

ANNOTATED AGENDA
Town of New Gloucester
BOARD OF SELECTMEN'S MEETING
7:00 p.m.
Monday, September 16, 2019
At the Meetinghouse

BOARD OF SELECTMEN'S MEETING

- I. CALL THE MEETING TO ORDER & ATTENDANCE**
- II. PLEDGE OF ALLEGIANCE**
- III. MOMENT OF SILENCE**
- IV. SCHEDULE NEXT MEETING:**
- **Board of Selectmen's Meeting – 7:00 p.m., Monday, October 7, 2019 at the Meetinghouse**
- A. Adjustments to the Agenda**
- V. PUBLIC COMMENTS**
- A. Presentation on Solar – Revision Energy**
 - B. Other**
- VI. PRIOR MEETING UPDATE**
- A. Selectmen Chair**
 - B. Town Manager**
- VII. SCHEDULED ITEMS**
- 4.29 To See What Action the Board Wishes to take in Regard to Library Deck Replacement Bid Recommendation**
- 4.30 To See What Action the Board Wishes to take in Regard to Loader Specs**
- Please see attached paperwork.
- 4.31 To See What Action the Board Wishes to take in Regard to Public Works Job Descriptions**
- Please see attached paperwork.

- 4.32 To See What Action the Board Wishes to take in Regard to Community Fair Committee Quorum
- 4.33 To See What Action the Board Wishes to take in Regard to Stop Sign at Pond and Sabbathday Road
- 4.34 To See What Action the Board Wishes to take in Regard to Scheduling Selectmen's Workshop on Board and Committee Bylaws

Please see attached paperwork.

VIII. APPROVE FY20 WARRANTS AND PAYROLLS #9, #10, #11 and #12

IX. APPOINTMENTS AND RESIGNATIONS

- A. *Parks & Recreation – 1 three-year terms available
1 completion two-year term available*

Thomas Halstead – would like to be appointed

Please see attached paperwork.

X. LEGAL

XI. WRITTEN COMMUNICATION

- A. **Approve Minutes of the August 19, 2019, Board of Assessor's, Selectmen's Workshop and Board of Selectmen's Meeting**

Please see attached paperwork.

XII. ORAL COMMUNICATION

- A. **Selectmen**
- B. **Town Manager**
- C. **Dept. Heads**
- D. **Boards & Committees**

XIII. ADJOURN

4. 30

**Town of New Gloucester
Invitation to Bid on
New 1.3 yard Wheel Loader
For the Transfer Station
September 2019**

This is an invitation to submit a bid to the Town of New Gloucester for a new **1.3 Yard Wheel Loader** for the Transfer Station. **Bid packages can be received from the Town Office at 385 Intervale Road or by emailing smyers@newgloucester.com.** Bids must be submitted on the mandatory **Bid Form** to Carrie Castonguay, Town Manager, New Gloucester Town Office, 385 Intervale Road, New Gloucester, Maine, 04260, in a sealed envelope clearly marked **1.3 Yard Wheel Loader**, by 6:00 p.m., Monday, October 7, 2019. Bids will be opened and read at 7:00 p.m., Monday, October 7, 2019, at the Board of Selectmen's meeting at the New Gloucester Meetinghouse. The Town of New Gloucester, reserves the right to accept or reject any and all bids.

**Town of New Gloucester
Invitation to Bid on
New 1.3 yard Wheel Loader
For the Transfer Station
September 2019**

This is an invitation to submit a bid to the Town of New Gloucester for the replacement of a new **1.3 Yard Wheel Loader** at the Transfer Station.

All specifications are minimums; changes may be approved by the Board of Selectmen. Bids on comparable unit will be considered as long as the unit meets or exceeds specifications and conditions.

Wheel Loader must be completely inspected by bidder prior to delivery and upon completion of the machine. Delivery date and installation date will be agreed upon in writing by both Vendor and the Town of New Gloucester. A penalty of **\$100.00** per day will be assessed to the bidder for every day the job is incomplete past the due date.

Bid packages can be received from the town office at 385 Intervale Road or by emailing smyers@newgloucester.com.

Bids must be submitted on the attached mandatory **Bid Form** to Carrie Castonguay, Town Manager, New Gloucester Town Office, 385 Intervale Road, New Gloucester, Maine, 04260, in a sealed envelope clearly marked **1.3 Yard Wheel Loader**, by 6:00 p.m., Monday, October 7, 16, 2019. Bids will be opened and read at 7:00 p.m., Monday, October 7, 2019, at the Board of Selectmen's meeting at the New Gloucester Meetinghouse.

The Town of New Gloucester, reserves the right to accept or reject any and all bids.

**Town of New Gloucester
Bid Form
Replacement of 1.3 Yard Wheel Loader
For the Transfer Station**

Name of Company: _____

Address of Company: _____

Name of Representative: _____

Telephone Numbers: _____

Email Address: _____

Completion Date: _____

Base Bid Amount: _____

Less Trade in Allowance for Existing Unit: _____

(Town of New Gloucester reserves the right to keep the trade)

Total Cost with Warranties: _____

Cost of Warranties: (Use separate sheet if necessary)

List of References on above Bid Machine: (Use separate sheet if necessary)

Comments:

Signature _____

Date _____

**TOWN OF NEW GLOUCESTER
BID SPECIFICATIONS
1.3 CUBIC YARD WHEEL LOADER**

I. GENERAL

Purpose and Intent - To describe a new four wheel drive, articulated loader to be used as a multi-purpose vehicle, including normal loader use and winter use as a snow plow for heavy snow removal at The Transfer Station.

All parts used in the construction of the loader and accessories must be standard, in stock parts which are continuously in inventory and available for delivery within a 48 hour period.

Any deviation from listed Minimum Specification Items must be identified by Vendor.

II. ENGINE / DRIVE-TRAIN

- a. Vehicle shall be powered by a turbocharged, four stroke, four cylinder diesel EPA Tier IV engine, developing minimum 70 net minimum horsepower, designed for continuous peak output.
- b. Full flow oil filter with spin-on bypass filter.
- c. Dry type two-stage air cleaner with restriction indicator gauge.
- d. Engine equipped with fuel and water separator filter.
- e. Emergency warning device with light and buzzer, in event of high water temperature and/or low oil pressure.
- f. The front axle must be lockable for better traction.
- g. Full automatic power shift transmission with minimum four forward speeds and 3 reverse speeds and a torque converter or Hydrostatic transmission with infinite gearing in forward and reverse
- h. Transmission oil cooler.
- i. Cooling system shall have ample capacity for continuous high engine output under extreme temperatures and/or operating conditions. Anti-freeze for -40°F.
- j. Minimum operating weight: 14,000 lb.
- k. Fuel capacity: 20 gallons minimum.
- l. Engine shall be equipped with a cold weather starting package including the following:
 1. Engine-jacket water heater 120 volt with receptacle.
 2. Ether starting aid, ignition switch type, or factory installed glow plugs
- m. Sealed wet disc brakes.
- n. Parking brake with instrument panel warning light.

III. LOADER CAB

- a. Fully enclosed, pressurized, ROPS cab design meeting OSHA noise limit requirements. With lockable doors.
- b. Cab lay out and arrangement shall be user friendly and tend to build operator confidence while having the lowest operator fatigue factor. Ergonomically designed operator's controls acceptable to the Town.
- c. Maximum output heater and defroster for all windows.
- d. Auxiliary circulating fans, pedestal mounts.
- e. Full intermittent windshield wipers and washers' front and rear.
- f. Instrumentation:
 - 1. Oil pressure (audible and visual alarm)
 - 2. Water temperature (audible and visual alarm)
 - 3. Battery condition and charge rate
 - 4. Fuel gauge
 - 5. Speedometer with odometer
 - 6. Tachometer
 - 7. Hour meter
 - 8. Transmission temperature and pressure gauge
 - 9. Diagnostics menu
- g. Tinted glass and sun visors.
- h. Ergonomically designed Air adjustable seat with seat belt.
- i. Equipment controls easily accessible by driver.
- j. Interior cab light.
- k. One 5 lb. minimum ABC rated dry chemical fire extinguisher.
- l. One interior and two exterior right and left side heated mirrors.
- m. AM/FM radio with clock.
- n. Steps and handrails shall be provided as required for ascending or descending from the vehicle. All steps shall be of the non-skid type.
- o. Full fenders front and rear, with mud flaps sufficient to keep mud and water from tires off all windows.
- p. Drains shall be provided on all cab and compartment locations where free-standing water can collect. The open drains shall not drain onto locations anticipated to be occupied by personnel during normal operations.
- q. Floor mat, rubber or vinyl for complete cab floor.
- r. Tilt steering wheel.
- s. Air conditioning, factory installed.
- t. Cab to be prewired for one 45 Watt two way radio with antenna.
- u. Vandalism package (lockable access panels)
- v. Widest and least limited operator's views.

IV. ELECTRICAL

- a. 12 volt system, 65 amps. Alternator minimum.
- b. 2 Batteries with 1700 minimum cold cranking amps at 0°F.
- c. Light switches heavy duty, positioned, labeled and illuminated for easy driver identification and use.
- d. Three extra switches mounted in dash for customer installed auxiliary lighting.
- e. Standard lighting to meet federal requirements. Turn signals front and rear and rear stop-tail lights.
- f. Four front mounted work lights and two rear mounted work lights, all to be LED.
- g. Two Whelen strobe lights, amber, mounted on cab, right & left, visible from front, rear and sides.
- h. Two LED back up lights and a back up alarm, automatically activated when in reverse.
- i. Master electrical disconnect switch.

V. WHEELS AND TIRES

- a. Wheels shall comply with National Wheel and Rim Association standards.
- b. Tires shall be 405/70R20 (or equivalent) **Foam Filled** on single piece rims. Town approved tread pattern.

VI. PAINT

- a. The vehicle and all mounted equipment shall be cleaned first, then treated with a corrosion inhibitor, primed, puttied, sanded and finally painted with matching paint of manufacturers color.
- b. The finish shall be free of “fisheye”, “orange peel”, chips, runs, or other imperfections that detract from the equipment’s corrosion resistance and appearance.

VII. MANUALS

- a. To be provided with loader. (3) Copies each of the following manuals for the model offered:
 1. Operator’s manual
 2. Service manual
 3. Parts manual

VIII. MISCELLANEOUS

- a. Ride control system.
- b. License plate bracket.
- c. Rear mounted tie down and lift hooks.
- d. Equipment shall be completely inspected and serviced by vendor and be ready to work upon delivery.
- e. Equipment offered must comply with all applicable Federal and State of Maine Laws.
- f. Loader to come with quick coupled 48" Pallet Forks.

