

## TOWN COUNCIL MINUTES

APRIL 6, 2009

The regularly scheduled meeting of the Hampden Town Council was held on Monday, April 6, 2009. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:00 p.m.

**Attendance: Councilors:** Mayor Matthew Arnett, Shannon Cox, Andre Cushing, Thomas Brann, William Shakespeare, Jean Lawlis and Janet Hughes

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** Public Works Director Chip Swan

Walter Cupples and Dennis Marble from the Bangor Homeless Shelter and citizens

### A. CONSENT AGENDA

Treasurer's Warrants were reviewed and signed by the Finance Committee at its meeting earlier in the evening. Motion by Councilor Cox, seconded by Councilor Shakespeare to accept the balance of the Consent Agenda – unanimous vote in favor.

### B. PUBLIC COMMENTS

Nancy Hamilton of Dewey Street addressed the Council to express concern about the draft long-term resident tax rebate program that the Finance Committee is considering. She feels that it would be an expensive line-item and said it does not reflect the objective. She said it would be unnecessary spending and hoped that the Council would reconsider the no income-eligibility option. She wondered if the Council would consider another option under the income criteria option, which would be to piggyback the Circuit Breaker program by adding a percentage to that. Mrs. Hamilton expressed concern that people won't be aware of this if the Council decided to pass it by adopting an ordinance and said she would like to see it go out to public vote so that everybody can read it, understand it and then vote on it.

### C. POLICY AGENDA

#### 1. PUBLIC HEARINGS

- a. APPLICATION FOR RENEWAL OF VICTUALER'S LICENSE  
RECEIVED FROM LAURIE LEE d/b/a COFFEE BREAK CAFÉ at 75  
MAIN ROAD NORTH:

Mayor Arnett explained the procedure for the public hearing and then opened the hearing.

Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Motion by Councilor Cushing, seconded by Councilor Hughes to reissue the Victualer's License for Laurie Lee d/b/a Coffee Break Café – unanimous vote in favor.

**b. PROPOSED AMENDMENT TO CONSERVATION ORDINANCE TO DELETE SUNSET PROVISION, SECTION 6.1.4**

Councilor Cushing reported that the Planning & Development Committee voted unanimously to recommend the amendment as proposed.

Mayor Arnett opened the hearing: Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Motion by Councilor Cushing, seconded by Councilor Shakespeare to amend the Conservation Ordinance to delete the sunset provision, Section 6.1.4 – unanimous vote in favor.

**2. NOMINATIONS-APPOINTMENTS-ELECTIONS**

There were none.

**3. UNFINISHED BUSINESS**

**a. AWARD FIRE TRUCK BID**

Councilor Brann reported that the Infrastructure Committee has met with Public Safety personnel and discussed the results of the recent bid opening for a new pumper/tanker fire truck. He reported that the new truck would replace two existing trucks and the Committee recommends acceptance of the lowest bid in the amount of \$374,081.00.

Motion by Councilor Brann, seconded by Councilor Hughes to authorize the purchase of the fire truck from Yankee Fire & Rescue in the amount of \$374,081.00 to be funded by the Fire Truck Reserve account and the final payment from Casella when they close the facility at the end of the year – unanimous vote in favor.

Councilor Cushing commended the members of Public Safety who were tasked with this project and noted that they thought through the process very effectively and were able to come up with some options which saved the Town a fair amount of money.

**b. AWARD PAVING BID**

Public Works Director Chip Swan reported the results of the paving bid opening and noted that the bids were up 13% over last year. He recommended acceptance of the low bid from Lane Construction in the amount of \$347,245.85 and annual line striping in the amount of \$4,000.00 for a total cost of \$351,245.85. The 2009 budget included a

paving line item in the amount of \$150,000.00 and Chip requested that the balance of \$201,245.85 come from the Reserve Account.

Councilor Brann reported that the Infrastructure Committee has reviewed the bids and unanimously accepted Chip's recommendation.

Motion by Councilor Brann, seconded by Councilor Hughes to award the bid to the low bidder, Lane Construction in the amount of \$347,245.85 and \$4,000.00 for striping, to be financed as outlined by the Public Works Director – unanimous vote in favor.

c. CONFIRM MANAGER BUDGET DIRECTION

Manager Lessard summarized her proposals for the 2009/2010 budget (copy attached). She asked the Council for authority to proceed with this plan in her preparation of the upcoming budget. Mayor Arnett reported that the Finance Committee unanimously endorsed these proposals and is recommending confirmation by the full Council.

Motion by Councilor Brann, seconded by Councilor Cushing to support the proposals of the Town Manager – unanimous vote in favor.

