

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, November 2, 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, Joshua McHenry, called the meeting to order at 7:02 p.m. Present were Chairman, Joshua McHenry; Vice-Chairman, Linda Chase; Selectmen, Stephen Hathorne, Steven Libby and Laura Sturgis; Town Manager, Paul First; and Recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

Board of Selectmen Meeting – 7:00 p.m., Monday, November 16, 2015

A. Adjustments to the Agenda

Mr. Libby moved and Mr. Hathorne seconded a motion to add Item 4.52 To See What Action the Board Wishes to take in Regard to Rescheduling of the December Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to add Item 4.53 To See What Action the Board Wishes to take in Regard to Closing Town Hall at 5:30p.m. on Monday, November 16, 2015, to Allow Staff Time to Facilitate the Special Town Meeting. The motion carried on a vote of 5-0.

III. PUBLIC PARTICIPATION

A. PUBLIC HEARING – Junkyard Licenses

Mr. McHenry opened the Public Hearing for Junkyard Licenses at 7:03 p.m. There were no public comments. The Public Hearing closed at 7:04 p.m.

B. Other

Mr. Libby asked that the Public Works Design Committee be allowed to speak during the discussion of Agenda item 4.40. The Board agreed to this request.

IV. SCHEDULED ITEMS

4.37 To See What Action the Board Wishes to take in Regard to Junkyard License Renewal for Larry & Vicki Wedge Junkyard

Mr. McHenry read the memo from Code Enforcement Officer, Debra Parks Larrivee stating "Mr. Wedge wishes to renew his license. Conditions to maintain fence on the front of the property and maintain no cars along that fence. Also, there are two box trailers parked in front of the fence temporarily. One will move behind the fence for additional storage and the other will be taken away by November 30, 2015."

Mr. Hathorne moved and Ms. Sturgis seconded a motion to approve the Junkyard License Renewal for Larry & Vicki Wedge Junkyard including the conditions as stated by the Code Enforcement Officer.

Mr. Hathorne said he is voting to renew the license but said the Code Enforcement Officer is spending way too much time policing this property.

The motion carried on a vote of 5-0.

4.38 To See What Action the Board Wishes to take in Regard to Junkyard License Renewal for James Flanders Junkyard

Mr. McHenry read the memo from Code Enforcement Officer, Debra Parks Larrivee stating "Mr. Flanders wishes to renew his license for sentimental reasons and perhaps with a resale option. There has been a complete clean-up of the property."

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the Junkyard License Renewal for James Flanders Junkyard. The motion carried on a vote of 5-0.

4.39 To See What Action the Board Wishes to take in Regard to Authorizing the Town Manager to Apply, on Behalf of the Town, for Federal Financing Assistance Under the Provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the Development of the Fairgrounds Recreational Facility; and Further Authorize the Town Manager to enter into the Land and Water Conservation Fund Project Agreement with the State Subsequent to Federal Approval of the Project.

Will Johnston, Town Planner, said the Fairgrounds property is under-utilized. He said he has been working with Harvey Price, Parks & Recreation Director, and the Parks & Recreation Committee, in developing an action plan for the facility. He said the Fairgrounds Grant Application is an excellent way to kick start improvements to the facility. He said they are requesting \$55,000 from the state and are proposing to raise the Town share through use of existing capital reserve funds and a vigorous in-king matching effort. Mr. Johnston said grant submittal deadline is November 20th. He said a public workshop is scheduled for Monday, November 9th, at the Meetinghouse, where the Parks & Recreation Committee will provide additional information on its Fairground planning efforts and seek initial feedback.

James Fitch, Chairman of the Water District, said the Water District Trustees are in full support of this project and voted to assist with donations for water connections that will be needed.

Mr. Libby moved and Ms. Sturgis seconded a motion to authorize the Town Manager to apply on behalf of the Town, for Federal Financial Assistance Under the Provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the Development of the Fairgrounds Recreational Facility; and Further Authorize the Town Manager to enter into the Land and Water Conservation Fund Project Agreement with the State Subsequent to Federal Approval of the Project. The motion carried on a vote of 5-0.

4.40 To See What Action the Board Wishes to take in Regard to Recommendation of the Public Works Design Committee for the Siting of a New Public Works Garage

Mr. Johnston said Oak Point Associates studied three sites: 1) 310 Lewiston Road; 2) land behind the Fire/Rescue Station at 611 Lewiston Road; and the land at and behind 1036 Lewiston Road, the current Public Works location. He said Oak Point Associates submitted their site study and the property behind 611 Lewiston Road scored the highest for the future location of the new Public Works Garage.

