

Town of Newry Selectmen Meeting Minutes
January 17, 2017 5:00pm @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Bob Lowell, Tama Drown, Gary Drown, Doug Webster, Jim Sysko, Brooks Morton, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: approved minutes from 12/20 and 1/3

Adjustments to Agenda: none

Announcements: none

Public Comment: none

New Business:

~Discuss and consider a request from the withdrawal committee to ask voters for \$25,000 to support continuing the withdrawal process or terminate the process:

The Board asked those present who initiated the request what was the intent for the additional funds, which ultimately was to keep the process moving forward. The Board felt that there were no new developments or different plan presented between SAD 44 & NWC for a favorable negotiation, which would warrant additional funds. The Board would like to see the development of LD 51 (a bill being sponsored that would provide state assistance to municipalities in process of SAD/RSU withdrawal, which would define "good faith" negotiations and involve Department of Education).

Selectman Largess motioned to table this matter until more LD 51 information becomes available. Selectman Hanscom seconded the motion. The Board voted all-in-favor.

~Discuss and consider supporting LD 51 (bill that further outlines the process of withdrawal):

The Board discussed the Bill and voted to be in support of this. Selectman Largess made the motion, Selectman Wight seconded and they voted all-in-favor. The town will send an official to Augusta when this goes to public discussion.

~Discuss and consider town involvement to Rep. Head LD (preventing Newry withdrawal from SAD 44): To date there has not been a Bill presented. Board tabled this discussion until more information is available.

Unfinished business:

~Executive Session: Administrator review process: (adjourned meeting at 6:30pm for executive session.)

REPORTS:

Town Administrator: See attachment #1 and Budget Narratives with any changes were handwritten in.

CEO: See attachment #2 with policy drafts

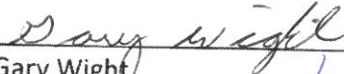
Selectman: no reports

Committees: no reports

Next Meeting: Tuesday, February 7th 5:00pm at Town office. Public Hearing for Liquor License 5pm

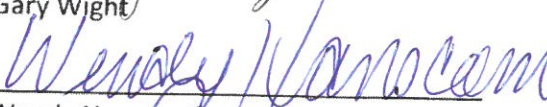
Adjourn: 6:30pm

Minutes Approved By:



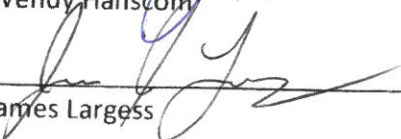
Gary Wight

Date: 2-8-17



Wendy Hanscom

Date: _____



James Largess

Date: 2/8/17

#1

Town Administrator's Reports: 1.17.17

- Dog's licenses are due without late charges by January 31st! February 1 the late fee is \$25!
- Nomination papers are available and due back for January 23rd! We have 2 School Board Seats and 1 Selectmen term open. Two people have taken papers out to date.
- RHR Smith our Auditing Firm will be here on February 6th-9th to do our audit.
- We have received several requests for a sand/salt shed were tax payers can get free sand/salt.
- The Town has been changed to a semi-weekly depositor for the income tax withholdings.
- Legislative Policy Committee meets on January 26, 2017 to go over the Governor's Budget and the State wide moratorium on marijuana.

Budget Narrative attached

2017 A Budget Narrative

Administration

Ambulance

Cemeteries

Boards and Committees

ADMINISTRATION:

02-02 COMPUTER: This account covers all computer service needs as well as the fees associated with the Town's website. This total also includes the additional setup and maintenance cost of the TRIO assessing package.

02-03 ELECTIONS: This account pays for the ballot clerks hourly rates for elections, other election supplies and related costs for 2 elections. \$1000.

02-04 REGISTRY OF DEEDS: This account pays for the lien filings with the registry of deeds. I have added the same amount into the revenues section so it will offset the expense. Lien cost is paid by the owner when they pay their taxes.

