

## FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, November 6th, 2017

### MINUTES

Hampden Town Office

*Attending:*

*Councilor Greg Sirois, Chair  
Mayor David Ryder  
Councilor Ivan McPike  
Councilor Stephen Wilde  
Councilor Mark Cormier  
Councilor Terry McAvoy*

*Councilor Dennis Marble  
Town Manager Angus Jennings  
Assessor Kelly Karter  
Rec Directory Shelley Abbott  
Resident Allison Berube  
About 4 residents*

*Chairman Sirois called the meeting to order at 6:00 p.m.*

#### **1. Meeting Minutes**

- a. **October 16<sup>th</sup>, 2017** – *Motion by Councilor Marble seconded by Councilor McAvoy to approve the minutes as written. Passed 6-0.*

#### **2. Review & Sign Warrants** – *Warrants were reviewed and signed.*

#### **3. Old Business**

#### **4. New Business**

- a. **Consideration of a recommendation to Council to exercise the Put Option for the sale of PERC ownership interests** – *Manager Jennings provided background based on the materials in the packet. Motion by Councilor Marble seconded by Councilor McAvoy to recommend that the Council exercise the Town of Hampden Put Option for the sale of its ownership interests in PERC. Motion passed 6-0.*
- b. **Recommend Council authorization for the expenditure of an amount up to \$6,720 from the Economic Development Reserve Account (3-727-00) for the purpose of purchasing town center flags – referral from Infrastructure Committee** – *Mayor Ryder summarized the recommendation in favor of this funding from the Infrastructure Committee, noting that the estimated cost to repair the electrical fixtures to allow safe installation of holiday lighting on the poles would be very costly. Manager Jennings clarified that the amount of requested authorization is \$8,280 which includes the*

*amount added to the reserve account in the FY18 budget plus the previous balance in that account. There was a motion by Councilor McPike seconded by Councilor McAvoy to recommend Council authorization of \$8,280 from the Economic Development Reserve Account for the purpose of purchasing town center flags. Motion passed 6-0.*

- c. Recommend Council authorization for the expenditure of an amount up to \$6,800 from the Roads/Streets Reserve Account (3-761-00) for the purpose of town center sidewalk/crosswalk engineering** – *Manager Jennings summarized the materials in the meeting packet. Mayor Ryder expressed support to add two crosswalks in the Town Center (at Cottage Street and at the Kiwanis driveway) but said that MaineDOT doesn't require engineered plans, and that he does not support the funding request. He said he recommends that we get construction quotes and put the funds toward constructing the crosswalks. There was discussion among the Councilors and Manager regarding whether engineered plans would be needed. Resident Allison Berube said that if the contract is written correctly that the contractor would absorb the responsibility to ensure ADA compliance. Mayor Ryder said it's all spelled out in the MDOT specs. There was a motion by Councilor Marble seconded by Councilor McAvoy to recommend Council authorization of the requested funding. The motion failed 0-6.*
- d. Recommend Council authorization for contract extension with Woodard & Curran for the design for parking and permitting on the Lura Hoit Pool Site** – *Manager Jennings summarized the cost proposal received from Woodard & Curran to bring the parking lot and stormwater features through the DEP and site plan approval processes. This had been requested by the Services Committee at its October meeting. He said the existing contract with W&C provides that the contract can be extended, but also provides the Town the option to re-bid services. The Services Committee had indicated that they intended to stay with W&C, but at that time had not received the cost proposal. Manager Jennings said he thinks the cost proposal is somewhat higher than people expected, but his discussions with Jim Wilson provided context for the cost, as Woodard & Curran has not taken a project through the Site Location of Development permit process for less than mid \$60,000 range. Mr. Wilson had described to Manager Jennings that the cost drivers included the overall site stormwater design, and taking into account potential future use of the site. The depth of the current pipeline crossing the site is an important control point, and if there were fields above the pipeline in the future this would affect elevations, grading, and stormwater management design throughout the site. Although a future field is not*

