



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

TUESDAY

APRIL 18th, 2017

7:00 P.M.

**6:30 p.m. – Finance & Administration Committee**

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

*Attending:*

*Mayor Ryder*

*Councilor Sirois*

*Councilor McPike*

*Councilor Wilde*

*Councilor Marble*

*Councilor Cormier*

*Councilor McAvoy*

*Town Manager Angus Jennings*

*Town Clerk Paula Scott*

*Resident Vince Drottar*

- A. PLEDGE OF ALLEGIANCE** – *Mayor Ryder led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *Councilor Marble noted that under Committee reports, there should be a correction stating that Councilor McPike and not Marble made the committee report. Councilor McAvoy made a motion to accept the corrected consent agenda. Councilor McPike seconded the motion.*

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

- a. April 3, 2017 Council Meeting Minutes**

**3. COMMUNICATIONS**

- a. Written Testimony presented at Public Hearing on L.D. 25 by Barbara Geaghan, Tax Collector**
- b. Written Testimony presented at Public Hearing on L.D. 707 by Barbara Geaghan, Tax Collector**
- c. Town of Hampden ad in the Senior Yellow Pages**
- d. Appreciation from the Good Shepherd Food Bank for the Volunteer Open House and Community Forum**
- e. Update on Appeal of MRC and Fiberight Permits and FAME application**
- f. Hampden Online GIS User's Guide Quick Tips**

**4. REPORTS**

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

- a. Finance Committee Minutes – 03/20/2017
- b. Infrastructure Committee Minutes – none
- c. Planning & Development Committee Minutes – none
- d. Services Committee Minutes – 03/13/2017

**C. PUBLIC COMMENTS - None**

**D. POLICY AGENDA**

**1. NEWS, PRESENTATIONS & AWARDS**

**2. PUBLIC HEARINGS - Proposed amendments to the Town of Hampden Zoning Ordinance – Use of a Residence for Business Purposes – referred by Council on March 20, 2017 – At 7:05 p.m., Mayor Ryder opened the Public Hearing and called on Manager Jennings to explain the proposed changes. Manager Jennings explained that this was identified as a priority last year by the Planning & Development Committee as a need to identify clear procedures for the use of a home for a business. The changes establish a balance between commercial and entrepreneurial business with clear thresholds for anything larger that impacts neighborhoods. He commended the Planning & Development Committee and the Town Planner for their great work on this well written ordinance. With no other comments, the Public Hearing closed at 7:10 p.m. Councilor Marble made a motion to approve the amendments to the Zoning Ordinance. Councilor McAvoy seconded the motion. Unanimous vote in favor.**

**3. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. **Re-appointment of Patricia Russell to the Edythe L. Dyer Library Board of Trustees – referral from Services Committee – Councilor Marble made a motion to reappoint Patricia Russell to the Edythe L. Dyer Library Board of Trustees. Councilor McAvoy seconded the motion. Unanimous vote in favor.**
- b. **Appointment of Jane Jarvi to the Edythe L. Dyer Library Board of Trustees – referral from Services Committee – Councilor Marble made a motion to appoint Jane Jarvi to the Edythe L. Dyer Library Board of Trustees. Councilor McAvoy seconded the motion. Unanimous vote in favor. Councilor Marble thanked these two appointees, as well as all other residents, who serve on Town Boards and Committees.**

**4. OLD BUSINESS**

- a. **Service Fees – Abatement requests based on 2% revenue threshold and additional information regarding town services utilized by entities subject to the Service Fee assessment – referral from Finance Committee**

**Penquis Mental Health Services, requested abatement \$1,744.63 - Councilor Wilde made a motion to approve the abatement in the amount of \$1,744.63. Councilor McAvoy seconded the motion. At the request of Councilor Marble, Manager Jennings explained that Service Fees are charges a municipality is allowed to charge a tax exempt entity for the use of town services.**

**Medical Care Development, Inc., requested abatement \$4,859.47 – Councilor Wilde made a motion to approve the abatement in the amount of \$4,859.47. Councilor McAvoy seconded the motion. Unanimous vote in favor.**

## 5. NEW BUSINESS

- a. **Proposed FY17 budget adjustment to appropriate \$4,497.61 from Overlay to Streets and Roads Reserve to reverse incorrect receipting of MaineDOT check for the same amount in June 2012 – referral from Finance Committee – Councilor Wilde explained that this is not an article to spend money, but to correct the account from where it was paid originally. Councilor made a motion to approve the budget adjustment in the amount of \$4,497.61 as described. Councilor McAvoy seconded the motion. Unanimous vote in favor.**
- b. **Street Light petitions – Chickadee Lane, 411 Old County Rd. – referral from Finance Committee – Councilor Wilde reported that street light petitions were presented for requests for lights that were not all originally installed as they should have. At this point we are still waiting for numbers from Emera, including pricing for LED. Councilor Wilde made a motion to approve two street lights on Chickadee Lane pending final numbers from Emera. Councilor McPike seconded the motion. At this time Vince Drottar of 42 Chickadee Lane was recognized. Mr. Drottar is the President of the Chickadee Crossing Homeowner's Association who stated that the original request was for three lights. Mayor Ryder explained that the reason the Committee approved only two was because there is a street light on 1-A. Mr. Drottar stated that was his only comment. Motion was brought to vote, unanimous vote in favor.**
- c. **Resolution regarding Town of Hampden Policy Intent regarding Legalization of Recreational Marijuana – referral from Finance Committee – Mayor Ryder explained that the Planning & Development Committee and the Town Planner have been working toward the policy**