02-05 MILEAGE: This account pays for the miles employees use their vehicles for town business, such as checking permits, bank runs and trainings. I recommend an increase over last year due to the many trainings staff need to attend over the next six months.

02-20 LEGAL EXPENSE: This account pays for the fees for the Town Attorney. Last year the Town did not expend the \$5000.00. Although that could change drastically with all of the legal issues facing the Town, I have budgeted \$2500 for the bridge budget.

02-23 ACCOUNTING/AUDIT: This account covers the cost of the annual audit for the Towns financial account system. This is paid to RHR Smith in March of every year.

02-27 POSTAGE: This account pays for the cost of postage for bills, Tax bills, and lien notifications. I recommend \$2800 due to the 30 day notice notification requirement in May of every year.

02-30 AVCOG: This account pays the dues to be a member of Androscoggin Valley Council of Governments (AVCOG). The dues are not paid until September of every year, thus the account will be zero for the bridge budget.

02-89 PRINTING This line needs an increase to cover the cost of outsourcing the tax bills, town reports, and checks for AP and Payroll. These cost are paid out in March through June, I recommend \$2000 to cover the costs.

02-90 ADMIN TRAINING This account pays for the cost associated with attending training through MMA or its affiliates associations. I recommend \$1000 for these trainings.

02-91 ADVERTISEMENTS this line is for the newspaper Ad's we do for the public hearings and town meeting notices. I recommend we have \$500 in the account for the bridge budget.

02-92 OFFICE SUPPLIES I recommend \$2700 in office supplies for the office needs. I cannot look at history to determine if it is accurate because last few years the Town did not have the funds to pay for supplies February through July due to cash flow issues.

02-99 MISC: This line in the Budget has historically been the catch all account. This year to date picture on the spreadsheet is not accurate because the additional accounts were not added until after Town Meeting. I recommend \$1000 in misc account for the bridge budget.

05-01 Wages Regular: This line covers the payroll for the Town's staff, and Select Board.

06-01 Fica: This is the only account that covers all the FICA matches for the salaries.

06-02 Medicare: This is the only account that covers all the Medicare matches for the salaries.

06-03 IRA Match: This line pays for the Towns match to the employee's retirement plan.

Administration and Salaries: Summary

The Town Meeting warrant article for the Administration and Salaries for the bridge budget is 55% of 2016 budget.

AMBULANCE:

02-05 MILEAGE: This account covers the travel reimbursement for the representative to Med-Care Board of Directors.

02-21 MED-CARE: This account covers the Ambulance subsidy for first half of 2017. The per-diem is the same as last year, so the amount

05-01 Regular Wages: This account covers the wages for the representative for the Town of the Med - Care Board of Directors.

Ambulance summary:

The amount in this line is for the Town Meeting warrant article for Ambulance which is the subsidy the Town of Newry pays Med Care to provide ambulance services the per capita amount is the same as last year. This 50% of the 2017 budget.

CEMETERIES:

02-99 MISC: Cemetery committee recommends \$3500 to cover mowing's of the Cemeteries in April, May, and June.

BOARDS & COMMITTEES:

05-06 PLANNING BOARD: \$9200 covers the salaries for all members paid out in March 2017.

05-07 SCHOOL BOARDS: Not paid out until December

05-08 APPEALS BOARD: Not paid out until December

05-09 HEALTH OFFICER: Paid when needed. It was not needed last year.

02-99 MISC: \$200 for any trainings or equipment need for the boards or committees.

