HAD IN EFFECT, TURNED OFF MY SKEPTICISM FILTER I HAD NOT EVEN CONSIDERED THAT THE PLAIN LANGUAGE AND THE REASONABLY PRESUMED INTENT OF THE RESERVE ALLOCATION MEANT ANYTHING MORE THAN PLANNING FOR THE FUTURE.

TWO WEEKS AGO AT THE FINANCE AND ADMINISTRATION COMMITTEE WE WERE ASKED TO CONSIDER DEVIATING FROM THE USUAL REQUEST FOR PROPOSAL PROTOCOL TO ALLOW FOR THE IMMEDIATE PURCHASE OF THE AFOREMENTIONED PLOW TRUCK. IT SHOULD BE NO SURPRISE TO ANYONE THAT MY BULL CRAP METER SPIKED INTO THE RED ZONE. A MAJORITY VOTE

APPROVED THE POLICY DEVIATION AND THE ISSUE WAS REFERRED TO THE INFRASTRUCTURE COMMITTEE FOR FURTHER CONSIDERATION.

AT NO TIME DURING THE BUDGET SESSION WAS THERE ANY MENTION, THEREFORE, NO DISCUSSION, OF AN IMMEDIATE NEED TO REPLACE A PLOW TRUCK. AT THE INFRASTRUCTURE THERE WAS AN ATTEMPT TO JUSTIFY AN IMMEDIATE EXPENDITURE OF \$170,000. ONE JUSTIFICATION WAS THAT THE ADDED LOAD CAPACITY WOULD ENHANCE ITS UTILITY AND PROVIDE FOR MORE EFFECTIVE AND EFFICIENT SNOW REMOVAL OPERATIONS. BOTH LAUDABLE, BUT NEITHER SUBSTANTIATED BY ANY SORT OF COST/BENEFIT ANALYSIS BEYOND PRESUPPOSED RESULTS. THERE WAS NO CLAIM OF IMMINENT FAILURE, NOT EVEN ANY CLAIM OF ANTICIPATED FAILURE. IMMEDIATE NEED, NO; IMMEDIATE WANT, YES.

THE LEAST PALATABLE AND THE MOST OBJECTIONABLE STATEMENT OF JUSTIFICATION WAS THAT SINCE THE COUNCIL HAD APPROVED AN ALLOCATION TO A RESERVE ACCOUNT THAT WAS TANTAMOUNT TO A PREAPPROVAL OF AN IMMEDIATE PURCHASE. NEEDLESS TO SAY THAT MY BULL CRAP METER VAPORIZED. SUCH STATEMENTS ARE REMINISCENT OF THE TACTICS EMPLOYED BY PREVIOUS REGIMES TO GET WHAT THEY WANTED BY ANY MEANS. THE OVERT FALLACY OF SUCH A POSITION IS THAT AN ALLOCATION TO A RESERVE ACCOUNT IS DISCRETIONARY AND THEREFORE MAY FLUCTUATE FROM YEAR TO YEAR WHEN TAKING THE OVERALL TAXPAYER BURDEN INTO CONSIDERATION. CONVERTING A DISCRETIONARY RESERVE ALLOCATION INTO AN OBLIGATORY DEBT PAYMENT ELIMINATES ANY FLEXABILITY. ACCEPTANCE OF THIS POSITION , IN EFFECT, RELEGATES ALL CURRENT AND FUTURE CAPITAL RESERVE ACCOUNTS TO A STATUS AKIN TO A PREAPPROVED CREDIT CARD. A STATUS NOT EVEN CLOSE TO THE ORIGINAL INTENT AND GENERALLY ACCEPTED PURPOSE OF SUCH RESERVE ACCOUNTS. DISINGENUOUS THEN, DISINGENUOUS NOW,

PLEASE DO NOT RETURN US TO THE DAYS WHEN TAXPAYERS ARE SKEPTICAL OF WHAT WE SAY AND DREAD WHAT WE WILL DO. PLEASE DO NOT JEOPARDIZE THE STRIDES WE WHICH WE HAVE MADE IN RESTORING THE TAXPAYER'S FAITH IN THE INTEGRITY OF THIS COUNCIL. PLEASE, VOTE NO.

Exhibit B

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: August 1, 2016
RE: Town Manager's Report to Town Council meeting

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

New Town Planner

Hampden's Town Planner Karen Cullen began work last Monday, July 25 and is well on her way to getting oriented to the community. Several staff members stepped up their efforts in the past couple of months while we were short-handed, and I'd like to thank in particular Rosemary Bezanson and Code Enforcement Officer Myles Block.

Tax Anticipation Note Preparation

We continue to do the preparation work associated with the recent request for bids for a Tax Anticipation Note in FY17. This item will come before the Council on August 15 and the issuance of the TAN will allow the Town to remain current with its financial obligations leading up to receipt of tax payments this fall.

Children's Day

The Hampden Children's Day Committee is hard at work on preparations for this year's Children's Day, which will take place on Saturday, August 20. This citizen committee, led by Kurt Mathies, Janet Hughes, Tom Brann and Bill Shakespeare is to be commended for their work and dedication, and the Recreation Director Shelley Abbott is also committing significant time toward event planning. Volunteers are still needed for the day of the event so, if you're available, please contact the Committee or Shelley, or stop in at the town office.

2nd Quarter Sewer Bills Mailed

We have received a number of calls and visits last week's sewer bills were mailed. Complete information regarding the February 2016 rate increase that applied to the bills is available on the Town website at hampdenmaine.gov/sewer. Although we understand that the rate increase was significant, it was needed, and overdue, due to increases in operating costs and debt service over many years. As of today, the Sewer Fund is over \$1 million behind when taking into account

amounts due to Bangor, amounts due to the General Fund, and other operating costs. The increased rates at least put the Sewer on a financial path to digging out of this hole, although all should be aware that it will take several years before the Sewer is on firm financial footing.

Public Safety Building Drainage Problem

After designing a fix to the long-term drainage problem causing moisture on the floor of the lower level of the Public Safety Building, Public Works is planning to implement a solution to this problem this Thursday and Friday. If the work is successful, we'll be able to move forward with the remainder of the flooring work that began last year.