

SPECIAL TOWN COUNCIL MEETING MINUTES
Monday, January 23, 2012

Attending:

<i>Mayor Janet Hughes</i>	<i>Councilor Shelby Wright</i>
<i>Councilor Andre Cushing</i>	<i>Town Attorney Tom Russell</i>
<i>Councilor Jeremy Williams</i>	<i>Town Clerk, Denise Hodsdon</i>
<i>Councilor Jean Lawlis</i>	<i>Susan Lessard, Town Manager</i>
<i>Councilor Kristen Hornbrook</i>	
<i>Councilor Tom Brann</i>	

The meeting was opened at 6:00 p.m.

- 1. Consideration of Offer of the Old Hampden Academy from RSU 22 – Mayor Hughes explained that the Town had received an offer from the RSU 22 School Board to sell the Old Hampden Academy Property to the Town of Hampden. The Mayor explained the history of the negotiations and the specifics of the property which includes 21.1 acres of property with 487 ' of road frontage on Route 1A. There is approximately 100,000 square feet of building space, excluding the modulars which will be removed. The Bronco statue would remain in place. The Mayor considers it in the best interest of the Town of Hampden for the Town to lead re-development of this site. It is also important to consider the other two district towns when talking compensation to the District for the site. A large part of any 'payment' could be land for the School District to use the 65 acres of Town-owned land behind Reed's Brook as wetland mitigation for the new high school project. The Mayor read the vote from the School Board.*

Councilor Cushing stated that there had been tremendous diligence to find the best use of the old buildings and commended the RSU22 Board for their thoroughness. It is clear that they are ready to focus on education and turn over the asset to the Town which allows it to direct the future of the center of Hampden. The appraisal of \$1 million equates to a cost of \$386,000 to the Town based on the appraisal minus the 62% that Hampden already 'owns'. If the 65 acres of wetland mitigation land had a value of \$300,000, it would leave a balance to the town of \$86,000 to acquire the property.

Councilor Lawlis feels that there is risk and uncertainty going forward but this seems to be the best path forward to accomplish the goal of redevelopment.

Mayor Hughes indicated that Host Community Benefit Funds would be used for the project.

Councilor Williams indicated that the property had \$0 value but it would be a shame if the Skehan Center was not saved. It would be in the best interest for the Town to act as a conduit to a developer. He still has reservations that this project could be a drain on the Town.

Councilor Hornbrook is uncomfortable with the proposal and the discussion. Even if Host Community Benefit funds are used – they still come from the people of Hampden. She is concerned about conflict of interest for Councilor Cushing in this process and feels it is unsettling that the Town has to spend \$86,000 and 65 acres of land, particularly when the Town Manager did research of other situations where School Districts turned properties over to Towns at no cost. She feels that the Town has done its job but that it should go out to referendum. She also wondered what the 65 acres to be traded is worth.

Councilor Cushing stated that the land in question was gifted to the Town over 15 years ago and no appraisal was ever done to his knowledge and the only access to it is off from Constitution Avenue. It is mostly wetland but has value in the Hampden Academy project because it is mitigation. Doing nothing is not an option since the Town will be faced with costs related to the old academy no matter what.

Councilor Lawlis indicated that plans prior to this had been to use the 65 acres for trail development with the school – and that could continue even if the land was transferred.

Councilor Cushing asked for discussion of his possible conflict of interest raised by Councilor Hornbrook.

Councilor Hornbrook stated that Councilor Cushing owns property that abuts the 65 acre parcel and questioned whether it would have any special interest to him or his family and if the transaction could possibly increase the value of his property if it was developed with trails.

Town Attorney Tom Russell responded that the financial interest was defined as a direct or indirect monetary or pecuniary interest and that a special interest was defined as having a peculiar benefit which would as a matter of passage of or denial of the transfer. He does not see this transaction as creating either of these two conflicts.

Motion by Councilor Brann, seconded by Councilor Lawlis that the Council finds no conflict of interest for Councilor Cushing in this matter.

Councilor Hornbrook asked for additional facts.

Councilor Cushing said in order to reassure her – he would recuse himself from this action.

The motion regarding conflict was withdrawn.

Councilor Brann is interested in having the old Fire Station returned to the Town.

Mayor Hughes wishes to respond to the District in support of their offer and move forward with continuing negotiations and development of a purchase and sale agreement.

Attorney Russell suggested accepting the offer but authorizing someone to negotiate to finalize the purchase and sale agreement that then has to be approved by both the Town and the District.

Motion by Councilor Lawlis, seconded by Councilor Brann to accept the offer and authorize the Planning & Development Committee to work with the Town Manager to negotiate and finalize the Purchase and Sale agreement with the school district, to be brought to the School Board and the Town Council for final approval.

Councilor Williams indicated that he wished to abstain from the vote because he was just recently elected and is not up to speed on this issue

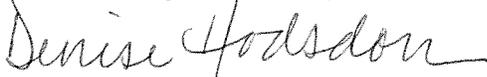
Councilor Hornbrook pointed out the Council Rules regarding abstentions. Motion by Councilor Brann, seconded by Mayor Hughes to allow Councilor Williams to abstain from the vote. Vote 4 in favor, 1 opposed (Hornbrook). Motion carried.

Vote on the original motion regarding the school property - 4 in favor (Wright, Lawlis, Brann, Hughes) 1 opposed (Hornbrook) 1 abstention (Williams). Councilor Cushing was recused from the vote. Motion carried.

2. *Town Manager Search Discussion* - Motion by Councilor Brann, seconded by Councilor Lawlis to enter executive session pursuant to 1 MRSA §405 (6)(A) (personnel matters) and 1 MRSA §405 (6)(F) (confidential records) for the purpose of discussing the Town Manager search. Unanimous vote in favor. The Town Manager and Town Clerk left the meeting at this time.*

Motion by Councilor Brann, seconded by Councilor Wright to re-enter regular session. Unanimous vote in favor. No action was taken.

Respectfully submitted,



*Denise Hodsdon
Town Clerk*

* Due to the nature of this item, portions of the meeting may be conducted in Executive Session pursuant to 1 MRSA §405 (6)(A) (personnel matters) and 1 MRSA §405 (6)(F) (confidential records)