

**Readfield Select Board
Regular Meeting
Agenda**

December 1, 2014

Meeting starts: 6:30 PM

Location: Gile Hall

Pledge of Allegiance

1. **Minutes:** Select Board meeting minutes of November 17, 2014 – 5 minutes
2. **Warrant: #11** – 5 minutes

Communications – 30 minutes

3. Select Board communications
4. Town Manager
5. Boards, Committees, Commissions & Departments

Appointments/Reappointments – None pending

Unfinished Business:

6. Purchasing Policy, 3rd Reading - 5 Minutes
7. Trail easements on private property – 10 minutes
8. Firearms ordinance review - 10 Minutes
9. Naming Application for Town properties, 2nd reading
10. Secret Ballot Process workshop format and information – 10 Minutes

New Business:

11. Executive session questions – 5 minutes
12. RSU cooperation opportunities – 5 minutes
13. Other (if needed)

Public Communications:

14. Members of the public may address the Select Board on any topic – 15 minutes

Executive Session – if needed

Adjournment

Town of Readfield – SELECT BOARD

MINUTES

11/17/2014

6:33 PM

TOWN OFFICE

MEMBERS PRESENT	Sue Reay, Valarie Pomerleau, Allen Curtis, Thomas Dunham, P. Greg Durgin
MEMBERS ABSENT	
MEETING TYPE	SELECT BOARD
NOTE TAKER	Tina L. Cagle
ATTENDEES	Town Manager, Stefan Pakulski, Gary Keilty, Anne Keilty, Milt Wright, John Parent, Gene Carbona, Dave Linton, Jim Tukey, Holly Dominie, Shawn Roderick, Deborah Peale, Rob Peale, Dan Meyer, Deb Doten

Agenda topics

#1 MINUTES 11/03/2014	
MOTION	Motion by Selectperson Pomerleau to accept minutes of 10/20/2014 as amended.
SECOND	Second by Selectperson Durgin.
PASS/FAIL	Motion passes: 5-0
#2 WARRANT REVIEW #10	
DISCUSSION	1) Discussion of Warrant Items.
MOTION	Motion by Selectperson Dunham to approve Warrant #10 in the amount of \$95,534.73.
SECONDS	Second by Selectperson Pomerleau
PASS/FAIL	Motion passes: 5-0
#3 SELECT BOARD COMMUNICATIONS	
DISCUSSION	<ol style="list-style-type: none"> 1) Selectperson Pomerleau has ordered the tree lights for the tree outside the town office. 2) The approximate amount is \$72 paid for by the Select Board. 3) Manager Pakulski informed the Board that the electrical outlet for the tree at the town office works in conjunction with the lights in the parking lot. He will check into changing the timing for the tree. 4) Selectperson Curtis reviewed the survey regarding the Military Excise Exempt Ordinance with the Board and the Board has chosen to take no action at this time. 5) Chairperson Reay discussed allowing the Town Manager to communicate to the firm representing the Town and their investments to move any monies from cash on hand to the portfolio when the need arises per the Investment Policy.
MOTION	Motion by Chairperson Reay to allow the Town Manager to communicate to the firm representing the Town and their investments to move any monies from cash on hand to the portfolio when the need arises per the Investment Policy.
SECONDS	Second by Selectperson Dunham.
PASS/FAIL	Motion passes: 5-0
DISCUSSION	<ol style="list-style-type: none"> 6) Budget Meeting on 11/19 @ 5:30 pm. Selectperson Dunham will be attending. 7) Dates to remember: <ol style="list-style-type: none"> a. 12/2 – MMA Class for all Selectpersons and Town Manager b. 12/5 – Tree Lighting c. 12/16 – Joint Budget meeting 8) Is the Fairgrounds Management Plan a policy or an ordinance? Town Manager will research. 9) An email was sent to the Board from the Town Manager regarding the FMLA (Family Medical Leave Act) regarding an employee on leave. 10) Selectperson Dunham would like an accounting of all the roadwork now that it has been completed. 11) Selectperson Curtis will be attending the KVCOG meeting along with the Town Manager on 11/18. 12) Selectpersons Dunham and Pomerleau are requesting permission from the Board to review executive session files from prior Boards regarding the snowplow contract.
MOTION	Motion by Selectperson Dunham to authorize Selectpersons Dunham and Pomerleau access to files from the executive session date of 09/11/2011.
SECONDS	Second by Selectperson Pomerleau.
PASS/FAIL	Motion passes: 3-1-1 (Chairperson Reay abstains due to conflict of interest.
#4 TOWN MANAGER	
DISCUSSION	<ol style="list-style-type: none"> 1) The Town was awarded a safety grant from Maine Municipal Association in approximately \$1800 to ergonomically correct Workstations for office staff. 2) The project will have to be completed and paid for before being reimbursed by MMA.

