

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, April 7, 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 7:04 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Joshua McHenry and Mark Stevens; Interim Town Manager, Paul First; and Recorder, Sharlene Myers. Selectmen, Nathaniel Berry was absent.

II. SCHEDULE NEXT MEETING:

Annual Town Meeting – 7:00 p.m., Monday, May 5, 2014

Board of Selectmen – 7:00 p.m., Monday, May 19, 2014

Mr. Libby said there would be a Special Board of Selectmen's Meeting on Monday, April 14, 2014, at 7:00 p.m., at the Meetinghouse. He said a presentation by MDOT, discussion of Town Manager search, signing of the Annual Town Meeting warrant and an Executive Session for performance review of the Interim Town Manager are a few of the items on the agenda.

A. Adjustments to the Agenda

Mr. Libby said there is an addition to the agenda under Appointments, Appointment of an Acting Town Manager in the Interim Town Manager's Absence.

Mr. McHenry asked that the wording on Item 4.95 be changed. He said the Recall Ordinance by Petition should be listed first as it was received before the Recall Ordinance by Committee.

III PUBLIC PARTICIPATION

A. Dedication of Annual Report

Mr. Libby said the Annual Report is dedicated each year to an outstanding person(s) in the community. He said this year's Annual Report is dedicated to Chandler Brothers. Mr. Libby read the dedication from the report.

Steven Chandler thanked the Board for the Dedication and was completely surprised.

B. PUBLIC HEARING – Liquor License for Black Tie, Inc.

Mr. Libby opened the Public Hearing at 7:15 p.m. There was no public comment. Mr. Libby closed the Public Hearing at 7:16 p.m.

C. Other

Kathleen Potter, resident, was going to ask the Board if they had a plan to discuss the Town Manager position but Mr. Libby stated it would be discussed at the next meeting.

Sean Chayer, resident, said Mr. Libby stated at the last meeting that he respected the Board members and asked Mr. Libby if he was going to apologize to Mr. McHenry and Mr. Stevens. He said he went back through the minutes from the previous year and said 15% of the total votes by the Board were 3-2 and said that was a significant number.

Stephen Hathorne, resident, asked the Board about the Town selling parcels of land that is no use to the Town to generate revenue. He said the number of total votes cast, ten, in the recent vote for two Water District trustees, was very poor and disappointing.

Mr. Libby said the Foreclosure Committee looks at the possible uses the Town might have for the property. He said it then takes a vote of the Town to authorize the Board to either keep or sell the parcel(s). He said there are roughly 300 registered voters in the Water District.

Mr. First said staff notified all voters in the District of the day and time of the vote. He said the District is looking into changing the election date to coincide with Town Elections.

Lawrence Zuckerman said the Budget could be reduced by up to \$100,000 by offering a one-year contract to the Interim Town Manager and not filling the vacancy in the Planning Office; not funding the Community Fair, as it should be

self-sustaining, and seeking a Town Moderator at a lesser fee. He also spoke concerning breach of ethics.

Mr. Hathorne stated point of order as Mr. Zuckerman was allowed to speak and he was is not a resident of the Town.

Frank Chambers, resident, thanked Mr. First for maps he received. He also asked the Board if a handicap sign could be placed in front of the handicap spot at the Library.

Mr. Libby said the Board will have staff look into this request.

IV. SCHEDULED ITEMS

4.90 To See What Action the Board Wishes to Take in Regard to a Liquor License Application for the Black Tie, Inc., at Pineland Farms

Mr. McHenry moved and Ms. Chase seconded a motion to approve the Liquor License Application for Black Tie, Inc., at Pineland Farms, and to notice the note from the Code Enforcement Officer of no violations or problems. The motion carried on a vote of 4-0.

4.91 To See What Action the Board Wishes to Take in Regard to Bid Proposals for Town Hall Windows

The following bids were opened:

Rich Exterior Solutions, Inc. Portland, ME	\$11,785.00
John Chaplin Builders New Gloucester, ME	\$36,590.00
Dubois Construction, Inc. Skowhegan, ME	\$11,258.80
Dubois Construction, Inc. Skowhegan, ME	\$25,912.64
Dubois Construction, Inc. Skowhegan, ME	\$23,731.04
Portland Glass Co. Raymond, ME	\$11,825.00
Portland Glass Co. Raymond, ME	\$15,750.00
New England Property Management & Services Co. Portland, ME	\$ 6,800.00
Quality Glass Lewiston, ME	\$19,730.00
Creative Glass, Inc. Lewiston, ME	\$ 7,547.00

Mr. McHenry moved and Mr. Stevens seconded a motion for staff to review and make their recommendation to the Board at the next meeting. The motion carried on a vote of 4-0

4.92 To See What Action the Board Wishes to take in Regard to Adopting Fee Schedule

Mr. McHenry moved and Mr. Stevens seconded a motion to approve the Fee Schedule with the following amendments: add the words "per sheet" after Photo Copies, FOAA Requests, and 11x17 Copies; and under FOAA Requests, add "see FOAA Policy for Additional Cost". The motion carried on a vote of 4-0.

