

**TOWN OF SEBAGO
BOARD OF SELECTMEN MEETING MINUTES
TUESDAY, December 20, 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.

5:00 PM – WORKSHOP – SCHEDULING & ORDINANCE DISCUSSION

Present for Workshop: Selectmen: Barry Jordan, Phil Lowe and Mark Roy, Town Manager Maureen Scanlon, CEO Brandon Woolley, Andrew Plummer

Absent: Scott Douglas, Charles Frechette

6:00 PM – EXECUTIVE SESSION #1, PURSUANT TO TITLE 1 § 405 (6) (A) – PERSONNEL MATTERS – Staffing Needs

Present for Executive Session: Selectmen: Barry Jordan, Phil Lowe and Mark Roy, Town Manager Maureen Scanlon

Barry Jordan made a motion to go into Executive Session #1 Pursuant to Title 1 § 405 (6) (A) – Personnel Matters – Staffing Needs at 6:07 p.m. Mark Roy seconded the motion. Motion carried with all in favor.

Phil Lowe made a motion to close this Executive Session at 6:23 p.m. Barry Jordan seconded the motion. Motion carried with all in favor. No action was taken.

6:10 PM – EXECUTIVE SESSION #2, PURSUANT TO TITLE 1 § 405 (6) (E) – CONSULTATIONS WITH LEGAL COUNSEL – 80B Appeal Update

This Executive Session was canceled due to Legal Counsel being unavailable.

CALL TO ORDER

Chairman Phil Lowe called the meeting to order at 6:34 p.m.

I. ROLL CALL

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

Absent: Scott Douglas, Charles Frechette

Guests present: CEO Brandon Woolley, Donelle Allen, Tina Vanasse, Phil Strike, Claudia Lowe, James Palmer, Nancy Thompson, Douglas Newton, Kelly Hale

II. PLEDGE OF ALLEGIANCE

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

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III. ADJUSTMENTS TO THE AGENDA

There were none.

IV. Public Hearing – 2022 MMA General Assistance Ordinance

Phil Lowe turned the Public Hearing over to Desirae Lyle, General Assistance Administrator.

Desirae Lyle explained that Maine Municipal Association (MMA) produces an annual revision to their General Assistance (GA) manual, this year they changed some definitions. It was explained that unlike the GA Maximums that have to be adopted every year, the manual is optional, but it is suggested to do so, so that we are on the same page when calling the GA helpline.

Barry Jordan made a motion to accept the 2022 MMA GA Manual with the amendments. Mark Roy seconded the motion. Motion carried with all in favor.

V. CONSENT AGENDA

NOTE: The Board heard Jim Palmers report (IV.) before addressing the Consent Agenda (V.) the minutes reflect the order of the agenda

A. Approval of the December 6, 2022 Selectmen’s Meeting Minutes

Mark Roy made a motion to approve of December 6, 2022 Selectmen’s meeting minutes as presented. Barry Jordan seconded the motion. Motion carried with all in favor.

B. Approval of the FY 23 Warrants Weeks 23 & 24

Mark Roy made a motion to approve Fiscal Year 23 warrants, weeks 23 and 24. Barry Jordan seconded the motion. Motion carried with all in favor.

IV. Reports from Town Officials – Public Works

Jim Palmer reported the following:

- A full time and a part time employee have been hired for Public Works. The new employees did well during the weekend storm.
- He is working on tree cleanup from the weekend storm.
- He is hoping to get the ice rink at the school completed soon, the frame is up but the liner needs to be installed.
- Barry Jordan mentioned the possibility of having a backup crew available if the normal crew is out plowing for an excessive period of time. Jim explained that many of the bigger town’s (Portland and Bangor) are short more than ten drivers. Insurance and pay would need to be reviewed as well as CDL requirements since we don’t have many small trucks available. Jim has been working with Maureen on a SOP (Standard Operating Procedure) for snow removal.

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V. OLD BUSINESS

A. Fire Station 3 Repairs Update

A second check from the insurance company was received today for the damages at Station 3 in the amount of \$21,168.89. The first check that was received in October was in the amount of \$15,899.18. This brings the total amount reimbursed to the town to \$37,068.07. The bid from Great Falls Construction is \$46,310.00 meaning there is a difference of \$9,241.93. Chief Strike commented that there is money in the Fire Department Building Maintenance, but this will push out projects that were planned for this year. Phil Lowe asked Phil Strike to compile a list of the projects that were planned that the Board could ask to use ARPA funds for.

B. Security Improvements Discussion

Barry Jordan explained that he met with Security 101 last week with Phil and Maureen to go over adding cameras to the Town Office, Town Hall and Fire Station 1. They are working to add cameras to the added Town Office security quote.

