



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

FEBRUARY 5TH, 2018

7:00 P.M.

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

Attending:

Mayor McPike

Councilor McAvoy

Councilor Cormier

Councilor Wilde

Councilor Sirois

Councilor Marble

Councilor Ryder

Town Manager Angus Jennings

Town Clerk Paula Scott

Assist. Superintendent Regan Nickels

Representative Haggan

Valerie Webster

Matthew Davidson

- A. PLEDGE OF ALLEGIANCE** – *Mayor McPike led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *Councilor Marble made a motion, seconded by Councilor Sirois, to accept the consent agenda. Unanimous vote in favor, 7-0.*

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. **January 16th, 2018 Council Meeting Minutes**

3. COMMUNICATIONS

- a. **Renewal of a Victualer's license for Dunkin' Donuts**
b. **Notice from the Secretary of State regarding possibility of implementation of Ranked Choice Voting in June**
c. **Return of Warrant and Notice of Election posting**
d. **Letter from Governor LePage regarding tax exempt property**
e. **Memo from Tax Collector Barbara Geaghan regarding the rates for delinquent taxes**
f. **Letter to Town Councilors regarding interview process for Interim School Board Director candidates**

4. REPORTS

- a. **Finance Committee Minutes – December 18th, 2017**

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

- b. **Infrastructure Committee Minutes – None**
- c. **Planning & Development Committee Minutes – January 3, 2018**
- d. **Services Committee Minutes – None**

C. PUBLIC COMMENTS - None

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS

2. PUBLIC HEARINGS

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Reminder that the RSU 22 Bond Referendum will be held Tuesday, February 6th. Polls are open from 8:00 a.m. – 8:00 p.m.**

4. OLD BUSINESS - None

- 5. NEW BUSINESS** – *Councilor Marble made a motion, seconded by Councilor McAvoy, to add an item to the agenda. Unanimous vote in favor. Councilor Marble made a motion, seconded by Councilor McAvoy, to accept the resignation of Town Manager Angus Jennings. Councilors Cormier, McAvoy, Wilde, Marble, Ryder and Mayor McPike voted in favor. Councilor Sirois voted in opposition. Motion carries, 6-1. Manager Jennings read his letter of resignation which will be entered into the minutes as Exhibit A. Councilor Marble spoke with regret about accepting Manager Jennings' resignation, praised the good work he has done while here and thanked him for all that he has accomplished. Councilor Sirois echoed his comments stating that he appreciates the job well done and wishes him well.*

- a. **Announcement of Finance Committee position regarding proposed RSU-22 Bond Referendum regarding replacement of turf athletic field** – *Councilor McAvoy stated that there was not a unified comment regarding this referendum coming out of Finance Committee. He said his personal opinion is to vote no, and offered other Councilors opportunity to state their personal opinions if desired. Councilor Marble agreed with the lack of a unified statement, and for the public's benefit, reported that Assistant Superintendent Nickels had been at the Finance meeting and answered questions and points from Committee. He quoted a member of the public who was also at the meeting and stated that he was going to vote for it, but feels like he is being held hostage. Councilor Marble stated that he will be looking to see what happens in the future with regard to stewardship if it is passed by the voters tomorrow. Councilor Wilde spoke about the*

interest this topic has generated around town and that he has received numerous emails about it. He acknowledged that Mrs. Nickels did not create this problem, but inherited it and hopes that this will be taken into account for future capital planning. Assistant Superintendent and Hampden resident Regan Nickels was recognized and approached the podium. She thanked the Council and Committee for giving her the opportunity to discuss the turf replacement with them, especially the comparison between turf and grass. She acknowledged that there had been plenty of time for foresight, and assured that this will be a part of the strategic plan going forward. She thanked the taxpayers and the residents that have taken an interest in this project for the students, and for the greater community. Mayor McPike recognized resident Matthew Davidson of 1334 Carmel Road North. He stated that he had owned a baseball training facility in New Jersey for seven years. He said that sports offer kids a positive outlet and that proper facilities are hugely important. He said that his professional opinion, is that in this climate, artificial turf is essential. Mayor McPike spoke stating that he is in favor of the field, that he believes it is a good thing for the school, but he feels it was forced upon everyone. He thinks the planning put into it was poor and has yet to see anything that says how it is going to be planned for and maintained going into the future.

