



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JUNE 15, 2015

7:00 P.M.

• 6:00 pm – Finance & Administration Committee Meeting

A. PLEDGE OF ALLEGIANCE

B. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. July 14, 2014 Minutes
- b. August 4, 2014 Minutes
- c. August 18, 2014 Minutes
- d. September 2, 2014 Minutes
- e. September 15, 2014 Minutes
- f. October 6, 2014 Minutes
- g. October 20, 2014 Minutes
- h. November 17, 2014 Minutes
- i. December 1, 2014 Minutes
- j. December 15, 2014 Minutes
- k. June 1, 2015 Minutes

3. COMMUNICATIONS

4. REPORTS

- a. Services Committee Minutes – 5/11/2015
- b. Finance Committee Minutes – 5/18/2015

C. PUBLIC COMMENTS

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS

2. PUBLIC HEARINGS

- a. Consideration of Elimination of Saturday Bus Service
- b. Adoption of FY 2016 Town Budget

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

- c. Zoning Ordinance Text Amendment to Article 3.9 Rural District Frontage Exception for Cul-de-sac Lots
- d. Zoning Ordinance Text Amendment to Article 3.2 Industrial District Building Height Standards
- e. Zoning Ordinance Text Amendment to Article 4.3 Conditional Lot Dimensions
- f. Zoning Ordinance Text Amendment to Article 4.15 Water Recreation and Article 7.2 Definitions
- g. Zoning Ordinance Text Amendment to Article 3.13 Business B District

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

4. UNFINISHED BUSINESS

- a. Property & Casualty Insurance Bid Results – Finance Committee Recommendation
- b. Police Department Contract – Finance Committee Recommendation
- c. Interim Town Manager

5. NEW BUSINESS

- E. COMMITTEE REPORTS
- F. MANAGER'S REPORT
- G. COUNCILORS' COMMENTS
- H. ADJOURNMENT



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING

MINUTES

B-2-a

MONDAY

JULY 14, 2014

6:00 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:

*Mayor Carol Duprey
Councilor David Ryder
Councilor Bill Shakespeare
Councilor Greg Sirois
Councilor Jean Lawlis
Councilor Tom Brann
Councilor Ivan McPike*

*Town Attorney Thomas Russell
Town Manager Susan Lessard
Town Clerk Denise Hodsdon
Town Planner Bob Osborne
Citizens*

Mayor Duprey called the meeting to order at 6:03 pm.

- A. PLEDGE OF ALLEGIANCE** – *Mayor Duprey led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *The Consent Agenda was accepted without objection.*
 - 1. SIGNATURES**
 - 2. SECRETARY'S REPORTS**
 - 3. COMMUNICATIONS**
 - a. Circle K #7057 – Victualers License Renewal**
 - 4. REPORTS**
 - a. Finance Committee Minutes – 6/2/2014**
 - b. Bangor Humane Society – Stray Animal Report – May 2014**
 - c. Infrastructure Committee Minutes – 5/27/2014**
- C. PUBLIC COMMENTS** – *None.*
- D. POLICY AGENDA**
 - 1. NEWS, PRESENTATIONS & AWARDS** – *Manager Lessard offered condolences to the Community of Corinna and the family of Corinna Town Manager Kimberly Godsoe who recently passed away unexpectedly.*
 - 2. PUBLIC HEARINGS**

- a. **Shoreland Zoning Ordinance Text Amendment re Resource Protection** – *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Ryder, seconded by Councilor McPike to pass the text amendment regarding Resource Protection. Unanimous vote in favor.*
- b. **Shoreland Zoning Ordinance Map Amendment** - *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Sirois, seconded by Councilor Shakespeare to adopt the shoreland zoning map amendment. Unanimous vote in favor.*
- c. **Shoreland Zoning Ordinance Text Amendment re Timber Harvest** - *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Ryder to pass the Shoreland Zoning Ordinance text amendment re timber harvesting. Unanimous vote in favor.*
- d. **Zoning Ordinance Text Amendment re Business B District** - *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Sirois, seconded by Councilor Lawlis to adopt the Zoning Ordinance text amendment re Business B District. Unanimous vote in favor.*
- e. **Zoning Ordinance Map Amendment, Western Avenue** - *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Sirois, seconded by Councilor Ryder to adopt the Zoning Ordinance Map amendment for Western Avenue. Vote on the motion was 6 in favor (Ryder, Sirois, Brann, Shakespeare, McPike and Duprey) and 1 opposed (Lawlis) – motion carried.*
- f. **Subdivision Ordinance Text Amendment re Open Space** - *Mayor Duprey opened the hearing. Alex King of 75 Ichabod Lane spoke in favor of the amendment. No one spoke in opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Sirois, seconded by Councilor Ryder to accept the Subdivision Ordinance text amendment re open space as presented. Unanimous vote in favor.*
- g. **Proposed Amendment to Council Compensation Ordinance** - *Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The*

hearing was closed. Following discussion, no motions were made relative to this proposed amendment.

- h. Application for Victualers License received from Jin Rong Chen d/b/a Nealley's Corner Store at 1230 Kennebec Road - Mayor Duprey opened the hearing and no one spoke in favor or opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor McPike, seconded by Councilor Sirois to approve the Victualers License application for Nealley's Corner Store. Unanimous vote in favor.**

3. NOMINATIONS – APPOINTMENTS – ELECTIONS – None

4. UNFINISHED BUSINESS

- a. Acceptance of Safety Enhancement Grant – Motion by Councilor McPike, seconded by Councilor Sirois to accept the grant. Unanimous vote in favor.**
- b. Route 1A Sidewalk Repair – Use of Streets & Roads Reserve Funds – Recommendation of Infrastructure & Finance Committees – Motion by Councilor Ryder, seconded by Councilor McPike to expend up to \$5,000 from Streets & Roads reserve fund to repair the Route 1A sidewalk. Unanimous vote in favor.**
- c. Annual Salt Contract – Infrastructure Committee Recommendation – Motion by Councilor McPike, seconded by Councilor Sirois to accept the salt contract with International Salt at the price of \$53.98 per ton for the 2014-15 winter. Unanimous vote in favor.**
- d. Elm Street East Culvert Bid Award and Use of Streets & Roads Reserve Funds – Recommendation of Infrastructure & Finance Committees – Motion by Councilor Sirois, seconded by Councilor McPike to accept the bid from Maine Earth in the amount of \$65,707.00 with funding to come from the Streets & Roads reserve account. Unanimous vote in favor.**

5. NEW BUSINESS

- a. Wheelden Heights Road Closure to Non-resident Traffic on 7/19/14 from 12:00 to 6:00 pm – Infrastructure Committee Recommendation – Motion by Councilor Lawlis, seconded by Councilor Ryder to authorize closing Wheelden Heights to non-resident traffic on July 19th from 12:00 to 6:00 pm. Unanimous vote in favor.**
- b. Emergency Street Signs – Use of Grant Funds – Recommendation of Infrastructure and Finance Committees – Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the use of**

funds from the safety enhancement grant to install the emergency street signs. Unanimous vote in favor.

- c. **Littlefield Avenue Paving & Reclamation – Award to Wellman Paving and Use of Streets & Roads Reserve Funds – Recommendations of Infrastructure & Finance Committees –** *Motion by Councilor Sirois, seconded by Councilor Shakespeare to move forward with paving of Littlefield Avenue and award the project to Wellman Paving in the amount of \$8991.50, with funding to come from the Streets & Roads reserve account. Unanimous vote in favor.*
- d. **Local Road Assistance Program – 2014/15 Funds Acceptance – Finance Committee Recommendation –** *Motion by Councilor Sirois, seconded by Councilor Ryder to accept funds from the Local Roads Assistance Program in the amount of \$64,916.00. Unanimous vote in favor.*
- e. **Executive Session Pursuant to 1 MRS §405(6)(E) – Discussion of legal rights and responsibilities related to potential litigation regarding a land use issue –** *Motion by Councilor Brann, seconded by Councilor Shakespeare to enter into executive session pursuant to 1 MRS §405(6)(E) to discuss legal rights and responsibilities related to potential litigation with the Town Attorney. Following discussion, vote on the motion was 3 in favor (Shakespeare, Lawlis and Brann) and 4 opposed (Duprey, Ryder, McPike and Sirois); motion did not carry. It was decided that this could be discussed in open meeting, but because the item was not identified on the agenda, it will be added to the agenda for the next Council meeting.*

E. COMMITTEE REPORTS

Infrastructure Committee – *Councilor Ryder reported that the committee authorized the solicitation of bids for replacing flooring in the Public Safety department.*

Planning & Development – *Councilor McPike reported that the committee discussed the naming of the waterfront park. Economic Development Director Dean Bennett will ask for suggestions from the Hampden Historical Society and McLaughlin's. Dean is also going to contact the City of Bangor relative to their snow dump located near the waterfront park and how it impacts our project.*

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

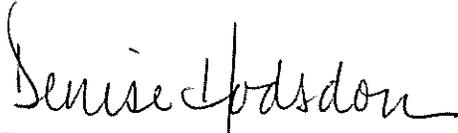
G. COUNCILORS' COMMENTS

Councilor Shakespeare thanked Councilor Brann for giving money to residents so they could take a cab home from the last meeting. He informed the Council that the historic map is being framed, the cost of which will be paid by donated funds.

Councilor Lawlis and Councilor McPike reminded everyone that the Town has started with the zero-sort recycling program at the transfer station. They noted that the amount of garbage will be reduced with this program in place.

Councilor Ryder commented that he was happy with Buck Construction and the job they did on Route 1A. He thanked the Hampden Garden Club for maintaining the gardens at the pool and in front of the Town Office.

- H. **ADJOURNMENT** – *There being no further business, the meeting was adjourned at 7:45 pm.*



Denise Hodsdon
Town Clerk

MANAGER'S REPORT

July 7, 2014

Fiscal Year End – I am pleased to report that fiscal year end went smoothly on June 30th. The computer system made the transition seamlessly and the staff, as always, did a great job getting everything completed.

Turtlehead Park – The marina project is now complete and includes both trails and the parking lot and landscaping. I would encourage everyone to go down and check it out! Be careful of poison ivy though – public works is working on eliminating as much of it as possible. This is an absolutely beautiful area and a real asset to the community.

Channel 7 Broadcast – The Town of Hampden was featured on Channel 7 on June 27th and aired their 6 p.m. broadcast from the Hampden Municipal Building. The Farmer's Market was in operation and the Mayor was interviewed for the broadcast and discussed ongoing projects being done by the Town. It was great to have positive press for the community!

Local Cable Channel 7 – After a month of downtime I am happy to report that our local cable channel is up and running again for transmission of Council and Planning Board and School Board meetings. The 'fix' included a new amplifier installation and then some fine tuning work by Justin Foster, our NESCOM student who operates the Town cable tv recording system.

The Bus – The manager of the BAT system is on vacation this week. I called their office for an update on where the Saturday bus service issue was with them – whether they had to have a public meeting or not – and have not heard back yet. At the earliest *will be 1st of August.*

Zero-Sort Recycling – The program has gotten off to a good start. Staff has fielded a lot of questions about how it works, and we will be inviting Jim Dunning from Casella to the next Council meeting for an update and the opportunity for questions. The only issue thus far has been that people are used to parking by the recycling area and strolling back and forth between that area and the trash compactors. Now they are being asked to use one line then the other and not stay parked in the area. That will take some adjustment but it is necessary to keep the lines moving.

Route 1A – Public Works will be working on paving sections of the Route 1A sidewalk this week.

Arthur – Despite some power outages, we had very little damage locally from the remnants of Arthur that went through over the weekend. Even the Route 1A sewer project held up well with all the rain.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

B-2-b

MONDAY

AUGUST 4, 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:

Mayor Carol Duprey

Councilor Tom Brann

Councilor Greg Sirois

Councilor David Ryder

Town Clerk Denise Hodsdon

Media Representative

Councilor William Shakespeare

Councilor Ivan McPike

Councilor Jean Lawlis

Town Manager Susan Lessard

Town Attorney Tom Russell

Residents

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** – *No consent agenda items were set aside for discussion and it was approved by unanimous consent.*
 1. **SIGNATURES**
 2. **SECRETARY'S REPORTS**
 3. **COMMUNICATIONS**
 - a. **Jessica Scott/RSU #22** – Resignation from School Board
 - b. **Hampden Country Club** – Renewal of Victualers License
 - c. **PERC/Town** – Memo re Public Informational Meetings
 4. **REPORTS**
 - a. **Infrastructure Committee Minutes** – 6/23/2014
 - b. **Finance Committee Minutes** – 6/16/2014
 - c. **Bangor Humane Society** – Stray Animal Report – June 2014
- C. **PUBLIC COMMENTS** – *There were no public comments*
- D. **POLICY AGENDA**
 1. **NEWS, PRESENTATIONS & AWARDS** – *Mayor Duprey reminded the Council and residents that Hampden Children's Day was being held on Saturday, August 16th.*
 2. **PUBLIC HEARINGS** - *None*

- 3. NOMINATIONS – APPOINTMENTS – ELECTIONS** - *Nomination papers for Council, School Board, and Water District Trustee seats will be available on August 6th.*

4. UNFINISHED BUSINESS

- a. **Pool Roof Bid Award – Recommendation of Infrastructure and Finance Committees** – *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the Infrastructure Committee and Finance Committee recommendations to award the pool roof bid to McLaughlin Builders for \$23,849 to come from Pool Reserve. Unanimous vote in favor.*
- b. **Municipal Garage Fuel Tank Bid Award – Recommendations of Infrastructure and Finance Committees** – *Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the Infrastructure and Finance Committee recommendations to award the fuel tank bid to Simard & Sons for \$8,749 to be funded from Municipal Garage Reserve. Unanimous vote in favor.*
- c. **Sewer Manhole Acceptance – O’Donald/Lead Mountain Properties Development – 206 Western Avenue – Infrastructure Committee Recommendation** – *Motion by Councilor Ryder, seconded by Councilor Lawlis to approve the Infrastructure Committee recommendation to accept the sewer manhole on 206 Western Avenue. Unanimous vote in favor*
- d. **Elm Street East Culvert – Additional Funding Request from Streets & Roads Reserve Account – Finance Committee Recommendation** – *Motion by Councilor McPike, seconded by Councilor Sirois to spend additional funds from Streets and Roads Reserve for guardrail installation. Councilors Brann and Shakespeare requested additional information related to any ‘design flaw’ in the project before making a decision. Motion by Councilor Lawlis, seconded by Councilor Brann to table until additional information is received. Vote 3-4 (Shakespeare, Brann, Lawlis in favor, Duprey, McPike, Ryder, Sirois opposed). Motion failed. Vote on the original motion 5-2 (Brann and Shakespeare opposed, Sirois, Lawlis, Ryder, Duprey, McPike in favor). Motion carried.*

5. NEW BUSINESS

- a. **Zoning Ordinance Text Amendment – Article 4.6 Rural Cluster Housing Open Space Exception – Referral to Planning Board** *Motion by Councilor Sirois, seconded by Councilor McPike to refer Article 4.6 Rural Cluster Housing Open Space Exception to the Planning Board. Unanimous vote in favor.*

- b. **Application for Catered Function received from Spectacular Event Center – 9/19/2014 at Changing Seasons FCU – Motion by Councilor Lawlis, seconded by Councilor Shakespeare to allow the Spectacular Events Center to cater a function at Changing Seasons Credit Union on September 19, 2014 and be allowed to serve alcohol. Unanimous vote in favor.**
 - c. **Sewer Commitment – April 2014 to June 2014 – Motion by Councilor McPike, seconded by Councilor Lawlis to approve the sewer commitment for the April – June 2014 period. Unanimous vote in favor.**
 - d. **Maine Municipal Association – Annual Election Voting Ballot – Motion by Councilor Shakespeare, seconded by Councilor Ryder to approve the Maine Municipal Association Executive Committee ballot as presented with the nominating committee recommendations. Unanimous vote in favor.**
 - e. **Maine Municipal Association – Legislative Policy Committee Ballot – Motion by Councilor Lawlis seconded by Councilor Shakespeare to vote for the two candidates presented (Carroll & Crooker) for the Legislative Policy Committee. Unanimous vote in favor.**
 - f. **Rural Active Living Assessment – City of Bangor Request – Tracie Goldsmith from the City of Bangor passed out a memo and copies of the assessment to be completed. She said that one third of the communities in the state had completed the assessment through Healthy Maine Partnerships. Public Comment: Lisa Carter, Western Avenue, asked where the funding for it comes from, how much it costs the community (no cost) and how the assessment worked. Resident Terry McAvoy, Monroe Road asked if there would be pressure to make 'connectivity' between towns as a result of this. Councilor Lawlis asked how long the assessment took and what format was it in. Councilor Sirois stated that he saw no problem with providing information but the Town would not be held to any findings or recommendations. Tracie indicated that the information could be used as data in grant applications for the Town. Motion by Councilor Lawlis, seconded by Councilor Brann to provide the requested information as part of an upcoming Services Committee meeting. Vote 6 – 1 (Ryder opposed). Motion carried.**
- E. COMMITTEE REPORTS – Councilor Lawlis reported that a Services Committee would be held on Monday, August 11th. Councilor Ryder reported that all items from Infrastructure had been discussed as part of regular agenda items. Councilor Sirois reported that Public Safety Director Rogers would be at the next Planning & Development Committee to discuss complaints received about the fireworks ordinance. Mayor Duprey reported that Finance & Administration had discussed raising pool fees, charter revisions and amendments to be introduced for public hearing at the next Council meeting.**

- F. MANAGER'S REPORT** – *The Manager's report is attached hereto and made part of the minutes.*
- G. COUNCILORS' COMMENTS** – *Councilor Shakespeare stated that he was greatly offended by one councilor who made personal attacks on him and two other councilors since Council rules say that that is not allowed.*

Councilor Lawlis stated that she was happy with zero sort recycling and asked where we could get clear bags to use for the process. She also said that as part of her daily walks she has discovered that Hampden is a wonderful place for finding mushrooms.

Councilor Brann asked the status of the Codification project. The Town Manger will report on that at the next meeting.

Councilor McPike – Asked what could be done to improve use of the zero sort recycling compactor at the Transfer Station since he was still seeing people just throw everything into the trash compactor.

- H. ADJOURNMENT** – *The meeting was adjourned at 8:01 p.m.*



Denise Hodsdon
Town Clerk

MANAGER'S REPORT

August 4, 2014

Code Enforcement Officer – Ben Johnson, the Town's Code Enforcement Officer has resigned and accepted a job offer as a property manager. My plan for replacement is to promote from within the fire department to this position and hire a replacement firefighter/paramedic from the recent applications that we received when we advertised to replace Lt. Coombs position. This allows the fire inspector and the Code officer to both be cross trained in firefighting and emergency medical response as well as codes and inspections. The Public Safety Director is the direct supervisor of both positions at the present time. Increasing our public safety capacity and having a known entity in the Code Enforcement position are both positives. In addition, the Public Safety Director is structuring the schedule so that by January a Code official is available Monday through Friday between the Code Officer and the Fire Inspector to make sure that we can best serve customers. Ben's last day with us in August 14th. He has done a great job during his ten years with the community.

