

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, July 20, 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 7:08 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's Meeting-- 7:00 p.m., Monday, August 3, 2015

A. Adjustments to the Agenda

Mr. Libby moved and Ms. Sturgis seconded a motion to add Agenda Item 4.14, To See What Action the Board Wishes to take in Regard to Game of Chance Lucky Seven Application for Lunn Hunnewell Amvets Post #6. The motion carried on a vote of 5-0.

III. PUBLIC PARTICIPATION

Nathaniel Berry, resident, spoke to the Board concerning the statements made and vote taken at the previous meeting during the appointment of CIP Committee Members and the non-appointment of Chongae Berry.

IV. SCHEDULED ITEMS

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

The following Dump Body – Sand Spreader bids were opened:

H. P. Fairfield, LLC – Scarborough, ME

Option #1 \$42,433

Option #2 \$32,999

Viking-Cives (USA) – Lewiston, ME

Bid Amount \$36,465

Messer Truck Equipment – Westbrook, ME

Bid \$42,395

Travis Baker, of H. P. Fairfield, said the difference between Option 1 and 2 is Option 1 meets the bid specifications in its entirety and Option 2 does not. He said lead time Option 2 would not be quicker than Option 1, which would be October.

Tim Ireland, of Viking-Cives (USA), said turnaround time would be 90 day and complete in November.

Ted Shane, Public Works Director, said he was ready to make a recommendation.

The Board said they would like Mr. Shane to thoroughly review the bids.

Mr. Shane said he could review them that evening and make his recommendation later in the meeting.

Mr. Hathorne moved and Mr. Libby seconded a motion to table this item until later in the meeting, allowing Mr. Shane time to review the bids. The motion carried on a vote of 5-0.

4.09 To See What Action the Board Wishes to take in Regard Awarding of Sand & Gravel Bids

Mr. Shane said he did not calculate labors into the cost as all bidders had approximately three-quarters of an hour turnaround time. He said he is not recommending the low bidder on winter sand. He said he went to the site and looked at the product and there was a lot of stone dust as well as 3/8" stone mixed in. He said a few years ago, stone dust was used during the winter months and was not liked by the taxpayers because it stuck to their vehicles and was hard to clean. He said it was hard to clean off the Town vehicles and in the spring, it was difficult to clean the roads because it hardened on like cement.

Mr. Libby moved and Ms. Sturgis seconded a motion to award the Sand and Gravel Bid as follows:

<i>Sub-base</i>	<i>\$6.00</i>	<i>Portland Sand & Gravel</i>
<i>Base</i>	<i>\$6.00</i>	<i>Portland Sand & Gravel</i>
<i>Standard Surface</i>	<i>\$7.60</i>	<i>Pike Industries, Inc.</i>
<i>M.D.O.T.</i>	<i>\$8.75</i>	<i>K & K Excavation, Inc.</i>
<i>Winter Sand</i>	<i>\$4.00</i>	<i>M-T Pit</i>

The motion carried on a vote of 5-0.

Mr. Shane said he would like to discuss the Bid & Purchasing Policy pertaining to the purchase of the Transfer Station Roll-off Containers.

Mr. Libby moved and Mr. Hathorne seconded a motion to add Item 4.15, To See What Action the Board Wishes to take in Regard to Purchasing Policy, and to take this item out of order. The motion carried on a vote of 5-0.

4.15 To See What Action the Board Wishes to take in Regard to Purchasing Policy

Mr. Shane said on page 2 of the Purchasing Policy, it states the Board may waive the bid process. He said in years past, purchasing of the roll-off containers has been done through a bid process. He said the manufacturer of the containers is from Maine and sells them to a company in Massachusetts, who we have purchased from in the past. He said purchasing them direct through the Maine manufacturer would be less expensive and lower delivery costs for the Town and he asks for the Board to waive the bid policy.

Mr. First suggested three quotes on the roll-off containers.

Mr. Libby said not bidding a \$10,000 item is not good practice.

Mr. Hathorne said he is not in favor of going against the purchasing policy.

Mr. McHenry said he would like to see Mr. Shane get three quotes and brought to the Board at a future meeting.

Ms. Sturgis was in agreement with Mr. McHenry.

Ms. Sturgis moved and Mr. Hathorne seconded a motion to waive the formal bid process in the Purchasing Policy; the Public Works Director to obtain three written quotes on the Roll-off Containers for the Transfer Station; and the information come back to the Board of Selectmen. The motion carried on a vote of 4-1, with Ms. Chase opposing.

Ms. Chase said she is opposed because she would like to see the policy followed.

