

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, June 20, 2016
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, Linda Chase, called the meeting to order at 7:01 p.m. Present were Chairman, Linda Chase; Vice-Chairman, Laura Sturgis; Selectmen, Lenora Conger, Stephen Hathorne and Steven Libby; Town Manager, Paul First; and Recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

Board of Selectmen Meeting – 7:00 p.m., Monday, July 18, 2016

Mr. Libby said the Public Works Design Committee Workshop scheduled for Monday, June 27th, 7:00 p.m., at the Fire/Rescue Station, is open to the Public.

Ms. Sturgis said Jim Gallant will be playing at the Library Gazebo on Tuesday, June 21st, at 6:30 p.m., to kick-off the Summer Reading Program. She said the Library Trustees are also holding a plant sale that evening.

A. Adjustments to the Agenda

None.

III. PUBLIC PARTICIPATION

A. Public Hearing – Liquor License Application for Fraternal Order of Eagles #4131

Ms. Chase read the Public Hearing memo. The Public Hearing opened at 7:04 p.m. There were no public comments. Ms. Chase closed the Public Hearing at 7:05 p.m.

B. Other

Beverly Cadigan, Public Works Design Committee member, said she wanted to remind everyone about the workshop scheduled for Monday, June 27th, at 7:00 p.m., at the Fire/Rescue Station. She said more information is available on the Town website www.newgloucester.com. Ms. Cadigan said on Thursday, June 23rd, from 6:00 p.m. to 8:00 p.m., the 41st Annual Strawberry Festival, hosted by the New Gloucester Historical Society, is taking place at the vestry of the Congregation Church on Gloucester Hill Road, and the Berry Berry Good Band will be playing. She said in past years, they have served between 300/400 people and about 50 volunteers help put on this event. She said she wanted to extend a special thank you to Jean Libby for all her work in organizing this event.

IV. SCHEDULED ITEMS

5.22 To See What Action the Board Wishes to take in Regard to Electing a Chairman and Vice-Chairman of the Board

Ms. Sturgis moved and Mr. Hathorne seconded a motion to nominate Linda Chase for Chairman of the Board of Selectmen. The motion carried on a vote of 4-0-1, with Ms. Chase abstaining.

Mr. Hathorne moved and Mr. Libby seconded a motion to appoint Laura Sturgis as Vice-Chairman of the Board of Selectmen. The motion failed on a vote of 2-0-3, with Ms. Chase, Ms. Conger and Mr. Libby abstaining.

Ms. Conger moved and Ms. Sturgis seconded a motion to appoint Steven Libby as Vice-Chairman of the Board of Selectmen. The motion carried on a vote of 3-0-2, with Ms. Sturgis and Mr. Hathorne abstaining.

V. APPOINTMENTS

All Board/Committee members up for reappointment were mailed a letter on May 4th and reminders were sent through email.

A. *Board of Appeals – 2 three-year terms available*

Jeff Hamilton Sr. – would like to be reappointed

Donald Libby – would like to be appointed

B. *Budget Committee – 5 three-year terms available*

George Colby – would like to be re-appointed

Jeff C Hamilton Sr. – would like to be re-appointed

Tamilyn Wayboer has not responded about re-appointment

- C. *CIP Committee* – 1 three-year term available
Tamilyn Wayboer has not responded about re-appointment
- D. *Cable TV Committee* – 6 three-year terms available
Richard Erwin – would like to be re-appointed
William MacGregor – would like to be re-appointed
- E. *Economic Development Committee* – 6 three-year terms available
Jean C Couturier – would like to be re-appointed
Jason Libby – would like to be appointed
- F. *Environmental Resources Committee* – 9 three-year terms available
Cliff Andrews – would like to be re-appointed
Phoebe Hardesty – would like to be re-appointed
Jaonne McKee – would like to be re-appointed
Richard Allen – would like to be appointed
- G. *Land Management Planning Committee* – 5 three-year terms available
Jean C Couturier – would like to be re-appointed
Larry Zuckerman – would like to be re-appointed for 1-year term
Caitlyn Davison – would like to be re-appointed
Felix Lincoln has not responded about re-appointment
- H. *Library Board of Trustees* – 2 three-year terms available
Allison Kostovick – would like to be re-appointed
Timothy Terranova – would like to be re-appointed
- I. *Parks & Recreation* – 5 three-year terms available
Carlton Wilcox – would like to be appointed
- J. *Planning Board* – 3 three-year terms available
Jean C Couturier – would like to be re-appointed
Erik Hargreaves – would like to be re-appointed
- K. *Public Safety* – 3 three-year terms available
Ellie Espling – would like to be re-appointed
George Carman has not responded about re-appointment

