MINUTES
Town of New Gloucester
SPECIAL BOARD OF SELECTMEN'S MEETING
EXECUTIVE SESSION
6:00 p.m.
Monday, June 16, 2014
At the Meetinghouse

BOARD OF SELECTMEN'S MEETING
EXECUTIVE SESSION
6:00 p.m.

I. CALL THE MEETING TO ORDER & ATTENDANCE

Chairman, Steven Libby, called the meeting to order at 6:05 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Nathaniel Berry, Joshua McHenry and Laura Sturgis; Town Manager, Paul First; Code Enforcement Officer, Debra Parks Larrivee; and Attorneys Philip Saucier and Brita Forssberg.

II. EXECUTIVE SESSION

A. Per M.R.S.A. 31 Title 1, Chapter 13 § 405 (6) (E)
Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage ... *(consultation)*

Mr. McHenry moved and Mr. Berry seconded a motion to go into Executive Session per M.R.S.A. 31 Title 1, Chapter 13 § 405 (6) (E) for "Town of New Gloucester Employees and Selectmen vs. F. Staton Jr. & related legal matters" The motion carried on a vote of 5-0.

III. RETURN TO OPEN SESSION

The Board returned to open session at 7:21 p.m.

Ms. Chase moved and Mr. McHenry seconded a motion to allow Mr. First and Mr. Libby to sign on the matter related to the Executive Session. The motion carried on a vote of 5-0.

IV. ADJOURN

Ms. Chase moved and Mr. Berry seconded a motion to adjourn the meeting at 7:23 p.m. The motion carried on a vote of 5-0.

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, June 16, 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
7:00 p.m.

I. CALL THE MEETING TO ORDER & ATTENDANCE

Chairman, Steven Libby, called the meeting to order at 7:30 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Nathaniel Berry, Joshua McHenry and Laura Sturgis; Town Manager, Paul First; and recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

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

A. Adjustments to the Agenda

None.

III PUBLIC PARTICIPATION

Carlton Wilcox, resident, asked if the St. Lawrence Railroad is discontinued through New Gloucester. He asked if the tracks are discontinued, could exempt signage be placed so school buses would not need to stop.

Mr. First said the State is doing the maintenance work on the crossings. He said they will be replacing timbers and shimming the blacktop on the tracks crossing Cobbs Bridge Road. Mr. First said he would check with the Maine Department of Transportation on the signage policy for discontinued railroads.

Jean Libby, resident and member of the Historical Society, said the Annual Strawberry Festival will be held on Thursday, June 26th, at the Congregational Church Vestry, from 6-8 p.m. She said last year the Historical Society served 425 people. Ms. Libby said a flyer was mailed out in May for the Veterans Monument, seeking names and donations. She said there are 1030 plus names going on the monument. Ms. Libby said the flyer has generated donations and they need approximately $500 to reach their goal. She said additional funding will be needed for site work, gravel, flags and lights. Ms. Libby said on June 22nd, there will be a golf tournament at Toddy Brook Golf Course, sponsored by the Fraternal Order of Eagles; on July 12th, there will be a chicken barbecue at the Amvets beginning at 12pm; and on September 29th, the Veterans Monument Committee will be sponsoring a golf tournament at Spring Meadow. She said information on the fundraisers and Veterans Monument is available on the website www.veteransmonument.com and on their Facebook page.

Stephen Hathorne, resident, asked the Board the reason for the Executive Session earlier that evening; if there was an update on the Sacco vs. New Gloucester lawsuit; why the cistern approved at the June 2013 Town Meeting has not been completed; asked if parking lot attendants would be needed for the upcoming Community Fair; update on the burnt barn at the New Gloucester Fairgrounds; and stated that taxpayers should have voted down the school budget on election day and pushed it back to the school board.

Mr. First said the Statute that was noted on the agenda explained why there was an Executive Session. He said it involved discussion/update with Attorneys on the Town of New Gloucester employees and Selectmen vs. Frank Staton Jr. and related legal matters. Mr. First said there is nothing new to report on the Sacco vs. Town of New Gloucester lawsuit. Mr. First said there is an item on the agenda pertaining to rolling of funds one of them being the funds approved for the cistern.

IV. SCHEDULED ITEMS

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

Mr. Berry moved and Ms. Sturgis seconded a motion to nominate Mr. Libby as Chairman of the Board of Selectmen. The motion carried on a vote of 4-0-1, with Mr. Libby abstaining.

Ms. Sturgis moved and Mr. McHenry seconded a motion to nominate Mr. McHenry as Vice-Chairman of the Board of Selectmen. The motion failed on a vote of 2-3, with Mr. Berry, Ms. Chase, and Mr. Libby opposing.

