

TOWN COUNCIL MINUTES

JANUARY 20, 2009

Due to the Martin Luther King, Jr. Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Tuesday, January 20, 2009. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:02 p.m.

Attendance: Councilors: Mayor Matt 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: None

Water District Superintendent Cam Torrey

A. CONSENT AGENDA

There were no Treasurer's Warrants for signatures of the Finance Committee. Manager Lessard requested that Item A.4.b. be set aside. Motion by Councilor Cushing, seconded by Councilor Cox to accept the balance of the Consent Agenda – unanimous vote in favor.

A.4.b. DON DARLING – WATER DISTRICT TRUSTEE APPLICANT

Manager Lessard noted that there are now two candidates for the vacancy on the Water District's Board of Trustees and while the Council does not yet have a committee structure, she hoped that some sort of committee could be formed to interview the candidates as soon as possible. She said the Water District has asked to have one or two representatives included in the interview process. Motion by Councilor Cushing, seconded by Councilor Cox to accept Item A.4.b. – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

There were none.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

a. SCHOOL BUILDING COMMITTEE REPORT – KATHY WALKER

A copy of the report is attached.

b. SCHOOL CONSTRUCTION – WETLAND MITIGATION NEEDED

Manager Lessard reported that because the new school project will disturb more than one acre of wetlands, they are required to get a Natural Resources Protection Act Tier 3 permit, as well as a permit from the Army Corps of Engineers and to do wetland mitigation. They are required to either pay a fee of \$2.77 per square-foot to the Army Corps or they have to offer to the Army Corps a package of proposals that would provide either permanently conserved land or improvements to other wetlands or some combination thereof in order to get their permit. The offsets required for permanently conserving or mitigating run from 3:1 to 15:1 in terms of acreage required for mitigation efforts.

While the school has a \$300,000 line-item in their new school budget for wetland mitigation, they are looking at the possibility of interim financing for some of the site work and funds will be necessary to offset the interest costs of borrowing. They are looking to find ways to minimize those expenditures. The School District asked to meet with Town Staff to discuss the availability of any town-owned land adjacent to their parcel and whether the Town would be willing to look at either permanent conservation or mitigation projects on that land.

Manager Lessard, together with the Town Planner, Code Enforcement Officer, Economic & Community Development Specialist and GIS/IT Specialist met with representatives from WBRC and the Army Corps of Engineers and the Assistant Superintendent of SAD #22.

During the course of the meeting, it was discussed that mitigation does not have to be adjacent to the school and can be anywhere within the community where land is permanently dedicated for a conservation purpose. As part of its comprehensive planning, the Town has looked at conserving some land off Route 202 for a town forest and Manager Lessard asked the Army Corps, if the Town took that action on 50 acres, would that satisfy the requirement? They indicated that it would. She offered to discuss this with the

MEMO

TO: Hampden Town Councilors
FR: Kathy Walker and Norm Prouty
DA: January 14, 2009
RE: Hampden Academy (HA) Building Committee

As promised when we attended a Town Council meeting in December, we present this written monthly report on the status of the new Hampden Academy project. It now appears as if the project completion date will be delayed by only six months, with occupancy possible in January 2012.

You may recall that the projected occupancy date was September 2011. Budget shortfalls in Augusta delayed the release of new school construction funds for a year, potentially postponing the project opening until September 2012, and increasing the overall cost.

The reason for the more optimistic news is a decision in late December by the Commissioner of the Maine Department of Education, Susan Gendron, which allows MSAD22 to seek local financing. Local financing, including the interest costs, would be reimbursed by the state when construction funds are released.

Details about the local financing are being negotiated. It is expected that additional information will be available when the Building Committee meets on January 28th. The Building Committee subcommittees on which we serve have not met.

Either one of us is available to hear comments or answer questions. We appreciate the opportunity to be involved in this project.

Council because it does a number of things. First, it saves the school a good deal of money and second, if the Town agreed to permanently conserve 50 acres and the school gave the town \$50,000 for trails, then they will still be \$250,000 ahead in their budget and the town would have money to do trail work on land it had set aside for conservation.

Manager Lessard asked whether the Council is supportive of looking at this kind of an avenue for the school to meet its mitigation objectives. The school district needs to assure the permitting authorities within the next couple of weeks that it is working with the Town on mitigation.

Councilors Brann and Hughes both thought this was a good idea and felt we should explore it further. Councilor Hughes cautioned that the Council needs to look at the impacts to the Town – the specific sites and how it would limit wetland mitigation for our own development as well. Councilor Brann added that in the comprehensive planning process, that space has been designated as a probable location for wetland mitigation for the development along Coldbrook Road. He noted that although we're willing to talk about it, it is not a carte blanche that it will happen and it will not be a free gift because we are endangering the possibility of some future economic development around Coldbrook Road. He also pointed out that there will be some level of cleanup required because there has been a significant amount of dumping on that land.

Councilor Brann moved to authorize the Town Manager to move forward to set up discussions based on the fact that the Town Council is interested in pursuing providing land in mitigation under certain conditions. Councilor Hughes seconded the motion and vote was unanimously in favor.