Custom Budget Report

Expense

	2016 Budget	2016 Actual	2017 Initial
Dept/Div: 100-01 General Government / Administration			
EXPENSE			
02-02 COMPUTER	7,624.00	13,253.47	14,259.00
02-03 ELECTIONS	1,058.00	1,312.28	750.00 1000. -
02-04 REGISTRY OF DEEDS	4,500.00	2,444.00	2,000.00
02-05 MILEAGE	4,750.00	7,402.61	3,000.00
02-20 LEGAL EXPENSE	5,000.00	3,871.00	2,500.00
02-23 ACCOUNTING/AUDIT	6,000.00	4,300.00	6,000.00
02-27 POSTAGE	5,500.00	4,499.06	2,800.00
02-30 AVCOG	8,785.00	8,736.16	0.00
02-88 DUES	1,000.00	478.25	450.00
02-89 PRINTING	2,000.00	2,300.96	2,000.00
02-90 ADMIN TRAINING	3,000.00	698.50	1,000.00
02-91 ADVERTISEMENTS	2,500.00	101.70	500.00
02-92 OFFICE SUPPLIES	5,500.00	282.47	2,700.00
02-99 MISC	1,100.00	5,419.63	1,000.00
Wages			
05-01 Regular	177,900.00	176,217.90	92,310.00
Town Employee Expenses			
06-01 Fica	13,919.00	13,553.71	5,724.00
06-02 Medicare	3,256.00	3,169.98	1,340.00
06-03 IRA Match	4,500.00	3,762.31	3,692.00
Dept/Div: 100-22 General Government / DO NOT USE			
Wages			
Dept/Div: 100-23 General Government / Medicare BD			
Wages			
General Government	257,892.00	251,803.99	142,025.00

Custom Budget Report

Expense

	2016 Budget	2016 Actual	2017 Initial
Dept/Div: 101-01 AMBULANCE / AMBULANCE			
EXPENSE			
02-05 MILEAGE	300.00	88.21	175.00
02-21 MED-CARE	7,872.00	7,902.00	4,500.00
Wages			
05-01 Regular	450.00	412.50	225.00
AMBULANCE	8,622.00	8,402.71	4,900.00

Custom Budget Report

Expense

	2016 Budget	2016 Actual	2017 Initial
<hr/>			
Dept/Div: 104-01 CEMETERY / CEMETERY			
EXPENSE			
02-99 MISC	16,654.00	17,767.22	3,500.00 <i>4500</i>
CEMETERY	16,654.00	17,767.22	3,500.00

Custom Budget Report

Expense

	2016 Budget	2016 Actual	2017 Initial
Dept/Div: 106-01 BOARDS & COMMITTEES / BOARDS & COMMITTEES			
Wages			
05-06 PLANNING BOARD	12,500.00	10,820.00	9,200.00
05-07 SCHOOL BOARD	3,000.00	2,400.00	0.00
05-08 APPEALS BOARD	1,000.00	0.00	0.00
05-09 HEALTH OFFICER	100.00	0.00	100.00
Dept/Div: 106-02 BOARDS & COMMITTEES / EXPENSES			
EXPENSE			
02-99 MISC	800.00	62.99	200.00
BOARDS & COMMITTEES	17,400.00	13,282.99	9,500.00

#2

Code Officer Report

Selectboard Meeting January 17, 2017

Permits Issued: None

A letter was sent Dec 28 2016 by Certified Mail to Mountain House asking they seek Site Plan approval. The letter was available for pickup Jan 3, 2017. No response at this time

Road Items:

Jan. 4 received a call concerning a damaged mailbox from snowplowing operations on Timberline Drive, referred caller to Cross Excavation for repairs or replacement, post was temporarily repaired by next afternoon. This mailbox also got damaged by plowing operations last year.

Jan. 11 received a call concerning citizen sand provided by Town

Jan. 12 had to call Cross Exc. to sand Town Office lot due to icing.

Cross Exc. states the outer Sunday River Road is now getting plowed before or concurrently with the Powder Ridge Subdivision road.

I am hoping to open a discussion concerning the desire to minimize snow pack ice bonded to pavement by using applications of straight Rock Salt per, MDOT Salt application guide. The MDOT guide suggests as a normal practice early into storms and during storms to apply straight Rock Salt in an attempt to lessen the bonding of snow. In turn lessening the need of mechanical removal and or very heavy Rock Salt applications for removal. On Jan 12, 2017 straight Rock Salt was applied to bonded ice on sections of the Sunday River Road and Monkey Brook Road. The Monkey Brook Road treatment removed a high percentage of the bonded ice. The Sunday River Road still has sections of bonded ice predominately beyond Alan Fleets house.

