

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, March 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, Steven Libby, called the meeting to order at 7:02 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, March 16, 2015

A. Adjustments to the Agenda

Mr. Berry moved and Mr. McHenry seconded a motion to add to the agenda, Item 4.69, To See What Action the Board Wishes to take in Regard to Scheduling a Public Hearing to Consider Fireworks Ordinance. The motion carried on a vote of 5-0.

III. PUBLIC PARTICIPATION

A. PUBLIC HEARING for Discontinuance for Portion of Mayall Road and Release of Public Easement

Mr. Libby opened the Public Hearing at 7:06 p.m. There was no public comment. Mr. Libby closed the Public Hearing at 7:07 p.m.

B. PRESENTATION – MSAD #15 SCHOOL BOARD

Bruce Beasley, Superintendent of MSAD #15, and Tina Martel, Chairman of the MSAD #15 School Board, gave an overview FY15 and upcoming FY16 school budget.

C. Other

Stephen Hathorne, resident, spoke to the Board concerning the plowing of the New Gloucester Water District hydrants; the 160 hour maximum accumulation of vacation time for Town employees; and the proposed revision of the Personnel Policy, Political Activity section.

IV. SCHEDULED ITEMS

4.62 To See What Action the Board Wishes to take in Regard to Discontinuing a Portion of Mayall Road and Release of Public Easement

Mr. McHenry moved and Ms. Sturgis seconded that we, the Municipal Officers of the Town of New Gloucester hereby order the discontinuance of a section of Mayall Road as a town way and as a public easement as well, as described on the attached and incorporated herein Survey Description for Lawrence Gillespie, Old Mayall Road R/W, dated August 19, 2014 and signed by John D. Palmiter, Professional Land Surveyor, and as further shown on the Town of New Gloucester Map 2 Lot 38, on file at 385 Intervale Road, Town of New Gloucester, Maine, and having given best practicable notice to all abutting land owners and the local Planning Board, damage waivers and indemnity recitals are attached and incorporated herein. The motion carried on a vote of 5-0.

4.63 To See What Action the Board Wishes to take in Regard to Issuance and Filing of the Order of Discontinuance with the Town Clerk

Mr. McHenry moved and Ms. Sturgis seconded a motion that the Selectmen issue and file with the Town Clerk, an Order of Discontinuance that accurately reflects the action taken by the Selectmen to discontinue a portion of the Mayall Road, and that the Selectmen send abutting property owners best practicable notice of this action without delay. The motion carried on a vote of 5-0.

4.64 To See What Action the Board Wishes to take in Regard to Participating in the Household Waste Collection Day in Gray

Mr. First said he has contacted the Town of Gray and the HHW coordinator and additional information on the related costs are not available at this time.

No action taken.

4.65 To See What Action the Board Wishes to take in Regard to Signing of MDOT Letter Allowing Exceedance of Weight Limits on Town Roads

Mr. Libby said he is not in favor of signing the letter. He said more information is needed from MDOT and the other Towns named in the letter.

Mr. Berry moved and Ms. Sturgis seconded a motion to table this item for further information. The motion carried on a vote of 4-1, with Mr. Libby opposing.

4.66 To See What Action the Board Wishes to take in Regard to Amended Budget Schedule

Mr. McHenry moved and Ms. Sturgis seconded a motion to approve the amended Budget Schedule; and on Friday, March 6th, the proposed budget will be posted on the Town's website and the budget books will be available. The motion carried on a vote of 5-0.

4.67 To See What Action the Board Wishes to Take in Regard to Establishing the Last Day to Accept Warrant Articles by Petition for the Annual Town Meeting

Mr. First said he proposed the date of Friday, April 3rd, at 12:00 p.m., as the last day to accept warrant articles by petition.

Mr. McHenry said he would like to see the date set as Monday, April 6th, at 4:00 p.m.

Mr. McHenry moved to set the date of Monday, April 6th, at 4:00 p.m., as the last day to accept warrant articles by petition. There was no second. The motion failed.

Mr. Berry moved and Ms. Sturgis seconded a motion to set the date of Friday, April 3rd, at 12:00 p.m., as the last day to accept warrant articles by petition. The motion carried on a vote of 3-1-1, with Mr. McHenry opposing and Ms. Sturgis abstaining.

4.68 To See What Action the Board Wishes to Take in Regard to Selectmen's Activity List

The Board reviewed the 2014 Selectmen's Activity List:

1. Public Works Building

Mr. First said he accompanied Will Johnston, Town Planner, to present before the CDBG Grant Proposal Committee. He said Mr. Johnston nailed the presentation. He said the next step is to learn if the proposal was funded and the matching dollars be approved at Town Meeting.

