



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

MARCH 19TH, 2018

7:00 P.M.

6:00 p.m. – Finance & Administration Committee

Attending:

Mayor McPike

Councilor Cormier

Councilor McAvoy

Councilor Wilde

Councilor Marble

Councilor Ryder

Town Manager Angus Jennings

Town Clerk Paula Scott

DPW Director, Sean Currier

Kyle Corbeil, Woodard & Curran

Planner Noel Musson

Mayor McPike called the meeting to order at 7:00 p.m.

- A. PLEDGE OF ALLEGIANCE** – *Mayor McPike led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *Councilor McAvoy made a motion, seconded by Councilor Ryder, to add an item to the agenda under D – 3, nominations-appointments-elections. Unanimous vote in favor, 6-0. Councilor Marble made a motion, seconded by Councilor McAvoy, to accept the consent agenda. Unanimous vote in favor, 6-0.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. **March 5th, 2018**

3. COMMUNICATIONS

- a. **Notice and application from Maine Revenue Services regarding ratio declaration & reimbursement for the Homestead Exemption**
- b. **Notice of Eastern Maine Community College's Annual Dinner to be held April 26th, 2018**
- c. **Information on an upcoming course regarding harassment in the workplace to be held April 13, 2018**
- d. **MRC memo regarding funds received from the Put Option buyback agreement**
- e. **Renewal Victualer's licenses approved – Best Western, Dysarts Service, Pizza Gourmet, R & K Variety**
- f. **Candyland Family Dance to be held March 24, 2018 at the Skehan Center**

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

4. REPORTS

- a. **Finance Committee Minutes – February 20th, 2018**
- b. **Infrastructure Committee Minutes – None**
- c. **Planning & Development Committee Minutes – February 14th, 2018**
- d. **Services Committee Minutes – February 12th, 2018**
- e. **Recreation Committee Minutes – November 21, 2017**

C. PUBLIC COMMENTS

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS

2. PUBLIC HEARINGS

- a. **Consideration of the proposed amendments to the Hampden Business Park Covenants pursuant to Article VI of the Covenants – referral from Planning & Development Committee** – At 7:05 p.m., Councilor Ryder made a motion, seconded by Councilor McAvoy, to open the public hearing. Unanimous vote in favor – 6-0. Manager Jennings summarized the work done by Noel Musson and the Planning Department to revise the restrictive covenants in the Business Park. Between Committee, Council, and Planning, an effort was made to look at the covenants and to ease some of the restrictions that have impeded development. This has been in conjunction with work done on the Zoning Ordinance and the Business Park TIF District. Much work has been done to revise and streamline the application process, and removed an additional layer of substantive review while still preserving the Town’s interest. All abutters were notified of the potential changes to the covenants. There was no public comment. Councilor Marble made a motion, seconded by Councilor McAvoy, to close the public hearing at 7:07 p.m. Unanimous vote in favor, 60-0.

- b. **Consideration of the proposed Ordinance authorizing the appropriation and borrowing of funds to finance the repair and replacement of portions of Hampden’s Sewer Collection System – continued from March 5th, 2018** – Councilor Ryder made a motion, seconded by Councilor Marble, to reopen the public hearing at 7:09 p.m. Unanimous vote in favor, 6-0. Manager Jennings recapped the purpose of the public hearing which started on March 5th, explaining that because of the new information from the closed circuit tv work

done on the sewer lines, the need to repair and replace sewer lines became more urgent. Manager Jennings explained that the original borrowing ordinance that was presented at the start of the public hearing was for four distinct projects, totaling 2,748,400. To fully detail possible scenarios and funding options, the public hearing was continued. The referral coming out of Finance & Administration, was to remove one of the previously identified projects, thereby reducing the amount needed to bond to 2,113,400. All projects are important and timing of them is driven by proposed MDOT projects. Councilor Ryder stated that it is important that the portion of the bond that is to do with the Grist Mill Bridge will be paid from General Fund while the other two projects, Main Rd. North from Mountain View to Western Ave., and Western Ave., between Main Road North and Route 202 will be paid from the Sewer Fund but that this does not mean a rate increase for sewer users. Manager Jennings stated that he is working toward eligibility for State Revolving Funds for financing options. There was no public comment. Councilor Marble made a motion, seconded by Councilor McAvoy, to close the public hearing at 7:15 p.m. Unanimous vote in favor, 6-0. Councilor Marble made a motion, seconded by Councilor Ryder, to approve the proposed alternate one of the Ordinance authorizing the appropriation and borrowing of 2,113,400 to repair and replace portions of the sewer system. Unanimous vote in favor, 6-0.

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. Appointment of Chief Rogers as acting Town Manager during the week of April 16th - *Councilor McAvoy made a motion, seconded by Councilor Marble, to appoint Chief Joe Rogers as acting Town Manager during the week of April 16th. Unanimous vote in favor, 6-0.*

b. Update on the status of rank choice voting – *Mayor McPike asked for an update on the status of ranked choice voting. The clerk explained that the opponents to the Legislative decision to delay implementation until 2021 were successful in obtaining the required number of signatures to force the process for the June Primary. This will only affect State and Federal offices, not Local or County. Machines will be programmed to read not only plurality votes, but also ranked choice votes in every possible combination of rank. Clerks are still waiting for information to come from the Secretary of State's office regarding our roles in the new counting and storing procedures. The elections conference is in May and more information should be coming from that.*

c. Acceptance of resignation of Councilor Sirois & approval of shortened nomination period -added to agenda during Consent Agenda – *Councilor Marble made a motion to accept the resignation of Councilor Sirois and to approve Council Order 2018-02 authorizing a shortened nomination process for*

the unexpired term to be filled at the June 12th election. Councilor McAvoy stated that he felt that the motion was a compound motion and that he would prefer to separate it into two motions. The Clerk advised that the motion did not receive a second, so a new motion could be put forth. Councilor Ryder made a motion, seconded by Councilor Marble, to accept the resignation of Councilor Sirois. Unanimous vote in favor, 6-0.