IX. HYDRAULIC SYSTEM / BUCKET

- a. Three spool valve with one lever per valve or Joystick control suitable to control all functions of the hydraulics.
- b. If Joystick control is used a Separate lever to control third valve is OK.
- c. Head works shall have hydraulic quick disconnect couplers so hoses can quickly be unattached from loader, also must have hydraulically activated coupler for attachments.
- d. General purpose bucket adapted to a quick coupler not less than 1.3 c.y. with bolt on cutting edge segments, with reversible bolt on wear plates. Bucket shall have a hook attached to back for lifting.
- e. Hydraulic oil cooler.
- f. Four wire hydraulic hoses preferred throughout.
- g. Automatic return to dig bucket leveler.
- h. Z-bar linkage.

X. WARRANTY

- A. The manufacturer's warranty, and extended warranty coverage of 7 years or 7000 hours: Items covered, and length of coverage shall be supplied in writing and shall accompany the bid.
- B. The warranty shall include all materials, labor, expenses, delivery charges and other incidental charges necessary to the proper repair of any defects, at no cost to the Town, during the warranty period.
- C. Warranty work, if any, shall be conducted by vendor personnel at the Town of New Gloucester Highway Garage. Should it become necessary to return the unit to the vendors shop for warranty work, there shall be no transportation charges accrued to the warrantee or the Town of New Gloucester.
- D. Tire manufacturer's warranty shall be provided to the Town.
- E. Warranty shall also include a **Certified Mechanic** from the successful bidder to come to the Town of New Gloucester Highway Garage once per year for the first ten (10) years of the machine to perform a **Complete Annual Inspection of the Loader (including oil samples)** to prevent future large expense maintenance repairs. This cost to be separated on Bid Sheet.

XI. TRADE IN

Bid price to show trade in value of the Town of New Gloucester's current 2011 Volvo L35B.

XII. DELIVERY

New unit shall be delivered within 45 days from notification to successful vendor.

Upon delivery a Representative from successful vendor will allow up to 4 hours of onsite training with qualified operators to cover all operations of machine including mechanical and electrical.

XIII. RIGHT TO DEMO

If a Bid for a piece of Equipment is received that the Town of New Gloucester is not familiar with then the Town's Highway Crew and/or The Transfer station Crew will have the right to Demonstrate the equivalent machine before Any Bid is Awarded.

XIV. MACHINES TO BE BID

**Caterpillar 908M John Deere 304J Case 321E Volvo L35B
Komatsu WA120-3 JCB 409B OR EQUIVALENT**

**Town of New Gloucester
Bidders List
New 1.3 yard Wheel Loader**

Anderson Equipment Co.
d/b/a R. C. Hazelton Co., Inc.
199 Middle Road
Cumberland Center, ME 04021

Beauregard Equipment, Inc.
14 Gibson Road
Scarborough, ME 04074

Chadwick-Baross, Inc.
160 Warren Avenue
Westbrook, ME 04092

Milton-Cat
16 Pleasant Hill Road
Scarborough, ME 04074

Nortrax Equipment
396 County Road
Westbrook, ME 04092

United Rentals
Attn: Nick Bragg
10 Thomas Drive
Westbrook, ME 04092

POSITION DESCRIPTION
Public Works Director

4.31

Class Title: Public Works Director
Department: Public Works

Location: Town Garage & Town-wide
Date: August 2019

Classification: Permanent Full-time
FLSA: Exempt

GENERAL PURPOSE

Employee in this class formulates policies and procedures and coordinates activities in accordance with general policies of the Town. The Public Works Director exercises supervision over unskilled, semi-skilled and skilled employees. Performs semi-skilled technical and administrative work in maintaining town facilities, equipment, vehicles, structures and other municipal properties.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Town Manager.

SUPERVISION EXERCISED

Exercises supervision over public works staff, transfer station staff, buildings and grounds staff, seasonal workers, community service workers assigned to departments under director's supervision, janitorial, mechanical, and general maintenance.

ESSENTIAL DUTIES AND RESPONSIBILITIES (illustrative only)

- Prepares, monitors, and is responsible for the Public Works, Transfer Station and Buildings and Grounds departmental budgets and capital improvement programs.
- Plans, prepares for and oversees road improvements, reconstruction, and paving projects; maintains and makes recommendations for the Town's paving program.
- Purchases supplies and materials for the Public Works Department, Transfer Station and Buildings and Grounds Department; reviews and approves employee time vouchers and departmental bills.
- Establishes and maintains departmental operating procedures, ensuring compliance with OSHA, Bureau of Labor Standards, environmental, and other regulations.
- Evaluates entrance permits for design and approve culvert installations along town roads; approves entrances for subdivisions upon advice of CEO/Planner/ Planning Board and only after Planning Board approval for the subdivision in question is authorized.
- Evaluates new roads for compliance with adopted standards and advise town on acceptance.
- Develops specifications and requests for proposals for equipment and materials; oversees bid processes; and oversees the maintenance and inventory of all Public Works, Transfer Station and Building and Grounds equipment, vehicles, and supplies.
- Conducts onboarding and annual training of personnel to maintain OSHA and Bureau of Labor Standards.
- Maintains winter plow route.
- Employee shall take and pass a CDL pre-employment physical examination and drug and alcohol test to determine fitness to perform necessary work required. Must submit to periodic random drug and alcohol testing.
- Serves on committees, at request of the Town Manager.

POSITION DESCRIPTION
Public Works Director

- Coordinates the disposition of surplus Town property.
- Evaluates the performance of employees in writing and meets with the employee to discuss his/her job performance.
- Assists the Town Manager in the oversight of the CDL drug and alcohol-testing program for employees with commercial driver's licenses (CDLs).
- Performs related work as required; other duties as assigned.

REQUIRED MINIMUM QUALIFICATIONS

- High school diploma or equivalent, with continuing technical education in the related fields. Bachelor's degree in engineering preferred.
- Ten years' experience and knowledge of maintenance, construction, and public works, transfer station, and building and grounds principles, practices, and methods as applicable to a municipal setting.
- State of Maine Class A or B Commercial Driver's License (CDL) with an acceptable driving record and be insurable under the town's insurance policy.
- Considerable knowledge of the modern principles and practices of municipal public works, transfer station and building and grounds administration.
- Extensive knowledge and experience in the supervision and evaluation of personnel. Ability to organize, direct and coordinate the activities of the responsible department, including long-term planning.
- Ability to communicate effectively orally and in writing with employees, consultants, other governmental agency representatives, town departments, town officials, and the general public.

TOOLS AND EQUIPMENT USED

Power and hand tools and equipment for carpentry, painting, plumbing, electrical, and cement finishing work; mechanic's tools including, but not limited to, jacks, hydraulic lifts, air tools, and other tools required for minor repairs and routine maintenance of motorized vehicles; motor vehicles including trucks and commercial vehicles; lawn and landscaping equipment; janitorial tools; personal computer; telephone, cell phone, mobile or portable radio, pager, fax, copy machines.

Dump truck, pickup truck, backhoe, loader, grader, lawn mower, york rake, welding equipment, chain saw, rake, hoe, shovel, automotive and other small tools, and other related maintenance equipment and tools.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

POSITION DESCRIPTION

Public Works Director

Employees of this class must possess physical strength and agility sufficient to do strenuous manual labor under varying weather conditions. While performing the duties of this job, the employee is frequently required to walk, sit, talk, smell, and hear. The employee is frequently required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee is occasionally required to climb or balance, stoop, kneel, crouch or crawl.

The employee must frequently lift and/or move up to 50 pounds and occasionally lift up to 100 pounds with the assistance of devices or other workers. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions. The employee frequently works near moving mechanical parts, occasionally in high, precarious places, and occasionally exposed to wet and/or humid conditions, fumes, airborne particles, toxic or caustic chemicals, risk of electrical shock, and vibration.

The noise level in the work environment is usually heavy when in the field or garage, but relatively quiet in the office.

Employee in this class will be available for storm related incidents 24-hours per day, 7-days per week from November 1 to April 15.

SELECTION GUIDELINES

Formal application, rating of education and experience, oral interview, and reference and past employment check. A pre-employment physical with a statement from a qualified physician saying the applicant is able to perform the tasks outlined in the job description is required for this position.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

POSITION DESCRIPTION
Public Works Director

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chairman

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Karen L. Gilles, Vice-Chairman

POSITION DESCRIPTION
Public Works Deputy Director

4.31

Class Title: Public Works Deputy Director
Department: Public Works

Location: Town Garage & Town-wide
Date: August 2019

Classification: Full-Time
FLSA: Non-exempt

GENERAL PURPOSE

This is supervisory and practical work with a group of semi-skilled public works employees. The Public Works Deputy Director is responsible for the daily work assignments of public works employees with guidance and in collaboration with the Public Works Director. In the absence of the Public Works Director, employee in this class is accountable for the daily operations of the Public Works Department, Transfer Station and Buildings and Grounds Department. Work is subject to review while in progress and upon completion by the Public Works Director.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Public Works Director.

SUPERVISION EXERCISED

This position supervises the daily operations of the Public Works Department.

ESSENTIAL DUTIES AND RESPONSIBILITIES (illustrative only)

- Administers and carries out daily work plan with public works department coworkers.
- Must be able to supervise work crews using motorized light and heavy trucks, equipment and power tools.
- Considerable knowledge and experience in the supervision of personnel.
- Ability to plan, organize and supervise a group of subordinates. Some knowledge of the principals and practices of street construction maintenance and repair.
- Ability to establish and maintain effective working relationships with other employees, town departments and the general public; communicate with respect.
- Considerable knowledge of current, safe public works practices, traffic laws and rules in the operation of a Public Works Department.
- Ability to understand and carry out oral and written instructions and to work independently in the performance of regular work duties.
- Monitors work to ensure compliance with State and Federal safety regulations.
- Must be able to respond when called to work within a reasonable amount of time.
- Must be able to provide excellent customer service while projecting a positive image of the Town.
- Maintains winter plow route.
- Employee shall take and pass a CDL pre-employment physical examination and drug and alcohol test to determine fitness to perform necessary work required. Must submit to periodic random drug and alcohol testing.
- Will assist in all other work related duties as instructed by the Public Works Director.
- Performs related work as required; other duties as assigned.

PERIPHERAL DUTIES

- May occasionally serve on work-related employee committees.

POSITION DESCRIPTION
Public Works Deputy Director

- Performs other tasks, as assigned by Public Works Director or Town Manager.