Completion Date: 11/1/14 Board Representative: Joshua McHenry

2. Assistant Planner

Mr. Libby said he met with Ms. Sturgis and Mr. First to discuss this position. He said the Assistant Planner position was removed from the budget and proposed is having a person(s) work on the website, do planning board minutes and newsletter coordinator. He said this task is combined with #8 – Communications Initiative and is completed.

Completion Date: 1/1/15 Board Representative: none

3. Outlet Road Bridge

Mr. Libby said the design is nearly complete and we are awaiting the bid documents to be finalized. He said Brother Arnold and Michael Graham, Shaker Village, are in support of this project and has offered the gravel pit to the construction crew. He said they will meet with the owner of Outlet Beach to discuss the upcoming closure of the road in August and the construction will be completed in mid-fall.

Completion Date: 11/15/14 Board Representative: Steven Libby

4. Coordination w/ DOT Rte. 231 / Rte. 100 Intersections

Mr. Berry said the last discussion with MDOT, the Town had concern with the sight distance and requested traffic calming be reviewed for the area.

Mr. Libby said he wanted to make sure pedestrian and bike traffic are taken into consideration during this reconstruction.

Mr. First said the reconstruction is scheduled for summer of 2017.

Completion Date: none Board Representative: Nathaniel Berry

5. Personnel Policy Updates

Ms. Chase said the last meeting was cancelled due to a scheduling conflict on her part. She said the next meeting is scheduled for Tuesday, March 3rd.

Completion Date: 1/1/15 Board Representatives: Linda Chase
Joshua McHenry

6. TIF Document Updates

Mr. First said this item demands focus and research and has been stalled due to other pressing items.

Completion Date: 12/1/14 Board Representative: Steven Libby

9. Land Purchase

Mr. Libby said and Executive Session is scheduled later on the agenda concerning this item.

Completion Date: none Board Representative: Steven Libby

10. Cistern Location

Mr. Berry said there are two locations being looked at. He said one land owner has not returned his calls.

Mr. First said the other land owner has made a commitment and would provide an easement to the Town. He said he is concerned that the cistern rated low on the CIP rankings and no funds will be available to complete the project.

Mr. Libby said the easement could be obtained and the cistern constructed at a later date.

Completion Date: 11/1/14 Board Representative: Nathaniel Berry

11. Employee Salary Review / Schedule

Mr. Libby said the salary survey is ready to be put on an agenda for the Board to discuss.

Mr. First said he could have staff come up with a range to present to the Board as starting point for discussions.

Completion Date: 1/1/15 Board Representative: Steven Libby

12. Foreclosed Property

Mr. First said he was to provide a listing of all foreclosed properties for the Board to determine what the Town wants to hold onto and what could be sold, a time consuming project.

Completion Date: 11/15/14 Board Representative: Linda Chase
Steven Libby

13. NIMS Training

Mr. Libby said this item is done.

14. Health Insurance Comparisons

Mr. First said the Dep. Treasurer and himself met with the Town of Gray to discuss what they currently have for health insurance coverage/plan. He said they have a higher deductible plan; employees are given funds to cover the deductible costs; and any unused funds at the end of the year are split between the employee and the Town. He said the plan is very cost effective for the Town. Mr. First said they worked with a third party administrator. He said he has contacted the third party administrator they worked with and is waiting for plan summaries and cost estimates. He said the first step is to gather information, hopefully three options; compare the plan summaries cost and level of service; and hopefully it provides enough savings to be a cost benefit.

Mr. Libby said he recommends one or two Board members be part of these discussions.

Ms. Sturgis and Mr. McHenry volunteered to work with Mr. First.

Completion Date: 11/1/14 Board Representative: none

15. Fire Ponds Maintenance Policy

Mr. First said this would be developed at a later date.

Completion Date: 3/1/15 Board Representative: none

16. Access to Town Forest

Mr. Libby said this would have to wait until better weather.

Completion Date: 3/1/15 Board Representative: Steven Libby

17. Freedom of Access Training

Mr. Libby said this item is complete.

18. UV Master Plan

Mr. First said the Town Planner is working on summary documents of the plan as a concept that can be brought to a special town meeting possibly later this year or the annual town meeting next year.

Ms. Chase said there could some funding needed for engineering of the plans.

Completion Date: none Board Representative: none

19. Wharff Road Land Access

Mr. First said he met with landowners and abutters. He said he also reviewed the deed which shows there are access rights to the property, but it would take a surveyor to determine their location. He said approximate costs for a surveyor could be \$2,000-\$4,000.

