TOWN COUNCIL MINUTES

January 19, 2010

Due to the Martin Luther King, Jr. Day holiday, the regularly scheduled meeting of the Hampden Town Council was held on Monday, January 19, 2010. The meeting was held at the municipal building council chambers and was called to order by Mayor Arnett at 7:03 p.m.

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

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne and Library Director Debbie Lozito

Water District General Manager Cameron Torrey and Alex King

A. CONSENT AGENDA

Councilor Shakespeare requested that Item A.3.d. be set aside. Motion by Councilor Hughes, seconded by Councilor Cushing to accept the balance of the Consent Agenda – unanimous vote in favor.

A.3.d MAINE BOND BANK – SEWER NOTE REFINANCE

Councilor Shakespeare asked Manager Lessard what this means for the Town. She explained that the 1997 sewer bond with the original principal balance of $1,500,000.00 had a refinancing through the Bond Bank resulting in a savings to the Town of $40,476.55 in interest. That amount was refunded to the Town and has been put back into the sewer fund. Motion by Councilor Shakespeare, seconded by Councilor Hughes to accept Item A.3.d. – unanimous vote in favor.

B. PUBLIC COMMENTS

At the request of Councilor Shakespeare, Manager Lessard asked Water District General Manager Cam Torrey to update the Council and public on the issue of lead in the town's water. Mr. Torrey explained that this is really nothing new and it is not a problem with the water within the system, but with the plumbing in people's homes. For the last ten years the District has been having testing problems with lead in the drinking water. EPA requires that once you fail lead testing, it must be done semi-annually. The District takes 40 samples every six months and they have been failing for the last ten years primarily due to the solder in the older homes. They primarily test homes built prior to 1986 when there was more lead in the solder. Mr. Torrey explained that the water erodes some of the lead out of the soldered joints in the homes and shows up in the testing. It can also be caused by some faucets with higher lead compounds so when the water is initially turned on, it will have a higher sampling of lead. The District has been putting additives in the water to try to boost the

alkalinity, which should coat the pipes in the homes enough to stop the dissolving of the lead in their pipes. The District suggests running the water for a bit before drinking it.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. APPLICATION FOR RENEWAL OF VICTUALER'S LICENSE RECEIVED FROM WANG & LO, INC. d/b/a FRESH GINGER RESTAURANT AT 64 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 Cox to approve the application – unanimous vote in favor.

b. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM WANG & LO, INC. d/b/a FRESH GINGER RESTAURANT AT 64 MAIN ROAD NORTH

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

Motion by Councilor Cox, seconded by Councilor Cushing to approve the application – unanimous vote in favor.

c. PROPOSED AMENDMENT TO FEES ORDINANCE – ARTICLE 7.1 – LIBRARY FEES

Manager Lessard reported that the Finance Committee has discussed the proposed amendment and voted 6-1 to recommend approval.

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

Motion by Councilor Cox, seconded by Councilor Cushing to approve the amendment to library fees as proposed – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. APPLICATIONS FOR REAPPOINTMENT – SERVICES COMMITTEE RECOMMENDATION:

1. Anthony Mourkas – Library Board
2. Cheri Condon – Library Board
3. Richard Jenkins – Library Board

TOWN OF HAMPDEN

Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 7
LIBRARY
Amended 11-17-03

7.1.	***Library Fees***	
	7.1.1. Resident Annual Fee	Free
	7.1.2. Non-Resident Annual Fee	~~$20.00~~ $35.00/year
	7.1.3. Overdue Fees	
	7.1.3.1. Books and Periodicals	~~$0.05~~ $0.10/day
	7.1.3.2. Audio or Video	~~$0.50~~ $0.10/day
	7.1.3.3. Maximum Overdue Fee	$3.00/item
7.2	***Self-service Photocopies***	
	7.2.1. $8^1/_2$ x 11 or smaller	$0.10/page
	7.2.2. $8^1/_2$ x 14	$0.10/page
	7.2.3. 11 x 17	$0.10/page
7.3	***Self-service Printer Pages***	
	7.3.1. $8^1/_2$ x 11 or smaller	$0.10/page
	7.3.2. $8^1/_2$ x 14	$0.10/page

Adopted by Town Council 1/19/2010

4. Fred Jones – Library Board
5. Cedena McAvoy – Pool Board
6. Jim Feverston – Pool Board
7. John Clifford – Recreation Committee

The Services Committee has reviewed all applications and recommends reappointment of all as listed.

