

MINUTES  
SEBAGO BOARD OF SELECTMEN'S MEETING  
6:00 PM  
TOWN OFFICE  
TUESDAY, AUGUST 20, 2019

ALL REGULAR BOARD OF SELECTMEN MEETINGS  
ARE HELD THE 1<sup>ST</sup> AND 3<sup>RD</sup> TUESDAY OF EACH MONTH.

**CALL TO ORDER**

The meeting was called to order by Chairman, Tim Mayberry, at 6:03 pm.

**I. ROLL CALL**

Present: Selectmen; Scott Douglas, Edythe Harnden, Chris Harrington, Tim Mayberry and Chris Parker, Town Manager, Michele Bukoveckas, Town Clerk and Recorder, Maureen Scanlon

Guests present: Carla Parker, Jason Schoolcraft, Thomas J. Ruppert, M.D., June Allen, Donelle Allen, Jeff Cutting, Philip Strike, Tom Cutting, Greg Cutting

**II. ADJUSTMENTS TO THE AGENDA**

Items Added:

1. New Business Agenda Item A – Set Mil Rate for 2019 Taxes
2. New Business Agenda Item B – Appoint Auditors

**III. CONSENT AGENDA**

**A. Approval of the July 16, 2019 Selectmen's Meeting Minutes**

Chris Harrington made a motion to approve the July 16, 2019 meeting minutes as presented. It was seconded by Chris Parker. Motion carried with all in favor.

**IV. OLD BUSINESS**

**A. Approve Amendments to the Purchasing Policy**

The Town Manager reviewed the amendments that were made to this policy at the recent workshop.

Chris Harrington made a motion to approve and sign the Purchasing Policy as amended. It was seconded by Scott Douglas. Motion carried with all in favor.

The Board proceeded to sign the Purchasing Policy.

**B. Approve Amendments to the Tax Acquired Policy**

The Town Manager reviewed the amendments to the Tax Acquired Policy that were made at the recent workshop.

Tim Mayberry made a motion to approve and sign the Tax Acquired Policy as amended. It was seconded by Chris Harrington. Motion carried with all in favor.

The Board proceeded to sign the Tax Acquired Policy.

**C. Approve the Sand/Salt Shed Public Use Policy**

The Town Manager reviewed the fine tuning items that were made to the proposed Sand/Salt Shed Public Use Policy that were made at the recent workshop.

Scott Douglas made a motion to approve and sign the Sand/Salt Shed Public Use Policy. It was seconded by Tim Mayberry. Motion carried with all in favor.

The Board proceeded to sign the Sand/Salt Shed Public Use Policy.

**V. NEW BUSINESS**

**A. Set Mil Rate for 2019 Taxes**

Town Manager, Michele Bukoveckas, presented three different scenarios of Mil Rate options to the Board for their consideration. It was noted that the town's operational budget has been subsidized over the past several years by funds taken from the UFB (Undesignated Fund Balance). Items have also been under funded in the CIP (Capital Investment Program) for several years which now means that there is some "catching up" to be done. For these reasons the mil rate will need to be set higher than the current rate.

Tim Mayberry made a motion to set the Mil Rate for the 2019 Taxes at 13.60. It was seconded by Chris Parker. Motion carried with all in favor.

The Board proceeded to sign the documentation setting the Mil Rate at 13.60 for the 2019 taxes.

**B. Appoint Auditors**

The Town Manager explained that the town's Auditors are generally appointed for a 3-year term and it is now time to re-appoint them. She stated that the town's current auditing firm is Berry, Talbot, Royer. She is very satisfied with the quality of their work and therefore recommends that they be re-appointed for another 3-year term.

Tim Mayberry made a motion to appoint the firm of Berry, Talbot, Royer as the town's auditors for a 3-year term. It was seconded by Scott Douglas. Motion carried with all in favor.

