



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING

Minutes

MONDAY

NOVEMBER 21, 2011

7:00 P.M.

*Attending:*

*Councilor Andre Cushing  
Councilor Tom Brann  
Councilor Jean Lawlis  
Councilor Shelby Wright  
Councilor William Shakespeare  
Councilor Kristen Hornbrook  
Town Manager Susan Lessard  
Jim Kiser  
Citizens*

*Staff members: Kathy Cole  
Tammy Ewing  
Cheryl Johnson  
Kelly Karter  
Amy Eaton  
Public Works Director Chip Swan  
Public Safety Director Joe Rogers  
Former PW Director Greg Nash*

*The meeting was called to order at 7 p.m. by Deputy Mayor Andre Cushing.*

*Motion by Councilor Shakespeare, seconded by Councilor Brann to excuse Mayor Hughes from tonight's meeting. Unanimous vote in favor.*

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. email – Mark Cormier – incorrect ballot on voting day
- b. email – Kim Gray – incorrect ballot on voting day
- c. MRC – Guaranteed Annual Tonnage Trade Information
- d. MRC – Survey to Address GAT Shortfall Penalties & Post 2018 Disposal Solutions
- e. Email – Town Manager to Council, media, District Candidates regarding voters list sort and ballot comparison
- f. Email – Lisa Carter/Town Manager regarding opening of ballot containers
- g. Email – Cynthia Philbrick – candidate withdrawal from election/ballot ordering information
- h. Email – Bernie Philbrick – Rain Garden Information

4. REPORTS

*Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the consent agenda. Unanimous vote in favor.*

B. PUBLIC COMMENTS- *None*

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Victualer's License received from Elisaveta Turla d/b/a Angelo's Pizzeria at 102 Main Road South - *The public hearing was opened by Deputy Mayor Cushing. Proponents – None. Opponents – None. Neither for nor against – None. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Election Results 11-08-2011 – *Attorney Russell informed the Council that a formal vote on the elections results is not legally required by Maine statute. Since there has been a request for a recount, motion by Councilor Brann, seconded by Councilor Wright to postpone this item.*

3. UNFINISHED BUSINESS

- a. Open Space – Billington subdivision – Planning & Development Committee Recommendation – *Planning & Development recommend that the Town accept the open space plan submitted for the Billington subdivision. The issue under consideration is who will own the open space. Motion by Councilor Brann, seconded by Councilor Lawlis to accept the open space easement for the Billington subdivision. Motion withdrawn. Motion by Councilor Brann, seconded by Councilor Lawlis that the Town take ownership of the open space easement for the Billington subdivision. Unanimous vote in favor.*

4. NEW BUSINESS

- a. Sewer Ordinance Revision – Introduction for Public Hearing – Infrastructure Committee recommendation – *The Town Manager explained that as part of our agreement with the City of Bangor for the use of their sewer treatment plant, our sewer ordinance needs to be consistent with theirs. Former Public Works Director Greg Nash has worked with staff and the City of Bangor to update the existing Sewer Ordinance. Since there were so many changes to be made, the new one will totally replace the old one after passage. In particular, there were a number of changes that needed to be made in regard to industrial pretreatment requirements. Mr. Nash gave an overview of the changes which also clarify authority, eliminated the Sewer Board and requires annual inspection of privately owned sewer extension. In addition, pump stations that are installed will require back-up generators. Councilor Shakespeare introduced this item for public hearing.*

- b. Design & Consulting Services – Betsy Poulin – Marina Project – Finance Committee Recommendation/Planning & Development Committee Recommendation – *The cost for this work would be reimbursed from the Chevron grant that has been received for the marina project. Motion by Councilor Brann, seconded by Councilor Lawlis to authorize payment to Betsy Poulin with funds not to exceed \$9500 to be paid from escrowed Chevron grant monies. Unanimous vote in favor.*
- c. Contract – In Depth Archeology – Marina Project – Planning & Development and Finance Committee Recommendations – *As part of the application process for the land swap between Hamlin and the Town, a Phase I archaeological assessment is required. The funds for payment of this study will come from the Chevron grant. Motion by Councilor Shakespeare, seconded by Councilor Brann to expend up to \$6300 for a Phase I Archaeological Assessment by In-Depth Archaeology with funding to come from the Chevron grant. Unanimous vote in favor.*

D. COMMITTEE REPORTS

*Communications – Councilor Hornbrook reported that the next meeting would be on 12/13. Planning & Development – Councilor Brann stated that there were several items on the agenda tonight that were referred by this Committee. It is also still working on the sign ordinance.*

*Services – Councilor Lawlis had no report.*

*Infrastructure – Councilor Shakespeare noted that the next meeting would be next Monday at 6 p.m.*

*Finance Committee – The Town Manager reported that the Finance Committee met before the Council meeting and discussed payment warrants, a draft of the personnel handbook, and a request to purchase a small piece of town property by Aubrey Hoyle.*

- E. MANAGER'S REPORT – *A copy of the Manager's Report is attached hereto and made a part of the minutes.*

F. COUNCILORS' COMMENTS

*Councilor Lawlis commented on the election and her belief that staff acted appropriately. Councilor Brann stated that all members of the Town Council should attend a municipal official's workshop. He believes that it is important that all Councilors know what their role is, and how government at this level works.*

*Councilor Hornbrook – Wished everyone a Happy Thanksgiving.*

*Councilor Wright – Apologized for her illness last week and wished everyone a Happy Thanksgiving.*

- G. DISCUSSION OF TOWN MANAGER CANDIDATES (Due to the nature of this item it may be discussed in Executive Session pursuant to 1 MRSA §405 (A) Personnel Matters, and (F) Confidential Records) – *Motion by Councilor Wright, seconded by Councilor Shakespeare to enter executive session pursuant to MRSA Title 1 §405 (A) Personnel Matters and (F) Confidential Records to include the Town Attorney at 8 p.m. Unanimous vote in favor.*

MANAGER'S REPORT  
11-21-2011

Thanksgiving Holiday – The Town Office will be closed on Thursday for the Thanksgiving Holiday, as will the pool, public works, the transfer station, and the library. The Transfer station will be open on Friday, November 25<sup>th</sup>.

Elected Officials Workshop – On December 14<sup>th</sup> from 5 – 8 p.m. the Maine Municipal Association is holding an elected officials workshop for elected officials from the communities of Bangor, Brewer, Hampden, Old Town & Orono at the Bangor Civic Center from 5 – 8 p.m. This session is the first to be held specifically for communities with a Council/Manager form of government. Attached is an email from Chris Lockwood, Executive Director of MMA in regard to the program.

Infrastructure Committee – The Infrastructure Committee is meeting on Monday, November 28<sup>th</sup> at 6 p.m. Councilors with items for that agenda should provide them to me by Wednesday morning to allow for posting of the agenda prior to the long holiday weekend.

*Motion by Councilor Brann, seconded by Councilor Shakespeare to re-enter regular session at 8:58 p.m. Unanimous vote in favor.*

*It was the consensus of the Council to invite three candidates in for second interviews and to conduct background checks on these candidates.*

H. ADJOURNMENT

*The meeting was adjourned at 9 p.m.*

*Respectfully submitted,*

A handwritten signature in cursive script that reads "Denise Hodsdon". The signature is written in black ink and is positioned above the printed name.

*Denise Hodsdon  
Town Clerk*