

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, June 15, 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 7:01 p.m. Present were Chairman, Steven Libby; Vice-Chairman, Linda Chase; Selectmen, Stephen Hathorne, Joshua McHenry and Laura Sturgis; Town Manager, Paul First; and Recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

Board of Selectmen's Meeting– 7:00 p.m., Monday, July 6, 2015

A. Adjustments to the Agenda

Mr. McHenry moved to move appointments up on the agenda between Items 5.01 and 5.02.

There was no second – motion failed.

Mr. Libby said he would like to postpone all Committee appointments except Land Management Planning Committee and Planning Board to the July 6th meeting; place them first on the agenda; and applicants be notified of change.

Mr. McHenry moved and Ms. Sturgis seconded a motion to move the following appointments to the beginning of the July 6th meeting: Board of Appeals; Budget Committee; CIP Committee; Cable TV Committee; Community Fair Committee; Library Board of Trustees; Parks & Recreation Committee; and Public Safety Committee; and all applicants would be notified of the date and time change. The motion carried on a vote of 5-0.

III. PUBLIC PARTICIPATION

A. PUBLIC HEARING – Liquor License Application

Mr. Libby opened the Public Hearing for a Liquor License Application at 7:08 p.m. There were no public comments. The Public Hearing closed at 7:09 p.m.

B. Other

None.

IV. SCHEDULED ITEMS

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

Ms. Chase moved and Ms. Sturgis seconded a motion to nominate Joshua McHenry as Chairman of the Board. The motion carried on a vote of 5-0.

Mr. Libby moved to nominate Stephen Hathorne as Vice-Chairman of the Board.

There were no seconds. The motion failed.

Ms. Sturgis moved and Mr. Libby seconded a motion to nominate Linda Chase as Vice-Chairman of the Board. The motion carried on a vote of 4-1 with Mr. Hathorne opposing.

5.02 To See What Action the Board Wishes to take in Regard to Bid Proposals for Dump Truck Cab & Chassis RFP

The following bids for a Dump Truck Cab & Chassis RFP were opened:

O'Connor Motor Company	\$ 109,980
Portland, Maine	\$ <u>12,000</u> Trade-in
Model #VHD64F200	\$ 97,980
Morrison & Sylvester, Inc.	\$ 117,785
Auburn, Maine	\$ <u>17,000</u> Trade-in
Model #7600SFA	\$ 100,785
Morrison & Sylvester, Inc.	\$ 112,710
Auburn, Maine	\$ <u>18,000</u> Trade-in
Model #7600SFA	\$ 94,710
Freightliner of Maine, Inc.	\$ 112,811
Westbrook, Maine	\$ <u>18,000</u> Trade-in
Model #114SD	\$ 94,811

Mr. Libby moved and Ms. Sturgis seconded a motion for staff to review the bids and report back at the July 6th Selectmen's meeting. The motion carried on a vote of 5-0.

5.03 To See What Action the Board Wishes to take in Regard to Bid Proposals for Dump Body – Sand Spreader – Plow Gear RFP

The following bids for a Dump Body – Sand Spreader – Plow Gear RFP were opened:

H. P. Fairfield, LLC Scarborough, Maine	\$77,550
H. P. Fairfield, LLC Scarborough, Maine	\$73,833
Viking Cives (USA) Lewiston, Maine	\$74,466

Mr. Libby moved and Ms. Sturgis seconded a motion for staff to review the bids and report back at the July 6th Selectmen's meeting. The motion carried on a vote of 5-0.

5.04 To See What Action the Board Wishes to take in Regard to Dump Body RFP

Ted Shane, Public Works Director, said this RFP is for the replacement dump body and includes sandblasting and repainting of the truck rear frame by the bidder or subcontractor.

Mr. Libby said he would like to see a line added and it to read “onsite inspection of 2006 Volvo is required for bid consideration”.