## **VI. REPORTS FROM TOWN OFFICIALS**

### **A. Town Manager**

- Letter from the Town Attorney has been sent to the realtor selling the property which has the deck that is encroaching on Town property. Brandon and I also meet with the realtor and the realtor will advise the landowners to sign.
- Roll-off container has been ordered and delivered.
- The new F550 Ford has been ordered and should be here by Sept-Oct.
- Purchased a 2010 Public Works Ford pick-up truck. We are taking bids on the old one. Bids will be opened and awarded at your next meeting.
- We are also taking bids on the old Swenson Sander. Bids will be opened and awarded at your next meeting
- Checked into setting speed limits on town roads. According to MDOT because we are under 2500 in population, we cannot set our own limits. We must request the MDOT to conduct a speed study, which could result in speed increases. I have been advised that scheduling studies are currently 8-9 months out.

The Board directed the Town Manager to request a speed study for Hancock Pond Road.

- All Town furnaces have been cleaned.
- Town generators are being scheduled for their annual maintenance.
- Received the Radio grant funds in the amount of \$14,835.55. Since the funds were taken from the UFB (Undesignated Fund Balance) for the transition, I have placed the funds back into the UFB.
- Received a check from the Worker's Compensation Fund in the amount of \$1,117 which is the result of good loss experience and loss prevention programs.
- Bridge work on the Dyke Mountain Bridge will begin August 23rd. It was not as extensive as first assumed. Once the footings are fixed, I will have the guardrails raised.

- GPCOG salt bid is with Morton Salt this year at \$51/ton. This amount is \$3.00 less than last year.

## **B. Selectmen**

Scott Douglas had nothing to report.

Edie Harnden informed the Board and audience members that unfortunately, due to unforeseen circumstances, the date for the Harvest Dinner fundraising event at Camp O-AT-KA had to be moved to Thursday, August 29<sup>th</sup>.

Edie Harnden also brought up the subject of the water quality at the Town Hall building. She explained that the water is being used for people to drink at functions that are held there. It was recently noted that there were small black specs in the water that was being used to make lemonade. There was some discussion regarding this matter. The Board directed the Town Manager to have a water test done on the quality of the water and report back with the results. The Board will then determine whether there is a need to hire a plumber to look at changing the existing black iron piping and adding a water filter to the system. Phil Strike suggested the possibility of obtaining a grant for funding if the Town Hall is still designated as an "Emergency Shelter".

Chris Harrington had nothing to report.

Chris Parker asked what the dollar amount was that has been set aside for the Dyke Mountain Road bridge repairs. The Town Manager responded that \$15,000 has been designated for the repairs; however, she has recently been informed that the needed repairs are not as extensive as originally stated. After the repairs have been completed any excess funds will be returned to the Undesignated Fund Balance.

Tim Mayberry had nothing to report.

## **C. Town Clerk**

Town Clerk, Maureen Scanlon, presented a report to the Board regarding outstanding Personal Property taxes for campers at the Nason's Beach Campground. She explained that in the State of Maine a person with a camper trailer located within the State must pay either Personal Property Tax or Excise Tax for the vehicle on a yearly basis. This can be done in the person's town or state of residency, but they must provide proof that it has been paid elsewhere. In the past, the town has provided both options of either sending a Personal Property Tax bill or allowing the Excise Tax payment to be made at the town office to the people that have camper trailers located at the Nason's Beach Campground. The Personal Property Tax process is a very cumbersome process with a minimal amount of funding being raised for the effort that is made. This effort includes having the town's assessors visit the property on an annual basis

and quite a bit of follow-up effort by the Town Clerk for the unpaid tax bills. Several months ago it was presented to and agreed upon by the Board that the option of Personal Property Tax bills no longer be available in Sebago. It was noted that excise tax is always less expensive than personal property tax, which is a benefit to the taxpayer. However, if personal property tax on the camper has been paid elsewhere this would still be acceptable.

Although a considerable amount of effort has been made, a breakdown of what the Town Clerk deems uncollectable for 2016 & 2017 personal property taxes was presented to the Board. The amount included \$499.51 in principal and \$61.46 in interest for a total of \$560.97 for three outstanding accounts. The Town Clerk asked for permission to abate these accounts and remove them from the tax rolls.