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint A, B, D, E, F, H, I, J, and K for three-year terms, as submitted. The motion carried on a vote of 5-0.

Mr. Libby moved and Ms. Sturgis seconded a motion to appoint Jean Couturier and Caitlyn Davison to the Land Management Planning Committee, for three-year terms. The motion carried on a vote of 5-0.

Mr. Libby moved and Ms. Conger seconded a motion to appoint Larry Zuckerman to the Land Management Planning Committee, for a one-year term.

Ms. Sturgis said Mr. Zuckerman is a resident of Gray and thought only New Gloucester residents were to be on Boards and Committees.

Mr. Hathorne said the same discussion took place last year. He said Mr. Zuckerman does not live in New Gloucester and is not in favor of this motion.

Mr. Libby said Mr. Zuckerman is an asset to the Committee and very qualified.

The motion carried on a vote of 3-2, with Mr. Hathorne and Ms. Sturgis opposing.

VI. SCHEDULED ITEMS

5.23 To See What Action the Board Wishes to take in Regard to Quitclaim Deed for 279 Lewiston Road Property

Mr. First said he would like to see this item tabled to later in the meeting. He said Mike O'Donnell would be present at that time and he has a couple questions pertaining to this Quitclaim.

Mr. Libby moved and Mr. Hathorne seconded a motion to table to later in the meeting. The motion carried on a vote of 5-0.

5.24 To See What Action the Board Wishes to take in Regard to Public Works One-Ton Pick-up Truck RFP

Mr. Libby said the dates are incorrect and should read 2016 or 2017; asked why the body is being bid at a later date and not all one package; if the engine specs listed are for all makes; if the fuel tank is large enough; if the specs should include an additional set of tires/wheels for the winter months; and if there should be an option for trade-in of the current truck.

Ted Shane, Public Works Director, said he will correct the dates, they should read 2016 or 2017. He said the truck will take approximately 6 weeks once the order is placed and he can save the Town dollars if the body/sander/plow is bid out separately. He said he listed the engine specs as a minimum, as one make does have a larger motor. Mr. Shane said the fuel tank he has on his current truck is 26 gallon and that is more than sufficient for plowing in the winter. He said he could add in the specs an option for six steel wheels but he could get a better price on tires from the current supplier the Town uses. Mr. Shane said there is an option for trade-in on the bid sheet and it is also listed on page 5 of the specs. He said he could add a line stating the Town reserves the right to not accept the trade.

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the 2016 or 2017 One-Ton Pick-up Truck RFP with the following amendments: all dates read 2016 or 2017; add a bid option for six steel wheels; and add under the trade-in that the Town reserves the right to not accept the trade. The motion carried on a vote of 5-0.

5.25 To See What Action the Board Wishes to take in Regard to Public Works Lawn Mower RFP

Mr. Libby said the dates should read 2016 or 2017 on pages 1, 2 and 3; he asked if the specs are for all makes; if the tires are the correct size; and should the specs include verbiage for other makes.

Mr. Hathorne asked if the specs were for a front-mount only mower.

Mr. First asked what a comfort cab entails.

Ms. Chase asked if the current mower should be traded-in or sold outright.

Mr. Shane said the dates should include 2016 or 2017; he said the tires listed pertain to the drive tires. He said the specs are for a front-mount mower and he could add "or equivalent" under the listed models. He said a comfort cab is a hard top with canvas sides, and also includes lights. Mr. Shane said he listed the current mower as a trade-in option but it could be removed from the specs and sold outright.

