

Readfield Select Board

Regular Meeting Minutes August 11, 2014

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

Others attending: Kristie Hutchinson (PEG TV), Stefan Pakulski, (Town Manager), Peter Davis (Road Committee), Ray Renner, Fran Zambella, Pamela Glidden, David Glidden, Lenny Reay.

The meeting was called to order at 6:34 p.m. by Mrs. Reay. The Pledge of Allegiance was made.

(1) Minutes: The minutes of the July 28, 2014 meeting were not complete. Mr. Pakulski will have them completed for the next meeting on August 25, 2014.

(2) Warrant: Mr. Curtis reviewed the warrant totaling \$319,508.44. There was a discussion regarding the check to Bernstein, Shur. Mrs. Reay would like the RSU payment looked into just to verify the total that is owed.

Motion by Ms. Pomerleau to withhold the check going to Bernstein, Shur for the total of \$2,992.50 from Warrant # 3 that totals \$319,508.44, minus the \$2,992.50 would be \$316,515.94, **second** by Mr. Dunham; **vote** 5-0-0.

(3) Select Board Communications:

- Mr. Durgin reminded participants to be polite, limit comments to 3 minutes, and to be respectful.
- Mr. Curtis wanted to publicly thank the people at the Select Board retreat for all their efforts. Ms. Pomerleau volunteered to send a thank you letter to the Torsey Church for the use of their church for the retreat.
- Mrs. Reay discussed the availability of members to change a workshop date from August 13th to the 14th at 4:30 on the Town Manager's performance evaluation format.
- Mr. Dunham had no update on the PW ad hoc committee as he still needs to know available dates for meeting at the Town Office.
- Mr. Durgin reported a good turnout for the Library book sale on Saturday, the rug show, the Fire Department supper, and car show at the school. It was a busy day and there was a good turnout.
- Mrs. Reay received a letter from Rick Barton regarding the Morrill Road trail. There was a discussion of where the trail goes and that there is opposition by abutters. Public safety on 17 was discussed. The legal basis and State statutes were highlighted in Barton's letter.

Motion by Mr. Curtis that we have a moratorium on any additional trail work on the Morrill Road project until after we receive legal justification, **second** by Mr. Dunham.

Further discussion involved protecting land owners and the possibility of a public hearing after legal verification, having a conversation with the Trails Committee, and agreeing that a process needs to be put in place to proceed. A suggestion was made to use MMA

instead of legal counsel to get interpretation. The cost of a trail versus amount of use was brought up. There was a question on whether the Town has a right to improve a public easement.

Vote: 5-0-0.

Mrs. Reay will email Mr. Barton and Mr. Pakulski will notify Milt Wright of this.

- Mr. Durgin will have a first draft August 25 for the Select Board Liaison policy.
- Mrs. Reay received correspondence from a resident, Milt Wright. She stated the Board will not respond to second-hand information. Mrs. Reay responded concerning money spent on legal costs related to the union, and noted employees have the right to collectively bargain. She said the Board felt it was in the best interest of the Town to proceed with a lawyer on our end of the issue. Legal costs for this are around \$12,000 so far.

(4) Town Manager:

- There was discussion regarding a held payment to Key Bank on the last warrant. Key provided a revised invoice, correcting an interest rate error. The payment amount remained the same, so the Finance Officer mailed the check.
- Mr. Pakulski spoke on the purchase of a truck from State Surplus for \$5,500. Full reimbursement of \$9,160 for the old truck will be enough for any repairs that need to be done to this truck. It is fully stickered and running well.
- The Board will wait for employee input on the Giles Hall rental agreement.
- There was discussion of Town representatives to KVCOG's General Assembly.

Motion by Mr. Durgin to approve the Town Manager to be on the Board of Directors (if chosen) for KVCOG and serve as our representative for the General Assembly for a one-year term, **second** by Mr. Dunham; **vote:** 5-0-0.

Motion by Mr. Durgin to approve Allen Curtis to be on the Board of Directors (if chosen) for KVCOG in addition to serving as one of our representatives for a one-year term, **second** by Ms. Pomerleau; **vote:** 5-0-0.

- Mr. Pakulski noted a staffing update: Laurie Chick is here as the new Board Secretary.
- Mr. Pakulski requested August 15th, 18th, and 22nd off.

(5) Boards, Committees, Commissions & Departments:

A. Fairgrounds Athletic Fields Update

- There was discussion regarding a survey sent out by Dave Erb. It was suggested that a leadership committee be established to make sure things happen on the property.

(6) Recreation Association Board Candidate:

- Carrie Knight was not present for consideration. First-time appointees must attend a Select Board meeting. Mr. Pakulski will invite her to the next meeting.

(7) Road Shoulders Gravel and Trucking Quotes:

- The Board reviewed differences between Pike's and McGee's material quality and quotes for trucking. The materials will need to be seen in order to make a decision. The consensus of the Board is that the determination on the quality of materials will be made by Mr. Pakulski, as Road Commissioner with help from his deputy.

Motion by Mrs. Reay to award gravel and trucking to McGee Construction pending that the material stated is of the same or equal quality of the Pike material. If material is not of the same or equal grade then we will award the contract to Pike Industries for \$10,080, **second** by Mr. Durgin; **vote** 5-0-0.

(8) Library Painting RFP:

- The Board needs to keep MMA's insurance division in the loop regarding plans to proceed with painting. The Board discussed different alternatives.

Motion by Mr. Curtis that we re-advertise and rebid the quote on painting the two remaining sides, **second** by Mrs. Reay.