Mr. First said it could be added on the 1st and 4th pages.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the Dump Body RFP with the amendment “onsite inspection of 2006 Volvo is required for bid consideration” added to pages 1 and 4. The motion carried on a vote of 5-0.

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

Mr. Shane said no changes in the specifications from the previous year except for the date.

Mr. Libby moved and Ms. Sturgis seconded a motion to approve the Sand & Gravel Bid Specifications. The motion carried on a vote of 5-0.

5.06 To See What Action the Board Wishes to take in Regard to GPCOG Paving Bid Recommendation

Mr. Shane said he gave the Board copies of the GPCOG paving bids, his recommendation and an estimate for the chip-seal application. He said he is recommending Option #2, Glidden Paving & Excavating, for \$140,778.50, which is for shim only on Cobb's Bridge Road with a Chip Seal for the surface. He said Option #2 also includes repair/patch areas of Sunset Shores and Snow Hill Road. He said the roads that were inspected in neighboring Town's looked good after three/four years. He said there is currently only one company who does this type of application and they are based in Massachusetts, but has three locations in the state. Mr. Shane said later in the evening, the Board is discussing carrying forward funds from FY15 to FY16. He said if the Board goes with Option #2, it would leave a balance of \$12,073 in the paving account. He said if the balance of FY15 Paving, \$12,277, could be carried forward, the total amount would be \$24,751 and he could Chip Seal either Sunset Shores or Black Point Road.

Mr. Libby moved and Mr. Hathorne seconded a motion to award the Paving bid for Cobb's Bridge Road, Sunset Shores and Snow Hill Road to Glidden Paving and Excavating and to accept the Public Works Director's recommendation to Chip Seal Cobb's Bridge Road; and authorize staff to sign application contracts. The motion carried on a vote of 5-0.

5.07 To See What Action the Board Wishes to take in Regard to Code Violation Letters

Debra Parks Larrivee, Code Enforcement Officer (CEO), said to please remove 19 Outlet Road from the discussion because the property owner been in contact with her and is addressing the issues. She said on 13 Outlet Road, she received a letter from the attorney of the guardian for the property. She said she is recommending an additional 60 days to address the issues stated in her letter.

Mr. Libby moved and Mr. Hathorne seconded a motion for the CEO to contact the appropriate parties of 13 Outlet Road and have them address the high priority safety items; if items are not addressed to her satisfaction with 60 days from June 1st, the CEO will report back to the Selectmen to take possible legal action and/or possible fines. The motion carried on a vote of 5-0.

Ms. Larrivee said two letters were sent to the owner of 42 Church Road, outlining a specific list of items that needed to be addressed. She said she has spoken to the owner and the owner has promised to clean up the property several times.

Kristen Searles, owner of 42 Church Road, and Paula Roberts, friend of property owner, spoke to the Board. Ms. Roberts said Ms. Searles is hoping to eventually rebuild on the property. She said the property has been vandalized and authorities have been contacted with no results. She said the neighbors are complaining but are not willing to help. She said it's only the two of them and they can't do it all, physically and/or financially.

Mr. Libby said the first item, the foundation hole, has to be done as soon as possible due to safety issues.

Ms. Roberts said more time is needed to address this issue.

Mr. Libby moved and Mr. Hathorne seconded a motion for Kristen Searles, Map 7 Lot 35, 42 Church Road, to work on high priority unsafe items with the Code Enforcement Officer over the next 90 days including the foundation hole, removal of junk metal pieces; Ms. Searles is to meet with the CEO within 30 days and 60 days; and the CEO report back to the Board at 90 days with any possible further action. The motion carried on a vote of 5-0.

5.08 To See What Action the Board Wishes to take in Regard to Scheduling of a Joint Meeting for Revisions to the Zoning Ordinance Related to the Upper Village Area

Ms. Chase moved and Ms. Sturgis seconded a motion to schedule a joint meeting with the Planning Board, Land Management Committee and Board of Selectmen, for Wednesday, June 24th, at 7:00 p.m., at the Meetinghouse.