Mr. Libby said if the Board wishes to pursue, they need to determine how much is needed and where the funds will come from. He said he could contact surveyors John Palmiter or Tom Blake for estimates which will give the Board a starting point.

Completion Date: 1/1/15 Board Representative: Steven Libby

20. Recreation Initiative w/ Gray SAD

Mr. Libby said the last he heard was they are doing a survey.

Completion Date: 1/1/15 Board Representative: Linda Chase
Steven Libby

21. Bear Brook

Mr. First said Bear Brook is used for a fire pond. He said the work was done last fall; Craig Bowie donated his equipment and time, a landowner donated some funds and the Town spent at the most \$500. Mr. First said it was in the best interest of the Town to have this repaired due to the fire hydrant there.

Mr. Libby said this project is done.

Completion Date: 10/15/14 Board Representative: Steven Libby

22. Comp Plan Revision

Mr. First said there is no update, no timeline for the comp plan revision. He said it needs to be done but there are several projects to be completed ahead of the comp plan revision.

Completion Date: none Board Representative: none

23. Revaluation

Mr. Libby said the Town will prepare for this three-five years down the road.

Mr. First said Mike O'Donnell recommends three-four years.

Completion Date: 10/1/14 Board Representative: none

24. Policies and Ordinances on Website

Mr. First said he has no update on this item.

Completion Date: 1/1/15 Board Representative: Joshua McHenry

25. Economic Development Committee

Mr. First said he has no update on this item.

Completion Date: 3/1/15 Board Representative: none

26. Fairgrounds

Ms. Chase said the Parks & Recreation Committee has made the fairgrounds a priority discussion. She said the Committee is meeting twice a month, second and fourth Mondays, to work on the master plan and is in hopes to be applying for a grant. She said the next meeting is March 9th at 5:00 p.m.

Completion Date: 11/1/14 Board Representative: Linda Chase
Joshua McHenry

27. Staff Job Descriptions

Mr. First said he has no update on staff job descriptions.

Completion Date: 3/15/15 Board Representative: none

28. Organization Chart

Mr. First said this item is complete.

Mr. Libby agreed.

Mr. Berry, Ms. Chase, Mr. McHenry and Ms. Sturgis do not remember seeing the chart.

Mr. Libby said he will bring copies of the chart to the next meeting for the Board members.

Completion Date: none Board Representative: Steven Libby

29 EMS Collections Policy

Ms. Chase said this is an additional item to the list. She said the recent budget discussions indicate a policy is needed to give EMS direction. She said she could be the Board Representative for this item.

Mr. First said he has three example policies to pull information from and create one best suited for New Gloucester.

Completion Date: a.s.a.p. Board Representative: Linda Chase

Ms. Myers said the changes to the activity are as follows: #2 is done; #13 is done; #14 add Ms. Sturgis and Mr. McHenry as Board representatives; #21 is done; and add #29 EMS Collections Policy, completion date is a.s.a.p. and Board representative is Ms. Chase.

The Board agreed.

4.69 **To See What Action the Board Wishes to take in Regard to Public Hearing for Consumer Fireworks Ordinance**

Mr. Libby said the Public Hearing should be placed on the March 16th Selectmen's agenda. He said the Public Safety Committee looked at ordinances from other towns and the Town of Winthrop's ordinance matched the best with the Committee's thoughts.

Mr. McHenry said he would like the draft ordinance posted to the website.

Mr. First said the Public Hearing could be noticed and held and the proposed ordinance be posted to the website.

Ms. Chase said if there are questions raised at the Public Hearing, who answers them.

Mr. Libby said John Randall, Chairman of the Public Safety Committee, would be available at the Public Hearing for any questions.

Ms. Chase moved and Mr. Berry seconded a motion to move the Consumer Fireworks Ordinance to Public Hearing scheduled for the March 16, 2015

Selectmen's Meeting at 7:00 p.m. The motion carried on a vote of 4-1, with Mr. McHenry opposing.

V. APPROVE FY15 WARRANTS AND PAYROLLS #32, #33, #34 & #35

Mr. Berry said he had a question on Warrant #34. He said there was a fire department invoice to a vendor for oil/filter change. He asked why this was not done by the Public Works mechanic.

Mr. Libby said the oil/filter change could wait if the mechanic was busy.

Mr. First said he would meet with staff to discuss this issue.

Ms. Chase said on Warrant #35, there was a fire department invoice to a vendor for a light bulb change. She asked why it was not changed by Public Works.

Mr. First said he would talk with staff.

Mr. Berry moved and Mr. McHenry seconded a motion to approve FY15 Warrants and Payrolls #32, #33, #34 and #35. The motion carried on a vote of 5-0.