Motion by Councilor Lawlis, seconded by Councilor Cox to reappoint the full slate of applicants as recommended by the Services Committee – unanimous vote in favor.

b. APPLICATIONS FOR REAPPOINTMENT – PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATIONS

1. R. Mike Pullen – Historic Preservation
2. Betsy Bass – Historic Preservation

The Planning & Development Committee has reviewed both applications and recommends reappointment of both.

Motion by Councilor Cushing, seconded by Councilor Cox to reappoint both applicants as recommended – unanimous vote in favor.

c. APPLICATIONS FOR REAPPOINTMENT – FINANCE COMMITTEE RECOMMENDATIONS

1. William Devoe – Board of Appeals
2. Russell Lumley – Board of Appeals

Upon recommendation of the Finance Committee, Councilor Cushing moved and Councilor Hughes seconded to reappoint both applicants – unanimous vote in favor.

d. APPLICATION FOR REAPPOINTMENT – INFRASTRUCTURE COMMITTEE RECOMMENDATION

1. Gerry Ouellette – Personnel Appeals Board

The Infrastructure Committee has reviewed the application and recommends appointment. Motion by Councilor Shakespeare, seconded by Councilor Hughes to reappoint Gerry Ouellette to the Personnel Appeals Board – unanimous vote in favor.

3. UNFINISHED BUSINESS

a. PUBLIC WAYS ORDINANCE TEXT AMENDMENTS – RECOMMENDATION OF PLANNING & DEVELOPMENT COMMITTEE TO INTRODUCE FOR PUBLIC HEARING

Councilor Cushing introduced this item for public hearing.

C-3-a

TO: **Mayor Arnett and Hampden Town Council**
FROM: **Robert Osborne, Town Planner**
SUBJECT: **Public Ways Ordinance**
DATE: **January 13, 2009**

At the December 2, 2009 Council Planning and Development Committee meeting the committee voted five in favor and none against to return the attached Public Ways Ordinance text amendment language to the Council for public hearing. (This is a companion piece to the amendments to the Zoning Ordinance Article 5 Permits section that the Planning Board is currently considering).

Town Attorney Tom Russell has reviewed this document had the following comments which were incorporated into the draft that the committee recommended:

Proposed Amendments to Public Ways Ordinance

The proposed amendments to Section 1.2 of the Ordinance are consistent with the Town Way Acceptance Protocol I developed for the Town some time ago. As part of the Town Attorney approval process under Section 1.2.1.6, I recommend that the developer be required to submit the items called for in Section 7(A)-(E) of the Protocol, as those items are really necessary for my review of the proposed acceptance of a town way. If those items are not provided by the developer, it will result in additional legal expense to the Town.

Generally the purpose of these amendments is to shift the regulation for acceptance of streets from the Zoning Ordinance to the Public Ways Ordinance where it belongs. You will note that one of the proposed changes to the Public Ways Ordinance is to change the name to "Town Ways Ordinance". Attorney Russell determined that town ways is the term that is used in a number of state laws. This language also formalizes the process that the Town Attorney must conduct in order to determine that the street acceptance is ready for Town Council action.

1/19/2010 - Introduced for public hearing on 2/1/2010

TOWN OF HAMPDEN
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The Town of Hampden Hereby Ordains
Proposed Amendments to the Public Ways Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

TOWN OF HAMPDEN

TOWN ~~PUBLIC~~ WAYS ORDINANCE

ARTICLE I
GENERAL

1.1 Plan Required - Petitioner for acceptance of a town ~~public~~ way shall submit a plan to the Road Commissioner of such a way prepared by or approved by a registered professional engineer.

1.2 Acceptance by Town Council – The acceptance of any ~~all~~ street or road as a town ~~public~~ way~~s~~ shall be subject to the approval of the Town Council.

1.2.1 The Town Council shall not consider the acceptance of a street or road as a town way unless and until the following conditions have been satisfied:

1. All outstanding application fees, inspection fees and other costs and expenses must be paid in full.

2. Submission of a sworn written statement from the owner/developer and/or owner's/ developer's engineer that all required improvements have been completed in strict compliance with all applicable construction standards and the approved subdivision plan, and that the owner/developer and/or engineer knows of no defects, from any cause, in the improvements.

