

MINUTES
SEBAGO BOARD OF SELECTMEN'S MEETING
6:00 PM
TOWN OFFICE
TUESDAY, DECEMBER 7, 2021

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

Reminder to the attending public:
Select board meetings are open to the public, but the public may not speak unless recognized by the Chair or Vice only during public comment.
Comment time is limited to 2 minutes per speaker.
Matters related to personnel will not be heard or discussed.

NOTE: Attendees of this meeting were notified (by signage at the entrance to the room) of the Health Officer's recommendation to wear face masks. Both face masks and hand sanitizer were made available for attendees.

CALL TO ORDER

The meeting was called to order by Chairman Ann Farley at 6:00 pm.

I. ROLL CALL

Present: Selectmen; Ann Farley, Charles Frechette, Phil Lowe, Tim Mayberry and Chris Parker, Town Manager, Michele Bukoveckas, Town Clerk and Recorder, Maureen Scanlon

Guests present: Virginia Williams, Owen Williams, Claudia Lowe, Barry Jordan, Philip Strike, Dave McCarthy, Grosvenor Newcomb, Lorane Umerhinde, Tim Matthews, Mark Roy, Marc Assante, Jimmy Coyne, Surrie Coyne, Catherine McIntire, Tina Vanasse, Tina Libby-Hook, Melanie Bouffard, Michael Bouffard, Cynthia Hoad, Darin Shaw, Brandon Woolley

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at the start of this meeting.

III. ADJUSTMENTS TO THE AGENDA

Added Agenda Items:

1. **Executive Session** – Pursuant to Title 1 § M.R.S.A. 405 (6) (E) Consultation with Legal Counsel – Land Use Issues

2. Consent Agenda Item – Approval of the November 23, 2021 Special Town Meeting Minutes

**IV. EXECUTIVE SESSION PURSUANT TO TITLE 1 § M.R.S.A. 405 (6) (E)
CONSULTATION WITH LEGAL COUNSEL – LAND USE ISSUES**

Ann Farley made a motion to go into Executive Session pursuant to Title 1 § M.R.S.A. 405 (6) (E) Consultation with Legal Counsel – Land Use Issues at 6:02 pm. It was seconded by Phil Lowe. Motion carried with all in favor.

The Board returned to regular session at 6:53 pm with no action taken during the Executive Session.

V. CONSENT AGENDA

A. Approval of the November 16, 2021 Board of Selectmen’s Meeting Minutes

Chris Parker made a motion to approve the November 16, 2021 Board of Selectmen’s meeting minutes as presented.

Phil Lowe stated that in regards to the selection of the Appeals Board member during this meeting, he would like it to be noted that Mr. Assante was present at the meeting and that the second candidate for the position was not in attendance.

The motion was seconded by Ann Farley. Motion carried with four in favor and Charles Frechette abstaining from the vote.

B. Approve Warrants FY 22: #21 thru #23

Chris Parker made a motion to approve FY 22 Warrants #21 thru #23 as submitted. It was seconded by Tim Mayberry. Motion carried with four in favor and Charles Frechette abstaining from the vote.

C. Approval of the November 23, 2021 Special Town Meeting Minutes

Ann Farley made a motion to approve the November 23, 2021 Special Town Meeting minutes as presented. It was seconded by Phil Lowe. Motion carried with four in favor and Charles Frechette abstaining from the vote.

VI. OLD BUSINESS

There were no “Old Business” agenda items.

VII. NEW BUSINESS

A. Naomi Street Discussion

The Town Manager reminded the Board that she was previously asked by them to have the Public Works Department remove the snow marker sticks from the town’s right-of-way at the end of Naomi Street. Prior to sending the

Public Works crew to remove them, she made a courtesy call to Mr. Bouffard (the property owner that placed the sticks in this location) to advise him that they were going to be removed. He asked her not to have them removed and stated that he would like to speak to the Board of Selectmen.

Mike Bouffard stated that all but two rocks were removed from the end of Naomi Street as requested by the Board of Selectmen at the beginning of October. Unfortunately, there was a death in his family before the final two rocks were removed. He made an attempt to notify the Town Manager and the Code Enforcement Officer of the delay in removing the final two rocks, but they were both on vacation at the time. Before he was able to remove the final two rocks, he received a call and a letter to advise him that the town would be removing them. He stated that he fully intended to complete the removal of the last two rocks and he feels as though he is being singled out and targeted. He stated that he does not intend to allow himself to be targeted and bullied, if someone has a problem with him or something he is doing, he prefers to address the matter face to face. This is a small town and we should all try to get along.

Phil Lowe responded that this was brought before the Board of Selectmen forcing them to address the matter. When the removal was not completed as requested it caused the Board to take further action. He explained that he went down to the Long Beach area and drove down all of those streets. He determined that the Code Enforcement Officer is correct that there are snow markers and lots of "stuff" all over the place (in the town's right-of-ways) in that area. Frankly he, and he believes the rest of the Board, would like to see peace in the neighborhood. He recommended that Mr. Bouffard make an effort towards that end.