C. Status of Unresolved Items

A. Public Hearing Unaddressed Items (as submitted by Tina Vanasse)

Phil Lowe explained that the Board received an extensive letter from Tina Vanasse, he has spent time reviewing the letter. He explained that at a FOAA (Freedom of Access Act) training yesterday he learned that the public has access to information that is given to the Boards. He would like anyone requesting to be on the agenda that has information to share, share that information ahead of time so that the public has the opportunity to review it as well. He feels that there is little to do with the Planning Board Public Hearing in the presented document and that the agenda item is misleading. He commented that the Ordinance Review Committee (ORC) was put together by a previous Select Board, it is an advisory committee and the Selectmen have the option to extend what the ORC can review. Phil expressed his frustration that for the last fifteen years the only changes to the ordinances have come through the CEO. Now more people are looking at and reviewing the ordinances. Phil noted that the letter from Tina contradicts itself and says that the Boards should operate independently but the ORC should have worked together with the Boards. Phil explained that the Board will continue to work through the letter from Tina Vanasse at future meetings until everything is addressed. The Selectmen have a special meeting next week, Tuesday, December 27, 2022, to extend the Successor Moratorium and that is the only item on the agenda, it was added to tonight's agenda but was not on the agenda early enough to allow proper notice to the public.

B. EMS Funds Explanation (as requested by Mike Foye at Annual Town Meeting)

Barry Jordan commented that Mike Foye had asked were the money collected for the ambulance service goes. Phil Strike noted that Deputy Chief Anita Chadbourne was unable to make it tonight but will be at the next meeting. Maureen Scanlon explained that the Daytime Rescue account is used to offset EMS wages since the department was voted to operate full time 24/7. This money comes from the invoices for ambulance services.

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There is a way for the Town to increase the billing rates raising revenue for the Town, which Deputy Chief Anita Chadbourne would like to discuss with the Board at a future meeting.

D. Successor Moratorium Extension

The successor moratorium expires on December 31, 2022 and needs to be extended another 108 days until the current 80B appeal is decided.

Barry Jordan made a motion to table this agenda item until December 27, 2022 at 6:00 pm to allow proper notice to the public. Phil Lowe seconded the motion. Motion carried with all in favor.

VI. NEW BUSINESS

A. Transfer Station Holidays Closure Discussion

Maureen Scanlon explained that the Town Office will be closing at noon on Friday, December 23, 2022 and Friday, December 31, 2022 and will be paid for the Sunday Christmas and New Year Holidays on Monday. Since the transfer station attendants work Saturday and Sunday, Maureen would like to close the transfer station at noon on Saturday, December 24, 2022 and Saturday, December 31, 2022 and close all day Sunday, December 25, 2022 and Sunday, January 1, 2023. She will be paying them for the holidays even though they are part time employees. The Town Office will be closing at noon on Friday, December 23, 2022 and December 30, 2022 in observance of the Saturday holidays.

B. Town Audit Discussion

Phil Lowe would like to know what auditing procedures need to be done when someone leaves the Town. The yearly audit is on hold at the moment because a software update is needed to run the reports that the auditors need.

Phil Lowe made a motion to confirm the current audit process and pursue information about a more in-depth audit process when individuals leave a position with the Town. Mark Roy seconded the motion. Motion carried with all in favor.

VII. REPORTS FROM TOWN OFFICIALS

A. Town Manager

Maureen Scanlon reported:

- We now have one full-time and one part-time Public Works employees that have joined our team. Jim Fuller (aka JEF) is full-time and Stu Foster is part-time. Stu has also agreed to help out at the Transfer Station if needed. Both gentlemen stepped right up to the plate and were a big help during the snowstorm last week. Jim Palmer and I are happy to have them aboard. Speaking of last week's storm, I'd like to thank everyone that went above & beyond to serve the needs of the community.

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- The Town Clerk's position has also been filled. Letitia Genest is going to join our team in January. She is quite vibrant and has years of prior experience as a Town Clerk. I'm sure we will all enjoy working with her.
- I will be attending the fourth session of the Leadership Academy tomorrow.
- I have communicated with several Department Heads about some of their potential future goals for their departments that we can work on together.
- Next week I will be working on setting up the Budget Committee and CIP meetings schedule.
- Our IT Tech was in last week and continued working on security improvements and upgrades at several of the town's locations.
- According to Detective Sargent Anthony Hovey at the Cumberland County Sherriff's Office the cost of a police presence detail would require a minimum of 4 hours (even if the meeting doesn't last 4 hours). The current cost per hour for a Deputy is \$73.00 (\$292.00 for 4 hours). If a vehicle is needed it is \$100.00 per hour (\$400.00 for 4 hours). If it is just a meeting, this would not include billing for the vehicle. They ask for at least one week's notice in order to provide this service, but will send an officer if we need one and have not planned ahead. However, the officer may not be able to stay during the entire meeting if it was not scheduled ahead of time.
- I met with Officer Brandon Pelton from the Cumberland County Sherriff's Office regarding the damage done to the EV Charger at the Town Office building. He agreed that it does look like the damage is due to intentional vandalism. He took pictures of the damage and will put in for additional patrols to monitor the property. I informed him that the town is looking into installing security cameras and until then, we will not be repairing the charging unit. He agreed that there is definitely a need for security cameras at the town owned properties.
- I'm waiting to hear back from Barry Woods from ReVision Energy about having the EV Charger at the Town Office building removed from the App that advising people of its availability for public use. We do not want anyone stranded here in the middle of the night because they thought they would be able to charge their vehicle's battery.