Mr. Libby said in all, there were nine sites that were looked at and property walked and some of the properties were ruled out:

- 1036 Lewiston Road (included in study)
- 611 Lewiston Road (included in study)
- 87 Rowe Station Road (ruled out due to grant restrictions)
- 106 Bald Hill Road (too close to the aquifer and water district)
- 264 Bald Hill Road (topography)
- 310 Lewiston Road (included in study)
- 581 Bennett Road (location and water issues)
- 437 Lewiston Road (listing price)
- 475 Morse Road (topography)

Mr. Libby said five acres of land is needed to build a new facility. He said of the three chosen for review, 611 Lewiston Road met the requirements. He said access is good, already have an entrance permit, centrally located, existing boundary survey, good soil and slopes, and it has the largest usable area.

Nathaniel Berry, Beverly Cadigan and James Fitch, Public Works Design Committee Members, said they have enjoyed serving on the committee. They all agreed that the 611 Lewiston Road site is the best workable site for the new facility and will have the least impact on neighboring property owners.

Mr. Shane said after visiting various facilities throughout the state, he said a minimum of five acres of land is needed to build an adequate facility. He said the committee is made up of ten members (citizens, liaisons and staff) and at their last meeting, a vote was taken to recommend 611 Lewiston Road, with a vote of 7-0-1, with eight members present.

Mr. Libby said the committee members have worked hard and Oak Point Associates needs a decision in order to proceed with detailed design and a dollar figure. He said committee members have visited ten public works facilities to get ideas of what will and will not work.

Mr. Libby moved and Ms. Sturgis seconded a motion to accept the report and recommendation of Oak Point Associates and the Public Works Design Committee for the 611 Lewiston Road site for the proposed new Public Works Facility.

Mr. Hathorne said he appreciates all the hard work that has been done by everyone involved. He said he is a supporter of keeping the Public Works facility in the Upper Village. He said building the new facility at 611 Lewiston Road will place the facility on/near the aquifer and he has many concerns about that.

Mr. Fitch said the 611 Lewiston Road location is not near the aquifer, which is located at the fairgrounds to the south to Royal River.

Mr. McHenry said the Committee did a good job. He said he has walked the current public works site and it is not spacious enough.

The motion carried on a vote of 4-1 with Mr. Hathorne opposing.

4.41 To See What Action the Board Wishes to take in Regard to the Public Works Department Pavement Management Plan

Mr. Libby moved and Ms. Chase seconded a motion to approve the Public Works Department Pavement Management Plan as a working document.

Mr. Shane said he updates the plan every year and the plan is approximately three years behind. He said some years the funding request has been decreased and one year zero dollars and this puts the paving plan further behind. He said there are alternatives to blacktop being used but he would like to study the results of these roads for a few years before recommending any changes to applications.

The motion carried on a vote of 5-0.

Mr. Libby asked that the approval date and words working document be added to the bottom of the plan.

4.42 To See What Action the Board Wishes to take in Regard to the Public Works Department Vehicle/Equipment Replacement Schedule

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the Public Works Department Vehicle/Equipment Replace Schedule as a working document. The motion carried on a vote of 5-0.

Mr. Libby asked that the approval date and words working document be added to the bottom of the plan.

4.43 To See What Action the Board Wishes to take in Regard to the Transfer Station Equipment Replacement Schedule

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Transfer Station Equipment Replacement Schedule as a working document. The motion carried on a vote of 5-0.

Mr. Libby asked that the approval date and words working document be added to the bottom of the plan.

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

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Fire/Rescue Vehicle/Apparatus Replacement Schedule as a working document.

Mr. McHenry said he would like to see the new chief look at this replacement schedule and review for the department's needs.

Ms. Chase said she would like to see all plans/schedules in a standardized form for next year.

The motion carried on a vote of 5-0.

Mr. Libby asked that the approval date and words working document be added to the bottom of the plan.

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

Mr. Libby moved and Mr. Hathorne seconded a motion to forward the CIP Requests to the CIP Committee for their review and ratings and the CIP Request for paving be included for information only.

Ms. Chase asked why the paving request is not rated.

Mr. Libby said Fire Equipment, Public Works Equipment and Transfer Station Equipment Schedules if not changed or requested amount has not changed by more than the inflation factor, is not rated by the CIP Committee.

Mr. First said this is stated in the CIP Policy, which is an appendix to the Comp Plan.

Mr. McHenry asked Mr. First to look into this information and forward to the Board.

Mr. McHenry said he had questions concerning the following requests:

Fire Dept. - Cistern: which reserve account and where does the Town stand on the negotiations for the property location

Mr. First said it has its own reserve account. He said negotiations were conducted last year and that land owners were willing to work with the Town. He said he would check in with them again. He said the requested amount has increased because the previous request was too low.

Library – Radon Mitigation: asked if there was adequate head room for usage of this area.

Mr. First said it depends on which part is being used and this will be further discussed by CIP Committee.

