



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

DECEMBER 16, 2013

7:00 P.M.

Attending:

*Mayor Tom Brann
Councilor Carol Duprey
Councilor Bill Shakespeare
Councilor David Ryder
Councilor Greg Sirois
Councilor Ivan McPike*

*Town Attorney Tom Russell
Town Manager Susan Lessard
Town Clerk Denise Hodsdon
Public Safety Director Joe Rogers
Police Sgt. Dan Stewart
RSU #22 Superintendent Rick Lyons
Citizens*

The meeting was called to order by Mayor Brann at 7:05 pm.

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

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. July 15, 2013
- b. August 5, 2013

3. COMMUNICATIONS

- a. **Maine Municipal Association – 2013 Workers Compensation Fund Report**
- b. **Pat's Pizza – Victualer's License Renewal**

4. REPORTS

- a. **Finance & Administration Committee Minutes – 12/2/2013**
- b. **Planning & Development Committee Draft Minutes – 12/4/2013**
- c. **Infrastructure Committee Minutes – 12/11/2013**

B. PUBLIC COMMENTS – *There were none.*

C. POLICY AGENDA

1. PUBLIC HEARINGS – *There were none.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS – *There were none.*

3. UNFINISHED BUSINESS

a. **Duties of Council Chair/Request for Public Apology – Kristen Hornbrook** – *Kristen Hornbrook of Main Trail said she felt that there were some procedural irregularities that occurred at the last Council meeting which resulted in an unpleasant situation between herself and the Councilor from the 2nd District, Mayor Brann. She requested a public apology from Mayor Brann. Following Council discussion and public comment, Mayor Brann said that he felt his actions of the last meeting were in order and that there would be no apology to Mrs. Hornbrook.*

b. **School Resource Officer Grant Discussion – Councilor Sirois** – *At the last meeting Councilor Sirois had requested the time to research the need for an additional SRO and to do a cost analysis. After meeting with RSU #22 officials, he said has determined that there may be a need, but the question remains “how do we pay for this position” with the financial situation we are in right now. He said until the Town is in a better position financially, he cannot support adding a second officer at this time.*

Mayor Brann asked for public comment. No one spoke in opposition to the addition of a second officer. Several people spoke in favor of adding the second SRO suggesting that the benefits would outweigh the financial liability.

There was considerable discussion amongst the Council with some Councilors feeling there was a definite need for a second SRO and others wondering why the School Board had not even discussed funding the position if it was so important.

Motion by Councilor Duprey, seconded by Councilor Ryder to return the grant money. By roll call, vote on the motion was 4 in favor (Ryder, McPike, Duprey and Sirois) and 2 opposed (Brann and Shakespeare); motion carried.

c. **Recognition – Richard Newcomb – Finance & Administration Committee Recommendation** – *Councilor Shakespeare noted that Hampden resident Richard Newcomb has done extensive historic research on Benjamin Wheeler and Hannibal Hamlin for the Town and the Historical Society and he would like to formally recognize Mr. Newcomb for his efforts at a future Council meeting. Motion by Councilor Shakespeare, seconded by Mayor Brann to recognize Mr. Newcomb with a letter and Key to the Town at a future meeting. Unanimous vote in favor.*

4. NEW BUSINESS

a. **Whitcomb-Baker VFW Post 4633 – Annual Games of Chance License** – *Motion by Councilor Shakespeare, seconded by Councilor*

Ryder to approve the annual games of chance license for the Whitcomb-Baker VFW Post 4633. Unanimous vote in favor.

- b. New Year's Eve Hours** – *Motion by Councilor McPike, seconded by Councilor Ryder to close the Town Office at 2:00 pm on New Year's Eve. Unanimous vote in favor.*

D. COMMITTEE REPORTS

Infrastructure Committee – *Councilor Shakespeare reported that the committee met on December 11th and discussed the School Resource Officer grant.*

Planning & Development Committee – *The next meeting is Wednesday, December 18th at 6:00 pm.*

Finance Committee – *Manager Lessard reported that the committee discussed additional information regarding the School Resource Officer position and a personal property tax situation with Maine Trailer.*

- E. MANAGER'S REPORT – 2013 Annual Report** – *A copy of the Manager's Annual Report is attached and made a part of the minutes. Manager Lessard also read her annual Holiday poem.*

F. COUNCILORS' COMMENTS

Councilor Duprey was disappointed that Mayor Brann refused to apologize to Mrs. Hornbrook. She felt the matter could have been handled in a more civilized way and hoped it would never happen again.

