

**TOWN OF SEBAGO
BOARD OF SELECTMEN MEETING MINUTES
TUESDAY, November 1, 2022
6:30 PM**

TOWN OFFICE BUILDING

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 Chair and only during public comment. Comment time is limited to 2 minutes per speaker. Matters related to personnel or Boards will not be heard or discussed.

CALL TO ORDER

Chairman Phil Lowe called the meeting to order at 6:31 p.m.

I. ROLL CALL

Present: Selectmen: Charles Frechette, Barry Jordan, Phil Lowe and Mark Roy, Interim Town Manager Maureen Scanlon, Interim Town Clerk and Recorder Desirae Lyle

Guests present: CEO Brandon Woolley, Donelle & June Allen, Tina Vanasse, Phil Strike, Carolyn & John Calarese, Kelly Hale, Nancy Thompson, Sue Thuotte, Michael Cyr, Claudia Lowe, Richard Merritt, Annette Thomas, Douglas Newton, Andrew Plummer, Paul White, Barry Powers, Darin Shaw

II. PLEDGE OF ALLEGIANCE

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

III. ADJUSTMENTS TO THE AGENDA

There was a general discussion about the attendance of other board and/or committee members at the Selectmen's meetings. Planning Board members had asked, in writing, to speak at tonight's meeting and after talking to MMA (Maine Municipal Association), Barry and Phil learned that this could be seen as a violation of the Maine FOAA (Freedom of Access Act) since the requests were submitted after the meeting deadline of Tuesday at 2:00 p.m. a week prior to the meeting. Phil and Barry apologized for misleading those members of the Planning Board. Phil noted that if there is a quorum of any Board present at another Board's meeting those members should refrain from speaking, this will be effective immediately. Also, if a member of a different Board wishes to discuss what another Board or committee is doing, that person needs to have authorization from their Board to proceed. A request to be on the agenda will need to be received by the Town Manager in writing the Tuesday prior to the Selectmen meeting. This will be added to the meeting policy. Barry Jordan clarified that anyone present from a Board or committee would need authorization from the Board or committee that they are on and would need to request to be on the agenda. As an individual tax payer in the Town of Sebago anyone can speak under comments from the public at the end of the meeting.

IV. CONSENT AGENDA

A. Approval of the October 18, 2022 Selectmen's Meeting Minutes

Charles Frechette made a motion to approve the October 18, 2022 Selectmen's Meeting Minutes as presented. Mark Roy seconded the motion. Motion carried with all in favor.

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B. Approval of the October 26 & 27, 2022 Executive Session Meeting Minutes

Mark Roy made a motion to approve the October 26 & 27, 2022 Executive Session Meeting Minutes as presented. Charles Frechette seconded the motion. Motion carried with all in favor.

C. Approval of the FY 23 Warrants Weeks 16 & 17

Charles Frechette made a motion to approve Fiscal Year 23 warrants, weeks 16 and 17. Mark Roy seconded the motion. Motion carried with all in favor.

IV. Reports from Town Officials – Public Works

Jim Palmer was not present. Maureen Scanlon did note that she will be advertising for the open position of Public Works Laborer.

V. OLD BUSINESS

A. Remote Meeting Discussion

Mark Roy stated that since visiting Bridgton, he has researched how much the owl system would cost. This system would help with sound and would project the speaker on a screen at the front of the room. The following items would be a onetime cost: owl system is \$1,049.00, a laptop which Mark has found for \$387.00, a television screen would cost \$449.99, a TV mount for \$249.99, a 25-foot HDMI cable for \$22.99. A meeting subscription would be needed, the yearly Zoom unlimited pro plan is \$150.00. There will need to be a labor/maintenance line to install these items. This system would be for the smaller meetings at the Town Office, not for a town meeting or largely attended meeting at the Town Hall. The State laws have changed so that remote meeting participation is allowed. Desirae Lyle reminded the Board that they need to adopt a policy to be able to do this.