4.93 To See What Action the Board Wishes to Take in Regard to Scheduling Spring Clean-up Week

Mr. McHenry moved and Mr. Stevens seconded a motion to set the dates of May 13th (9am-7pm), May 15th (9am-7pm), May 16th (9am-2pm) and May 17th (9am-5pm) as Town of New Gloucester Transfer Station Spring Clean-up Week and information be noticed as appropriate. The motion carried on a vote of 4-0.

4.94 To See What Action the Board Wishes to Take in Regard to Closing Town Office Window Early for Annual Town Meeting

Mr. McHenry moved and Mr. Stevens seconded a motion to close the Town Office window at 6:00 p.m., on Monday, May 5th, allowing staff time to set-up for the Annual Town Meeting. The motion carried on a vote of 4-0.

4.95 To See What Action the Board Wishes to Take in Regard to Recall Ordinance by Petition and the Recall Ordinance by Committee

Recall Ordinance by Petition

Mr. First said the Recall Ordinance by Petition cannot be changed. He said the attorney stated Section 5 refers to the petitions procedural qualifications in Section 4, but Section 4 is missing. He said the attorney stated if the petition ordinance is adopted, it would take a Special Town Meeting to change/fix the ordinance.

Recall Ordinance by Committee

Mr. First said the attorney stated Section 4 pertains to violations of the code of ethics policy but the draft ethics policy does not contain any provisions on how a Selectman can be found in violation, which could be problematic. He said the attorney suggested either having the ordinance apply generally or change it to read 'convicted of an ethical violation of the Statutory Standards listed in the ordinance'. He said the attorney stated Section 5 is missing some language and suggested it read 'within 30 days of certification'.

Mr. First asked the attorney if both are listed on the warrant, how they should be addressed.

The attorney suggested including language in the warrant to read 'affirmative vote for Recall Ordinance by Committee would repeal affirmative vote of petitioners ordinance'. The Selectmen agreed.

Mr. McHenry moved and Mr. Stevens seconded a motion to place the Recall Ordinance by Petition and the Recall Ordinance by Committee on the Annual Town Meeting Warrant and the Recall Ordinance by Committee be amended as discussed. The motion carried on a vote of 4-0.

4.96 To See What Action the Board Wishes to Take in Regard to Code of Ethics Policy

Mr. First said the attorney stated there were a few minor but positive changes to the Code of Ethics policy; a few statute citations needed fixing; and the gifts/favors section needed to be clarified.

Mr. Libby said the Code of Ethics Policy applies to all five of the Selectmen and would like to see this approved when all the Selectmen are present.

Mr. McHenry moved and Mr. Stevens seconded a motion to table this item until the next meeting. The motion carried on a vote of 4-0.

4.97 To See What Action the Board Wishes to take in Regard to Preliminary Engineering Cost for Proposed Public Works Garage

Mr. McHenry explained the reason this item is being discussed is part of the Upper Village Master Plan process is to develop the Upper Village and this would include relocating the Public Works Garage and Salt Shed.

Mr. First said the Public Works Garage costs are from Smith, Reuter and Lull Architects based on their preliminary sketch approved by the Board in 2006 and have been updated. He said also included are costs for replacement of the salt shed. He said the amount of funding sought for the preliminary engineering is \$73,236. He said Public Works is not a TIF listed project. He said the document would need to be amended and there are costs associated with doing that.

Mr. Libby said this information should go through the CIP/Budget process. He said he would also like to see a committee formed, similar to what was done with the Fire Station project. He said the committee could be comprised of the Public Works Director, Town Manager, Fire/Rescue Department designee, two members of the Board of selectmen and 2 or 3 citizens at large.

Mr. McHenry agreed and would like to move this forward to the next step with a possible Special Town Meeting in the fall.

Ms. Chase said she would like to hold off until fall, form a committee and start having discussions on all of it. She said the Committee will help educate the public.

There was no action taken by the Board.