Councilor Shakespeare was disappointed that the School Resource Officer was on the agenda again. The Council had previously approved the grant and he questioned whether we would be re-visiting every decision the Council makes. He noted that this has been a challenging year for the Council and wished everybody Happy Holidays.

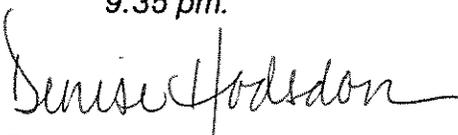
Councilor McPike thought this was an enlightening meeting and felt it was distasteful that the Mayor allowed personal feelings to come into play when a vote is taken.

Councilor Ryder commented that it has been an interesting year as Councilor for District 4. He said he has worked hard to do what some residents want, but still do what is best for the Town.

Councilor Sirois hoped that the School District would come back with a proposal as to how they will fund 75% of the School Resource Officer position. He said he understands that the Mayor is trying to keep control of meetings, but asked that it be done with respect.

Mayor Brann said he was sorry if other Councilors were upset with the situation with Mrs. Hornbrook. He said they were both at fault, but she was not offering an apology so he was not offering one either.

- G. ADJOURNMENT** – *There being no further business, the meeting was adjourned at 9:35 pm.*



Denise Hodsdon
Town Clerk

TOWN MANAGER'S REPORT
2013

The purpose of this report is to identify progress made on goals set by the Town Council for the 2013 year, discuss other work/accomplishments for the year, list grants received and accepted by the Town in 2013, identify items that are 'works in progress' of the Town Council Committees, and report on construction activity that has increased valuation.

Goals & Objectives

During the goals and objectives session held by the Town Council in March of 2013, 32 items were initially identified by individual councilors as potential work subjects for the 2013 year. Each Councilor selected five from the list as those that they felt needed the greatest attention. 18 of the original 32 were selected by Councilors. In order of how these items ranked based on how many Councilors selected them – the results were as follows and each item that was worked on has what was done in italics next to the item:

5 Councilors selected:

Zoning/comprehensive plan integration – While there has not been a look at all areas, the following zoning/ordinance changes were made in 2013 in response to either business/resident requests or upon recommendation of the Planning & Development Committee:

- *Consumer Fireworks Ordinance Adopted June 2013*
- *E911 Addressing Ordinance Adopted August 2013*
- *General Assistance Ordinance Updates Adopted July 2013, October 2013*
- *Marina Parcel – Ordinance Authorizing Conveyance May 2013*
- *Old Hampden Academy – Ordinance Authorizing Sale August 2013*
- *Outdoor Wood Boiler Licensing Ordinance Amendments January 2013*
- *Sewer Bond Ordinance - July 2013*
- *Victualer's Ordinance Amendments – January 2013*
- *Zoning Ordinance Text Amendment – Signs in VC & VCII Districts August 2013*
- *Zoning Ordinance Map Amendment – Swan Property – November 2013*
- *Zoning Ordinance Text Amendment – B & B's and Child Care Centers – August 2013*
- *Zoning Ordinance Text Amendment – Add single family Dwelling to Interchange District – July 2013*
- *Discussed but did not approve Military Excise Exemption Ordinance February 2013*

4 Councilors selected

Hampden Academy sale/re-use – After considerable review, environmental investigations, and meetings, in August of 2013 the Town Council voted to sell the entire former Hampden Academy site to Historic Hampden Academy, LLC for the price of \$60,000, with no future responsibility for environmental remediation costs related to asbestos, pcb's, etc.

Solid Waste Costs & Transfer Station Operation – The Infrastructure Committee reviewed costs related to the removal of brush and demolition debris and investigated an alternate method of hauling brush. The investigation resulted in the removal of a \$58 per ton disposal fee for brush, which will save the community approximately \$12,000 per year.

3 Councilors selected

Skehan Center retention as a community center – At the time that the Council sold the old Hampden Academy Property to Historic Hampden Academy, LLC they also entered into a five year lease of a portion of the Skehan Center building for the cost of \$1 per year for use as a community/recreation center. Under the terms of the lease the town is responsible for utilities (once the purchaser has separated the Skehan Center for usage of oil and electricity) and maintenance and repair costs. The cost center is set up with the idea that it should be self-sustaining and not require the use of property tax dollars.

