

**MINUTES**  
**SEBAGO BOARD OF SELECTMEN MEETING**  
**JULY 19, 2022**  
**WORKSHOP 5:30 PM**  
**SELECTMEN MEETING 6:30 PM**  
**TOWN OFFICE**  
**ALL REGULAR BOARD OF SELECTMEN MEETINGS**  
**ARE HELD THE 1<sup>ST</sup> AND 3<sup>RD</sup> 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.*

**WORKSHOP WITH GREAT FALLS CONSTRUCTION**

A Workshop was held with Great Falls Construction at 5:30 pm to discuss the Public Safety Building project.

**CALL TO ORDER**

The meeting was called to order by Chairman Phil Lowe at 6:30 pm.

**I. ROLL CALL**

Present: Selectmen; Charles Frechette, Barry Jordan, Phil Lowe and Mark Roy, Town Manager Michele Bukoveckas, Town Clerk and Recorder Maureen Scanlon

Guests present: Tina Vanasse, Virginia Williams, Catherine McIntire, Douglas Newton, James Palmer, Claudia Lowe, Walter Bukoveckas, Brandon Woolley, Mike Bouffard, Anita Chadbourne, Phil Strike, Sally Nero, Paul Smith

**II. PLEDGE OF ALLEGIANCE**

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

**III. ADJUSTMENTS TO THE AGENDA**

**ADDED AGENDA ITEMS:**

**New Business Agenda Item F –**

Discussion on MMA Assisting in the Hiring Process for a New Town Manager

**New Business Agenda Item G –**

Discussion on Choosing an Interim Town Manager

#### **IV. CONSENT AGENDA**

##### **A. Approval of the July 5, 2022 Selectmen's Meeting Minutes**

Barry Jordan made a motion to approve the July 5, 2022 meeting minutes as presented. It was seconded by Mark Roy. Motion carried with all in favor.

##### **B. Approval of FY 22 Warrants Week #53 & #54**

Charles Frechette made a motion to approve FY 22 Warrants Week #53 and #54 as submitted. It was seconded by Mark Roy. Motion carried with all in favor.

##### **C. Approval of FY 23 Warrants Week #1 & #2**

Mark Roy made a motion to approve FY 23 Warrants Week #1 and #2 as submitted. It was seconded by Barry Jordan. Motion carried with all in favor.

#### **V. OLD BUSINESS**

##### **A. Signage for Long Beach R.O.W.s**

There was discussion on better locations for "No Parking" signs for the Long Beach right-of-ways to the lake. The idea is to place them where people won't drive right past them without seeing them, as is currently happening. There was also discussion on handicapped parking spaces. It was noted that handicapped parking spaces are only required where parking is allowed. However, loading and unloading zones are required and will be created.

##### **B. Signage for Transfer Station**

Barry Jordan stated that when the Board voted to bring back the "Free for the Taking" area at the Transfer Station they agreed that signage would be posted directing people to see the attendant before leaving items. The attendant will have the final say as to whether the item must be disposed of or allowed to be placed in this area. The signage is in place and things seem to be going well.

##### **C. New Code Books and Manuals for all Boards**

The Board was in agreement that all Boards should be working with the same, and current, code books and manuals. It was suggested that any older versions that are being used should be updated.

Mark Roy made a motion to have the Town Manager poll the Chairmen of the Planning Board and the Zoning Board of Appeals as to what version of the code books and manuals they are using in order to assure consistency

amongst all Boards. It was seconded by Barry Jordan. Motion carried with all in favor.

#### **D. Explore Potential Options with Sebago Technics**

Phil Lowe explained that the potential is to hire a planning entity, such as Sebago Technics, that will provide several services for the town. Phil explained what some of those services would include and stated that the Board would like to further explore this opportunity.

Barry Jordan made a motion to setup a workshop with the Board of Selectmen to explore the options with a Planner to see what benefit, if any, it would provide to the town, and to what extent it could assist the Code Enforcement Officer, if needed. It was seconded by Mark Roy. Motion carried with all in favor.

