MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, December 1, 2014
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 7:00 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Nathaniel Berry and Joshua McHenry; Town Manager, Paul First; and Recorder, Sharlene Myers. Selectmen, Laura Sturgis, was absent.

II. SCHEDULE NEXT MEETING:

Board of Selectmen – 7:00 p.m., Monday, December 15, 2014

A. Adjustments to the Agenda

None.

III PUBLIC PARTICIPATION

A. PUBLIC HEARING – Junkyard Licenses

Mr. Libby opened the Public Hearing at 7:02 p.m.

Stephen Hathorne, resident, asked if there were any comments from the Code Enforcement Officer (CEO) concerning the Larry Wedge Junkyard. He said there is a car that has been parked on the side of the road for a while; a trailer truck parked in the yard; and other cars and a fence that is an eyesore.

Mr. Libby read the memo from the CEO: "Mr. Wedge's is at minimum compliance. This coming year we will work on appearance and repaired fence. He no longer has a partner, the burden is greater on one person. He has agreed to make improvements as soon as possible. Mr. Flanders has registered with the State and wishes to retain the license for sentimental reasons. There is no evidence of a junkyard remaining."

Mr. Libby closed the Public Hearing at 7:04 p.m.

B. Other

Mr. Hathorne stated the following: asked why the last Board of Selectmen's meeting was cancelled; said a thank you letter should be sent to Poland Spring Bottling who came upon a recent structure fire in New Gloucester and offered the Fire Department their tanker of water to assist in the firefighting operations; said he is concerned with the Fire Department and Public Works Department taking time out of their busy schedules to shovel the ten Water District hydrants and funding with taxpayer dollars when it should be the responsibility of the Water District; and asked if there was any updates on the lawsuits against the Town.

Mr. Libby said the last meeting was cancelled due to lack of agenda items. He said the plowing and sanding recommendation by the Town Manager does not involve Fire Department personnel.

Mr. First said he has not received any recent updates from the attorney on the Staton lawsuit.

Mr. McHenry moved and Mr. Berry seconded a motion to direct the Town Manager to consult with the Fire Chief and send a letter of thanks on behalf of the Town of New Gloucester to Poland Spring Bottling. The motion carried on a vote of 4-0.

IV. SCHEDULED ITEMS

4.35 To See What Action the Board Wishes to take in Regard to *Junkyard Renewal Licenses*

Mr. McHenry moved and Mr. Berry seconded a motion to approve the James Flanders Junkyard Renewal Application and to include memo from the Code Enforcement Officer. The motion carried on a vote of 4-0.

Mr. McHenry ask if the Board can put conditions on approval of an application.

Mr. First said he would not be comfortable doing so without the presence of the Code Enforcement Officer.

Mr. McHenry moved and Mr. Berry seconded a motion to table the junkyard renewal application for Larry & Vicky Wedge, of 119 Sabbathday Road, and ask the Code Enforcement Officer to report back to the Board at the next meeting about whether conditional approval is appropriate and if yes, what conditions would she recommend on this application. The motion carried on a vote of 3-1, with Mr. Libby opposing.

4.36 To See What Action the Board Wishes to take in Regard to *Maine PERS*

Mr. Libby said the Town holds a surplus balance with the Maine Public Employees Retirement System (MPERS) and they are closing out those balances by spring of 2015. He said the surplus is a result of plan consolidation. He said Maine PERS is asking the Town to takeover handling of these funds and it would take a vote of the Board to do so.

Mr. First said the Town would be on the conservative side, possibly a CD, when investing the funds, as they are Municipal retirement funds.

Mr. McHenry moved and Mr. Berry seconded a motion to accept the unpooled, unfunded accrued liability funds from the Maine Public Employees Retirement System in the approximate amount of $163,000; the Town sets aside funds to meet the current fiscal years obligations in an FY15 specific general ledge account; and put the balance in a subsequent general ledger account for consideration of future years obligations; and future budgets show expense and revenue lines for this item. The motion carried on a vote of 4-0.

4.37 To See What Action the Board Wishes to take in Regard to *Quitclaim Deed*

Mr. McHenry moved and Mr. Berry seconded a motion to sign the Quitclaim Deed for Map 12 Lot 21-A, and release the property to Lauren Hendry. The motion carried on a vote of 4-0.

4.38 To See What Action the Board Wishes to take in Regard to *EMS Budget Report*

Mr. First said the EMS Budget Report is a quarterly analysis showing the number of calls, call types and insurance payments; and the Board will be receiving this each quarter.