Councilor Marble made a motion, seconded by Councilor McAvoy, to approve Council Order 2018-02 authorizing a shortened nomination process to fill the Council vacancy. Councilors Ryder, Marble, Wilde, McAvoy and Mayor McPike voted in favor, Councilor Cormier voted in opposition. Motion carries, 5-1.

4. OLD BUSINESS

5. NEW BUSINESS

- a. **Council re-authorization of the Emergency Moratorium Ordinance Regarding Retail (Adult Use) Marijuana** – Councilor McAvoy made a motion, seconded by Councilor Marble, to re-authorize the Emergency Moratorium Ordinance regarding Retail Marijuana. Manager Jennings clarified that this is for 60 days. Unanimous vote in favor, 6-0.
- b. **Council approval of the 2018 River Herring Harvest Plan and the retention of fishing rights in Municipal waters** – Councilor Marble made a motion, seconded by Councilor McAvoy, to approve the 2018 River Herring Harvest Plan and retain the fishing rights in Municipal waters. Unanimous vote in favor, 6-0.
- c. **Request for authorization for the expenditure in an amount up to \$3,765 from Playgrounds Reserve account (3-768-00) for tennis court light poles – referral from Finance & Administration Committee** – Councilor McAvoy made a motion, seconded by Councilor Marble, to authorize the expenditure of \$3,765 from the Playgrounds Reserve account for tennis court light poles. Unanimous vote in favor, 6-0.
- d. **Request for authorization for the expenditure of \$9,238 from Fire Camera Reserve account (3-747-00) for a thermal imaging camera – requested by Chief Joseph Rogers** – Councilor McAvoy made a motion, seconded by Councilor Marble, to authorize the expenditure of \$9,238 from the Fire Camera Reserve account for a thermal imaging camera. Unanimous vote in favor, 6-0.
- e. **Council approval to move the Infrastructure Committee meeting to April 30th – referral from Finance & Administration Committee**

– Councilor McAvoy, seconded by Councilor Ryder, to move the April Infrastructure Committee meeting to the 30th. Unanimous vote in favor, 6-0.

E. COMMITTEE REPORTS

Planning & Development Committee – Councilor Ryder reported that the next meeting is going to be Wednesday the 21st.

Services Committee – Councilor Marble reported that the meeting on the 12th was attended by several members of the community. At which, the Committee approved the Farmer’s Market’s continued use of the parking lot on Fridays, and received a report on funds in the amount of \$13,600 received from Prentiss & Carlisle from the logging operation on town land, said funds to be put into the Parks and Playgrounds Reserve Account. The Committee held a discussion about how to better get the word out for public opinion on the possibility of a potential future expansion for more rec parking and possibly fields, from placing on a ballot for a referendum, to surveys mailed or otherwise. This will become a standing agenda item for a few meetings. The Candyland Family Dance will be held on Saturday March 24th, and the Elliot Lamb Memorial Canoe Race on the Souadabscook will be held on April 14th.

Infrastructure Committee – Councilor Cormier reported that the next meeting will be Monday the 26th.

Finance & Administration Committee – Councilor McAvoy reported that the items acted on tonight were discussed and referred from Committee.

F. MANAGER’S REPORT – Manager Jennings reported that the FY17 Audit is slated to be presented at the April 2nd Council meeting. He reported that CCTV data, including pipe lengths, materials, inverts, elevations, etc. has been added to the GIS as additional layers. We have also received the initial report from the environmental hygienist on the mold situation and it does not appear to be as bad as first thought. There is a meeting this week to determine recommended remediation.

G. CLERK’S COMMENTS – The Clerk reminded Councilors that there are several documents that need signatures after the meeting, including the Council Order approved tonight, the two over-limit permit requests from MDOT which signatures were postponed due to clarification of weight restrictions on Emerson Mill and Mayo, and a re-signing of an off-premise liquor license that was already approved, but postponed due to a storm.

H. COUNCILORS’ COMMENTS

Councilor Ryder – No comment

Councilor Marble – Stated that in light of the resignation he would like to encourage anyone who might be interested in the direction of the town, to consider running for office. He stated that he enjoyed working with Greg and that he wishes him well.

Councilor Wilde – Informed the public that the RSU 22 Business Expo will be held

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Saturday, March 24th at Hampden Academy from 10:00 – 4:00

Councilor Cormier – No comment

Councilor McAvoy – Reminded everyone to shop local and buy American and wished Hampden a good night.

Mayor McPike – Informed the public that the application period for town manager applications has closed and that the Council will be getting actively involved in the coming weeks on hiring a new town manager.

- I. ADJOURNMENT** – *With no other business to conduct, the meeting was adjourned at 7:40 p.m.*

Respectfully Submitted,

Paula A. Scott, CCM
Town Clerk