

MINUTES
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, March 6, 2017
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, Linda Chase, called the meeting to order at 7:01 p.m. Present were Chairman, Linda Chase; Vice-Chairman, Steven Libby; Selectmen, Lenora Conger, Stephen Hathorne and Laura Sturgis; Town Manager, Paul First; and Recorder, Sharlene Myers.

II. SCHEDULE NEXT MEETING:

Board of Selectmen Meeting – 7:00 p.m., Monday, March 20 2017

A. Adjustments to the Agenda

None.

III. PUBLIC PARTICIPATION

None.

IV. SCHEDULED ITEMS

4.87 To See What Action the Board Wishes to take in Regard to CMP Pole Permit

Mr. Libby moved and Mr. Hathorne seconded a motion to approve the CMP Pole Permit. The motion carried on a vote of 5-0.

4.88 To See What Action the Board Wishes to take in Regard to Road Name Application for Eljay's Way

Mr. Libby said he doesn't believe, per the ordinance that apostrophes are allowed on street names.

Mr. Hathorne moved and Mr. Libby seconded a motion to table the Road Name Application for Eljay's Way. The motion carried on a vote of 5-0.

4.89 To See What Action the Board Wishes to take in Regard to Re-Consideration of the November 14th Contingent Decision to Award to Ganneston Construction

Mr. First said the Board moved on November 14th that Ganneston Construction be selected as the design-build contractor for the Public Works Garage project and a subcommittee of the Public Works Design Committee was charged to negotiate with Ganneston to arrive at a final project cost below \$4 million. He said the subcommittee met with Ganneston and the cost with contingencies and financing is at \$4.5 million and \$4.2 million without. He said the committee is asking the Board to reconsider their motion due to costs.

Mr. Libby said in order for Ganneston to meet the Board's request, they have provided several cost savings measures, some of them not beneficial to the Town. He said the RFP will require a fair amount of re-design and major rewrite to get the project below \$4 million.

Stacy Morrison, of Ganneston Construction, said she understands the frustrations of the group and she is willing to work with the Town. She said she has talked with a metal building supplier along with discussions with a new estimator for the project. Ms. Morrison said the construction season for this summer has been lost but Ganneston has the same interest in completing this project.

Mr. Libby moved and Ms. Conger seconded a motion to take no action and the committee to meet with Ganneston for a brainstorming session and the results be brought back to the Board of Selectmen. The motion carried on a vote of 5-0.

4.90 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 the recommended date is Friday, March 31, 2017.

Ms. Chase asked if this date is too late.

Mr. First said it's the same time as last year, which is the Friday before the April 3rd Board meeting.

Mr. Libby moved and Mr. Hathorne seconded a motion to set the date of Friday, March 31, 2017 as the last day to accept warrant article by petition for the Annual Town Meeting. The motion carried on a vote of 5-0.

4.91 To See What Action the Board Wishes to take in Regard to FY18 Proposed Budget

Mr. First said the Budget Committee held their Budget Public Hearing on March 1, 2017. He said one resident commented on adding additional funding for winter road maintenance. He said the Budget Committee completed their review and their budget differs from the Selectmen's by \$3,000 which consists of additional monies of \$2,000 in Building and Grounds, \$500 in Cable TV and \$500 in Cemeteries. Mr. First said the \$2,000 in Building and Grounds is to fund crack

sealing of the Fire Station parking lot and possible some repairs to the Town Hall parking lot.

Mr. Libby moved and Mr. Hathorne seconded a motion to keep the Selectmen's Budget as approved. The motion carried on a vote of 5-0.

V. APPROVE FY17 WARRANTS AND PAYROLLS #33, #34, & #35

Mr. Libby moved and Ms. Sturgis seconded a motion to approve FY17 Warrants and Payrolls #33, #34 and #35. The motion carried on a vote of 5-0.

VI. APPOINTMENTS

A. Resignation of Jamie Duncan from *Land Management Planning Committee*

Mr. Libby moved and Ms. Sturgis seconded a motion to accept the resignation of Jamie Duncan from the Land Management Planning Committee, with regret. The motion carried on a vote of 5-0.

VII. LEGAL

Mr. First said he was asked to talk with the Town Attorney about how to bridge the gap between when the moratorium expires and the State completes their rules and regulations. He said the Town Attorney said the Town could do the following: 1) act now and create an ordinance that outright bans marijuana retail establishments and social clubs, which could then be amended later; or 2) take the wait and see option and react once the State issues their rules. Mr. First said the Board will be seeing the draft Town Meeting Warrant at the March 20th meeting, which would include the draft language recommended by the Town Attorney.

Mr. Libby moved and Mr. Hathorne seconded a motion to include a warrant article, with language recommended by the Town Attorney, for a ban of marijuana retail establishments and smoke shop in the Town of New Gloucester; and to direct the Town Manager to schedule a Public Hearing. The motion carried on a vote of 5-0.

VIII. WRITTEN COMMUNICATION

A. Approve Minutes of the February 6, 2017 Board of Selectmen's Meeting

Ms. Conger moved and Mr. Hathorne seconded a motion to approve the Minutes of the February 6, 2017, Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

B. Approve Minutes of the February 28, 2017 Emergency Board of Selectmen's Meeting

Mr. Libby moved and Ms. Conger seconded a motion to approve the Minutes of the February 28, 2017, Emergency Board of Selectmen's Meeting. The motion carried on a vote of 4-0-1, with Mr. Hathorne abstaining.