The consensus of the Board was to move the current mower from the specs, and before listing the mower for sale, make sure the new mower is right for the job.

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Lawn Mower RFP with the following amendments: all dates read 2016 or 2017; add "or equivalent" under listed models; and remove the trade-in of the current mower. The motion carried on a vote of 5-0.

5.26 To See What Action the Board Wishes to take in Regard to Bid Specifications for Sand & Gravel

Mr. Shane said this is the same sand and gravel spec as used in the past.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the Sand and Gravel Bid Specifications. The motion carried on a vote of 5-0.

5.27 To See What Action the Board Wishes to take in Regard to GPCOG Paving Bid Recommendation

Mr. Shane said he is recommending the bidder, F. R. Carroll, Inc., of Limerick. He said their bid was the only one to include both tack coat and butt joints.

Mr. Libby asked Mr. Shane to report back to the Board with a list of roads and estimates.

Mr. Shane said if the 2017 funds were available now, Mayall Road is ready for pavement and F. R. Carroll is available to pave.

Mr. Hathorne asked why F. R. Carroll, Inc., was much less than other bidders.

Mr. Shane said they supply their own asphalt and most of the others do not.

Mr. Libby moved and Mr. Hathorne seconded a motion to award the Paving Bid to F. R. Carroll, Inc., of Limerick; the Public Works Director to report back to the Board with a list of roads and estimates for paving; and if possible, the Public Works Director and Town Manager to try and make arrangements with funding to allow paving of Mayall Road before July 1st. The motion carried on a vote of 5-0.

5.28 To See What Action the Board Wishes to take in Regard to Liquor License Application for Fraternal Order of Eagles #4131

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Liquor License 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 4-0-1, with Mr. Hathorne abstaining.

5.29 To See What Action the Board Wishes to take in Regard to TIF Amendment Costs

Mr. First said as directed by the Board, a letter was sent to the State Department of Economic and Community Development (DECD) asking if TIF funds could be used toward the debt service on the new public works facility. He said the response received said legal assistance would be needed to assist with amendments needed to the document. He said he spoke with the Town's TIF Attorney and she estimated the legal costs for the amendments to be around \$9,000. Mr. First said the steps for this to happen are as follows: 1) draft amendments with the attorney and include supporting documentation from the Town; 2) preliminary DECD review and approval; 3) Town Meeting vote; and DECD final approval.

Mr. Hathorne asked who pays the cost for the amendments if the vote fails at Town Meeting and will the amendments to the TIF document be suitable for any location of the new public works facility.

Mr. First said the cost could be rolled into the amendment, if approved at Town Meeting. He said if not approved at Town Meeting, the costs would be the Town's responsibility and the amendments to the document for the Public Works Facility are for any location of the building.

Mr. Libby moved and Mr. Hathorne seconded a motion to direct the Town Manager to initiate the TIF amendments with the Town Attorney and DECD program director. The motion carried on a vote of 5-0.

5.30 To See What Action the Board Wishes to take in Regard to Carry Forward Funds from FY16 to FY17

Mr. First said staff would like to carry forward funds on four unfinished projects: 1) Morse Road Engineering; 2) Public Works Engineering; 3) Roll-off Container; and 4) Voting Booth. He said other unspent FY16 Capital Funds will be returned to their respective capital accounts.

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Carry Forward Funds from FY16 to FY17 as discussed. The motion carried on a vote of 4-1, with Ms. Chase opposing.

5.31 To See What Action the Board Wishes to take in Regard to Voting to Close Capital Project Accounts: Chandler Brothers Land \$3.74; Meetinghouse O.S., \$.18

Mr. Libby moved and Ms. Conger seconded a motion to close Capital Project Accounts: Chandler Brothers Land, \$3.74; and Meetinghouse O. S, \$.18. The motion carried on a vote of 5-0.

VII. APPROVE FY16 WARRANTS AND PAYROLLS #50 and #51

Mr. Libby moved and Mr. Hathorne seconded a motion to approve FY16 Warrants and Payrolls #50 and #51. The motion carried on a vote of 4-0-1, with Ms. Conger abstaining.