Bus Meeting – The City of Bangor will be holding a public meeting in regard to Hampden Saturday Bus Service on Wednesday, August 13th at 3 p.m. They have offered to hold the meeting here at 3 p.m. and I am waiting to hear back as to whether it will be here or in Bangor at the Bangor City Hall Council Chambers.

Councilor, School Board & Water District Trustee Nomination Papers – As of Wednesday, August 6th nomination papers will be available for the following positions:

- 4 District Council Seats for 3 year terms
- 1 RSU #22 School Board seat for a 3 year term
- 1 RSU #22 School Board seat to fill a vacancy until November 2015
- 1 Hampden Water District Trustee for a 5 year term

Nomination papers must be returned to the Town Clerk no later than Thursday September 4th.

September Promotion – The Town will be doing a promotion at the Transfer Station on the 2nd and 4th Saturday of the month to provide information/flyers on zero sort recycling and clear plastic bags to encourage participation. We will be sending out a newsletter this month that includes articles that discuss the promotion and provides more zero-sort information as well. This suggestion was made at the Infrastructure Committee meeting as a way to get people energized and excited about reducing their trash and increasing their recycling.

Children's Day Reminder – Saturday, August 16th is Children's Day this year. The parade will start at 11 a.m. at Reed's Brook and from 12-4 there will be activities at the new Hampden Academy at 89 Western Avenue. From 4:30 until the fireworks at 9 there will be a street dance and music at the new academy. Fireworks will be at 9 at the baseball field. Volunteers are still needed to help with set up and clean up!



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

B-2-c

MONDAY

AUGUST 18, 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:

Mayor Carol Duprey

Councilor Tom Brann

Councilor David Ryder

Councilor Greg Sirois

Town Clerk Denise Hodsdon

Media Representative

Town Attorney Tom Russell

Councilor William Shakespeare

Councilor Jean Lawlis

Councilor Ivan McPike

Town Manager Susan Lessard

Public Safety Director Joe Rogers.

Residents

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** – *No items were requested to be set aside for discussion from the consent agenda and it was approved by unanimous consent.*
 - 1. SIGNATURES**
 - 2. SECRETARY'S REPORTS**
 - 3. COMMUNICATIONS**
 - a. Email from Woodard & Curran – Elm Street East Guard Rails**
 - 4. REPORTS**
 - a. Finance Committee Minutes – 7/7/2014**
 - b. Monthly Department Reports – June 2014**
- C. PUBLIC COMMENTS** - *None*
- D. POLICY AGENDA**
 - 1. NEWS, PRESENTATIONS & AWARDS** – *Mayor Duprey thanked all who were involved with Hampden Children's Day and said that the fireworks display was awesome.*
 - 2. PUBLIC HEARINGS** - *None*
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS** - *None*

4. UNFINISHED BUSINESS

- a. **Saturday Bus Service** – *The Town Manager explained the process for the comment period with the Bangor public hearing and stated that the Town had included \$28,000 in the budget for the Saturday bus service. Public Comment:*

Debbie Duffon, 451 Monroe Road, believes the Town should provide Saturday bus service and that the Town should be taking care of all of its residents. She urged the Council to vote for the Saturday bus service.

Joyce Rankin, 695 Main Road North, stated that she knows about 14 people who use the Saturday bus service to get to work and that they would have to pay \$18 for a cab one way if it were not for the bus.

Angela Rankin, 695 Main Road North, stated that she works at WalMart in Brewer and it would cost her \$60 a month to take a cab to work on Saturdays.

Lisa Carter, Western Avenue, stated that there are many budget crunches and taxes are going up. People using the bus to go to work is a worthy cause but not to go gambling. She further stated that the Town should be smart about how to save money by such things as sharing CEO duties with other towns and seriously considering whether Saturday bus service is worth the investment.

Terry McAvoy, Monroe Road, is opposed to Saturday bus service. He questioned the ridership numbers and in his opinion the numbers do not reflect very many people from Hampden who use the bus and that Bangor is the winner in this route and Hampden is the loser. Saturday service had a five year trial period and he does not consider that it is successful.

Jeremy Jones, Partridge Road, stated that it would be cheaper for the Town to pay for taxi trips on Saturdays for residents than to subsidize Saturday at the rate of \$538 per Saturday. He suggested walking, carpooling, biking, hitchhiking or asking friends for rides as an alternative.

Cindy Philbrick, Western Avenue, stated that the Rankins said that they would be happy with a voucher system that got them to work if the bus were not available.

Public comment closed.

Motion by Councilor Shakespeare, seconded by Councilor Brann to continue Saturday bus service for \$28,000 per year.

Discussion.

Councilor McPike – The Town budget has been going down since 2009 and the RSU 22 budget has been going up dramatically. The RSU budget was voted in 2-1 and added more money to the amount

needed from property taxes. It is time to take some sort of stand for town services and to support all the people not just the affluent ones.

Councilor Lawlis is concerned about all the people who use the bus for work, family visits, and shopping. She stated that all residents use different services provided by the Town.

Councilor Shakespeare went to the Public Hearing in Bangor last week with Councilor Brann and listened to citizens testify that they need this service. He was dismayed that only 4 people were there. \$538 per Saturday is a lot of money but when you factor in the cost of driver/bus/fuel, etc. it adds up. He would like to see limitations on the number of runs in the future but will be supporting it this year.

Councilor Brann – stated that he has served in Town government for 20 years and that the Town has gone to great lengths to not put people out of their homes for nonpayment of taxes. He stated that the Town does public works projects on streets that not all people use and that it is the responsibility of the Town to take care of citizens from birth to death.

Mayor Duprey understands that people need the bus to get to work but other people in other parts of Town cannot get the bus and they find other alternatives. She cannot justify the expense for the small portion of town that it serves.

Vote on the motion 4-3 (McPike, Brann, Lawlis, Shakespeare in favor and Ryder, Sirois, Duprey opposed). Motion carried.

5. NEW BUSINESS

- a. **Set 2014/2015 Mil Rate** – *The Manager presented the mil rate as \$17.50, which is an .85 increase due to \$20,392 in increased County Tax, \$382,699 increase in RSU #22 tax assessment, and \$79,764 from the town due to State Revenue sharing reductions. The mil rate was \$15.90 for six years and then went up .75 last year due to a very large increase in the school assessment. The mil rate allows for a 1% overlay to cover abatements.*

Public Comment:

Joyce Rankin – Main Road North suggested that we charge fees for disposal of trash at the transfer station.

Lisa Carter, Western Avenue, said that she understood that much of the increase was coming from the school but it offends her when she watches Councilors laugh at citizens when they talk about taxes going up. She asked for more respect when raising taxes.

Motion by Councilor MCPike, seconded by Councilor Lawlis to approve the mil rate as recommended.

Discussion:

Mayor Duprey stated that she believes that the Town could have done a better job tightening its boot straps and will not be supporting the

proposed mil rate. She urged people to look at the school budget more closely as well.

Councilor Shakespeare stated that he had never seen any Councilor take the budget or the mil rate lightly. No Councilor wants to see taxes go up.

Vote on the motion 6-1. (Duprey opposed). Motion carried.

- b. Proposed Amendment to Fees Ordinance – Article 8 Pool Fees – Introduction for Public Hearing – Article 8 Pool Fees amendment to the Fees Ordinance introduced for public hearing by Councilor Lawlis.**
- c. Proposed Amendment to Town Charter – Article II Town Council Quorum – Introduction for Public Hearing – Article II Town Council Quorum, amendment to Town Charter introduced for public hearing by Councilor Sirois.**
- d. Proposed Amendment to Town Charter – Article IX Referendum and Initiative – Introduction for Public Hearing – Article IX Referendum and Initiative amendment to Town Charter introduced for public hearing by Councilor Sirois.**
- e. Proposed Amendment to Town Charter – Article X General Provisions – Introduction for Public Hearing – Article X General Provisions, amendment to Town Charter introduced for public hearing by Councilor Lawlis.**
- f. Town Charter – Sections VII and VIII – Reviewed by Finance & Administration Committee – no changes recommended – This item was for information only. No action was taken.**
- g. Future of Parks and Trails in Hampden – Councilor Shakespeare**
 - 1. Turtle Head**
 - 2. Dorothea Dix**
 - 3. Papermill Park**
 - 4. Others**

Councilor Shakespeare discussed the need for a plan for maintenance and responsibility for the parks and for a plan for the long term needs of the parks. He and Councilor Brann had visited Dorothea Dix and Turtle Head and were very concerned at the state of the parks and their facilities. This item was referred to the Services Committee for work on the plans requested.
- h. Personnel Loss – Development Impacts – Councilor Brann**

Councilor Brann expressed concern over resignations that were occurring in staffing and potential impact to the Town's ability to handle development and make it more difficult to reach the goals of broadening the business tax base.

Public Comment –

Terry McAvoy, Monroe Road does not see the resignations as problematic for development.

Discussion –

Councilor McPike stated that he believed that personnel administration was the job of the Manager.

Councilor Ryder stated that the CEO position has already been replaced and the GIS/IT position has been advertised. People had taken other jobs for their own reasons but the Town has not lost ground.

Councilor Lawlis stated that she believes we have remarkably low personnel turn over and two resignations does not represent a trend.

No action was taken on this item.

E. COMMITTEE REPORTS

Councilor Lawlis reported that Services met last Monday and had a report on Papermill Park and went over the questionnaire with City of Bangor representative regarding resources available for physical activity in the Town.

Councilor Sirois reported that Planning & Development met on August 6th and talked with Chip Laite from Sargent's about the Business Park, heard from a resident with concerns about fireworks, and gave credit to Dean Bennett for doing good work in Economic Development for the Town.

Mayor Duprey reported that the Finance Committee reviewed a revision to the fees ordinance for Pool fees.

- F. MANAGER'S REPORT** – *A copy of the Manager's Report is attached and made part of the minutes. Other items mentioned by the Manager were that the Town is looking in to alternatives for Justin.TV as a live streaming option for video, a statement will be included with the tax bill as to the source of the mil rate increase, and asked if the Council wanted to continue videotaping school board meetings. This item will be put on the next agenda for discussion.*

- G. COUNCILORS' COMMENTS** – *Councilor Lawlis urged people to patronize the ice cream stand in Schacht's parking lot.*

Councilor Shakespeare thanked Councilor Sirois for his comments regarding economic development and that nothing happens on its own. He thought that the meeting was a good one where people were respectful and agreed to disagree.

- H. ADJOURNMENT** – *The meeting adjourned at 9 p.m.*

Denise Hodsdon
Town Clerk

MANAGER'S REPORT
Monday, August 18, 2014

Tax Bills – Tax bills should be in the mail by Friday, August 22nd. First half is due by Wednesday, October 1st to avoid interest.

Children's Day – Hat's off to the Recreation Department and the Children's Day Committee for another wonderful day of festivities. Thank you also to all the volunteers and all the organizations that participated. The location on the grounds of the new Hampden Academy was perfect and thanks to RSU 22 for allowing it to be located there.

Nomination Papers – A reminder that nomination papers for District Council seats as well as four School Board seats and one seat on the Water District Board of Trustees are available and must be returned no later than Thursday, September 4th. So far we have had one person take out papers for district I, II, and IV and 2 take out papers for district III. 4 persons have taken out papers for the 4 available School Board seats and no one has yet taken out papers for the Water District Board of Trustees.

Free Pesticide Disposal – The State Department of Agriculture and the State Department of Environmental Protection have collaborated to provide collection of unwanted pesticides from homeowners, family-owned farms, and greenhouses. Collection sites will be in Bangor, Presque Isle, Portland, and Augusta in October. It is necessary to register in order to participate. To register, get details and learn more about the program you can go to the Bureau of Pesticide Control web site at <http://www.thinkfirstspraylast.org> or by calling 287-2731. Since there is not a regional hazardous waste disposal option this year – this is a great way for people to be able to get rid of unwanted pesticides at no charge.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

B-2-d

TUESDAY

SEPTEMBER 2, 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:

Mayor Carol Duprey

Councilor Tom Brann

Councilor David Ryder

Councilor Greg Sirois

Town Clerk Denise Hodsdon

Media Representative

Councilor William Shakespeare

Councilor Jean Lawlis

Councilor Ivan McPike

Town Manager Susan Lessard

Town Attorney Tom Russell

Residents

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

- A. PLEDGE OF ALLEGIANCE** – *Mayor Duprey led the pledge of allegiance.*
- B. CONSENT AGENDA** – *No items on the Consent Agenda were set aside for discussion and it was approved by unanimous consent.*
- 1. SIGNATURES**
 - 2. SECRETARY'S REPORTS**
 - 3. COMMUNICATIONS**
 - a. Highlands Corner Market – Renewal of Victualers License**
 - b. Maine Municipal Risk Management – Dividend Payment for Worker's Compensation and Property & Casualty Insurance**
 - 4. REPORTS**
 - a. Infrastructure Committee Minutes -7/28/14**
 - b. Bangor Humane Society Report – July 2014**
 - c. Services Committee Minutes – May 12, 2014**
- C. PUBLIC COMMENTS** - *None*
- D. POLICY AGENDA**
- 1. NEWS, PRESENTATIONS & AWARDS** – *Mayor Duprey welcomed Councilor Ryder to the meeting and was glad that he is doing well enough after his car accident to attend the meeting. She also noted that school is back in session and people should be mindful of speed limits in school zones and that busses are back on the road again.*

2. PUBLIC HEARINGS

- a. **Proposed Amendments to Fees Ordinance – Article 8 Pool Fees**
The public hearing was opened by Mayor Duprey. No one spoke in regard to the proposed amendment. The hearing was closed. Motion by Councilor Lawlis, seconded by Councilor McPike to increase the pool fees as proposed. Unanimous vote in favor.
- b. **Proposed Amendment to Town Charter – Article II Town Council, Section 201(d) Voting – Quorum – Mayor Duprey opened the hearing. Resident Terry McAvoy asked what the quorum would be under the proposal. The proposal sets the quorum at 4. The hearing was closed. Motion by Councilor Sirois, seconded by Councilor McPike to reduce the quorum requirement from 5 to 4 and send to the amendment to referendum in November.**
Discussion – Councilor Shakespeare is concerned that such a change could result in a very small number of councilors making decisions. Councilor Lawlis is relatively neutral on the subject but is concerned because there have been cases where there was no quorum and important town business is put in jeopardy. Councilor Brann agrees with Councilor Shakespeare that 4 is too low for a quorum. Mayor Duprey said there had been meetings in the past where a Councilor had to leave and the meeting had to end as a result. Vote on the motion, 4-3 (Ryder, McPike, Sirois, Duprey in favor and Lawlis, Shakespeare and Brann opposed). Motion carried.
- c. **Proposed Amendments to Town Charter – Article IX Referendum and Initiative, Sections 901, 903 and 905 – Mayor Duprey opened the public hearing. There were no comments. The public hearing was closed. Motion by Councilor Sirois, seconded by Councilor McPike to adopt the proposed amendment Article IX of the Town Charter and send it to the public for referendum in November. Vote 6 – 1. (Brann opposed).**
- d. **Proposed Amendments to Town Charter – Article X General Provisions, Section 1002 – Mayor Duprey opened the public hearing. There were no comments. The public hearing was closed. Motion by Councilor Sirois, seconded by Councilor McPike to adopt the amendment to Article X of the Town Charter and send to the public for referendum in November. Unanimous vote in favor.**

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Reminder – Nomination Papers due September 4, 2014 – This item was for informational purposes only.**

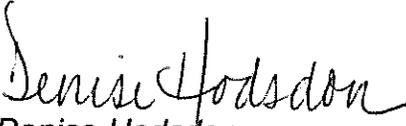
4. UNFINISHED BUSINESS

- a. **Continuation of Recording/Re-broadcasting School Board Meetings** – *Public Comment: Terry McAvoy, Monroe Road sees no reason to spend time and money to tape and broadcast school board meetings with the exception of budget meetings. Motion by Councilor McPike, seconded by Councilor Lawlis to continue to video all school board meetings to be rebroadcast. Unanimous vote in favor.*

5. NEW BUSINESS

- a. **Service Fees – 2014/15** – *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the Service Fees list for billing for the 2014/15 fiscal year as presented. Unanimous vote in favor.*

- E. **COMMITTEE REPORTS** – *Councilor Lawlis reported that there is a Services Committee meeting next Monday and that discussion of new activities and parks and lands will take place. Councilor Ryder reported that the Infrastructure Committee had discussed electrical permits and whether the Town should have staff to issue those. Councilor Sirois reported that Planning & Development continues to work on the Sargent business park plan, private ways, and review of the subdivision ordinance. Mayor Duprey reported that the Finance Committee had an update on the codification project, the GIS/IT replacement process, and service fees.*
- F. **MANAGER'S REPORT** – *The Manager's report is attached hereto and made a part of the minutes. The Manager also read into the record a letter from resident Jim Folsom in regard to the fact that the selection of Hampden met on 9/2/1814 to discuss strategy for the last battle of 1812.*
- G. **COUNCILORS' COMMENTS** – *Councilor Shakespeare thanked Mr. Folsom for his contribution and said he hoped this Council never had to make decisions about the defense of Hampden. He thanked Councilor Ryder for coming and said he was glad that he was okay. Councilor Sirois asked why the Town Manager used vacation time to serve on a Committee for the Maine Municipal Association to choose the Ethel Kelley Award winner. He does not believe she should have to use vacation time for such things.*
- H. **ADJOURNMENT** – *The meeting was adjourned at 8:00 p.m.*


Denise Hodsdon
Town Clerk

MANAGER'S REPORT
Monday, September 2, 2014

Tax Due Date Reminder – First half of 2014/15 taxes are due by Wednesday, October 1st to avoid interest. I am pleased to report that we have already had a sizeable number of people pay the first half even though the bills have only been out for a week.

Zero Sort – We will be distributing information/clear plastic bags on the second and fourth weekends of September to try and get more people to take advantage of the zero sort recycling program.

Ethel Kelly Memorial Award – As a past president of the Maine Municipal Association I have been asked to chair the selection committee for the annual Ethel Kelley Memorial Award. This award is given annually to a person who works or has worked for a community in some capacity and who has long term service plus extensive volunteering efforts or other additional service to the community. Persons are nominated for the award by their communities. This role will require review of applications, which I will do outside of business hours, and one afternoon in the middle of this month, which I will take as vacation time.

