

## TOWN COUNCIL MINUTES

JULY 18, 2011

The regularly scheduled meeting of the Hampden Town Council was held on Monday, July 18, 2011. The meeting was held at the municipal building council chambers and was called to order by Mayor Hughes at 7:00 p.m.

**Attendance: Councilors:** Mayor Janet Hughes, Andre Cushing, Thomas Brann, Jean Lawlis, William Shakespeare, Kristen Hornbrook and Shelby Wright

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

**Department Heads/Staff:** Lt. Dan Pugsley of the Fire Department

Citizens and members of the press

### A. CONSENT AGENDA

Motion by Councilor Cushing, seconded by Councilor Brann to accept the consent agenda; unanimous vote in favor.

### B. PUBLIC COMMENTS

There were none.

### C. POLICY AGENDA

#### 1. PUBLIC HEARINGS

- a. APPLICATION FOR VICTUALERS LICENSE RECEIVED FROM BANGOR RESTAURANT, LLC d/b/a DUNKIN DONUTS AT 76 MAIN ROAD NORTH

Mayor Hughes explained the procedure for the hearing and then opened the hearing. No one spoke in favor or opposition and there were no questions or comments – the hearing was closed.

Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the application; unanimous vote in favor.

#### 2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

### 3. UNFINISHED BUSINESS

#### a. WATER DISTRICT – UPDATE

Manager Lessard reported that the Water District Superintendent has retired. She met with the President and Vice President of the Board of Trustees and they informed her that they are not seeking to fill the position but will distribute some of the responsibilities to existing personnel and trustees. They expressed a willingness to work with the Town about ways to move forward in a collaborative and cooperative manner and they are trying to stabilize and bring down the cost of providing water.

#### b. SEP AGREEMENT – CHEVRON/STATE OF MAINE/TOWN

Manager Lessard explained that as part of their penalty associated with a notice of violation, Chevron has been working with the State and has proposed that a portion of the penalty be payable to the Town of Hampden for the establishment of Turtle Head Cove municipal park. This is the project that proposes a land swap between Hamlin's Marine and the Town at the marina site. Chevron proposes a supplemental environmental project agreement to include payment of \$520,000.00 to the Town of Hampden. The State has accepted the proposal and the Town is required to sign on as part of the agreement. She noted that this in no way relieves Chevron of any responsibility for environmental cleanup or for subsequent payment of their environmental damage assessment. She noted that the Town Attorney has reviewed the agreement and has some suggestions for changes which can be made subsequent to signing the agreement.

Linda Valcourt of 205 Monroe Road inquired as to what responsibilities the Town will have for long-term upkeep and maintenance of the park. Will some of the monies be set aside for that purpose? Manager Lessard explained that the \$520,000.00 has specific responsibilities in construction and does not include long-term maintenance. Hamlin's Marine has agreed to donate a boat to the town annually for ten years, which will be raffled off to assist in the cost of maintenance. Beyond that, it will be municipal in nature like the other parks and recreational facilities that the Town has. Councilor Brann pointed out that the appraised value of the land that is currently Hamlin Marine is \$520,000 to \$540,000 and is not on the tax rolls because it is town property. Once the property is transferred to Hamlin's the property will be added to the tax base and the income from those taxes could be used as additional income to support the maintenance of the park.

Alex King asked how much input the residents will have – will there be any public meetings. He asked what does tonight's action entail? Manager Lessard explained that this entails the Town's willingness to have this project approved as part of the penalty phase of Chevron's settlement with the State of Maine.

Albert Valcourt of 205 Monroe Road noted that it was mentioned that some of the land will be held in a land trust and he asked how that works. Manager Lessard explained that the conservation easement has to be held in perpetuity meaning that the Town can't accept this agreement and then develop the parcel.

Following Council discussion, Councilor Brann moved and Councilor Cushing seconded to authorize the Town Manager to sign on behalf of the Town of Hampden; unanimous vote in favor.

**c. FIRE DEPARTMENT BRUSH TRUCK BID RESULTS**

Lt. Dan Pugsley informed the Council that the Department received a grant for the purchase of a brush truck up to \$125,000.00 with a 5% match from the Town. Two bids were received and both met the minimum requirements but the bid from Southern Fire included some additional features that the Department found desirable. Therefore the Department is recommending acceptance of the bid from Southern Fire in the amount of \$125,683.00.

Motion by Councilor Brann, seconded by Councilor Shakespeare to authorize the purchase of a brush truck from Southern Fire in the amount of \$125,683.00, with the Town's share of \$6,933.00 to be paid from the Town's matching grants reserve fund; unanimous vote in favor.

