

**FINANCE & ADMINISTRATION COMMITTEE MEETING
AGENDA**

Monday, October 21st, 2019

6:00 p.m.

Hampden Town Office

1. Meeting Minutes – 10/07/2019
2. Review & Sign Warrants
3. Unfinished Business
 - a. Town Manager Search update
 - b. Council rules discussion
4. New Business
 - a. Recommend authorization for the expenditure of \$600.00 from Cemetery Reserve (3-708-00) to repurchase Plots 1241, 1242 and 1243 at Lakeview Cemetery from Delbert and Anita Davis
5. Public Comment
6. Committee Member Comments
7. Manager's Comments
8. Adjourn

Town of Hampden

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, October 7th, 2019

6:00 P.M.

Hampden Town Office

Minutes

Attending:

*Mayor McPike
Councilor Wright
Councilor Ryder
Councilor Marble
Councilor Jarvi
Councilor McAvoy
Councilor Wilde*

*Paula Scott, Interim Town Manager/Clerk
Jessica Albee, Recording Clerk*

Chair Wright called the meeting to order at 6:00 p.m.

1. Meeting Minutes – 09-03-2019, 09-16-2019
Councilor Marble made the motion to approve the Meeting Minutes from 9/3/19 and 9/16/19; Seconded by Councilor Jarvi after noting above correction. Unanimous 7-0-0.
2. Review & Sign Warrants
3. Old Business – *Council rules discussion- Was not discussed at this meeting.*
4. New Business
 - a. Discussion with Don Gerrish to determine timeline and details for the Town Manager search
Don Gerrish discussed the process of looking for new Town Manager. An expediated timeline will be drafted. He is determined to have a Town Manager named before Christmas.
5. Public Comment-None
6. Committee Member Comments-None
7. Manager's Comments-None
8. Adjourn- *The meeting adjourned at 6:58 p.m.*

Town of Hampden

Finance & Administration Committee Meeting

10-7-2019

Minutes

Respectfully Submitted

Jessica Albee

Recording Clerk

Article	Section
ARTICLE 1 - Mayor/Deputy Mayor	1. At the commencement of the Calendar year, and pursuant to Section 204 of the Town Charter, the town's attorney shall preside over the town council's election of one of its members as Mayor for the ensuing year. The Mayor shall preside over all meetings of the Council at which he or she is present.
	2. After the election, of the Mayor, he or she shall preside over the election of Deputy Mayor. The Deputy Mayor shall serve as the presiding officer at any meeting at which the Mayor is absent and shall assume all duties of the Mayor until the Mayor is present. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting.
	3. The Mayor shall recognize any Councilor who wishes to speak, shall state all motions that are before the assembly, rule on questions of parliamentary procedure and carry out all duties incumbent upon him under the laws of the State, the Town Charter, Town Ordinances, and the Rules of Procedure.
	4. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed with the order of business.

ARTICLE 2 - Council	<p>1. The Town Council shall <u>only act by ordinance, order, or resolve</u>. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy. <u>No action of the Council shall be binding or valid unless adopted by the majority vote of those present.</u></p>
	<p>2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.</p>
	<p>3. All Town Councilors shall, pursuant to 1 MRSA § 412, participate in Freedom of Access Act training through the Maine Municipal Association's Elected Officials Course within 120 days of being sworn in as a Town Councilor. Documentation of that training shall be filed with the Town Clerk.</p>
	<p>4. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in <u>and they shall sign and date receipt of the orientation packet which will also be recorded in the minutes of the next Council meeting.</u></p>

ARTICLE 3 – Agenda

1. The Town Council meetings shall be guided by a written agenda in the following order. Guests should be required to sign-in for the benefit of maintaining minutes.