	<ol style="list-style-type: none"> 3) The funds that will be used will come from the Gile Hall Fund. 4) The Bank Of Maine and their architect are working on a concept drawing regarding the bank building and incorporating the library. 5) Manager Pakulski forwarded to the Board and the Budget Committee copies of the budget spreadsheet from Manchester. 6) He also informed the Board that the spreadsheet has much more functionality than the current TRIO Budget program.
MOTION	Motion by Selectperson Curtis to move forward with the new spreadsheet format.
SECOND	Second by Selectperson Dunham.
PASS/FAIL	Motion passes: 5-0
DISCUSSION	<ol style="list-style-type: none"> 7) Selectperson Curtis wants to be sure that any and all signs that need to be replaced are done in a timely manner. 8) He expressed concern that a sign on Nickerson Hill has not been replaced for over a month now. Manager Pakulski expressed that the sign had been replaced and after further discussion, it was discerned that they were not speaking of the same sign. 9) Manager Pakulski will order the sign in question and have it installed as soon as possible. 10) Included in the packet were the responses from MMA Legal regarding the question of what constitutes a legitimate executive session. 11) This was done in response to numerous residents asking the question of whether or not the Board is going into those sessions legitimately.
MOTION	
SECOND	
PASS/FAIL	

#5 BOARDS, COMMITTEES, COMMISSIONS & DEPARTMENTS

DISCUSSION	<ol style="list-style-type: none"> 1) A road is considered abandoned after 30 years of being discontinued. 2) Research is needed to verify the exact date of that road being discontinued. 3) Chairperson Reay thanked the Fairgrounds Athletic Field Committee and the Library Trustees for submitting their minutes. 4) Mr. Parent of the Budget Committee was very interested and the committee is looking forward to using the spreadsheet this year. 5) Mr. Meyers from the Recreation Committee and the Conservation Commission informed the Board that the committee recommends that a change to the Firearms Ordinance and the Fairgrounds Management Plan should be revised to state No Hunting.
MOTION	
SECOND	
PASS/FAIL	

#6, 7 & 8 APPOINTMENTS/REAPPOINTMENTS

MOTION	Motion by Selectperson Durgin to approve the application of Shawn Roderick to fill the seat of the RSU 38 School Board for a term of 11/17/14 - 06/30/15.
SECOND	Second by Selectperson Curtis.
PASS/FAIL	Motion passes: 5-0
MOTION	Motion by Selectperson Pomerleau to approve the application of Jan Tarbuck as Library Trustee for a term of 11/17/14 - 06/30/15.
SECOND	Second by Selectperson Durgin
PASS/FAIL	Motion passes: 5-0
MOTION	Motion by Selectperson Pomerleau to approve the application of Henry Clauson as the Planning Board Alternate for a term of 11/17/14 - 06/30/15.
SECOND	Second by Selectperson
PASS/FAIL	Motion passes: 5-0

#9 PURCHASING POLICY - SECOND READING

DISCUSSION	<ol style="list-style-type: none"> 1) Review and discuss changes for the possible final reading at the next meeting. 2) Selectperson Curtis would like the Policy to state that all bid openings be done at the Select Board meetings so that all the people will be able to see it, because there is no attendance by the public at the publicized bid openings.
MOTION	Motion by Selectperson Durgin to extend the meeting to 9:05 pm
SECOND	Second by Selectperson Curtis.
PASS/FAIL	Motion passes: 5-0

TAKEN OUT OF ORDER #15 PUBLIC COMMUNICATIONS

DISCUSSION	<ol style="list-style-type: none"> 1) Mr. Glidden conveyed to the Board that the Purchasing Policy should apply to employees as well as the contractors. 2) He also asked the question how is it that non profits are exempt from taxes. Manager Pakulski informed him that it is state law. 3) Kents Hill is being taxed on more property than in the past due to cooperation from the school and revaluating each parcel. 4) Mr. Carbona asked the Board for clarification on executive sessions. 5) The Board has not yet met to discuss the issue that Mr. Carbona is referring.
MOTION	Motion by Chairperson Reay to extend the meeting to 9:30.