Mr. Hathorne said he is unable to attend on the 24th.

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

5.09 To See What Action the Board Wishes to take in Regard to Liquor License Application for Fraternal Order of Eagles #4131

Ms. Chase moved and Ms. Sturgis seconded a motion to sign the Liquor License Application for the Fraternal Order of Eagles #4131, and to note there are no violations or complaints on file per the Code Enforcement Officer. The motion carried on a vote of 4-0-1, with Mr. Hathorne abstaining.

5.10 To See What Action the Board Wishes to take in Regard to Appointing Members to the Public Works Garage Design Committee

Mr. First said he would like to seek applicants for the Public Works Garage Design Committee and would like direction from the Board on number of members for the Committee. He said this Committee will be studying and evaluating site locations, educate the public, and work with the staff to derive alternatives. He said the project is two phased: 1) is the site study and choosing the site; and the 2) is the design work.

Mr. Libby said he recommends the Committee be composed of the Public Works Director, Town Planner, two Selectmen Liaisons and five citizens-at-large. He said the citizens-at-large should not be Planning Board members. He said as the committee and building design progresses, others could be added to the committee.

Ms. Chase moved and Mr. Libby seconded a motion to disband and redesign the Public Works Building Committee and the Committee be comprised of the Public Works Director, Town Planner, two Selectmen Liaison's, Steven Libby and Joshua McHenry and five citizens-at-large.; no Planning Board members on the committee due to possible conflict; and applications will come before the Board at the July 6th meeting. The motion carried on a vote of 5-0.

5.11 To See What Action the Board Wishes to take in Regard to Carry Forward Funds from FY15 to FY16

Mr. Libby moved and Mr. Hathorne seconded a motion to carry over funds to FY16 of \$7,602.16 from Account 128-4-04, Outlet Road Bridge. The motion carried on a vote of 5-0.

Mr. Libby moved and Ms. Sturgis seconded a motion to carry over funds to FY16 of \$184.85 from Account 128-4-12, Town Hall Windows. The motion carried on a vote of 5-0.

Mr. First said the Public Works Director is requesting funds of \$12,227.60 from the FY15 Paving be carried forward to FY16, to be used for additional paving in FY16.

Mr. Libby said he would not be favor of chip sealing another road until we see how it will hold up on the test road.

Mr. McHenry said he can't justify carrying over the funds.

Mr. Libby moved and Ms. Sturgis seconded a motion that funds of \$12,227.40 in Account 128-4-45, Paving, not be rolled over and will go to the Undesignated Fund Balance. The motion carried on a vote of 5-0.

Mr. First said he would like to carryover funds of \$2,000 from account 109-7-05, Insurance Deductible. He said a Town plow truck had an accident back in September of 2013. He said MMA legal is representing the Town to settle the claim.

Mr. Libby moved and Mr. Hathorne seconded a motion to carry over funds to FY16 of \$2,000 from Account 109-7-05, Insurance Deductible. The motion carried on a vote of 5-0.

5.12 To See What Action the Board Wishes to take in Regard to EMS Policy Updates

Mr. First said he was directed by the Board to have legal review the waiver section of the policy and they are fine with how it is written. He said he has received two copies of HIPPA policies to review and create one for the Town, which all should sign.

The Board made the following changes to the policy:

Page 2, Waiver Eligibility Section, #2a, add reference of "Attachment B"

Page 2, Waiver Eligibility Section, under EMS Hardship Committee, #1, add reference of "Attachment C"

Page 2, Payment Plans Section, second sentence, end sentence after the word "terms.", and remove the words "which then must be approved by the Town Manager/Treasurer"

Page 3, last sentence at top of page, change the word months to "month's payments"

Page 3, under Collection Agency Section, second paragraph, first sentence, add a "," after the word "months"

No action taken.