3. Submission of a written statement from Town's Public Works Director that all site improvements, including paving and any drainage facilities, have been satisfactorily completed. The written statement shall also indicate if public water and power have been installed and accepted.

4. Deposit of sum of money or other suitable improvement guarantee equal to fifteen percent (15%) of the amount of the full improvement guarantee required by the Subdivision Ordinance with the Town Treasurer. Said money to be used by Town to correct any defects in design, materials, or workmanship that arise within one year from the date of acceptance of the improvements by the Town Council. Any money not used for such purpose by Town within two (2) years of acceptance shall be returned to the payor.

5. Submission of a written statement from owner's/developer's surveyor that all required property pins have been installed for the lots in the approved subdivision.

6. Submission to the Town Attorney of the document(s) conveying any land, improvements, and any easements to the Town. Owner/Developer shall cause the following documentation to be delivered to the Town Attorney at least three (3) weeks prior to the Town Council meeting at which acceptance is desired:

    a. Copy of recorded subdivision plan;
    b. Copy of proposed Warranty Deed conveying the street(s) and improvement(s), as well as any easement(s) appurtenant thereto, to the Town;
    c. Copy of proposed Warranty Deed conveying any dedicated open space and access easement(s) to the Town;
    d. Title Opinion or Title Agent's Certificate of Title evidencing that the land, street(s), improvements, open space, and easement(s) are free and clear of any encumbrances, liens, mortgages, etc. If title is not free and clear, owner/developer shall furnish documentation demonstrating that the title matters will be resolved prior to acceptance by the Town; and
    e. Owner's Affidavit to the effect that all contractors, subcontractors, and material providers have been paid in full, and that the property is not subject to a mechanic's/materialman's lien under Maine law.

7. Approval by the Town Attorney of the document(s) conveying any land, improvements, or easements to the Town.

8. Delivery of the duly executed Warranty Deed(s), Easements, Real Estate Tax Transfer Tax Declaration form(s), any documents necessary to provide free and clear title, and check payable to the Registry of Deeds in the amount of the recording fee(s) to the Town Manager.

9. Payment of Town's legal fees and expenses incurred in reviewing the documentation called for by this ordinance.

10. Letter from Bangor Hydro indicating that all power utilities have been accepted.

11. In cases where Public Water has been installed, a letter from the Hampden Water District Superintendant indicating that the water has been installed and tested to their satisfaction.

1.2.2. At the sole discretion of the Town Council, it may accept a street or road as a town way if all improvements have been satisfactorily completed, excepted for the final layer of paving, and the developer/owner has provided a performance bond, letter of credit, or some other form of guarantee acceptable to the Town Council and in an amount the Town Council determines to be adequate to ensure completion of the final paving.

1.3 Town Engineer Defined – Town engineer means any person licensed as a professional civil engineer by the State of Maine and employed or designated by the Town Manager.

1.4 Repeal Of Conflicting Ordinances or Resolves – All ordinances and resolves or parts thereof in conflict with this ordinance or inconsistent with the provisions of this ordinance are hereby repealed.

ARTICLE II
STANDARDS AND REQUIREMENTS

2.1 Connection With Existing Town ~~Public~~ Way – All streets or roads shall provide connection with existing Town approved town ~~public~~ ways.

2.2 Intersections – Shall not be less than sixty (60) degrees.

2.3 Widths Of Town ~~Public~~ Ways – Except for industrial streets or roads, town ~~public~~ ways shall have a right-of-way width of sixty-six (66) feet. Industrial roads shall have a right-of-way width of one hundred (100) feet.

2.4 Grades – Grade shall not have less than 0.5% nor more than 8 ~~5~~%. The roadway area of said way shall be graded to its full width of twenty-six (26) feet for the distance for which acceptances is ~~are~~ requested and shall conform accurately to the grades and cross-sections shown on the plan and profile of said town ~~public~~ way and as accepted by the Hampden Planning Board. All roads and streets shall be properly drained with suitable ditches and street culverts so that all storm water will be drained from the area. The Road Commissioner or the Hampden Planning Board may require loaming and seeding of slopes to help prevent erosion.

2.5 Clearing Of Stumps and Roots – Said way shall be cleared of all stumps, roots, brush, perishable material and all trees not intended for preservation. All loam, loamy material, clay, and other yielding material shall be removed from said way to at least subgrade depth, or as directed by the Road Commissioner or Public Works Dept.

2.6 Side Slopes — Petitioner shall provide the land necessary for cut or fill slopes beyond the limits of the street right-of-way.

