

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, July 28, 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. Selectman, Laura Sturgis, was absent.

II. SCHEDULE NEXT MEETING:

Board of Selectmen – 7:00 p.m., Monday, August 18, 2014

A. Adjustments to the Agenda

None.

III PUBLIC PARTICIPATION

Mr. First made a statement concerning Frank Staton: "Frank Staton has filed a claim against the Chairman of the Board. The case has been turned over to Maine Municipal Association. Given that this is a legal matter that could involve litigation, we have no further comments at this time nor will we be taking questions or comments tonight."

Beverly Cadigan, representing the Veterans Monument Committee, said the Committee would like to thank all those who attended the Chicken Barbecue, which netted \$1,847. She said Collette Monument will begin the engraving process and there are 1,142 names being placed on the monument. Ms. Cadigan said anyone can purchase a brick(s) for \$50 each and the bricks will be placed around the base of the monument. She said information on the bricks will be available at the History Barn Open House on Saturday, August 2nd, from 9:00 a.m. to 12:00 p.m.; and forms are available on the website www.newgloucesterveteransmonument.com; at Town Hall, on Facebook or by emailing admin@newgloucesterveteransmonument.com. She said the New Gloucester Historical Society and the Lunn Hunnewell Amvets Post #6 will share a booth at the Community Fair and information on the monument/bricks will be available. Ms. Cadigan said there will be a golf tournament at Spring Meadows Golf Course on September 29th supporting the Veterans Monument. She said the financial support from everyone has been wonderful and the balance to be raised of \$9,500 is for site prep. She said the Committee is hoping to schedule the dedication of the monument this fall.

Stephen Hathorne, resident, asked why the agenda for the meeting was not posted on the website until Monday morning; asked about policy(s) for Stevens Brook and Bear Brook; asked for a breakdown on how much the Town has spent in attorney fees this past year for the Sacco v. New Gloucester and Staton v. New Gloucester legal cases; questioned if it was necessary in the Staton v. New Gloucester case, to list 50 people for the protection order; and why the second case with Mr. Staton went to MMA and not the Town Attorney.

Mr. First said there were technical issues with the uploading of the agenda to the website last week and it was uploaded Monday morning about 10:00am.

Mr. Libby said the Board had approved a policy for Stevens Brook but not the others. He said this was one of the items on Mr. First's to do list.

Mr. First said he did not receive the email request concerning a breakdown of attorney fees early enough to produce the information for this meeting and hopes to fulfill the request by the end of the week.

Mr. Libby said the list of people on the protection order was for the Board of Selectmen, Town staff, Boards and Committees who hold public hearings (Planning Board and Board of Appeals) and the New Gloucester Water District Trustees. Mr. Libby said that the current legal complaint from Mr. Staton went to the Town Attorney first and they forwarded it to MMA. He said MMA is the risk management insurer for the Town.

IV. SCHEDULED ITEMS

- 4.06 **To See What Action the Board Wishes to take in Regard to Release of Public Easement and Reaffirm the Discontinuance for Portion of Mayall Road, Gillespie Property**

John Palmiter said the discussion took place in 1981 and the paperwork was not filed and put on record with the Registry. He said the minutes of the October 1, 1981, Selectmen's Meeting defines the easement. He said he is asking to have the public easement released, the discontinuance reaffirmed and the documents recorded.

Mr. McHenry said he would like to have more information on this easement before taking action.

Ms. Chase said she would like to check with James Drummond, a Selectman at the meeting in 1981 for more information.

Mr. Libby asked Mr. First to determine whether the easement can only be released with a town meeting vote.

Mr. Berry moved and Mr. Libby seconded a motion to approve the release of public easement and reaffirm the discontinuance for portion of Mayall Road, pending additional information from Mr. First. The motion failed on a vote of 2-2, with Ms. Chase and Mr. McHenry opposing.

4.07 To See What Action the Board Wishes to take in Regard to Awarding of Bid for Sand & Gravel

Ted Shane, Public Works Director, said he factored in mileage and fuel costs to the pits and would like to award all gravel to K & K Excavation and winter sand to M-T Pit.

Mr. McHenry moved and Mr. Berry seconded a motion to award sub-base \$7.80 per ton, base \$8.75 per ton, standard surface \$8.75 per ton and MDOT surface \$8.75 per ton of gravel, to K & K Excavation, of Turner, and winter sand \$4.00 per ton, to M-T Pit, of New Gloucester. The motion carried on a vote of 4-0.

4.08 To See What Action the Board Wishes to Take in Regard to Fairgrounds Barn

Mr. Libby read a memo from the Town Manager. It stated three options for the Fairgrounds Barn: 1) Demolition of the Barn with associated costs estimated at \$4,361.60; 2) Repair the Barn with costs estimated above \$100,000; and 3) Recycle the Barn, which after contact with Barnstormers, stated they are not interested in salvaging the project.

Mr. Berry said he would like to see the barn demolished and funding come from the unbudgeted account. He said he wanted to commit the funds now but not do the work until the spring in case an emergency arises and the unbudgeted funds are needed.