Video Streaming – A reminder that video streaming of Cable Channel 7 is up and running on Ustream video. You can access this by going to the Town website and clicking on the video streaming icon on the home page or by going to live.hampdenmaine.gov Video streaming is the live feed from Cable Channel 7 so viewers can see the same on video streaming as any viewer can see on Cable Channel 7 at the same time.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

SEPTEMBER 15, 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:

Mayor Carol Duprey

Councilor William Shakespeare

Councilor Greg Sirois

Councilor Jean Lawlis

Councilor Ivan McPike

Councilor Tom Brann

Town Manager Susan Lessard

Town Clerk Denise Hodsdon

Town Attorney Tom Russell

The meeting was opened at 7:00 p.m. by Mayor Duprey.

- A. **PLEDGE OF ALLEGIANCE** – *Mayor Duprey led the pledge of allegiance.*
- B. **CONSENT AGENDA** – *There were no requests to set aside and items from the consent agenda and it was approved by unanimous consent.*

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. **Capital Ambulance/Police Department – Recognition of Assistance at Medical Call**

4. REPORTS

- a. **Services Committee Minutes – 8/11/2014**
- b. **Finance Committee Minutes – 8/18/2014**

C. PUBLIC COMMENTS - *None*

D. POLICY AGENDA

- 1. **NEWS, PRESENTATIONS & AWARDS** – *Mayor Duprey stated that she was excited to see so many candidates for Town Council and School Board and thanked those who were committed to helping make Hampden a better place.*

2. PUBLIC HEARINGS - *None*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Candidate Forum Information** – *A candidate forum for Town Council Candidates will be held on September 30th at 6 p.m. and a candidate forum for School Board Candidates will be held on October 2nd at 6 p.m. Both will be held in the Council chambers and will be taped and broadcast.*

4. UNFINISHED BUSINESS - None

5. NEW BUSINESS

- a. **Maine Municipal Association – Voting Credentials for Annual Business Meeting** – *Motion by Councilor Lawlis seconded by Councilor Brann to designate Councilor Sirois as a voting delegate and Mayor Duprey as the alternate and Jean Lawlis as 2nd alternate. Unanimous vote in favor.*
- b. **Municipal Review Committee – Board of Directors Candidate Nomination** – *Councilors Brann and McPike are both interested in serving on the Municipal Review Committee. Both names will be submitted.*
- c. **Liquor License Application received from Armstrong Tennis Center at 60 Mecaw Road** – *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the liquor license application from Armstrong Tennis Center at 60 Mecaw Road. Unanimous vote in favor.*
- d. **Liquor License Application received from Best Western Whitehouse Inn Filibuster Lounge at 155 Littlefield Avenue** – *Motion by Councilor Lawlis, seconded by Councilor Brann to approve the liquor license application from Best Western Inn Filibuster Lounge at 155 Littlefield Avenue. Unanimous vote in favor.*
- e. **Parks/Trails Policy & Management – Councilors Shakespeare & Brann** – *Councilors Shakespeare and Brann presented a slide show of deficiencies they had identified after visiting Dorothea Dix Park, Turtlehead Park, and Papermill Park. This item has formerly been referred to Services Committee and will still be discussed there.*

E. COMMITTEE REPORTS – *Councilor Lawlis reported that Service Committee work had already been reported on as part of the meeting agenda. There were no reports for Infrastructure and Planning & Development and the Finance Committee did not meet prior to the Council meeting.*

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

G. COUNCILORS' COMMENTS – *Councilor Lawlis asked who people should contact at the Town Office if they see things at the parks that need attention. Councilor Brann*

Town Council Meeting
September 15, 2014

stated that a message board in front of the Town Office that could be programmed would be a way of notifying of meeting changes, hearings etc. He was also unhappy that the Finance Committee meeting was cancelled because he believes that the Town is no longer looking ahead and is making 11th hour decisions.

H. ADJOURNMENT – *The meeting was adjourned at 8:44 p.m.*

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk

MANAGER'S REPORT
September 15, 2014

30 day notices – Unpaid Sewer Charges – 30 day notices for unpaid sewer bills will be sent out on Tuesday, September 16th. Liens will be filed on any remaining unpaid by October 15th.

Department of Labor Inspection – The Town received an inspection from the Maine Department of Labor week before last. All departments were reviewed for workplace safety and adherence to law and regulation. The Town does not receive prior notice of these types of inspections.

Audit – The Town's auditors were on site last week and had good things to say about the town's recordkeeping and readiness for audit. The field work is all completed and the Town should have the final report within a month.

Tax Due Date Info – First half of property taxes are due by Wednesday, October 1st to avoid interest. The big Tax Due Date sign will appear on the front lawn of the municipal building within the week, and once again Town Office staff will make refreshments available in the lobby on Tax Due date.

Interviews – I am conducting initial interviews this week for the GIS/IT position. I expect to have second interviews at the beginning of next week.

United Way – We received information today regarding this year's campaign. Employees have the opportunity to have payroll deductions withheld and sent to United Way. We will be distributing the information with an upcoming payroll for those who want to participate.

Town Office facelift – for those who have not been in recently, we are in the process of having the Town Office repainted. Thus far the main office and lobby and conference room have been done and the planning/assessing department is scheduled to be done within the next two weeks. Not only are walls being painted – but holes are being patched and sanded as well. The building was built in 1990 and no interior painting had been done since then. It is important that the Town maintain its properties appropriately and this is a much-overdue project.

Moderator – Candidate Forums – Annie Gabianelli will be moderating the two candidate forums on September 30th for Council candidates and on October 2nd for School Board Candidates. Annie has volunteered in this capacity for a number of years for the Town.

Recycling Update – Zero sort is making a difference. In 2013 the Town figure for recycling was 216 tons. In the first two months of Zero Sort - the Town has shipped 50 tons! At this rate we would increase our recycling by almost 40% in the first year. Flyers and plastic bags will be distributed this coming weekend.

B-2-f



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.

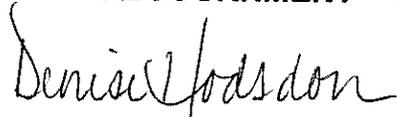
Lisa Carter, Western Avenue, stated that she is surprised to hear lectures from people who make robocalls themselves. She is embarrassed by many things this year and there is a whole lot more going on and people should put it into perspective.

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).

B-2-g



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

OCTOBER 20, 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:

- | | |
|----------------------------|--|
| Mayor Carol Duprey | Councilor William Shakespeare |
| Councilor David Ryder | Councilor Tom Brann |
| Councilor Jean Lawlis | Councilor Greg Sirois |
| Councilor Ivan McPike | Council Candidates Stephen Wilde, Andrew Colford |
| Planner Robert Osborne | Dennis Marble, Terry McAvoy |
| Town Manager Susan Lessard | Town Clerk Denise Hodsdon |
| Town Attorney Tom Russell | Media Representatives |
| Citizens | |

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** – No items were requested to be set aside on the consent agenda and it was approved by unanimous consent.
 - 1. SIGNATURES
 - 2. SECRETARY’S REPORTS
 - 3. COMMUNICATIONS
 - 4. REPORTS
 - a. Finance & Administration Committee Minutes – 9/2/2014
 - b. Services Committee Meeting Minutes – 9/8/2014
- C. **PUBLIC COMMENTS** – Janet Hughes, 34 Old County Road received a robocall and at first thought it was a tax reminder from the Town but was aghast when she heard the last part about Ivan McPike being responsible for raising taxes. One Councilor is not responsible for raising taxes. Misleading calls especially by members of the Council is inexcusable. In addition she was informed after the last meeting that her emails as mayor had received a FOIAA request from the current mayor. Mayor Duprey responded that it was for informational purposes. Janet Hughes said that townspeople were looking for a fair and balanced Council and she asked the Council to stop behaving in this fashion. Clyde McDonald, Main Road, stated that robocalls blaming a couple of Councilors for the taxes going up when the increases from the school and county were not within the control of the Council is wrong. He considered that the incumbents deserved to be re-elected.

D. POLICY AGENDA

1. **NEWS, PRESENTATIONS & AWARDS**- *Mayor Duprey said that it had been a productive year and that the Manager had prepared a list of accomplishments that is posted on the Town website.*

2. **PUBLIC HEARINGS**

- a. **General Assistance Ordinance – Adoption of Revised Appendices A, B and C** – *The public hearing was opened by Mayor Duprey. There were no comments. The public hearing was closed. Motion by Councilor Lawlis, seconded by Councilor Brann to adopt revised appendices A, B, and C. Unanimous vote in favor.*
- b. **Zoning Ordinance Text Amendment – Article 4.6 Rural Cluster Housing Open Space Exception** – *The public hearing was opened by Mayor Duprey. There were no comments. The public hearing was closed. Motion by Councilor Sirois, seconded by Councilor Ryder to approve the zoning ordinance text amendment to Article 4.6 Rural Cluster Housing Open Space Exception. Unanimous vote in favor.*

3. **NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. **Warrant for Municipal Election – 11/4/2014** – *Motion by Councilor Brann, seconded by Councilor McPike to approve the warrant for the municipal election. Unanimous vote in favor.*

4. **UNFINISHED BUSINESS**

- a. **Proposal for Feasibility Study to Expand Natural Gas into Hampden – Recommendations of Planning & Development and Finance & Administration Committees** – *Motion by Councilor McPike, seconded by Councilor Sirois to appropriate \$9,900 from Host Community Benefit to fund a feasibility study for bringing natural gas to Hampden with the funds to be replaced in the Host Community Benefit fund from the Emera TIF when it is adopted. Unanimous vote in favor.*

Items 4b, 4c & 4d were moved to the end of the agenda.

- b. **Possible Violation of Code of Ethics by a Town Councilor – Requested by Councilor Brann**
 1. **Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
 2. **Council Action;**
 3. **Vote of Confidence - Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
 4. **Council Action**

Resident Jeremy Jones, Partridge Road, stated that Councilors control the budget because they adopt it and if you voted for it you are responsible for

the tax increase and that the calls were not presented as being from the Mayor.

Motion by Councilor Shakespeare, seconded by Councilor Brann to enter executive session pursuant to 1 MRS Section 405(6)(A) and 405(6)(E) to include the Town Manager and the Town Attorney. Unanimous vote in favor.

See Addendum at end of minutes.

c. Possible Violation of Code of Ethics by a Town Councilor – Requested by Mayor Duprey

1. **Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
2. **Council Action**
3. **Vote of Confidence - Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
4. **Council Action**

See addendum at end of minutes

d. Possible Violation of Code of Ethics by a Town Councilor – Requested by Mayor Duprey

1. **Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
2. **Council Action**
3. **Vote of Confidence - Executive Session pursuant to 1 MRS Sections 405(6)(A) and 405(6)(E);**
4. **Council Action**

See addendum at end of minutes.

5. NEW BUSINESS

a. Exit Lighting at Skehan Center – Reserve Use – Recommendations of Services and Finance & Administration Committees – *Motion by Councilor Shakespeare, seconded by Councilor McPike to expend \$2229 from the Recreation Enterprise fund for the purchase of 15 LED light fixtures with the understanding that \$600 will be refunded from Efficiency Maine. Unanimous vote in favor.*

b. Reschedule November 3rd Council Meeting - *Motion by Councilor Sirois, seconded by Councilor Lawlis to cancel the 11/3/14 meeting and just have one council meeting in November due to the election. Unanimous vote in favor.*

E. COMMITTEE REPORTS – *Councilor Lawlis reported that Services met last Monday to discuss how to get people to help identify and prioritize activity related to Town parks. Infrastructure did not meet this month. Councilor Sirois reported that Planning & Development is working on a draft of the subdivision ordinance and mitigation guidelines for town land. Mayor Duprey reported that Finance reviewed the General Code revisions and discussed exit lighting at the Skehan Center.*

- F. MANAGER'S REPORT** – *The Manager's report is attached hereto and made a part of the minutes.*
- G. COUNCILORS' COMMENTS** – *Mayor Duprey stated that there should be no politicking from the Council bench. Councilor McPike stated that he did not think that the robocalls about him were accurate and Mayor Duprey stopped his comments. Councilor Lawlis thanked Trish Bruen for her services as the Animal Control Officer. Councilor Shakespeare noted that the Services Committee discussion about what should be done with parks in the future was not complete. The Council is looking for citizens interested in helping out.*
- H. ADJOURNMENT**

Addendum to Council Meeting Minutes of 10-20-2014

Item 4 (b) (1)

Motion by Councilor McPike, seconded by Councilor Brann to return to regular session at 8:35 p.m. Unanimous vote in favor.

Attorney Russell gave his opinion that no legal breach of ethics had been done by the Mayor because the robocalls were done in her capacity as a private citizen.

Item 4 (b)(2)

Motion by Councilor Brann, seconded by Councilor Shakespeare to affirm that no statutory violation of the code of ethics had occurred. Unanimous vote in favor.

Item 4 (b)(3)

Motion by Councilor Brann, seconded by Councilor McPike to enter executive session at 8:50 p.m. to include the Town Manager and the Town Attorney pursuant to 1MRS Sections 405 (6)(A) and 405 (6)(E) for the purpose of discussing performance related to a town councilor. Unanimous vote in favor.

Motion by Councilor Ryder, seconded by Councilor Lawlis to re-enter regular session at 9:05p.m. Unanimous vote in favor.

Item 4 (b)(4)

Motion by Councilor Brann, seconded by Councilor Shakespeare for a vote of No-Confidence in Mayor Duprey as the chair of the Council. Vote 6 – 1. (Shakespeare, Brann, Lawlis, McPike, Sirois, Ryder in favor Duprey opposed.)

Mayor Duprey turned the gavel over to Deputy Mayor Ryder for the remaining items on the agenda.

Item 4 (c) (1) & 4 (c)(2)

Motion by Mayor Duprey to enter executive session pursuant to 1 MRS Sections 405 (6)(A) and 405 (6)(E). The motion failed for lack of a second.

Town Council Meeting
October 20, 2014

Item 4 (c)(3)& 4 (c)(4)

Motion by Mayor Duprey to enter executive session pursuant to 1 MRS Sections 405 (6)(A) and 405 (6)(E). The motion failed for lack of a second.

Item 4 (d)(1) & 4(d)(2)

Motion by Mayor Duprey to enter executive session pursuant to 1 MRS Sections 405 (6)(A) and 405 (6)(E). The motion failed for lack of a second.

Item 4 (d)(3) & 4 (d)(4)

Motion by Mayor Duprey to enter executive session pursuant to 1 MRS Sections 405 (6)(A) and 405(6)(E). Motion failed for lack of a second.

Motion by Councilor Ryder, seconded by Councilor Brann to adjourn at 9:15 p.m. Unanimous vote in favor

Respectfully submitted,

Susan Lessard
Town Manager

MANAGER'S REPORT
October 20, 2014

Sewer Liens – Sewer liens were placed today for unpaid sewer bills for the fourth quarter of 2013 and the first quarter of 2014.

Dog Licenses – 2015 Dog licenses are available at the Town Office. All dogs must be licensed by January 31, 2015 to avoid a \$25 late fee.

Newsletter – The October edition of the newsletter will be in mailboxes by October 28th and will be available online by Wednesday, October 22nd. This edition features photos and introductions to the candidates for RSU#22 School Board seats as well as for all District Council seats. There are also articles related to Turtlehead Park, Services Committee seeking help in park planning, communications opportunities, winter heating safety, administrative matters, domestic violence awareness, Halloween open house, zero sort recycling, the library, the pool, the new red street number signs, and redistricting.

Animal Control Officer – The Town has a new animal control officer. Her name is Lindsey Levesque. She has replaced Trisha Bruen who has resigned in this capacity due to the workload as the full-time ACO for Bangor. A reminder that animal complaint complaints are initially handled by Public Safety and the ACO is then contacted by them if necessary.

Zero-sort statistics – Jim Dunning of Casella Waste sent along some interesting statistics about our Zero Sort recycling program that he had put together for a presentation to an elementary school class. There were two that really stood out – one is that the Town of Hampden is on track with zero sort to recycle the equivalent of a basketball court that is 9 stories tall this year – which translates to an amount that could fill a backyard swimming pool twice a day for an entire year!

Parks Committee Members Needed – The Town Services Committee is seeking interested persons to help develop a parks policy for presentation to the Town Council. Interested persons should complete an application that can be found on the Town's website at hampdenmaine.gov or by picking one up at the Town Office. This item will be on the agenda for the Services Committee on Monday, November 10th.

Town Business 2014 – I have posted an article on the Town website listing a number of accomplishments by the Town Council since January of 2014. The list was the result of Councilor requesting information related to what the Town Council had accomplished since the beginning of the year.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

.....
MONDAY NOVEMBER 17, 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 Jean Lawlis</i> |
| <i>Councilor Ivan McPike</i> | <i>Councilor Greg Sirois</i> |
| <i>Councilor David Ryder</i> | <i>Town Manager Susan Lessard</i> |
| <i>Town Clerk Denise Hodsdon</i> | <i>Town Attorney Tom Russell</i> |
| <i>Citizens</i> | <i>Planner Robert Osborne</i> |
| <i>Media Representative</i> | <i>State Rep. Elect Jim Davitt</i> |
| <i>Councilor Elect Dennis Marble</i> | <i>Councilor Elect Terry McAvoy</i> |
| <i>Councilor Elect Stephen Wilde</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 Shakespeare requested that item B-3-b of the consent agenda be set aside for discussion. The balance of the consent agenda was approved by unanimous consent.*

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Mary Louis Davitt/Town Manager – Thank you re Election**
- b. Secretary of State/Clerk – Email re Polling Location Concerns** – *Councilor Shakespeare questioned what the cause of the long lines at the election was and what could be done to address it in the future. The Clerk explained that due to the fact that there were multiple two-sided ballots with charter changes, it took voters longer to cast their ballots. After discussion this item was approved without objection.*
- c. Pat's Pizza – Renewal of Victualers License**
- d. Subway of Hampden – Renewal of Victualers License**
- e. Angelo's Pizza – Renewal of Victualers License**
- f. Coffee Break Café – Renewal of Victualers License**

4. REPORTS

- a. Dyer Library Board of Trustees Meeting Minutes – 9/9/2014**
- b. Finance & Administration Committee Meeting Minutes – 10/6/2014**
- c. Services Committee Meeting Minutes – 10/14/2014**
- d. Bangor Humane Society – Stray Animal Report – September 2014**

- e. **Lura Hoit Pool Board Meeting Minutes – 8/12/2014**
- f. **Monthly Department Reports – October 2014**

C. PUBLIC COMMENTS – *Jeremy Jones, Partridge Road, requested that all interested residents attend the next meeting of the Services Committee to volunteer for an ad hoc committee to work on policies for the parks. He noted that there would also be some discussion of this topic at the Infrastructure Committee meeting on November 24th. Jim Davitt, 25 Summer Street, complimented the Town Clerk and the Town Manager on the job that they did on Election Day. He is the new State Rep for Hampden and he asked that anyone that had questions or needed assistance to contact him.*

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - None

2. PUBLIC HEARINGS

- a. **Proposed Amendments to Declaration of Covenants, Conditions, and Restrictions for the Hampden Business and Commerce Park** – *Mayor Duprey opened the public hearing. There were no comments. The public hearing was closed. Motion by Councilor Sirois, seconded by Councilor Shakespeare to approve the proposed amendments to the Declaration of Covenants, Conditions, and Restrictions for the Hampden Business and Commerce Park. Unanimous vote in favor.*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Official Return of Votes for Municipal Election – 11/4/2014** – *The Town Clerk reported the local election results. This item was for information only.*
- b. **William Estey – Application for Hampden Water District Board of Trustees – Referral to Infrastructure Committee** – *Councilor Shakespeare referred this item to the Infrastructure Committee.*
- c. **Robert White – Application for Hampden Water District Board of Trustees – Referral to Infrastructure Committee** – *Councilor Shakespeare referred this item to the Infrastructure Committee.*
- d. **Cynthia Hawkins – Application for Town Committees – Referral to Services Committee** – *Councilor Lawlis referred this item to the Services Committee.*

4. UNFINISHED BUSINESS

- a. **MRC Board of Directors Election Ballot** – *Motion by Councilor Lawlis seconded by Councilor Sirois to cast the vote for Ivan McPike. Unanimous vote in favor.*
- b. **Cemetery Maintenance Operations out for Bid – Infrastructure Committee Recommendation** – *Motion by Councilor Sirois, seconded by*

Councilor Shakespeare to send maintenance of cemeteries out to bid for a three year period. Unanimous vote in favor.