DESIRED MINIMUM QUALIFICATIONS

- High school diploma or equivalent with continuing technical education in a related field.
- Minimum five years' experience in the operation and maintenance of heavy and lighter trucks and other motorized equipment used in the construction trades; or any equivalent combination of experience and training.
- State of Maine Class A or B Commercial Driver's License (CDL) with an acceptable driving record and be insurable under the town's insurance policy.

TOOLS AND EQUIPMENT USED

Power and hand tools and equipment for carpentry, painting, plumbing, electrical, and cement finishing work; mechanic's tools including, but not limited to, jacks, hydraulic lifts, air tools, and other tools required for minor repairs and routine maintenance of motorized vehicles; motor vehicles including trucks and commercial vehicles; lawn and landscaping equipment; janitorial tools; personal computer; telephone, cell phone, mobile or portable radio, pager, fax, copy machines.

Dump truck, pickup truck, backhoe, loader, grader, lawn mower, york rake, welding equipment, chain saw, rake, hoe, shovel, automotive and other small tools, and other related maintenance equipment and tools.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employees of this class must possess physical strength and agility sufficient to do strenuous manual labor under varying weather conditions. While performing the duties of this job, the employee is constantly required to walk, sit, talk, bend, see, and/or hear. The employee is constantly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms, legs and feet. The employee is frequently required to stand, twist, reach, squat, crouch, kneel, and smell and occasionally required to climb stairs or ladders, balance, stoop, and/or crawl.

The employee may frequently lift and/or move up to 50 pounds and frequently lift weights up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

POSITION DESCRIPTION
Public Works Deputy Director

While performing the duties of this job, the employee frequently works in outside weather conditions.

The noise level in the work environment may be moderate to high while operating equipment or in the field.

Employee in this class will be available for storm related incidents 24-hours per day, 7-days per week from November 1 to April 15.

SELECTION GUIDELINES

Formal application, rating of education and experience, oral interview, reference check, pre-employment physical examination, and pre-employment drug and alcohol test.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

POSITION DESCRIPTION
Public Works Deputy Director

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chairman

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Karen L. Gilles, Vice-Chairman

4.31

POSITION DESCRIPTION
Public Works Employee

Class Title: Public Works Employee
Department: Public Works

Location: Town Garage & Town-wide
Date: August 2019

Classification: Full-Time
FLSA: Non-exempt

GENERAL PURPOSE

This is semi-skilled manual labor in the operation of light and moderately heavy trucks and motorized equipment on road construction and repair, and in the snow and ice removal operations of the Public Works Department. Employee of this class is able to handle and operate all truck attachments and carry out assignments with relative ease. Work instructions may be received in detail for each job to be performed or may follow an established routine.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Public Works Deputy Director.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Operates light to moderately heavy trucks and equipment in performance of public works duties; sanding and snow removal of town roads.
- Performs varied work including rebuilding storm drains and culverts, drainage systems, patching and building roads, and other general duties.
- Assists in the seasonal repair and maintenance of town parks and properties.
- Picks up debris such as blow-downs; straightens signs and posts; picks up leaves, brush and other trash.
- Maintains winter plow route.
- Assists in general maintenance activities on town buildings and property.
- May work non-scheduled hours as directed by the Public Works Director or Public Works Deputy Director.
- Employee shall take and pass a CDL pre-employment physical examination and drug and alcohol test to determine fitness to perform necessary work required. Must submit to periodic random drug and alcohol testing.
- Will assist in all other work related duties as instructed by the Public Works Director.
- Performs related work as required; other duties as assigned.
- Must be able to respond when called to work within a reasonable amount of time.

PERIPHERAL DUTIES

- May occasionally serve on work-related employee committees.
- Performs other related public works tasks, as assigned by the Public Works Director or Public Works Deputy Director.

DESIRED MINIMUM QUALIFICATIONS

- High school diploma or equivalent.

POSITION DESCRIPTION

Public Works Employee

- Three years' experience in the operation of lighter trucks and other motorized equipment heavier than passenger vehicles.
- State of Maine Class A or B Commercial Driver's License (CDL) with an acceptable driving record and be insurable under the town's insurance policy.

TOOLS AND EQUIPMENT USED

Power and hand tools and equipment for carpentry, painting, plumbing, electrical, and cement finishing work; mechanic's tools including, but not limited to, jacks, hydraulic lifts, air tools, and other tools required for minor repairs and routine maintenance of motorized vehicles; motor vehicles including trucks and commercial vehicles; lawn and landscaping equipment; janitorial tools; personal computer; telephone, cell phone, mobile or portable radio, pager, fax, copy machines.

Dump truck, pickup trucks, backhoe, loader, grader, lawn mower, york rake, chain saw, rake, hoe, shovel, automotive and other small tools, and other related maintenance equipment and tools.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employees of this class must possess physical strength and agility sufficient to do strenuous manual labor under varying weather conditions. While performing the duties of this job, the employee is constantly required to walk, sit, talk, see, and/or hear. The employee is constantly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms, legs and feet. The employee is frequently required to stand, twist, bend, reach, and smell and occasionally required to squat, crouch, kneel, climb stairs or ladders, balance, stoop, and/or crawl.

The employee may occasionally lift and/or move up to 50 pounds and occasionally lift weights up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions.

The noise level in the work environment may be moderate to high while operating equipment or in the field.

POSITION DESCRIPTION
Public Works Employee

Employee in this class will be available for storm related incidents 24-hours per day, 7-days per week from November 1 to April 15.

SELECTION GUIDELINES

Formal application; rating of education and experience; oral interview; reference check; pre-employment physical examination; and pre-employment drug and alcohol test.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

POSITION DESCRIPTION
Public Works Employee

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chairman

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Karen L. Gilles, Vice-Chairman

POSITION DESCRIPTION
Mechanic/Public Works Employee

Title: Mechanic/Public Works Employee **Location:** Town Garage & Town-wide
Department: Public Works **Date:** August 2019

Classification: Full-Time
FLSA: Non-exempt

GENERAL PURPOSE

This is skilled manual labor in the repair and maintenance of various pieces of light and heavy equipment used in public works, public safety, transfer station, building and grounds and other generalized work. Employee of this class is able to correctly diagnose, make repairs and provide preventative maintenance on a variety of equipment owned by the Town. Employee must have the ability to operate these various pieces of equipment when required to assist the Public Works Department. Work is done independently and is subject to review by the Public Works Director.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Public Works Director.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES (illustrative only)

- Performs repairs, regular preventative maintenance on vehicles and equipment; completes required documentation.
- Performs all State of Maine Inspections on all vehicles, apparatus and equipment.
- Shall be proficient with welding and cutting tools.
- Assists road crew and other departments by driving equipment or performing other manual labor tasks.
- Maintains good housekeeping in and around public works facilities.
- Prepares and keeps accurate written and electronic records, i.e. service logs, preventative maintenance schedules, and equipment lists.
- Must be able to respond when called to work within a reasonable amount of time.
- Must be able to provide excellent customer service while projecting a positive image of the Town.
- Maintains winter plow route.
- Employee shall take and pass a CDL pre-employment physical examination and drug and alcohol test to determine fitness to perform necessary work required. Must submit to periodic random drug and alcohol testing.
- Will assist in all other work related duties as instructed by the Public Works Director.
- Performs related work as required; other duties as assigned.

PERIPHERAL DUTIES

- May occasionally serve on work-related employee committees.
- Performs other tasks, as assigned by Public Works Director or Town Manager.

POSITION DESCRIPTION
Mechanic/Public Works Employee

DESIRED MINIMUM QUALIFICATIONS

- High school diploma or equivalent. Advanced training or post-secondary education or training in a related field.
- Five years' experience in a similar environment in the maintenance, repair and operation of heavy and lighter trucks and other motorized equipment.
- State of Maine Class A or B Commercial Driver's License (CDL) with an acceptable driving record and be insurable under the town's insurance policy.
- State of Maine Commercial Inspection License (Class A, D, E & T).
- ASE and EVT certified.
- Ability to perform manual labor for extended periods of time under adverse climatic conditions.
- Ability to carry out general instructions independently and follow more detailed instructions with guidance.

TOOLS AND EQUIPMENT USED

Power and hand tools and equipment for carpentry, painting, plumbing, electrical, and cement finishing work; mechanic's tools including, but not limited to, jacks, hydraulic lifts, air tools, and other tools required for minor repairs and routine maintenance of motorized vehicles; motor vehicles including trucks and commercial vehicles; lawn and landscaping equipment; janitorial tools; personal computer; telephone, cell phone, mobile or portable radio, pager, fax, copy machines.

Dump truck, pickup truck, backhoe, loader, grader, lawn mower, york rake, welding equipment, chain saw, rake, hoe, shovel, automotive and other small tools, and other related maintenance equipment and tools. Must be knowledgeable in the use of personal computers and Microsoft Office products.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employees in this class must possess physical strength, agility, and endurance sufficient to perform required work. While performing the duties of this job, the employee is constantly required to walk, sit, talk, bend, see, and/or hear. The employee is constantly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms, legs and feet. The employee is frequently required to stand, twist, reach, squat, crouch, kneel, and smell and occasionally required to climb stairs or ladders, balance, stoop, and/or crawl.

The employee may frequently lift and/or move up to 50 pounds and frequently lift weights up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

POSITION DESCRIPTION
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WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions.

The noise level in the work environment may be moderate to high while operating equipment or in the field.

Employee in this class will be available for storm related incidents 24-hours per day, 7-days per week from November 1 to April 15.

SELECTION GUIDELINES

Formal application, rating of education and experience, oral interview, reference check, pre-employment physical examination, and pre-employment drug and alcohol test.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

POSITION DESCRIPTION
Mechanic/Public Works Employee

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chairman

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Karen L. Gilles, Vice-Chairman

4.34

Carrie Castonguay

From: Libby Don <donlibby@chadwick-baross.com>
Sent: Thursday, August 08, 2019 9:17 AM
To: Carrie Castonguay; George Colby; Joseph Davis; Karen Gilles; Linda Chase; Tammy Donovan
Subject: RE: Board and Committee Bylaws

Good morning,
I have shared some of my thoughts with the town manager already but will share with the board as well.

Meetings per month. The Planning board has its own ordinance that it follows. They only meet once a month unless to be fair to a large number of applicants can decide to hold a second. Conversely if there is nothing in front of the town for an application they can cancel their meeting.