VIII. APPOINTMENTS

- L. *Tax Collector, Town Clerk, Road Commissioner, Welfare Director, Treasurer, Freedom of Access Act (FOAA) Officer*
Paul First currently serves in these positions
- M. *Acting Town Manager in the Absence of the Town Manager*
Sharlene Myers currently serves in this position
- N. *Code Enforcement Officer/Assessor's Agent/Local Plumbing Inspector/Public Health Officer*
Debra Parks Larrivee currently serves in these positions
- O. *Emergency Management Director*
Timothy Joy currently serves in this position
- P. *Fence Viewer*
Douglas Bowie currently serves in this position

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint L, M, N, O and P for FY17. The motion carried on a vote of 5-0.

Q. Selectmen Liaisons to Boards & Committees

1. **Budget Committee (2-non-voting)**
Linda Chase & Lenora Conger
2. **Business Communications (4)**
Steven Libby - Chandler Brothers
Stephen Hathorne - Wayfinders Schools
Steven Libby - Pineland Farms
Linda Chase - Shakers
3. **Cable TV Committee (2-non-voting)**
Stephen Hathorne & Laura Sturgis
4. **CDBG Municipal Oversight Committee (1)**
Will Johnston, Town Planner
5. **CIP Committee (1-voting)**
Steven Libby
6. **Community Fair Committee (1-voting)**
Vacancy, no appointment
7. **Cumberland County Finance Committee (1-voting)**
Vacancy, no appointment
8. **Economic Development Committee (1-non-voting)**
Steven Libby
9. **Environmental Resources Committee (1-voting)**
Stephen Hathorne
10. **Foreclosure Committee (2-voting)**
Steven Libby & Linda Chase
11. **GNG Joint Leaders (2-voting)**
Linda Chase and Laura Sturgis
12. **Land Management Planning Committee (1-voting)**
Linda Chase
13. **Library Board of Trustees (1-non-voting)**
Laura Sturgis
14. **MMWAC Executive Committee Member & Alternate (2-voting)**
Paul First & Steven Libby
15. **Parks & Recreation Committee (2-voting)**
Linda Chase & Laura Sturgis
16. **Public Safety Committee (2-voting)**
Steven Libby & Lenora Conger
17. **Public Works Building Committee (2-voting)**
Steven Libby & Lenora Conger
18. **School Board (1-non-voting)**
Laura Sturgis
19. **Water District (1-non-voting)**
Steven Libby

Mr. Libby moved and Mr. Hathorne seconded a motion to accept the Liaison list as discussed. The motion carried on a vote of 5-0

IX. LEGAL

Mr. First said the Court has issued its judgment in the Sandra Sacco vs. Town of New Gloucester case. He said the Court has determined that the Town of New Gloucester did not violate the State's executive session and freedom of access laws and the Court also affirmed that the Town's action, to not reinstate former employee Sandra Sacco, was appropriate.

X. WRITTEN COMMUNICATION

A. Approve Minutes of the June 2, 2016 Board of Assessor's & Board of Selectmen's Meeting

Mr. Hathorne moved and Ms. Sturgis seconded a motion to approve the Minutes of the June 2, 2016, Board of Assessor's and Board of Selectmen's Meeting. The motion carried on a vote of 3-0-2, with Ms. Chase and Ms. Conger abstaining.

XI. ORAL COMMUNICATION

A. Selectmen

Stephen Hathorne – no comments.

Laura Sturgis – said she had fun working at the polls on Tuesday. She asked if there was any feedback on the new opening time of 6:00a.m.

Ms. Myers said there was approximately 70 people who came in between 6:00a.m. and 8:00a.m. She said some voters stated they were appreciative of the early opening time.

Lenora Conger – said she looks forward to working with the Board of Selectmen.

Steven Libby – said the Strawberry Festival is Thursday, June 23rd. He said he was pleased to see a large voter turnout and he would like to welcome Ms. Conger to the Board.

Linda Chase – said she wanted to thank everyone for coming out to vote.

B. Town Manager

Mr. First said the re-construction of Morse Road will begin on Monday, June 27th. He said the road will be closed from Monday, June 27th through Labor Day, September 5th and to plan accordingly. He said notices were mailed to those who live on Morse Road and on the side roads off Morse Road.