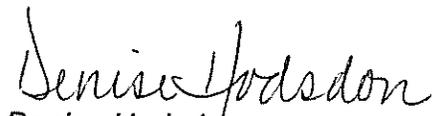
- c. **Snowmobile Club Lease Renewal – Infrastructure Committee Recommendation** – *Motion by Councilor Shakespeare, seconded by Councilor Sirois to renew the Snowmobile Club lease for a \$1/year fee for a ten year period and to authorize the Town Manager to sign on behalf of the town. Unanimous vote in favor.*
- d. **Kiwanis Club Lease Renewal – Infrastructure Committee Recommendation** – *Motion by Councilor Shakespeare, seconded by Councilor Sirois to renew the Kiwanis Club lease for a ten year period for \$1 per year and to authorize the Town Manager to sign on behalf of the Town. Unanimous vote in favor. The Manager noted that the new lease requires that the Kiwanis Club provide insurance to indemnify the Town when other entities use the facility.*
- e. **Proposed Amendment to Fees Ordinance – Police and Fire Department Fees – Infrastructure Committee Recommendation – Introduction for Public Hearing** – *Councilor Ryder introduced this item for public hearing.*

5. NEW BUSINESS

- a. **Streetlight – Route 202 Entrance – Infrastructure Committee Recommendation**- *Motion by Councilor Shakespeare, seconded by Councilor Ryder to authorize installation of a streetlight on Route 202 entrance to the Ammo Park. Unanimous vote in favor.*
- b. **Sewer Commitment – 7/1/2014 to 9/30/2014** – *Motion by Councilor Ryder, seconded by Councilor Sirois to approve the sewer commitment for July – September 2014. Unanimous vote in favor.*
- c. **Environmental Mitigation Guidelines – Planning & Development Committee Recommendation**
 - 1. **Minimum Taxable Valuation Required**
 - 2. **Proposed Guidelines***Motion by Councilor Sirois, seconded by Councilor Shakespeare to approve minimal taxable valuation required and proposed guidelines for the environmental mitigation guidelines. Unanimous vote in favor.*
- d. **Public Works Director Resignation and Transition Plan** – *Public Works Director Chip Swan resigned effective December 12, 2014. The transition plan involves appointing former Public Works Director Greg Nash as interim working 20-25 hours per week for the winter and advertise and hire a new full-time director in the spring.*
- e. **Letters to the Editor – Councilor Brann** – *Councilor Brann objected to portions of a letter to the editor that had been written by Mayor Duprey because he believes that it contains errors. Mayor Duprey defended what she had included in the letter but stated that she hoped the Council would*

get beyond all the pettiness and get on with Town business. Councilor Elect Stephen Wilde stated that this is the kind of thing that the public is getting upset about and encouraged the Council to stop doing this. Councilors McPike and Lawlis disagreed with the fact that they had been characterized as responsible for a 10 % increase in property taxes.

- E. COMMITTEE REPORTS** – Councilor Lawlis thanked Jeremy Jones for his request for people to assist with the parks. Councilor Ryder reported that most of the Infrastructure items had already been discussed as part of the agenda but that the committee had also discussed the issue of streetlights for the Chickadee Lane subdivision. Councilor Sirois reported that Planning & Development was looking at the subdivision ordinance amendments, environmental mitigation guidelines and discussed future economic development opportunities. Mayor Duprey reported that the Finance Committee had requested input from staff on the General Code index, discussed the public works director transition plan and environmental mitigation guidelines.
- F. MANAGER’S REPORT** – The Manager’s Report is attached hereto and made a part of the minutes.
- G. COUNCILORS’ COMMENTS** – Councilor Ryder thanked everyone who showed up to vote, especially those in District 4 and he appreciated their confidence in him. Councilor Brann suggested changes to the charter definitions of Mayor and Deputy Mayor to add a sentence that they serve at the will of the majority of the council, that councilors be unable to hold other elected office, and that the Planning Board should not be approving streetlights in subdivisions because that commits the Council to that monetary cost. Councilor Lawlis thanked private landowners who allow trails on their property, appreciated that the new Turtlehead Park is built, and that Danny Lafayette purchased the former Hampden Academy and is getting new businesses to locate there. Councilor Shakespeare is thankful for the Kiwanis doing the Christmas tree lighting and that the transfer station is being kept open for brush due to the storm damage that has occurred, and he congratulated the new councilors and hoped that all could work together.
- H. ADJOURNMENT** – The meeting was adjourned at 8:18 p.m.


Denise Hodsdon
Town Clerk

Manager's Report
Monday, November 17, 2014

Kiwanis Tree Lighting & Santa Party – A reminder that this year's tree lighting and Santa Party sponsored by the Hampden Kiwanis Club will be on Sunday, December 7th at the Hampden Municipal Building. There will be caroling outside around the tree at approximately 4:30 p.m. and then the tree lighting, followed by the arrival of Santa and a party in the Community Room.

Dog Licenses – 2015 Dog Licenses are available at the Town Office. All dogs must be licensed by 1/31/15 in order to avoid a \$25 late fee in addition to the cost of the license.

Transfer Station News – 2015 Transfer Station Decals will be available as of December 1st at the Town Office. Please remember to bring the vehicle registration on which you want to place the sticker with you to the Town Office when you come to get the sticker. The 2015 sticker fee is \$10 per sticker.

Extended Dates for Wood/Brush – In order to try and accommodate those who are cleaning up after the most recent storm that damaged and downed many trees, the transfer station will continue to accept wood/brush any day that it is open through the end of November.

Parks Discussion – The Infrastructure Committee meeting scheduled for Monday, November 24th at 6 p.m. at the Town Office has a busy agenda but will also include a discussion of the Parks Committee/Policy which was started at the Services Committee meeting of 11/10/14.

Route 1A Reconstruction - Next Section – We have received notification from MDOT that the section of Route 1A from Mountainview to Murphy Lane will be reconstructed to include closed ditches, sidewalks and a reconstructed roadway during 2017. The Town's share of that project is estimated at \$120,000. It is approximately .30 miles of roadway.



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

B-2-i

MONDAY DECEMBER 1, 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:

- | | |
|-------------------------------|-------------------------------|
| Mayor Carol Duprey | Councilor William Shakespeare |
| Councilor Tom Brann | Councilor Jean Lawlis |
| Councilor David Ryder | Councilor Greg Sirois |
| Councilor Ivan McPike | Town Manager Susan Lessard |
| Town Clerk Denise Hodsdon | Town Attorney Tom Russell |
| Citizens | Councilor Elect Terry McAvoy |
| Councilor Elect Dennis Marble | |

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

- A. PLEDGE OF ALLEGIANCE – Mayor Duprey led the pledge of allegiance.
- B. CONSENT AGENDA – There were no requests from Councilors to set aside any items from the Consent Agenda and it was approved by unanimous consent.
 - 1. SIGNATURES
 - 2. SECRETARY’S REPORTS
 - 3. COMMUNICATIONS
 - 4. REPORTS
 - a. Finance & Administration Committee Meeting Minutes – 10/20/2014
 - b. Infrastructure Committee Meeting Minutes – 10/27/2014
- C. PUBLIC COMMENTS - None
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS - None
 - 2. PUBLIC HEARINGS
 - a. Proposed Amendments to Town of Hampden Fees Ordinance, Article 3 – Fire Department and Article – Police Department – Mayor Duprey opened the public hearing. There were no comments. The public hearing was closed. Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the proposed amendments to the fees ordinance, Article 2 – Fire Dept. and Article 4 Police Department. Unanimous vote in favor.
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

4. UNFINISHED BUSINESS

- a. **RSU #22 Lease Renewal – Old Fire Station – Infrastructure Committee Recommendation** – *Motion by Councilor McPike, seconded by Councilor Brann to renew the lease on the old fire station with RSU #22 for a ten year period at \$1 per year and to authorize the Town Manager to sign the lease on behalf of the Town. Unanimous vote in favor.*

- b. **Wood Harvest Plan Implementation – Infrastructure Committee Recommendation (Plan is available on Town’s Website in the Packet for the November 24th Infrastructure Committee Meeting)**
 1. **Dorothea Dix Park**
 2. **LL Bean Parcel**
 3. **Business Park***Motion by Councilor Sirois, seconded by Councilor Brann to move forward with the wood harvesting plan implementation with Prentiss & Carlisle. Unanimous vote in favor.*

- c. **Antique Map – Councilor Shakespeare** – *Motion by Councilor Brann, seconded by Councilor Lawlis to thank Councilor Shakespeare for the donation of the map and provide space in the Council chambers for its display and to have a sign made to accompany the map that recognizes Councilor Shakespeare for the donation and to return the map to Councilor Shakespeare if the Town should at any time decide to no longer display the map. Unanimous vote in favor.*

5. NEW BUSINESS - None

- E. **COMMITTEE REPORTS** – *Councilor Lawlis reported that the Services Committee met with the Infrastructure Committee to discuss mission statement and goals for the parks and that she is hoping for greater participation in the process in the future. Councilor Sirois reported that the Planning & Development committee is discussing a possible business location near the Business Park, subdivision ordinance review and review of the zoning ordinance. Councilor Ryder reported that the Infrastructure Committee discussed possible parking lot expansion at the municipal building, the future rebuild of Route 1A and storm damage from the November storm. Mayor Duprey reported that the Finance Committee reviewed minutes and warrants.*

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

- G. **COUNCILORS’ COMMENTS** – *Councilor Sirois reported that some of the Christmas lights are not working. Councilor McPike noted that the Chickadee Lane street lights had been installed. Councilor Shakespeare approached some Councilors individually about taking photos of the Council and he will bring his camera and tripod to the next meeting.*

Town Council Meeting
December 1, 2014

H. **ADJOURNMENT** - *The meeting was adjourned at 7:26 p.m.*


Denise Hodsdon
Town Clerk

MANAGER'S REPORT
December 1, 2014

Transfer Station Decals – Transfer Station Decals for 2015 are now on sale at the Town Office. The price per decal is now \$10 and the vehicle registration for which the decal is being issued must be presented at the time it is purchased.

Tree Lighting – A reminder that the Tree Lighting and Santa Party sponsored by the Kiwanis are being held on Sunday, December 7th at the Town Office starting at 4:30 p.m.

Annual Employee Christmas Lunch – The annual employee Christmas lunch will be held on Wednesday, December 17th at 11:30 in the Community Room. It is a pot luck luncheon and will also serve as an opportunity to recognize our retiring Public Works Director and our Assistant Pool Director who is leaving in January. Town Councilors are welcome to attend.

District 2 Hot Stove Meetings – Councilor Elect Dennis Marble has asked that the following information be provided to residents: “To voters in District II: Councilor-elect Dennis Marble would like to meet with you to discuss town business. Once per month on the third Saturday, beginning December 20th, there will be a “District II Hot Stove” from 9:00-10:00 at the Edythe Dyer Community Library. Hope to see you there!”

Services Meeting 12/8 – Councilor Lawlis is unable to attend the Services Committee Meeting on Monday, December 8th. Are both Councilor Shakespeare and Ryder available for that meeting since otherwise we will not have a quorum?

B-2-j



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

DECEMBER 15, 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:

- Mayor Carol Duprey
- Councilor Jean Lawlis
- Councilor Ivan McPike
- Councilor David Ryder
- Town Clerk Denise Hodsdon
- Economic Development Director Dean Bennett
- Councilor Elect Terry McAvoy
- Councilor Elect Dennis Marble
- Councilor Elect Stephen Wilde
- Citizens
- Media representatives
- Councilor William Shakespeare
- Councilor Tom Brann
- Councilor Greg Sirois
- Town Manager Susan Lessard
- Town Attorney Tom Russell

The meeting was called to order at 7:02 p.m. by Mayor Duprey.

- A. **PLEDGE OF ALLEGIANCE** – Mayor Duprey led the pledge of allegiance.
- B. **CONSENT AGENDA** – No Councilors requested that any Consent Agenda items be set aside and it was approved by unanimous consent.
 - 1. **SIGNATURES**
 - 2. **SECRETARY’S REPORTS**
 - 3. **COMMUNICATIONS**
 - a. **DMCP Group, LLC d/b/a Dunkin’ Donuts – Victualers License Renewal**
 - 4. **REPORTS**
 - a. **Lura Hoit Pool Board Meeting Minutes – 10/14/2014 & 11/18/2014**
 - b. **Services Committee Meeting Minutes – 11/10/2014**
 - c. **Finance & Administration Committee Meeting Minutes – 11/17/2014**
 - d. **Monthly Department Reports – November 2014**
- C. **PUBLIC COMMENTS** - None
- D. **POLICY AGENDA**
 - 1. **NEWS, PRESENTATIONS & AWARDS** - None
 - 2. **PUBLIC HEARINGS** - None

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Reappointment of Denise Hodsdon as Registrar of Voters – Motion by Councilor Sirois, seconded by Councilor Brann to reappoint Denise Hodsdon as Registrar of Voters. Unanimous vote in favor.**

4. UNFINISHED BUSINESS

- a. **Hampden Business Park – Renewal of Authorization to Sell Agreement with Epstein Commercial Real Estate – Planning & Development Committee Recommendation – Motion by Councilor Shakespeare, seconded by Councilor Sirois to renew the Authorization to Sell Agreement with Epstein and authorize the Town Manager to sign on behalf of the Town. Unanimous vote in favor.**

5. NEW BUSINESS

- a. **Potential Industrial Development – Coldbrook Rd/Rt. 202/I-95 Triangle – Economic Development Director Dean Bennett introduced Greg Louder, Executive Director of the Municipal Review Committee who explained the plan for potential location of a solid waste processing facility in the Coldbrook Road triangle area on land owned by H.O. Bouchard to replace the PERC facility in 2018 when the favorable electric contracts that make that a viable option expire. Resident Rich Armstrong spoke in support of development but had a number of questions regarding impact on snowmobile trails, timeline, contracts and traffic that will be addressed as the project moves forward.**
- b. **Computer Reserve Use Request – Finance Committee Recommendation Motion by Councilor Sirois, seconded by Councilor Shakespeare to expend \$3,710 from Computer Reserve to purchase IPADS for the Town Council. Vote 6-1. (Duprey opposed). Motion carried.**
- c. **VFW Bingo and Games of Chance License Renewal – Motion by Councilor Shakespeare, seconded by Councilor Sirois to approve the VFW Bingo and Games of Chance License renewal. Unanimous vote in favor.**
- d. **Kiwanis Poker Tournament License Renewal – Motion by Councilor Shakespeare, seconded by Councilor Ryder to approve the Kiwanis Poker Tournament license renewal. Unanimous vote in favor.**
- e. **Holiday Hours – Town Office & Transfer Station – Motion by Councilor McPike, seconded by Councilor Sirois to close the Town departments at noon on December 24th and at 2 p.m. on December 31st. Unanimous vote in favor.**
- f. **Town Manager’s Annual Report – The Manager’s Annual Report is attached and made part of the minutes of the meeting. Councilors Sirois**

and Shakespeare expressed appreciation for the work of the Manager and the Department Heads.

- E. COMMITTEE REPORTS** - *Councilor Lawlis reported that the Services Committee discussed parks and is still looking for volunteers for a parks committee. Councilor Ryder reported that the next Infrastructure Committee is next Monday. Councilor Sirois reported that Planning & Development discussed the Epstein agreement and an executive session regarding the MRC development proposal. Mayor Duprey reported that the Finance Committee discussed iPads for the Town Council. The Mayor then did a presentation to outgoing Councilors Brann, Lawlis, and McPike and thanked them for their service to the community.*
- F. MANAGER'S REPORT** - *The Town Manager read her annual holiday poem, a copy of which is attached hereto and made part of the minutes.*
- G. COUNCILORS' COMMENTS** – *Councilor Shakespeare commented that the Bangor Daily News has done an article on the MRC project, that his son will help him with the iPad, that Council assignments for committees will be discussed at the first meeting in January. Councilor Lawlis noted that there was an article in the Bangor Daily about local business Dennis Paper. Councilor Brann said that he had always been one of seven and part of a team as a Councilor and that no one individual can accomplish anything alone. He also stated that the Town staff is second to none. Councilor Ryder thanked everyone for their support this year and felt that the Town had accomplished a lot and did it as a team. Councilor McPike stated that he had gotten more deeply involved in some town matters and had hoped to have an opportunity to continue. He hopes that the Council does some education for the public as to what causes budget increases and that it continues to keep the town vibrant. Councilor Sirois wished all a Merry Christmas. Mayor Duprey thanked everyone for their hard work, contributions and commitment. She stated that she will support Councilor Ryder for Mayor for the next year. She stated that she holds no grudges and has no ill will toward anyone and that we should treat others as we want to be treated. She pledged to work hard to reduce taxes in the coming year and wished everyone a Merry Christmas.*
- H. ADJOURNMENT** - *The meeting was adjourned at 8:41 p.m.*



Denise Hodsdon
Town Clerk

TO: Hampden Town Council
 FROM: Susan Lessard, Town Manager
 DATE: December 11, 2014
 RE: Annual Report – 2014

The purpose of this report is to update the Town Council on the activities of the Town for the 2014 year. This report is submitted each December to the Council for review, questions, and comments as required by my employment contract with the Town of Hampden.