2 Councilors selected

Make Recreation programs self-sustaining – At the present time, tax dollars fund two positions in the Recreation Department – the Director and the Assistant Director. All other costs related to recreation (programs, staffing, Skehan Center, etc.) are paid for from fees charged for program participation, donations, sponsorships, and facility rental. The current policy is based on the premise that the portion of recreation that is paid for by tax dollars provides for the opportunity for the Town to offer recreation to all age levels and that that is a legitimate use of tax dollars and one that is supported by a majority of taxpayers. The actual costs of the programs themselves and the facilities and supplies used, as well as the people who staff them are paid for from the above-cited sources.

Review staffing levels – No additional staffing, other than the second school resource officer position has been discussed during this year. No staff cuts have been discussed either.

Parks/Trails Program – During the 2012 year the Council adopted a policy for use of Town parks/lands that eliminated two separate ordinances (Dorothea Dix Park and Papermill Park) that contained provisions that were no longer legal (prohibition of firearms) and standardized public use of town properties. In addition, a volunteer committee headed by resident Jeremy Jones 'adopted' Papermill Park and has done clearing and clean up at the site. The Dorothea Dix park committee has had clean up days as well, and a water fountain was installed at the park this past summer also. The Town also continues to support the snowmobile trails program by donating \$1000 a year from snowmobile fees to the Goodwill Rider's Snowmobile Club for trail grooming and maintenance.

Employee Morale and Retention – No specific discussion of this matter was done in 2013. However, the Town also has a very low turnover rate in all departments and is characterized by long tenure in its employees. There is a comprehensive Personnel Policy that was adopted by the Town Council in 2012, union negotiations are characterized by an open and civil process, we have an Employee Assistance Program offered through the Town's health insurance provider, the Town has a Wellness program with monthly sessions to encourage better health practices by employees and an incentive program associated with it offered by the Town's health insurer that allows employees to earn credits toward merchandise. The Town is

also supportive of ongoing training for employees and budgets annually so that employees can stay abreast of changes in regulations and operations in their various fields.

1 Councilor selected

Overall review of ordinances and updating for consistency - *See above – Zoning & Comprehensive Plan*

20% wage reduction over next 20 years – The Council awarded a 1.1% cost of living raise to all employees consistent with what the Police/Fire Union Contract wages called for in the 2013 year. Review of the Maine Municipal Association salary survey showed that wages and benefits offered by the Town are consistent with communities of similar size throughout the state. It has been the practice of the Council to maintain that parity in order to be able to attract viable candidates for municipal positions when necessary.

Freeze wages for three years – allow Councilors not to receive pay – Councilors have the ability to refuse wages for Council Service if they choose at the present time. Otherwise, Councilors are paid \$30 per meeting for council and committee meetings attended and the Mayor is paid \$35 per meeting for council and committee meetings attended. In addition, Councilors are paid quarterly up to \$50 per month for costs related to internet at their homes. Wages were not frozen in 2013 (see above item). The last time wages were frozen was in 2008/09 when the union’s voluntarily opened their contracts and inserted an extra year with no increase in wage and a change in health care program. No employees received cost of living raises that year. In addition to that year, I did not take a cost of living raise in 2010/11, 11/12, or 12/13. The Public Safety director also refused a cost of living raise in 2011/2012.

Review vacation cash-in policy – At the present time non-union employees are allowed to cash in one week of vacation (union members do not have that limitation) if they are not going to be able to use all of their vacation within a year and the reason for non-use is approved by the Town Manager.

Review policy of banking vacation – Per the Employee Handbook adopted in 2012, employees are allowed to carry 80 hours of vacation into a new fiscal year.

Make Pool self-sustaining financially – In 2012-13, the Council adopted a new way of funding the pool. Instead of budgeting for 100% of the costs, and also budgeting for revenue as an offset, they began budgeting only for the cost of personnel and created an Enterprise Account from which pool facility and capital needs would be expended and into which fees from pool use would be credited. The purpose of this was to work toward a larger percentage of the total cost of the pool to come from fees/fundraising. The Council budgeted in a similar fashion in 2013/14 and it appears from the end of year figures from 12/13 that it will be possible to add some items from personnel costs to the Enterprise budget for the pool and further reduce the amount funded from taxation.