Drafts of Winter Season Road Maintenance Policy and Mailbox Policy

Road Committee: The next meeting is scheduled for Jan. 24 at 5 pm at the Town Office. The meeting scheduled for Jan 10, 2017 was cancelled due to conflicts with the School Withdrawal Committee meeting. The Road Committee is seeking one member.

Draft 1-17-17

Town of Newry Winter Season Road Maintenance Policy

This policy is intended to be used as a reference for maintaining the Town of Newry roads during the winter season.

It is the intent of the Town of Newry to provide the traveling public with passable highways using timely, cost effective and environmentally responsible winter season maintenance practices. While municipalities have a statutory duty to remove snow so as to make Town ways passable, Towns are immune from liability for accidents caused by snow or ice on road surfaces. Neither is a slippery road surface due to snow or ice a highway defect, nor does the failure to remove snow or ice constitute negligent street cleaning or repair. Travelers should operate on Town roads in a manner that is safe for the conditions present.

There are thirteen Town roads in Newry being the Branch Road, Dear Run Road, Greenbrier Road, Lone Pine Road, Mills Hill Road, Monkey Brook Road, Mountain View Road, Roderick Road, Skiway Road, Sunday River Road, Timberline Drive, Valley View Drive and Wheeler Road totaling approximately 11.3 miles of Town roadway. There are five bridges on Town road; two are located on Sunday River Road and three are located on Branch Road. The heaviest traveled roads in Town are; Skiway Road, a section of Sunday River Road and Monkey Brook Road. The intent of the Town is to provide the traveling public with passable roads with reasonably safe traveling conditions. Reasonably safe traveling conditions is not meant to imply roads will be completely free of snow, ice, slush or a combination of the three. Typically treatment to all roads commences with plowing and salt/sand material application as precipitation accumulation reaches a depth

of one-half inch on road surfaces or when icing has created an unsafe condition on the road surface. Treatment to roads continues through the storm event attempting to keep snow and ice from bonding to road surfaces and limiting accumulations of such to not over an inch striving to have the road travel surface bare within 24 hours of the storm event ending. Within 36 hours of the storm event ending efforts are made to have snow and ice plowed to the edge of the road shoulder and to have snow and ice removed from bridge decks and associated guardrails. Snow banks are winged back as needed within 48 hours of the storm event ending when possible. Snow and ice accumulations are removed from intersections and intersection islands as needed to maintain safe sight distances. Prior to rain or thawing events snowbanks are penetrated attempting to minimize puddling and accommodate road surface drainage. Accumulations from the sand applications are swept in an attempt to have the material removed from paved surfaces by May 15. The typical treatment of snow plowing is accompanied with applications of chemicals and abrasives applied to road surfaces to minimize icing and result of icing. Salt application is the most common and least expensive chemical control of ice accretion. The ability of salt to melt ice is highly dependent on ambient temperature, pavement temperature, the ice or water content of the snow and adequate traffic flow. These salt characteristics dictate when and how much salt is applied. Abrasives are natural sand or lightweight aggregate. Abrasives provide immediate temporary improvement to the frictional characteristics of the pavement surface. While abrasives have a low initial cost, the cost per application is about the same as salt when factoring the cost of an increased application rate, mixing the salt into the sand and after season sand cleanup costs. Other items included in winter road maintenance are; the removal of downed woody debris, the

removal of carcasses, relieving culverts and bridges of obstructions and repair of potholes. Roadside parking and snow deposited into Town roads increases snow removal difficulties and safety risks. Travelers are responsible to operate on Town ways in a manner that is safe for the conditions that are present. Towns in Maine are not legally responsible for damage caused by snow removal operations to private property items located within a Towns' Right of Way including but not limited to vehicles, equipment, stone walls, planters, vegetation and mailboxes (please refer to the Town Mailbox Policy for). The Town does not maintain or plow private roads or provide winter sand for private properties as this is a violation of the Maine Constitution's "public purpose" clause, which requires that public funds be expended only for public purposes (see Opinion of the Justices, 560 A.2d 552 (Me. 1989)). The Town contracts the services for year round road maintenance in three year periods. The current road maintenance contract is with Cross Excavation expiring May 31, 2018.