Public comment. There can be absolutely no public comment outside of a public hearing at a Planning board meeting. This would violate someone's rights under due process. For example..if during public comment you had some residents come and speak in favor of an application the planning board may decide to not hold a public hearing. The individual waiting for the public hearing to speak then would be denied their opportunity to comment because the application would be already acted on. Also to be clear.. when the applicant is speaking at a planning board meeting they are not giving public comment. This cannot be interpreted to be an extension of a public hearing or opening a public hearing. The above would hold true for the Board of Appeals.

At the Planning Board and Board of Appeals once something makes an agenda a board member by law cannot discuss the application with anyone outside of the meeting because of Due process.

Also on public comment. Sitting on the LMPC we have had many people come to the committee and speak to issues we are working on and have contributed to the discussion. To limit the interaction at the committee level could take away meaningful information. Let's not throw the baby out with the bath water. We cannot confuse committees with Boards.

Voting. Should be majority of those present. In order to have a vote you already need a quorum. To have a majority of membership to vote in the affirmative you potentially require unanimous votes or maybe have failing votes even when a majority present voted in favor.

The provision of having to be present at every meeting in order to be able to vote is not necessary. Before every vote there is deliberations. If a person for some reason cannot attend a meeting they have every opportunity to be informed by all on the board, on all sides of the issue at hand. If this is enacted at the committee level you will lose a lot of membership...not everyone can make every meeting. Sometimes things are worked on for months, then not be able to vote if one misses one meeting? I also question the legality of limiting someone's right to vote at either a board or committee with just a passage of by-laws at the selectmen's level. A person is elected as a selectman to represent the Town of New Gloucester. Taking their right to act for the town because they may have had an emergency and be able to make a meeting is wrong.

Conflict of interest should be decided by the towns attorney not a vote of the group at board meetings. You are talking legal issues here!! I know the Planning board has the right to vote on this but I would make the argument that this is not correct. At the committee level it should also be the same.

Reconsideration of votes. A big no no at the planning board and board of appeals. There are procedures laid out in the ordinance for those who want to challenge a decision.

Thank you.

Planning Board (monthly meetings)

Carrie Castonguay

From: Libby Don <donlibby@chadwick-baross.com>
Sent: Tuesday, August 06, 2019 4:40 PM
To: Carrie Castonguay
Subject: RE: Board and Committee Bylaws

Question.....thinking of the LMPC....we have had people come in and give comments on something and then have had committee members ask questions. This was done to gain knowledge of the subject at hand. Hate to see this go away. I know this can be a slippery slope so maybe a provision to allow participation by a vote? I don't know...maybe needs to be discussed at selectmen's meeting. Also you didn't cover invited people coming in to speak.

Thanks



DON LIBBY Service Training Specialists
CHADWICK-BAROSS, INC.
160 Warren Avenue, Westbrook, ME 04092
donlibby@chadwick-baross.com
O 207-854-6075, C 207-415-3480

From: Carrie Castonguay [<mailto:ccastonguay@newgloucester.com>]
Sent: Tuesday, August 6, 2019 3:45 PM
To: George Colby; Joseph Davis; Karen Gilles; Linda Chase; Tammy Donovan; grummah34b@gmail.com; Jean Libby (jelibby8@maine.rr.com); Jeff Hamilton; jenbragdon@gmail.com; Joe Bean (dontspam@maine.rr.com); jsqacc@gmail.com; Karen Gilles (mrskgilles@gmail.com); Linda Chase (Ldchase3@gmail.com); prbragdon@gmail.com; Sharlene Myers; Steven Libby (stevenmlibby@ne.twcbc.com); Tamilyn Wayboer (twayboer@gmail.com); cliff andrews; patti mikkelsen; richard erwin; Don Libby; Kathleen Potter (meangladys@yahoo.com); anthony hodgdon; doug smith; Jim Fitch; joanne mckee; Morgan Rocheleau; lilacwine72@yahoo.com; lsturgis@securespeed.us; michael.fralich@gmail.com; rebeccaklotzle@gmail.com; anne maurice-gauthier; debra smith; joanne cole; lucinda brakey; Penny Hilton (lupine@maine.rr.com); sue hawkins (srhawkins@newgloucesterlibrary.org)
Cc: Community Fair; abpohl@securespeed.us; danandsarah.peirce@gmail.com; ginasawin1@gmail.com; j.fralich@gmail.com; Scott Hastings; charles gauvin; Libby Don; George Colby (gccolby@maine.rr.com); john salisbury; nsb.brians@gmail.com; Sam Coggeshall (scoggeshall@hotmail.com); Fire Chief; John Randall (willowfrm@aol.com); karengilles@gmail.com; msp735@gmail.com; Nathaniel Berry IV (nat_berry@aol.com); Ted Shane (ngpwd@maine.rr.com); ben.tettlebaum@gmail.com; dugbike@gmail.com; edwinburnham@gmail.com; hargreaves_e@yahoo.com; Scott Hastings
Subject: Board and Committee Bylaws

Good Afternoon All!

I apologize for those of you that are on multiple committees and receive duplicate (and triplicate) emails.

At last night's Select Board meeting we had the second reading of the attached policy. This is a 2008 update. The select board has asked that I forward this to all board and committee members for feedback, should you have any. They look at this for the third reading at the September 16 meeting. In order for us to have all comments compiled and in the board packets, I am asking that by Monday, September 9, all feedback be submitted to me by either email or handwritten. If it's easier, you're more than welcome to come in and discuss your remarks with me and I'll be sure to include them in the materials submitted to the select board for consideration.

Please let me know if you have any questions. Thank you!

Carrie Castonguay
Town Manager

Steve Libby

Town of New Gloucester Bylaws for Boards of Committees

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board and Committee meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Duties

Boards and Committees shall consist of a Chair and Vice-Chair, to be chosen annually at the first regular meeting in each year by and from among members unless otherwise provided by law. The Chair shall preside at all meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board and/or Committee to perform its duties and conduct its affairs.

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

For Boards and Committees the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

Section 3. Meetings

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

- Budget Committee – January/February
- Cable TV Committee – quarterly
- Candidates/Referendum Issues Committee – as necessary
- CIP Committee – December/January
- Community Fair Committee – monthly
- Economic Development Committee – monthly
- Environmental Resources Committee - monthly
- Land Management Planning Committee – monthly
- Library Board of Trustees – even months

Parks and Recreation Committee - monthly
Planning Board – bi-monthly
Public Safety – monthly
Select Board – first and third Monday of each month

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board or Committee except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board or Committee being present. The order of business at regular meetings shall be as follows:

- Call to Order and Attendance
- Pledge of Allegiance
- Schedule Next Meeting
- Public Comment
- Old Business
- New Business
- Adjourn

Section 3 must include meeting location limitations. Such as but not limited to, on NGTV if possible. No meeting at someone's house. At a time of day convenient for volunteers and public to attend. At a town building preferred.

Section 4. Public Comment

Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Public discussion is limited to three minutes maximum per person, however, the Board or Committee Chair may at his/her discretion may allow more time. Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. Unless requested by the board or committee chair, comment is limited to one trip to the podium per person. If reading from a prepared statement, the statement(s) should be given to the recorder so that copies may be made part of the official record. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

Public Comment of a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any Public Comment that is not legal, ethical, or violates these bylaws.

Board or Committee Members shall not question speakers, answer questions, or make statements or commitments in response to issues raised by the public except for clarification purposes only. In general, such issues will be referred to the Town Manager for investigation, study, and recommendation or designated as future agenda items for Board or Committee consideration.

Section 5. Hearings

Public hearings of the Board or Committee shall be called as required by law or on

such other occasions, as a majority may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board or Committee may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided, however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided however; that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 6. Participation and Voting

Any action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, **unless the member was present during all hearings thereon.** *We have allowed members to review minutes and watch tapes for meetings they missed.*

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.

Section 7. Decisions

All decisions of the Board or Committee shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

The Board or Committee may reconsider any decision at the same meeting or at a subsequent meeting **within 30 days of its original decision**, provided, however, that both a vote to reconsider and any action taken pursuant thereto **shall occur and be completed within said 30 days**. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration *if possible*. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein. *Please don't limit yourselves to 30 days. You may want to outline how a vote to reconsider works. Many chairs don't understand it.*

Section 7 probably should include ex-parte communication limitations. Can't make decisions outside of meetings, due process, right to know, and who falls under FOAA etc.

Section 8. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 9. Cell Phone Use

During public meetings, Board or Committee and Staff that are present, will either turn their cell phones off or place them on silent mode. Those placed on silent mode shall either be kept on their person, or someplace other than on a table where the meeting is taking place.

Any person receiving a call or text message shall be expected to excuse themselves from the meeting and conduct their conversation or text outside of the meeting area so as to not disrupt the meeting.

Board or Committee Chair Persons have the right to ask members of the public receiving a call or text message to exit the meeting and conduct their business outside so as not to further disrupt the official business of the Board or Committee.

Section 10. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board or Committee unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Select Board after notice and official vote on the proposed amendment.

This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chair

Karen L. Gilles, Vice-Chair

Carrie Castonguay

From: Jean Libby <jelibby8@maine.rr.com>
Sent: Monday, August 12, 2019 9:19 AM
To: Carrie Castonguay
Subject: RE: Board and Committee Bylaws

Town of New Gloucester

Bylaws for Boards and Committees

CIP: The agenda is set at the first meeting by the committee and the availability of the Department Heads

LMPC: May have more than one meeting a month when trying to get ready for public hearings and town meeting.

Order of business: Committee meetings should be set by the committee and the staff member.

Public comment: Do not I agree with a time limit for public comment for a committee. The public comments help to educate both the committee members and the public on a subject.

LMPC: The committee members discuss items with the public, the members are trying to get to the issues and concerns before moving forward with a change or an addition to the Town of New Gloucester Zoning Ordinances.

These bylaws **do not** address email and text between committee members or using the email addresses of a Board or Committee member for uses other than the committee they member is on.

We should always remember that these Boards and Committees are made up of **volunteers** and it is hard enough to get people to volunteer so as rules and regulations are put into place please remember that serving on many of these Boards and Committees can be very difficult.