Mr. Berry moved and Mr. McHenry seconded a motion to nominate Ms. Chase as Vice-Chairman of the Board of Selectmen. The motion carried on a vote of 4-1, with Mr. McHenry opposing.

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

Mr. Libby said Ted Shane, Public Works Director, emailed him concerning the bid specifications. He said these are the same bid specifications as the previous year.

Ms. Chase moved and Mr. Berry seconded a motion to approve the bid specifications as recommended by Mr. Shane; bid specifications to be sent to those listed on the bidders list; an ad be placed in the newspaper; and bids are due back by 6:00 p.m. on July 7th and opened at the Selectmen's meeting that evening. The motion carried on a vote of 5-0.

5.15 To See What Action the Board Wishes to take in Regard to Bid Proposals for *Cable TV-3 Equipment Purchase RFP*

The following bids were opened:

B & H Photo New York, NY	$ 11,398.44
Access A/V Concord, NH	itemized listing with no grand total

Mr. Berry moved and Mr. McHenry seconded a motion for staff to review the bids and report back to the Board on July 7th with their recommendations. The motion carried on a vote of 5-0.

5.16 To See What Action the Board Wishes to Take in Regards to *Carry Forward Funds* from FY14 to FY15

Outlet Road Bridge
Mr. First said the amount to be carried forward is $21,783. He said an RFP for engineering would need to be created and sent out to bidders.

The Board asked Mr. First to create an RFP and bring to the Board for approval at the July 7th meeting.

Fire Cistern
Mr. First said the amount to be carried forward, $48,000, was approved at the annual town meeting for FY14. He said the first step is to find a location for the cistern and proceed from there.

Mr. McHenry said he would like to see the $48,000 go back into the reserve account until the planning is complete.

Mr. Libby said he agreed with Mr. McHenry.

Mr. First said he is not knowledgeable on this project and does not feel comfortable speaking on it without the presence of the Gary Sacco, Fire/Rescue Chief.

Heating System
Mr. First said the Town Hall heating system repairs have been completed but the air conditioning system has not. He said currently, window air conditioners are being used in the Town Office. He said he would check with Mechanical Services on the costs of completing this project.

The Board asked Mr. First to bring back this information at the July 21st meeting.

Town Hall Windows
Mr. First said Rich Exterior Solutions is hoping to begin the window installation the week of June 23rd, depending on the arrival of the ordered windows. He said the Town sent a down payment (1/3 of amount) to Rich Exterior Solutions.

Mr. McHenry moved and Ms. Chase seconded a motion to carry forward to FY15 the following: Outlet Road Bridge Engineering, $21, 783; Town Hall Heating System, $6,010; and Town Hall Windows, $8041.52. The motion carried on a vote of 5-0.

5.17 To See What Action the Board Wishes to Take in Regards to *Closing the Town Office Service Window* at 4:00 p.m., June 30, 2014 to close the Fiscal Year's Books

Mr. McHenry moved and Ms. Sturgis seconded a motion to close the Town Office Service Window at 4:00 p.m., June 30, 2014, to close the fiscal years books. The motion carried on a vote of 5-0.

V. APPROVE FY14 *WARRANTS* AND *PAYROLLS* #49, #50, #51 and #52

Ms. Chase moved and Mr. Berry seconded a motion to approve FY14 Warrants and Payrolls # 49, #50 and #51. The motion carried on a vote of 4-0-1, with Ms. Sturgis abstaining.

Ms. Chase moved and Mr. Berry seconded a motion to approve FY14 Warrants and Payrolls #52. The motion carried on a vote of 3-0-2, with Mr. Libby and Mr. McHenry abstaining.

VI. APPOINTMENTS

All Board/Committee members up for reappointment were mailed a letter on May 6th and two reminders were sent through email. Notification of vacancies has been posted on the Town website and Channel 3.

A. *Tax Collector, Town Clerk, Road Commissioner, Welfare Director, Treasurer, Freedom of Access Act (FOAA) Officer*

Mr. McHenry moved and Mr. Berry seconded a motion to appoint Paul First as Tax Collector, Town Clerk, Road Commissioner, Welfare Director, Treasurer and Freedom of Access Act (FOAA) Officer. The motion carried on a vote of 5-0.

B. *Acting Town Manager in the Absence of the Town Manager*

Mr. McHenry moved and Mr. Berry seconded a motion to appoint Sharlene Myers as Acting Town Manager in the Absence of the Town Manager. The motion carried on a vote of 5-0.

