

Readfield Select Board
Regular Meeting Minutes April 7, 2014 and continued April 15, 2014

Select Board members present: Valarie Pomerleau, Greg Durgin, Larry Dunn, Sue Reay and Allen Curtis.
Others attending: Kristie Hutchinson (PEG TV), Stefan Pakulski (Town Manager), Chris Backman (auditor), Gary Quintal (legislative candidate), Nancy Buker, Milton Wright, Pamela Riley Osborn, Grace Keene, Karen Peterson, Shelly Gerstein, John McPhedran, Peter Davis, Debora Doten, Lenny Reay, Bill Monagle (Cobbossee Watershed), Peter Barengo, John Parent, William Bayreuther and Sandra Rourke.

The meeting was called to order at 6:35 pm by Mrs. Reay. The Pledge of Allegiance was made.

(1) Minutes: **Motion** by Ms. Pomerleau, **second** by Mr. Dunn to approve the minutes of 03/24/2014 as written; **vote** 3-0-2 (Mrs. Reay, Mr. Curtis abstained due to absence).

(2) Warrant: The warrant was reviewed by Mr. Durgin. **Motion** by Mr. Durgin to approve warrant #22 in the amount of \$324,159.30, **second** Mr. Dunn; **vote** 5-0-0.

Motion by Mrs. Reay to take several items out of order, **second** Mr. Durgin; **vote** 5-0-0.

Gary Quintal was in attendance. He is running for state senate district #14 and is a resident of West Gardiner. He gave a personal history.

(11) Audit review - Chris Backman, RHR Smith: Chris Backman was in attendance and gave a review of the audit for 2013. He said the town is very well financed and very well secured. He said the town may want to consider taking some of the carry forward balances to vote at town meeting to add to the reserve fund. There was a discussion about the 5% contractual increase in RHR Smith. The increase will be adjusted to reflect a \$42 savings. Mr. Backman offered to provide a workshop for the board to explain the audit process.

(12) Cobbossee Watershed District update – Bill Monagle: Bill Monagle, Executive Director of the Cobbossee Watershed District, gave a summary of lake water quality. There was a discussion about the Maranacook Lake Dam. He reviewed the 2013 Maranacook Lake water level chart. He talked about his budget for the upcoming year, and the intent is to request a 5% increase. He reminded the board that last year's assessments were decreased by 10%. The increase for Readfield would be approximately \$900+. Mrs. Reay noted John McPhedran is leaving the Cobbossee Watershed District board after many years and thanked him for his service.

Motion by Mrs. Reay to enter into executive session pursuant to 1 MRSA Sec. 405(6) (A) for personnel matters, **second** by Mr. Durgin; **vote** 5-0-0.

Motion by Mrs. Reay to amend the motion to invite the town manager to attend, **second** Mr. Dunn; **vote** 5-0-0. The board entered executive session at 7:40 pm. Mrs. Reay reconvened the meeting at 8:08 pm; no action was taken.

(3) Select Board communications:

- Mr. Curtis noted he attended the recent school board meeting and compiled a written summary but it was not ready in time for the packet. He said there was discussion at the school board meeting about saving \$60,000+ by moving the 5th grade students up to the middle school. He also said it appears the school board is on target to come in at or under budget.
- There was a discussion about the presentation of the Spirit of America awards.
- Ms. Pomerleau will be attending the budget committee meeting this Thursday.
- Candidate's night was scheduled for 05-22-2014 from 6:30-8:30 pm.

(4) Town Manager: The town manager noted his report included in the packet. There was a discussion about the copier contract.

Motion by Mrs. Reay to extend the A-Copy contract until 03/31/2015 with no increase and for the town manager to sign and send, **second** Mr. Durgin; **vote** 4-1-0 (Curtis voted against).

- Waste management account: Mr. Pakulski explained the discrepancy in the billing process.
- Mrs. Reay said FEMA is not reimbursing any funds for the ice storm.

(5) Boards, Committees, Commissions & Departments:

Motion by Mrs. Reay to unappoint Karen Barton from the trails committee tonight, **second** Mr. Durgin; Mr. Curtis expressed his concerns. **Vote** 5-0-0.

Motion by Mrs. Reay to remove Rick Barton as an alternate on the trails committee tonight due to conflict of interest and non-participation, **second** Mr. Durgin; it was noted Mr. Barton was invited to attend the meeting tonight. **Vote** 5-0-0. Mrs. Reay made a suggestion the trails committee invite the community to comment on the development of trails.