Mr. McHenry said he would like to see the barn demolished now. He said it's been over a year since the fire and it needs to be taken care of.

Ms. Chase said she would like to see the demolition done now due to safety issues.

Mr. First said he discussed with the Public Works Director about scheduling the demolition. He said it would be pushing it to get it done by August 23rd, Community Fair, but that it could be completed by October 1st.

Mr. McHenry moved and Mr. Berry seconded a motion to approve demolition of the Fairgrounds Barn and taking up to \$4,400 from the unbudgeted line, as necessary, to get the work done. The motion carried on a vote of 3-1, with Mr. Libby opposed.

4.09 To See What Action the Board Wishes to take in Regard to Beano Application for Amvets Post #6

Mr. Berry moved and Mr. Libby seconded a motion to approve the Beano Application for Lunn Hunnewell Amvets Post #6, and noting there have been no violations or complaints per the Code Enforcement Officer. The motion carried on a vote of 4-0.

4.10 To See What Action the Board Wishes to Take in Regard to Game of Chance Dice Application for Fraternal Order of Eagles #1438

Mr. Berry moved and Ms. Chase seconded a motion to approve the Game of Chance Dice Application for Fraternal Order of Eagles #1438, and noting there have been no violations or complaints per the Code Enforcement Officer. The motion carried on a vote of 4-0.

4.11 To See What Action the Board Wishes to Take in Regard to MMA Legislative Policy Committee Member Vote

Mr. Berry moved and Mr. McHenry seconded a motion to approve the vote for John Hawley, as representative to Maine Municipal Associations Legislative Policy Committee. The motion carried on a vote of 4-0.

V. APPROVE FY15 WARRANTS AND PAYROLLS #2, #3 and #4

Mr. Berry moved and Mr. McHenry seconded a motion to approve FY15 Warrants and Payrolls #2 & #3. The motion carried on a vote of 4-0.

Mr. Berry moved and Ms. Chase seconded a motion to approve FY15 Warrants and Payrolls #4. The motion carried on a vote of 3-0-1, with Mr. McHenry abstaining.

VI. APPOINTMENTS

None.

VII. LEGAL

None.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the July 7, 2014, Board of Selectmen's Meeting

Ms. Chase moved and Mr. Berry seconded a motion to approve the Minutes of the July 7, 2014, Board of Selectmen's Meeting. The motion carried on a vote of 4-0.

X. ORAL COMMUNICATION

A. Selectmen

Joshua McHenry – said he wanted to remind everyone there will be a casting call at the New Gloucester Public Library on Tuesday, July 29th, at 6:30 p.m., for the summer play. He said all ages are welcome and there are speaking and non-speaking parts. He said he also wanted to remind everyone that on August 19th, at 6:30 p.m., the performance of the summer play, Spark a Reaction, at the New Gloucester Library. He said there will be a story teller, a mime and awards also that evening.

Nathaniel Berry – said he wanted to remind everyone of the upcoming Community Fair on Saturday, August 23rd, at the New Gloucester Fairgrounds.

Linda Chase – no comments.

Steven Libby – no comments.

B. Town Manager

Mr. First said he has been working with Mike O'Donnell on the tax commitment and they will be ready for the August 18th Selectmen's Meeting, with three options for the overlay.

Mr. First said the Bald Hill Road reconstruction is almost complete. He said the scheduled paving for Thursday-Friday, July 31-August 1, has been rescheduled. He said the rainy weather the last couple days has played a part in the delay but the Public Works Director hopes to reschedule in the next week or so.

Mr. First said there will be a meeting next week on updates for the Route 100/231 reconstruction project. He said Gary Sacco, Fire/Rescue Chief, Mr. Berry and himself will be meeting with the MDOT representatives.

Mr. First said the Town Hall windows have been installed and work very nicely. He said they did a flawless job and only the touch-up painting is left, which is to be completed by a different company

Mr. First said he will be interviewing two more candidates on Tuesday, for the Town Planner position and hopes to be able to fill that position in the near future.

Mr. First said he locked in the rates for heating oil, propane, diesel and gas for the upcoming year. He said the diesel came in at a lower per gal cost, gas and heating oil stayed the same and propane was a little higher than last year.

C. Boards & Committees

XI. ADJOURN

Mr. Berry moved and Mr. McHenry seconded a motion to adjourn at 7:57 p.m. The motion carried on a vote of 5-0.

Approved August 18, 2014



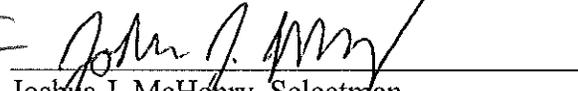
Steven M. Libby, Chairman



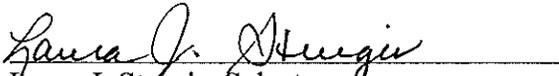
Linda D. Chase, Vice-Chairman



Nathaniel L. Berry IV, Selectman



Joshua J. McHenry, Selectman



Laura J. Sturgis, Selectman