Revamp ordinance pertaining to political signs to give CEO authority to remove – A review of the sign ordinance related to political signs done by the Town Attorney during the 2013 November election revealed that our current ordinance is non-compliant with the law at the present time due to changes by the Supreme Court in interpretation of the public right to free speech. That legal opinion should form the basis for discussion of changes to the Sign ordinance in 2014.

Sell second half of Business Park – *The Council did a request for proposals in 2013 for parties interested in developing the remainder of the Business Park. Sargent Corp was the only company that submitted a proposal and the Planning & Development Committee has been – and continues to – work on an agreement to bring back to the Town Council. Since the proposal was submitted, the owner of the Ammo Industrial park has approached the town for utilities and road connections to the Business Park and has offered access to town land for recreation as well. This discussion has expanded to include land owned by Brian Bouchard off Coldbrook Road as well.*

Storm Water Management – *GIS/IT Specialist Gretchen Heldmann wrote a successful grant in 2013 for the second phase of exploration of the Sucker Brook watershed which is scheduled to be listed as an urban impaired stream in the next two years. The Town also was a successful recipient of a grant in 2011 for the first phase of exploration in partnership with the City of Bangor since we share the watershed. The Town is a designated MS 4 community, which is a determination based on a combination of population density in the Route 1A corridor and our proximity to the City of Bangor. As such, we are required to have a five year plan for storm water management, best management practices for stormwater, ongoing monitoring of all outfalls, culverts, catch basins, public education for good stormwater practices – and more. At the present time the approximate \$12,000 for this program (paid to a consultant that assists staff in public works, planning, GIS, and administration in permit compliance as well as dues for participation in the Bangor Area Stormwater Group) comes from Host Community Benefits and was voted to be funded as such by the Council 6 years ago. The City of Bangor has instituted a stormwater fee based on impervious surface of businesses in the City in order to fund their program. As Hampden becomes more and more regulated under this program, the Council will have to consider how it wishes to fund the work that is required of us by law.*

Budget Goals & Objectives

It was the consensus of the council to keep the mil rate effort for the Town portion of the budget as close to the same as possible for the 2013-14 budget year. – *The town reduced its operating budget by \$300,000 in order to offset State Revenue Sharing dollar losses and keep the ‘town-portion’ of the mil rate the same as last year. The County portion of the budget went up \$36,000 and the School portion of the budget went up \$349,000. New valuation in the amount of approximately \$10 million dollars - which at the mil rate set of \$16.65 generated \$166,500 - was not sufficient to offset the entire increase in county and school budgets.*

Grants/Donations Received 2013

In 2013, the Town received the following grants/donations:

Fire Department –

\$38,000 grant for an oxygen fill-system for SCBA units – Federal Grant

\$ 2,000 Wireless Headsets – Maine Municipal Association

Police Department –

*\$10,000 Traffic safety grant – Federal Grant
\$6,331 Radio & Antennas – Homeland Security through the County
\$1,000 Stalker Dual Radar Grant – Maine Bureau of Highway Safety*

Library

*\$20,000 Willard bequest
\$702 – Rudman Grant – 2 Science Programs*

GIS/IT

\$12,000 DEP Stormwater Grant

Pass Through Grants (managed by the Town - for Historic Preservation Purposes)

\$6,000 Harmony Hall – Historic Preservation Grant – for Painting – Total project was \$14,500 with \$8,500 from the Garden Club and \$6,000 from the Maine Historic Preservation Commission

\$5,513 Hampden Historical Society from the Maine Historic Preservation Commission – Museum in the Streets - \$10,497 to come from the Historical Society

Other Council Actions – *Although the following items are listed as bullet points, virtually all of the activity first went through a committee process involving at least one meeting, but often more than one prior to a decision of the Town Council. The Budget process alone involved 8 meetings of the Town Council and months of work by the Manager and staff. Some of the items, such as the conveyance of land at the marina, and the disposition of the old Hampden Academy have been in the works for a number of years.*