(a) Pledge of Allegiance

(b) Approval of Agenda *Note (added after draft preparation): If a new item comes up after the agenda is prepared, you can make a motion to amend the agenda with the new item at the onset of the meeting.*

(c) Consent agenda

(i) Signatures

(ii) ~~Secretary's~~ Minutes

(iii) Communications

(iv) Committee Minutes

(d) Public Comments

(e) Policy Agenda

(i) News, Presentations and Awards

(ii) Public Hearings

(iii) Nominations, Appointments, Elections

~~(iv) Unfinished Business~~

~~(v) New Business~~

(f) Committee Reports - will include requested actions out of committee and as this would not represent the first reading it can be acted upon, does not require a second, and will be of the form to recommend:

(i) adoption

(ii) referral

(iii) rejection, or

(iv) no action taken

	<p><u>Recommendations will include results of committee members vote (re: 3-1 to adopt; 2-1 refer, etc. with a tie vote = no action taken)</u></p> <p>(g) <u>Unfinished Business</u></p> <p>(h) <u>New Business - No new business will be acted on at its first reading and will be automatically tabled except by a majority vote of councilors to suspend this rule.</u></p> <p>(i) Manager's Report</p> <p>(j) Councilor Comments</p> <p>(k) Adjournment</p>
	<p>2. Any subject may be placed on the agenda for a council meeting by a council member, the town manager or at the request of any citizen. Any subject presented by a citizen must be received at the town office at least 5 calendar <u>four business</u> days prior to the council meeting. The agenda shall be prepared and posted in the town office at least one business day prior to a scheduled council meeting. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the item. An item on the agenda may be taken up out of order by unanimous consent of a majority of those present.</p> <p>3. An non-agenda item may be added to the agenda on the night of the meeting by unanimous consent of all Councilors present.</p> <p>4. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.</p> <p>5. Special Town Council meetings, as defined under Article 4, shall be guided by a written agenda in the following order.</p> <p style="padding-left: 40px;">(a) Call to order</p> <p style="padding-left: 40px;">(b) Topic(s) of the meeting</p> <p style="padding-left: 40px;">(c) Adjournment.</p>

ARTICLE 4 - Meetings and Decorum

1. The first and third Mondays of each month are designated as ~~regular~~ Council meetings with the provision that a unanimous vote of the Councilors present would cancel or reschedule a meeting. Whenever a ~~regular~~ meeting falls on a legal holiday, such meeting will take place the following day except upon unanimous vote of the Councilors present to cancel or reschedule the meeting.

2. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Sign Board, and on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held).

3. As a matter of courtesy, conduct for all Council and Committee members shall be as follows.

- (a) All cell phones shall be silenced during Council and Committee meetings;
- (b) Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings;
- (c) cell phone use, texting and email may be done during breaks in ~~regular or special Council or Committee~~ meetings.

4. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "Roberts Rules of Order" shall be taken as authority to decide the course of proceedings.

5. When any Councilor is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, ~~or to correct a mistake.~~

	<p>6. When any Councilor speaks to staff, consultants, or to members of the public who are in attendance, they shall do so in a respectful and professional manner, shall confine themselves to the question under debate, and avoid conduct unbecoming an elected representative of the Town.</p>
	<p><u>7. No business can be conducted without a quorum (representing the number personally present and not the number voting) defined as a simple majority of the Council (4) or Committee (3). Consideration may be given to ‘table’ important or controversial issues when only a simple majority is present.</u></p>
	<p>8. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be recused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate. No vote can be taken without a motion on the floor and the vote will be of the form:</p> <p style="padding-left: 40px;"><u>(a) all in favor</u> <u>(b) all opposed</u> <u>(c) those present</u></p> <p><u>The Mayor (or Chair) will announce the outcome and voting results. (e.g. Motion carries 6-1-0; Motion defeated 3-4-0; Motion defeated (3-3-1); Motion carries 2-1-3), etc. – votes “present” do not count for or against the motion)</u></p>
	<p>9. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.</p>
	<p>10. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.</p>
	<p>11. The Councilor Comment section of the agenda is reserved for any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken during this portion of the meeting.</p>

