

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

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: Catherine McIntire, Helen Twombly, Scott Douglas, Lisa Douglas, Claudia Lowe, Brandon Woolley, Philip Strike, Carla Parker, Kathi Shorey, Lorane Umberhind, Tim Matthews, Virginia Williams, Owen Williams, Linda Christensen, Cyndi Langton, Chris Barbour, Kurt Christensen, June Berry, Don Berry, Patrick Berry, Marc Assante, John Chapman, Rob Hansen, Erin Hansen, Dawn Touchette, Marie Brume, Maureen Harriman, John Wood, Frank McClare

II. PLEDGE OF ALLEGIANCE

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

III. ADJUSTMENTS TO THE AGENDA

Move agenda item: **VIII. COMMENTS FROM THE PUBLIC**

To be heard between Old Business and New Business agenda items. The Health Officer will be allowed to speak before public comments will be heard.

IV. CONSENT AGENDA

A. Approval of the July 6, 2021 Selectmen's Meeting Minutes

Ann Farley made a motion to approve the July 6, 2021 meeting minutes as presented. It was seconded by Chris Parker. Motion carried with all in favor.

B. Approve FY 21 Warrants #54 & #55

Chris Parker made a motion to approve FY 21 Warrants #54 and #55 as submitted. It was seconded by Tim Mayberry. Motion carried with all in favor.

C. Approve FY 22 Warrants #2 & #3

Tim Mayberry made a motion to approve FY 22 Warrants #2 and #3 as submitted. It was seconded by Charles Frechette. Motion carried with all in favor.

V. OLD BUSINESS

A. Re-valuation Procedure Update

The Town Manager updated the Board on the status of the Re-valuation procedure. The Assessors sent out letters to property owners with a mil rate of \$10.15 when they calculated an estimated tax.

Next week the Assessors will be meeting with tax payers, by appointment only, at the Town Office, to address their concerns or questions.

The Town Manager reminded the Board that they will need to provide an adequate overlay amount when setting the tax rate in order to address any abatements that are granted. Whatever amount that is not used will roll over into the Undesignated Fund Balance which can then be used next year to offset the taxes.

VIII. COMMENTS FROM THE PUBLIC

Health Officer/Beach Attendant Helen Twombly read aloud from a statement to the Board regarding her safety concerns at the Sebago Town Beach. Her concerns are as follows:

1. There is not enough room at the Town Beach on the river side for boats launching off the boat ramp, boats returning from the lake at the ramp, jet skis coming and going, boats launched on the beach and children and adults in the water or fishing from the edge.
2. There are far more people, more boats, more jet skis and larger boats than ever.
3. Boats come in off the lake or from the river side and launch on the beach, some are residents that stay all day, some let their dogs out to relieve themselves on the beach and to cool off in the water.
4. Boaters let their children out to play in the water in between and behind the boats where they cannot be seen.
5. Children and adults are fishing along the river edge.
6. No one sees what I see. If the town insurance representative were to see what I see happening I wonder if it could affect our insurance.
7. The beach did not get any larger when the people, boats and boat size increased.

8. It's not just checking to make sure that the boats are Sebago Residents, which we don't have the personnel for, there just is not enough room, residents or non-residents.
9. The Selectboard are responsible to protect the safety of the public, they worry about safety at the Transfer Station, at public works, on the roads and the beach should not be any different.
10. Health and safety have been at the top of my list for a very long time and as the Sebago Health Officer, I just cannot let this slide by.
11. It is also time to decide if we want a party beach or a family beach, you might be shocked if I told you what I clean up off the beach.
12. I know that I feel differently than people that I respect and care about, but I must be on the side of safety.

Several residents including Chris Barbour, Kurt Christensen, Rob Hansen, and Maureen Harriman spoke on behalf of (motorized) boats being allowed to continue to be beached/parked at the Town Beach. The common thread of their statements revolved around the fact that this has been allowed for residents for many years and their children should also be allowed to continue do so in the future. It was stated that boats should be allowed at the back side where swimming is not allowed and that kids shouldn't be swimming in that area. It was also stated that there is never a lot of boats at the beach. (It was noted that there isn't enough room for a lot of boats to be beached/parked at this location.)

Owen Williams suggested hiring an additional beach monitor to assure that only residents are using the beach (since the current beach monitor is so busy with the boat launching traffic).

Several comments were made about the amount of "No Motorized Boats Allowed" signs that are on the beach which makes it difficult to take a picture in this location without the signs being in the picture. It was noted by the Board that the more expensive signs were stolen last year when there were less of them.

John Chapman stated that if the concern is about the health and safety of children on the beach, then it is the responsibility of the boat operator for activities on their craft, to assure an incident does not occur, and that it is operated safely.

Helen Twombly spoke again regarding the number of boats being launched at the town beach. She reiterated that it is a very busy and unsafe situation for such a small piece of land.