- b. **Proposed Coldbrook Corners TIF (Tax Increment Financing) Development Program and Credit Enhancement Agreement – referral to public hearing on Monday, March 5, 2018 – referral from Finance & Administration** – Councilor McAvoy made a motion, seconded by Councilor Marble, to refer this to public hearing for March 5th. Unanimous vote in favor, 7-0.
- c. **Request for authorization for the expenditure in the amount of \$7,180.42 from the City Bus Reserve (3-710-00) for the purpose of paying Hampden’s share of The Bus rehab project – referral from Finance & Administration** – Councilor McAvoy made a motion, seconded by Councilor Marble, to authorize the amount of \$7,180.42 from the City Bus reserve account for the purpose of paying our share of The Bus rehab project. Unanimous vote in favor, 7-0.
- d. **Town Council approval of the proposed Retail Marijuana Moratorium – referral from Planning & Development Committee** – Councilor Ryder reported that in December the Planning & Development Committee voted 5- 0 to refer to Council a recommendation for moratorium on retail marijuana due to a lack of state rules which are necessary for Hampden to adopt for the stated uses within the moratorium. Manager Jennings recapped the law approved by voters in November of 2016 which allowed for 5 different uses for marijuana. The Town of Hampden has already acted on the uses of retail sales and social clubs through zoning. The State has not worked out any rules for the remaining three uses. The prudent thing

for the Town to do would be to impose a moratorium which effect would be to ensure that during this period of uncertainty, no proposals for the other three uses of cultivation, manufacturing and testing would be accepted until the State has clear rules. Councilor Marble spoke about a recent Penobscot County meeting in which it was reported that there was no clear agreement in the details between members of the House and Senate and feels that this moratorium is a sound effort. Representative Haggan was recognized and approached the podium. He stated that the Committee has been working extremely hard and are looking at rules and regulations from other States who have also legalized marijuana in an effort to find out what has worked and what hasn't. They have now brought in members of law enforcement to be a part of the process. They are studying the environmental burden the waste may cause. Councilor McAvoy questioned item 7 referring to Revenue Sharing to which Rep. Haggan stated that this was one area that lawmakers cannot agree on. Discussion followed regarding the authority under statute to set moratorium for 180 days, or as written, for 60 days. Valerie Webster was recognized who stated that the State has a moratorium until April 1st. Discussion ceased. Councilor Marble made a motion, seconded by Councilor McAvoy, to amend the proposed moratorium from 60 days to 180 days. Councilors Cormier, Wilde, McAvoy, Marble, Sirois and Mayor McPike voted in favor. Councilor Ryder voted in opposition. Motion carries, 6-1.

e. **Executive Session – pursuant to 1 MRSA § 405(6)(E) – Confidential records**

E. COMMITTEE REPORTS

Planning & Development – Councilor Ryder reported that the Committee reviewed the Coldbrook Road TIF which has been set for public hearing and held discussion on changing covenants within the Business Park

Services Committee – Councilor Marble stated that this Committee hasn't met since last Council meeting. The next meeting is on Feb. 12th.

Infrastructure Committee – Councilor Cormier reported that this Committee met on January 29th and discussed the on-going Capital Program, stating that the Manager has come up with a way to simplify the budget process. They met with the consultant engineer to discuss the issues with the sewer found during the CCTV process and it will cost approximately 1.4 million dollars to fix it. Discussed the anticipated Water District increase. The Committee was informed about a non-compliance discharge after 3" of rain and heavy snow melt. This was reported to DEP on January 13th. Committee members were addressed by a Mr. Roland Fogg who is not satisfied with the material the Town uses on the roads for snow removal.

Finance & Administration Committee – Councilor McAvoy reported that all items discussed in Committee were acted on tonight. He also reported that the date for the Goals & Objectives meeting was confirmed for Saturday, Feb. 10th at 8:00 a.m.

F. MANAGER'S REPORT – *Manager Jennings reminded everyone that the polls are open tomorrow from 8:00 a.m. to 8:00 p.m. He reported that we have contracted with an Industrial Hygienist to evaluate the mold situation. It appears that the issue may be more isolated than first thought. He updated Councilors that the Department Heads have begun working on their budgets and will present at Goals & Objectives.*

G. COUNCILORS' COMMENTS

Councilor Wilde – No comment

Councilor Cormier – No comment

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

Councilor Marble – Reflected on the recent appointment of two Interim Directors for RSU 22. One of the interested parties not chosen has written to Council and Councilor Marble spoke to her on the phone. He stated that she remained a-personal and commented mainly on the process, making some good points for ways which would help moving forward. For instance, she thought that if candidates were going to be interviewed for a position they should all be given the same questions, by the same interviewers. He commended her for caring enough about the process to want to contribute, and that it is a good example of citizen involvement.

Councilor Sirois – No comment

Councilor Ryder – Reminded people to get out and vote.

Mayor McPike recognized Representative Haggan who clarified an earlier comment regarding the State's moratorium. There is not one at this time. The prior one expired February 1st.

Mayor McPike – No comment. He then stated that the next item would be to enter executive session. Since there would be no action coming out of it, the public could leave at this time.

H. ADJOURNMENT – *The business portion of the meeting adjourned at 7:45 p.m.*

Respectfully Submitted,

*Paula A. Scott, CCM
Town Clerk*