C. *Animal Control Officer*

Karen Peaco, 163 Meadow Lane resident, said she would like to be appointed as Animal Control Officer for New Gloucester. She said she has wanted to work with animals and has taken classes. She said she has a flexible schedule at her workplace in Freeport and should not affect response time. Ms. Peaco said the State has resources available to teach third/fourth graders respect for animals, how to treat them and safety.

The Board asked about vehicle requirements, taking strays to shelters and said the Animal Control Officer is a stipend position.

Ms. Peaco said she has a vehicle at her disposal to transport trapped animals. She said any rabid animal must be put into a special box and transported to Augusta, which is open 24/7. She said she did not know the Animal Control Officer was paid.

Heather Phinney, current Animal Control Officer, said she has been doing this job for 24/25 years. She said she also does Animal Control for the Town of Gray.

The Board asked Ms. Phinney what most of her calls were for, her motivation to work as Animal Control Officer, what percentage of her work is human and/or dog contact and any challenges.

Ms. Phinney said most of her calls are either for stray dogs and cats or barking/at large dogs. She said she has enjoyed working with animals over the years and she has developed knowledge on which people and/or dogs you have to watch. She said 50% of her work is with humans. Ms. Phinney said a current challenge is the situation in the Briarwood neighborhood where some residents want something done but no one wants to step up to the plate and start the paperwork process.

Mr. McHenry moved and Mr. Berry seconded a motion to nominate Karen Peaco as Animal Control Officer for the Town of New Gloucester.

Mr. Berry said he was pleased with Ms. Peaco's presentation.

Mr. McHenry said he was impressed with her letter. He asked Mr. First how long Ms. Phinney knew there were two candidates for this position.

Mr. First said she has known less than a week.

The motion carried on a vote of 4-0-1, with Ms. Chase abstaining.

Mr. Libby thanked Ms. Phinney for her years of service to the Town.

D. ***Code Enforcement Officer/Assessor's Agent/Local Plumbing Inspector/Public Health Officer***

Ms. Chase moved and Mr. Berry seconded a motion to appoint Debra Parks Larrivee as Code Enforcement Officer, Assessor's Agent, Local Plumbing Inspector and Public Health Officer. The motion carried on a vote of 5-0.

E. ***Emergency Management Director***

Mr. Berry moved and Ms. Chase seconded a motion to appoint Timothy Joy as Emergency Management Director. The motion carried on a vote of 5-0.

F. ***Fence Viewer***

Ms. Chase moved and Mr. Berry seconded a motion to appoint Douglas Bowie as Fence Viewer.

Mr. McHenry said the State statute says three fence viewers to be appointed.

Mr. First said he would research this and email the information to the Board.

The motion carried on a vote of 5-0.

G. ***Sealer of Weights & Measures***

Ms. Chase moved and Mr. McHenry seconded a motion to appoint Gregory Joy as Sealer of Weights & Measures. The motion carried on a vote of 5-0.

H. ***Budget Committee*** *– 4 three-year terms available*

Mr. Berry moved and Ms. Chase seconded a motion to appoint Sean Chayer and Jean Couturier to the Budget Committee, for three-year terms. The motion carried on a vote of 5-0.

I. ***CIP Committee*** *– 1 three-year term available*

Mr. Berry moved and Ms. Chase seconded a motion to appoint Jean Libby to the CIP Committee, for a three-year term. The motion carried on a vote of 4-1, with Mr. McHenry opposing.

J. ***Community Fair Committee*** *– no maximum number of members defined and all term lengths available*

Ms. Chase moved and Mr. Berry seconded a motion to appoint Michael Bardier and Marilyn Brinnick to the Community Fair Committee, for three-year terms. The motion carried on a vote of 5-0.

K. ***Economic Development Committee*** *– 4 three-year terms available*

Ms. Chase moved and Mr. McHenry seconded a motion to appoint Michael Splane and Nichole Stevens to the Economic Development Committee, for three-year terms. The motion carried on a vote of 5-0.

L. ***Library Board of Trustees*** *– 1 three-year term available*

Mr. First read a memo from Tim Terranova, Chairman of the Library Board of Trustees, stating that the Trustees endorse the reappointment of Paul Morin.

Mr. McHenry moved and Ms. Chase seconded a motion to appoint Paul Morin to the Library Board of Trustees, for a three-year term. The motion carried on a vote of 5-0.

M. ***Planning Board*** *– 2 three-year terms available*

Mr. McHenry moved and Ms. Chase seconded a motion to appoint Jean Libby and Joe Bean to the Planning Board, for three-year terms. The motion carried on a vote of 5-0.