*part of what is presently being proposed, Mr. Wilson told Manager Jennings it was his recommendation that this approach would best preserve the Town's future options for the site and would best advance the initial Town direction within this process which was to design things with the long-term in mind so that piping and stormwater structures would not need to be torn up and redone in the future. Manager Jennings said that the proposed fee of \$51,000 was a lot of money, no question about it.*

*Chairman Sirois asked for clarification as to the current agenda item. Manager Jennings said the current item is to consider authorizing an extension of the contract, and the next agenda item relates to the authorization of reserve funding based on the cost proposal.*

*Councilor McAvoy expressed confusion about whether the proposal takes into account the pipeline. Manager Jennings said that it does take into account the pipeline, so that this would be taken into account if additional development occurred on the site in the future. Manager Jennings said that if the parking is the last thing the Town ever does on the site, that the engineering costs could be lower.*

*Councilor McAvoy said that fields have nothing to do with impervious surface or stormwater runoff. Manager Jennings said that fields do have different stormwater runoff patterns than wooded area. He acknowledged that fields are not impervious surface, but that their location and elevation would affect runoff patterns. Paved area to serve the fields would also be a factor.*

*Councilor McPike said he also feels lost and is trying to get his arms around it. He said he's looking for a cost figure. He asked will it cost \$51,000 to tell us what it will cost us? Manager Jennings said no, that is the cost to get it through DEP permitting and local Site Plan Review, which would take the design work to date to an engineering level, which would refine the construction cost estimates. The estimated construction cost estimates already provided by Woodard & Curran are the best available information, but would be more refined and more accurate based on additional detailed engineering.*

*Councilor Marble said we need engineered plans in order to get DEP permitting. He asked, if the Town were to switch vendors, what might be lost and if this is a concern? Manager Jennings said that the contract provides that the work products created to date belong to the Town and are not proprietary, so could be transferred to another vendor. He said that, if the Council didn't change the conceptual plan W&C prepared, he didn't think it would be a significant cost impact,*

*but would impact staff time in terms of scoping and bidding out the next phase of work.*

*Chairman Sirois said that in order to move the process forward we need to either proceed with Woodard & Curran or seek another vendor. Manager Jennings said yes, a professional engineer will need to create and stamp the plans.*

*Councilor McPike said if we don't want to spend that amount of money, this whole thing stops? Manager Jennings said that we would need to figure out if there is another way forward and said he's open to suggestions. He said Mr. Wilson had represented to him that the cost proposal he provided was, in his opinion, realistic.*

*Mayor Ryder said if we cut our losses with Woodard & Curran we could bring them back at a later date. He said he plans to vote no.*

*Councilor McAvoy was surprised that the potential future fields was part of Mr. Wilson's thinking since he thought it was made very clear at the Services Committee meeting that the scope was only for the parking and stormwater. Manager Jennings said Mr. Wilson understands the direction is just the parking, but that his understanding of the Town's objectives is that whatever is done would not need to be torn up and redone in the future if a future Council wanted to do more on the site. Manager Jennings acknowledged to Councilor McAvoy that Mr. Wilson may be looking at this in a way that he as a Councilor may think is outside the scope but that Mr. Wilson is trying to be responsive to the objective in the initial scope. Manager Jennings said that whether Mr. Wilson got that right is subject to debate.*

*Councilor McAvoy said that, at the public meetings, he didn't hear more people supporting fields than those not supporting the work. Councilor McPike said he thought they would be given two costs, one for the parking and stormwater and another to also do fields, and that he now sees it will cost \$51,000 to get that information. Mayor Ryder said no, we wouldn't even get that, the scope now is limited to just parking and stormwater. Manager Jennings confirmed that is correct, the cost would include engineering the parking and stormwater, including stormwater management for current uses on site constructed since 1973, and would take that through DEP and local permitting. Manager Jennings referred to language in the proposal that says "if during DEP kickoff or design we identify environmental impacts not currently anticipated, or if DEP asks that the Post Office site be reviewed, we will meet with you to refine our approach including fee impacts." Manager Jennings said he didn't initially*