Mr. McHenry said the total call percentages on the bottom of the report do not agree.

Mr. First said he believes mileage is in those figures.

Mr. Libby said the "No Insurance Coverage" box should read "No Insurance/Under Insured".

Ms. Chase said open enrollment to sign up for insurance is the month of December and maybe this information can be included with the invoices and/or a link placed on the website/channel 3. She said getting this information out there, it might help with future uncollected balances.

Mr. McHenry asked what happens to the uncollected balances.

Mr. First said it is being written off and a policy needs to be written pertaining to that issue.

Mr. Libby said concerning a policy, he would like the Town Manager to talk with other Towns; talk with other billing agencies; see what their policy(s) are and how effective it is; and how much effort it take for how much money is collected.

Mr. McHenry asked what is being done with the balance of an invoice, once a partial payment has been received from an agency such as Medicare.

Mr. First said currently it is being written off and this is another area in need of a policy.

Mr. Libby said Mr. First will look back to see if collections policy was previously set by the Board; clarification is needed on the mileage; the report comes to the Board on a quarterly basis; and the policy information will be brought back on a future agenda.

Mr. McHenry said the headers at the top of the page do not match the information on the report.

4.39 To See What Action the Board Wishes to take in Regard to *Fire/Rescue Vehicle/Apparatus Replacement Schedule*

Mr. McHenry said under FY31, Squad 1 is showing "2014" and should read "2018".

Mr. Berry moved and Mr. McHenry seconded a motion to accept the Fire/Rescue Vehicle/Apparatus Replacement Schedule as a working document, with amendment as discussed. The motion carried with a vote of 4-0.

4.40 To See What Action the Board Wishes to take in Regard to *NG Water District Plowing and Sanding*

Mr. First said he met with the Public Works and Fire/Rescue Departments, and after looking at the costs pertaining to labor, equipment and fuel, he sought three estimates from independent contractors. He said he recommends the following: assigning the plowing of the pump station and entrance to the Public Works Department; accept a competitive low estimate of $1,100 from Levasseur Landscaping to maintain the ten hydrants within 48 hours of the storm for the 2015/2016 winter season; and encourage the NG Water District to assume plowing costs for the coming years.

Mr. McHenry asked what budget the $1,100 would be deducted from.

Mr. First said it would come from unbudgeted.

Mr. McHenry moved and Mr. Berry seconded a motion to assign the plowing of the NG Water District Pump Station and entrance to the Public Works Department; and authorize the Town Manager to enter into a contract with Levasseur Landscaping to maintain the ten hydrants within 48 hours after a storm, beginning on or before December 5th through the end of the 2015/2016 snow season; for a cost of $1,210, including contingencies, to come from the unbudgeted line; and proof of liability insurance is required. The motion carried on a vote of 4-0.

4.41 To See What Action the Board Wishes to take in Regard to *Setting of the FY16 Budget Schedule*

Mr. First said his recommendation is for the FY16 Budget go to the Board of Selectmen first this year. He said the Budget Committee looks for the Board's recommendations to help guide them through their process.

Mr. Berry moved and Mr. Libby seconded a motion to accept the FY16 Budget Schedule and to include note on bottom that it is a working document. The motion carried on a vote of 4-0.

4.42 To See What Action the Board Wishes to take in Regard to *2015 Holiday Schedule*

Mr. McHenry moved and Mr. Berry seconded a motion to approve the 2015 Town of New Gloucester Holiday Schedule. The motion carried on a vote of 4-0.

4.43 To See What Action the Board Wishes to take in Regard to *2015 Board of Selectmen's Meeting Schedule*

Mr. McHenry moved and Mr. Berry seconded a motion to approve the 2015 Board of Selectmen's Meeting Schedule, as a working document. The motion carried on a vote of 4-0.

4.44 To See What Action the Board Wishes to take in Regard to *Surplus Property*

Mr. McHenry moved and Mr. Berry seconded a motion to direct the Town Manager to consult with Department Heads on the best manner to dispose of Surplus Property. The motion carried on a vote of 4-0.

4.45 To See What Action the Board Wishes to take in Regard to *Additional CIP Requests*

Ms. Chase said the Parks & Recreation Committee created a survey and it was available at the Election Polls. She said the results showed a playground was wanted at the Fairgrounds. She said one request is for additional funds to be placed in the Playground Reserve and the other request is for funds to be placed in the Parks & Recreation reserve for future development.