4.98 To See What Action the Board Wishes to Take in Regard to May 5, 2014, Annual Town Meeting Warrant

The Board discussed the Warrant and made the following changes:

- Article 2 - Mr. First to review pertaining to the Town Meeting moderator
- Article 6 – revise note to read “Board of Selectmen recommends passage as presented and funding conditional on charging admission
- Article 8 – change 109 Insurance figures to \$317,700 for both Selectmen and Budget Committee and ask the Budget Committee Chair before changing their figure
- Article 10 – provide breakdown of information
- Article 11 – in the note, change unexpended balance figure to actual balance
- Article 12 – change description to Paving (do not list the roads)
- Article 24 – remove those who have paid

The Board also asked Mr. First to provide a breakdown of the auto excise trend for the next meeting, amend the warrant as discussed and bring back to the Board at the next meeting.

No action taken.

V. APPROVE FY14 WARRANTS AND PAYROLLS #40, #41 and #42

Mr. McHenry moved and Mr. Stevens seconded a motion to approve FY14 Warrants and Payrolls #40, #41 and #41. The motion carried on a vote of 4-0.

VI. APPOINTMENTS

A. Resignation of Eric Brakey from the Land Management Planning Committee

Ms. Chase moved and Mr. McHenry seconded a motion to accept the resignation of Eric Brakey from the Land Management Planning Committee, with regret. The motion carried on a vote of 4-0.

B. Resignation of Melissa Marston from the Parks & Recreation Committee

Ms. Chase moved and Mr. Libby seconded a motion to accept the resignation of Melissa Marston from the Parks & Recreation Committee, with regret. The motion carried on a vote of 4-0.

C. Environmental Resources Committee – 5 three-year and 1 two-year vacancies

Ms. Chase moved and Mr. Libby seconded a motion to appoint Alan Gregory to the Environmental Resources Committee, for a three-year term. The motion carried on a vote of 4-0.

D. Land Management Planning Committee – 1 completion of 2016 term available
Caitlyn Horose – would like to be appointed

Ms. Chase moved and Mr. Libby seconded a motion to appoint Caitlyn Horose to the Land Management Planning Committee, for the completion of 2016 term. The motion carried on a vote of 4-0.

E. Acting Town Manager (in Interim Town Manager's Absence)

Ms. Chase moved and Mr. McHenry seconded a motion to appoint Sharlene Myers as Acting Town Manager in the Interim Town Manager's Absence. The motion carried on a vote of 4-0.

VII. LEGAL

None.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the March 17, 2014, Board of Selectmen's Meeting

Ms. Chase moved and Mr. McHenry seconded a motion to approve the March 17, 2014, Board of Assessor's and Board of Selectmen's Meeting minutes. The motion carried on a vote of 4-0.

IX. ORAL COMMUNICATION

A. Selectmen

Mark Stevens – no comments.

Joshua McHenry – said he enjoyed the positive conversation of visioning and projects and reinforces the excitement that will benefit the community.

Linda Chase – no comments.

Steven Libby – no comments.

B. Town Manager

Mr. First said he received a letter from Gary Sacco, stating he is donating a Thermal Imaging Camera to the Fire/Rescue Department. The letter states Mr. Sacco would like to receive an acknowledgement of the donation from the Town of New Gloucester.

Mr. McHenry moved and Mr. Stevens seconded a motion directing Mr. First to write a letter of acceptance/thanks to Mr. Sacco on behalf of the Town, for the donation of the thermal imaging camera. The motion carried on a vote of 4-0.

C. Boards & Committees

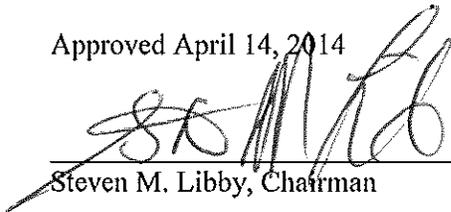
X. EXECUTIVE SESSION

XI. RETURN TO OPEN SESSION

XII. ADJOURN

Mr. Stevens moved and Mr. McHenry seconded a motion to adjourn at 9:46 p.m. The motion carried on a vote of 4-0.

Approved April 14, 2014

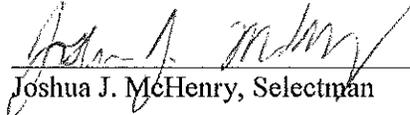


Steven M. Libby, Chairman



Linda D. Chase, Vice-Chairman

Nathaniel L. Berry IV, Selectman



Joshua J. McHenry, Selectman



Mark A. Stevens, Selectman