Tim Mayberry made a motion to allow the Town Clerk and Town Manager to abate the three accounts in the total amount of \$560.97 and remove them from the tax rolls. It was seconded by Chris Parker. Motion carried with all in favor.

The breakdown of additional outstanding personal property taxes for 2015, 2016 and 2017 is \$1,225.22 which includes \$1,087.49 in principal and \$137.73 in interest for a total of eight accounts. The Town Clerk will continue to make efforts to collect the outstanding amounts due on these accounts.

In moving forward, Maureen mentioned that Rosie Carruthers, who is an owner and manager of the campground, has been working closely with her in an effort to fine tune a process that works for both the town and the owners of the camper trailers in the excise tax payment requirement process. It was noted that the owners of the camper trailers will not be expected to pay sales tax which has been a reason for them to be reluctant to use this option in the past.

#### **D. Committees**

Nothing reported.

### **VII. COMMENTS FROM THE PUBLIC**

Donelle Allen stated that the Historical Society is in the process of updating their By-laws. Article Ten in their By-laws covers "Dissolution". In the event that, in the future, the Historical Society ceases to exist as an active group it was originally stated that their items would be donated to the Spaulding Library. However, the Historical Society has evolved over the years and they would like to change this article to read, "The Town of Sebago shall take on the operation of the Society, and utilizing its funds, and hiring a professional historian, if necessary, to maintain the buildings, properties and collections for future generations of Sebago residents." Donelle stated that she believes that this cannot be added without permission from the town and asked if this can be looked into so that they can complete the update to the By-laws. It was noted that this would

probably have to go before the town's legislative body at the annual Town Meeting for approval.

Jeff Cutting stated that the Planning Board issued a permit for Nathaniel York to operate a gravel pit at the end of Woodland Road. The Appeals Board vacated that decision by the Planning Board so he no longer has a permit, however he is currently still operating at that location. He wanted to bring this matter before this Board because he feels as though the town's Code Enforcement Officer is not doing anything to rectify this situation. There was some discussion regarding this matter amongst the Board members with it being noted that the Planning Board's decision was vacated which technically means that whatever was done before is null and void, and that Mr. York has the option to re-apply. The Board requested that the Code Enforcement Officer, Brandon Woolley, join the meeting to explain the current status of this matter. Brandon stated that the Board of Appeals neglected to put "remand" on their order. They revoked the permit; so the process is starting from scratch with a new application being submitted to the Planning Board for review. There was discussion regarding whether or not the actual open pit area being worked is under the two acre limit which does not require a permit and that his final intention for the land is for agricultural farming. According to the Code Enforcement Officer this situation is not subject to a Site Plan Review and is allowed. There were discrepancies between beliefs of those present as to whether or not the sale of gravel is allowed. Jeff Cutting stated that the Board of Appeals determined that the Planning Board did not do their job correctly. Brandon Woolley responded that the Board of Appeals did not determine that the Planning Board did not do their job correctly. They determined that the Planning Board had not applied the proper procedure in the review of section seven. They neglected to include "findings of facts", a written record of their decision-making process; not that they had made a mistake in approving the project. They (the Planning Board) are correcting that oversight by starting the process over.


Deputy Rescue Chief, Jason Schoolcraft, expressed frustration over the plans for the EMS (Emergency Medical Services) construction project. He stated that the design has changed without their knowledge and proceeded to explain those changes. Brandon Woolley responded to questions from the Board regarding the specifications that were written and bid on by the potential contractors.

Phil Strike asked about the status of dredge work that is needed at the Town Beach. The Town Manager responded that we are in the process of acquiring the necessary permits to move forward. It was noted that the Beach Attendants are doing a good job.

## **VIII. ADJOURNMENT**

Tim Mayberry made a motion to adjourn at 7:22 pm. It was seconded by Chris Harrington. Motion carried with all in favor.

**Respectfully submitted,**



**Maureen F. Scanlon  
Town Clerk**