B. Transfer Station Fees & Hours Discussion

Barry Jordan visited the transfer station attendants and there are some fees that need to be addressed. He is willing to compile a list of changes for the Board to review at the next meeting. The Board briefly discussed the change to the hours of operation. There were many complaints last year about the shortened hours, the attendants mentioned reaching out to other towns to see what their hours are to see how close ours are. The fees will be added to the agenda for the next meeting to be approved.

Desirae Lyle gave the Board copies of the bills from North Coast Services as well as the account details regarding recycling. Charles Frechette asked Desirae to look into how the fees are generated for the bills, 647 seems to be a high number for the number of televisions collected.

VI. NEW BUSINESS

A. Bid Opening for Fire Station 3 Repairs

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A bid was received from Great Falls Construction Inc, but it was received by email after the deadline. A check has been received from the insurance company for \$15,899.18, the bid from Great Falls Construction Inc was \$46,310.00. The Board discussed trying to get more bids and trying to work with the insurance company to get more money. The Board also discussed closing that building, but Phil Strike noted that it is needed due to fire protection in that end of town. It was noted that insurance rates in that area would likely increase if Station 3 is inactive. It was clarified that the Selectmen have accepted receipt of the bid even though it was received after the deadline, but they have not approved the bid because of the low figure received from the insurance company.

B. Approval of Abatements and Supplementals as Recommended by Assessor's Agent

Phil Lowe made a motion to approve \$7,247.54 in abatement requests and \$6,379.27 in supplemental requests as recommended by the Town Assessor's Agent John O'Donnell and Associates, Inc. Barry Jordan seconded the motion. Motion carried with all in favor.

C. Discussion on Land Use Ordinance Improvements

There has been no progress on this, therefore there was no discussion on this topic tonight.

D. Security Improvements Discussion

Barry Jordan noted that an estimate has been received from our security company to add extra layers of protection for the Town Office staff. The estimate is approximately \$10,000. ARPA funds could possibly be used for this through a vote at a Special Town meeting.

E. Special Legal Counsel for Planning Board Discussion

It was brought to the Boards attention by Town Attorney Tim Murphy that the Planning Board, Zoning Board of Appeals and Board of Selectmen should not share an attorney in the current 80B complaint. Mr. Murphy is currently representing the ZBA, while Mr. Wall is representing the Selectmen. The Selectmen will be retaining separate counsel for the Planning Board.

Tina Vanasse asked Phil to clarify if counsel would be at all Planning Board meetings. Phil replied only if necessary.

VII. REPORTS FROM TOWN OFFICIALS

A. Interim Town Manager

Maureen Scanlon noted:

- The Closing for the Public Safety Building Bond is this Thursday, November 3rd. A separate bank account has been established for these funds. No funds have been used from the BAN (Bond Anticipation Note). Once the funds have been received from the Bond, I will work with the bank to release the BAN.

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- A resident has requested to use the Town Hall on New Year's Day for a Dogs vs Cats Basketball game. Essentially, individuals will be wearing shirts designating them as being on either the Dog or Cat team. However, the request includes the allowance of dogs in the building. Currently, the annual Rabies Clinic is held in the lower level of this building. The dogs that are allowed in the building for the clinic are only in the building for a short period of time and they are not allowed upstairs. Do you want to allow dogs in the upper level of the building for this event? You may be setting a precedent for future requests.

Charles Frechette made a motion that no animals be allowed in the gym. Barry Jordan seconded the motion. Motion carried with all in favor.