B. Selectmen

Mark Roy had nothing to report.

Barry Jordan commented that the Planning Board (PB) met on December 13, 2022 to discuss the zoning amendment change. A letter was received from the Planning Board Executive Secretary (a copy will be included with these minutes) stating that the PB would like the Selectmen to vote to adopt a specific version of the zoning amendments. The PB noted in the letter that they did not receive the zoning amendments two weeks prior to their meeting. The PB also asked if the zoning amendments and the amended quarry ordinance could be done at the same time. Barry commented that the town attorney has advised that the quarry ordinance is not ready and that the two items should be discussed at separate meetings. A letter of response to be sent to PB Chair Paul White (a copy will be included with these minutes).

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Barry Jordan made a motion that the Board of Selectmen schedule a Special Town Meeting to be held on Saturday, March 18, 2023 for the Town to consider enactment of an ordinance prohibiting quarrying in the Village and Rural Residential Districts, in the form prepared by legal counsel, with a retroactive applicable date of November 2, 2021, with such changes as may be approved by the Board of Selectmen following a hearing held by the Planning Board, as the municipal reviewing authority, pursuant to 30-A M.R.S. § 4352. Phil Lowe seconded the motion. Motion carried with all in favor.

Barry Jordan made a motion that the Board of Selectmen submit the proposed "Ordinance to Amend the Land Use Ordinance of the Town of Sebago to prohibit Quarrying in the Village and Rural Residential Districts", in the form prepared by legal counsel, to the Sebago Planning Board and request that the Planning Board, at its meeting on January 10, 2023, schedule a public hearing on the proposed ordinance as required by 30-A M.R.S. § 4352(9), to be held on a date not later than February 14, 2023, and that the Planning Board give notice of the public hearing by posting and publication in accordance with 30-A M.R.S. § 4352(9). Phil Lowe seconded the motion. Motion carried with all in favor.

Phil Lowe noted:

- That the previous motions as well as the letter to PB Chair Paul White were drafted by the Selectmen's counsel.
- That there was chatter online about the Town Hall being open as a warming center during the last storms. Phil would like to have a workshop regarding the Town Hall prior to the next Selectmen's meeting on January 3, 2023 at 5:30 p.m. Maureen noted that she has already been talking to the department heads regarding this. She also mentioned that there was talk in the past about opening the school as an emergency shelter.
- That he has not had a chance to call the Maine DOT about the crosswalks at the school.

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

CEO Brandon Woolley commented that:

- Loon Echo Land Trust does an annual check of their property lines. There was a dispute on Swamp Road about trees that were cut that were believed to be on Loon Echo's property, and the Town had the property surveyed. The cut trees were identified as the homeowners and the dispute was resolved. Brandon explained that Loon Echo maintains the property and holds a conservation easement, but the Town owns the property.

Phil Lowe thanked Brandon for coming to the workshop meeting that was held prior to this meeting.

Fire Chief Phil Strike commented that:

- He has a list of items that may be eligible for ARPA funds.

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- LED Sign at the Veteran's Park. He reached out to multiple companies, but spoke to one company for over an hour. The representative quoted a 4'x6' single sided sign would cost \$15,000 double sided would be \$21,000. A 4'x8' single sided sign would cost \$18,000 and double sided would be \$25,000. Each option has a life of 11+ years, has a sleep mode that can be set for specific times, and there is a Verizon data chip that would be a one-time fee of \$1,500 and would last forever and be compatible with any new signs. The sign could be updated by anyone with access to the app, and it could be programmed to rotate through multiple messages. The company Phil spoke to is working on a design that would keep the structure of the current sign while being able to hold the weight. Another company he spoke to explained that there needed to be a dedicated laptop and the representative was vague on what potential the sign had.