Jean Libby

From: Carrie Castonguay [<mailto:ccastonguay@newgloucester.com>]

Sent: Tuesday, August 06, 2019 3:45 PM

To: George Colby; Joseph Davis; Karen Gilles; Linda Chase; Tammy Donovan; grummah34b@gmail.com; Jean Libby (jelibby8@maine.rr.com); Jeff Hamilton; jenlbragdon@gmail.com; Joe Bean (dontspam@maine.rr.com); jsqacc@gmail.com; Karen Gilles (mrsgilles@gmail.com); Linda Chase (Ldchase3@gmail.com); prbragdon@gmail.com; Sharlene Myers; Steven Libby (stevenmlibby@ne.twcbc.com); Tamilyn Wayboer (twayboer@gmail.com); cliff andrews; patti mikkelsen; richard erwin; Don Libby; Kathleen Potter (meangladys@yahoo.com); anthony hodgdon; doug smith; Jim Fitch; joanne mckee; Morgan Rocheleau; lilacwine72@yahoo.com; lsturgis@securespeed.us; michael.fralich@gmail.com; rebeccaklotzle@gmail.com; anne maurice-gauthier; debra smith; joanne cole; lucinda brakey; Penny Hilton (lupine@maine.rr.com); sue hawkins (srhawkins@newgloucesterlibrary.org)

Cc: Community Fair; abpohl@securespeed.us; danandsarah.peirce@gmail.com; ginasawin1@gmail.com; j.fralich@gmail.com; Scott Hastings; charles gauvin; Donald Libby (donlibby@chadwick-baross.com); George Colby (gccolby@maine.rr.com); john salisbury; nsb.brians@gmail.com; Sam Coggeshall (scoggeshall@hotmail.com); Fire Chief; John Randall (willowfrm@aol.com); karengilles@gmail.com; msp735@gmail.com; Nathaniel Berry IV (nat_berry@aol.com); Ted Shane (ngpwd@maine.rr.com); ben.tettlebaum@gmail.com; dugbike@gmail.com; edwinburnham@gmail.com; hargreaves_e@yahoo.com; Scott Hastings

Subject: Board and Committee Bylaws

Good Afternoon All!

I apologize for those of you that are on multiple committees and receive duplicate (and triplicate) emails.

At last night's Select Board meeting we had the second reading of the attached policy. This is a 2008 update. The select board has asked that I forward this to all board and committee members for feedback, should you have any. They look at this for the third reading at the September 16 meeting. In order for us to have all comments compiled and in the board packets, I am asking that by Monday, September 9, all feedback be submitted to me by either email or handwritten. If it's easier, you're more than welcome to come in and discuss your remarks with me and I'll be sure to include them in the materials submitted to the select board for consideration.

Carrie Castonguay

From: Scott Hastings
Sent: Friday, August 09, 2019 2:11 PM
To: Carrie Castonguay
Subject: board and committee bylaws comments

Hello,

Sorry to take some time in actually getting these down in an email but here are a quick summary of my comments on the board and committee bylaws:

- Section 3:
 - Change the planning board to monthly rather than bi-monthly
 - The order of business is reasonable but doesn't meet the general process for all boards and committees.
- Section 4:
 - The final paragraph is very restrictive for most committees. The Planning board mostly follows it but not entirely. The LMPC and EDC regularly have public workshops and accept public comment at their meetings in ways that are conversational and collaborative, which this language would not technically allow.
- Section 6:
 - The conflict of interest paragraph works but for clarity maybe the second sentence should read something like "Any potential conflict that does not meet the full legal definition of a conflict of interest should be disclosed and shall be decided by a majority vote of the remaining members"
 - The third paragraph is very limiting and doesn't take into account the modern tech solutions offered by videotaping the meetings. If adopted it opens the town up for legal challenges on procedural grounds if at board or committee ignores it so I strongly encourage it be removed (or at least the planning board exempted).
- Section 7:
 - The "reconsider" elements should not apply to the planning board or board of appeals. There is a codified way to appeal these decisions and we don't want the board to be petitioned to reconsider.

-Scott

Scott Hastings, *Town Planner*
Town of New Gloucester
385 Intervale Road
New Gloucester, ME 04260
207-926-4126, Ext. 4
shastings@newgloucester.com

Carrie Castonguay

From: Patti <mikks@maine.rr.com>
Sent: Sunday, August 11, 2019 5:31 PM
To: Carrie Castonguay
Cc: Tammy Donovan; Linda Chase; Karen Gilles; Joseph Davis; George Colby; Cliff Andrews; Richard Erwin
Subject: changes to proposed Bylaws of Boards and Committees
Attachments: Changes to new policy.doc

Carrie,

I've been reviewing the proposed "Bylaws of Boards and Committees" from the prospective of serving on the Cable TV Committee and find several areas that are inconsistent with our current practice. The attached sheet contains highlighted text representing my suggested deletions.

Please note that my changes are offered as an individual and are not necessarily reflective of Richard Erwin and Cliff Andrews' opinions. We are not scheduled to hold a meeting prior to the deadline for comments, so discussion with them would be inappropriate at this time.

If you have any questions, please don't hesitate to contact me.

Thanks,
Patti

Total Control Panel

[Login](#)

To: ccastonguay@newgloucester.com [Remove](#) this sender from my allow list

From: mikks@maine.rr.com

You received this message because the sender is on your allow list.

Section 2. Duties

For Boards and Committees the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting.

Section 3. Meetings

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September 6, 2019

To: Chairwoman Chase and Members of the Board of Selectmen

From: John Salisbury

Re: Proposed Changes to the Town of New Gloucester Bylaws of Boards and Committees

The opportunity for citizen participation and input into decisions that affect our community is essential. In my opinion the proposed bylaws do not afford New Gloucester citizens adequate opportunity for making public comment on issues on the agendas of the Board of Selectmen or Town Committees.

I have attended a number of Board of Selectmen and Town Committee meetings. Some of the meetings I have made public comment and others I have only been an observer. The greatest frustration I have had is the fact there is not an opportunity for public comment at the time each agenda item is considered by the Board/Committee. From my perspective the proper manner to consider an agenda item is for the Board/Committee and staff to first discuss the agenda item. Prior voting on the item the Board/Committee should allow public comment. By following this procedure it is possible the questions a citizen may have or the public comments they might have made may have been answered by the Board/Committees discussion. If not the public comments of the citizens may raise points not considered and afford the Board/Committee members the opportunity to ask questions or comment for clarification.

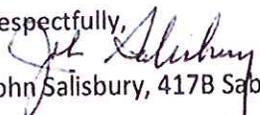
As a former municipal board chair I know firsthand that the procedure described above is workable and encourages citizen participation. Over the years I served as the MMA executive director I attended many Board of Selectmen and City Council meetings. I have to confess do not remember seeing bylaws as restrictive as those being proposed.

Another item that I feel frustrates public participation is the fact that staff memos and supporting materials provided to the Board/Committees are not published on the town website at least two business days in advance of the Board/Committee meetings. More New Gloucester citizens may take an interest in being informed about Town matters if this becomes a reality.

My final comment relates to allowing any Board/Committee member having the opportunity to have an item placed on an agenda. This is just common courtesy to other Board/Committee members. Just because an item is placed on the agenda does not mean final action has to be taken on the item. There are various alternative actions that can be taken.

Attached are the changes that I would encourage the Board and Town Manager consider.

Respectfully,


John Salisbury, 417B Sabbathday Road New Gloucester

Town of New Gloucester

Bylaws for Boards of Committees

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board and Committee meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Duties

Boards and Committees shall consist of a Chair and Vice-Chair, to be chosen annually at the first regular meeting in each year by and from among members unless otherwise provided by law. The Chair shall preside at all meetings and shall have authority to *rule on questions of evidence and procedure, to maintain order and determine the course of proceedings*, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board and/or Committee to perform its duties and conduct its affairs.

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

For Boards and Committees the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting. Other members of the Board and Committees may request and have an item placed on the agenda by making a request to the Chair or Vice-Chair at least three business days prior to a scheduled meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

Section 3. Meetings

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

- Budget Committee – January/February
- Cable TV Committee – quarterly
- Candidates/Referendum Issues Committee – as necessary
- CIP Committee – December/January
- Community Fair Committee – monthly
- Economic Development Committee – monthly
- Environmental Resources Committee - monthly

- Land Management Planning Committee – monthly
- Library Board of Trustees – even months
- Parks and Recreation Committee - monthly
- Planning Board – bi-monthly
- Public Safety – monthly
- Select Board – first and third Monday of each month

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board or Committee except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board or Committee being present. The order of business at regular meetings shall be as follows:

- Call to Order and Attendance
- Pledge of Allegiance
- Schedule Next Meeting
- Public Comment
- Old Business
- New Business
- Adjourn

Section 4. Public Comment

The Board of Selectmen or any committees shall provide the opportunity for New Gloucester citizen the to ask questions or provide public comment during the consideration of each item on the Board or Committees agenda prior to the vote on the agenda item. If in the judgement of the Board or Committee the amount to time a citizen is taking to provide public comment is unreasonable any member of the Board or Committee may make a motion to terminate the public comment period for the citizen. The public comment of the citizen shall be terminated if a majority of the Board or Committee votes to do so.

~~Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Public discussion is limited to three minutes maximum per person, however, the Board or Committee Chair may at his/her discretion may allow more time.~~ Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. Unless requested by the board or committee chair, comment is limited to one trip to the podium per person. If reading from a prepared statement, the statement(s) should be given to the recorder so that copies may be made part of the official record. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

Public Comment of a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any Public Comment that is not legal, ethical, or violates these bylaws.

~~Board or Committee Members shall not question speakers, answer questions, or make statements or commitments in response to issues raised by the public except for clarification purposes only. In general, such issues will be referred to the Town Manager for investigation, study, and recommendation or designated as future agenda items for Board or Committee consideration.~~

Section 5. Hearings

Public hearings of the Board or Committee shall be called as required by law or on such other occasions, as a majority may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board or Committee may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided, however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided however; that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 6. Participation and Voting

Any action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.

Section 7. Decisions

All decisions of the Board or Committee shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together

with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

The Board or Committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

Section 8. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 9. Cell Phone Use

During public meetings, Board or Committee and Staff that are present, will either turn their cell phones off or place them on silent mode. Those placed on silent mode shall either be kept on their person, or someplace other than on a table where the meeting is taking place.

Any person receiving a call or text message shall be expected to excuse themselves from the meeting and conduct their conversation or text outside of the meeting area so as to not disrupt the meeting.

Board or Committee Chair Persons have the right to ask members of the public receiving a call or text message to exit the meeting and conduct their business outside so as not to further disrupt the official business of the Board or Committee.

Section 10. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board or Committee unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Select Board after notice and official vote on the proposed amendment.