### **VI. NEW BUSINESS**

#### **A. Public Safety Building Contract**

Phil Lowe stated that a workshop was just held with Great Falls Construction to initiate the process of moving forward with the Public Safety Building project. This includes the signing of the contract which has been fine-tuned and will be submitted for approval once the changes to the document have been completed.

Mark Roy made a motion to have the Town Manager execute the contract with Great Falls Construction for the design of the Public Safety Building. It was seconded by Charles Frechette. Motion carried with all in favor.

#### **B. Signing of Cumberland County Tax Warrant**

Town Manager Michele Bukoveckas reviewed the services provided by Cumberland County for this payment, such as emergency dispatch services and patrol services provided by the Sheriff's Office. The fee this year is \$306,298.00. The County is going to be changing to a fiscal year next year. This means that the fee will be higher next year due to the fact that it will be covering a time period of one and a half years. However, the town will not be required to pay the full amount in one payment if it chooses not to do so.

Mark Roy made a motion to sign the Cumberland County Tax Warrant. It was seconded by Barry Jordan. Motion carried with all in favor.

The Board proceeded to sign the Cumberland County Tax Warrant document.

#### **C. Ratifying Overages in FY 22 Budget**

The Town Manager explained that overages in the Public Works section of the FY 22 Budget are in the amount of \$73,625.63. She explained the causes for these overages and different options for ratifying them. It was

noted that although the overall budget is under budget, certain line items are over, which is what the Auditors look at when reviewing the town's books.

Barry Jordan made a motion to sign the (Overages Ratification) document to cover the overdraft. It was seconded by Mark Roy. Motion carried with all in favor.

The Board proceeded to sign the overages ratification document.

#### **D. Appointment to Ordinance Review Committee**

The Town Manager reported that an application for appointment to the Ordinance Review Committee has been received from Zoning Board of Appeals member David Welch.

Barry Jordan made a motion to appoint David Welch to the Ordinance Review Committee. It was seconded by Charles Frechette. Motion carried with all in favor.

#### **E. Acceptance of Ann Farley's Resignation**

Each Selectman expressed gratitude towards Ann Farley for her twenty-two years of dedicated service to the town. The Town Manager was asked to read aloud Ann's letter of resignation.

Mark Roy made a motion to accept Ann Farley's resignation from the Select Board for the Town of Sebago. It was seconded by Charles Frechette. Motion carried with all in favor.

Department Heads were allowed to also express their gratitude to Ann.

#### **F. Discussion on MMA Assisting in the Hiring Process for a New Town Manager**

Phil Lowe and Barry Jordan explained how MMA (Maine Municipal Association) will be assisting in the hiring process for a new Town Manager. This includes services such as advertising and reviewing applications for a potential cost of \$6,400.00. It was noted that these funds may be used from the ARPA funds if approved by the town's legislative body at a Special Town Meeting.

Barry Jordan made a motion to proceed with MMA to find a new Town Manager and have them handle the application process. It was seconded by Mark Roy. Motion carried with all in favor.

#### **G. Discussion on Choosing an Interim Town Manager**

There was discussion on the need to hire an Interim Town Manager until a new one is hired. MMA (Maine Municipal Association) has a pool of them

available for this purpose. The Selectmen will hold a workshop on Monday, July 25<sup>th</sup> at 6:30 pm for further discussion on this matter.

#### **H. Discussion on the Method of Replacing Select Board Member Ann Farley**

Town Clerk Maureen Scanlon explained the options that may be used to fill the vacancy on the Select Board. This includes either waiting until the next Municipal election, which will be held in May 2023, hold a special election for this open seat, or hold the election in conjunction with the State election in November. Due to the fact that the Board would like to fill the position before the next Municipal election in May 2023, she suggested that it would be more cost effective to hold the election in November. She also mentioned that due to the time element involved in the nomination papers process, it would not be practical to hold a special election. It was noted that there will probably be a better turnout of voters for the November election than if a separate election was held to fill the vacancy.

Mark Roy made a motion to hold an election in November for the open Board of Selectman (Assessor and Overseer of the Poor) position. It was seconded by Charles Frechette. Motion carried with all in favor.