- Recently we had a conflict with a request to use the Town Hall building for a fund-raising event. Although this entity has been notified that they must check the calendar on the town's website before planning their event, they were quite upset that the building was being blocked off for a one-week period for the upcoming elections. They suggested that I and the Public Works crew should set up the building for the election the night before the election and disassemble it the next day. I explained that logistically this is not possible due to staffing issues and all of the other tasks that must be completed in order to hold the election. The Secretary of State's (SOS) office, which is in charge of the election process, does not want anyone unattended by an election official in an election area once it has been set-up. I explained that I would contact the SOS's office to request permission to allow the event to take place this one time and that going forward cooperation in this matter will be anticipated. The SOS's office agreed to allow the fundraising event to proceed as long as I agreed to finish setting up for the election on the morning of the election. For the record, I would like to point out that the voting location was changed due to COVID related social distancing requirements. For consistency for our voters, this location was made the permanent voting location for future elections. This means that the building will need to be closed off to other events during the election preparation process. I suggest that perhaps future funding be appropriated to segregate the upper level from the lower level. This would allow the lower level to be used when the upper level has been closed off.
- I'm planning to attend the Leadership Academy at the Southern Maine Community College in South Portland for seven Wednesday session (from 8:30 am to 4:00 pm). The dates are: 11/2/22, 11/16/22, 12/7/22, 12/21/22, 1/11/23, 1/25/23 & 2/1/23. Michele Bukoveckas attended this program and nominated me for it (you must be nominated by someone that has already attended). I've been awarded a full scholarship; therefore, it will not cost the town anything more than my mileage for me to attend. Michele stated to me that she really got a lot out of it and believed that I will too. Bobbie Jo Wadsworth will be picking up the extra Wednesdays to help Desirae Lyle in the office.

B. Selectmen

Mark Roy had nothing to add.

Charles Frechette asked if the ARPA funds needed to be used within so many years and what that deadline is. Maureen Scanlon will need to look into the deadline as well as the balance.

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Barry Jordan has a list of items for the policy committee to discuss.

Phil Lowe had nothing to add.

C. Department Heads - CEO, Fire, EMA, EMS, Town Clerk, Rec, ACO, Health

Phil Strike commented that:

- He has met with Great Falls Construction Inc about the public safety building, they are planning to break ground in the spring.
- The fire bug that has been setting fire around town has been found and is being dealt with.
- Nothing new to report for EMS or EMA

Brandon Woolley commented that:

- There is no slow down in activity around town. There are at least 38 houses under construction at this time.

Desirae Lyle commented that:

- Normally the Selectmen only meet one Tuesday from November to February. Since Budget Committee meetings have not been set would you like to meet a second Tuesday in November and December. The Board agreed to meet twice a month until business is caught up.
- There is a Planning Board meeting and public hearing next Tuesday, November 8, 2022 at 6:00 p.m.
- The Planning Board has scheduled a public hearing on the zoning amendments on Thursday, November 17, 2022 at 6:00 p.m. at the Town Office.
- Dog Licensing has started, don't forget to register dogs.

D. Committees

There were no reports from any committees.

VIII. COMMENTS FROM THE PUBLIC

Richard Merritt commented about the municipal budget for legal services. Mr. Merritt mentioned that it seems that Gorham Sand and Gravel has followed what is written in the ordinances, if Gorham Sand and Gravel were to sue the Town the current legal budget would not be sufficient. He noted that Grondin (& Sons) operates a quarry withing 1,500 feet of the University of Southern Maine. He stated that it seems reckless for the Selectmen to move in the direction that would see the Town sued.

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Donelle Allen commented that if Fire Station 3 is closed it will increase her insurance.

Andrew Plummer noted that the Planning Board received the Selectmen's agenda last week and it is hard to request to be on the agenda when you don't know what is on the agenda. If the Planning Board is on the Selectmen's agenda there should be enough notice to the Planning Board that they can send a representative to the meeting.

Tina Vanasse commented that the Selectmen are being conscientious of process and procedure now, but leading up to now has been anything but transparent. The Planning Board is trying to work to protect the Town.

Doug Newton commended the Board for protecting the Town from the quarry, the Board is representing many people that are upset up the quarry.

Tina Vanasse asked if the Board has considered the increase on the mil rate if the Town were to be sued. Phil Lowe offered a comparison from earlier in the year when a \$180,000 mistake was corrected the difference would have been \$0.60 on the mil rate, but there were other revenues that were adjusted so that it was less than \$0.60.

IX. ADJOURNMENT

Charles Frechette made a motion to adjourn at 8:06 p.m. Mark Roy seconded the motion. Motion carried with all in favor.

Respectfully Submitted,



**Desirae Lyle
Interim Town Clerk**

Approved at the December 6, 2022 Meeting