N. ***Public Safety*** *– 2 three-year terms available*

Ms. Sturgis moved and Mr. Berry seconded a motion to appoint Frank Chambers to the Public Safety Committee, for a three-year term. The motion carried on a vote of 5-0.

O. ***Selectmen Liaisons to Boards & Committees***

1. **Budget Committee** *(non-voting)*
   Linda Chase & Steven Libby
2. **Business Communications**
   Nathaniel Berry - **Chandler Brothers**
   Laura Sturgis - **Wayfinder Schools**
   Steven Libby - **Pineland Farms**
   Linda Chase - **Shakers**
3. **Cable TV Committee** *(non-voting)*
   Steven Libby & Laura Sturgis
4. **CDBG Municipal Oversight Committee**
   David Lunt
5. **CIP Committee** *(voting)*
   Steven Libby
6. **Community Fair Committee** *(voting)*
   None
7. **Cumberland County Finance Committee** *(voting)*
   Joshua McHenry
8. **Economic Development Committee** *(non-voting)*
   Steven Libby
9. **Environmental Resources Committee** *(voting)*
   Joshua McHenry
10. **Foreclosure Committee** *(voting)*
    Steven Libby & Linda Chase
11. **Land Management Planning Committee** *(voting)*
    Linda Chase
12. **Library Board of Trustees** *(non-voting)*
    Joshua McHenry
13. **MMWAC Executive Committee Member & Alternate** *(voting)*
    Paul First & Steven Libby
14. **Parks & Recreation Committee** *(voting)*
    Linda Chase & Joshua McHenry
15. **Public Safety Committee** *(voting)*
    Steven Libby & Nathaniel Berry
16. **School Board** *(non-voting)*
    Joshua McHenry
17. **Water District** *(non-voting)*
    Steven Libby

Ms. Sturgis moved and Mr. Berry seconded a motion to appoint the Board of Selectmen Liaison as discussed. The motion carried on a vote of 5-0.

VII. LEGAL

None.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the May 19, 2014, Board of Selectmen's Meeting

Ms. Chase moved and Mr. Berry seconded a motion to approve the Minutes of the May 19, 2014, Board of Selectmen's Meeting.

Ms. Sturgis said there is one correction to the motion on Agenda Item 5.05. She said the first sentence of the motion, the word should be "accept" not except.

The motion carried on a vote of 4-0-1, with Ms. Sturgis abstaining.

IX. ORAL COMMUNICATION

A. Selectmen

Laura Sturgis – said she would like to thank all those that voted for her.
Joshua McHenry – said he would like to welcome Laura to the Board and looks forward to working with her. He said Mr. First, Ms. Chase and he had their first meeting to review the Personnel Policy and they made good progress. He said the next meeting is scheduled for June 23rd.
Nathaniel Berry – said he wanted to congratulate Laura and welcome her to the Board.
Linda Chase – said she would like to congratulate Laura. She said she didn't get to say bye to Mark Stevens and would like to wish him the best. She said the Gray-New Gloucester 11/12 Softball All Stars won their first game and are playing their next game on Saturday, June 21st, in Gray.
Steven Libby – said he would like to welcome Laura to the Board and he grew up knowing her as Mrs. Sturgis.

B. Town Manager

Mr. First said the New Gloucester Water District will be holding an open house on Monday, June 30th, at 2:00 p.m. He said funding agencies, residents, Selectmen, are invited for the ribbon cutting ceremony at the Pump Station located at the Fairgrounds. He said all customers are hooked up and they are working on the chlorine levels.

Mr. First said 28 applications were received for the Town Planner position. He said there are a handful of strong candidates and interviews are scheduled this week and next. He said the second round of interviews will include committee representation.

Mr. McHenry asked when the Board would be involved.

Mr. First said once the candidate has been chosen.

Mr. First said he is working on documents outlining the cost to repair or demolish the barn at the fairgrounds.

Mr. First said Cobbs Bridge Road will be closed starting June 23rd. He said notification will be placed on the Town website and Channel 3. He said he will be driving the detour on Thursday with MDOT and the Public Works Director.

Mr. First said the lights are installed at the railroad tracks on Morse Road.

C. Boards & Committees

X. ADJOURN

Mr. Berry moved and Mr. McHenry seconded a motion to adjourn at 9:13 p.m. The motion carried on a vote of 5-0.

Approved July 7, 2014

Steven M. Libby, Chairman

Linda D. Chase, Vice-Chairman

Nathaniel L. Berry IV, Selectman

Joshua J. McHenry, Selectman

Laura J. Sturgis, Selectman