Goals & Objectives Discussion – February 2014

On February 8, 2014, the Town Council held a meeting to discuss goals and objectives for the 2014 year. I have inserted the portion of the minutes of that meeting related to ideas discussed by the Council into this document along with an identification under each item of what, if any, action has been taken in relation to it. The minutes are in bold and the action(s) taken are in italics for easy reference.

Possible areas of focus for 2014/15 cited by Councilors:

1. **Public Safety** – *Retained Fire Inspector position at the time of a firefighter retirement due to volume of work and flexibility in having trained paramedic/firefighter coverage available.*
2. **Public Works** – *The 2014/15 budget reduced staffing by one full time person as of January 2015, cemetery maintenance operations are being put out to bid for 2015-2018, and GPS units are being put in public works vehicles to better track use and efficiency*
3. **Economic Development** – *Items related to this are cited after the Goals and Objectives section*
4. **Transfer Station** – *Collection weekends for c&d and wood were expanded to include Fridays to improve service and reduce congestion, after reviewing how wood waste was handled, the Town no longer pays a disposal fee for wood/brush saving \$17-\$20,000 per year. Instituted Zero Sort Recycling which improves our recycling rate and makes it easier for residents to participate in the recycling program*
5. **Paving** – *Limited to sidewalk repair and Littlefield Avenue this year*
6. **RSU 22 – Education of the public as to the property tax cost of education** – *The Town Council authorized articles to be printed in the Town newsletter that discussed the impact of educational costs on the local mil rate, and the Council also discussed at both Finance & Administration and Council meetings what the impacts were from the cumulative \$1,000,000 + per year local share increase since 2009 for RSU #22 for the Town of Hampden.*
7. **Recreation** – *Changes in 2014 included the appointment of a new Recreation Director, Shelley Abbott after the resignation of long-term director Kurt Mathies, and reorganization of the department and operation out of the Skehan Center for all programs.*
8. **Recreation Fields** – *This item was not addressed in 2014 beyond discussion of use of existing facilities.*
9. **Budget Pressures** – *These were identified as additional loss of revenue sharing, loss of personal property value by the closure of Bangor Publishing building, large increases*

in the local share for RSU #22, increases in the County tax, the need to fund paving, building maintenance needs, and predicted utility increases.

- 10. Administrative Departments**
- 11. Penobscot County** – *The Town worked with the County Commissioners to consider regional assessing but the County decided not to pursue it at this time.*
- 12. Bus Service** – *Saturday bus service was retained for the 2014/15 year. This item is further discussed as part of the areas discussed in greater length below.*
- 13. Benefit Structure** – *This discussion will be held as part of contract negotiations in the Spring of 2015.*
- 14. Spending on Outside Agencies** – *There has been no budget for outside agencies for the past two years and there is none for 2014/15.*
- 15. Capital Budget (Reserves)** – *The Council Finance & Administration Committee reviewed existing reserve accounts and consolidated some that were no longer needed as well as discussed the fact that fully funding reserve accounts for all needs was not possible at this time due to revenue losses and increased costs for school, county, and municipal operations.*
- 16. Facilities Maintenance** – *The Infrastructure Committee discussed projects related to the Skehan Center (air handling, heating, floor), the Town Garage (lighting), the Municipal Building (floor replacement, painting), a site plan for the municipal building/pool lot to allow for parking expansion and Services is working on long term policy for parks and trail.*
- 17. Council Pay Structure** – *The Council considered elimination of pay for Town Councilors but the final decision was for Councilor pay to remain the same. However, the stipend for internet service for Councilors was eliminated in the 2014/15 budget*
- 18. LL Bean Property** – *Peter Thornton, Ammo Park owner has constructed a parking lot to allow persons to have a place to park to walk on the LL Bean parcel on the approximately 2 miles of trails that exist as a result of former military construction. In addition, the Council approved a policy that allows the use of part of the LLBean parcel as wetland mitigation that may be necessary for development of the business park. Also, the Council approved the implementation of a harvest plan for the LL Bean property that was developed by Prentice & Carlisle in 2008.*
- 19. Town Garage and other buildings – energy efficiency (Lighting)** – *The Town is in the process of having energy audits done on all town buildings to determine possible savings in electricity and heating systems*

Areas discussed in greater depth:

Economic Development

- **Ammo Park, H.O. Bouchard, and Phase 2 of business park get water, sewer, natural gas** – *The Council has authorized a study for natural gas options for Hampden and is currently working with Sargent Corp. for the business park, Peter Thornton for Ammo Park, and a private developer for Bouchard property that would bring sewer and water to the Coldbrook Road.*
- **Create additional access off Route 202** – *The Town Council approved access off Route 202 to property owned by Peter Thornton (Ammo Park) on which a Church is currently being constructed. That access also has the ability in the future to access the Ammo Park itself and will be available to owners of property abutting that development.*

- **Develop financial implications of business development (TIF's, etc.)** – *The Planning & Development Committee has worked on options for Tax Increment Financing that would allow for infrastructure cost repayment, subsidizing the cost of local economic development staffing, and acting as an incentive for developers of Town property (Sargent Corp and the Business Park).*
- **Workshop on business attraction/retention incentives** – *This item has not been completed, however, the Economic Development Director has worked with the business community through the Hampden Business Association and the Council through the Planning & Development Committee to provide information on the possible 'tools' that the Town can use to attract and retain investment in the community.*
- **Attain certification for 'Business Friendly' by the State of Maine by September-** *Current impediments to this are primarily due to some ordinances that are stricter than required by State law. The Council Planning & Development Committee is in the process of reviewing ordinances to bring them in line with state standards or to provide more flexibility.*
- **Consider incentives for Economic Development Director to incentivize performance** – *Although discussed, implementing any kind of 'bonus' system in an organization that is funded by taxpayer dollars creates some difficulties. The Planning and Development Committee has, however, proposed use of some Tax Increment Financing monies to offset the cost of staffing for Economic Development in the future.*
- **Continue full-time position since the Town is at a critical point in development of the business park, Ammo Park and the Bouchard property** - *The Economic Development Director position is budgeted as a full-time position for the 2014/15 year.*
- **The council should develop guidelines/goals for the economic development director and use to assess performance** – *The Town Manager has supervisory authority over all employees, however, the Council, primarily through its Planning & Development Committee, is setting development priorities for the Town and those priorities will be the 'baseline' for evaluation of the Economic Development Director.*
- **Departments should work together better to facilitate business location** – *The Code Officer, Fire Inspector, Public Works Director, GIS/IT Specialist, Economic Development Director, Planner, Assessor, and Administrative Assistant comprise the Development Review team that meets with all commercial/industrial developers and with major subdivision applicants as well. The Committee purpose is to work with applicants to make sure that they know up front what is expected in the permitting process and to provide assistance as needed. This has worked effectively.*

RSU 22 – Education of the public

- **Add a page to the tax bill explaining the large percentage of property taxes that go to pay for RSU 22 or do a separate mailing prior to the RSU 22 budget vote** – *A letter was included with the 2014/2015 property tax bill explaining the mil rate increase and the increases in the school and County budgets.*
- **Council members should attend School Board and School Budget meetings** – *Councilor McPike attended and participated in School Budget review meetings and advocated for the Board to consider the fiscal impact to the RSU member communities*

when doing the budget. The Town Manager attended the Budget Adoption Hearing and gave testimony related to the impact of school budget increases to the mil rate.

- **Budget for the cost of videotaping school board and budget meetings for airing on Channel 7** – The Town Council approved the video taping of all School Board and School Budget meetings and the Town appropriated sufficient funding to perform those activities. The video of each meeting is uploaded to the You Tube account established by the Town for School Board meetings.
- **List School Board meetings on the Town Website Calendar** - School Board meetings are posted on the RSU #22 website and meeting videos are posted on the Town of Hampden You Tube site, which has a link to the front page of the Town of Hampden website.

Administrative Departments

- **Consider Tuesday – Friday hours beginning in July or September instead of Monday – Thursday** – The Town Council discussed the idea of changing the hours of the Town Office, and after review and discussion of this item decided to leave them as Monday through Thursday from 7:30 a.m. to 6 p.m. to continue to offer hours for people before and after work.
- **As an alternative, consider Monday through Thursday plus a half day on Friday** – See above response.
- **Vacation time should not accrue until after the first year of employment** – It was explained that vacation time accrues on a monthly basis from the start of employment which allows an employee to have some time available without waiting for an entire year. In essence, however, if the Town only allowed vacation to be used after 1 year – it would still have accrued during the first year of employment – the same as it currently accrues in the first year of employment.
- **Consider less expensive options/plans for health insurance and increased cost to employee for self and dependent coverage** – The Town Council discussed this item and decided to consider possible changes to plans coinciding with the negotiation of the next labor contracts for Police and Fire so that all employees would be subject to the same conditions. Those negotiations will occur in the spring of 2015.
- **Work to eliminate permitting restrictions that are stricter than State regulations** – As cited earlier, the Council Planning & Development Committee is in the process of reviewing zoning and subdivision ordinances to identify areas that need correction. Thus far, the Shoreland Zoning Ordinance has been amended to be consistent with state regulations, open space requirements have been removed for small subdivisions in the Rural zone as well as for rural cluster housing in the zoning ordinance. Changes have been made to permitted and conditional uses in Residential B and other zones to allow property owners more flexibility in the use of their property.
- **The Planner and Assessor positions can be made part time or contract positions in the 2014/15 budget** – The Town Manager participated in discussions at the County level regarding a regional approach to assessing. Those discussions fell through when the City of Bangor decided not to participate at this time. Discussions were also held with the Town of Hermon about the possibility of a shared assessor but Hermon is currently contracted for coverage with the City of Bangor. The Planner position was funded at +/- 28 hours per week beginning in January of 2015.
- **Hold workshop on organizational structure** – A separate meeting to discuss organizational structure has not been held however the subject has been discussed as

part of Finance & Administration meetings as well as part of Services and Infrastructure as questions regarding operations and management have occurred.

- **Explore cost/benefits of issuing license plates at the Town Office** – *This item was last discussed by the Council several years ago and it was determined from a storage and staffing viewpoint that it was not a viable option but was not discussed as part of the work plan this year.*

Public Works

- **Paving** – *The Council approved a sidewalk repair project done by the Town Crew this year after bids as part of the State 1A renovation were more than anticipated. The Town did the repairs for approximately \$5,000 –which was \$62,000 less than budgeted for the renovation project with the State. In addition, the Council appropriated sufficient funding for paving to be done in the 2015 year since there was none done other than Littlefield Avenue, which was part of a project with Hermon and the owner of the White House Motel and involved road repair as well as paving.*
- **Staffing/contracting portions of department services** – *The Council voted to seek bids for cemetery maintenance operations early in 2014 but decided to stay with the regular operations to allow the Public Works Director the opportunity to better track specific costs for that activity. After doing so, the Director recommended to the Council that Cemetery maintenance operations be put out to bid for a three year contract beginning with the 2015 year. The Council approved that recommendation.*

Capital Budget

- **Review replacement schedules** –
 1. **Public works trucks and loaders** - *The Council Infrastructure Committee is now reviewing equipment replacement requests based on use, current condition, and need instead of on an every-so-many-years basis.*
 2. **Buildings & Grounds – mowers** – *Fewer will be needed if the Cemetery maintenance is contracted to an outside firm. The only remaining need would be for mowers for parks and athletic fields*
 3. **Public Safety – Cruisers and Fire Trucks and Ambulances** – *Cruiser replacement has been expanded to an every-other-year basis instead of an every-year basis.*
 4. **Maintenance schedules for all buildings** – *The condition of the municipal building has been reviewed and bids put out for replacement of the vinyl floors which are in bad repair, and interior painting was done for the first time since the building was built in 1990. The Skehan Center floors were refinished and air handling/heating systems were addressed to reduce heating and electric cost for that building, the pool continues to do annual maintenance on showers, painting, and equipment and a new roof was put on the pitched roof portion of it this year as well. The Library, through grants over the past several years, has had a new boiler installed, new circulation desk installed, new wiring for internet capacity, and air conditioning installed. In addition, the Town is pursuing energy audits of all buildings to determine savings that could be obtained by changes in lighting, heating, etc.*
- **Inventory buildings owned by the Town and develop cost/benefit for retaining (Kiwanis, Snowmobile Club, and Old Fire Station)** – *All three leases for the use of these buildings were reviewed this year. The Infrastructure Committee met with representatives of the Kiwanis, the Snowmobile Club, and RSU #22 in regard to use of the buildings. After extensive discussions, the Committee recommended and the*

Council subsequently approved renewal of leases with all three organizations for a period of ten years.

Recreation/Fields

- **Larger percentage of pool budget to be covered by fees** – *An additional \$20,000 of pool expenses were budgeted to be covered by fees for the 2014/15 year, bringing to \$127,535 the portion of operating expenses covered by fees as well as \$10,000 per year covered by fees per year for the pool reserve account and \$10,000 per year from pool fees in repayment to the General Fund for funds used to install a new air handling system at the pool.*
- **Skehan Center – Goals for % of operation of department from fees** – *The Council Services Committee reviewed the financial statements for both the Skehan Center operation and the Recreation Enterprise account which funds all programs from fees. There is an annual operational loss from the Skehan Center, and a surplus in the Recreation Enterprise account that offsets that operational loss and still allows funding to be carried forward annually for use in such projects as playground equipment, tennis court repair, fields maintenance, etc. Although it was not a unanimous decision, the consensus of the Council is to continue to operate the Skehan Center and the Recreation Enterprise accounts as complementary and allow the surplus in one to offset any loss in the other.*
- **User fees – what we charge should relate to the cost of operations** – *The Council increased pool fees, ambulance fees, some recreation fees and some police/fire fees this year as part of its Fee Ordinance revisions in order to stay current as much as practicable with costs.*
- **What priority is town-sponsored recreation?** – *The Council spent a good deal of time during the budget as well as in Service Committee meetings discussing the role of town-sponsored recreation. It was the consensus of the majority of the Council that the current division of cost between taxation that pays for 2 full time employees, and fees that pay for all other staffing, the Skehan Center operation, and all programs – as well as for playground development and facilities repairs, was a cost effective way to provide recreational opportunities to people of all ages in the Town of Hampden.*
- **Kid's Korner competes with private business** - *Some Councilors have expressed concern over this issue but the majority of the Town Council continues to support the Kid's Korner program because it provides positive recreational activity for kids before and after school at the school itself, is heavily supported by local parents, and provides funding that is used to make recreation programming available in Hampden.*
- **Location of floating dock at Marina needs to be addressed** – *Signage issues related to the public portion of the landing and floats has been addressed.*
- **Town Rec Center – a long term look at where it might best be located** – *The Town has a five year lease for \$1 per year plus operation and maintenance building costs on the Skehan Center. Ongoing evaluation of the operation by the Services Committee will track whether this is going to be successful long-term or if the Town would be better served to seek another location.*
- **Land for fields needs to be addressed, particularly if Bouchard develops his property off Coldbrook Road** – *There have been no discussions this year about locating new recreation fields.*
- **No reserve is set up for the artificial turf football field** – *This field is part of the RSU #22 infrastructure even though it was paid for with private funds. The Town currently has no plans to reserve funding for this field.*

Budget

- **Keep % distribution between school, county, and town proportion of tax dollar use** – *The % distribution of the tax dollar for the 2014/15 year remained approximately the same as prior years at 57% for school, 36% for Town and 7% for County.*
- **Consider using County coverage for Police** – *It was the decision of the Council not to pursue this during this fiscal year.*

Bus Service

- **Services Committee should reassess cost/return for Saturday bus service** – *The Town Council went through the formal public hearing process to determine whether to end Saturday bus service in Hampden due to the discontinuation of the transit subsidy from the state and the potential savings of \$28,000 if the service was ended. After a process which included a public hearing and testimony in Hampden as well as a public meeting and testimony in Bangor held by the BAT system, the Council voted 4-3 to retain Saturday bus service for the 2014/15 fiscal year.*

Other

- **Council and School Board meeting should be set up in the near future to discuss pressures on the mil rate** – *While the Council and the School Board have not had a joint meeting, representatives from the School administration have attended meetings to discuss concerns and a representative from the Council – Councilor McPike – participated in the budget hearings for RSU 22 and informed them of the consequences of continued large local share increases.*
- **Department heads should attend Council meetings to explain what their departments do** – *As the largest departments, representing the largest budgets and the largest number of employees, Public Works and Public Safety directors attended Council meetings and gave an overview of their department activities. The Recreation Director, Pool Director, Librarian, GIS/IT Specialist and Economic Development Director have discussed their department activities in Council Committee meetings.*

Additional Work Supporting Council Policy

Beyond work on goals and objectives identified at the February 2014 meeting, other work started/completed in 2014 included

Development & Regulations

- Approved development plan for second half of the business park
- Working with Ammo Park owner on obtaining utilities and connectivity through the Business Park to increase business opportunities in Hampden
- 2 new businesses in the Old Hampden Academy since the Town transferred ownership
- Removed open space requirement for minor rural subdivisions and removal of that requirement for rural cluster subdivisions is in progress
- Amended Shoreland zoning ordinance to bring it in line with state law by not having more requirements than exists at that level

- Amended the zoning ordinance to better serve residents/businesses on Western Avenue
- Allowed the Hampden Farmer's Market to use the Municipal Office parking lot for Friday markets
- Planning & Development Committee currently reviewing subdivision regulations and making recommendations for changes to reduce requirements that are more stringent than state law.

Infrastructure

- Route 1A Sewer line replacement and rebuild of two pump stations
- Completed first phase of Turtlehead Park paid for primarily with a grant from Chevron
- Street/Stream clean up conducted with over 50 volunteers
- Re-roofed the Pool entrance,
- Located new fuel tanks at the town garage
- Installed town-owned propane tanks to allow for more competitive bidding for propane contracts
- Repainted the Town Offices for the first time in 24 years
- Request for proposal prepared for replacement of tile floors in Public Safety building
- Replaced a dangerous major culvert on Elm Street East
- Repaired sidewalks on Route 1A from Kennebec Road to Western Avenue using town employees and saving the town more than \$62,000
- Added a snow blower attachment to the trackless sidewalk plow that prevented the need for a new machine
- Eliminated expense for wood disposal saving between \$17,000 and \$20,000/year
- Used grant funds to locate emergency responder signs on significant intersections of streets
- The Town participated with Bangor and other communities in the region to complete an assessment of local recreational opportunities in Hampden

Personnel

- Reduced staffing public works department by 1 full-time employee
- Reduced staffing in transfer station by ½ time person
- Reduced staffing in building & grounds by 1 seasonal employee for 2014
- Reduced Planner position from full-time to part time effective January 1, 2015
- Replaced GIS/IT Specialist due to resignation
- Replaced Utility Billing clerk due to retirement
- Replaced Firefighter/Paramedic due to retirement
- Replaced Code Enforcement Officer due to resignation – new person also fully trained as a paramedic/firefighter which enhances our emergency response capacity
- In the process of replacing assistant pool director due to resignation
- Implemented interim Director program for public works upon resignation of Director to allow for department review prior to advertising and hiring and replacement of Director

- Promoted Assistant Recreation Director to Director and Kids Korner Staff member to Assistant Director after resignation of former Director and six month evaluation period for new staffing pattern. Recreation Enterprise reduced one full-time position to a part time position in the transition.
- Council appointed School Board member to replace one who resigned.
- Council appointed Water District Trustee to replace one who resigned
- Council in the process of appointing a Water District Trustee due to the fact that no one ran for the position in the 2014 November election.