- Mrs. Reay thanked the committees for providing minutes. There were clarifications made in the minutes of the conservation commission based on the town manager's current knowledge, but they should be more thoroughly clarified through a member on the commission.
- Mrs. Reay asked Peter Davis questions about the road budget based on the minutes. Mr. Davis said the February minutes are out-of-date and John Parent will bring forward updated budget information later in the meeting.
- Mr. Pakulski spoke at length about the draft proposal from Mrs. Reay to create three separate town warrant line items for the cemetery budget; specifically to separate the mowing costs from the budget, which is different than the single usual warrant article for the cemeteries. Mr. Pakulski said he discussed the draft with Mrs. Reay and also shared it with committees. Mrs. Reay was not comfortable with the draft state of the proposal at the time it was shared. Mr. Pakulski also talked about different ways to list budget articles depending on what type of detail people would like to see. He said in regard to the cemetery, the actual money budgeted is not changed by breaking down the categories. Mrs. Reay said the proposal was a draft only and was not something she planned on making public yet. She said she felt if the town wants to move forward in the future it would help to break down items by knowing the cost of the mowing. No decisions will be made on this tonight. Karen Peterson asked if mowing will be broken down for all other budget items. Mrs. Peterson talked about FOAA requests made that did not clarify any complaints have been made towards the cemetery mowing quality. Ms. Pomerleau said this is not about complaints, but rather at reviewing how line items are categorized, which she said is important for the town. Mrs. Peterson shared her concern was about how this topic came to be discussed. There was a lengthy discussion.
- John Parent, chair of the budget committee, requested all select board members attend the budget committee meeting this Thursday due to the concern over cemetery budgeting. He said the budget shortfall of \$230,000 took the committee by surprise. The road committee has recommended \$205,000 that would take \$30,000 out of the roads reserve and \$175,000 from the unassigned fund balance. Mr. Parent explained the transfer from the unassigned balance is for a bond payment, \$111,000, that was supposed to be in this budget but it does not need to be made until the next budget. He said the \$205,000 would keep road maintenance on par and would not affect the mil rate. Mr. Parent said the committee had another lengthy discussion regarding going out to bond again. He said the whole committee was against this because for the last bond for \$700,000 the taxpayers were told this was going to fix all the roads and this would be it for bonds for a while; coming back to the voters for regular maintenance on the road would not be accepted well. The budget committee will review this again this Thursday night. Mr. Parent would like to have a zero or less than zero increase in the town side of the budget. Some carry forward money will be asked to be taken out of a few categories in order to have a zero or less than zero increase. There was a discussion about bonds and bond payments. The board requested a select board meeting be posted for 04/10/2014.

(6) Appointments/Reappointments:

Peter Barengo and Shelly Gerstein have both applied for the Cobbossee Watershed District rep opening.

Motion by Mrs. Reay to appoint Peter Barengo as the rep from tonight until 6/30/2015, **second** Mr. Durgin; **vote** 5-0-0.

Motion by Mr. Durgin to extend the meeting to 9:45 pm, **second** Ms. Pomerleau; **vote** 5-0-0.

Motion by Mrs. Reay to appoint Shelly Gerstein as Cobbossee Watershed District alternate, dam committee alternate, and Readfield enterprise fund committee member from tonight until 6/30/2015, **second** Mr. Curtis; **vote** 5-0-0.

Motion by Mrs. Reay to regretfully accept the resignation of Lee Hepfner from the Library Board of Trustees and to thank him for his dedicated service to the town, **second** Mr. Durgin; **vote** 5-0-0.

(7) Lien foreclosures update: Mr. Pakulski distributed an updated listing and recommended going forward with foreclosures on Choate and Blake if necessary.

(8) Legal services RFP responses: The responses were reviewed. Mrs. Reay would like to invite Lee B. and Matt T. from Bernstein Shur into an executive session regarding performance issues prior to supporting this contract. Further discussion was tabled until an executive session later this evening.

(9) Security camera systems review: Mrs. Reay clarified \$6,000 is what is currently in the budget for this. She also said costs are outdated and the information is not accurate. Mr. Curtis does not believe the proposed costs are accurate. John Parent recommended tabling the discussion for now until more homework can be done and to possibly bring it up for next year's budget, unless further research can be done in time for this year; if so, a separate article can be created for voters to decide.

Motion by Mrs. Reay to extend the meeting until 10:15 pm, **second** Mr. Durgin; **vote** 5-0-0.

(10) Ad hoc Public Works Committee directives: There was a discussion.

Motion by Mrs. Reay to have the town manager advertise for 5 positions and Ms. Pomerleau will serve as select board liaison to the committee, with start and finish dates to be given once the committee is formed, **second** Mr. Curtis; **discussion** – John Parent asked what the end result will be. Ms. Pomerleau said hopefully the committee can come up with one document to include all information from the beginning to dissolution, which will help with future planning for the town. There was a lengthy discussion. **Vote** 4-1-0 (Mr. Dunn voted against).

(13) Heritage Days – draft referendum question: There was a discussion about the draft ballot questions. Mr. Durgin will write a one-question ballot question to be circulated to the select board for feedback.

The board made a unanimous decision to continue the meeting on 04/15/2014 at 4:30 pm.

Motion by Mrs. Reay to extend the meeting 10 minutes, **second** Ms. Pomerleau; **vote** 5-0-0.

There were no public comments.

The meeting adjourned at 10:25 pm.

Continued meeting minutes April 15, 2014:

Select Board members present: Valarie Pomerleau, Greg Durgin, Larry Dunn, Sue Reay and Allen Curtis.