Mayor Arnett expressed appreciation to Manager Lessard for these proposals and to Town Employees for their willingness to forego cost of living raises this year. Councilor Brann expressed pride in the employees for setting aside personal gain for the good of the Town.

d. MAY 11<sup>th</sup> WATER DISTRICT/TOWN MEETING

The Council will meet with the Hampden Water District Board of Trustees at 6:00 pm on Monday, May 11<sup>th</sup>. Manager Lessard asked Councilors to let her know if they have any items they would like to see on the agenda.

e. HAMPDEN ACADEMY RE-USE COMMITTEE – DISCUSSION AND FINANCE COMMITTEE RECOMMENDATION

Mayor Arnett serves on the Re-use Committee and reported that the visioning process has been completed and they have reached a point where there are formal committee meetings to begin development of a reuse plan. Among the possible reuses would be the transfer of the property to the Town and Mayor Arnett pointed out that if SAD #22 does offer the property to the Town, we need to do due diligence in representing our taxpayers. He asked that the Council authorize utilizing the services of Attorney Russell relative to any legal issues that might come forward. He reported that the Finance Committee has reviewed this issue and has endorsed that utilization.

Motion by Councilor Lawlis, seconded by Councilor Cushing to authorize the use of the Town Attorney's services as might be necessary, with report to the Council of any utilization that might be needed – unanimous vote in favor.

TO: Town Council Finance Committee  
FROM: Sue Lessard, Town Manager  
DATE: March 12, 2008  
RE: Budget 2009/2010

The purpose of this memo is to discuss proposals for consideration by the Council related to preparation of the 2009/2010 budget. I have begun work with department heads and employees on this process already, but want to make sure before proceeding further that the direction that I am heading is acceptable to the Town Council.

Basics:

1. I have begun preparations for this budget with the assumption that we would, at the least, flat fund the tax appropriation for the Municipal Budget. By that I mean that the budget prepared would not contain any 'new' tax expenditures.
2. I am not considering that the Town has any new property valuation for 2009/2010. Discussions with the Assessor indicate that we have at least \$5 million dollars in new construction valuation however I am considering that as available if necessary for people who request, and are granted valuation abatements.
3. In order to accomplish this, it is necessary to ask the employees to forego any cost of living increase for the coming year. Since we have contractual obligations to the police and fire departments through their unions, I have met with the employees and requested that they open the contract(s), and insert an additional year (2009/2010) with a zero percent cost of living. They are meeting with their Union Representative on March 23<sup>rd</sup> and will be giving me their answer after that. I have met with all department heads and all non-union employees are supportive of this request. They understand the current economic situation and the pressures on the budget and are appreciative that I am working to insure that all of them continue to have a job in this very difficult economy.
4. I am proposing a change in our health insurance offerings from the plan we currently have to the next level down. If employees stay within the network of participating physicians, they will see a \$5 higher co-pay per medical visit, and if they go outside of the network, they would be responsible for 30% of charges instead of the current 20%. This switch would save us 12% of the cost of our health insurance coverage.
5. I am proposing that the Town Office go to a four, ten-hour day work schedule. Not only would it allow us to shut down half of this building for three consecutive days, saving on both heating and air-conditioning

costs, it would also provide the 'earlier - later' hours that customers have been requesting without incurring additional staffing cost. If we were open from 7:30 a.m. until 6 p.m. many more people would find using our services easier. From the employee viewpoint - although it makes for four longer work-days, it also saves on the cost of transportation to and from work for one day a week. From a management viewpoint, I can also require that people make personal appointments for medical, etc. on the Friday that they do not work at the office. I would like to implement this proposal prior to the end of the fiscal year for a trial period to see how the general public reacts to it and how it actually works in reality. If we began it in May, I would have the rest of March and all of April for us to notify people via the net, cable TV and a mailing.

6. The school superintendent has indicated that their union will not agree to open the contract for a wage freeze and additional contractual obligations for them in the coming year are approximately \$985,000 dollars. I do not believe it is reasonable in this environment to ask the taxpayers to raise that much money and told the assistant superintendent that. For them, it would require staff cutbacks and program elimination. Initially, it was indicated that the administration would be willing to take no increase but in a recent conversation with the assistant superintendent there was discussion of a 'percent or two'. The school will be getting some money from the stimulus package but nowhere near enough to compensate for these increases. I am not looking to balance the school budget on the backs of the municipal employees. That is not only not fair - it is not possible.

7. One really important point that I need to make is that my proposals for holding this budget are not consistent with what is happening in the region. I have spoken with many of the area managers and at this point in the process, no one is considering 0% cost of living and no one else has asked their Unions to open their contracts. Many of them consider it to be a near-impossible task to request union cooperation with such a request.

