

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Wednesday, February 4, 2015
At the Meetinghouse

For review of the complete discussions and motions, please see the recording available at the Public Library or on our website at www.newgloucester.com

BOARD OF SELECTMEN'S MEETING

I. CALL THE MEETING TO ORDER & ATTENDANCE

Chairman, Steven Libby, called the meeting to order at 7:02 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Nathaniel Berry, Joshua McHenry and Laura Sturgis; Town Manager, Paul First; and Recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

Board of Selectmen – 7:00 p.m., Monday, March 2, 2015

A. Adjustments to the Agenda

Mr. First said a public hearing for the Discontinuance of a Portion of Mayall Road and Release of Public Easement scheduled for tonight's meeting would need to be rescheduled for the March 2nd Selectmen's meeting. He said it was scheduled to be held on Monday, February 2nd, but due to the snow storm, the meeting was postponed until tonight, February 4th. He said this did not allow enough time to legally notice the public hearing.

III. PUBLIC PARTICIPATION

A. PUBLIC HEARING for Discontinuance for Portion of Mayall Road and Release of Public Easement

Mr. Libby said the Public Hearing is rescheduled for Monday, March 2nd, at 7:00 p.m., at the Meetinghouse.

B. Other

Jean Couturier, resident, asked for more information on the Discontinuance for Portion of Mayall Road.

Mr. First said a section of Mayall Road is no longer in use. He said a few years ago, a realignment of Mayall Road was done and the old section, approximately 200', runs directly across someone's property. He said the only abutter is the Maine Turnpike Authority and they have signed off on this piece of roadway.

IV. SCHEDULED ITEMS

4.54 To See What Action the Board Wishes to take in Regard to Discontinuing a Portion of Mayall Road and Release of Public Easement

Mr. Berry moved and Ms. Sturgis seconded a motion to table the Discontinuing a Portion of Mayall Road and Release of Public Easement and reschedule for the Board of Selectmen's meeting on Monday, March 2nd. The motion carried on a vote of 5-0.

4.55 To See What Action the Board Wishes to take in Regard to Issuance and Filing of the Order of Discontinuance with the Town Clerk

Mr. Berry moved and Mr. McHenry seconded a motion to table the Issuance and Filing of the Order of Discontinuance with the Town Clerk and reschedule for the Board of Selectmen's meeting on Monday, March 2nd. The motion carried on a vote of 5-0.

4.56 To See What Action the Board Wishes to take in Regard to Participating in the Household Waste Collection Day in Gray

Mr. First said the date for the Hazardous Household Waste Collection Day is Saturday, August 29th. He said the set-up costs, approximately \$1,500, would be split between the Town's participating in this event; a collection fee of \$25 per unit collected; and a shared expense for the disposal charge for the delivery and contents of the roll-off used.

Mr. Libby said he would like to see the Town participate in this program.

Mr. McHenry asked if this could be combined with a shredding event.

The Board asked Mr. First to obtain more information and report back at an upcoming meeting.

No action required.

4.57 To See What Action the Board Wishes to take in Regard to Game of Chance Lucky Seven Application for Amvets Post #6

Mr. McHenry moved and Ms. Sturgis seconded a motion to approve the Game of Chance Lucky Seven Application for Amvets Post #6 and to note there are no violations or complaints on file per the Code Enforcement Officer. The motion carried on a vote of 5-0.

4.58 To See What Action the Board Wishes to take in Regard to Game of Chance Sealed Ticket Application for Fraternal Order of Eagles #4131

Mr. McHenry moved and Ms. Sturgis seconded a motion to approve the Game of Chance Sealed Ticket Application for Fraternal Order of Eagles #4131 and to note there are no violations or complaints on file per the Code Enforcement Officer.

Mr. Berry said he was concerned with the application where the dates of January 1, 2015 and February 1, 2015 are listed for dates of operation and the application is before the Board on February 4, 2015. He said he called the Code Enforcement Officer and she explained that operation of these games is not her jurisdiction, only violations of code issues or problems.

Ms. Myers said she called the Fraternal Order of Eagles about the application. She said she was told that the dates were listed on the application because the application to the State is for a calendar year and the dates needed to be listed on the application when they renew their license.

The motion carried on a vote of 5-0.