Parks & Recreation - Tennis Court: requests states no estimate

Mr. First said an estimate has been secured but he would like to save this discussion for the CIP Committee.

Ms. Chase said she has a question about the Public Works Mower Request. She said if the tractor is replaced, what happens to the intersection sweeping.

Mr. Shane said he is asking for a broom for the front of the loader. He said if the broom is not approved, he would have to hire a street sweeper, which is included in the budget.

Mr. First said the mowing of the fairgrounds is being done currently with the wrong tool. He said the request for a new mower will be more efficient for this facility.

Mr. McHenry asked if the sweeper requested includes a water tank.

Mr. Shane said yes. He said he had intentions of requesting to purchase a street sweeper for the Town. He said after visiting the different public works facilities and asking those with sweepers how they perform and last, he said he has removed his request and the sweeper attachment for the loader would work more efficiently for less dollars.

Mr. McHenry asked if there were other alternatives for the Transfer Station Recycle Center.

Mr. Shane said the study was done approximately ten years ago. He said this request is for safety concerns at the Transfer Station. He said the request is for funding over a four year period.

The motion carried on a vote of 5-0.

4.46 To See What Action the Board Wishes to take in Regard to Special Town Meeting Warrant

Ms. Chase moved and Mr. Libby seconded a motion to sign the Town Meeting Warrant with the removal of the words "daylight savings time".

Mr. First said the warrant the Board is signing already has those words removed.

Mr. McHenry said the Special Town Meeting will be held Monday, November 16th, at 7:00 p.m., at the Amvets and Special Town Meeting Warrant references four articles.

Mr. Shane asked Mr. McHenry is he could reference the four articles.

Mr. McHenry said:

Article 1: To Choose a Moderator

Article 2: Endorsement of Village Orientation in Upper Village area

Article 3: Adopting Zoning Ordinance Changes in Upper Village area

Article 4: Moving of Annual Town Meeting from Monday to Saturday

Mr. McHenry asked Mr. First if there were any agenda items for the scheduled Monday, November 16th, Board of Selectmen's Meeting.

Mr. First he has no items scheduled for that evening.

Mr. McHenry said Mr. First will notify him of something comes up and a meeting could be scheduled at a special time, if needed.

The motion carried on a vote of 5-0.

Mr. McHenry asked if the Board approved taking Item 4.53 out of order. All were in agreement.

4.53 To See What Action the Board Wishes to take in Regard to Closing Town Hall at 5:30p.m. on Monday, November 16, 2015, to Allow Staff Time to Facilitate the Special Town Meeting

Mr. First said in order for staff to prepare and set up for the Special Town Meeting, he is requested closing of Town Hall at 5:30 p.m. on Monday, November 16th.

Mr. Libby moved and Mr. Hathorne seconded a motion to close the Town Hall Service Window at 5:30 p.m., on Monday, November 16th, to allow staff time to prepare and set up for the Special Town Meeting. The motion carried on a vote of 5-0.

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

Mr. Libby moved and Mr. Hathorne seconded a motion to sign the Quitclaim Deed for Roland and Warren Hale. The motion carried on a vote of 5-0.

4.48 To See What Action the Board Wishes to take in Regard to Stevens Brook Dam Policy

Mr. First said a dam management policy was on the Selectmen's Activity List. He said Bear Brook is in the right of way for MDOT to maintain and Steven's Brook is the only dam maintained by the Town. He said he has updated the policy with recommendations from Inland Fisheries and Wildlife and his recommendation is to keep the maintenance of the dam with Public Works and coordinated with the Fire Department.

Mr. Hathorne moved and Mr. Libby seconded a motion to accept the Stevens Brook Dam Policy as written. The motion carried on a vote of 5-0.

4.49 To See What Action the Board Wishes to take in Regard to Employee Pay Ranges

Mr. First said changes have been made as agreed upon at the workshop: changing the mechanic from a four to five.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the New Gloucester Personnel Salary Range Schedule as a working document.

Ms. Chase said the Mechanic should be classified as "5" and the paperwork states "4".

Mr. First said he intends to move those up to minimum in due time and as budget allows.

Mr. McHenry said he has concerns with bringing one employee who is below minimum up and not the others. He said this could create conflict.

The motion carried on a vote of 4-1, with Mr. McHenry opposing.

4.50 To See What Action the Board Wishes to take in Regard to Amendments to Personnel Policy associated with Employee Pay Ranges

Mr. First said if an employee is maxed out of their pay range, a merit bonus could be given that offsets their pay increase earned.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the proposed Personnel Policy as amended. The motion carried on a vote of 5-0.

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

Mr. Libby moved and Ms. Chase seconded a motion to approve the Game of Chance Wheel 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.