This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chair

Karen L. Gilles, Vice-Chair

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Town of New Gloucester



Bylaws of Boards and Committees

Adopted: August 6, 2008

Revised: _____

Town of New Gloucester
Bylaws for Boards ~~of and~~ Committees

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board and Committee meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs of New Gloucester's Boards and Committees. These bylaws shall govern practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Duties

Boards and Committees shall consist of a Chair and Vice-Chair, to be chosen annually at the first regular meeting in each year by and from among members unless otherwise provided by law. The Chair shall preside at all meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board and/or Committee to perform its duties and conduct its affairs.

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

For other Boards and Committee meetings, the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

Section 3. Meetings

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

Comment [RK1]: That seems like a tight/odd notice period. Why not 24 hours?

Budget Committee – January/February
Cable TV Committee – quarterly
Candidates/Referendum Issues Committee – as necessary
CIP Committee – December/January
Community Fair Committee – monthly
Economic Development Committee – monthly
Environmental Resources Committee – – monthly
Land Management Planning Committee – monthly
Library Board of Trustees – even months

- Parks and Recreation Committee -- monthly
- Planning Board – ~~bi-monthly~~ or twice monthly as necessary
- Public Safety – monthly
- Select Board – first and third Monday of each month

Comment [RK2]: Bi-monthly can mean either twice a month or once every two months so could be confusing

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board or Committee except at a duly called and noticed meeting ~~or without at which~~ a quorum consisting of a majority of the Board or Committee ~~being members is~~ present. The order of business at regular meetings shall be as follows:

- Call to Order and Attendance
- ~~Pledge of Allegiance~~
- Schedule Next Meeting
- Public Comment
- Old Business
- New Business
- Adjourn

Comment [RK3]: I don't think there is any need to include the pledge of allegiance at any Town board or committee meeting. First, I'm not aware of any requirement that a non-elected Board or Committee volunteer member be a United States citizen to serve. A resident alien (like my husband) should be able to volunteer for service on a NG board or committee without having to participate in the pledge to a country that he's not a citizen of. You can be a valuable citizen of New Gloucester without pledging your allegiance to the US flag. Second, as a volunteer on several boards/committees and not a lot of free time on my hands, even if I chose not to participate in reciting the pledge during a meeting (and I can tell you now that I would not), I would resent the additional time that takes out of the meeting where real business is being conducted. I don't think there is any need to include the pledge of allegiance in the meetings I sit on – Parks and Rec, Planning Board, and Comp Plan Update Committee.

Section 4. Public Comment

Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Public discussion is limited to three minutes maximum per person, however, the Board or Committee Chair ~~may~~ at his/her discretion may allow more time. Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. Unless requested by the ~~B~~board or ~~C~~committee ~~C~~chair, comment is limited to one trip to the podium per person. If reading from a prepared statement, the statement(s) should be given to the recorder so that copies may be made part of the official record. All written statements and documents presented to the Board or Committee by an individual or group during the meeting are considered public documents.

Comment [RK4]: We usually do this at the end of the meeting, between new business and adjournment. I think it makes more sense there because sometimes what transpires at the meeting impacts the scheduling of the next meeting

Public Comment of a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any Public Comment that is not legal, ethical, or violates these bylaws.

Comment [RK5]: What about comments submitted via email, in person, or by mail in advance of the meeting to the Town staff person? I know Scott gets those in Planning Board applications. This suggest that the only way for the public to comment is through the Public Comment portion of a meeting.

Board or Committee Members shall not question speakers, answer questions, or make statements or commitments in response to issues raised by the public except for clarification purposes only. In general, such issues will be referred to the Town Manager for investigation, study, and recommendation or designated as future agenda items for Board or Committee consideration.

Section 5. Hearings

Public hearings of the Board or Committee shall be called as required by law or on such other occasions; as a majority of the Board or Committee members may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject

matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. ~~Formal rules of evidence shall not apply.~~ The Board or Committee may receive any oral or documentary evidence ~~presented, but the Chair shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply.~~ Every party shall have the right to present its case, ~~without interruption,~~ in the order determined by the Chair, ~~and without interruption,~~ provided, however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, ~~provided however; that subject to the Chair's authority to may impose such other-~~ reasonable limitations as may be necessary to prevent an abuse of process.

Section 6. Participation and Voting

Any action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question ~~of as to~~ whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall ~~participate in the~~ vote ~~of in~~ every matter to be voted upon unless excused by the Chair for good cause shown.

Section 7. Decisions

All decisions of the Board or Committee shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any ~~tape sound or video~~ recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

The Board or Committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto within a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

Comment [RK6]: May want to put some guidance as to what "a reasonable time" is -- "but in any event no later than ___ days in advance of the reconsideration."

Section 8. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 9. Cell Phone Use

During public meetings, Board or Committee members and sStaff that are present, will either turn their cell phones off or place them on silent mode. ~~Those placed on silent mode shall either be kept on their person, or someplace other than on a table where the meeting is taking place.~~

Comment [RK7]: Why does it matter if they are on the table? I personally sometimes refer to mine to look up ordinance provisions, google maps, recreation postings, and other things relevant to the meeting at hand. This rule would prohibit that. So then I would just have to bring a laptop to every meeting to accomplish that work? That seems more obtrusive.

Any person receiving a call or text message shall be expected to excuse themselves from the meeting and to conduct their conversation or text outside of the meeting area so as to not disrupt the meeting.

Board ~~and~~ Committee Chairs Persons have the right to ask members of the public receiving a call or text message to exit the meeting and conduct their business outside so as not to further disrupt the official business of the Board or Committee.

Section 10. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board or Committee unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Select Board after notice and official vote on the proposed amendment.

This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

Comment [RK8]: What is the current policy? I was unable to find it on the Town's website so I don't know what it says (or if I've been violating it all this time!).

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chair

Karen L. Gilles, Vice-Chair

George W. Colby

Joseph S. Davis

Tammy L. Donovan

Candidate/Referendum Committee comments on Draft Bylaws of Boards and Committees

Big-picture comments:

1. We strongly urge having **two different documents**, one for the BoS and another for boards and committees. As elected officials, BoS members have policy, budgetary, and legal responsibilities that call for complete transparency and formal rules and procedures. Boards and committees made up of volunteers should have greater flexibility to carry out their work.

For an example of Select Board bylaws, see Pownal's:

https://www.pownalmaine.org/vertical/Sites/%7BE22E4F8E-90D9-49E3-A5FC-00AC79420AA6%7D/uploads/Bylaws_2018.pdf

2. Consider adding new provisions to outline the broad roles and responsibilities of BoS members and that would clarify the relationship between the BoS and committees. For example, can the BoS overrule decisions of boards and committees? Also consider including a cross-reference to the Liaison Policy.

3. Consider adding explicit procedures for the process of how the BoS considers new policies and makes decisions: for example, two readings (or more, if needed) with public comments each time, and then a vote at a subsequent meeting.

4. Consider adding provisions that all boards and committees set annual goals for their work and report to BoS on a regular basis, at least once per year.

5. Include and list all current boards and committees in the bylaws document, so it's clear all are governed by this as well as any applicable state laws. Include language that **ad hoc committees** are governed by these bylaws, too.

Section-by-section specifics:

Section 2. Duties

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting **with input from other members and in light of requests, if any, from citizens**. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

[Consider adding explicit provisions for how citizens can get an item onto the BoS agenda.]

For **other** Boards and Committees the Chair shall, with **input from** the appointed staff member or Select Board Liaison **and other members**, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

Section 3. Meetings

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member

and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

Budget Committee – January/February
Cable TV Committee – quarterly
Candidates/Referendum Issues Committee – as necessary
CIP Committee – December/January
Community Fair Committee – monthly
Economic Development Committee – monthly
Environmental Resources Committee - monthly
Land Management Planning Committee – monthly
Library Board of Trustees – even months
Parks and Recreation Committee - monthly
Planning Board – bi-monthly
Public Safety – monthly
Select Board – first and third Monday of each month
[Add missing committees: e.g., Board of Appeals, Comp Plan Update Committee]

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law. **The Board of Selectmen’s agenda and information packet will be posted online 5 days in advance. Advance notice will also be given to town boards and committees and other groups when they are the subject of an agenda item at an upcoming meeting.**

No business may be conducted by the Board of **Selectmen** except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board. **For other Boards and Committees, deliberations and decisions on substantive business must occur at duly called and noticed public meetings at which a quorum is present.**

Board and Committee members are asked to let the Chair or another member know when they are unable to attend a meeting. If a member has 3 consecutive unexcused absences, they may be asked to drop off the board or committee. It will be the Chair’s discretion to implement the attendance policy. [This is adapted from Pownal’s policy.]

Members of any board or committee may use email or other communication but should refrain from using them as a substitute for publicly deliberating or deciding substantive matters. E-mail is permissible to communicate with other members on matters such as scheduling meetings, developing agendas and disseminating information and reports. Emails, attachments, and other communications among members may be considered public records. [Adapted from Maine’s FOAA & FAQs: <https://www.maine.gov/foaa/faq/index.shtml> to clarify that the draft’s ‘No business may be conducted except at a public meeting’ is more restrictive than Maine law, which explicitly permits communication outside public meetings.]

The order of business at regular meetings **of the Board of Selectmen** shall be as follows:

- Call to Order and Attendance
- Pledge of Allegiance
- Schedule Next Meeting
- Public Comment

- Oral Communication
- Old Business
- New Business
- Adjourn

Other Boards and Committees may follow an order of business best suited to accomplishing their work efficiently and fairly.

Minutes or a similar record of each board or committee meeting shall be made within a reasonable time after the meeting and made available to the public. At a minimum, minutes should include the date, time, and place of the meeting, the members present/absent, and all motions and votes taken. [Adapted from 13 MRSA sec. 403:
<http://www.mainelegislature.org/legis/statutes/1/title1sec403.html>]

Section 4. Public Comment

Section 4. Public Comment

Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Public discussion is limited to three minutes maximum per person, however, the Board or Committee Chair may at his/her discretion may allow more time. Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. Unless requested by the board or committee chair, comment is limited to one trip to the podium per person. If reading from a prepared statement, the statement(s) should be given to the recorder so that copies may be made part of the official record. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

Public Comment of a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any Public Comment that is not legal, ethical, or violates these bylaws.

Board or Committee Members shall not question speakers, answer questions, or make statements or commitments in response to issues raised by the public except for clarification purposes only. In general, such issues will be referred to the Town Manager for investigation, study, and recommendation or designated as future agenda items for Board or Committee consideration.