Others attending: Shannon Gould (PEG TV), Stefan Pakulski (Town Manager), Milt Wright, Lorraine Hall-Wagner, Karen Peterson, Debora Doten, John Stanley, John Parent, Teresa Shaw (Finance Officer), Robin Lint (Town Clerk), Grace Keene, Sandra Rourke and Marion Dunham.

The meeting was called to order at 4:40 pm by Mrs. Reay. The Pledge of Allegiance was made.

The audit contract renewal has been received.

Motion by Mr. Curtis to accept the RHR Smith and Co. contract, **second** Ms. Pomerleau; Mr. Dunn made an amendment to allow for the town manager to sign the contract on behalf of the board, **second** Mrs. Reay; **vote** on amendment 5-0-0; **vote** on original motion 5-0-0.

(13) Heritage Days – draft referendum question: Mr. Durgin drafted a document with two proposed Heritage Days referendum questions. There was a discussion. This will be a binding vote, not just public opinion. The first question is written to raise \$5,000 annually for Heritage Days and to hold Heritage Days every other year. It will need to be reviewed by legal counsel. The first question was unanimously chosen by the board. John Parent suggested separating Heritage Days as its own warrant article and to not include it in

the recreation portion of the town meeting warrant. He also suggested if Heritage Days is able to fundraise and create a carry forward balance and not need the town funding this should be part of the wording. Mr. Pakulski will ask legal counsel about this, as well. It is already a carry forward account.

Mr. Pakulski gave the board an update about a tree that came down on Morrill Road on Thursday of last week and crushed 3 vehicles, all of which were a total loss. He has put in a claim to MMA. The tree was in the town's right-of-way. Other trees in town are of concern and he has asked a local tree person to review them. There are also two additional trees on Morrill Road that should be taken down but this is not an immediate danger. An estimate to have these two trees removed is approximately \$3,000. If this expense is authorized, it may overdraft the roads budget. There was a discussion. Mrs. Reay would like to waive the purchasing policy and get the trees removed as soon as possible.

Motion by Mr. Curtis to authorize the town manager to obtain a dollar figure from Linton Tree Removal Service for the removal of the two trees indicated on Morrill Road and to authorize him to spend up to \$3,000 to have the trees removed and hauled away, **second** Mr. Durgin; the motion was amended by Mrs. Reay to give the town manager flexibility to spend up to \$3,500 and to have the funds come out of the summer roads budget, **second** Mr. Curtis; **vote** on amendment 5-0-0; **vote** on original motion 5-0-0. The town manager will arrange for the trees to be removed as soon as possible.

Mr. Pakulski gave thanks to Lorraine Wagner for alerting the town office about a dangerous situation at the town beach. Mr. Pakulski and Chief Lee Mank responded and removed two teenagers from walking on thin ice. **(14) Town Meeting Warrant Draft with Budget recommendations:** The annual town budget draft was reviewed and discussed. Mr. Durgin thanked the budget committee for their hard work. Mrs. Reay gave thanks for the sub-committees' work as well, along with all staff that worked on the administration part.

(15) Residents' letters: Mrs. Reay said board responses are not completed yet but they are in process.

(16) Other: None.

(17) Public Communications: Mr. Durgin read the policy. There were no public comments.

Mrs. Reay said a board member requested the board readdress the objectives assigned to the town manager. She asked the board if this should be done in public or executive session. She said she received legal advice and was told if it could harm the town manager's reputation or if it may result in his discipline it should be done in executive session. Mrs. Reay recommended going into executive session, but she said it is a board decision. There was a discussion.

Motion by Mr. Durgin to enter executive session pursuant to 1 MRSA Sec. 405(6)(A) for a personnel issue, **second** Mr. Curtis; discussion – Milt Wright said if an employee is going to be discussed in executive session he has the right to be represented. Mrs. Reay said Mr. Pakulski is aware of this. The motion was amended by Mrs. Reay to invite the town manager to attend, **second** on amendment by Mr. Durgin; **vote** on amendment 5-0-0; **vote** on original motion 5-0-0. The board entered into executive session at 7:37 pm.

Recorded by Deborah Nichols

The board exited executive session at 8:13 pm and reconvened in public at 8:14 pm. **Motion** by Mrs. Reay, **second** by Mr. Durgin to enter into executive session at 8:14 pm pursuant to 1 MRSA Sec. 405(6)(A) for a personnel issue and to invite the town manager to attend; **vote** 5-0-0.

Motion by Mrs. Reay, **second** by Ms. Pomerleau to leave executive session at 8:49 pm; **vote** 4-1-0 (Mr. Curtis opposed). The board reconvened in public at 8:50 pm.

Motion by Mrs. Reay, **second** by Mr. Durgin to enter into executive session pursuant to 1 MRSA Sec. 405(6)(D) for labor negotiations; **vote** 5-0-0. The board entered executive session at 8:50 pm. Seeing no further business before the board, Mrs. Reay adjourned the meeting at 8:56 pm.

Recorded by Stefan Pakulski