- *Preserved Alewife Fishing Rights for the Souadabscook Stream*
- *Debated and Adopted 2014 Town Budget*
- *Abated unpaid Ambulance billings for 2011 & 2012*
- *Granted a request to Ammo Park owner Peter Thornton to connect to Town Sewer*
- *Approved 6 liquor licenses for local businesses and approved the sale of wine at the Farmer's Market by Winterport Winery*
- *Approved paving for 2013*
- *Approved purchase of a 2013 SUV for a police vehicle*
- *Approved purchase of a 2013 Ford F-550 for Public Works*
- *Accepted local road assistance funds from the State of Maine*
- *Adopted an Arbor Day Proclamation as part of the requirements to maintain the Town's Tree City USA designation*
- *Accepted open space/public improvements (roads/sewer/drainage) for Chickadee Crossing subdivision*
- *Approved new computer server for the Town Office*
- *Approved new phone system to replace system that is 11 years old*
- *Approved continuation of document scanning project to reduce 'paper' volume*

- *Approved participation in State/County GIS mapping project at the 6" resolution level*
- *Accepted open space from the Halpern Subdivision*
- *Approved Kiwanis Poker Tournament license for the year*
- *Approved VFW Bingo license for the year*
- *Denied acceptance of Rancourt Town Farm open space acceptance request*
- *Donated funds to Reed's Brook Destination Imagination Team for trip to World's*
- *Committed 4 quarters of sewer billing for collection*
- *Authorized the design and bid of the sewer project for 2 pump station rehabs and line replacement from Western Ave/1A intersection to the Water District*
- *Authorized Soudadbscook Stream Canoe Race*
- *Approved Service Fees for 2013-2014*
- *Interviewed and appointed School Board Member to fill vacancy created by the resignation of Nick Winchester*
- *Interviewed and appointed 2 Water District Trustees to fill vacancies created by the resignation of Dana Skinner and Don Darling*
- *Approved use of Skehan Center for Recreation/Community Center*
- *Discussed concerns of resident regarding cancer rates on Coldbrook Road*
- *Appointed members of the Pool Board, Library Board of Trustees, Appeals Board, Planning Board, Board of Assessment Review, Historic Preservation Commission, and Personnel Appeals Board*
- *Accepted resignations of two Councilors – Shelby Wright and Janet Hughes*
- *Renewed authorization of Epstein Realty for sale of lots in Business Park*
- *Authorized survey of municipal services and reviewed results*
- *Reviewed results of survey done by Public Safety Department*
- *Considered request by Kabang for campsite located in Hampden*

Work in Progress – Committees

Planning & Development

- *Continued negotiation with Sargent Corporation regarding the Business Park*
- *Work with Peter Thornton related to development of the Ammo Park and connection to the Town Business Park, as well as work with other property owners in the Coldbrook Road area for possible development*
- *Continued review of Town Ordinances for compliance with comprehensive plan*

Services

- *Ongoing review/monitoring of Skehan Center operation/budget*
- *Coldbrook Road Cancer Concerns referred to this committee in November 2013*
- *Parks/trails needs in the Community*

Infrastructure

- *Vehicle/Equipment replacement schedules*
- *Transfer station – cd/demo weekend hours*

- *Transfer station – sticker fees*
- *Timber harvesting on town lands prior to development*
- *Review of road/sidewalk paving schedules*

Finance & Administration

- *Monthly financial reports (ongoing)*
- *Sewer fees – capital and operating*
- *Reserve Account funding*

Building/Construction Activity 2013

<i>Single family home permits issued</i>	<i>54</i>
<i>Multi-family home permits issued</i>	<i>4</i>
<i>Business permits issued</i>	<i>1</i>

Renovations –

<i>Single family permits</i>	<i>10</i>
<i>Business permits</i>	<i>2</i>
<i>Commercial permits</i>	<i>2</i>
<i>Garage permits</i>	<i>1</i>
<i>Decks</i>	<i>7</i>
<i>Roof</i>	<i>1</i>
<i>Porch</i>	<i>1</i>

Additions –

<i>Single family</i>	<i>10</i>
<i>Garage</i>	<i>5</i>
<i>Deck</i>	<i>8</i>

Outbuildings

<i>Garage</i>	<i>9</i>
<i>Barn</i>	<i>2</i>
<i>Shed</i>	<i>14</i>

Normally as part of my annual report, I cite the activity statistics by Town Department. However, several months ago, we began a process of each department providing Town Councilors with monthly reports that list all of this activity so I will not repeat that here. I look forward to working with the Council on goals and objectives that it sets for the coming year as well as finding ways to insure that we can cost-effectively continue to offer good services to the residents of the community.