4.59 To See What Action the Board Wishes to take in Regard to Game of Chance Pot of Gold Application for Fraternal Order of Eagles #4131

Mr. McHenry moved and Ms. Sturgis seconded a motion to approve the Game of Chance Pot of Gold Application for Fraternal Order of Eagles #4131 and to note there are no violations or complaints on file per the Code Enforcement Officer. The motion carried on a vote of 5-0.

4.60 To See What Action the Board Wishes to take in Regard to Game of Chance Cribbage Application for Fraternal Order of Eagles #4131

Mr. McHenry moved and Ms. Sturgis seconded a motion to approve the Game of Chance Cribbage Application for Fraternal Order of Eagles #4131 and to note there are no violations or complaints on file per the Code Enforcement Officer. The motion carried on a vote of 5-0.

4.61 To See What Action the Board Wishes to take in Regard to Employee Comments and Proposed Revisions to the Personnel Policy

Mr. Libby said the memo from Mr. First outlines some of the staff comments and recommendations but there are a number of staff comments and all are relevant. He said the comments should be broken down into four categories: 1) error/omission - Mr. First to make those corrections; 2) general comments - Mr. First to answer these; 3) legal – any questions/comments that would need legal review be forwarded to the Town attorney; and 4) policy – all comments in this category go back to the review committee, Ms. Chase and Mr. McHenry, for their comments/questions and recommendations.

Ms. Sturgis said she agreed with Mr. Libby. She said the comments are legitimate concerns by the staff and they should be reviewed.

Mr. Berry said he also agreed with Mr. Libby.

Mr. McHenry said when he looked over the comments he made a note that they should go back to the subcommittee for review.

Mr. Libby said this would come back to the Board at the March 2nd meeting.

No action taken.

V. APPROVE FY15 WARRANTS AND PAYROLLS #28, #29, #30 & #31

Mr. Berry moved and Mr. McHenry seconded a motion to approve FY15 Warrants and Payrolls #28, #29, #30 and #31. The motion carried on a vote of 5-0.

VI. APPOINTMENTS

None.

VII. LEGAL

None.

VIII. WRITTEN COMMUNICATION

A. Revisit the Approval of December 1, 2014 Board of Selectmen’s Meeting Minutes at the December 15, 2015 Meeting

Ms. Chase moved and Ms. Sturgis seconded a motion to reconsider the December 15, 2015 motion to accept the Minutes of the December 1, 2015 meeting. The motion carried on a vote of 5-0.

B. Approve Revised Minutes of the December 1, 2014, Board of Selectmen's Meeting

Mr. Berry moved and Ms. Chase seconded a motion to approve the Minutes of the December 1, 2014, Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

C. Approve Revised Minutes of the December 15, 2014, Board of Selectmen's Meeting

Ms. Chase moved and Mr. Berry seconded a motion to approve the Minutes of the December 15, 2014, Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

D. Approve Minutes of the January 5, 2015, Board of Assessor's and Board of Selectmen's Meeting

Mr. Berry moved and Ms. Chase seconded a motion to approve the Minutes of the January 5, 2015, Board of Assessor's and Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

IX. ORAL COMMUNICATION

A. Selectmen

Laura Sturgis – no comments.

Joshua McHenry – said he wanted to wish everyone the best in the winter months, to be safe and take your time driving. He said the New Gloucester Public Library is holding their annual Cabin Fever Book and Bake Sale on Saturday, February 14th, from 8:00am – 12:00pm, at the Library. He said paperbacks are .25¢ and hardcover books are .50¢. He said there are will be some delicious treats at the bake sale table.

Nathaniel Berry – said he wanted to thank the Public Works crew for a great job on their work over the last week with the many snow storms. He said he stopped at the Public Works garage and spoke with Ted in his office. He said the roof in the office was leaking badly.

Linda Chase – no comments.

Steven Libby – said the Selectmen completed their budget review and has forwarded it to the Budget Committee. He said a resident commented how well everyone worked together and looked like they had fun. He said the MMWAC debt was retired in FY15 and this helped with balancing of the budget. He said he also wanted to thank Mr. First for a good job on the budget and answering all the questions and concerns.

B. Town Manager

Mr. First said he also wanted to thank the Public Works Department for all their hard work and endless hours. He said the roads are in good condition.

