



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES

MONDAY

NOVEMBER 18, 2013

7:00 P.M.

*Attending:*

*Mayor Janet Hughes  
Councilor Tom Brann  
Councilor David Ryder  
Councilor Jean Lawlis  
Councilor Bill Shakespeare  
Councilor Carol Duprey*

*Town Manager Susan Lessard  
Town Clerk Denise Hodsdon  
Molly Schwenn of Maine CDC  
Senator Andre Cushing  
Representative Brian Duprey  
Members of the Media  
Citizens*

*The meeting was called to order by Mayor Hughes at 7:02 pm.*

**A. CONSENT AGENDA** – *Motion by Councilor Shakespeare, seconded by Councilor Lawlis to accept the Consent Agenda. Unanimous vote in favor.*

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

**3. COMMUNICATIONS**

- a. Hampden Recreation/Town Council – Thank You
- b. Municipal Review Committee – Annual Meeting Notice
- c. Victualers License Renewals:
  - 1. Subway of Hampden
  - 2. Coffee Break Café
  - 3. Restaurant Angelos of Hampden

**4. REPORTS**

- a. Library Trustees Annual Meeting Minutes – 5/8/2013 Amended
- b. Joint Infrastructure & Services Committee Meeting Minutes – 10/28/13
- c. Pool Board Minutes – 10/8/13
- d. Monthly Department Reports – October 2013

**B. PUBLIC COMMENTS** – *Representative Brian Duprey thanked Mayor Hughes for her service and said that she has been fair and done a good job in her position.*

**C. POLICY AGENDA**

## 1. PUBLIC HEARINGS

- a. **Proposed Zoning Ordinance Map Amendment – Swan Property, 115 Main Road South – Map 44, Lots 81 and 82** – *Town Planner Bob Osborne explained that the proposal is to amend the Zoning Ordinance Map from Residential B District to Village Commercial II District for these two lots. These lots consist of the old Swan service garage on the front parcel and a vacant house lot, formerly the Swan residence, on the rear parcel. The Planning Board has returned an “ought to pass” recommendation. Mayor Hughes opened the hearing. Proponents: Chip Swan of Pleasant Street said the property has been listed for sale since February and only businesses have shown interest in it. He said his family would like to be able to sell the property to a business who would upgrade the building. No one spoke in opposition and there were no general questions or comments. The hearing was closed. Motion by Councilor Brann, seconded by Councilor Lawlis to approve the amendment to the Zoning Ordinance Map for Map 44, Lots 81 and 82. Unanimous vote in favor.*

## 2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. **Notice of Recount for November 5, 2013 Election – Councilor At-Large** – *Town Clerk Denise Hodsdon reported that the requested recount has been scheduled for November 20, 2013 at 9:00 am in the Council Chambers.*
- b. **Infrastructure Committee Recommendation to Appoint James Davitt to fill School Board Vacancy** – *Motion by Councilor Shakespeare, seconded by Councilor Ryder to appoint James Davitt to fill the School Board vacancy. Unanimous vote in favor.*

## 3. UNFINISHED BUSINESS

- a. **Follow up – Cancer Concerns – Coldbrook Road** – *Maine Cancer Registry Director Molly Schwenn gave a Power Point presentation regarding the State Registry’s perspective of cancer in Hampden. She reported that there is no indication that Hampden as a whole any different than Penobscot County or the State. She explained what criteria the CDC looks for when determining whether there is a cancer cluster. She said there is not any evidence of a cluster as per definition, but she is willing to look at it and would like to do a little more investigation as she doesn’t want to leave any stone unturned. She would be willing to come back after she has had time to pull together more information. Dr. Tom Openshaw, a medical oncologist and Hampden resident suggested that the Town look into ways to promote healthy lifestyle options and programs.*

C-1-a

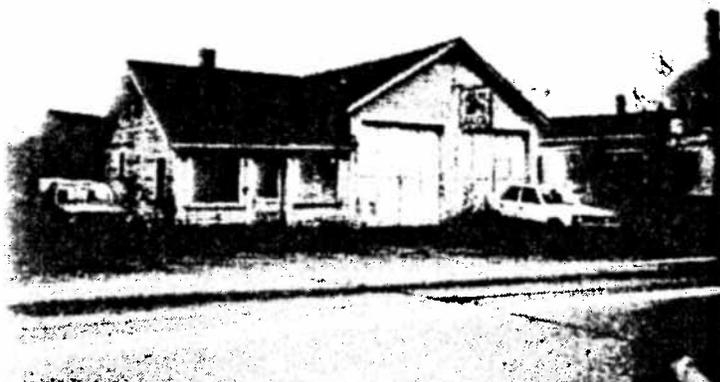


**TO:** Mayor Hughes and Hampden Town Council  
**FROM:** Robert Osborne, Town Planner  
**SUBJECT:** Draft Zoning Ordinance Map Amendment, Swan Property  
**DATE:** October 15, 2013

At the September 16, 2013 Town Council Meeting this item was referred to the Planning Board for Public Hearing and a recommendation. The Planning Board voted at its October 9, 2013 regular meeting unanimously in favor of a motion to recommend "ought-to-pass" for the attached zoning map amendment. The only person that wished to speak at the public hearing was Galen "Chip" Swan in support of the proposed zoning map amendment. He indicated that his family only became aware that this building located at 115 Main Road South was not in a commercial district despite the long history of commercial activity since the 1940s.