ARTICLE 5 - Motions	<p><u>1. "Rule of motion before discussion" - Until a motion is made and seconded, no discussion is in order. The chair should refuse a motion that is out of order or conflicts with statute, ordinance, laws or bylaws.</u></p>
	<p><u>2. The member who made the motion is entitled to speak first in debate. Then members are called on in the order in which they are recognized by the chair, although members who have not spoken yet get preference over those who have. When possible, the chair alternates between someone in favor and someone against the motion.</u></p>
	<p>3. The following <u>motions</u> do not require a second:</p> <ul style="list-style-type: none"> (a) nominations (b) point of information (c) point of order (d) question of privilege (e) leave to withdraw a motion
	<p>4. The following <u>motions</u> are non-debatable:</p> <ul style="list-style-type: none"> (a) adjourn (b) lay on the table (c) filling in the blank (d) point of information (e) point of order (f) question of privilege (g) leave to withdraw a motion
	<p>5. When a motion is under debate, the only motions that the Mayor shall entertain will be:</p> <ul style="list-style-type: none"> (a) to adjourn (b) to lay on the table (c) the previous question

	<p>(d) to postpone the previous question to a date certain (e) to refer the previous question to a committee or administrative official (f) to amend, or (g) to postpone the previous question indefinitely.</p> <p>Motions shall have precedence in order in which they are introduced.</p>
	<p>6. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.</p>

ARTICLE 6 – Public Participation

1. Any person wishing to address the Town Council (or a Committee) will be given the opportunity to do so in accordance with the following procedures:
 - (a) Persons wishing to address the Council, or Committee, on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item at which time, they may address the specific agenda item. There shall be a five-minute limit on comments. ~~In the event that~~ If a large number of persons wish to speak on an issue, this time limit may be changed to ensure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion has been made and seconded by members of the Council/Committee, further public comment is only allowed if approved by a unanimous vote of those Council/Committee members voting.
 - (b) Persons wishing to address the Council/Committee on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five-minute limit on such comments per person per subject raised. Items heard during Public Comment may be placed on the agenda for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council/Committee on a subject raised during Public Comment without a vote by Council/Committee members to suspend the rules and add it to the agenda for consideration.
 - (c) Any person wishing to address the Council/Committee shall signify their desire by raising their hand, and when recognized by the Mayor (or Committee chair), such person shall thereupon request permission to address the Council/Committee giving their name and the road on which

	they live and then designating the subject matter on which they desire to address the Council/Committee.
--	--

**ARTICLE 7 – Council
Committees**

1. ~~At the~~ As soon as possible in a new commencement of the calendar year, or as soon thereafter as possible, the Mayor will request a Committee assignment preference list from each Councilor and use that information in nominating three Councilors (one designated as a Chair) there shall be chosen to the following Committees, each Committee to consist of three or four members of the Council as the Mayor may designate, or, upon a successful motion, the Council may ballot. Committee assignments will be endorsed by a majority vote of Council.

(a) Finance and Administration - The purpose of this Committee shall be to review all items related to their fiscal impact on the town as well as all matters that pertain to items of administrative procedures. This Committee will also have the responsibility for the review and signature of all payment warrants.

(b) Service Committee - The purpose of this Committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, library, pool, communications and other items related to non-emergency or public works services provided to the community.

(c) Infrastructure - The purpose of this Committee shall be to review all matters pertaining to public infrastructure including buildings, roads and all Town capital equipment.

(d) Planning and Development - The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic and community development.