Mr. McHenry moved and Mr. Berry seconded a motion to forward the $15,000 Playground Reserve and the $15,000 Parks & Recreation Reserve requests to the CIP Committee. The motion carried on a vote of 4-0.

4.46 To See What Action the Board Wishes to take in Regard to *Personnel Policy - Next Step*

Ms. Chase said the Mr. McHenry, Mr. First and herself have completed their review of the personnel policy. She said the next step is for the Board of Selectmen to review the policy in a workshop.

Mr. Libby said a workshop could be scheduled following the next Board of Selectmen's meeting on December 15th. All were in agreement.

V. APPROVE FY15 *WARRANTS* AND *PAYROLLS* #19, #20, #21 and #22

Ms. Chase moved and Mr. Libby seconded a motion to approve FY15 Warrants & Payrolls # 19. The motion carried on a vote of 3-1, with Mr. McHenry opposing.

Mr. McHenry moved and Mr. Berry seconded a motion to approve FY15 Warrants & Payrolls #20, #21 and #22. The motion carried on a vote of 4-0.

VI. APPOINTMENTS

None.

VII. LEGAL

Mr. First said he wanted to reiterate that he has not received any notifications from the Town Attorney regarding the Staton case.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the November 3, 2014, Board of Selectmen's Meeting

Ms. Chase moved and Mr. Berry seconded a motion to approve the Minutes of the November 3, 2014, Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

IX. ORAL COMMUNICATION

A. Selectmen

Joshua McHenry – said he attended the Tiny Timber Tree Lighting ceremony and it was a great event and well attended. He said the NG Public Library is having a Holiday Story Time on Tuesday, December 2nd, at 6:30p.m. He said the event is for children four and up; they may come in their pajamas; and light refreshments will be served.

Nathaniel Berry – read in the local newspaper that the Cumberland County budget will have a 3.5% increase for FY16. He asked Mr. McHenry, who is the liaison for the Cumberland County Finance Committee, if he had any information on this increase to report. Mr. McHenry said he did not.

Linda Chase – no comments.

Steven Libby – said he attended the Upper Village Tree Lighting ceremony on Saturday, November 29th, for the 14th year. He said it is a nice event.

B. Town Manager

Mr. First said he attended the Tiny Timber Tree Lighting ceremony. He said he is very appreciative of the volunteers and committee members who help putting on this event and it's a rich tradition of the community.

Mr. First said for the 48th year, Santa is coming to New Gloucester on December 24th. He said he is scheduled to stop at Thompson's Orchard at 4:30 p.m.; Town Hall at 5:30 p.m.; and Upper Village at 6:30 p.m.

Mr. First said he received a request from Tom Blake and the Historical Society asking if the Town would pay for the cost of installing an alarm for the Meetinghouse vault. He said the Historical Society is having an alarm installed in the History Barn and would like to do them both at the same time. He said the alarm is specifically for fire, humidity and smoke detection and the cost would be $1,000. Mr. First said he would check the Town Hall records for more information on the type of vault is in the Meetinghouse. The Board said they would support the Town Manager's conclusions.

Mr. First said code violations presented to the Board by the Code Enforcement Officer has been resolved except for one minor exception. Mr. Libby said it is up to the Code Enforcement Officer, not the Board or Town Manager, if the violations warrant any penalties.

Mr. First said the joint leaders met the previous week and at the meeting, School Board Chairman, Tina Martel, referenced a letter they distributed concerning the teacher's contract negotiations. He said he asked for and received a copy of the letter and handed them out to the Board.

Mr. Libby said he received three complaints concerning the non-striping of Bald Hill Road. He asked why it was not striped.

Mr. First said the Public Works Director had stated that it was late in the year and the striping would take a beating with the winter plowing and had asked to wait until the spring.

Mr. Libby said striping should not be put off and the Town will learn from this.

C. Boards & Committees

X. 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*)

Mr. McHenry 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. for Land Real Estate, at 9:09 p.m. The motion carried on a vote of 4-0.

XI. RETURN TO OPEN SESSION

The Board returned to open session at 9:42 p.m.

XII. ADJOURN

Mr. Berry moved and Mr. McHenry seconded a motion to adjourn at 9:43 p.m. The motion carried on a vote of 4-0.

Approved December 15, 2014

Steven M. Libby, Chairman

Linda D. Chase, Vice-Chairman

Nathaniel L. Berry IV, Selectman

Joshua J. McHenry, Selectman

Laura J. Sturgis, Selectman