The proposal is to amend the Zoning Ordinance Map from Residential B District to Village Commercial II District changing Map 44, Lots 81 and 82. This consists of the old Swan service garage located at 115 MRS on the front parcel and a vacant house lot (the residence was razed seven years ago) on the rear parcel. The neighboring four corners are zoned Village Commercial II District. Clockwise they are Rawcliffe's Garage, the mixed use office/apartment building and neighboring retail/apartment building, office building (and the former town office building) and a retail area and mixed use Angelo's Pizza/apartment building.

The land area involved in the rezoning is modest in size with an area of approximately 0.26 acres and measuring about 120 ft. by 100 ft. in size. See photo of garage structure circa 1980s.



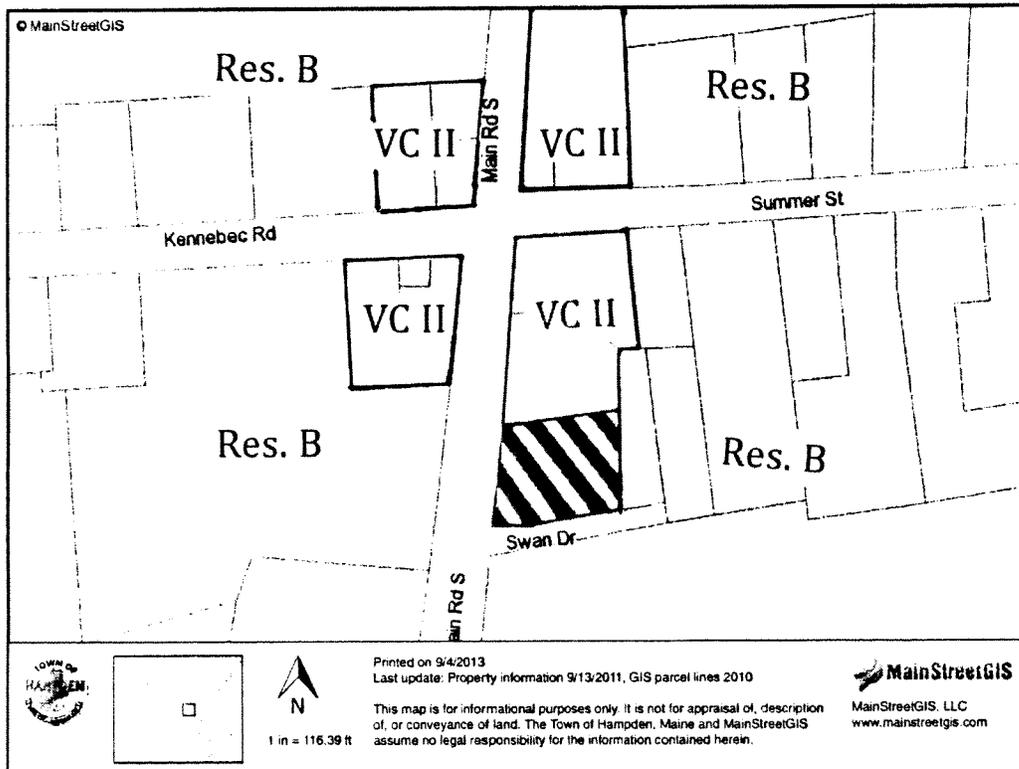
Adopted by Council 11/18/13

# TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains  
Proposed Amendments to the Zoning Ordinance Map

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Res. B to VC II District

- b. Renewal of Exclusive Authorization To Sell with Epstein Commercial Real Estate – Planning & Development Committee Recommendation** – *Motion by Councilor Brann, seconded by Councilor Shakespeare to renew the contract as submitted. Unanimous vote in favor.*
- c. Set Service Fees for 2013/2014** – *Motion by Mayor Hughes, seconded by Councilor Brann to authorize the bills to go out to the entities as listed (copy attached) in the total services fee amount of \$35,105.63. Unanimous vote in favor.*