IX. ORAL COMMUNICATION

A. Selectmen

Stephen Hathorne – said he wanted to congratulate the Gray-New Gloucester High School Girls Basketball Team on their State Championship. He said he understood there was approximately five thousand Gray/New Gloucester residents in attendance in Augusta on Friday evening. Mr. Hathorne said the Town of New Gloucester recently lost two residents who were former employees of the Town: Lloyd Morrison and Eric Ray.

Laura Sturgis – said she watched the televised basketball game Friday evening and Congratulations to Girls Team. She said resident Ben DeTroy was interviewed at half-time and his daughter, Izzy, played a great game. She said the opposing team was from Houlton, which is her hometown.

Lenora Conger – no comments.

Steven Libby – said he watched the game as well and wanted to extend his congratulations. He said this State Championship was the first ever won by Gray-New Gloucester High School.

Linda Chase – said she agrees the team did a wonderful job. She said the Boys Basketball Team on Friday night was presented the Class B Sportsmanship Award by the Maine Principals Association. She said the GNG Unified team won their game this past weekend. Ms. Chase said Congratulations to all the teams.

B. Town Manager

Mr. First said it was quite an achievement by the GNG Girls. He said he was looking at the pictures and one of the pictures shows the girls on the bench all jumping at the same time when the buzzer sounded at the end of the game. Congratulations to all.

Mr. First said the Annual Report Dedication is needed this week in order to get the report to the printers in a timely manner.

Mr. First said the March 20th Board meeting will include the first look at the Annual Town Meeting Warrant and wanted to make sure on what he is including outside of the normal warrant articles. He said he has the following additional articles: zoning changes; TIF amendments (include now or wait for the project); term limits citizen's petition; cable TV request for \$5,000 for emergency repairs; and the ban for marijuana retail establishments and smoke shops.

Mr. Libby said he recommends waiting on the TIF amendments and included them when the Public Works Garage goes before the Town.

Ms. Chase said the term limits citizens petition has to be on the warrant.

Mr. Libby said there should be a spokesperson in attendance at the Town Meeting to answer questions pertaining to the petition.

- C. Dept. Heads
- D. Boards & Committees

X. APPROVE FY17 WARRANTS AND PAYROLLS #36

Mr. Libby moved and Mr. Hathorne seconded a motion to approve FY17 Warrants and Payrolls #36. The motion carried on a vote of 5-0.

XI. 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. Libby moved and Mr. Hathorne 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 8:07 p.m. The motion carried on a vote of 5-0.

XI. RETURN TO OPEN SESSION

Ms. Chase brought the Board out of Executive Session at 8:13 p.m.

Mr. Libby moved and Mr. Hathorne seconded a motion to authorize the Town Manager to sign the conveyance documents for the sale of the tax acquired Girardin property to Central Maine Power (CMP). The motion carried on a vote of 5-0.

Mr. Libby moved and Mr. Hathorne seconded a motion to authorize the Town Manager to sign the documents for the conveyance of the recreation access easement to the Royal River Conservation Trust (RRCT). The motion carried on a vote of 5-0.

XII. 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 subject to the following condition: (1) an executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated; **and F.** Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute (*Town Manager Resume Review*)

Mr. Libby moved and Mr. Hathorne seconded a motion to enter into Executive Session Per M.R.S.A. Title 1, Chapter 13 § 405, 6.A. (Town Manager Resume Review at 8:20 p.m. The motion carried on a vote of 5-0.

XIII. RETURN TO OPEN SESSION

Ms. Chase brought the Board out of Executive Session at 9:00 p.m.

Mr. Libby moved and Mr. Hathorne seconded a motion to take no action. The motion carried on a vote of 5-0.

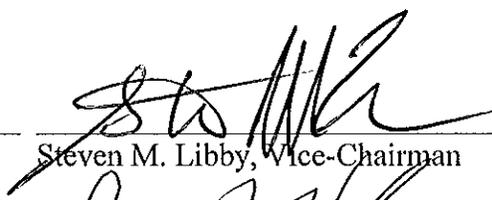
XIV. ADJOURN

Mr. Libby moved and Mr. Hathorne seconded a motion to adjourn at 9:01 p.m.. The motion carried on a vote of 5-0.

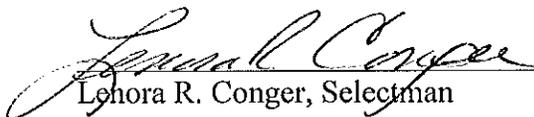
Approved March 20, 2017



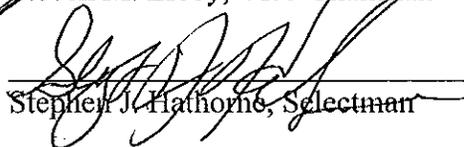
Linda D. Chase, Chairman



Steven M. Libby, Vice-Chairman



Lehora R. Conger, Selectman



Stephen J. Hathorne, Selectman

Laura J. Sturgis, Selectman