### **VII. REPORTS FROM TOWN OFFICIALS**

#### **A. Town Manager**

✓ Potential ARPA funds use:

1. To increase the hours of the Part-time employee.  
For an extra day \$3,000 is needed  
For 2 extra days \$10,000 is needed  
For FT \$18,000 is needed.

Keep in mind this does not include Health Insurance or payroll taxes which would be an additional \$20,000. Use of ARPA funds is temporary, in order to continue, the additional hours would have to be added to the budget.

2. Help pay for a transcriptionist for ZBA meetings.

3. Install a key fob system on the fuel pumps at the Town Garage. This will enable us to track who, what, when and cost about \$3,700.

A warrant article would be required to spend the ARPA funds. This could be done at a Special Town Meeting.

- ✓ I have begun working on a warrant to incorporate the above as well as any ordinance/ordinance changes that may require Town Meeting vote.

- ✓ We have received the second tranche of the ARPA funds. We currently have \$193,282.85 of which we have already allocated \$9,500.
- ✓ Our Local Roads Assistance Program (LRAP) allocation will be \$53,392 for FY 22-23. This is the same amount we received for FY 21-22.
- ✓ IRS has increased the mileage reimbursement rate to \$.625 effective July 1, 2022.
- ✓ Year End went over with very little bumps. We will continue to do a dual warrant for at least July and part of August (to allow the invoices to be properly booked to FY 22). Therefore, you will probably have 2 warrants to sign for every week (current and last year's).
- ✓ Loon Echo Trust is pursuing funding from the Department of Agriculture, Conservation and Forestry for the Muddy River Forest Project. The Sebago BOS has sent a letter of support for this project, and we received a letter that this project has been selected as a finalist for funding.
- ✓ Had an incident with a dog at the town beach. The dog was a service animal, which is allowed on the town beach. I have sent an email to the attendants that proof or licensure is not required, nor can they ask for it. Only questions that can be asked are: is the dog a service animal required because of a disability, and what work or task has the dog been trained to perform. I did advise the attendants that if the dog is disruptive or out of control, they can ask the person and animal to leave. The owner is also required to clean up after the animal.
- ✓ Listed info on the Town Web page concerning the new tax law for seniors. The State is working on applications, and even though the law goes into effect this August, it will not apply to the FY 22-23 tax bills, but rather the FY 23-24 tax bills (Fall of 2023). More info will be posted as it becomes available.
- ✓ I do plan on having the mil rate ready for commitment at your August 16<sup>th</sup> meeting, unless you have an objection.
- ✓ We received a check today from Revision in the amount of \$2,182.33. This is for our proceeds from 2021 for our renewable energy certificates.

## **B. Selectmen**

Mark Roy spoke about the Transfer Station staff's concerns about the need to have non-potable water available at that location. The Town Manager explained that this is already a CIP (Capital Investment Program) item due to the complexities involved in accomplishing this task.

Mark Roy brought up the matter of the summer heat creating a need to have a fire truck brought down to the Transfer Station to clean/wash the

cannisters out. Public Works Director Jim Palmer is planning on doing this as soon as possible.

Mark Roy suggested that the dumping of brush by Sebago residents providing services for residents of other towns needs to stop. There was some discussion on this matter.

Charles Frechette had nothing further to report other than what he reported on the matter of brush and debris disposal during the above discussion.

Barry Jordan thanked Carl Dolloff, the Sebago Days Committee, and all involved in making this year's Sebago Days event a huge success.

Barry Jordan reported that a couple of months ago, per the request of the Board of Selectmen, the Ordinance Review Committee brought a proposed list of new moratorium items to the Board. To date, no action has been taken on that list. Barry reviewed some of the items included on this moratorium list.

Barry Jordan made a motion to bring that moratorium list to the workshop where the Board will be working on a town planner, to come up with a proposal to give to the town attorney to incorporate into the Special Town Meeting for the enactment of an additional moratorium for other items that people feel may need to be addressed. It was seconded by Charles Frechette.

After some discussion on this matter, Charles Frechette withdrew his second to the motion.

Barry Jordan amended his motion as follows: to send this (list) back to the Ordinance Review Committee for one last look at it; then bring it to the Board's workshop to review; and then turn it over to the town's attorney to draft a moratorium. It was seconded by Charles Frechette. Motion carried with all in favor.