SECOND	Second by Selectperson Durgin.
PASS/FAIL	Motion passes: 5-0
DISCUSSION	6) Selectperson Dunham will contact MMA regarding the issue with the committee member.

#10 FIREARMS ORDINANCE

DISCUSSION	1) Board will wait until the Conservation Commission to have their meeting and their recommendations.
MOTION	
SECOND	
PASS/FAIL	

#11 NAMING APPLICATION – FIRST READING

DISCUSSION	1) Due to time constraints, the Board will not review this article at this meeting.
MOTION	
SECOND	
PASS/FAIL	

#12 SECRET BALLOT PROCESS

DISCUSSION	1) Schedule a workshop for 12/4 @ 4:30 – 7pm and 12/11 @ 4:30 – 7pm.
MOTION	
SECOND	
PASS/FAIL	

#13 JOINT BUDGET COMMITTEE/SELECT BOARD MEETINGS

DISCUSSION	1) Will schedule the meetings once both the Board and the Committee are sure how to proceed and the numbers have been entered into the spreadsheet.
MOTION	Motion by Chairperson Reay to extend the meeting until 9:45.
SECOND	Second by Selectperson Durgin.
PASS/FAIL	Motion passes: 5-0

#14 PERSONNEL OVERTIME DATA

MOTION	Motion by Chairperson Reay to extend the meeting until 10:00.
SECOND	Second by Selectperson Curtis.
PASS/FAIL	Motion passes: 5-0
DISCUSSION	<p>1) Mr. Carbona expressed that when any of his employees need to work overtime, they must come to him and asks permission and has a good reason. He would like to know why that isn't happening.</p> <p>2) The employee overtime data is needed to make an informed decision and pinpoint where savings can be made.</p> <p>3) Ms. Doten suggested flex time as an alternative.</p>
MOTION	<p>Motion by Selectperson Dunham to request that Manager Pakulski provide the Board with the following data:</p> <ul style="list-style-type: none"> • Total Overtime/hour/employee/previous fiscal year • Total Overtime/hour/employee/fiscal year to date • Nature of the Overtime • And the reason that the specific duty couldn't be performed during regular hours. <p>and this information shall be provided to the Board at the 12/15/14 meeting.</p>
SECOND	Second by Selectperson Pomerleau.
PASS/FAIL	Motion passes: 5-0

Chairperson Reay adjourns the meeting at 10:01 pm.

3. Select Board communications

- a. The Board could consider a date for the annual employee recognition meal, after January 5, 2015.
- b. The Board could discuss a date for the annual Chairs' meeting date. A message will go to committee chairs about possible dates in January 2015. Hopefully the RSU could provide a meeting room and snack again.
- c. Allen Curtis could provide an update on his road bond spreadsheet.
- d. Suggestion for reviewing multiple policies & ordinances: put a "reviewed" date at bottom, even if no changes are made or recommended.
- e. Recycling: there is interest in discussing whether translucent yellow bags could be required at the Transfer Station to encourage more recycling. The Select Board could request the Solid Waste & Recycling Committee to explore this option.
- f. Select Board members could present other communication items.

4. Town Manager

Investment advisor: Sam Tippet was grateful to hear of the Select Board's recent vote authorizing the rebalancing of the Town's investment portfolio as needed, according to the investment policy.

Budget spreadsheet: A draft version of this will be prepared for the December 15th Select Board meeting. The Town Manager has begun work on this with the Finance Officer. Technical assistance is available from Manchester Town Manager, Pat Gilbert, as well as resident John Perry and possibly Dana Therrien.

Roads:

- a. Old Kents Hill Road bridge: needs engineering assessment and repair plans
- b. Signs: continue to review, replace or repair
- c. Paint-striping: completed on several roads prior to snow. Could continue later if conditions permit.

Budget Process: The Budget Committee will continue reviewing and updating the CIP at 5:30 PM on December 10th. The Budget Committee would like to hold a joint meeting with the Select Board meeting, perhaps at 5:30 PM on December 15th just prior to the Board's regular meeting, to review the CIP together. Town employees will continue to work on draft budget categories through December and early January. All Town boards and committees are requested to work on their draft budget requests during this same period, as the budget review process likely will begin and end earlier this year.