Draft 1-17-17

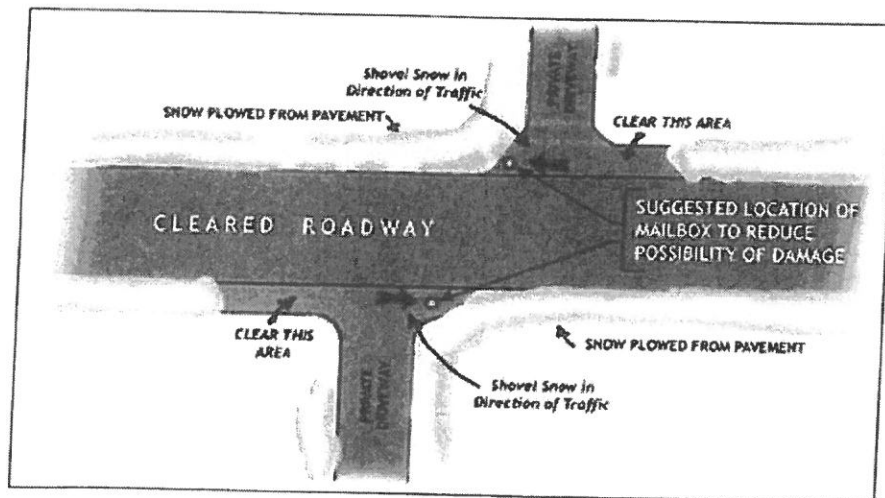
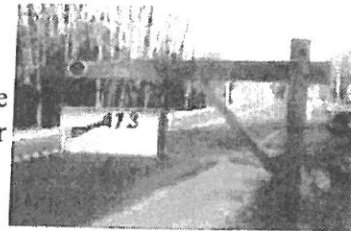
Town of Newry

Mailbox Policy

Damage to mailboxes is sometimes caused by the Town's snow control operations. In the event your mailbox is damaged by the Town's snow control operations we ask you to contact the Town's Road Maintenance contractor for repairs.

Tips on Placement of Mailboxes to Help Minimize the Chance of Damage:

- Place reflective material on the side of the box visible to approaching traffic, also, 4" high letters to identify the address is recommended to assist emergency vehicles.
- Mailbox post size must not exceed 4" by 4" for a wooden post or 2" diameter for a steel pipe post for roadside barrier safety. Posts that are more substantial in construction are considered "deadly fixed objects" and are not permitted within the Town Right Of Way.
- Mailboxes should be installed at least 42-45 inches high to provide clearance for the plow wing. Recommended is the use of an extended arm type of post with a free-swinging suspended mailbox 45 inches above ground as shown on the picture to the right. This allows snowplows to sweep near or under boxes without damage to supports and provides easy access to the boxes by carrier and customer.



- The sketch above shows the suggested location for your mailbox to reduce risk of damage.
- For uncurbed roadways set the face of the mailbox back at least 12 inches from the edge of the paved surface of the road to provide the maximum possible roadway clearance.
- Contacting your local postmaster for approval of mailbox location is recommended.

Town of Newry Selectmen Meeting Minutes
January 3, 2017 5:00pm @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Alision Aloisio, Scott Cole, Fran Head, Tama Drown, Gary Drown, Doug Webster, Jim Sysko, John Amann, Amy Amann, Brooks Morton, Liz Marquis, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: None

Adjustments to Agenda: Bank reconciliation for November 2016.