4.10 To See What Action the Board Wishes to take in Regard to Public Works Garage Engineering RFP

Will Johnston, Town Planner, said the RFP is before the Board for their review and comments. He said he would like to send the RFP out as soon as possible.

The Board discussed the RFP and made the following changes:

- Page 1 Section I, paragraph 3 & 4, add the year to the dates; make them bold; and make sure all dates correspond with Section VII
- Page 1 Section II, A, #1, change from "2-3" sites to "3" sites
- Page 3 Section II, B, #3, after word three, add "(3)"
- Page 4 Section VII Schedule, change the dates to read as follows:

Pre-Submission Meeting	August 10, 2015
Deadline for questions:	August 12, 2015
Submissions due:	August 17, 2015
Interviews (if determined necessary)	August 19-21, 2015 (target date)
Consultant Selected:	August 24, 2015 (Target Date)
Execute contract:	August 31, 2015 (Target Date)
Begin work:	September 1, 2015 (Target Date)
Work substantially completed:	March 1, 2015

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the Public Works Garage Engineering RFP, as amended. The motion carried on a vote of 5-0.

4.11 To See What Action the Board Wishes to take in Regard to Beano Application for Lunn-Hunnewell Amvets Post #6

Mr. Hathorne moved and Ms. Chase seconded a motion to sign the Beano Application for the 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.

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

Mr. Shane said he has reviewed the four bids. He said the reason he is not selecting the low bidder is the body does not meet the bid specifications. He said he is recommending the bid be awarded to Viking-Cives (USA) for \$36,765, which includes \$300 cost to remove the body. He said this is the same body the Town has purchased for the last two trucks.

Mr. Libby moved and Mr. Hathorne seconded a motion to award the Dump Body-Sand Spreader bid to Viking-Cives (USA), for a total bid amount of \$36,765, which includes the removal of the current body for \$300. The motion carried on a vote of 5-0.

4.12 To See What Action the Board Wishes to take in Regard to Game of Chance Dice Application for Fraternal Order of Eagles #4131

Mr. Hathorne stated for the record that he is a member of the Fraternal Order of Eagles #4131.

Mr. Libby moved and Ms. Chase seconded a motion to sign the Game of Chance Dice 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 5-0.

4.13 To See What Action the Board Wishes to take in Regard to HIPPA Policy

Mr. First said he received additional information pertaining to the HIPPA Policy that is before the Board that evening and he recommending tabling the policy until this new information can be fully considered

Mr. Hathorne moved and Mr. Libby seconded a motion to table this item. The motion carried on a vote of 5-0.

4.14 To See What Action the Board Wishes to take in Regard to Game of Chance Lucky Seven Application for Lunn-Hunnewell Amvets Post #6

Mr. Libby moved and Mr. Hathorne seconded a motion to sign the Game of Chance Lucky Seven Application for the Lunn-Hunnewell 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.

V. APPROVE FY16 WARRANTS AND PAYROLLS #2 & #3

Mr. Libby moved Mr. Hathorne seconded a motion to approve FY16 Warrants & Payrolls #2. The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to approve FY16 Warrants & Payrolls #3. The motion carried on a vote of 4-0-1, with Mr. McHenry abstaining.

VI. APPOINTMENTS

A. Joint Leaders – Selectman Liaison

Mr. First said the joint leaders meet once a month, during the day, at the MSAD #15 office and attendees are the Gray Council Chairman, Gray Town Manager, School Board member(s), Superintendent, as well himself and a Board of Selectmen Chairman.

Mr. Hathorne moved and Ms. Sturgis seconded a motion to appoint Joshua McHenry as Selectmen Liaison for the Joint Leaders. The motion carried on a vote of 4-0-1, with Mr. Libby abstaining.

VII. LEGAL

Mr. First said updates for the Sacco case include: 1) a bench trial has been scheduled for Tuesday, August 18th; 2) last Friday, July 17th, the Town submitted a motion for a summary judgment, which outlines the reasons to dismiss the case; and 3) a judicial settlement conference has been set for Wednesday, July 22nd, at 9a.m., at the Cumberland County Courthouse. He said the Attorney would like a Board member to accompany the Town Manager to the conference.

Ms. Chase moved and Mr. Hathorne seconded a motion for Ms. Sturgis and Mr. Libby to accompany the Town Manager in representing the Town at the judicial settlement for the Sacco case, on Wednesday, July 22, 2015. The motion carried on a vote of 5-0.

Mr. First said an update on the old School House lot. He said he spoke briefly with MMA and the Town Attorney about deed restrictions for the lot. Mr. First said the best way for the Town to handle this is to wait until the contract is spelled out and let the Attorney address the restrictions in the deed. He said this way the costs will be assumed by the buyer at closing.