4.52 To See What Action the Board Wishes to take in Regard to Rescheduling of the December Board of Selectmen's Meeting

Mr. McHenry said would like to reschedule the December 7th and 21st Board of Selectmen's meeting to December 14th. He said he will be out of town on December 7th.

Ms. Chase said she has concerns going over a month without a meeting and she would like to leave the meetings as scheduled and if no agenda items, the meeting could be cancelled.

No action taken.

V. APPROVE FY16 WARRANTS AND PAYROLLS #17 and #18

Mr. Libby moved and Ms. Chase seconded a motion to approve FY16 Warrants and Payrolls #17 and #18. The motion carried on a vote of 5-0.

VI. APPOINTMENTS

None.

VII. LEGAL

Mr. First said the Attorney has stated that possible trial dates are scheduled for December 2nd and 3rd.

Mr. First said the lawsuit from a September, 2013 accident involving a public works vehicle and employee, has been dismissed by the parties.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the October 19, 2015, Board of Assessor's and Board of Selectmen's Meeting

Ms. Chase moved and Mr. Libby seconded a motion to approve the Minutes of the October 16, 2015, Board of Assessor's and Board of Selectmen's Meeting.

Mr. McHenry said he has some corrections:

Under 2A – Adjustments to the Agenda: the statement was not completed

Under 3A – Maine Turnpike Authority: information is not sufficient.

Under Item 4.34 – last paragraph: he would like to see the words “first reading” be stated.

Ms. Chase removed her motion and Mr. Libby agreed.

Ms. Chase moved and Mr. Hathorne seconded a motion to table this item until the next meeting. The motion carried on a vote of 5-0.

IX. ORAL COMMUNICATION

A. Selectmen

Stephen Hathorne – said to please get out and vote.

Laura Sturgis – said she seconded Mr. Hathorne's statement to get out and vote. She also said she attended the Hunter's Breakfast at the Fire Station on Saturday morning, October 31st. She said it was very good food and a good time.

Mr. Hathorne said the Hunters Breakfast video made by the Fire/Rescue Department on Facebook was very good.

Linda Chase - said she would like to thank the Public Works Design Committee and Staff for all their hard work.

Steven Libby – said the Cub Scouts recently did a three mile hike and included a service project in which they cleaned up around Stevens Brook. He said their next project will be to help the Cemetery Association.

Joshua McHenry – said he helped serve again this year at the Hunters Breakfast and he had a good time and a lot of fun.

B. Town Manager

Mr. First said he would like to thank the Fire/Rescue department for handing out Halloween Candy provided by the Parks & Recreation Department on Halloween night. He said they estimate they had between 250-300 trick or treaters. He said he also wanted to thank the Library also.

Mr. First said the CDBG 2016 Program update. He said there has been discussion to create a joint community service plan between the communities of New Gloucester and Gray and if the Board agrees, these two towns will submit for a grant to do a feasibility study and needs assessment, such as athletics and senior services. He said he has spoken with the Gray Town Manager, who is in favor of the idea. He said this will be a future agenda item but would like the consensus of the Board if they wish to have him pursue this joint effort.

Mr. Libby said he has previously had discussions with the Gray Town Council Chairman. He said there are a lot of components to this type of study.

Ms. Chase asked if there was a deadline for submission of the grant.

Mr. First said the grant has an end of January deadline.

Ms. Chase asked if the Board needed to endorse the grant application.

Mr. First said this grant will need Selectmen endorsement and it has to be included with the application.

The Board was in consensus to begin the process of applying for the CDBG Grant in joint effort with the Town of Gray.

Mr. First said 328B Sabbathday Road cleanup is completed and will be placed out to bid.

Mr. Hathorne said he went and visited the property and there is still trash there and has notified the Public Works Director to revisit the site.

Mr. First said he included in the Board's packets, a brochure for an upcoming workshop being held by Maine Municipal Association on the Roles of Elected Officials and Municipal Managers, Tuesday, December 8th. He said Ms. Chase, Mr. Libby and himself are attending and if the other Board members are interested, to let him know.

Mr. First said he and Mr. Shane will be attending the MDOT Winter Roads Workshop on Thursday, November 5th.

Mr. First said he wanted to remind everyone of the Election, on Tuesday, November 3rd, at Fire Station, 611 Lewiston Road, from 8:00 a.m. – 8:00 p.m.

C. Boards & Committees

X. ADJOURN

Ms. Sturgis moved and Mr. Hathorne seconded a motion to adjourn at 9:48 p.m. The motion carried on a vote of 5-0.

Approved December 7, 2015

Joshua J. McHenry, Chairman

Linda D. Chase

Linda D. Chase, Vice-Chairman

Stephen J. Hathorne

Stephen J. Hathorne, Selectman

Steven M. Libby

Steven M. Libby, Selectman

Laura J. Sturgis

Laura J. Sturgis, Selectman