Personnel Overtime Data: The Town Manager and Finance Officer are preparing this information to review at the next Select Board meeting.

SWRC: The Town Manager met with this committee on Nov. 25th to review a range of agenda items related to recycling, capital planning, and budgeting for the next fiscal year. The SWRC will meet again on Jan. 8th hopefully with environmental planner Ross Nason from KVCOG, and on Jan. 15th to complete budget planning for next year. Kathryn Woodsum will develop a set of recycling promotion materials that can be printed in a series in the Messenger and posted on the websites for Wayne and Readfield.

KVCOG: The Town Manager has participated in a strategic planning committee and Executive Committee to update KVCOG's personnel policy and revise the compensation package for employees. These changes are expected to take effect in 2015.

December 11th secret ballot workshop: there is a Planning Board meeting scheduled that evening, so the Select Board could meet on the first floor of the Town Office. If the Planning Board does not meet, the Select Board workshop could be upstairs.

Appointment applications: Currently, received dates sometimes are stamped or not stamped on appointment applications. The Select Board could consider asking for a standard practice or adding a date line or box to the application.

5. Boards, Committees, Commissions & Departments

- a. The Select Board could hear any reports from Town committees, or through Select Board liaisons.
- b. Select Board Chair Sue Reay has asked whether the Select Board could require joint meetings with Budget Committee. This could depend on whether there was any language in an original vote by Town Meeting or the Select Board that detailed the Budget Committee's role and duties. If no language to the contrary exists in a previous vote, then the Select Board likely has authority to determine a process with the Budget Committee.

6. Purchasing Policy, 3rd Reading

Please see the attached revision with tracked changes from the previous Select Board meeting.

A clean copy will be available for signing if approved as this version.

Purchasing Policy for the Town of Readfield

Purpose - The Town of Readfield spends a considerable portion of its annual budget purchasing goods and services for the administration of Town business. It is important that these purchases be made in a businesslike manner, assuring accountability for the expenditure of Town funds. The Select Board directs the Town Manager and/or designees to use the policy described below to guide them in making purchases on the Town's behalf. It is the intent of this policy to set out the rules and guidelines for the purchase of goods and services.

Policy –

A. Bidding for Goods and Services Non-Roadwork:

It is the intention of the Board that purchases made for or on behalf of the Town be as economical as possible while still meeting the required standards. To that end the Town implements the following rules:

1. For all non-road related purchases over \$5,000, the Town will request bids through written Requests for Proposals (RFP's). At a minimum the RFP will clearly describe the work to be done, or the purpose of the goods to be purchased, the time frame for delivery, and any specifications required. A closing date will be established beyond which no other bids will be reviewed, and review criteria established for selecting the winning bid. No emailed or faxed bids will be accepted. The Board shall make bid openings and awards during regular public meetings or direct the Town Manager to set and publicize a public opening. It is recommended that a Select Board member attend this type of public opening.
2. Exceptions to using the written bidding process may only be made following a majority vote of the Board. In an emergency, this may be done by telephone/e-mail with a confirming vote at the next Board meeting.
3. Purchases of less than \$1,000 may be made using the most cost-effective source without a formal process. The Select Board will review all purchases during warrant review, and assure that they are appropriate.
4. For all purchases made which cost between \$1,000 and \$4,999 sealed written quotes shall be solicited from at least three vendors, at least one that will be from outside of Readfield, whenever practicable. A closing date will be established beyond which no other quotes will be received, and review criteria will be established for selecting the winning quote. No emailed or faxed quotes will be accepted. The vendors and their quoted prices shall be reported to the Board as a regular part of the Town Manager's report.

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5. If multiple vendors are not available for a particular item or service, or if there is an emergency need, the purchase may be made on a sole source basis. These purchases must also be indicated to the Board at their regular meetings.