Chris Parker stated that there is no need to be beached/parked on the beach if you have a boat. There are just too many boats, with more being added every year.

Charles Frechette stated that this is a tough one for him, because in the past there wasn't the volume of boats as there is now. Since he is not there every day, he cannot say that he has personally seen the problems that have been reported. One thing that concerns him is that if the beach gets closed, the people that do not have boats will have no where to go. He recognizes that there is a core group of residents that use the beach in this way and are very conscientious and respectful to others, unfortunately not

everyone is that way. He can see both sides of the situation and would like to see a resolution made that will make everyone happy.

Phil Lowe stated that this is the best example of government where people can come and express their concerns. The beach is the highest asset to this town. We have to do something to protect it and assure that it is safe for all, including the beach attendant.

Upon a suggestion from Ann Farley the Board agreed to hold a workshop on August 17th to address this matter. It was noted that this will not be a public hearing, therefore comments from the public will not be allowed. Written comments will be accepted from the public, prior to the night of the workshop, for consideration by the Board.

New Subject: Catherine Caselden McIntire spoke to the Board regarding problems that are occurring on Naomi Street. She stated that tensions are very high on Naomi Street due to actions that have been taken by Mr. Bouffard at his property on the street. He has removed the fence, planted grass and created parking spaces which is an encroachment on town property. Additionally, the entrance to the beach for Naomi Street residents has been blocked by large rocks making it dangerous to access the beach. The amount of visitor's vehicles parking on both sides of the road makes it impossible for an emergency vehicle to get down the road.

Code Enforcement Officer Brandon Woolley stated that there is some validity to what she is saying. A construction / renovation project (which was approved by the Planning Board) is in progress at Mr. Bouffard's property which has caused trucks to be in the way. Unfortunately, this project has run longer than originally planned due to material deliveries being delayed due to COVID. The rocks will probably be removed before winter, when they would become a plowing hazard. Right now, they are to prevent people from parking on the grass. It was noted that most of the properties in this area have encroachments on town property. It is a very tight area and if the town addresses the encroachment on one property, they must address them all.

New Subject: Owen Williams informed the Board that numerous rocks are coming up through the road pavement at the end of Naomi Street (the wooded side, not the water side of the street). Public Works will look into the problem.

New Subject: Kathi Shorey is a non-resident property owner/taxpayer that wanted to have it on record that the proposed tax increase is going to be a tremendous burden on her family, and that it will be very difficult for them to retain ownership of their inherited property. She does have an appointment to meet with O'Donnell and Associates, but is very concerned about it.

New Subject: Marc Assante lives on Baldwin Road and is very concerned about the excessive speed in the section of road in front of his home. He has children that cross this street and he is concerned for their safety. He asked for a speed study to be done in order to have the speed limit lowered in this area.

The Town Manager stated that as per Mr. Assante's request, she reached out to the Department of Transportation (DOT) to request a speed study in this location. Mr. Assante also expressed concerns regarding the "passing zone" in this location which she also addressed with DOT. The DOT is requesting more information which the

Town Manager is compiling and will forward to them for their further consideration. Marie Brum (Marc's neighbor) and Claudia Lowe (while working outside at the library) both commented on having witnessed this speeding problem. There was discussion amongst the Board regarding this matter. The Town Manager will continue to look into obtaining a DOT speed study and will report back to the Board with her findings. The Board agreed to do what they can and suggested that in the meantime Mr. Assante continue to contact the Cumberland County Sherriff's Office when he observes an unsafe situation occurring.

VII. NEW BUSINESS

A. Transfer Station Discussion (Cash Reporting, Brush Debris and Roll-Off Truck)

Cash Reporting – The Town Manager reported that in order to provide more security of the funds collected at the Transfer Station she created a "Transfer Station Cash Collection" policy. She reviewed this proposed policy for the Board's consideration.

Ann Farley made a motion to accept the Transfer Station Cash Collection policy as developed by the Town Manager. It was seconded by Phil Lowe. Motion carried with all in favor.

Brush Debris – Charles Frechette reported that he spoke with the owner of the Dirt Direct company today. He informed Charles that he is interested in working with the town. Charles will follow-up with him and report his findings back to the Board.

Roll-off Truck – Public Works Director Scott Douglas reported that the Roll-off Truck has multiple problems and it will not pass inspection. He updated the Board on the repairs that need to be performed on it and asked which direction they wish him to proceed. The Board directed Scott to get a quote on the repairs needed to pass inspection.

B. Remote Meeting Policy – First Reading

Ann Farley suggested this this "Remote Meeting" policy be reviewed by the town's Policy Committee before being voted on by the Board. The Policy Committee will meet on Tuesday, July 27th at 6:00 pm.