*understand the language and saw it as a risk factor so had followed up with Mr. Wilson, and Mr. Wilson clarified that the Moyse Environmental review was focused on undeveloped areas of the site that may be developable. For example, Moyse did not flag wetlands on the east side of the Town Office. The W&C proposal was clarifying that, if DEP asked for additional review of environmental areas such as those, this would add cost and would add permitting time. Certain types of analysis, such as vernal pools, can only be done during a certain time of year, and this could result in delays that could affect the potential to be in a position to construct parking prior to the fall 2018 season. He said Mr. Wilson did not expect this, but that it was important that the Town understand this could happen. Manager Jennings described that potential – for DEP to require additional wetlands delineation, for example – as the biggest risk factor he sees to the overall project timeline. Other than that, the timeline will depend on when we get someone under contract for the next phase of engineering and permitting.*

*Chairman Sirois called for any further discussion or public comment.*

*Resident Allison Berube complimented the Committee on their critical thinking. She appreciates the work that has been done. She said the cost per parking spot was extremely high. After the \$51,000, then we have to construct the stormwater, all before we can add a single parking spot. She supports voting this down tonight, to look at other options. She would support the Town looking into buying the 25 acre parcel across from her house on Main Road North as a better option for fields. She also said people could park at the Town Office and walk to the Pool site fields. She thanked the Councilors for their hard work.*

*Motion by Councilor McPike seconded by Councilor Marble to recommend Council authorization to extend the contract with Woodard & Curran for engineering and permitting at the Lura Hoit Pool site. Motion failed 0-6.*

- e. **Recommend Council authorization for the expenditure of an amount up to \$51,000 from the Rec Area Reserve Account (3-767-00) for the purpose of contract extension with Woodard & Curran for engineering services for parking and permitting on the Lura Hoit Pool Site –** *There was a motion by Councilor McPike seconded by Councilor Marble to recommend the requested funding. The motion failed 0-6. Manager Jennings asked that the Committee provide some direction as to whether this matter would next be considered at the November Services Committee meeting. Mayor Ryder said that would be too soon and it was agreed this would be*

*considered again at the December meeting of the Services Committee. Councilor Marble said that we had contracted with Woodard & Curran because they're more knowledgeable than the Town regarding the DEP permitting process, and he said he doesn't want to lose the value of the work that has been done and would like to build on that work. Mayor Ryder said we're not mothballing anything, but we want to see if there's a better way to move forward.*

- f. Referral to Council for referral to Public Hearing, a proposed Zoning Map Amendment to reflect the proposed rezoning of a portion of parcel 33-0-11-A located at the intersection of US Route 202 and Coldbrook Road, from Residential A District to Commercial Services District – referral from Planning & Development Committee – Councilor McPike, Chairman of the P&D Committee, said that the Committee is supportive of the proposed rezoning. Motion by Councilor McPike seconded by Councilor Marble to refer to Council for referral to public hearing proposed zoning amendments related to recreational marijuana. Motion passed 6-0.**
- g. Referral to Council for referral to Public Hearing, a proposed Zoning Ordinance Amendment to define Retail Marijuana, Retail Marijuana Store, Retail Marijuana Social Clubs, Drug Store or Pharmacy and to amend existing Definitions relative to Retail Marijuana and related uses, with the intent to prohibit Retail Marijuana Stores and Retail Marijuana Social Clubs in the Town of Hampden – referral from Planning & Development Committee – Motion by Councilor McPike seconded by Councilor Marble to refer to Council for referral to public hearing proposed zoning amendments related to recreational marijuana. Motion passed 6-0.**
- h. Request for a tax abatement for property located at 501 Western Avenue for FY 14-15, FY 15-16 and FY 16-17 – Assessor Karter summarized the materials in the meeting packet. Motion by Councilor Marble seconded by Councilor McAvoy to recommend Council approval of the requested tax abatements for the years noted and in the amounts recommended by the Assessor. Motion passed 6-0.**

**5. Public Comment – None.**

**6. Committee Member Comments – None.**

**7. Adjournment**

*There being no further business, the meeting was adjourned at 6:51 PM.*

*Respectfully submitted – Angus Jennings, Town Manager*