Phil Lowe asked about the digital displays that are used on construction sites. Chief Strike explained that the it would be tough to justify the purchase of those signs, as well as having to move the sign which would take a fireman off of a scene. The LED sign would be used by everyone.
- A 10,000-gallon cistern tank at the new public safety building would cost approximately \$17,000. There is a possibility of a small discount if it was purchased through Great Falls Construction.
- Gear racks for the fire department, metal racks that are 24'x20'x72'. Three racks, one for Station 1 and two for the new public safety building that could hold six sets of gear each, would cost \$17,085.
- Phil mentioned that there was a service call at Fire Station 3 for a furnace issue. The furnace is back up and running. There is a freeze alarm in place in the event that an issue is not caught in time.
- Fire Station 1 was tagged last weekend. The word "devil" was spray painted on one of the doors.
- One of the fire trucks is due to be replaced in 2023 or 2024, he has reached out to the company that designs the trucks and they are eighteen months to two years out on completion. He asked that the Board consider signing an agreement with the design company soon since there has been a 17% increase in pricing since November 2021 and there is another anticipated increase in February 2023. Chief Strike will confirm that only a contract needs to be signed and that no money down is needed to hold the price.
- As EMA Director Phil noted that he posts when the shelter is open on the Sebago Community Page on Facebook. He delayed opening the shelter last weekend hoping to discourage citizens from traveling the roads while crews were still out working. He does leave his Fire Chief cell phone number on the door and he will open the building if someone where to call.
- He also noted that with last weekends storm the Fire Departments call volume is officially more than last years.

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Claudia Lowe asked if the LED sign could be solar powered in the event that there is no power. Chief Strike did note that the company is looking into solar, but suggested looking at hooking it into the school generator. There is a possibility that a battery backup could be installed as well. Donelle Allen noted that the generator doesn't run the whole school, it runs specific items in the school.

Douglas Newton confirmed that the sign at the Veteran's Park was a scout project, he was the Scout Master at the time, and Grove Newcomb might be able to confirm where the power comes in. He also asked about the quality of the LED sign, and voice a concern that some are low quality and you can't read them. Phil Strike stated that the company assured him that the option that they are looking at is one of the higher quality signs.

Interim Town Clerk Desirae Lyle commented that:

- Another friendly reminder that dog licenses are due before January 31, 2023.
- The letter from the Planning Board requested that the Board adopt a specific version of the Zoning Amendments will the Board do this and can I have a clean copy of a word document so that the revision or date is on it for posting. This will clarify which revision is being discussed.

Phil Lowe made a motion to label the current version of the zoning ordinance "Revision 0, dated December 20, 2022. Barry Jordan seconded the motion. Motion carried with all in favor.

Mark Roy asked to make sure everything is clear and that the Board will have a clean copy to Desirae by next Tuesday so that the Planning Board receives it two weeks prior to their meeting.

Recreation Director Leslie Hayes was not present.

Animal Control Officer Rick Guilbault was not present.

Health Officer Helen Twombly was not present:

D. Committees – Broadband, Ordinance Review, CIP, Budget

There were no updates from the Broadband or Ordinance Review Committee.

Maureen Scanlon noted that she will be working on scheduling CIP and Budget committee meetings next week.

VIII. COMMENTS FROM THE PUBLIC

Tina Vanasse stated that she is confused and in everything she has reviewed the Boards are supposed to work independently of each other. She agrees that she did contradict herself about the ORC working with the Planning Board. But shouldn't they work together if the general feeling is that

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the PB is shirking their duties, shouldn't there have been a meeting of the Boards were the PB is reminded to take a look at the ordinances annually. She feels that there are still questions about the composition of the ORC, the ORC chair is a Selectmen and the ORC reports directly to the Selectmen, isn't this a conflict of interest? Phil Lowe commented that the ORC is not a judiciary board it is an advisory committee. Barry Jordan clarified that he spoke to the Town Attorney soon after becoming Selectmen and was told that it was ok for him to be on the ORC since it is a review committee not a judicial board. Barry also noted that the ORC attended a PB meeting requesting input and didn't get anything. He noted that when the ORC begins working on the Land Use Ordinances, they will reach out to the PB to work together. He asked that the badgering of the Selectmen and ORC stop. Tina reiterated that she is worried if Barry can be objective. Mark Roy asked to recommend that everyone start working together.

Douglas Newton commented that no changes to the Ordinances in fifteen years is derelict. He doesn't feel that the PB is representing the Town.

Desirae Lyle asked to comment and clarify that when the ORC reached out to the PB, they reached out prior to the PB meeting, the PB was not given the opportunity to met as a Board and discuss the ORC's request. Phil Lowe replied that individual comments were desired from the PB not a Board decision.

IX. ADJOURNMENT

Mark Roy made a motion to adjourn at 8:40 p.m. Barry Jordan seconded the motion. Motion carried with all in favor.

Respectfully Submitted,



**Desirae Lyle
Interim Town Clerk
Approved at the January 3, 2023 Meeting**