Charles Frechette asked Mr. Bouffard if he felt it has been worth it. Mr. Bouffard responded that he feels as though it all comes down to the fact that people do not like change, which he understands. He could understand if those changes were ruining the look of the area, but what he has done has not. It is his intention to have the harassment stopped.

B. Transfer Station Discussion

The Town Manager reminded the Board that safety concerns at the Transfer Station were discussed at the last meeting. The Board decided that they would like to see two attendants working every shift that the Transfer Station is open. She did some numbers crunching and explained her proposal to reduce the hours of operation at the Transfer Station from forty to thirty-six hours in order to help meet the funding needs for wages for two attendants. She suggested continuing to have the Transfer Station open to the public for the normal ten hour shifts (7am to 5pm) on Saturdays and Sundays, but to reduce the hours on Tuesdays and Thursdays by two hours each day. The Board agreed that the increase in safety is worth the compromise of the reduction in hours. It was noted that the staff are supportive of this proposal.

Phil Lowe made a motion to reduce the hours to thirty-six hours a week with two attendants on duty during those hours. It was seconded by Tim Mayberry. Motion carried with all in favor.

The Town Manager reported that the recently purchased Roll-off truck has been inspected by New England Diesel. They stated that we purchased a really good vehicle. There are a few minor repairs that should be done. We will be reaching out to the seller to see if they will reimburse us for those repairs.

The Town Manager informed the Board that the Municipal Solid Waste container is in bad shape. It is being welded for a temporary fix, but needs to be replaced. She explained that she is working on options for either renting one, refurbishing the current one, or purchasing a new one.

C. Salmon Flag Project Fund Donation

The Town Manager informed the Board that this agenda item needs to be tabled at this time. She explained that the town's bicentennial is coming up in the year 2026 and the town's seal is going to be used for commemorative flags and banners. This will be addressed at a later date.

D. Information Technology RFP Award

The Town Manager informed the Board that she received seven responses for the IT RFP. The lowest bid was for \$9,200.00 per year but was very vague about the services that would be provided. The highest bid was for \$28,000.00 per year. One bid was from an organization in the State of Washington and another was from California. The last time this service was put out for bid was thirteen years ago. When the new phone system was installed, it was noted that EMS and Station One have no firewalls so it is time to bring them under the umbrella of the town and include them in our IT services.

Our current vendor is Systems Architecture. The cost according to their very detailed bid to provide services was in the middle. We have been with them for the past thirteen years. The Town Manager recommends staying with Systems Architecture.

Ann Farley made a motion to stay with Systems Architecture for IT services. It was seconded by Phil Lowe. Motion carried with all in favor.

E. Acceptance of Cumberland County Hazard Mitigation Plan 2022

This plan identifies all possible hazards from natural to non-natural disasters for all of the towns in Cumberland County. Both the Town Manager and EMA Director Phil Strike have reviewed this plan and recommend the acceptance of it.

Ann Farley made a motion to accept the Cumberland County Hazard Mitigation Plan for 2022. It was seconded by Charles Frechette. Motion carried with all in favor.

The Board proceeded to sign the Cumberland County Hazard Mitigation Plan 2022 document.

F. Appointments to Ordinance Review Committee

Ann Farley stated that the town's attorney has recommended expanding the Ordinance Review Committee to seven or nine members, and to also bring aboard someone with an expertise in quarries.

Charles Frechette informed the Board that due to personal matters he is unable to devote the time necessary to this committee and is therefore resigning from his position on it.

Ann Farley made a motion to accept the resignation of Charles Frechette from the Ordinance Review Committee. It was seconded by Tim Mayberry. Motion carried with all in favor.

Ann Farley made a motion to expand the Ordinance Review Committee. It was seconded by Chris Parker. Motion carried with all in favor.

Barry Jordan suggested that the expansion of this committee should be done before their next meeting on December 21st in order to have a full committee that day.

The Town Manager explained that another Board of Selectmen's meeting will be held next Thursday (December 16th) to talk about expanding the committee and to hold a Public Hearing on extending the current moratorium.

Ann Farley made a motion to hold a Public Hearing and (Selectmen's) meeting on extending the moratorium on Thursday, December 16th at 6:00 pm. It was seconded by Chris Parker. Motion carried with all in favor. This meeting will be held at the Town Hall building.

G. Guidance for Ordinance Review Committee

The Town Manager stated that the Ordinance Review Committee is requesting direction as to what they are being charged with, from the Board of Selectmen.

Grosvenor Newcomb and Barry Jordan presented questions from the committee. Barry asked what the deadline date is for items to be added to the Town Meeting Warrant. The Town Manager explained the process. Since the Town Meeting date has not been set yet, she suggested that early April should be the targeted deadline.

Barry suggested that funds be allotted for this committee for such things as advertisement / attorney fees, etcetera. There was some discussion on this matter. Office supplies will be provided by the Town Office and the town already has funds set aside for attorney fees.