Announcements: none

Public Comment:

New Business:

~**Discussion with Scott Cole and Fran Head regarding withdrawal effort:** ***See attached letter from Scott Cole for reasons to legislatively prohibit withdrawal*** A lengthy discussion between Rep. Fran Head, Scott Cole, Selectboard and audience ensued. The Selectboard was united in their opinions that they were not in favor of this legislation as it takes away Newry's right to vote. Head and Cole are proponents of this legislature due to the financial impact a withdrawal by Newry could cause the neighboring towns to which Mr. Cole is a resident of Bethel and Mrs. Head is Representative to Bethel (sidenote: she is also Representative to Newry). Open discussion was had by all, the actual legislative bill has not been revealed yet and topic will sure to be revisited.

~**Discuss and consider marijuana issues with local business owner:** Owners of the Barking Dawg Market attended to let the Board know that they would be interested in opening a marijuana retail establishment in their store once the state laws are figured out. The Board discussed that the Town is having the Planning Board local at our ordinances to see where marijuana retail establishments would fall under UDRO.

Unfinished business:

~**Executive Session: Administrator review process:** Tabled until next meeting 1/20/2017.

REPORTS:

Town Administrator: no reports

CEO: See attachment #1

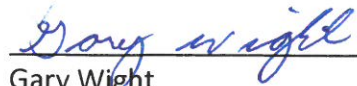
Selectman: no reports

Committees: no reports

Next Meeting: Tuesday, January 20th 5:00pm at Town office.


Adjourn: 6:30pm

Minutes Approved By:



Gary Wight

Date: 1-17-17



Wendy Hanscom

Date: 1/17/17



James Largess

Date: 1/17/17

Code Officer Report

Selectboard Meeting

January 3, 2017

Permits Issued: None

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January 3, 2017

Scott Cole
Bethel, Maine

Reasons to Legislatively Prohibit Withdrawal of Town of Newry from MSAD #44

1. Maine School Administrative District #44 was formed circa 1965 by individual votes of member towns when prevailing economic activities, nature of workforce, and allocation of taxable property value within the towns were far different than they are today.
 2. The local tax burden for educational costs has been distributed entirely on an *ad valorem* basis since the inception of the school district, and this method has well-served the year-round population of a 217 square mile region.
 3. In the 50 years since formation of the school district, development patterns for recreational and 2nd home properties have uniquely altered the allocation of value across the towns within the district.
 4. Approximately 90% of taxable value within Newry is directly related to the existence of a functioning world class ski area and 2nd home ownership which can only be operated and enjoyed through direct and indirect employment of hundreds of individuals, very few of whom live in Newry.
 5. These same employees and their families do live within the larger region and do require public school facilities.
 6. The symbiosis between world class skiing, taxable value, requisite workforce, and publicly funded education creates a unique situation.
- The Maine Legislature formally recognized the unique situations of both MSAD 44 and MSAD 6 in 2005 when these two school districts, consisting of ten municipalities, were exempted from changes in state policy concerning allocation of local cost within a multi-town district.
8. Two years of withdrawal negotiations between Newry town officials and the MSAD 44 Board of Directors have reached impasse because of facts stated above.
 9. School district voters, in a November, 2016 referendum, defeated a measure which would have altered the formula for allocating local education assessment to consider both value and student count by individual town.
 10. Allowing the Town of Newry to now withdrawal from MSAD 44 would serve only to:
 - a. skirt the intent of 2005 legislation and have no effect whatsoever in Newry students' educational opportunity.
 - b. violate the spirit upon which five towns formed a regional school district and improved educational opportunity for all.
 - c. impose an economic hardship upon residents of remaining school district towns through shifting of property tax burden to a more localized valuation base.
 - d. ignore the reality of a highly symbiotic economic relation where a world class ski resort in Newry cannot operate without a sizable workforce drawn from surrounding towns and also ignore this same reality's derivative that Newry's ski-influenced taxable value only exists because a larger workforce drawn from surrounding towns is available to operate said ski resort.