*for marijuana in Hampden. The Council has directed the Town Manager to cause the Town Planner to amend zoning to prohibit two categories of the marijuana bill that was passed in November, retail sales and social clubs. The Council has also directed the Town Manager to cause the Town Planner to work on zoning amendments for regulation, location, performance standards and abutter notification for the cultivation, testing and manufacturing of marijuana. This Resolution is to make the public aware of the intent of the Council. Councilor McPike made a motion to approve the Resolution as presented. Councilor Wilde seconded the motion. Unanimous vote in favor.*

- d. **Council referral to Public Hearing the proposed amendments to the Zoning Ordinance – referral from Planning Board**
  1. **Proposed Zoning Ordinance Amendment to Article 1, General Administration, related to conflicts with other ordinances and the process for amending the Zoning Ordinance – Councilor Marble made a motion to refer the proposed Zoning Ordinance Amendment to Public Hearing on May 1<sup>st</sup>. Councilor Wilde seconded the motion. Unanimous vote in favor.**
  2. **Proposed Zoning Ordinance Amendment to Sections 3.7.4, 3.7.6, 7.2, and adding a new Section 4.25 to Article 4, all related to Accessory Apartments – Councilor Marble made a motion to refer the proposed Zoning Ordinance Amendment to Public Hearing on May 1<sup>st</sup>. Councilor Wilde seconded the motion. Unanimous vote in favor.**
  3. **Proposed Zoning Ordinance Amendment to Sections 4.7, Off-Street Parking, Drive-Thru Design, and Bufferyard Requirements, and Section 4.8, Signs – Councilor Marble made a motion to refer the proposed Zoning Ordinance Amendment to Public Hearing on May 1<sup>st</sup>. Councilor Wilde seconded the motion. Unanimous vote in favor.**
- e. **Liquor License renewal – Angler's Restaurant – Councilor Wilde made a motion to approve the liquor license renewal for Angler's Restaurant. Councilor Marble seconded the motion. Unanimous vote in favor.**

## **E. COMMITTEE REPORTS**

*Services Committee – Councilor Marble reported that at the April 10<sup>th</sup> meeting, they accepted the Library Board nominees, received a report on the Community Forum and had a meeting with representatives from the Community Connector bus to discuss costs. Councilor Marble informed the public that in terms of budget, this will be discussed at the May 8<sup>th</sup> Services meeting. Committee was presented the statement of*

position from Bronco Travel Soccer regarding soccer camp. The Committee reviewed the status of the pool site RFP to which 7 firms responded and also discussed and reviewed the marina park sign and survey.

Finance & Administration – Councilor Wilde reported that at the March 20<sup>th</sup> meeting, they authorized the use of Municipal Building reserve funds for repair of lights and the boiler. Discussed the CCTV bid for the sewer lines and awarded the contract to Ted Berry Company. The Committee identified approved eligible uses for Conservation and Recreation funds

Planning & Development – Councilor McPike reported that this Committee met on April 5<sup>th</sup> and were updated on the status of MRC. There will be no more appeals and the project can now move forward. Committee discussed the idea of a Town Center, planning for regulating marijuana, and discussed street lights.

Infrastructure – Mayor Ryder reported that the next meeting is Monday the 24<sup>th</sup> at 6:00 p.m. and will discuss sewer rates.

- F. MANAGER'S REPORT** – Manager Jennings reported that the focus of the Infrastructure meeting will be to discuss the draft sewer budget and rates. He thanked everyone who was involved in planning and participating in the Volunteer Open House and Community Forum held on April 9<sup>th</sup>, stating it was a terrific event with about 25 different organizations participating. Manager Jennings also stated that there will be a video produced by Kyle Severance who had gotten footage and interviewed the groups in attendance. Manager Jennings thanked Angler's for the terrific food and the Hampden Business Association for the financial sponsorship. He also reported that after many months of hard work, the new website is up and running and looks great. The content is primarily the same, but is easier to see and find information. The Town's Facebook page is also embedded in the website so all posts are visible on the website. Manager Jennings reported that the FY16 audit is being closed out and we have added \$386,000 to the fund balance which is reflective of underspending. He reported that staff have submitted a grant application to replace the dock at the Marina, and reminded everyone that the annual Stream Clean Up is May 6<sup>th</sup>, beginning at 9:00 a.m. and followed by a cookout.

**G. COUNCILORS' COMMENTS**

Councilor McPike – No comment

Councilor Wilde – Reminded the public again about the Stream Clean Up on May 6<sup>th</sup>.

Councilor Marble – Thanked town staff for all the time spent on the Forum and cited the Tax Collector for her recent testimony on a couple of LDs.

Councilor Cormier – No comment

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

Mayor Ryder – No comment

TUESDAY

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7:00 P.M.

MINUTES

- H. **ADJOURNMENT** – *With no other business, Councilor McAvoy made a motion, seconded by Councilor McPike to adjourn at 7:40 p.m. Unanimous vote in favor.*

*Respectfully Submitted,*



Paula A. Scott, CCM  
Town Clerk