Our Proposed Section 4. Public Comment

The Board of Selectmen considers Public Comment at its meetings an important opportunity for public input and exchange. Any individual who wishes to address the Board of Selectmen may do so for a reasonable time, typically not to exceed three minutes, during Public Comment. Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. The Board may also invite guests to speak. To facilitate the Board's work, the Chair may extend or limit the time an individual may speak on a given topic. If an individual reads from a prepared statement, the statement should be given to the recorder for inclusion in the official public record. In order to permit full and clear communication and open exchange, Board members and town officials may respond to speakers and answer questions. They may, however, defer responding if investigation or further study is required.

Public Comment is also welcomed at other Board and Committee meetings, and guests may be invited to speak. Chairs retain discretion to extend or limit speakers' time as appropriate to facilitate the work of the board or committee. In order to permit full and clear communication and open exchange, members may respond to speakers and answer questions.

Section 6. Participation and Voting

Any **formal** action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

Members of Boards and Committees are subject to the provisions of the Town of New Gloucester Code of Ethics Policy. No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. **Members are responsible for disclosing any conflict of interest and must recuse themselves from any pertinent discussion or decisions.** Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein **or under the Code of Ethics Policy** shall vote in every matter to be voted upon unless excused by the Chair for good cause shown. **[Consider including a provision for abstaining from voting.]**

Section 7. Decisions

All decisions **by a** Board or Committee **in adjudicatory proceedings** shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis thereof. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any **adjudicatory** decision, if required, shall be given as prescribed by law.

The Board or Committee may reconsider any **adjudicatory** decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

Policy matters and other non-adjudicatory items requiring decision by the Board of Selectmen must have a first reading and opportunities for public comment. No decision may be made at the first reading. In order for Board members to be fully informed on the question prior to voting, action on items will be deferred pending further clarification and investigation.

Recommendations From Julie Fralich

September 9, 2019

Changes to Board of Selectmen Bylaws

Board of Selectmen Meetings

1. **Development and adoption of policies and procedures:** In instances where the Board is developing new policies or procedures, establish written protocols and timeframes for drafting the proposed policies; establish a reasonable time period for the public to comment, in writing, on the drafts, and allow the opportunity for the public to comment during a public meeting on the proposed policies. In this way, the public will be given the opportunity to comment on draft documents in a timely manner. If the public is aware, in advance, of the process for drafting and reviewing policies and procedures, it will allow for a more efficient time for deliberation by the Board and a process for consideration of public comment. During a rulemaking procedure, for example, draft rules are typically presented to the presiding body; the body reviews and deliberates on the rules; and then publishes the draft rules and holds a hearing on the rule with a time period established for public comment. The Board would not necessarily need to have as formal a process as is used during a regulatory process, but similar protocols could be developed. The process for revising and amending policies and procedures should be developed as a policy, in and of itself.
2. **Reporting from the Committees to the Board of Selectmen.** Currently there is no consistent way for Board chairs/committees to report on their activities to the Board of Selectmen or to get feedback from the Board. While the liaison from the Board of Selectmen may serve this role, there is no formal time for reporting on Committee activities. As a Committee chair, it feels like we conduct our work in a vacuum and are not connected with either the other committees or know how well our priorities are aligned with the Board. I would recommend that the standard agenda for the Board of Selectmen include an item for Reports from Committees. The staff and the Board could establish a calendar for reports from the Committees on an annual basis.
3. **Public participation.** It is very frustrating to provide public comment at a meeting and hear no response from the Board on the item that is brought before the Committee. This practice (of not responding to public comment, during the meeting) creates an atmosphere where the public feels it is in fact not being heard. I understand that the Board needs to conduct its business in an efficient and fair manner. And that it may be difficult to respond to items that are brought before the committee for the first time. Allow public comment at the end of the Board meetings. Provide the chair with the discretion and flexibility to manage public comment and to allow Board members to ask questions or respond to comments by the public. Establish a procedure for responding to items brought before the Board – that are not regularly scheduled items. Clarify in your policies how a member of the public can have an item added to an agenda.

Committees

1. Consider a separate set of policies/procedures for the committees as distinct from the Board of Selectmen. This would include membership, terms, charge, meeting frequency, reporting to the Board, etc. It is not clear why the “charge to the Committees” is an Attachment to the Liaison Policy.

2. I do not think it makes sense to have the standard agenda used for the Board of Selectmen be the one used by the Committees. Allow committees the discretion to set agendas based on the issues and items under discussion. The Economic Development Committee, for example, has had 4 forums in the last year with invited guests and speakers where we have welcomed public input and conversation. The structured agenda proposed for the Board of Selectmen, an elected body, does not work for the committee work conducted by the various committees.
3. Public comment process for Committees. Allow the committees to establish/use a flexible process for allowing for public comment.
4. Post all agendas and meeting materials online. Post meeting minutes in a timely manner.

General Policy and Procedures:

1. Post all policies and procedures on line. Provide a table of contents for the policies and procedures and when any policy or procedure is revised, include a copy of the overall table of contents so it is clear who the policy relates with others. Show strike-throughs or highlights to additions when policies are revised.

Town of New Gloucester



Bylaws of Boards and Committees

Adopted: August 6, 2008

Revised: _____

Town of New Gloucester
Bylaws for Boards of Committees

Comment [BT1]: Two items we do not mention in these bylaws that we might consider adding: (1) minutes—if/how/when taken, and (2) meeting rules, e.g., that meetings shall adhere to Robert's Rules of Order (or something substantially similar).

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board and Committee meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Duties

Boards and Committees shall consist of a Chair and Vice-Chair, to be chosen annually at the first regular meeting in each year by and from among members unless otherwise provided by law. The Chair shall preside at all meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board and/or Committee to perform its duties and conduct its affairs.

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

For Boards and Committees the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

Section 3. Meetings

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

- Budget Committee – January/February
- Cable TV Committee – quarterly
- Candidates/Referendum Issues Committee – as necessary
- CIP Committee – December/January
- Community Fair Committee – monthly
- Economic Development Committee – monthly
- Environmental Resources Committee - monthly
- Land Management Planning Committee – monthly
- Library Board of Trustees – even months
- Parks and Recreation Committee - monthly

Planning Board – bi-monthly
Public Safety – monthly
Select Board – first and third Monday of each month

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board or Committee except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board or Committee being present. The order of business at regular meetings shall be as follows substantially similar to the following:

- Call to Order and Attendance
- Pledge of Allegiance
- Schedule Next Meeting
- Public Comment
- Old Business
- New Business
- Adjourn

Comment [BT2]: We have not been following this order at Planning Board meetings. I suggest changing this language to something similar to my edits.

Section 4. Public Comment

Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Public discussion is limited to three minutes maximum per person, however, the Board or Committee Chair may at his/her discretion may allow more time. Each person who addresses the Board or Committee shall step to the speaker's podium and give his/her name and address for the record. Unless requested by the board or committee chair, comment is limited to one trip to the podium per person. If reading from a prepared statement, the statement(s) should be given to the recorder so that copies may be made part of the official record. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

Public Comment of a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any Public Comment that is not legal, ethical, or violates these bylaws.

Board or Committee Members shall not question speakers, answer questions, or make statements or commitments in response to issues raised by the public except for clarification purposes only. In general, such issues will be referred to the Town Manager for investigation, study, and recommendation or designated as future agenda items for Board or Committee consideration.

Section 5. Hearings

Public hearings of the Board or Committee shall be called as required by law or on such other occasions, as a majority may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board or Committee may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided, however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair; provided, however, that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 6. Participation and Voting

Any action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.

Section 7. Decisions

All decisions of the Board or Committee shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

The Board or Committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may

conduct additional hearings and receive additional evidence and testimony as provided herein.

Section 8. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 9. Cell Phone Use

During public meetings, Board or Committee and Staff that are present, will either turn their cell phones off or place them on silent mode. Those placed on silent mode shall either be kept on their person, or someplace other than on a table where the meeting is taking place.

Any person receiving a call or text message shall be expected to excuse themselves from the meeting and conduct their conversation or text outside of the meeting area so as to not disrupt the meeting.

Board or Committee Chair Persons have the right to ask members of the public receiving a call or text message to exit the meeting and conduct their business outside so as not to further disrupt the official business of the Board or Committee.

Section 10. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board or Committee unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Select Board after notice and official vote on the proposed amendment.

This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

Signed and approved by the Board of Selectmen on _____.

Linda D. Chase, Chair

Karen L. Gilles, Vice-Chair

George W. Colby

Joseph S. Davis

Tammy L. Donovan

IX. A



TOWN OF NEW GLOUCESTER

APPLICATION for COMMITTEE MEMBERSHIP

If you are a New Gloucester resident and interested in serving on any of the following boards or committees, please fill in the information below. The Board of Selectmen will consider all applications and make decisions for filling positions as they become open. Not all boards and committees currently have openings, however vacancies occur regularly.

- | | |
|--------------------------------|------------------------------------|
| Board of Appeals | Environmental Resources Committee |
| Budget Committee | Land Management Planning Committee |
| Cable TV Committee | Library Board of Trustees |
| CIP Committee | Parks & Recreation Committee |
| Community Fair Committee | Planning Board |
| Economic Development Committee | Public Safety Committee |

Name Thomas Halstead Date 8-19-19

Address 12 Berryfield Ln New Gloucester ME 04260

Mailing Address _____

Home Phone 207-926-1038 Cell Phone 207-615-9158

E-mail Address T.Halstead@gmail.com

Occupation Shipping Manager

Boards/Committees in which you are interested. (In order of preference)

1. Parks & Recreation Committee
2. _____
3. _____

3-year Appointments unless filling a vacant term

(Please complete reverse side of application)

Why are you interested in the Board/Committee chosen above?

I want to be involved in what our town has to offer for activities and events. Both for myself and my children.

What skills or talents would you contribute and how would they benefit the Town?

well organized, comfortable with hard work. lots of communication and event planning experience.

What boards, volunteer organizations or community service organizations have you worked with and for how long?

ARLP - on off basis - Portland GreenFest - St Joseph College Sustainability Fest

Will your schedule be flexible enough to allow you to attend meetings on a regular basis?

Yes.

Thank you for your interest in the Town of New Gloucester!

Please return this form to: Town Office, Town of New Gloucester, 385 Intervale Road, New Gloucester, Me 04260, Phone (207) 926-4126, Fax (207) 926-4136

For further information, please check our website: www.newgloucester.com

MINUTES
Town of New Gloucester

BOARD OF ASSESSOR'S MEETING, BOARD OF SELECTMEN'S WORKSHOP AND
BOARD OF SELECTMEN'S MEETING

7:00 p.m.