2. The Committee meetings shall be guided by a written agenda in the following order.

(a) Approval of Minutes

	<p><u>(b) Committee Applications & Citizen Initiatives (if applicable)</u> <u>(c) Review and sign warrants (if applicable)</u> <u>(d) Unfinished Business (report to Council will be of the form outlined in Article 3.1.f)</u> <u>(e) New Business (report to Council will be of the form outlined in Article 3.1.f)</u> <u>(f) Staff Reports</u> <u>(g) Manager's report</u> <u>(h) Public Comments</u> <u>(i) Committee Member Comments</u> <u>(j) Adjournment</u></p> <p><u>3. Only appointed Committee members (including the Mayor as an ad-hoc) member can make/vote on motions but any Council member present may debate the motion.</u></p>
--	--

ARTICLE 8 – Sanctions

1. Council members who intentionally and/or repeatedly do not follow Council rules, or whose conduct is that unbecoming as an official, ~~may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council.~~ may be censured (a warning that if certain behavior continues, the next step is suspension) by a motion (that is amendable, debatable and cannot be reconsidered.) adopted by a majority vote.

**Memorandum**

TO: Finance & Admin Committee, Town Council
FROM: Paula Scott, Interim Manager
DATE: October 18, 2019
RE: Reserve request

The Town has been contacted by Delbert and Anita Davis who purchased three cemetery plots many years ago. They are now residents of Florida and are requesting the Town buy back these three plots. In researching this practice, both the Sexton and the Finance Department confirmed that this is something that does not happen very often but that the Town has in fact repurchased cemetery plots in the past. The price that the Davis's paid twenty years ago was \$200 per plot, \$600 sum total. The Town currently sells plots for \$325 for residents and \$450 for non-residents. Since we have enough funds within the cemetery reserve and because we will be able to make a higher margin on the resale of these plots at current pricing, I recommend the Council authorize the repurchase in the amount of \$600.

DELBERT AND ANITA DAVIS
1530 SEA GULL DRIVE
TITUSVILLE, FLORIDA 32796-3776
TELEPHONE: (321) 446-1479

October 4, 2019

OCT 07 2019

Town of Hampden, Maine
Western Avenue
Hampden, Maine 04444

To Whom It May Concern:

Approximately twenty years ago, we purchased three cemetery plots from Lake View Cemetery (Plots 1241, 1242 and 1243) for our burials. Since that time, we have moved to Titusville, Florida (2004) and have made arrangements for cremation, and, therefore, have no further need for the above mentioned plots.

We would like you to purchase the plots back from us and reimburse us with a check for the appropriate amount, thereby cancelling our purchase.

If you have any questions, please give me a call (number above).

Thank you for your cooperation in this matter.

Very truly yours,

Anita Davis

Delbert and Anita Davis

County of Brevard
State of Florida

On October 4, 2019, Anita Davis, personally
known to me, signed this document.

M. D. J.
my Commission Expires
August 9, 2022.



Current Account Status

G 3-708-00 RESERVE ACCT / CEMETERY

-15,010.08 = Beg Bal
-17.14 = Adjust

-1,787.50 = YTD Net
0.00 = YTD Enc

-16,814.72 = Balance

Per	Jrnl	Check	Date	Vendor-----	Description-----	RCB / Type	Debits	Credits
07	0004		07/02/19		BBA RESEVE INT/FMV CHANGE	B GJ	0.00	17.14
07	0092		07/29/19		DROTTER/LV/2047-2049	R CR	0.00	487.50
09	0232		09/09/19		09/09/2019 C/R	R CR	0.00	325.00
09	0264		09/16/19		ROMPREY	R CR	0.00	325.00
09	0277		09/23/19		BURKE,BRUCE	R CR	0.00	162.50
09	0285		09/24/19		09/24/2019 C/R	R CR	0.00	162.50
09	0310		09/30/19		09/30/2019 C/R	R CR	0.00	325.00
Totals-							0.00	1,804.64

Monthly Summary

Month	--Regular Entries--		--Balance Entries--	
	Debits	Credits	Debits	Credits
July	0.00	487.50	0.00	17.14
September	0.00	1,300.00	0.00	0.00
Totals	0.00	1,787.50	0.00	17.14