Barry Jordan mentioned that Ann Farley also resigned from her position on the Small Cemeteries Committee, therefore this appointed position needs to be filled. This open position will be posted on the town's website.

Charles Frechette mentioned that Ann Farley was also on the Tax Acquired Property Committee and that he would be willing to fill this appointed position.

Mark Roy made a motion to appoint Charles Frechette to the Tax Acquired Property Committee. It was seconded by Barry Jordan. Motion carried with all in favor.

Phil Lowe expressed concern about the fact that the rocks are still not removed from the end of Naomi Street. There was some discussion on



this matter. Mike Bouffard stated that he is still willing to remove the rocks once the previously discussed “No Parking This Side of Street” signage has been installed. Public Works Director Jim Palmer reported that “No Parking – This Side of Street” signs have been ordered.

### **C. Department Heads**

Fire Chief Phil Strike reported that there have been some suspicious activities in town and the authorities have been made aware of it. He suggested that everyone be diligent and report anything that seems suspicious to the Sherriff’s Office. Phil also updated the Board on fire department vehicle repairs. He agreed to look into a drainage pipe, in the Long Beach area of the lake, that needs repair that was brought to his attention by Tina Vanasse.

Public Works Director Jim Palmer reported that they are continuing to do ditching work. They are planning to do work on Taylor Road next. Unfortunately, they have had to stop what they were doing in order to repair damages throughout town caused by storms.

EMS Deputy Chief Anita Chadbourne reported that she is still working on hiring additional staff to address gaps in coverage. She is exploring options of offering a paid “On Call” product to entice potential staff members. She also reported on repairs to the EMS building that need to be addressed.

Town Clerk Maureen Scanlon had nothing further to report other than the Municipal Election nomination papers process discussed earlier for the November 8, 2022 election.

Code Enforcement Officer Brandon Woolley had nothing to report.

## **VIII. COMMENTS FROM THE PUBLIC**

Tina Vanasse asked for clarification about consistency on processes. She got to thinking about the Selectmen recently appointing the Code Enforcement Officer, who is a department head. She asked why this was done, because after doing some research on the matter, she confirmed that department heads fall under the realm of the Town Manager, not the Selectmen. So, why wasn’t Michele Bukoveckas the one to re-appoint Brandon Woolley as the Code Enforcement Officer? Phil Lowe responded that it can be either way according to MMA (Maine Municipal Association). Officially, this position falls under the authority of the Town Manager. Barry Jordan added that Brandon works solely under the direction of the Town Manager. The Board has no access to employee personnel files in regards to performances, nor are they responsible for the hiring and firing of employees. What they did at the last meeting was to re-authorize him to operate under his licenses (which also includes being the Plumbing Inspector and E-911 Addressing Officer) on behalf of the town for one more year. There was discussion as to whether his position is considered a department head position or not. This matter, and who is responsible for annually appointing him to his position will to be asked of MMA.



Tina Vanasse mentioned that in regards to the situation in the Long Beach area, she is concerned that the Board may be “opening a can of worms that you don’t want to open”. She feels as though the matter of the encroachments on the town’s property in this area is being addressed by the Board due to complaints from a minority of property owners instead of the majority of them that have no problem with the way things are. Phil Lowe responded that the Board will take her concerns into consideration. Tina asked if the Board would get back to her on it, and Phil responded that they would.

Catherine McIntire asked a couple of questions on signage and the possibility of handicapped parking on the right-of-ways in the Long Beach area. Phil Lowe responded that this matter will be further considered before actions are taken.

Tina Vanasse stated that the Planning Board has criteria on which they have to make their decisions. She asked what the criteria for the Board of Selectmen is when making decisions, such as when addressing the situation in the Long Beach area. She also expressed concern about the need for the Board to be objective when voting on something, and the possibility of perceived potential conflicts of interest when performing their duties. There was some discussion on this matter.

## **IX. ADJOURNMENT**

Mark Roy made a motion to adjourn at 8:22 pm. It was seconded by Barry Jordan. 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**