5.13 To See What Action the Board Wishes to take in Regard to Sending a Letter to the Maine Turnpike Authority (MTA) Concerning Toll Diversion

Ms. Chase moved and Ms. Sturgis seconded a motion to sign the letter to the Maine Turnpike Authority Concerning Toll Diversion.

Mr. McHenry said he would like to add a couple more names to the cc list: MTA Director, Peter Mills and the Governor.

The motion carried on a vote of 5-0.

5.14 To See What Action the Board Wishes to take in Regard to Extending the Final Deadline for the Disposition of Tax Acquired Property, Those Listed and Approved for Disposition at the May 4, 2015 Town Meeting, to September 15, 2015.

Mr. First said the 90 day notices went out in the mail and did not include the Tax Lien Ordinance. He said the notices need to be resent with the ordinance and extension is needed on the deadline.

Mr. Libby moved and Mr. Hathorne seconded a motion to extend the Final Deadline for the Disposition of Tax Acquired Property to September 15, 2015. The motion carried on a vote of 5-0.

5.15 To See What Action the Board Wishes to take in Regard to Closing the Town Office Service Window at 12:00 p.m., June 30, 2015 to Close Out the Fiscal Year's Books

Mr. Libby moved and Ms. Sturgis seconded a motion to close the Town Office Service Window at 12:00 p.m., on Tuesday, June 30, 2015, to close out the Fiscal Year's Books. The motion carried on a vote of 5-0.

5.16 To See What Action the Board Wishes to take in Regard to Delay Opening of Town Hall (10:00 a.m.), Library (10:00 a.m.), Public Works and Transfer Station (12:00 p.m.) on July 9, 2015 for Staff Training

Mr. Libby moved and Ms. Sturgis seconded a motion to Delay Opening of Town Hall (10:00 a.m.), Library (10:00 a.m.) and Public Works & Transfer Station (12:00 p.m.) on July 9, 2015 for Staff Training. The motion carried on a vote of 5-0.

5.17 To See What Action the Board Wishes to take in Regard to Public Safety Committee Collecting Law Enforcement Data, Seeking Proposals from Agencies and Providing Recommendations to Selectmen with Applicable Tax Increases for Town Meeting Consideration

Mr. Libby said the Public Safety Committee would like to move forward for Selectmen and Town Meeting consideration for Law Enforcement in the Town of New Gloucester. He said there are several phases to this, including: phase 1) preliminary discussion; phase 2) scope and demographics; phase 3) enforce proposals; phase 4) budget process; and phase 5) May town meeting. He said if the Board gives the preliminary go ahead, the Committee is willing to do this which is quite an undertaking.

Mr. Hathorne said he is in favor of the research and also in favor of the Board having the ability to pull the plug if costs are too large.

Ms. Chase moved and Mr. Hathorne seconded a motion to ask the Public Safety Committee to move forward with research pertaining to Law Enforcement in the Town of New Gloucester. The motion carried on a vote of 5-0.

V. APPROVE FY15 WARRANTS AND PAYROLLS #49 and #50

Mr. Libby moved and Ms. Sturgis seconded a motion to approve FY15 Warrants and Payrolls #49. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve FY15 Warrants and Payrolls #50.

Mr. McHenry said he did not sign the warrant due to a note placed on the invoice payable to Chapman Trucking.

Ms. Chase said she placed the sticker on there as a reminder to the Board of the large expenses occurring for maintenance of Fire Department vehicles.

The motion carried on a vote of 5-0.

VI. APPOINTMENTS

All Board/Committee members up for reappointment were mailed a letter on April 30th and two reminders were sent through email. Notification of vacancies has been posted on the Town website.

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

Ms. Chase moved and Ms. Sturgis 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. Libby moved and Mr. Hathorne 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.

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

Mr. Libby moved and Ms. Chase 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.