**4. NEW BUSINESS**

**a. MAINE MUNICIPAL ASSOCIATION ANNUAL ELECTION BALLOT**

Motion by Councilor Brann, seconded by Councilor Cushing to accept the ballot as proposed and to authorize the Town Manager to sign on behalf of the Town; vote was 6-1 (Hornbrook)

**b. STREET ACCEPTANCE – LANE SUBDIVISION – SUNRISE LANE**

Manager Lessard reported that the developer has completed all the requirements of the town ways ordinance and that the Town Attorney has reviewed the documents and found them to be satisfactory.

Motion by Councilor Brann, seconded by Councilor Cushing to accept the road, drainage easement and open space; unanimous vote in favor.

**D. COMMITTEE REPORTS**

Communications – Councilor Hornbrook reported that all the items on the committee's June 16<sup>th</sup> agenda have been postponed until the next meeting on July 21<sup>st</sup>.

Planning & Development – Councilor Brann reported that the next meeting will be at 6:00 p.m. on July 20<sup>th</sup>.

Services – Councilor Lawlis reported that the committee met last month and discussed a number of items, including the possibility of developing a community garden; the need for a new air handling system at the pool and the economics of the Town supporting the pool; and heard reports from Friends of Dorothea Dix and HOTDOG.

Infrastructure – Councilor Shakespeare reported that the committee will meet at 6:00 pm on July 25<sup>th</sup>.

Finance & Administration – Manager Lessard reported that the committee met earlier in the evening and discussed the pool air handling system, reviewed the bids for the brush truck; and continued discussion and review of the Code of Ethics, Council Rules and Town Charter.

#### **E. MANAGER'S REPORT**

A copy of the Manager's Report is attached.

#### **F. COUNCILOR'S COMMENTS**

Councilor Lawlis reminded everyone that the Hampden Garden Club is starting a farmers market and the first one is Saturday, July 23<sup>rd</sup> from 8:00 to 11:00 am.

Councilor Brann suggested that DVD copies of recorded meetings could be made available at the library for people to borrow.

Councilor Cushing commented that it is very exciting news that as part of an agreement with the State, the Town has benefitted from the mitigation of damage on the Penobscot River and it will result in much more access for the public. He appreciated the concerns raised by residents this evening and noted that the Communications Committee needs to discuss how the Town might better communicate this type of information to the public.

Councilor Hornbrook thanked everyone for coming out tonight.

Councilor Wright added to Councilor Cushing's comments and commended the Town and the hard work that went into making the project a reality. She expressed her appreciation to Chevron and noted that this project represents what she heard when she was running for Council about what the people of Hampden wanted – to support more local businesses, to return property to our tax base and enhances our outdoor space. She said this is indeed a great public and private partnership with many local and national entities – it is a great thing for the Town.

Mayor Hughes echoed Councilor Wright's comments. She said this is a perfect example of how many agencies actually can work together with business to develop a win-win project for everyone. She commented that one person who has not been mentioned tonight is Dan Higgins from Hamlin's Marine - it took a vision and the foresight of a small business owner to bring this project to fruition and without him we may not have come to this point.

Dan Higgins said this is a miracle and he hoped that this would bring more people to the riverfront. He expressed thanks to everyone involved.

Mayor Hughes also thanked Economic Development Director Dean Bennett for his perseverance to continue with this project and to Manager Lessard for her leadership in helping make this project happen.

MANAGER'S REPORT  
July 18, 2011

Press Conference – The press conference held by the Governor on Friday at Hamlin Marina went well. The weather was beautiful, attendance was good – and the news was well received.

Newsletter – The newsletter is at the printers and should be delivered to homes by the end of the week. The online version is already posted.

Three Day Walk – This coming weekend is the 60 mile 3-day walk for breast cancer in Boston. Our Town Clerk Denise Hodsdon will be participating in that event and we wish her the very best in that challenging event!

Tax Commitment – Setting the tax rate will be on the next Town Council agenda <sup>second meeting in August</sup> and tax bills will go out shortly thereafter. The mil rate is anticipated to remain the same as last year at \$15.90 per thousand.

Kids Kamp Kafe – This year's Kid's Kamp Kafe program was held on July 14<sup>th</sup> at Reed's Brook School. The children and staff did a great job with the program once again. I am pleased that Bangor Daily News Reporter Andrew Neff attended the Kafe and did a nice human interest piece on it.

1<sup>st</sup> meeting in September – I am on vacation the first full week of September. The Monday of that week is Labor Day (5<sup>th</sup>), The Council meeting would normally be moved to Tuesday of the same week (6<sup>th</sup>). Do you wish to hold the meeting without me or move it to the following Monday. We would then have Council meetings during September on back to back Mondays.

**G. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:25 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon  
Town Clerk