VI. APPOINTMENTS

A. *Selectmen Liaisons to Boards & Committees*
GNG Capital Improvement Committee

Mr. Libby said the next meeting is at 6:30 p.m., on March 16th.

Ms. Chase said she attended the second meeting at Russell School. She said they discussed the previous meeting, toured the facility and discussed changes/upgrades needed. She said she is not interested in being the liaison for this committee.

Mr. Libby said Sean Chayer would be a good representative for the Board. He said the Board could appoint someone in their place to represent them. He said Mr. Chayer would serve the town well.

Mr. Berry moved and Mr. McHenry seconded a motion to appoint Sean Chayer, pending acceptance, as the Board of Selectmen representative for the GNG Capital Improvement Committee. The motion carried on a vote of 5-0.

VII. LEGAL

Mr. First said mediation in the Sacco case is scheduled for March 23rd and the attorney has reviewed the Consumer Fireworks Ordinance and gave it his blessing.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the February 2, 2015, Board of Selectmen's Meeting

Mr. Berry moved and Ms. Chase seconded a motion to approve the Minutes of the February 2, 2015, Board of Selectmen's meeting. The motion carried on a vote of 5-0.

IX. ORAL COMMUNICATION

A. Selectmen

Laura Sturgis – no comments.

Joshua McHenry – said he had the opportunity to attend the Gray Gathering the previous week. He said a brief overview was given on the Governor's tax proposal, which includes: 1) eliminating municipal revenue sharing; 2) changes to the Homestead Exemption; 3) includes taxing tax exempt property; 4) transfer tax jurisdiction on two-way telecommunications property; 5) BETR to BETE tax conversion; and 6) comprehensive tax reform. He said it was very informative evening and he has some major concerns with the Governor's proposal and the affect it will have on the Town of New Gloucester.

Mr. Libby said he was unable to attend the gathering but has reviewed the information Eleanor Espling presented to the Budget Committee. He said he has some concerns with different pieces of the Governor's tax proposal. He said the tax system is broke and needs to be fixed. Mr. Libby said he had conversations with Brother Arnold and Michael Graham of the Shakers and the impact it will have on them. He said those with questions or concerns should contact their State Representative or State Senator.

Nathaniel Berry – said the gathering was very informative and a great turnout. He said Deb Cabana, Gray Town Manager, and Matt Sturgis, Gray Town Council Chairman, did a great job organizing the event.

Linda Chase – no comments.

Steven Libby – no comments.

B. Town Manager

Mr. First said he wanted to note that Abigail (Abby) Lumsden passed away. He said she was a member of the Planning Board for fourteen years as well as a member of the Water Resources, Recycling, Conservation and Environmental Resources Committees. He said from talking with others, he understood she never missed attending a Town Meeting. He said she will be missed.

Mr. First said he also attended the Gray budget gathering and listened to the different proposals. He said the elimination of municipal revenue sharing and proposed

changes to the Homestead exemption discussion will have the largest net impact on the municipal budget.

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 extend the meeting time to 10:30 p.m. The motion carried on a vote of 4-1, with Ms. Chase opposing.

Mr. McHenry moved and Ms. Sturgis seconded a motion to enter into Executive Session per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. C., Land Real Estate, at 9:55 p.m. The motion carried on a vote of 5-0.

XI. RETURN TO OPEN SESSION

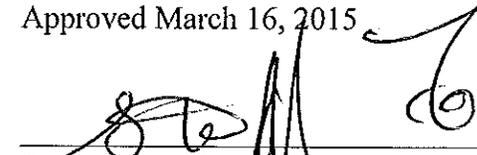
The Board returned to open session at 10:34 p.m.

Mr. McHenry moved and Mr. Berry seconded a motion to direct the Town Manager to execute the offer and Purchase and Sale Agreement on behalf of the Board and pay earnest money as described in the Purchase and Sale Agreement from the unbudgeted account. The motion carried on a vote of 5-0.

XII. ADJOURN

Ms. Chase moved and Ms. Sturgis seconded a motion to adjourn at 10:36 p.m. The motion carried on a vote of 5-0.

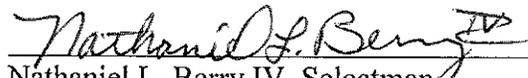
Approved March 16, 2015



Steven M. Libby, Chairman

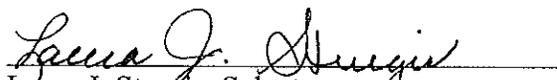


Linda D. Chase, Vice-Chairman



Nathaniel L. Berry IV, Selectman

Joshua J. McHenry, Selectman



Laura J. Sturgis, Selectman