Administration

- The Town Council is having all of the Town's ordinances codified so that residents/businesses can more easily find and understand the 'rules' that govern Hampden, contract signed with General Code to perform this task
- Reviewed and proposed amendments to the Town Charter to correct portions that were outdated and not in compliance with state law
- Began taping and re-broadcast of RSU 22 School Board meetings as a way of bringing more information to the public
- Began video streaming of Cable Channel 7 to allow any resident with a computer/internet connection to see all of the public broadcasting from Hampden
- Established You Tube sites for school board and Council meetings
- Established a Town Twitter account for increased communications
- Replace the town's antiquated phone system, upgraded the internet capacity at the municipal building, and continued used of the municipal building as a free wireless site
- Completed Redistricting to allow districts to continue in Hampden and to insure that there was equal representation
- Changed animal shelter contracts, saving the town more than \$6,000 per year
- Instituted zero sort recycling which improves the town's recycling rate, makes it easier for residents, and saves money in solid waste disposal fees
- Decreased the taxation support of the Lura Hoyt Pool by funding a larger portion from user fees
- Participated in local bid contract for salt, reducing the per town cost over prior years by \$4 per ton
- Participated in Maine Power Options bid program for propane and fuel oil, resulting in reduced pricing from prior years
- Participated in Maine Power Options bid for medium user electric accounts to lock in lower rate than upcoming standard offer for the municipal building, pool, and sewer pump stations.
- Worked with taxpayers/sewer users to retain property after foreclosure of liens.

Grants Received

- FEMA Grant - Fire Department - SCBA (self-contained breathing apparatus) fill system - \$40,000
- Highway Safety Grant – Police Department – Seat Belt Grant - \$2,830

- Safety Enhancement Grant – Police Department – Cones, Vests, Signs, Gloves, Lights - \$2,776
- Volunteer Fire Assistance Grant – Fire Department – Nomex Shirts, pants, helmet, gloves, goggles - \$7280
- Bureau of Highway Safety - Speed Enforcement Grant – Police Department - \$7,620
- Bureau of Highway Safety – Drive Sober Grant – Police Department - \$4,930
- Rudman Grant – Mad Science Program – Library - \$702
- Safety Enhancement Grant – Fire Department – Wireless Headsets - \$2,000
- Chevron Grant – Reimbursement for costs associated with Turtlehead Park - \$260,000

In addition to the items above, Town departments continued to provide excellent public services. Monthly reports are submitted to the Council that identify, by department, statistics ranging from the number of dogs and automobiles registered to the number of police, fire, and ambulance calls to which we respond – and everything in between. I have not restated those numbers here but as part of the preparation of the next budget, an annual compilation by department of these statistics will be provided in order to provide context for budget considerations.

During the past year the Town of Hampden has received a number of positive recognitions including the best community in Maine to raise a family by one national organization, the 7th safest community in Maine in which to live by a national safety organization, and the 6th best place to live in Maine by DownEast Magazine. These recognitions are a reflection of the excellent schools, public services, local businesses, median household income, and private investment in the community. With population growth of nearly 14% between 2000 and 2010, Hampden is one of the few communities north of Portland to see consistent increases in population and valuation.

As I write this report, it is the 14th anniversary of my employment with the Town of Hampden. It is a wonderful community and I am honored to hold the position of Town Manager here. The Town is blessed with a talented, capable, hard-working staff that seeks to provide excellent town services. These staff members are complemented by an equally excellent and hard-working group of volunteers who serve on boards and committees for the Town as well as volunteer coaches and supporters of local recreation programs. I would like to thank each and every one of them for their service to the town. I would also like to thank the residents of Hampden for their support of their local services. Finally, I would like to thank the Town Council for the opportunity to work here. While the process has not always been pretty, it is clear from this report that the Town of Hampden has accomplished many things and that it has many more in process. All of those stem from policies set by the Town Council.

Christmas 2014

It was the night before Christmas
And all through the Town,
Many creatures were stirring –
They were driving snowplows!

No rest for these gents as
They cleared all the snow
So the rest of us could get
Where we wanted to go.

The crew is sad now to
Lose Chip this year,
But with Greg back for a time,
They have nothing to fear.

On those same roads
The Police made their rounds
Checking to make sure
Nothing bad happened in our Town.

Radar guns were put away –
No seatbelt checks in sight
Just wanting to make sure that all
Were safe throughout the night

The Fire Department
Was busy enough -
Making plans for a grant
With which to buy stuff.

This crew is so good
At getting grants for the Town –
It makes even Joe
Get rid of his frown!

It's the best place in Hampden
To find a good book
Or a movie or program –
Or a recipe to cook!

Of course it's the library –
It's down off IA
Make plans really soon
To go spend a day!

The Skehan Center -
To the Town it is new,
As a place for all ages
To find something to do.

Shelley and Jill are busy
Working all day round
Basketball, football, hockey
Even roller derby comes to town!

Julie and Darcey spend their days
Teaching kids to swim,
And helping adults both young and old
To stay more fit and trim.

The most popular place in Hampden
Costs a \$10 ticket to get to that spot –
Located just off Canaan Road
The Transfer station is hot!

So far this year
They have done their very best
To keep up with development
And pass many tests.

With 56 homes
Permitted this year -
Myles and Jason are busy –
Of that have no fear.

Dean and Bob have kept busy
Throughout the entire year
Staffing Planning & Development
Two nights a month or more.

One brings them in for development,
One helps them through the maze
Of local regulations
That could leave you in a daze!

Planning, Assessing, Development
Public Works, Code, Ambulance too –
Are all assisted by Rosemary
Who never worries about finding work to do!

Assessing is not a popular job
When tax bills are sent out the door
People call Kelly wanting them lowered
They want to pay less – not pay more!

Our new GIS/IT staffer Kyle
Hit the ground running from his very first day -
It started off with a bang – no power no internet -
We are lucky he did not run away!

The front office crew
Is second to none
Their work is efficient
And they do it with fun.

They do it with grace and professional ease,
They do it despite those who whine –
Tammy, Cheryl, Amy – Danielle and Denise
As a staff they always will shine.

Exception free audits,
Meticulous records and such
Are all due to their efforts
And I appreciate it very much!

And then there's the Council
What can I say? It's been a test....
"It has been an interesting year"
Is an understatement at best.

It is important to remember
At the end of the day –
We are a team here in Hampden
And with your help we'll stay that way.

Because of the efforts of all who work here -
And because of the residents too,
There is no better place to live, work or play
Than Hampden Maine – it is true.

For 14 years I have had the honor
Of managing this wonderful Town
While there have been challenges - maybe many at times
It doesn't get me down.

And it's because of the people who work here
And because of the residents too -
That I never forget why I love this so much –
Thank you all for the chance to serve you.

Sue Lessard
December 15, 2014

B-2-k



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

JUNE 1, 2015

7:00 P.M.

Attending:

*Mayor David Ryder
Councilor Bill Shakespeare
Councilor Terry McAvoy
Councilor Dennis Marble
Councilor Carol Duprey
Councilor Stephen Wilde
Councilor Greg Sirois*

*Town Attorney Tom Russell
Town Manager Susan Lessard
Town Clerk Denise Hodsdon
Stormwater Consultant Phil Ruck
Citizens
Media representatives*

The meeting was called to order by Mayor Ryder at 7:05 pm.

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

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. **October 21, 2013 Minutes**
- b. **November 18, 2013 Minutes**
- c. **December 2, 2013 Minutes**
- d. **December 16, 2013 Minutes**
- e. **January 6, 2014 Minutes**
- f. **January 21, 2014 Minutes**
- g. **February 3, 2014 Minutes**
- h. **February 18, 2014 Minutes**
- i. **March 3, 2014 Minutes**
- j. **March 17, 2014 Minutes**
- k. **April 7, 2014 Minutes**
- l. **April 22, 2014 Minutes**
- m. **May 5, 2014 Minutes**
- n. **May 19, 2014 Minutes**
- o. **June 16, 2014 Minutes**
- p. **May 18, 2015 Minutes**
- q. **May 20, 2015 Budget Meeting Minutes**
- r. **May 26, 2015 Budget Meeting Minutes**

3. COMMUNICATIONS

4. REPORTS

- a. **Finance Committee Minutes – 5/4/2015**
- b. **Infrastructure Committee Minutes – 4/27/2015**
- c. **Monthly Reports – April, 2015**

C. PUBLIC COMMENTS - None

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS – None

2. PUBLIC HEARINGS – None

3. NOMINATIONS – APPOINTMENTS – ELECTIONS – None

4. UNFINISHED BUSINESS

- a. **Stormwater 101 Presentation – Phil Ruck –** *As part of the Town's stormwater permit requirements, Phil Ruck from Stillwater Environmental Engineering, Inc. gave an overview presentation relative to the MDEP MS4 Stormwater Program. A copy of his presentation is attached.*
- b. **Zoning Ordinance Text Amendment, Article 3.9 Rural District Frontage Exception for Cul-de-sac Lots – Introduction for Public Hearing –** *Councilor Shakespeare introduced this item for public hearing at the next meeting.*
- c. **Zoning Ordinance Text Amendment, Article 3.2 Industrial District Building Height Standards – Introduction for Public Hearing –** *Councilor Shakespeare introduced this item for public hearing at the next meeting.*
- d. **Zoning Ordinance Text Amendment, Article 4.3 Conditional Lot Dimensions – Introduction for Public Hearing -** *Councilor Shakespeare introduced this item for public hearing at the next meeting.*
- e. **Zoning Ordinance Text Amendment, Article 4.15 Water Recreation and Article 7.2 Definitions – Introduction for Public Hearing -** *Councilor Shakespeare introduced this item for public hearing at the next meeting.*
- f. **Zoning Ordinance Text Amendment, Article 3.13 Business B District – Introduction for Public Hearing -** *Councilor Shakespeare introduced this item for public hearing at the next meeting.*
- g. **License Plates Issuance – Finance Committee Recommendation –** *Mayor Ryder reported that the Finance Committee has reviewed the information relative to the cost and necessary steps for the Town to*

issue license plates and recommends moving forward with issuance of plates. Motion by Councilor Wilde, seconded by Councilor McAvoy to begin issuing license plates on November 1, 2015. Unanimous vote in favor.

- h. Budget Review & Introduction for Public Hearing – Manager Lessard informed the Council that the budget as proposed does include funding for Saturday Bus service. If the Council should decide to eliminate Saturday service, the savings to the Town would be \$16,000. Councilor Wilde introduced the proposed budget for public hearing at the next meeting.**
- i. Saturday Bus Service – Finance Committee Recommendation for Public Hearing – Mayor Ryder reported that the Finance Committee recommends moving forward with the public hearing regarding elimination of Saturday Bus service. Councilor Duprey introduced this for public hearing at the next meeting.**
- j. Interim Town Manager – Mayor Ryder informed the Council that he has talked with Manager Lessard about the possibility of her serving as Interim Manager until a new Town Manager is hired. She is willing to work part-time 2 days a week. During discussion, Councilor Sirois agreed that it would be a good idea, but thought it would be best to have a back-up person who would be onsite every day, and suggested that Public Safety Director Joe Rogers could fill in in that capacity. Councilors McAvoy and Duprey said they thought it would be best to have Joe Rogers serve as interim manager for as long as he was willing and if more time was needed, then the consulting firm could provide someone on an interim basis. Councilor Marble pointed out that depending on the candidates, it could be a while before a new manager is on board, possibly 2 or 3 months. He asked Manager Lessard for her thoughts. She said she would be willing to work for a couple of months on an interim basis and noted that there are number of projects that are scheduled for the next 60 to 90 days that will require someone who has familiarity to see them through. However, she suggested that the Council could assess over the next month where it stands with applicants and what the time period will be before a new manager is on board. Mayor Ryder said it was his understanding that Joe Rogers is willing to do it, but he does not want to do it for more than 30 days. Councilor Sirois said the Council owes the citizens stability in the Town Office and nobody has the knowledge that Manager Lessard has. He feels that she and Joe Rogers can maintain that and a temporary manager will not have the knowledge base needed to make sure that the Town runs smoothly. Councilor McAvoy said he feels that there needs to be some finality and disagrees that things won't function properly. Councilor Shakespeare agreed that there is a lot going on and he would support Manager Lessard helping out as much as she wishes in the interim. Councilor Marble said he would agree with her serving as interim if she is willing**

and thought that Joe Rogers would appreciate having her here on a part-time basis as well. No action was taken, but it was decided that this will be discussed again at the next meeting.

5. NEW BUSINESS

- a. **Permission to Close Lower Coldbrook Road for Water Line Project for 7 to 10 days starting June 8th – Infrastructure Committee Recommendation** – *The Water District has requested permission to close the lower end of Coldbrook to all but local traffic during their upcoming project. Councilor Marble reported that the Infrastructure Committee recommends approval of the request. Motion by Councilor Wilde, seconded by Councilor McAvoy to approve closing lower Coldbrook Road for the water line project for 7 to 10 days starting June 8th. Unanimous vote in favor.*
- b. **Reimburse Snowmobile Club for Partial Well Pump Replacement Costs – Infrastructure Committee Recommendation** – *The Snowmobile Club's well pump has failed, partially due to the fact that there was a break in the water line to the cemetery that utilizes the club's well. It was the recommendation of the Infrastructure Committee to contribute \$500 toward the \$2,000 cost of replacing the pump. Resident Jeremy Jones of the Partridge Road suggested that a low-pressure cut-off valve should be installed. Motion by Councilor Shakespeare, seconded by Councilor Marble to reimburse the Snowmobile Club \$500 toward the pump replacement cost, to be funded from the Buildings & Grounds account. Vote on the motion was 6 in favor (McAvoy, Marble, Duprey, Wilde, Shakespeare and Ryder) and 1 opposed (Sirois); motion carried.*
- c. **Audio/Visual Equipment Replacement Bid – Infrastructure Committee Recommendation** – *The Infrastructure Committee recommended going out to bid to replace the audio/visual equipment and using funds from the Host Community Benefit fund to pay for it. The HCB fund would be repaid when the Town receives the PEG grant from Time Warner Cable. Motion by Councilor Shakespeare, seconded by Councilor Wilde to put the replacement of the audio/visual equipment out for bid. Unanimous vote in favor.*

E. COMMITTEE REPORTS

Services Committee will meet on June 8th and will discuss recreation enterprise accounts.

Infrastructure Committee – most of the items discussed in committee have already been discussed tonight.

Planning & Development Committee last met on May 20th and discussed the MRC project, amendments to the Subdivision Ordinance and the signs portion of the Zoning Ordinance. Economic & Community Development Director Dean Bennett is in the process of reviewing several of the Town's ordinances and will be coming back to the Committee with recommendations.

Town Council Meeting
June 1, 2015

***Finance & Administration Committee** discussed Saturday Bus Service, issuance of license plates and the Town Attorney's upcoming retirement.*

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

G. COUNCILORS' COMMENTS

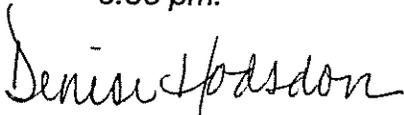
***Councilor Sirois** thanked Councilor Shakespeare and Tom Brann for putting the flags up and noted they did a great job with what we currently have.*

***Councilor Shakespeare** thanked Councilor McAvoy who made 20 new holders for the flags and informed the Council that the Town Manager is looking into getting new flags.*

***Councilor Wilde** said he was very pleased with the way the Council has evolved over the last 5 months. He said we still have disagreements, but we have gotten a lot of work done.*

***Councilor McAvoy** reminded everyone to shop local and buy American.*

H. ADJOURNMENT – *There being no further business, the meeting was adjourned at 8:38 pm.*



Denise Hodsdon
Town Clerk

MANAGER'S REPORT

June 1, 2015

Property & Casualty Insurance Bids – The bids for Property and Casualty insurance are due on June 4th. They will be on the Services Committee agenda for review on Monday, June 8th and on the Finance Committee agenda for 6/15/15.

Ballfield Road Lot Survey – The survey of the Ballfield Road lot(s) has not only identified a missing deed for a part of the property – which attorney Tom Russell is pursuing correction of – but also encroachment onto Water District property. I will be meeting with the surveyor to discuss this and this item will be on the Services Committee agenda on Monday, June 8th.

Unpaid Taxes – A reminder that, as required by State statute, any property tax remaining unpaid as of June 30th will be listed by owner in the Town Report. Tax Collector Cheryl Johnson sent out reminders to all who have unpaid 14/15 property taxes who do not also have unpaid taxes from prior years.

Main Road Pump Station – The main pump in the Souadabscook Pump Station is failing. The City of Bangor has obtained an estimate for the cost of a new pump. The estimate is over \$13,000. This needs to be discussed by the council as soon as possible so I would like to add this to the agenda for the Services Committee meeting on Monday, June 8th and ask that as many Infrastructure Committee members as possible to attend that meeting.

SERVICES COMMITTEE MEETING MINUTES
Monday, May 11, 2015

Attending:

Councilor Terry McAvoy
Councilor Carol Duprey
Councilor Dennis Marble
GIS/IT Kyle Severance
Resident Janet Hughes
Resident Alex King

Councilor Stephen Wilde
Councilor William Shakespeare
Mayor David Ryder
Economic Dev. Dir. Dean Bennett
Resident Tom Brann
Town Manager Susan Lessard

The meeting was opened at 6 p.m. by Chairman McAvoy.