2.7 Subgrade — With the exception of industrial ways, said way shall be graded to the subgrade of eighteen (18) to twenty-four (24) inches as specified by the Hampden Planning Board or Road Commissioner. Industrial ways shall be graded to a subgrade depth of not less than twenty-four (24) inches.

2.8 Gravel Base – The roadway area of said way shall be brought to the grade shown on the plan, profile, and cross-section of said way by suitable gravel or material approved by the Road Commissioner or Public Works Dept. The base gravel shall be brought to within four (4) inches of the finish grade, and the top four (4) inches shall be selected materials suitable for finish grade on gravel roads. All gravel shall be thoroughly compacted and rolled and the final surface left true to the established lines and grades.

2.9 Surface Treatment – After the fine gravel has been thoroughly rolled, the surface of the roadway shall be treated with a bituminous pavement. Pavement shall conform to the specifications currently specified by the Maine Department of Transportation for use on State Aid Roads and shall be placed in one-and-a-half inch thickness. Pavement width shall be not less than twenty (20) feet, except in industrial zones where it shall be not less than twenty-four (24) feet, and the roadway shall be provided with a three (3) inch crown from the center line to edge of pavement to insure runoff of water.

2.10 Cul-de-sac (Dead-end Street) - All permanent dead-end streets shall be provided with a turn-around with a minimum diameter of sixty (60) feet. In all other respects said turn-arounds

shall be constructed in accordance with the same specifications as herein above specified for town ~~public~~ ways.

2.11 Culverts - All driveway culverts shall be not less than twelve (12) inches in diameter of corrugated galvanized metal pipe and not less than twenty-four (24) feet in length. Said culverts shall be furnished and installed by the owner under the supervision of the Road Commissioner.

2.12 Opening Town Ways or Streets - No town way or street shall be opened for the purpose of installing or repairing sewers, water, gas, or for any other purpose, unless the individual or corporation wishing to make such an opening shall first obtain from the Road Commissioner a permit to do so and agree to pay the full cost of repairing the damage to the street caused by such opening.

2.13 Modified or Additional Standards - The Road Commissioner may modify or require additional standards due to local soil, physical, or topographical conditions, provided that modifications and variances secure substantially the objectives of the standard or requirement so varied or modified.

ARTICLE III
LIMITATION OF TRUCK TRAFFIC

3.1 Limitation/Prohibition of Truck Traffic - Upon designation by the Town Manager and approval of the Town Council truck traffic may be limited or prohibited on specified roads or streets passing through residential areas within the Town of Hampden. There shall be a sign posted at each end of the streets or portions of street so designated showing that the same is a residential street and that through heavy traffic is not allowed. A schedule of those streets or portions of streets so designated shall be maintained in the town office and be available for public inspection during regular business hours. ***(Amended: 12/7/87, 3/4/91)***

3.2 Enforcement - When any violation of any limitation or prohibition on truck traffic imposed under Section 1.1 shall be found to exist, any police officer of the Town of Hampden, or any law enforcement officer authorized to enforce traffic violations in the Town of Hampden, is hereby authorized to institute any and all actions and proceedings in the name of the Town of Hampden, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this Ordinance. ***(Amended: 3/4/91)***

3.3 Civil Penalties - Whoever violates any limitation or prohibition on truck traffic imposed under Section 3.1 shall, upon conviction therefor, be liable for a civil penalty in the amount of $50.00 for the first offense and $100.00 for each subsequent offense. Each and every violation shall constitute a separate offense. All civil penalties shall inure to the benefit of the Town of Hampden. ***(Amended: 3/4/91)***

ARTICLE IV
USE OF ENGINE OR TRANSMISSION BRAKING DEVICES
(Adopted: 8/18/03)

4.1 Findings. The Town Council finds that the use of engine or transmission braking devices or methods (a/k/a "engine braking" or "dynamic braking") within the Town of Hampden creates unusual and excessive noise that unreasonably disturbs and annoys residents. The prohibition of such devices and methods is necessary to protect the health, safety and public welfare.

4.2 Prohibition. No person may slow a vehicle by a device, method, or practice known as engine or transmission braking (a/k/a "engine braking" or "dynamic braking") whereby rapid downshifting of a vehicle's engine or a compression release device is used in lieu of applying a vehicle's wheel brakes, causing loud noises to emit from the vehicle's engine and/or exhaust system. Such braking by any motor vehicle on any public highway, street, or parking lot within the Town of Hampden is declared to be a public nuisance and is prohibited.