C. No Action Letter – Robinson Hill Rd.

Code Enforcement Officer Brandon Woolley explained that it has been determined that a new dwelling (manufactured home) has been placed too close to the road, which occurred through a combination of errors. He proceeded to explain those errors in detail. It was noted that because it is a manufactured home, it did not require inspections by the town like the normal building process. This has caused a problem for the property owners to close on their mortgage. One way to resolve this matter is to have everything

re-surveyed and move the structure. The second way is for the town to formally choose not to pursue the matter in the form a “No Action Letter”.

Phil Lowe made a motion to approve the “No Action Letter” for the property owners. It was seconded by Charles Frechette. Motion carried with all in favor.

The Board proceeded to sign the “No Action Letter” which was notarized by Town Clerk Maureen Scanlon. A copy of this letter will be retained in the Code Enforcement file for this property.

D. Planning Board Discussion

The Town Manager reported to the Board on the response she received from MMA (Maine Municipal Association) on addressing the previously discussed Planning Board issue.

VII. REPORTS FROM TOWN OFFICIALS

A. Town Manager

- Attended (via virtual) a meeting concerning the Regional Broadband effort with GPCOG to review potential consultants to help gather information on a Regional Level. I have signed a MOU (memorandum of understanding) with GPCOG to partner with them and other towns to have professional services for region-wide broadband planning through GEO Partners and Mission Broadband. Currently, GPCOG is paying for these services. We will most likely be asked to make financial commitments when we transition to the Project Development Phase. We will be given the opportunity to continue or opt out at that time. I have shared this information with the committee chair.
- I attended a meeting with Cumberland County EMA, and other State groups (MDOT, MDEP, PWD) to discuss the Route 114 Lake Erosion issue. A preliminary proposed plan by the MDOT is included in your packets. A meeting will be scheduled in August for further discussions and will include Brandon Woolley and Scott Douglas. Hopefully in the near future, the (MDOT) will come to a BOS meeting to address the Board.
- There was vandalism down at the ball field recently. CCSO (Cumberland County Sherriff’s Office) has been contacted and is looking at the school’s video to see if they can get any information. Beer cans were all over the place, porta potties were tipped over, and a window on the SYAA snack shack was broken. With the help of SYAA (who had the materials) and Sebago Public Works, the shack has been repaired.
- Reminder that the MMA Elected Officials Workshop is coming up on August 18th at the Ramada Inn in Saco, if you would like to attend, please let us know ASAP and we will sign you up. Another option is viewing a

webinar on the Maine Municipal website in their video training library (under resources). Some of the videos are free, some you have to pay for (this one is free, but is from 2020). You will need to visit the site to register before you view, then you will have 30 days to view it.

- State Revenue numbers have changed once again. It now appears Sebago will receive \$146,000 instead of \$121,000. We use the state revenue sharing amount as a plug-in in order to arrive at a specific tax amount. Meaning, if the end goal is to arrive at a particular mil rate, we can adjust the state revenue sharing estimate to help arrive at the desired amount. Reasonably, we have between \$118k (original estimate) and \$146k to play with.
- Upcoming meetings: Updates on the ARPA funds, Interview for Public Works
- The newsletter name has been changed to Simply Sebago. The August edition with the new name will be posted on the website and distributed throughout town.

B. Selectmen

Phil Lowe stated that every once in awhile we need to stop and think about the number of things that go through this office and Michele (Bukoveckas) deserves a lot of credit. Thank-you Michele. Everyone present applauded Michele for her efforts.

Charles Frechette had nothing to report.

Chris Parker had nothing to report.

Tim Mayberry had nothing to report.

Ann Farley had nothing to report.

C. Department Heads

Town Clerk Maureen Scanlon reported that the orange Town Pass (aka the Transfer Station pass) will be expiring this December. However, we have run out of them already. Instead of ordering more orange ones, the new ones will be a lime green color. The new ones have been ordered and will start to be issued to residents/taxpayers as soon as they arrive.

Health Officer Helen Twombly reported that COVID cases are on the rise. Don't hesitate to wear a mask.

Public Works Director Scott Douglas reported that the new uniforms have arrived and, that interviews are being held for both the open truckdriver and Transfer Station attendant positions.

Phil Lowe suggested that the property owners on Public Easement roads need to have their responsibilities defined for them. It was noted that the Public Easement letters are in the process of being mailed to property owners to let them know what items need to be addressed on their roads in order for the town to continue winter maintenance on them.

Ann Farley made a motion to go into Executive Session, Pursuant to Title 1 § 405 (6) (A) to Discuss a Personnel Matter at 8:00 pm. It was seconded by Chris Parker. Motion carried with all in favor.

IX. Executive Session, Pursuant to Title 1 § 405 (6) (A) to Discuss a Personnel Matter

The board returned to regular session at 8:30 pm with no action taken during the Executive Session.

Ann Farley made a motion to hold an Executive Session under Title 1 § 405 (6) (A) to address issues with the Planning Board. It was seconded by Phil Lowe. Motion carried with all in favor.

X. ADJOURNMENT

Phil Lowe made a motion to adjourn at 8:31 pm. It was seconded by Tim Mayberry. 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