I believe it is the right thing to do despite that fact. I believe that it sends the right message to the taxpayers that we are not just living in some alternate reality where it is possible to do business as usual. I believe that we need to hold the line this year and see what happens when all the dust has settled from the economy, the State, and the Feds. We are in a strong fiscal position and I want us to stay that way. Taking a deep breath for one year and keeping spending the same or slightly less just makes sense. I am not suggesting that we dig an artificially deep hole by slashing services - we would not be able to recover from such an action - and we would impact both the public and the staff in very negative ways.

If this proposal is acceptable to the Council, I would ask that we think long and hard about 'new' things for the coming year. If I am asking employees to accept the idea of a changed schedule and no cost of living increases – they need to feel that we are not creating new things at the expense of existing programs and personnel. That said – I am not discouraging work on completion or implementation of the comprehensive plan or sub-committee work. We just need to be creative about how we fund new ideas – including additional grant-writing.

Budget Info to date:

Department heads are working hard on their budgets and the drafts are not due to me until the 27<sup>th</sup> of March, however, there are a few numbers that are available based on my initial discussions with them that I think will please the Council. I am in hopes that the savings described below will provide a cushion so that we are in an even stronger position going into the 2010/2011 fiscal year.

1. The budget for the pool will be reduced by at least \$30,000 due to fuel savings from the installation of the new boilers.
2. Changing the health insurance plan will save the town approximately \$60,000 per year.
3. Going to a 4-day workweek in the Town Office will save an estimated \$9 - \$11 thousand dollars
4. The transfer station budget can be reduced by \$60,000 next year due to the savings resulting from the rule changes at the facility. This budget was flat funded in 2008/09 by reducing estimated disposal costs for c & d and wood since we were beginning our new program. Those changes have produced real savings and it is possible to reduce the budget even further.
5. The proposed GIS/IT budget is \$34,000 lower than in 08/09 due to the fact that last year included a new server as well as the Council laptop program and those items are not replicated in this year's budget.
6. Closing the pool on Sundays in the summer saves close to \$2,000 (the difference between loss of revenues for those days and the staff costs). It is a very sparsely used day of the week in the summer and while \$2,000 is not a lot of money – we are not going to find a hundred thousand dollars in the corner – it is going to come in much smaller bites!

Thank you, in advance, for your consideration of this information.

#### 4. NEW BUSINESS

##### a. HIKE FOR THE HOMELESS PROCLAMATION

This item was moved to the beginning of the agenda. Hampden resident Walter Cupples, President of the Board of the Bangor Area Homeless Shelter and Dennis Marble, Executive Director of the Shelter thanked the Council for the support the Town has given the Shelter in the past with the Hike for the Homeless. Mr. Cupples noted that the Council Challenge surely increased involvement in Bangor and Brewer and thereby helped them reach their primary goal of increasing awareness about the Shelter. Mr. Cupples expressed appreciation for the proclamation and was glad that Mayor Arnett had already notified the other Town Councils of this year's challenge. He also thanked the faculty and students of Hampden Academy for the "Sea of Purple" and all they have done to support the Hike. He informed everyone that the Hike is scheduled for April 18<sup>th</sup> and in conjunction with that, there will be a raffle for some very nice prizes. Raffle tickets are available at several local businesses.

Mayor Arnett read the proclamation for the record. Motion by Councilor Cushing, seconded by Councilor Cox to endorse the proclamation – unanimous vote in favor.

##### b. UNITED TECHNOLOGIES – REQUEST FOR DONATION

This is a request for support to help send UTC students to the National Skills Competition in Kansas City in June.

Motion by Councilor Brann, seconded by Councilor Cox to refer this item to the Finance Committee for consideration in the next budget – unanimous vote in favor.

##### c. PROPOSED AGENDA PROCESS FOR COUNCIL DISTRICT-SPECIFIC ITEMS – COUNCILOR CUSHING

Councilor Cushing explained that this concept is to allow those Councilors representing a district to make motions on items on the agenda which are relative to their specific district. Several Councilors felt that this was not necessary, but the Planning & Development Committee will discuss it.

##### d. TIME-WARNER REQUEST FOR SUPPORT – PHONE SERVICES

Time Warner Cable is interested in providing digital phone service in the Town of Hampden, but is currently prohibited under a federal law which allows rural incumbent local exchange carriers to block competitors from entering its service territory unless the state PUC overrides the rural exemption. Currently TDS has the exclusive rights for the provision of phone service in Hampden. Time Warner currently has a case before the PUC asking for permission to provide phone service in Hampden and is asking the Council to support this request. They have forwarded a draft resolution for the Council's consideration.

Following discussion, Councilor Shakespeare moved and Councilor Hughes seconded to forward this matter to the Services Committee for further discussion – unanimous vote in favor. Representatives from both TDS and Time Warner will be invited to the meeting.