1. MINUTES – April 13, 2015 – Motion by Mayor Ryder, seconded by Councilor Marble to accept the minutes of April 13, 2015 as presented. Unanimous vote in favor.
2. OLD BUSINESS
 - a. Parks Update – The Town Manager informed the Committee that Public Works had built 12 picnic tables, that porta potties were in place, and that trash cans for the parks had been obtained by Mayor Ryder as a donation. The Committee also reviewed an email update from resident Jeremy Jones who serves as volunteer coordinator for Papermill Park. Councilor Marble asked about plans for a canoe/kayak launch at Turtlehead Park and the Manager stated that one was planned as part of the park but that money was needed for its construction. Chevron is negotiating with the DEP over Natural Resource Damage fines and the hope is that some of those funds can be directed to the completion of the park.
 - b. Cable TV Equipment Update – The Town Manager updated the Committee on information requested by Time Warner related to the Town's proposed use of a PEG grant that would be associated with a contract renewal. The Manager submitted the equipment list that has been developed to upgrade the video/audio system. There will be further meetings in late May and June with Time Warner.
 - c. Children's Day Status Update – Councilor Shakespeare – Councilor Shakespeare informed the Committee that a boat, motor, and trailer had been donated to Children's Day by Hamlin's Marine, and that the Committee had been able to get a number of volunteers to participate. Former Mayor Janet Hughes also addressed the Committee. She stated that Kurt Mathies had been named as Chairman of the committee, that the Town recreation director was the contact person for the Town and liaison with the Committee, that a successful bowl-a-thon had been held and that a golf tournament was being planned as a fundraiser and that Snowman's printing was donating all the printing necessary for the event. She also notified the Services Committee that fireworks would be part of the Children's Day festivities. Former Councilor Brann who is also a Children's Day Committee member stated that the

- treasury had approximately \$10,000 in it at this time and that donations were being requested from businesses in addition to the fundraisers.
- d. Veteran's Memorial – Draft Policy for Memorial – The Manager presented the draft policy that would define how the Town would handle requests for name inclusion on the honor roll and requests for names on pavers as well as documentation that would be required to verify that honor roll members entered service from the Town of Hampden. Former Councilor Brann expressed concern that some names on the monument were not people who entered the service from Hampden and that there should be some accounting of who those were in the event that someone requested inclusion who had not entered from Hampden. Chairman McAvoy and Councilor Wilde indicated that the Town could only be responsible for making sure that people whose names were added from this point forward met the criteria because the prior committee was a group of citizens who oversaw the program and whether or not they required proof of eligibility was something that the Town could not correct. It was the consensus of the group that the proposal would meet the needs of the program.
 - e. Saturday Bus Service – Chairman McAvoy discussed information he had received from Penquis Lynx that they could tailor a contract for Saturday service any way that the Town wanted it created. Concerns were expressed by former Mayor Janet Hughes and former Councilor Tom Brann that this type of contract would not meet the needs of the public the same way that a fixed route bus service would and that people who did not fit into a low-income or need-based category would be out of luck. Several Councilors expressed frustration that there was no way to know the actual number of persons served by the BAT system from Hampden since the 'trip' numbers do not represent discrete numbers of people – only the time that anyone stepped onto one of the BAT busses. Also contributing to difficulty in knowing those numbers is the fact that a large part of the 'Hampden' route serves the City of Bangor from the Bangor line to the hub at Pickering Square. The Manager informed the Council that she had not included the Saturday bus service in this budget based on feedback from Councilors however they had the option of including any funding that they wished in the budget – or removing any. For this to meet the process requirements of the BAT system, the Town has to hold a public hearing, then the BAT system has to hold a public hearing if they receive a certain number of written requests. Following that - the Town Council can make a decision. The subject of Saturday Bus service was referred to the Finance Committee for consideration of sending to the Council for a public hearing.
 - f. Recreation Fields – Mayor Ryder asked Committee members if there was support for looking at a 55 acre parcel of land off from Western Avenue as a possible site for recreation fields. Initial consideration of part of the LL Bean parcel off Route 202 had run into access and field location issues and this parcel had been identified by Councilor Wilde as a possible location in a central part of the community. Mayor Ryder did not want to expend staff time and resources if the majority of the Council were not in support of exploring

this as a possibility. Councilor Wilde spoke in support for this consideration as did Councilor Shakespeare and McAvoy. Councilors Marble and Duprey were also in support of developing this idea further.

3. NEW BUSINESS – None
4. PUBLIC COMMENTS – Former Councilor Brann asked if the Town was going to replace the trees next to the pool that were damaged by snow coming off the metal roof. Chairman McAvoy indicated that there was \$750 in the budget that could be used to do that.
5. COMMITTEE MEMBER COMMENTS – Councilor Shakespeare reported that 72 people participated in the Street/Stream cleanup and that he had taken photos and those were being posted on the Town website. He also asked when flags would be going up on poles prior to Memorial Day.

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, May 18, 2015

Attending:

Mayor David Ryder	Councilor William Shakespeare
Councilor Greg Sirois	Councilor Stephen Wilde
Councilor Terry McAvoy	Councilor Dennis Wilde
Town Manager Sue Lessard	Town Clerk Denise Hodsdon
Resident Lisa Carter	Resident Cindy Philbrick
Laurie Linscott, BAT Director	Greg Wunningham, videographer

The meeting was opened at 6 p.m. by Mayor Ryder.

1. Meeting Minutes
 - a. May 4, 2015 – Motion by Councilor Marble, seconded by Councilor McAvoy to approve the minutes as presented. Unanimous vote in favor.
2. Review & Sign Warrants – The payment warrants were reviewed and signed by Committee members.
3. Old Business
 - a. Saturday Bus Service – Councilor Marble asked BAT Director Laurie Linscott to provide information on the Bus service for the Council including Saturday ridership, cost information, and the actual savings that the Town of Hampden might see if they eliminated Saturday service. Ms. Linscott distributed ridership numbers for the Town of Hampden from the start of Saturday bus service on September 3, 2011 through 2015. Although there were some peaks and valleys, Saturday ridership runs at approximately 50% of weekday ridership. She indicated that the Town would save \$16,000 if Saturday service were eliminated. The Town Manager questioned how that number was arrived at because of correspondence from 2014 that had indicated that the amount that the Town would save would be \$28,000. Ms. Linscott indicated that was the number prior to the application of fees and federal state subsidy. The Town Manager also questioned the subsidy use based on information received in 2011 that cited that no federal or state subsidy would be available for the service. Ms. Linscott stated that the manner in which they receive federal funding has changed since 2011 and they are now a direct recipient and the funding match is based on Hampden's entire operation – not just the Monday through Friday routes. Committee members asked questions related to ridership and how they could know how many Hampden residents utilized the service. Ms. Linscott state that she had started keeping track on Saturdays of where ridership on the route was originating. The Town Manager stated that based on current ridership and taxation expense, the Town of Hampden subsidizes each 'ride' at the rate of a little over \$2.00. Ms. Linscott suggested that increasing

bus ridership could improve that by increasing fares. Joyce Rankin of Main Road North spoke in favor of retaining the service and indicated that she used the bus nearly every day that it was available and that she estimated that 15 people from Hampden used the bus on an average Saturday. She stated that she had sold her car and that she saved \$2,000 a year by riding the bus instead. Councilors Wilde and Shakespeare expressed concern over the cost of the service and the fact that the Council does not know how many people from Hampden are being served. Councilor Marble read a statement into the record in support of Saturday bus service (copy attached). The Committee was running short on time and it was the consensus of the Committee to continue this discussion at another Finance & Administration Committee meeting before making a recommendation to the Council about whether or not to hold a public hearing on the topic

- b. License Plates Issuance Information - Tabled until next Finance & Administration Committee meeting.
 - c. Council Rules – Video/Audio recording by Councilors at Council bench – Councilor Shakespeare – Tabled until next Finance & Administration Committee meeting.
4. New Business
- a. Safety Grant Application – Cones – This item was listed as a notification to the Committee that the Police Department has applied for a Safety Grant through Maine Municipal Association for traffic cones to be used during driving school instruction.
 - b. Request to Use Computer Reserve for Plotter Replacement – GIS/IT Specialist presented a request to replace the broken plotter with a multi-function plotter that would also allow the scanning of large format documents as part of the record digitizing project that the Town has had underway for the past three years. The funds for the purchase would come from Computer Reserve and have been set aside annually since the purchase of the last plotter. Motion by Councilor Marble, seconded by Councilor Sirois to recommend to the Council that \$6,095 from Computer Reserve be used to replace the broken plotter.
Unanimous vote in favor
 - c. Fire Department Contract – Executive Session pursuant to 1 MRSA §405(6)(D) – Motion by Councilor Marble, seconded by Councilor Shakespeare to enter executive session at 6:50 p.m. pursuant to 1 MRSA §405 (6)(D) to discuss the Fire Union Contract. Unanimous vote in favor. Motion by Councilor Marble, seconded by Councilor McAvoy to re-enter regular session at 7:03 p.m. Motion by Councilor Wilde, seconded by Councilor McAvoy to recommend to the Council that the Fire Department contract for 7/1/2015 -6/30/2018 be approved.
Unanimous vote in favor.
5. Public Comment - None
6. Committee Member Comments – None

Motion by Councilor Sirois, seconded by Councilor Marble to table the remainder of the agenda until the next Finance Committee meeting due to lack of time. Unanimous vote in favor.

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Susan Lessard
Town Manager



**TOWN OF HAMPDEN
PUBLIC NOTICE**

D-2-b

Notice is hereby given that the Hampden Town Council will hold a public hearing at 7:00 pm on Monday, June 15, 2015 at the Hampden Municipal Building for consideration of the entire FY 2016 proposed town budget.

**PROPOSED 2016
HAMPDEN TOWN BUDGET**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2015
01-01	ADMINISTRATION	\$575,598.00
01-02	GIS/IT	\$106,423.00
01-03	COMMUNICATIONS	\$19,772.00
01-05	TOWN COUNCIL	\$30,890.00
01-10	MUNICIPAL BUILDING	\$86,507.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$8,529.00
01-25	PLANNING/ASSESSING	\$178,594.00
01-30	ECONOMIC DEVELOPMENT	\$111,575.00
05-01	POLICE	\$1,018,447.00
05-05	FIRE DEPARTMENT	\$953,330.00
05-10	PUBLIC SAFETY	\$187,836.00
06-06	NON-DEPARTMENT UTILITIES	\$546,400.00
10-01	PUBLIC WORKS	\$1,194,967.00
10-05	MUNICIPAL GARAGE	\$25,726.00
15-10	SOLID WASTE	\$353,784.00
20-01	RECREATION	\$131,117.00
20-10	DYER LIBRARY	\$249,608.00
20-20	LURA HOIT POOL	\$203,707.00
25-10	THE BUS	\$92,000.00
30-10	BUILDINGS & GROUNDS	\$82,664.00
40-10	GENERAL ASSISTANCE	\$10,000.00
50-10	DEBT SERVICE	\$319,958.00
67-10	TIF	\$20,000.00
3-00-00	RESERVES	\$330,000.00
GROSS	MUNICIPAL BUDGET TOTAL	\$6,843,432.00
LESS	MUNICIPAL REVENUES	\$3,085,500.00
<hr/>		
= NET	MUNICIPAL BUDGET TOTAL	\$3,757,932.00
	SAD #22 TAXATION AMOUNT	\$6,130,574.00
	COUNTY TAXATION AMOUNT	\$768,555.00

ESTIMATED TOTAL TAXATION REQUIREMENT \$10,657,061.00

Proposed FY 2016 budget figures are as of 6/1/15. Based on the current budget and anticipated valuation increase the mil rate should remain at \$17.50 per thousand.
Copies of the entire proposed FY 2016 Budget are available for public inspection at the Hampden Town Office.

D-2-c



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Zoning Ordinance Text Amendment, Article 3.9 Rural District Frontage Exception for Cul-de-sac Lots
DATE: May 14, 2015

At the May 13, 2015 meeting the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee opened the public hearing but as no one wished to speak he closed the public hearing and asked for staff comments.

Bob Osborne explained that the purpose of this amendment is to make adjustments Rural District frontage regulations on cul-de-sacs by reducing the frontage to 100 feet and doubling the setback to 60 feet. He indicated that staff recommends an "ought to pass" recommendation to the Town Council. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation.

After some discussion Member Avery made a motion to return this item to the Town Council with an "ought to pass" recommendation and Member Wiltbank seconded the motion which was approved 5 in favor and none against.

TOWN OF HAMPDEN
Draft

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

Additions are Double Underlined

Deletions are ~~Strikethrough~~

3.9. Rural District

3.9.1. Purpose - The intent of this district is to protect and promote the rural use and character of the area, to provide for traditional agricultural and open space uses, and to provide for low density residential development where appropriate. It is intended that much of the residential development occurring in this district will be either dispersed in nature or, where the developer chooses, will be clustered with extensive open space surrounding the development. *(Amended: 12-18-95)*

3.9.2. Permitted Uses (Subject to Site Plan Review where applicable) - Agriculture, forestry, single family dwelling, certified manufactured home, two family dwelling, three or four family dwelling when serviced by public sewer and water, home day care (subject to *Section 4.19*), accessory use, golf course or other outdoor recreational facilities, home occupation (subject to *Article 4.10*), cluster subdivisions, essential service, and wireless telecommunications facilities (subject to *Section 4.22*). *(Amended: 9-19-83, 8-22-94, 12-18-95, 10-01-01, 6-3-02, 03-21-05)*

3.9.3. Conditional Uses (Subject to Site Plan Review) - Daycare facility, child care center (subject to *Section 4.19*), nursing home, non-profit school, public schools, church, non-profit club, hospital or clinic, mobile home park (subject to *Section 4.13*), campground, cemetery, buildings and parking for recreational facilities, processing agricultural products which are not accessory to an agricultural use, processing and excavation, gravel pit and quarry activities (subject to *Article 4.23 Excavations, Gravel Pits and Quarries*), stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities, commercial nursery, indoor recreational facilities, boarding of animals; to include training and grooming, veterinary hospital, buildings necessary for essential services, community facility (including solid waste facility), Customary Rural Business (subject to *Section 4.20*). *(Amended: 8-22-94, 12/18/95, 12-2-96, 1-21-97, 03-21-05, 12-17-07, 01-03-11)*

3.9.4. Lot Dimensions

Minimum Area	-	2 acres
Minimum Road Frontage	-	200 feet
Minimum Setbacks:		
Street Yard	-	30 feet
Other Yards	-	30 feet
Maximum Ground Coverage	-	10 percent
Maximum Building Height	-	35 feet

Notwithstanding the above requirements, accessory structures which are not attached to a principal building may be located on a lot in accordance with the following:

Accessory Structures Ground Floor Area	Up to 250 Sq. Ft.	251 – 650 Sq. Ft.
Maximum Height	- 16 feet	- 24 feet
Minimum Other Yard	- 5 feet	- 15 feet

Once located in accordance with the foregoing requirements, said accessory structures shall not be attached to a principal building unless said structures are in compliance with the Other Yard requirement of the District. *(Amended: 10-3-94)*

3.9.5. Special District Requirements

1. All buildings for the commercial raising or keeping of animals shall be set back a minimum of fifty (50') feet from side and rear property line. *(Amended: 10-3-94, 12-18-95)*
2. Kennels for the commercial boarding, raising, and training of six or more dogs shall be kept fifty (50') feet from side and rear property lines. *(Amended: 12-18-95)*
3. Accessory structures or buildings associated with single family residences may be larger than the principal building (single family residence) in both building height and total floor area provided that: The accessory building shall function as an accessory use to the residential use and not as a second primary use. Vehicles or equipment owned or leased by the person(s) residing on a lot may be stored or repaired in the accessory structure or building, and shall be considered to be an accessory use to the single family residential use. The accessory building shall not exceed 5,000 sq. ft. in floor area. The accessory building shall be constructed on a lot of at least 3 acres in size. Accessory buildings that meet these requirements do not require site plan approval. *(Amended: 7-6-2010)*
4. Exception: Notwithstanding the minimum road frontage standard found in Article 3.9.4 Lot Dimensions, lots located entirely or primarily on a street cul-de-sac the minimum frontage required for such a lot is reduced to 100 feet provided that the street yard setback is increased to a minimum of 60 feet.

D-2-d



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment, Industrial District Building Height Standards
DATE: May 14, 2015

This draft amendment provides a mechanism for the Planning Board to approve buildings over 35 feet in height in the Industrial District through Conditional Use review.

At the May 13, 2015 meeting the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee opened the public hearing but as no one wished to speak he closed the public hearing and asked for staff comments.

Bob Osborne explained that the purpose of this amendment is to make adjustments to the Industrial District building height regulations to require that buildings taller than 35 feet be conditional uses and that for each foot in height taller than 35 feet they have an additional foot of setback. He indicated that staff recommends an "ought to pass" recommendation to the Town Council. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation.

After some discussion Member Wiltbank made a motion to return this item to the Town Council with an "ought to pass" recommendation and Member Weldon seconded the motion which was approved 5 in favor and none against.

TOWN OF HAMPDEN
Draft

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

Additions are Double Underlined

Deletions are ~~Strikethrough~~

3.2. Industrial District

3.2.1. Purpose - These areas are set aside for non-service intensive industrial uses which do not require the amenities of an industrial park and which would fit into the surrounding rural area with ease. Industries needing public sewer or water are not expected to locate in these areas.

3.2.2. Permitted Uses (Subject to Site Plan Review) - Facilities for manufacturing, compounding, processing, packaging, essential service, wireless telecommunications facilities (subject to *Section 4.22*), treatment or warehousing of goods and products, wholesale distribution, take out restaurant, retail sales where such activities are part of and accessory to an industrial use, such facilities having less than five thousand (5,000) square feet of gross floor area, and accessory uses and structures. Excavation, gravel pit and quarry activities are not permitted in the district. (*Amended: 10-01-01, 12-6-04, 12-17-07*)

3.2.3. Conditional Uses (Subject to Site Plan Review) - Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility (subject to *Article 4.24*), methadone clinic (subject to *Article 4.24*), facilities for manufacturing, compounding, processing, packaging, treatment, buildings necessary for essential services, or warehousing of goods and products, wholesale distribution, retail sales where such activities are part of and accessory to an industrial use, such facilities having more than five thousand (5,000) square feet of gross floor area. Stockpiles (subject to *Article 4.9*), but not including excavation, gravel pit and quarry activities. Accessory uses or structures, building or living quarters for security personnel and buildings greater in height than thirty-five (35) feet. (*Amended: 12-17-07, 03-07-11*)

3.2.4. Lot Dimensions

Minimum Lot Area	-	2 acres
Minimum Road Frontage	-	150 feet
Minimum Setbacks:		
Street Yard	-	50 feet
Other Yards	-	35 feet
Maximum Ground Coverage	-	25 percent
Maximum Building Height	-	35 feet

3.2.5. Special District Regulations

1. Notwithstanding the above requirements any structure which requires access to rail service shall not be required to setback from the railroad siding.
2. In order to provide for harmonious development and preserve the rural character the Planning Board may require additional buffers beyond that required in *Article 4.7.11.* (*Amended 8-17-92*)

3. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement.

EXAMPLE: A 48 foot tall building is proposed. By subtracting the base District maximum building height from the proposed height the following is the result $48' - 35' = 13'$. Then add that amount to each yard or setback.