4.3 Enforcement. When any violation of any prohibition imposed under this Article is found to exist, any police officer of the Town of Hampden, or any law enforcement officer authorized to enforce traffic violations in the Town of Hampden, is hereby authorized to institute any and all actions and proceedings in the name of the Town of Hampden, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this Article.

4.4 Civil Penalties. Whoever violates this Article shall, upon conviction therefor, be liable for a civil penalty in the amount of $100.00 for the first offense and $200.00 for each subsequent offense. Each and every violation shall constitute a separate offense. All civil penalties shall inure to the benefit of the Town of Hampden.

4.5 Emergency Vehicles. The provisions of this Article do not apply to emergency vehicles.

b. ZONING ORDINANCE TEXT AMENDMENT RE ANIMAL DEFINITIONS – RECOMMENDATION OF PLANNING & DEVELOPMENT COMMITTEE TO REFER TO PLANNING BOARD

Upon recommendation of the Planning & Development Committee Councilor Cushing referred this item to the Planning Board.

c. SCHOOL BOARD APPOINTMENT – COMMITTEE RECOMMENDATION

Councilor Cushing reported that the Committee interviewed five applicants and is recommending the appointment of Basil Closson to fill the vacancy on the School Board.

Motion by Councilor Cushing, seconded by Councilor Hughes to appoint Basil Closson to the SAD #22 Board – unanimous vote in favor.

4. NEW BUSINESS

a. 2008 AMBULANCE FEES ABATEMENTS – FINANCE COMMITTEE RECOMMENDATION

Manager Lessard explained that these uncollected fees from 2008, totaling $20,839.66 are no longer collectable because the patients were either self-pay or their insurance did not cover ambulance expense or there is a small balance remaining after insurance payments had been applied. Manager Lessard reported that the Finance Committee unanimously recommended abatement of $20,839.66 of 2008 ambulance receivables.

Motion by Councilor Cushing, seconded by Councilor Cox to approve abatement as recommended – unanimous vote in favor.

b. REQUEST TO USE TOWN WAY FOR UTILITIES – REFER TO INFRASTRUCTURE COMMITTEE

Manager Lessard received a request from Alex and Darla King for permission to utilize the unbuilt accepted town way off Ichabod Lane to access their building lot for utility service. Mr. King explained to the Council that his only alternative is to go through a resource-protection area, which would require going through the DEP permit process. Mr. King informed the Council that he has contacted Bangor Hydro and they will install and own the line. He will request that Bangor Hydro send a pole permit application to the Town.

Councilor Cox referred this item to the Infrastructure Committee.

D. COMMITTEE REPORTS

Councilor Shakespeare reported that the Infrastructure Committee will meet at 6:00 pm on Monday, January 25th.

C-3-b

TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment
Definition of Usual Pets
DATE: January 13, 2009

At the December 2, 2009 Council Planning and Development Committee meeting the committee voted four in favor and none against with one abstention to return the attached Zoning Ordinance text amendment language to the Council for referral to Planning Board for public hearing.

Town Attorney Tom Russell has reviewed this document had the following comments which were incorporated into the draft that the committee recommended:

"Animal" Definitions

For the sake of clarity and consistency, I recommend that the fourth sentence of the "other than household pets" definition be modified to read as follows:

"Such animals would also include six to 15 hen chickens, pigeons and game hens, but not roosters",

and that the end of the third sentence in the "usual household pets" definition be modified to read as follows:

". . . such as pigs and goats (but not ponies), hen chickens, pigeons and game hens, but not roosters."

The Zoning Ordinance as a Conditional Use regulates "animals other than usual pets". The Zoning Ordinance is silent on usual pets providing no definition of either the "usual" or the "other than usual". The term pet suggests that the animal is tame and treated with affection.

The Zoning Ordinance sets out "animals other than usual pets" as a Conditional Uses because of the specific needs of certain barnyard animals for grazing and because of their waste byproducts. Birds generally and hens specifically, in limited quantities, are quite benign presenting very little threat or nuisance to surrounding properties.

This proposed text amendment grew out of both a request for hens in a residential district and the concern that the terms contained in the ordinance are not defined and give neither the Code Enforcement Officer or citizens any guidance. (We are not recommending consideration of an animal husbandry ordinance).