- Further discussion regarding inspection for rot was discussed. Mr. Dunham will inspect and report back at the next meeting. Mr. Pakulski said MMA indicated insurance coverage won't change if the Town postpones painting until next year as long as the building's structural integrity is not undermined. Bonding requirements for contractors were brought up. A question was posed by Ray Renner regarding using vinyl siding as opposed to paint. The effect of vinyl on historical value was questioned. The Board talked about waiting to pass a motion until an inspection is done.

Vote: 0-5-0, 5 against, motion fails.

Motion by Tom Dunham to reject both of the library painting bids, **second** by Mr. Durgin; **vote** 5-0-0.

Motion by Tom Dunham to reject Crapott's negotiated offer of \$11,000, **second** by Mr. Curtis; **vote** 5-0-0.

(9) Select Board Retreat Follow-Up:

- One retreat priority was that a plan of action needs to be made regarding next year's budget. Mr. Pakulski will contact Budget Committee Chair, John Parent to suggest moving up the budget schedule 3 to 4 weeks so there will be more time to deal with the budget.

(10) Bid for Three-Phase Converters:

- The Board has a sealed bid for the three-phase converters from a Readfield Enterprise Fund Awardee. The Board is not comfortable accepting a bid when the value of the converters is not known. Mr. Pakulski will research further to try to get more information so it can be discussed at the Thursday workshop.

(11) Readfield Corner Water Association Agreement:

- The Board discussed updating and signing the RCW forms. The water rate charged by the RCW is 5th lowest in the state of any district that has any water.

Motion by Ms. Pomerleau to have the Town Manager fill out and return member contact forms for the Fire Department and Library to Readfield Corner Water Association, **second** by Mrs. Reay; **vote** 5-0-0.

(12) Other:

- Mrs. Reay brought up a KJ article regarding vacant lots in the Libby Hill Business Park and FirstPark and losses in the millions of dollars.
- The Road Maintenance Services request for quotes wording and dates were discussed. The Purchasing Policy was referred to as well. Wording should be changed to be consistent on all roads. Sealed quotes will be required, but not an RFP. Faxed or emailed quotes will not be accepted.

Motion by Mr. Curtis that we direct the Town Manager to accept quotes for the road maintenance services with noted corrections as listed in the document entitled Road Maintenance Services with all proposals being due on August 21st and in a sealed envelope at 1:00, **second** by Mr. Durgin; **vote** 5-0-0.

- Crack Sealing is a priority, and if over \$5,000, would need sealed quotes according to the Purchasing Policy.

Motion by Ms. Pomerleau to have the Town Manager get at least 3 sealed quotes for crack sealing and due in on the 21st of August at 1:00 p.m. with the same specifications as the last road maintenance work, **second** by Mr. Durgin; **vote** 4-1-0, Tom Dunham against.

- Mrs. Reay reported that the Town got a check in the amount of \$1,103 for an MMA Worker's Comp. Fund dividend. The Town Manager will check if it was credited to the correct account.

(13) Public Communications:

- Fran Zambella asked whether correspondence from a resident addressed to one Board member gets shared with all members. Response by the Board is that it's at the member's discretion. It goes into the public record. Mrs. Reay confirmed the letter was from Milt Wright and it will be public information.
- Fran Zambella thanked all the Board members for doing a great job, putting in lots of time and really doing their homework and noted that Madam Chairperson runs a tight ship.

- Peter Davis said the Road Committee will look at sealed bids for road work and crack sealing.
- Peter Davis asked for an electronic version of Allen Curtis's road project template. Information hasn't come that was requested. Allen Curtis will send everything he has to Peter.
- Mrs. Reay noted that Mr. Davis's previous estimate of legal costs related to the union issue included a bill she had not seen, so his estimate was higher than hers.
- Mr. Davis noted the legal cost was \$1,575 for addressing Reay Construction's complaint against the Town Manager. He asked if this issue was concluded or if it would go to court. Mrs. Reay said she could not address that issue.
- There was discussion regarding legal bills being broken down into detail now that weren't broken down in the past.
- Mr. Reay said his issue against the Town Manager is perhaps not over yet. He won't let two Select Board members govern what he does.
- Mr. Reay sent an email and wanted a yes or no answer regarding if for some reason you were out of money in the cemetery account, would you hold an emergency meeting to create funds to mow lawns on Saturday and Sunday overtime for a full-time employee. The consensus of the Board is that a special meeting would not be called to cover funds for mowing and the reason being that requests to cover overdrafts are made at Town Meeting.

Motion by Mrs. Reay at 9:07 p.m. to enter into Executive Session pursuant to Title 36 M.R.S.A. 841-2 concerning a Poverty Abatement Request and invite the Town Manager to attend, **second** by Mr. Curtis; **vote** 5-0-0.

The Board entered executive session at 9:07 p.m.

Recorded by Laurie Chick. Section below recorded by Stefan Pakulski.

The Board left executive session at 10:31 PM.

Motion by Mrs. Reay to enter into Executive Session pursuant to Title 1 M.R.S.A. Section 405, 6. D. concerning labor negotiations, with the Town Manager invited to attend, **second** by Mr. Curtis; **vote** 5-0-0.

The Board entered executive session at 10:32 p.m.

The Board left executive session at 10:48 p.m. and reconvened in open session.

Motion by Mr. Durgin to not pay the last bill to Bernstein, Shur, Nelson and Sawyer in the amount of \$2,992.50 until the Select Board has a meeting with the firm to discuss next steps, **second** by Ms. Pomerleau. **Vote:** 5 – 0 – 0.

The Board agreed Mrs. Reay could set up a meeting between her and legal counsel Lee Bragg.

Motion by Mr. Durgin to adjourn, second by Ms. Pomerleau. Vote: 5 – 0 – 0. The Board adjourned at 11:10 PM.