B. Roadwork-Related Purchases:

1. In January of each year the Town Manager shall send out to all area contractors a request for quotes on labor, equipment and material rates for the upcoming year. All contractors submitting quotes will be held to the prices submitted in their quotes for all work performed for the Town during that year.
2. For emergency repair roadwork the Town Manager will use contractors from the list of those submitting quotes seeking to get the best quality work for the lowest cost. All work let out under this section will be reported to the Board during their regular meetings.
3. For all major road construction/reconstruction projects the Town Manager shall use the written RFP process to select the contractor to perform the work. Alternatively, with Board approval, the Town Manager and/or designee may act as General Contractor on behalf of the Town, using quoted prices for contracted services and equipment to perform major road construction/reconstruction projects.
4. For all road maintenance work over \$5,000 the Town Manager shall solicit sealed written quotes from at least 3 contractors, at least one that will be from outside of Readfield, whenever practicable. A closing date will be established beyond which no other quotes will be received, and review criteria will be established for selecting the winning quote. The contractors and their quoted prices shall be reported to the Board as a regular part of the Town Manager's report.

C. Past due Taxes:

It shall be the policy of the Town of Readfield to accept contract bids for work authorized by the Town from individuals, partnerships, businesses etc. without regard for any past due taxes owed to the Town of Readfield by the bidder.

Regular bid procedures and awarding of contracts will be followed in all cases.

Any vehicles used for Town work must have a current registration (if required legally) and valid inspection sticker.

However, before any contract is awarded and signed by the Town, bidders must be in good financial standing with the Town and provide proof that all past due / overdue personal property

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taxes have been paid or have a signed payment agreement with the Town prior to award. If the Town awards a contract to a business that has past due /overdue personal property taxes owed to the Town, any payments(s) made for work done under the pending contract will be deducted from what the business owes the Town.

Individuals (sole proprietors), partnerships, and businesses not registered in Readfield but doing contract work with Readfield must be in good financial standing with their respective towns and must provide proof that all personal property taxes owed to their respective municipalities have been paid or have a signed payment agreement with the respective town prior to any contract award bidding.

Attested as a true copy:

Robin Lint, Town Clerk

Date:

Select Board Approved: ~~December~~ November 14, 2014

saved: TClerk\Policies & Procedures\Current Adopted Policies\

Purchasing Policy 04-08-04, amended 02-11-13, and 11-04-13, and 12-01-2014

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Purchasing Policy 04-08-04, amended 02-11-13, and 11-04-13, and 12-01-2014

7. Trail easements on private property

The Select Board started discussing this item previously with Trails Committee Chair, Milt Wright, as the Trails Committee would like Town Meeting to consider an article to authorize the Select Board to create and enter trail easement agreements on private property. A copy of this proposed article was provided previously to the Board for the Nov. 3, 2014 meeting and is attached again here.

There is one example of such an easement in Town, for a trail on the former Lukas property. The new owners of the property might or might not be aware of the easement and the process of renewing or terminating the agreement. A copy of this agreement was provided previously to the Select Board and is attached again here.

Some Select Board members might also be interested in any parking plans related to any proposed new trails off Town roads.

Trails Committee Chair, Milt Wright has been invited to attend the meeting for this discussion.

RECEIVED _____

AUG 27 2014

COPY
FYI

PO Box 16
Readfield, ME 04355
August 27, 2014

Sue Reay, Chair
Readfield Select Board
Town of Readfield
8 Old Kents Hill Road
Readfield, ME 04355

Dear Sue:

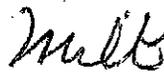
Enclosed is a proposed article submitted on behalf of the Trails Committee for inclusion in a future annual town meeting warrant. Please note that the Trails Committee's request is that this article be placed on an annual town meeting warrant and not on a special town meeting warrant in the event that there is a special town meeting scheduled.

The reason for the Trails Committee's request is a recent opinion from the Town's General Counsel dated July 21, 2014 in which the General Counsel writes that "The Trails Committee only has the authority that the town meeting has delegated to it, either directly, or indirectly through the Select Board." A copy of the complete General Counsel's opinion is enclosed.

Sue Reay, Chair
Page 2
August 27, 2014

A representative of the Trails Committee, if invited, will make him- or herself available to further explain this issue at a future Select Board meeting.

Very truly yours,



Milton R. Wright, Chair
Trails Committee

Enclosures

Cc: Select Board Members
Stefan Pakulski, Town Manager
Robin Lint, Town Clerk
Trails Committee Members

Article ____ To see if the Town will authorize the Select Board to approve trail easements and/or trail agreements with private property owners negotiated by the Trails Committee for trails/pathways on private property with the owners of the private property based on criteria established by the Select Board.