Councilor Cushing felt it would be a good idea for School Building Committee members to meet with the Community Services Committee. He moved to refer this to the Community Services Committee for further study and communication with representatives of SAD #22. Councilor Cox seconded the motion.

During discussion, Councilor Brann pointed out that the Council committee structure has not yet been determined and made a friendly amendment to refer it to the "appropriate committee" instead of Community Services Committee. Manager Lessard asked if the motion could include "to determine how, where and under what conditions". Councilors Cushing and Cox were agreeable to both amendments.

Vote on the motion as amended – to refer this to the appropriate committee for further study to determine how, where and under what conditions – was unanimously in favor.

c. COMMITTEE ASSIGNMENT DISCUSSION – MAYOR ARNETT

Mayor Arnett had prepared a proposed list of committees and members for each, but because the Council is holding a special meeting on January 26th to discuss committee structure, it was decided that this item would be postponed until that date. However, it was the consensus of the Council that it was important to establish a Finance Committee immediately in order to take care of fiscal matters. Motion by Councilor Cushing, seconded by Councilor Brann to appoint the Finance Committee as proposed to include Matt Arnett as Chair, Shannon Cox and Bill Shakespeare – unanimous vote in favor.

4. NEW BUSINESS

There was none.

D. COMMITTEE REPORTS

Mayor Arnett reported that he attended the PVCOC meeting today and there is action moving forward on trying to get a portion of the stimulus package in the amount of \$162,000,000. He spoke with Chris Shrum relative to the stage of development of the proposed Hodgdon Yachts facility and Chris indicated he believed that Hodgdon Yachts will be filing a request with the state for some funds and is in the active process of moving forward. There was a fairly lengthy presentation on town responses to wind power developments, but it looks like it has no relevance to Hampden.

E. MANAGER'S REPORT

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

F. COUNCILOR'S COMMENTS

Councilor Shakespeare commented that the Council had previously discussed the size and weight limit for vehicles entering the transfer station and asked where that matter stands at this time. Manager Lessard said that is one of the first items that the Public Works Committee will need to discuss after committee structure and assignments have been determined. Councilor Shakespeare also asked whether the Council would consider starting the special meeting on January 26th at 6:00 pm instead of at 7:00 pm. It was the consensus of the Council that the meeting would begin at 6:00 pm.

Councilor Cushing added that there were a couple of other businesses besides those listed in the Manager's Report who contributed to the door prizes for Hampden Highlights Day. He recognized and thanked Frost's Garage and Pizza Gourmet for their participation.

MANAGER'S REPORT
Tuesday, January 20, 2009

Hampden Highlights Day – Thanks to the organizations who braved the cold and came to participate in Hampden Highlights Day on Saturday. The public turnout was low but we have valuable feedback from the organizations themselves, and suggestions to improve attendance at future events. We published the event in our newsletter, advertised it as a slate on Cable Channel 7 and on our website. Many thanks also to the organizations who donated door prizes to the event including TDS telecom, Goodwill Riders Snowmobile Club and Edwards Shop and Save.

Bangor Region Chamber of Commerce Dinner – A reminder to those who signed up for the Bangor Region Chamber dinner – that event is tomorrow evening beginning at 5:30 p.m. at the Bangor Civic Center. There is a table reserved for those attending representing Hampden.

Special Council Meeting – A reminder also of the special council meeting on Monday, January 26th at 7 p.m. for the purpose of discussing Committee formation for the 2009 year. There have been several iterations of ideas floated from the Committee on Committees as well as individual Councilors. I will distribute copies of those suggested ideas to you as part of the emailed packet you will receive on Thursday, January 22nd.

Last Paper Packet – This council meeting is the last 'delivered' paper packet that you will receive. All future packets will be emailed to you on the same schedule on which they were formerly physically delivered to you. We have been posting this information online for several months now for the general public as well. I would like to remind the Council to please check your email – there will be other notices and reminders sent to you from the Town Office and we publish your email addresses so that the general public can contact you as well.

Cable Consortium – The next meeting of the Penobscot Cable TV Consortium is on Thursday, January 29th at Eastern Maine Development Corporation in Bangor.

Municipal Review Committee – I will be attending my last meeting of the Municipal Review Committee on Wednesday, January 28th. Although I resigned effective 12/31/2008, I have been asked back to the January meeting as a guest.

Cruiser Accident – The new police cruiser was damaged on Saturday when an unlicensed driver ran into the side of it as it was driving past the end of a street. The officer operating the cruiser was not hurt and the damages are approximately \$2000

Reception – Former Economic Development Director – December 31, 2008 was the last contract day for former Economic Development Director Bion Foster after many, many years of service to the Town of Hampden not only in the economic development realm but as the Treasurer of the Library Trustees and long-time host to the annual endowment fundraiser for that organization. It is fitting to honor those long-time contributions with a reception prior to the Council meeting on February 17nd (Tuesday due to a holiday on Monday the 16th) and have a Council recognition at the beginning of the meeting. I will take care of the details for the event and would welcome assistance from any of you who would like to help. This will be open to the public as well.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:55 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the printed name and title.

Denise Hodsdon
Town Clerk