<u>Setback Type</u>	<u>Base Setbacks:</u>	<u>Total Setback</u>
<u>Street Yard</u>	<u>- 50 feet</u>	<u>63 feet</u>
<u>Side Yard</u>	<u>- 35 feet</u>	<u>48 feet</u>
<u>Rear Yard</u>	<u>- 35 feet</u>	<u>48 feet</u>



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment, Conditional Lot Dimensions
DATE: May 14, 2015

This draft amendment provides a mechanism for the Code Enforcement Officer to give relief from the frontage requirement of certain zoning districts.

At the May 13, 2015 meeting the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee opened the public hearing.

Alex King, 75 Ichabod Lane spoke in support of the proposed amendment indicating that he feels that if allowed no change of character would come to the rural character of the town.

Peggy Brown, 208 Kennebec Road spoke in support of the proposed amendment indicating that the amendment would be useful for her family on the large lot that they own.

As no one else wished to speak he closed the public hearing and asked for staff comments.

Bob Osborne explained that the purpose of this amendment is to allow Rural District, Residential A and Residential B District minimum frontage standards reduction by granting a permit through the Code Enforcement Officer that would allow frontage of 66 feet with certain building envelope standards required and maintained.

Mr. Osborne indicated that the item had come from the Ordinance Committee with a few friendly amendments. The recommendation was: 1. To remove Residential A and Residential B Districts from the contemplated areas where the permit is available. 2. To add a sentence clarifying that this permit cannot be used in the context of subdivisions. And 3. To renumber the text that is currently 4.3.6.2. a and b to 4.3.6.1. l and m. He indicated that staff recommends an "ought to pass" recommendation to the Town Council with the proposed amendments. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation with the friendly amendments proposed.

After some discussion Member Weldon made a motion to return this item with the noted changes to the Town Council with an "ought to pass" recommendation and Member Wiltbank seconded the motion which was approved 5 in favor and none against.

Town of Hampden

Draft

Additions are Double Underlined

Deletions are ~~Strikethrough~~

4.3. Conditional Lot Dimensions

4.3.1. Purpose - It is the purpose of this section of the Ordinance to establish a procedure which would allow for residential development on certain lots which, because of inadequate road frontage, would not otherwise be usable for residential purposes. The lots must meet certain requirements as established in this section of the Ordinance and the development of the lots must be consistent with wise land use planning.

~~4.3.2. Deleted. Permit Required~~ - A conditional lot dimension permit issued by the planning board is required for the development of any lot having inadequate road frontage. The planning board shall follow the procedures outlined in ~~Article 4.3.5~~ in reviewing any application for conditional lot dimension permit.

4.3.3. Information Required in Application - Application for the development of lots requiring a conditional lot dimension permit shall be accompanied by plans, drawn to scale, containing the following information:

1. Scale of map.
2. Name of applicant.
3. Boundaries of tract of land.
4. Location of existing and proposed buildings and other structures, including use and proposed use thereof.
5. Location of buildings on abutting properties or within five hundred (500') feet of the property line of the proposed development.
6. Location of existing public streets.
7. Location of all curb cuts within five hundred (500') feet ~~one thousand (1,000') feet~~ of the curb cut which will result from the development of the lot.
8. Location of existing and proposed rights of way, utilities and easements therefor; including sanitary sewerage, water and all electricity.
9. ~~Deleted.~~ Location, intensity, type, size and direction of all outdoor lighting.

4.3.4. Application Procedure - ~~Persons seeking conditional lot dimension approval shall file one (1) original and twelve (12) copies of a complete application, including all information required under Article 4.3.3, with the code enforcement officer at least fifteen (15) days before the planning board meeting when they will be considered. Applicant shall also file site plan review application fees and other applicable fees paid in accordance with the Town of Hampden Fees Ordinance. Upon receipt of complete plans the code enforcement officer shall refer such plans to the planning board. The filing of the required application with the code enforcement officer shall constitute filing of an application for conditional lot dimension approval. (Amended: 11-17-03)~~

~~4.3.5. Deleted-Planning Board Review and Action~~ - Within forty five (45) days of the filing of the application for conditional lot dimension approval, the planning board shall approve, approve with modifications, or disapprove the application at a public meeting. The board shall limit its review to the criteria set forth in ~~Article 4.3.6~~. The board may consult with the applicant or any other party in making its review. The board shall inform the applicant of its decision in writing, and in cases of

~~disapproval or approval with modifications, reasons for such action shall be stated. A copy of the Board's decision shall be filed with the code enforcement officer.~~

4.3.6. Standards Governing Conditional Lot Dimension Permits

1. *General Requirements* - A conditional lot dimensions permit may only be issued if the following conditions are met:
 - a. The lot and access way must be located in the Rural District, ~~the Residential A District or the Residential B District.~~
 - b. ~~Deleted.~~ The frontage of the lot must not have been reduced since January 1, 1979 below either 1.) the minimum lot frontage required in the district which it is located or, 2.) the nonconforming frontage in existence on January 1, 1979.
 - c. The lot is of such dimensions that an imaginary square whose minimum side dimension is the minimum road frontage required in the district where the lot is located, can be accommodated within its borders. Any building that is located on the lot shall be located within the perimeter of such a square. If the lot falls within more than one zoning district, the side dimension for the square shall be determined by the district in which the building is to be built.
 - d. No building shall be placed closer to any lot line or right of way boundary than the distance of the greatest required minimum setback in the district in which the building is located. In determining which dimension is applicable, the characteristic of the lot relative to off and on lot sewer and/or water and the dimensional, requirements associated with such characteristics shall be used. No primary building shall be less than one hundred (100') feet from existing dwellings.
 - e. There shall be no alternative access to the lot which conforms with the road frontage requirements established for the district.
 - f. The development of the lot shall cause no unsafe or unhealthful condition. Of particular concern in this regard should be traffic safety.
 - g. The lot shall conform to all dimensional requirements of this Ordinance except road frontage. Building setback requirements shall be determined by *Article 4.3.6.1.d* of this Ordinance.
 - h. Only single family residential uses shall be allowed on these lots.
 - i. The development of the lot shall not preclude the orderly development of the neighborhood and the community.
 - j. The lot must have at least sixty six (66') feet ~~thirty (30)~~ feet of road frontage.
 - k. Conditional lot dimension permits can be issued for the cul-de-sac portion of a subdivision. The provisions of this Article shall only apply to single lots and shall not be used in the lotting of subdivisions. All other subdivision activity shall be governed by the Subdivision Ordinance of the Town of Hampden.
 - l. No more than one (1) dwelling unit may be placed on the lot.

2. ~~Deleted. *Requirements Pertaining To Lots Having More Than 66 Feet Road Frontage*~~—In addition to the general requirements in 4.3.6.1.a j, all lots with road frontage of sixty six (66') feet or more, but less than the required minimum road frontage in the district where the lot fronts the road, shall meet the following standards:
 - a. ~~Deleted.~~ A sixty six (66') foot right of way into and through the lot must be provided to allow for future road building and/or subdivision activity. The right of way must be designed so as to make optimal use of the lot and adjacent undeveloped land, if such development becomes desirable in the future. In determining whether sufficient land is available for development of a dwelling unit, the land in the required right of way shall not be considered.
 - b. ~~Deleted.~~ Conditional lot dimension permits shall not be issued in a subdivision. All subdivision activity shall be governed by the Subdivision Ordinance of the Town of Hampden.
 - c. ~~Deleted.~~ No more than one (1) dwelling unit may be placed on the lot.
3. ~~Deleted. *Requirements Pertaining to Lots Having Less Than Sixty Six (66') Feet but at Least Thirty (30') Feet of Road Frontage*~~—In addition to the general requirements in 4.3.6.1. a j, all lots with less than sixty six (66') feet but at least thirty (30') feet of road frontage shall meet the following standards:
 - a. ~~Deleted.~~ There must be no alternative access which is greater than or equal to sixty feet (66') feet (if such access exists, that must be used and reviewed under the provisions of 4.3.6.2).
 - b. ~~Deleted.~~ No more than one (1) dwelling unit may be placed on the lot.



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Zoning Ordinance Text Amendment, Article 4.15 Water Recreation and Article 7.2 Definitions
DATE: May 14, 2015

At the May 13, 2015 meeting the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee asked for a motion to take this item off the table. Member Davitt moved that this item be removed from the table and Member Avery seconded the motion which was approved unanimously. As no one wished to speak Chairman Weatherbee did not re-open the public hearing but asked for staff comments.

Bob Osborne explained that the purpose of this amendment is to add language to the zoning ordinance that regulates swimming pools and tubs to provide safety barriers for children. The language is consistent with MUBEC code. The draft amendment also does away with lagoons because they are no longer a viable mechanism for disposal of wastewater. He indicated that staff recommends an "ought to pass" recommendation to the Town Council. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation.

After some discussion Member Weldon made a motion to return this item to the Town Council with an "ought to pass" recommendation as presented in the current packet document and Member Wiltbank seconded the motion which was approved 5 in favor and none against.

The Town of Hampden hereby ordains that the following amendments to the Zoning Ordinance be adopted.

Additions underlined

Deletions ~~stricken~~

4.15. ~~Water Recreation and Sewage Lagoons~~ Swimming Pools - Any swimming pool, as defined, and ~~any sewage lagoon~~ shall comply with the following requirements:

4.15.1. The swimming pool ~~facility~~ shall conform with setback requirements.

~~4.15.2. The facility shall be enclosed by a fence no less than (4) four feet high to prevent uncontrolled access.~~

4.15.2 Barrier Requirements

- a. **Application.** The following provisions shall control the design of barriers for residential swimming pools, spas, and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to residential swimming pools, spas, and hot tubs.
- b. **Outdoor residential swimming pool.** An outdoor residential swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:
 - i. The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.
 - ii. Openings in the barrier shall not allow passage of a 4-inch-diameter sphere.
 - iii. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

- iv. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches in width.
- v. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches in width.
- vi. Maximum mesh size for chain link fences shall be a 2 ¼inch square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1¾ inches.
- vii. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1¾ inches.
- viii. Access gates shall comply with the requirements of Section 4.15.2.b, Items i through vii, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 1. The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and
 - 2. The gate and barrier shall have no opening larger than 1/2 inch within 18 inches of the release mechanism.
- ix. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
 - 1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346-91(2010); or
 - 2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The

- deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or
3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the Code Enforcement Officer or Fire/Building Inspector, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 4.15.2.b.ix.1 or 4.15.2.b.ix.2 described above.
- x. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section 4.15.2.b, Items i through ix. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.
- c. **Indoor residential swimming pool.** Walls surrounding an indoor residential swimming pool shall comply with Section 4.15.2.b, Item ix.
- d. **Prohibited locations.** Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.
- e. **Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346-91(2010) shall be exempt from the foregoing provisions.

7.2 Definitions

~~Swimming pool:~~ An outdoor body of water enclosed in an artificial receptacle or other container, whether in or above the ground, used or intended to be used for swimming or bathing and designed for a water depth of twenty four (24") inches or more.

Swimming pool: Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Swimming pool, barrier: A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

Swimming pool, indoor: A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

Swimming pool, outdoor: Any swimming pool which is not an indoor pool.

Swimming pool, residential: Any swimming pool which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

D-2-g



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment, Business B District
DATE: May 14, 2015

At the May 13, 2015 meeting the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee asked for a motion to take this item off the table. Member Wiltbank moved that this item be removed from the table and Member Weldon seconded the motion which was approved unanimously. As no one wished to speak Chairman Weatherbee did not re-open the public hearing but asked for staff comments.

Bob Osborne stated that the purpose of this amendment is to make adjustments to the Business B District for frontage and height regulations. The rationale was driven by a closer look at some of the parcels recently brought into the Business B District. When the current setbacks were applied to some of the smaller lots there was inadequate lot width left to develop. This amendment comes to us at the recommendation of the Public Safety Department and Planning Department. It has been reviewed by the Town Attorney and appears to be well integrated in the Ordinance. Staff recommends that the Planning Board recommend "ought to pass" to the Council on this item with one friendly amendment that would add a Special District Regulation that requires a 30 foot setback only on lot lines that abut residential zones. He noted that the Ordinance Committee has recommended "ought to pass" with the noted change to the Special District Regulations.

After some discussion Member Weldon made a motion to return this item to the Town Council with an "ought to pass" recommendation with the noted amendment to the Special District Regulations to increase the setback on lot lines abutting residential districts and Member Avery seconded the motion which was approved 5 in favor and none against.

TOWN OF HAMPDEN
Draft

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

Additions are Double Underlined

Deletions are ~~Strikethrough~~

3.13. Business B District

3.13.1. Purpose - This district is intended to provide a location for larger commercial developments (in excess of 10,000 sq. ft. of floor area) in central locations of Hampden.

3.13.2. Permitted Uses (Subject to Site Plan Review) - Business and professional offices, retail and service businesses, take-out restaurant, small restaurant, single family dwelling, home occupation (subject to *Article 4.10*), accessory uses or structures and essential service. (*Amended: 12-6-04, 07-14-14*)

3.13.3. Conditional Uses (Subject to Site Plan Review) - Sit-down restaurant, fast-food restaurant, outdoor dining restaurant, tavern, drive-thru business, automobile and truck sales and service, church, mixed residential/commercial uses, limited to a maximum of four (4) dwelling units, day care facilities and child care center (subject to *Article 4.19*), preschool, commercial school, place of assembly, nursing home, funeral home, community building, community facility, hotel and motel, buildings over 35 feet in height and buildings for essential services. (*Amended: 12-6-04, 07-14-14*)

3.13.4. Lot Dimensions

Minimum Lot Area	-	1 acre
Minimum Road Frontage	-	<u>100</u> 125 feet
Minimum Setbacks:		
Street Yard	-	<u>30</u> 35 feet
Other Yards	-	<u>15</u> 30 feet
Maximum Lot Cover	-	20 percent
Maximum Building Height	-	35 feet

*Any lawfully existing lot of record situated in a Business B District containing road frontage of less than 100' ~~100' or less~~ as of June 1, 2014 served by public sewer with existing structures may use Other Yards minimum setback of 10' ~~single family dwellings and accessory structures with minimum street yard and other yards of not less than 10 feet each.~~ Any such lots containing between 100' and 124' ~~of road frontage may be developed for single family dwellings and accessory structures with minimum street and other yards of 10 feet each, plus 0.5 feet per side yard for each foot of road frontage in excess of 100'~~. (*Amended: 07-14-14*)

3.13.5. Special District Regulations

1. Along any boundary line adjacent to a residential district a Class III landscaped buffer strip shall be provided.
2. Shopping centers shall provide accommodations for pedestrians, bicyclists, handicap accessibility and public transportation. (*Adopted: 11-8-83*) (*Amended: 8-8-94*)

3. Buildings with the exception of one and two unit dwellings constructed, reconstructed, moved or structurally altered, shall comply with the following standards:
 - a. Buildings shall have a pitched roof with a minimum pitch of six (6) in twelve (12), or have a roof form and pitch consistent with adjacent structures within 300 feet or if in the development of structures in excess of 10,000 square feet, has an appearance similar to that of a pitched roof.
 - b. Buildings shall have exterior siding that is compatible with those of the adjacent buildings, such as brick or masonry veneers, wood siding, wood shingles, aluminum or vinyl siding simulating a clapboard pattern, or hardboard siding. Inconsistent architectural elements created by illumination, form or color are not permitted ~~shall be discouraged~~.
 - c. Buildings in excess of 10,000 square feet shall treat the predominately visible street facade(s) within the guidelines of the above materials to provide a consistent architectural appearance.
4. In order to evaluate consistency with Special District Regulation 3, the site plan submission shall include elevation drawings with details and color renderings or color computer drawings as to how the above standards are met. *(Amended: 07-19-00)*
5. Fast-food restaurant use shall be located on a lot having a minimum lot size of 1.5 acres, minimum frontage of 200 and no part of the vehicle queue shall be located within 100 feet of a residential structure. *(Amended: 12-6-04)*
6. Sale or consumption of alcoholic beverages is prohibited for outdoor dining restaurant uses in conjunction with take-out restaurants and fast-food restaurants. *(Amended: 12-6-04)*
7. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. Title 28-A. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. Title 28-A: LIQUORS §1051. Licenses generally which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*
8. Notwithstanding the maximum building height regulation herein building height may be up to 60 feet maximum height under the following condition: Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each base yard setback requirement. *(Amended: 07-14-14)*

EXAMPLE: A 60 foot tall building is proposed. By subtracting the base district building height from the proposed height the following is the result $60 - 35 = 25$ which is added to the minimum yard requirement.

		Minimum Setbacks: Modified Setback	
Street Yard	-	<u>30</u> 35 feet	<u>55</u> 60 feet
Other Yard	-	<u>15</u> 30 feet	<u>40</u> 55 feet

9. Notwithstanding 3.13.4 Lot Dimensions, Minimum Setbacks, Other Yard requirement the other yard setback shall be increased to 30 feet on any side or rear yard that abuts Residential A or Residential B District.

Property Casualty Insurance Bid Comparison

D-4-a

Coverage	Kyes -occurrence/aggregate	Additional Cost	MMA - Occurrence/ Aggregate	Additional Cost
General Liability	\$1,000,000/\$3,000,000 to add \$2,000,000 for excess -would cap annual at \$5,000,000 -all liability	\$ 3,508.00	\$2,000,000/no limit	included
Flood & Earthquake	1,000,000 with \$25,000 Ded does not cover property in special risk flood zones - 3 pump stations are in	\$ 910.00	\$5,000,000 with \$1,000 ded covers all property	included
Bond Coverage	100,000 -\$350 per office (6) to get to \$500,000 per office, the premium would be \$1750 each	\$ 10,500.00	\$500,000 per office	included
Law Enforcement	\$1,000,000/\$3,000,000		\$2,000,000/no limit	
Public Officials Liability	\$1,000,000/\$3,000,000		\$2,000,000/\$4,000,000	
Cyber Coverage	does not include cyber liability - only notification costs for data breach		includes cyber liability as well as notification of data breach	
Policy Rebate for performance	No dividends given		Annual rebate based on performance - must be in program for 3 years to qualify	(\$3,371.00)
Total additions/deletions		\$ 14,918.00		(\$3,371.00)
Bid Amount		\$ 43,379.00		50,784.00
Total cost of Premium		\$ 58,297.00		\$47,413.00

TOWN OF HAMPDEN
BID OPENING
PROPERTY & CASUALTY INSURANCE
June 4, 2015 at 10:00 am

BIDDER	BID AMOUNT
1. Kycs Insurance	\$43,379.00
2. Maine Municipal Assoc.	\$50,784.00 (Dividend \$3,371.00)
3.	
4.	

Bids have been opened but have not yet been reviewed to insure that both have offered the same coverage. Will have that information for Monday evening.