



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
Minutes

MONDAY

FEBRUARY 6, 2012

7:00 P.M.

Attending:

Mayor Janet Hughes
Councilor Tom Brann
Councilor Jean Lawlis
Councilor Shelby Wright
Councilor Andre Cushing

Denise Hodsdon, Town Clerk
Town Manager Susan Lessard
Citizens

The meeting was called to order at 7:38 p.m.

Motion by Councilor Lawlis, seconded by Councilor Cushing to excuse Councilor Jeremy Williams for not attending the meeting. Unanimous vote in favor.

Motion by Councilor Cushing, seconded by Councilor Brann to excuse Councilor Hornbrook for not attending the meeting. Unanimous vote in favor.

A. CONSENT AGENDA – Motion by Councilor Cushing, seconded by Councilor Lawlis to approve the consent agenda. Unanimous vote in favor.

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. May 2, 2011
- b. May 16, 2011
- c. June 6, 2011
- d. June 20, 2011

3. COMMUNICATIONS

- a. Dept. of Conservation re: Roamer Abandonment
- b. Franchise Fee Payments – Time Warner
- c. Karen Brooks – Application for Reappointment to Pool Board – Referral to Services Committee

4. REPORTS

- a. Lura Hoit Pool Board Minutes – 12/13/2011
- b. Finance Committee Minutes – 1/17/2012
- c. Landfill Complaint Report – December 2011

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

Motion by Councilor Lawlis, seconded by Councilor Cushing to postpone until the next agenda items C-3-b, C-3-d, C-4-d, C-4-e. Unanimous vote. Councilor Brann preferred to remove all from the agenda so that persons in attendance could make comments about them under Public Comments.

Motion by Councilor Cushing, seconded by Councilor Brann to reconsider action to postpone the cited items. Unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Cushing to remove items C-3-b, C-3-d, C-4-d, C-4-e from the agenda so they may be discussed under public comments. Unanimous vote in favor.

B. PUBLIC COMMENTS – *Resident Lisa Carter, Western Avenue addressed the Council in regard to what she believes were problems with the way in which the November 2011 election was handled.*

Resident Terry McAvoy, 59 Monroe Road expressed concerns about the Town purchasing the old Hampden Academy and expressed fears that the Town would once again ‘buy high and sell low’, similar to what it had done with the business park lots. Mayor Hughes invited Mr. McAvoy to attend the Planning & Development Committee meeting next Wednesday where the topic would be discussed.

Resident Albert Valcourt, 205 Monroe Road, expressed his belief that the November 2011 election was full of mistakes including miscounted and mixed-ballots.

C. POLICY AGENDA

1. PUBLIC HEARINGS

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

a. Draft 2010 Comprehensive Plan Update – *Motion by Councilor Brann, seconded by Councilor Cushing to designate March 22, 2012 as the date for the Public Hearing to be held by the Citizen’s Comprehensive Plan Committee on the 2010 draft plan. Unanimous vote in favor.*

b. Council Rules for a Committee Quorum – Mayor Hughes – *Removed from Agenda*

c. Town Attorney’s Response re Defamation of Public Officials – *Removed from Agenda*

d. 2011 Election – Councilor Hornbrook – *Removed from Agenda*

e. Town Manager Search* *Motion by Councilor Cushing, seconded by Councilor Brann to postpone this item to the end of the meeting to discuss in executive session. Unanimous vote in favor.*

4. NEW BUSINESS

a. Personal Property Abatements – Finance Committee Recommendation

1. Carlen Transport – 2010 - \$33,114.93
2. Vaughn Thibodeau & Sons – 2010 - \$10,061.52
3. Qwik Stop Video – 2003-2010 - \$3,034.16

Motion by Councilor Brann, seconded by Councilor Cushing to abate the personal property taxes listed. Unanimous vote in favor.

b. Backyard Composters – Finance Committee Recommendation – *It was estimated that the cost to the town for subsidizing the composter program at 50% would not exceed \$1000, which would be taken from the Solid Waste disposal budget. Motion by Councilor Brann, seconded by Councilor Wright to continue supporting the composter program at 50% for this year. Unanimous vote in favor.*

c. Sewer Commitment – 10/1/2011 to 12/31/2011 – *Motion by Councilor Cushing, seconded by Councilor Brann to set the sewer commitment for the 10/1/2011-12/31/2011 period. Unanimous vote in favor.*

d. Freedom of Access Act (FOAA) Request – Councilor Hornbrook – *removed from Agenda.*

e. Town Attorney Requests for Legal Review – *removed from Agenda.*

f. Next Meeting Date – *Both Councilor Lawlis and Mayor Hughes would be absent for a Council Meeting on 2/21/2012, and at least one other councilor was unsure if they would be available. The next council meeting will be held on 3/5/2012.*

D. COMMITTEE REPORTS – *Services Committee – Councilor Lawlis reported that the Services Committee met on 1/25/12 to work on green space on town property and discussion of a community garden. For the next agenda Councilor Brann asked that the committee have authority to contact the town attorney to see what legal options are available to allow people to take care of public open space in subdivisions. Planning & Development – Councilor Brann reported that the next meeting is Wednesday and that the purchase of the old high school and the sign ordinance would be discussed. Communications – Councilor Cushing reported that he was still waiting for confirmation of the date when the Committee could meet. Infrastructure – Councilor Wright reported that the next Infrastructure Committee meeting would be held on 2/27/12. Finance Committee – the Town Manager reported on the Finance Committee that met prior to the Council meeting. Minutes were accepted, discussion of the draft code of ethics was held, review of the tax abatements for tonight's council agenda were discussed, and standardizing the process for the request of information by the public was discussed.*

E. MANAGER'S REPORT – *Manager Lessard reported that she is working on the preliminary budget and noted that the County Tax has increased by \$39,000 and it is estimated that the school budget will increase by 3%.*

F. COUNCILORS' COMMENTS - *Councilor Cushing stated that items that are going to be discussed need to be on the agenda. In reference to public comment remarks, it is not respectful to get in discussion with commenters without information in front of the Council. Councilor Brann reminded those in attendance that public comment is not a time to debate with the Council. Councilor Brann also expressed concern over council procedures. He did not believe it was appropriate for a Councilor to arrive late and walk in on an executive session and then walk out again. The Town Attorney stated that the Council had been named in the motion to enter executive session and that there are not provisions that a Councilor cannot be late. Councilor Lawlis stated that with all the discussion about the November election, she wanted to reiterate what a great job town employees do and that she would like to see the Mayor proclaim a Town Employee Appreciation week. Mayor Hughes stated that the Council has talked about how to move forward so we do not have to keep talking about elections that occurred last November. She asked the Town Manager to continue working part time until the end of February. She would also like the goal/planning session for the Council set for some time on a Saturday in March.*

Item C-3-e – Motion by Councilor Cushing, seconded by Councilor Brann to enter executive session pursuant to 1 MRSA § 405(6)(A) personnel matters and (F) confidential records. Unanimous vote in favor. Motion by Councilor Cushing, seconded by Councilor Brann to include the Town Attorney in the executive session. Unanimous vote in favor. Motion by Councilor Cushing, seconded by Councilor Brann to re-enter regular session at 10:15 p.m. Unanimous vote in favor. The Council is not prepared at this time to make an offer to a candidate.

G. ADJOURNMENT – *The meeting was adjourned at 10:38 p.m.*

Respectfully submitted,



Denise Hodsdon
Town Clerk

* Due to the nature of this item, portions of the meeting may be conducted in Executive Session pursuant to 1 MRSA §405 (6)(A) (personnel matters) and 1 MRSA §405 (6)(F) (confidential records)