1/19/2010 - Referred to Planning Board

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 7
DEFINITIONS

7.1. Construction Language - In this Ordinance, certain terms or words shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure" and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

7.2. Definitions - In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Animals as usual pets: Animals as usual pets are those animals which by their type, behavior and quantity are suited to be pets in an urban neighborhood and which would not generally be disruptive to neighboring properties. Quantities are limited, with the exception of fish, to no more than five animals of one species or ten animals overall. Such animals would include but not be limited to dogs, cats, small mammals such as hamsters and rabbits, hen chickens, pigeons and game hens but not roosters. Such animals would not include wild animals such as raccoons, turkeys and deer.

Animals other than usual pets: Animals other than usual pets are those animals which by their type, behavior and quantity are not generally suited to be pets in an urban neighborhood and which could be disruptive to neighboring properties but are more suitable on larger lots with buffers from those neighboring property lines. Quantities are limited to no more than five animals of one species or 15 animals overall. Such animals would include but not be limited to: horses and ponies, six to 15 hen chickens, pigeons and game hens but no roosters. Such animals would not include wild animals such as raccoons, turkeys and deer.

Councilor Lawlis reported that the Services Committee met last Monday and heard updates from the Pool Board and Tree Board. The Committee discussed the library fee structure and the potential for a new circulation desk. The Friends of Dorothea Dix Park will be holding its first meeting within the next 30 days. She reported that the Dog Park group will have two meetings in January and welcomes participation of anyone who is interested. They are hoping to get approval and funding in order to have a dog park by the end of summer.

Councilor Brann said now that Economic Development Director Dean Bennett is back, the comprehensive plan process will resume.

Councilor Cushing reported that the Planning & Development Committee discussed the concerns related to the Shoreland Zoning Ordinance at its last meeting and the Committee will meet tomorrow night to resume that discussion. The BEAR program will also be on the agenda.

Councilor Cox reported that the Committee on Committees will meet at 6:30 pm on Tuesday, January 26th.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

F. COUNCILOR'S COMMENTS

Councilor Cushing said he had the pleasure of attending an Eagle Scout ceremony for Seth Erickson who created the enclosures for the porta-potties at the recreational fields in town. He offered congratulations and thanks to Seth for what he did for the Recreation Department.

Mayor Arnett noted that Justin Cole was honored as an Eagle Scout this past Saturday. Justin did a number of projects at the pool, including constructing a records board and an information board and he overhauled the seating/storage benches.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:16 p.m.

Denise Hodsdon

Denise Hodsdon
Town Clerk

MANAGER'S REPORT
1-19-2010

Newsletter – The January edition of the newsletter was delivered this past weekend. The next edition will be distributed in April 2010.

Transfer Station Decals – A reminder that the Council policy for the issuance of transfer station decals is that vehicles without current year decals will be turned away until they get a new decal as of January 31st.

School Board Meeting Cancellation – The RSU 22 School Board Meeting scheduled for this Wednesday has been cancelled.

Water District Trustees Meeting – I received a copy in the mail today of the Water District Trustees Meeting Agenda for Thursday, January 21st at 4 p.m. That agenda contains an 'action item' relative to "Meter Reading and Cost Sharing with Town". I called the District Superintendent to ask what that was in relation to and he told me that he had been instructed to put it on the agenda by the Board of Trustees along with background information. He indicated that it was related the information that had been shared with the Council in May of 2009 related to the Town picking up half the cost of the District's expense for meter reading for the district - our 'share' being in excess of $25,000. That information was also on the agenda when the Council met with the Trustees later in 2009, but was not discussed in any detail because the issue of the Town plowing out the hydrants was before the Council. I have a call in to John Quesnel, who the superintendent indicated would likely be the Chair of the Trustees elected at the meeting on Wednesday to ask about this.

Holtra Chem Clean Up Proceeding – The Board of Environmental Protection will be holding the hearing on the appeal of the DEP cleanup order issued in November of 2008 during the last week of January and the first week of February. As the Board Chair, I will be the presiding officer for the hearings, which has been in the planning process for nearly a year. I will still be available by phone for the staff and will make sure that the agenda for the first meeting in February is prepared. I will use vacation time for time taken beyond the normal monthly board meeting requirement.

Dog Park Brochure – Attached is a copy of the brochure designed by Councilor Lawlis for fund-raising for the proposed dog park in Hampden.