Mr. Libby said he would like the potential buyer to be aware of this information and it was not an agenda item for that evening.

Mr. Hathorne moved and Ms. Sturgis seconded a motion for the Town Manager and Mr. Hathorne to negotiate terms of the School House Lot sale and bring back to the Board in Executive Session of a future meeting. The motion carried on a vote of 5-0.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the July 6, 2015, Board of Selectmen's Meeting

Ms. Chase moved and Mr. Hathorne seconded a motion to approve the Minutes of the July 6, 2015, Board of Selectmen's Meeting with the following amendments:

Page 2, C., CIP Committee, fourth paragraph, second sentence, change the word "carried" to "failed"

Page 7, third paragraph, correct spelling of "site" to "sight"

Page 9, last sentence, remove the word "director" after the word "Pineland"

Mr. McHenry asked Ms. Myers if she would like to present a clean copy to the Board at the next meeting.

Ms. Myers said a clean copy would be better than crossing out and initialing.

Ms. Chase rescinded her motion

Mr. Libby moved and Ms. Sturgis seconded a motion to table until the next meeting. The motion carried on a vote of 5-0.

IX. ORAL COMMUNICATION

A. Selectmen

Stephen Hathorne – asked the Town Manager if he researched the 40 mph speed limit on Route 100.

Laura Sturgis – said the 40mph speed limit was only temporary during construction.

Linda Chase – no comments.

Steven Libby – no comments.

Joshua McHenry – said he was glad to see the waterline project to Memorial School underway and partially in the ground.

B. Town Manager

Mr. First said kudo's to the Water District Trustees to get the waterline project to the school underway.

Mr. First said Public Works Department will be done with ditching and culvert work on Cobbs Bridge Road this week and F. R. Carroll will be paving next week. He said the Town crew will then move to Snow Hill and Sunset Shores Roads.

Mr. First said striping of Town roads began last Friday night and will continue this week.

Mr. First said staff reviews are almost complete.

Mr. First said the Deputy Clerk position has been advertised and he has received lots of applicants.

Mr. First said the Sabbathday Lake Association is asking for help with milfoil in the so called "Town Beach" section of Sabbathday Lake. He said they would like to come before the Board on this issue and will place them on a future agenda.

Mr. First said the new Aavelin equipment for Channel 3 has arrived and has been installed. He said Channel 3 is now running at full capability.

Ms. Chase said she has no problem with the Sabbathday Lake Association coming to the Board to discuss any issues but would also like to extend an invitation to the property owners of the beach area being discussed.

Mr. McHenry said photos of the area would also help.

Mr. First said the agenda for the next meeting is looking very light. He said Ms. Myers would be late to the meeting due to closing of the day's work.

Ms. Chase said the Executive Session could be held first, if needed.

C. Dept. Heads

D. Boards & Committees

X. EXECUTIVE SESSION

- A. Per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. A.** Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons . . .
(Town Manager's review)

Mr. Hathorne moved and Ms. Sturgis seconded a motion to move into Executive Session Per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. A., Town Manager's review, at 9:03 p.m. The motion carried on a vote of 5-0.

Mr. Hathorne departed the meeting at 9:55 p.m.

XI. RETURN TO OPEN SESSION

Mr. McHenry brought the Board out of Executive Session at 10:10 p.m.

Mr. Libby moved and Mr. McHenry seconded a motion to extend the meeting time until 10:30 p.m. The motion carried on a vote of 3-0-1, with Ms. Chase abstaining.

Mr. Libby moved and Mr. McHenry seconded a motion to go into Executive Session Per M.R.S.A. 31 Title 1, Chapter 13 § 405, 6. A., Town Manager's review, at 10:12 p.m. The motion carried on a vote of 4-0.

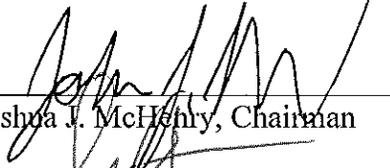
Mr. McHenry brought the Board out of Executive Session at 10:22 p.m.

Mr. Libby moved and Mr. McHenry seconded a motion to increase the Town Manager's pay by 4%, retroactive to July 1, 2015. The motion carried on a vote of 4-0.

XII. ADJOURN

Mr. Libby moved and Ms. Sturgis seconded a motion to adjourn at 10:23 p.m. The motion carried on a vote of 4-0.

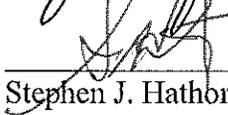
Approved August 17, 2015



Joshua J. McHenry, Chairman



Linda D. Chase, Vice-Chairman



Stephen J. Hathorne, Selectman

Steven M. Libby, Selectman



Laura J. Sturgis, Selectman