#### **4. NEW BUSINESS**

- a. Request to use GIS Mapping Reserve Funds for GeoLibrary Board's Orthoimagery Update Program – Recommendations of Planning & Development Committee and Finance & Administration Committee** – *Motion by Councilor Brann, seconded by Councilor Lawlis to fund up to \$13,000 from GIS Mapping Reserve account to do a buy-up for photography from 6" resolution to 2" resolution. Vote was 4 in favor (Brann, Lawlis, Shakespeare and Hughes) and 2 opposed (Ryder and Duprey).*
- b. Municipal Review Committee – Board of Directors Election Ballot** – *Motion by Councilor Brann, seconded by Councilor Lawlis to authorize the Town Manager to cast a vote for Chip Reeves. Unanimous vote in favor.*
- c. Ambulance Billing Abatements:**
  - 1. 2011 - \$27,716.96**
  - 2. 2012 - \$25,056.64** – *Upon recommendation of the Finance Committee, Councilor Shakespeare moved and Councilor Brann seconded to abate ambulance billing for 2011 in the amount of \$27,716.96 and for 2012 in the amount of \$25,056.64. Unanimous vote in favor.*
- d. Application for Liquor License – Countrymeadow, Inc. d/b/a Pizza Gourmet at 60 Main Road North, Suite A** – *Motion by Councilor Shakespeare, seconded by Councilor Duprey to approve the liquor license application for Pizza Gourmet. Unanimous vote in favor.*
- e. Sewer Commitment – 7/1/2013 to 9/30/2013** – *Motion by Councilor Brann, seconded by Councilor Lawlis to approve and sign the commitment. Unanimous vote in favor.*
- f. Request to use Computer Reserve Funds for Purchase of New Phone System for All Departments** – *Motion by Councilor Brann, seconded by Councilor Duprey to authorize the purchase of a new phone system from OTT Communications at a cost of \$9,990.20 plus*

C-3-C

To: Susan Lessard, Town Manager  
From: Kelly Karter, Assessor *Kelly*  
RE: Service Fee Calculations  
Date: October 30, 2013

Following is a listing of the calculated service fees that apply to residential property according to our Service Fee Ordinance.

I have added wording to the billing regarding the financial information for each entity as of June 30, 2013, per Tom Russell's suggestion.

The list is as follows:

Penquis Mental Health	\$ 2,002.35
Community Housing of Maine	\$ 2,104.89
OHI George St.	\$ 2,119.86
OHI Patterson Rd.	\$ 1,623.31
Medical Care Development	\$ 5,263.94
The Housing Foundation	\$21,991.28
<b>Total Service Fees</b>	<b>\$35,105.63</b>

**\*\*Please note that Aspenledge is on the tax rolls again this year as it is currently vacant.**

These fees have been calculated according to the ordinance. Some will change once the financials are submitted.

*\$1800.00 for required switch gear, as outlined, with the funds to come from the Computer Reserve Account. Unanimous vote in favor.*

**D. COMMITTEE REPORTS**

**Services Committee** – *Councilor Lawlis reported that the committee held a joint meeting with the Infrastructure Committee to discuss financing of the Skehan Center so that going forward there will be a better understanding of heating and staff expenses.*

**Planning & Development Committee** – *Councilor Brann reported that at its last meeting the committee discussed the GIS mapping update proposal and the extension of the contract with Epstein. The proposals with Sargent Corp. and the owner of the Ammo Park are still in the negotiation and discussion stages.*

**Infrastructure Committee** – *Councilor Shakespeare reported that the committee interviewed the candidates to fill the School Board vacancy and reviewed a letter from a resident who expressed concern over firearms use near his residence. The Police Department has investigated the complaint and determined that there are no legal violations. The committee took no action on this item.*

**E. MANAGER'S REPORT** – *Manager Lessard reported that one of the compactors at the Transfer Station has broken down and will be repaired tomorrow. The Public Works Director is investigating the cause of the breakdown. She received 66 applications for the Utility Billing Clerk position and is in the process of interviewing applicants. She was pleased to report that Hampden has been named the best Maine town for young families by Nerdwallet.com.*

**F. COUNCILORS' COMMENTS**

**Councilor Shakespeare** *shared that when Dudley Street was extended years ago, the remains of Hampden's first settler Benjamin Wheeler and his wife had been disinterred from Dudley Street and moved to the Crosby plot on Crosby Street in Bangor. Hampden resident Dick Newcomb felt it was important to mark the re-interment site and has purchased a paver for that purpose. There will be a ceremony at the site on November 23<sup>rd</sup> at noon and the public is invited to attend.*

**Councilor Brann** *noted that the potholes at the intersection of Routes 1A and 202 have been fixed.*

**Councilor Lawlis** *commented that the Planning & Development Committee has been talking about the Ammo Park property and the access it may provide to town property. Ammo Park owner Peter Thornton offered to give her a walking tour of the property. She noted that they have done a lot of work creating some roads through the property. One of the roads will connect to the back of the business park and another abuts the LL Bean property. She said she has been struck by his willingness to work with the Town.*

**Mayor Hughes** *reported that the sidewalks on the corner of Main Road North and Western Avenue have been repaired. She also noted that this is her last Council meeting and she is looking forward to the next meeting to formally say goodbye and thank you to everyone.*

Town Council Meeting  
November 18, 2013

**G. ADJOURNMENT** – *There being no further business the meeting was adjourned at 9:49 pm.*

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

Denise Hodsdon  
Town Clerk