Monday, August 19, 2019

At the Meetinghouse

BOARD OF ASSESSOR'S MEETING

I. CALL THE MEETING TO ORDER & ATTENDANCE

Chairman, Linda Chase, called the meeting to order at 7:00 p.m. Present were Chairman, Linda Chase; Vice-Chairman, Karen Gilles; Selectmen, George Colby, Tammy Donovan and Joseph Davis; Town Manager, Carrie Castonguay; and Recorder, Sharlene Myers.

II. To See What Action the Board Wishes to take in Regard to FY19 Abatements, Batch #4

Mr. Colby moved and Mr. Davis seconded a motion to approve the FY19 Abatements Batch #4. The motion carried on a vote of 5-0.

III. To See What Action the Board Wishes to take in Regard to Establishing the Mil Rate for FY20 Taxes

Michael O'Donnell, Assessor's Agent, explained how he derived at the tax calculations presented and the commitment process.

Ms. Gilles moved and Mr. Colby seconded a motion to set the Mil Rate for FY20 Taxes at 16.90. The motion carried on a vote of 5-0.

IV. To See What Action the Board Wishes to take in Regard to the FY20 Tax Commitment

Ms. Gilles moved and Ms. Donovan seconded a motion to sign the FY20 Tax Commitment paperwork. The motion carried on vote of 5-0.

V. ADJOURN AND ENTER INTO BOARD OF SELECTMEN'S WORKSHOP REGARDING REVALUATION AND ABATEMENTS

Mr. Colby moved and Mr. Davis seconded a motion to adjourn the Board of Assessor's Meeting and enter into a Board of Selectmen's Workshop, at 7:17 p.m. The motion carried on a vote of 5-0.

BOARD OF SELECTMEN'S WORKSHOP

The Board of Selectmen's Workshop began at 7:18pm.

Michael O'Donnell, Assessor's Agent, explained the Poverty Abatement process and spoke about the upcoming Revaluation and the steps of completing the process, which is beginning the following week.

The Board of Selectmen's Workshop adjourned at 8:07 p.m.

BOARD OF SELECTMEN'S MEETING

I. CALL THE MEETING TO ORDER & ATTENDANCE

Chairman, Linda Chase, called the meeting to order at 7:00 p.m. Present were Chairman, Linda Chase; Vice-Chairman, Karen Gilles; Selectmen, George Colby, Tammy Donovan and Joseph Davis; Town Manager, Carrie Castonguay; and Recorder, Sharlene Myers.

II. PLEDGE OF ALLEGIANCE

All joined in the Pledge of Allegiance.

III. SCHEDULE NEXT MEETING:

- **Board of Selectmen's Meeting** – 7:00 p.m., Monday, September 16, 2019 at the Meetinghouse

A. Adjustments to the Agenda

None.

IV. PUBLIC COMMENTS

Donald Libby, resident, spoke to the Board concerning the mechanic position at the Public Works Garage.

Carlton Wilcox, resident, spoke to the Board concerning trimming of brush, fish passage pertaining to Stevens Brook, street lights in Town and revaluation.

Peter Bragdon, resident, spoke to the Board concerning typo's in the Liaison Policy, pictures of residents' property on website, and a report on the Community Fair.

V. SCHEDULED ITEMS

4.25 To See What Action the Board Wishes to take in Regard to Library Deck Replacement RFP Bid Proposals

The following bids were opened:

Maine Highland Contracting,
Etna, Maine \$35,757

Ms. Gilles moved and Mr. Colby seconded a motion for staff to review the bid and report back to the Board. The motion carried on a vote of 5-0.

4.26 To See What Action the Board Wishes to take in Regard to Quitclaim for Map 7 Lot 17-A

Ms. Gilles moved and Mr. Davis seconded a motion to sign the Quitclaim for Map 7 Lot 17-A. The motion carried on a vote of 5-0.

4.27 To See What Action the Board Wishes to take in Regard to Quitclaim for Map 6 Lot 27-A

Ms. Gilles moved and Mr. Davis seconded a motion to sign the Quitclaim for Map 6 Lot 27-A. The motion carried on a vote of 5-0.

4.28 To See What Action the Board Wishes to take in Regard to Liaison Policy

The Board made the following changes to the Liaison Policy:

- Page 2: Under Cable TV Committee, change to “one” Select Board Member and “Non” voting.
Under Candidate/Referendum Issues Committee, remove “Issues” from title.
Under CDBD Municipal Oversight Committee, change under Attendance, change to “Present at all meetings”.
- Page 3: Under Cumberland County Finance Committee, under Attendance, change to “Present at all meetings”.
Under Environmental Resources Committee, under Attendance, change to “Present at all meetings”.
- Page 4: Under Maine Waste to Energy, under Attendance, change to “Present at all meetings”.
Under Parks & Recreation Committee, under Attendance, change to “Present at all meetings”.
- Page 6: Under Budget Committee, end second sentence after meetings; fourth sentence, remove “have two to four meetings” and replace with “meet”; remove six sentence, begins with “At this point”; last sentence, change “eleven” to “nine” and after Liaisons, add “and Town Manager”.
Under Cable TV Committee, last sentence, change the word “two” to “one” and after “Liaisons” add “and Staff Member”.
Under Candidate/Referendum Committee, last sentence, after “Liaison” add “and Staff Member”.

- Under CDBG Municipal Oversight Committee, add sentence to end “One Select Board Member.”
- Page 7: Under Capital Improvement (CIP) Committee, last sentence after “Liaison” add “and Town Manager”.
Under Community Fair Committee, first sentence, remove “Participates at all meetings as a member of the committee and assist the committee with”; change the word “planning and executing” to “Plan and execute”; and last sentence, after “Liaison”, add “and Staff Member”.
- Under Cumberland County Finance Committee, add sentence “Select Board Designee.”
- Page 8: Under Economic Development Committee, second sentence, remove “Our” and begin sentence with “Efforts”; end the sentence after the word “area”; and last sentence, change “eight” to “seven” and add after “Liaison” “and Staff Member.”
Under Environmental Resources Committee, last sentence, change “nine” to “six” and add after “Liaison” “and Staff Member.”
- Page 9: Under Foreclosure Committee, last sentence, change “one” to “two”.
Under Land Management Planning Committee, third sentence, remove complete sentence; last sentence, after “Liaison” add “and Staff Member.”
Under Library Board of Trustees, last sentence, after “Liaison” add “and Staff Member.”
- Page 10: Under Maine Waste to Energy, add last sentence “Staff Member or Alternate.”
Under Parks & Recreation Committee, second paragraph, remove first and second sentence; third sentence, remove “Fairgrounds” and replace with “Facilities”; remove “the” before the word “Community”; after the word “Community” add “in collaboration with the Director.”; and the last sentence, change “eight” to “six” and after “Liaison” add “and Staff Member.”
Under School Board, last sentence change “at-large” to “elected”.
Under New Gloucester Water District, after “authorities,” remove rest of sentence and the following sentence; after “authorities” add “operates and maintains the New Gloucester Water District.”; and remove the last sentence and replace with “Board of Trustees will be comprised of three elected members and one Select Board Liaison.”

Ms. Gilles moved and Mr. Colby seconded a motion to approve the Liaison Policy as amended. The motion carried on a vote of 5-0.

VI. APPROVE FY20 WARRANTS AND PAYROLLS #7 and #8

Ms. Gilles moved and Ms. Donovan seconded a motion to approve FY20 Warrants and Payrolls #7 and #8. The motion carried on a vote of 5-0.

VII. APPOINTMENTS AND RESIGNATIONS

A. *Environmental Resources Committee – 1 three-year terms available*

Diane Aromando – would like to be appointed

Ms. Gilles moved and Mr. Davis seconded a motion to appoint Diane Aromando to the Environmental Resources Committee, for a three-year term. The motion carried on a vote of 5-0.

B. Resignation of Donald Libby from the Parks & Recreation Committee

Mr. Colby moved and Ms. Gilles seconded a motion to accept the resignation of Donald Libby from the Parks & Recreation Committee, with regret. The motion carried on a vote of 5-0.

VIII. LEGAL

None.

IX. WRITTEN COMMUNICATION

A. Approve Minutes of the August 5, 2019, Board of Selectmen's Meeting

Ms. Gilles moved and Ms. Donovan seconded a motion to approve the Minutes of the August 5, 2019, Board of Selectmen's Meeting. The motion carried on a vote of 5-0.

X. ORAL COMMUNICATION

A. Selectmen

Tammy Donovan – said she wanted to thank the Community Fair Committee for all their hard work on the fair. She said it was well attended, well laid out and enjoyed by all.

Karen Gilles- said she wanted to echo the same thoughts on the Community Fair. She said there has been good feedback and thanks to everyone.

Joseph Davis – said the Community Fair Committee did a great job and he would like to see more people either join the Committee or volunteer to help next year. He said he wanted to remind everyone about the Library Play behind held on Tuesday, at 6:30pm, on the Gazebo. He said he received an email from a resident who wanted to thank the Public Safety Department who responded very fast to an issue at her home, the Police Department who responded so quickly and Jason Wilson of Wilson Funeral Homes, who came in the early hours of the morning in a suit and tie.

George Colby – said the Community Fair was good and he wanted to commend the Public Safety Chief, Toby Martin, on the demonstration of the Lucas 3 CPR machine. He said the Department is looking for donations to help make the purchase.

Linda Chase – said she wanted to give a shout out and thank you to: the Parks and Recreation Director and Town Manager, for helping to set up on Friday; to the Community Fair Committee for a great job putting it together; to the Class of 2022 for the awesome job parking cars; to all the vendors who had their merchandise on display; the Lucas 3 Demonstration which very interesting; and to everyone who attended.

B. Town Manager

Ms. Castonguay said the following:

- 1) At the September 16th Selectmen’s Meeting, Nick from Revision Energy will be present to discuss solar panels for the Fire Department, new Public Works Facility and the Transfer Station.
- 2) The Town received a refund of \$5,295 from Maine Municipal Association and our yearly dues are \$6,088.
- 3) All States Asphalt will be chip-sealing Tufts Road and Bennet Road this week.

C. Dept. Heads

Toby Martin, Public Safety Chief, said Craig Bouchard, was hired as Deputy Chief, for the Department. He said is one of the per diems for New Gloucester and he has over 17 years of experience with the Auburn Fire Department.

D. Boards & Committees

XI. ADJOURN

Mr. Colby moved and Ms. Gilles seconded a motion to adjourn at 9:41p.m. The motion carried on a vote of 5-0.

Approved September 16, 2019

Linda D. Chase, Chairman

Karen L. Gilles, Vice-Chairman

George W. Colby

Joseph S. Davis

Tammy L. Donovan