Mr. First said the Public Works crew was shoveling the roof at the Public Library earlier in the day which had 5-6' drifts on it.

Mr. First said the Planning Department has completed and submitted the application for a CDBG grant proposal of \$20,000, for the new Public Works Garage. He said if the application is approved it will come before the Board of Selectmen to approve a match to the awarded funds. He said this is a very competitive grant and let's keep fingers crossed that it gets awarded to the Town.

Mr. Libby asked if the Board of Selectmen should be present at the interview process.

Mr. First said staff and elected officials can be present and he will let them know when the interview date is set.

Mr. First handed out updated FY16 Budget sheets to the Board and if there are any comments or concerns to please let him know as soon as possible. He said the budget books will be ready for the Budget Committee on Friday morning. He said as it stands right now, the Town's portion of the tax rate is 3.43. He said he wanted to thank Ms. Myers for all her hard work on the budget books.

Mr. McHenry asked if the Budget will be placed on the website.

Mr. First said it will go on the website when it is ready for the Budget Committee.

C. Boards & Committees

X. EXECUTIVE SESSION

A. Per M.R.S.A. 841 Title 36, Chapter 105 § 8. 2.

Discussion of Poverty Abatement

Mr. McHenry moved and Ms. Sturgis seconded a motion to go into Executive Session per M.R.S.A. 841, Title 36, Chapter 105 § 8.2, discussion of Poverty Abatement, at 7:50 p.m., following a five minute recess. The motion carried on a vote of 5-0.

XI. RETURN TO OPEN SESSION

The Board returned to open session at 8:54 p.m.

Mr. McHenry moved and Mr. Libby seconded a motion to deny the poverty abatement discussed in Executive Session for tax years 2013, 2014 and 2015; on grounds that the application does not meet a reasonable standard for poverty or hardship. The motion carried on a vote of 5-0.

XII. EXECUTIVE SESSION

A. Per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency (*Land Real Estate*)

Ms. Chase moved and Mr. Berry seconded a motion to enter into Executive Session per M.R.S.A. 31, Title 1, Chapter 13, § 405, 6. C., discussion of Land Real Estate, at 9:03 p.m. The motion carried on a vote of 5-0.

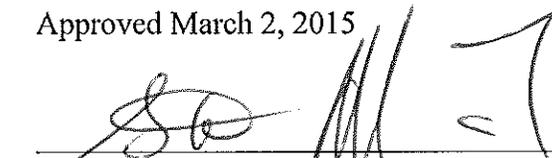
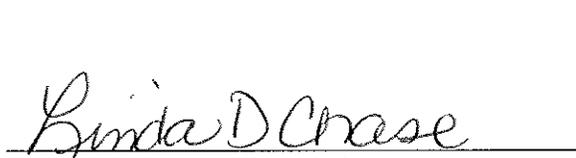
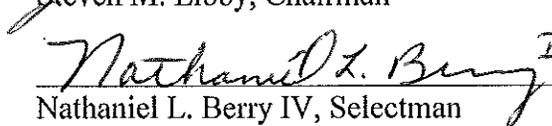
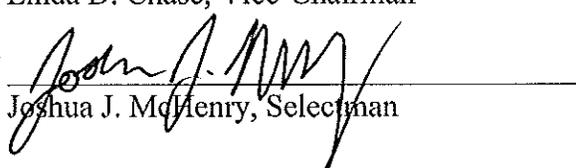
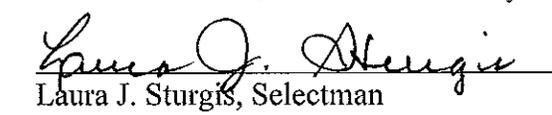
XIII. RETURN TO OPEN SESSION

The Board returned to open session at 9:28 p.m. No action taken.

XIV. ADJOURN

Mr. Berry moved and Ms. Sturgis seconded a motion to adjourn at 9:30 p.m. The motion carried on a vote of 5-0.

Approved March 2, 2015

 _____ Steven M. Libby, Chairman	 _____ Linda D. Chase, Vice-Chairman
 _____ Nathaniel L. Berry IV, Selectman	 _____ Joshua J. McHenry, Selectman
 _____ Laura J. Sturgis, Selectman	