C. *Animal Control*

Mr. First said Stephanie Pedersen has expressed interest on becoming the Animal Control Officer. He said she currently runs a dog breeding kennel, has military police education and has the basic skills to do the job. He said she must do the training and said he has agreed to pay for her time and mileage (approximately \$400) while training. He said she is an excellent candidate and it will be a good investment. He said the current Animal Control Officer will provide backup, if needed.

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint Stephanie Pedersen as Animal Control Officer. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to extend the meeting time until 10:20 p.m. The motion carried on a vote of 5-0.

E. *Emergency Management Director*

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

F. Fence Viewer

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint Douglas Bowie as Fence Viewer. The motion carried on a vote of 5-0.

G. Land Management Planning Committee – 4 three-year terms available

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint Sam Coggeshall to a three-year term on the Land Management Planning Committee. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to appoint George Colby to a three-year term on the Land Management Planning Committee. The motion carried on a vote of 4-1, with Mr. McHenry opposing.

Mr. Libby moved and Ms. Chase seconded a motion to appoint Larry Zuckerman to a three-year term on the Land Management Planning Committee.

Mr. Hathorne said Mr. Zuckerman is not a resident of New Gloucester.

Mr. First said he consulted MMA and the only requirements per State statute for becoming a member of a committee is you have to be a United States citizen, resident of the State of Maine and 18 years of age.

Ms. Chase said she is in favor of appointing Mr. Zuckerman because of the knowledge he has of the Town.

The motion failed on a vote of 2-3, with Mr. Hathorne, Mr. McHenry and Ms. Sturgis opposing.

Ms. Chase moved and Mr. Libby seconded a motion to appoint Larry Zuckerman to a one-year term on the Land Management Planning Committee.

Mr. McHenry said he is not happy a non-resident will be serving on a committee but can support a one year term.

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

H. Planning Board – 3 three-year terms available

Mr. Libby moved and Ms. Chase seconded a motion to appoint Mark Leighton to a three-year term on the Planning Board. The motion carried on a vote of 4-1, with Mr. McHenry opposing.

Mr. Libby moved and Ms. Chase seconded a motion to appoint Amy Arata to a three-year term on the Planning Board. The motion carried on a vote of 5-0.

I. *Selectmen Liaisons to Boards & Committees*

- 1. Budget Committee (2-non-voting)**
Linda Chase & Joshua McHenry
- 2. Business Communications (4)**
Steven Libby - Chandler Brothers
Steven Hathorne - Wayfinder Schools
Steven Libby - Pineland Farms
Linda Chase - Shakers
- 2. Cable TV Committee (2-non-voting)**
Steven Libby & Laura Sturgis
- 4. CDBG Municipal Oversight Committee (1)**
David Lunt
- 5. CIP Committee (1-voting)**
Steven Libby
- 6. Community Fair Committee (1-voting)**
Laura Sturgis
- 7. Cumberland County Finance Committee (1-voting)**
Joshua McHenry
- 8. Economic Development Committee (1-non-voting)**
Steven Libby
- 9. Environmental Resources Committee (1-voting)**
Joshua McHenry
- 10. Foreclosure Committee (2-voting)**
Steven Libby & Linda Chase
- 11. Land Management Planning Committee (1-voting)**
Linda Chase
- 12. Library Board of Trustees (1-non-voting)**
Joshua McHenry
- 13. MMWAC Executive Committee Member & Alternate (2-voting)**
Paul First & Steven Libby
- 14. Parks & Recreation Committee (2-voting)**
Linda Chase & Laura Sturgis
- 15. Public Safety Committee (2-voting)**
Steven Libby
- 16. School Board (1-non-voting)**
Joshua McHenry
- 17. Water District (1-non-voting)**
Steven Libby

Mr. Libby moved and Mr. Hathorne seconded a motion to accept the Liaison list as discussed. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to extend the meeting time until 10:35 p.m. The motion carried on a vote of 4-1, with Ms. Chase opposing.