Mr. First said he has begun staff reviews and they should be completed within the next couple weeks.

Mr. First said he has had conversations with the Cable TV staff concerning the need of additional staffing and recruiting volunteers to continue providing the service to the Town. He said this topic could be an addition to the Selectmen Activity list.

- C. Dept. Heads
- D. Boards & Committees

XII. EXECUTIVE SESSION

A. Per Title 36, M.R.S.A. 841 (2)

Discussion of Poverty & Hardship Abatement

Mr. Libby moved and Ms. Conger seconded a motion to enter into Executive Session Per Title 36, M.R.S.A. 841 (2), Discussion of Poverty & Hardship Abatement, and Michael O'Donnell will be present, at 8:15 p.m. The motion carried on a vote of 5-0.

Ms. Chase brought the Board out of Executive Session at 8:58 p.m.

Mr. Libby moved to deny abatement request and require that Dr. Talarico apply for relief through the Homelessness Prevention Program and enter into a payment plan for \$141.13 per month, which is half of Val Fitzgerald's estimate. If Homelessness Prevention funding is not applied for or denied, this application will come back to the Board. The homelessness Prevention funding is in addition to the \$141.13 monthly payments.

Mr. Libby said that this would not be an abatement but a payment plan.

Mr. First said that statute requires the Board to rule on the application and issue a decision within 30 days.

There was no second to the motion.

Applicant stated that he was withdrawing his application until such a time as an Attorney could be present.

VI. SCHEDULED ITEMS

5.23 To See What Action the Board Wishes to take in Regard to Quitclaim Deed for 279 Lewiston Road Property

Mr. First asked Mr. O'Donnell why the Quitclaim Deed refers to land when the Town had no foreclosure rights to land.

Mr. O'Donnell said that Town lien on the mobile clouded the title on the land. He said he is asking the Town to Quitclaim something they never had title to because the title issue is holding up a legitimate sale.

Mr. Libby moved and Mr. Hathorne seconded a motion to sign the Quitclaim Deed for 279 Lewiston Road Property. The motion carried on a vote of 5-0.

- B. Per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. A.** Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons . . . (Town Manager's review)

Mr. Libby moved and Mr. Hathorne seconded a motion to enter into Executive Session Per M.R.S.A. 31 Title 1, Chapter 13, § 405, 6. A., Town Manager's Review, at 9:15 p.m. The motion carried on a vote of 5-0.

XIII. RETURN TO OPEN SESSION

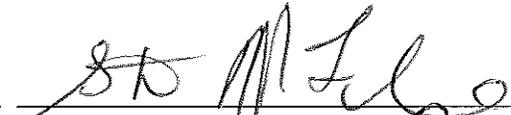
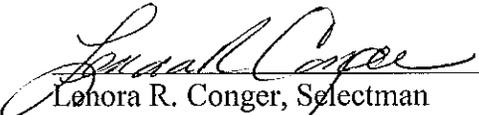
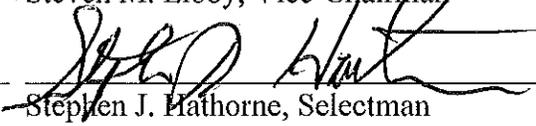
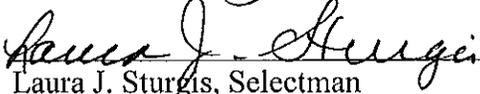
Ms. Chase brought the Board out of Executive Session at 9:48 p.m.

Mr. Libby moved and Laura Sturgis seconded the motion to increase the Town Manager's salary by 3%. The motion carried on a vote of 4-0-1, with Ms. Conger abstaining.

XIV. ADJOURN

Mr. Libby moved and Ms. Chase seconded a motion to adjourn at 9:49 p.m. The motion carried on a vote of 5-0.

Approved July 18, 2016

 Linda D. Chase, Chairman	 Steven M. Libby, Vice-Chairman
 Lenora R. Conger, Selectman	 Stephen J. Hathorne, Selectman
 Laura J. Sturgis, Selectman	