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Town Clerk Denise Hodsdon informed the Council that three Councilors have indicated they will not be available for the next regularly scheduled meeting on April 21<sup>st</sup>; therefore there would not be a quorum. Following discussion of possible dates for rescheduling the meeting, Councilor Cushing moved and Councilor Lawlis seconded to cancel the meeting of April 21, 2009 – unanimous vote in favor.

Due to scheduling conflicts, it was decided not to have a second meeting in April. The next meeting will be on Monday, May 4<sup>th</sup>.

#### **D. COMMITTEE REPORTS**

Councilor Cox reported that the Services Committee will meet on April 13<sup>th</sup> at 6:00 pm.

Councilor Cushing reported that the Planning & Development Committee will meet on April 8<sup>th</sup> at 6:00 pm. He further reported that the Communications Committee will meet on April 15<sup>th</sup> at 6:00 pm.

Councilor Brann reported that the Infrastructure Committee will meet on April 27<sup>th</sup> at 6:00 pm. Agenda items will include discussion of transfer station operation and composting.

Councilor Lawlis reported that she has been attending the School Budget Committee meetings. The next meeting is April 9<sup>th</sup> at 7:00 pm. Additional meetings will be held on April 14<sup>th</sup> at 6:00 pm, on April 15<sup>th</sup> at 5:30 pm and on April 27<sup>th</sup> at 6:00 pm.

#### **E. MANAGER'S REPORT**

A copy of the Manager's Report is attached hereto.

#### **F. COUNCILOR'S COMMENTS**

Councilor Shakespeare noted that there have been several changes in committee meeting schedules and he encouraged the Council to try to stay with the set schedule for committee meetings. Councilor Shakespeare also commented that he believes it would be in the Town's best interest, financially and service-wise, if the transfer station was closed on Wednesday and Thursday and open on Friday, Saturday and Sunday to all types of materials, including C & D, on all three days. He encouraged members of the public to attend the next Infrastructure Committee meeting or to contact him or Manager Lessard if they would like to make comments about current transfer station operations.

MANAGER'S REPORT  
April 6, 2009

Tax Collections – We are at approximately 94% collection of property taxes for 2008/2009. Considering that the second half due date was April 1<sup>st</sup> – we are in very good shape.

Health Office Certification – I completed the required training for Health Officer Certification. We are still pursuing a relationship with Bangor that covers this state requirement but in the meantime, it was necessary that at least one person from each municipality complete the training. I am requesting that you appoint me as the Local Health Officer until we reach an arrangement with the City of Bangor. If there are no objections to this, I will include it on the agenda for the next Council meeting.

AFLAC – The AFLAC representatives were on site today to meet with interested employees. I do not yet have a number from them of who decided to sign up for program participation. They will be back again on Thursday the 9<sup>th</sup> for anyone who took paperwork with them who decides to enroll.

Councilor Lawlis wanted to clarify that when talking about composting, that includes what to do with leaves and grass and is there an alternative to putting them in with other trash. Other towns have programs to compost grass and leaves and that is what the Infrastructure Committee will be discussing at its next meeting. A representative from the Department of Environmental Protection who knows the ins and outs of those kinds of programs will be at the meeting.

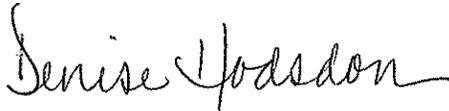
Councilor Brann once again thanked Town Employees for really taking a leadership that you don't see in a lot of towns and businesses in foregoing the cost of living increase and assisting the town in making adjustments in order to hold the budget line. Additionally, he noted that a lot of things have been proposed regarding the transfer station operations and he also encouraged anyone who wishes to express their opinion to attend the Infrastructure Committee meeting on April 27<sup>th</sup>.

Councilor Cushing commented that he had the pleasure of attending Edna Bragg's 104<sup>th</sup> birthday party on April 1<sup>st</sup>. He wished her another wonderful year and noted that she is quite an inspiration. He also commented that the Mock Trial Team is proudly representing both Hampden Academy and the State of Maine once again at the Nationals in Atlanta. Additionally, Project Graduation is sponsoring a "Dancing Like the Stars" competition at Hampden Academy on April 11<sup>th</sup> and April 18<sup>th</sup>.

Mayor Arnett wanted to celebrate Hampden Academy's Show Choir who won the state competition this past weekend, not only for the presentation by the entire group, but also by the lead male singer and their musical ensemble group. He also noted that the Hampden Academy Drama Club is performing their play on Tuesday, Wednesday and Thursday of this week.

## G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.



Denise Hodsdon  
Town Clerk