VII. LEGAL

Mr. First said MMA Legal is representing the Town and the truck driver for an accident that took place in September of 2013. He said the insurance company is handling this claim and will keep us updated.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the June 1, 2015, Board of Selectmen's Meeting

Mr. McHenry said a spelling correction under the Legal section. He said the word "disposed" should be "deposed".

Mr. Libby moved and Ms. Chase seconded a motion to approve the Minutes of the June 1, 2015, Board of Selectmen's Meeting as amended. The motion carried on a vote of 4-0-1, with Mr. Hathorne abstaining.

IX. ORAL COMMUNICATION

A. Selectmen

Laura Sturgis – no comments.

Stephen Hathorne – said he wanted to thank the voters, volunteers and support staff for all their work and help.

Linda Chase – no comments.

Steven Libby – asked if the Morse Road Engineering RFP was ready.

Mr. First said the Public Works Director was working on it and should be ready for the next meeting.

Mr. Libby said he was informed that the Liaison the Board appointed to the SAD #15 Capital Improvement Committee was not allowed to vote on that Committee. He said he has issues with that and is there a remedy.

Ms. Chase said when she attended the first meeting of that Committee, they stated she would not be able to vote or be part of the discussions.

Joshua McHenry – said the Library is kicking off its Summer Reading Program and also seeking those wishing to participate in the upcoming play. He said to contact the Library for additional information. He said he wanted to thank the Board for electing him Chairman and he will do his best.

B. Town Manager

Mr. First said he wanted to thank the staff, volunteers and candidates for their hard work at the election.

Mr. First said he met with representatives from the Cemetery Association and discussed the decline in funding. He said he will have data at the next meeting.

Mr. First said there are currently a lot of discussions throughout the state concerning jail funding. He said he is following the discussions and will keep the Board updated of any developments.

Mr. First said he wanted to remind the Board about the upcoming MMA Elected Officials Workshop. He said there are two trainings: 6/29 in Waldoboro; and 6/30 in Bethel. He said it's very informative and the workshop is for new and veteran Board members. He also let Mr. Hathorne know he needed to do a NIMS training as well as FOAA.

Ms. Myers said the Elected Officials Workshop will qualify as FOAA training.

Mr. First said he has a call into MDOT concerning the paving of Route 100 and the ponding of water in an area that has been problematic in the past. He is awaiting a response.

Mr. First said he has contacted the Sheriff's Department concerning the speeds of vehicles in front of Memorial School and asked for increased enforcement in that area.

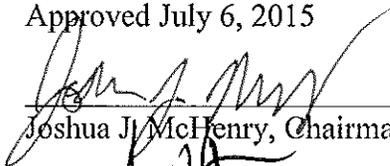
C. Dept. Heads

D. Boards & Committees

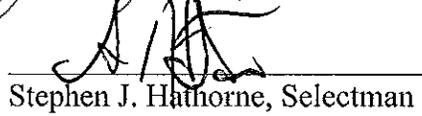
X. ADJOURN

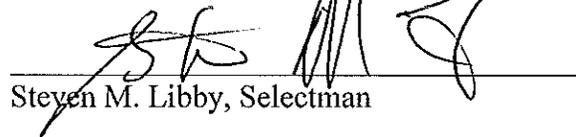
Mr. Hathorne moved and Ms. Sturgis seconded a motion to adjourn at 10:40 p.m. The motion carried on a vote of 4-1, with Ms. Chase opposing.

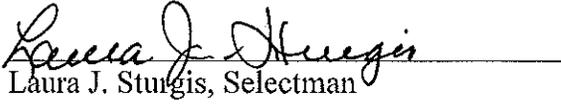
Approved July 6, 2015


Joshua J. McHenry, Chairman


Linda D. Chase, Vice-Chairman


Stephen J. Hathorne, Selectman


Steven M. Libby, Selectman


Laura J. Sturgis, Selectman