Barry stated that the committee would like to meet with the town's attorney and the Board of Selectmen in an Executive Session for guidance in order to assure that they are going in the right direction.

Phil Lowe made a motion to first consult the town's attorney to see if this is appropriate. If it is appropriate and legal, to then hold a joint Executive Session with the Select Board, the Committee, and the town's attorney. It was seconded by Ann Farley. Motion carried with all in favor.

There was some discussion on the logistics of the use of the Town Office or Town Hall buildings for the committee meetings and the posting of meeting agendas throughout town and on the town's website. Dave McCarthy mentioned that the format for the committee's meetings is going to be in the form of workshops. The Town Manager explained the difference between the specific requirements of committees, versus boards, which are more stringent in nature.

VIII. REPORTS FROM TOWN OFFICIALS

A. Town Manager

- Whereas Christmas and New Year's fall on Saturday, Friday will be the observed day off for Town Employees that normally work Fridays. In addition, the Christmas Eve and New Year's Eve holiday (1/2 day) will be observed on Thursday 12/23 and 12/29. The Transfer Station will be closed on Saturday, December 25th. I wish everyone a happy and safe holiday.
- Due to the current COVID situation, I have not planned any get togethers for staff for the holiday. Hoping that someday we can resume the tradition.
- Budget sheets have gone out to Department Heads and town entities. The first meeting is scheduled for Wednesday, January 5, 2022 at 6pm here at the Town Office.
- The street light for the intersection of Hawkes and Sebago Road has been ordered. Due to shortage of supplies and staff, I was notified it may take several months, but the work order is submitted.
- I have been asked to look into a "Pay to use" device for the EV charging system outside the Town Office. I have reached out to my fellow managers on the list serve and most of them do not charge because the cost of the device far exceeds the cost of the system, and exceeds the cost of the electricity used for charging. It was also stated that their

systems were acquired by virtue of grants or a solar array so they do not feel right charging the citizens for the use. Some do use a timer so that after a certain amount of time, the charger shuts off. How would you like to proceed?

Phil Lowe suggested a timer be installed on the EV charging station. He recently witnessed a vehicle being left there unattended to charge. He doesn't feel as though people should be allowed to charge their vehicle for free on the taxpayer's dollar. The Town Manager will look into it.

- Route 114 – After our last meeting, MDOT is looking at revisiting the “basic plan” which is to look at fixing the broken culverts we pointed out. Joyce is going to have another meeting with her department, and then will schedule another meeting with us.
- The RFP for the Public Safety Building will be going out this week.

B. Selectmen

Phil Lowe stated that he wishes everyone on Naomi Street a Merry Christmas. He also thanked everyone that has agreed to participate on the Ordinance Review Committee.

Charles Frechette had nothing to report.

Chris Parker had nothing to report.

Tim Mayberry suggested looking to see if the State will allow us to do composting at the Transfer Station. There was some discussion on this idea.

Ann Farley asked about the NIMS training. The Town Manager explained the need for everyone to complete this one-time training if they have not already done so. Phil Strike reviewed upcoming training dates. Michele will look into perhaps holding a training session at the Town Office.

The Board approved the “Simply Sebago” newsletter as presented.

C. Department Heads

Town Clerk Maureen Scanlon had nothing to report.

EMA Director Phil Strike had nothing to report, but did mention that the Fire Department has been very busy lately.

IX. COMMENTS FROM THE PUBLIC

Tina Vanasse expressed a concern she has about the town's boards. She stated that the town has boards to help govern the town. Each board has its own jurisdiction. When one board crosses over into another board's territory it muddies the waters and

takes away the continuity and the organization of the town government. A Selectman went on a resident's property without permission and did not identify himself. When the resident found him, he stated that he was just looking around to see what was going on. She stated that that is not the job of the Selectmen. If anything, it is the job of the Code Enforcement Officer or the Planning Board. She has had to go to places individually for Planning Board business because she missed a Site Walk. The first thing that she does is either call ahead or go to the door and introduce herself to the property owner and explain why she is there. She doesn't wander around and say that she is seeing what is going on. That bothers her. She thinks that Board members should stay within their own space, to do the job that they have been voted in to do.

David McCarthy stated that he agrees that there should be some rules set for the use of the EV charging station. He also mentioned that in regards to the issue of Naomi Street, an encroachment affects everybody, not just the neighborhood. If someone is encroaching on the town's right-of-way, it should be addressed. It doesn't matter how long it has been there, whether it is ten years or one year.

Mike Bouffard mentioned that towns in Florida have EV charging stations that require a debit or credit card to access them. He explained how the fees are charged.

X. ADJOURNMENT

Ann Farley made a motion to adjourn at 8:00 pm. It was seconded by Phil Lowe. Motion carried with all in favor.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Maureen F. Scanlon".

Maureen F. Scanlon
Town Clerk