Milt Weight

From: "Stefan Pakulski" <readfield.tmgr@roadrunner.com>
Date: Friday, July 25, 2014 12:58 PM
To: "Milt Wright" <baxterpk39@myfairpoint.net>
Subject: FW: trail agreement review

Milt – Please see message below from Lee Bragg about the trail agreement with the Union Meeting House. It looks like a Town Meeting vote would be needed, but it could be after the fact.

Let me know if you would like to talk about this more.

Thanks,

Stefan

From: Lee Bragg [mailto:lbragg@bernsteinshur.com]
Sent: Monday, July 21, 2014 8:40 PM
To: Stefan Pakulski
Subject: Re: trail agreement review

Stefan,

The Trails Committee only has the authority that the town meeting has delegated to it, either directly, or indirectly through the Select Board. To some extent, authority can be implied from general directives. In the absence of a town meeting vote containing direct authority to contractually bind the Town, or a vote under which such authority can be reasonably implied, any contract would need to be ratified by a subsequent town meeting vote.

Lee

Lee Bragg
Shareholder
lbragg@bernsteinshur.com
207 629-6212 direct
207 623-1596 main
[My Bio](#) | [LinkedIn](#) | [Twitter](#)

BERNSTEIN SHUR | Click for Address: [Augusta, ME](#) | [Portland, ME](#) | [Manchester, NH](#) | bernsteinshur.com

Member, Lex Mundi, the world's leading association of independent law firms.

Confidentiality notice: This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

IRS notice: Unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding tax-related penalties under the Internal Revenue Code, or (b) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

On Jul 17, 2014, at 12:48 PM, "Stefan Pakulski" <readfield.tmgr@roadrunner.com> wrote:

Hi Lee,

Please see the attached "Trail Agreement for Library Trail" which would grant permission from the Union Meeting House to the Trails Committee to construct and maintain a trail on UMH property.

8/27/2014

I'm not sure the Trails Committee can sign such an agreement without higher authorization. I've also attached a copy of the Lukas trail agreement that signed a few years ago and entered in the registry of deeds. Is this a format that would be more appropriate, and would it require a Town Meeting vote?

If it's OK for the Trails Committee to sign an agreement with the UMH, I'd like to know, or if this would take Select Board approval at least (with Town Manager as signatory), or if Town Meeting needs to approve it first.

Thanks,

Stefan

PS: also please let me know if you've received any other emails from me in the past few weeks. Thanks.

<UMH - Library trail agreement.pdf>

<Lukas trail agreement.pdf>

8/27/2014

Received Kennebec SS.
08/19/2010 10:45AM
Pages 4 Attest:
BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS

**TRAIL AGREEMENT
FOR
READFIELD FAIRGROUNDS LOWER TRAIL
BETWEEN THOMAS S. AND ANN M. LUKAS
AND
THE TOWN OF READFIELD, MAINE**

THOMAS S. AND ANN M. LUKAS, owners of property located at 1061 Main Street (Readfield Tax Map 120, Lot 062) in Readfield, Maine (hereinafter referred to as the "Landowners" which word is intended to include their heirs, successors, and assigns):

4 Grant permission to the **TOWN OF READFIELD**, a body corporate and politic, located at Kennebec County, Maine with a mailing address of 8 Old Kents Hill Road, Readfield, Maine 04355 (hereinafter referred to as the "Town") to locate, construct and maintain a portion of the Readfield Fairgrounds Lower Trail across the Landowners' property as shown on the attached map and to allow for non-motorized public recreational use of the trail. The Landowners grant permission for non-motorized uses of the trail by the public, including walking, biking, snowshoeing, and cross-country skiing. No other uses of the trail, including motorized vehicles and horses, are permitted under this Agreement. Motorized vehicles and equipment shall be permitted for construction and maintenance of the trail.

This permission is granted for a period of five years, and for successive five year periods, which shall commence automatically upon the expiration of the previous term. The Agreement shall renew on such date unless revoked in writing by a notice from the Landowners or Town at least ninety days prior to the expiration of any then current term.

The trail shall be constructed and maintained in an environmentally-sound manner. Construction and maintenance activities may include: placement of fill (requiring a wetlands permit from the Maine Department of Environmental Protection); clearing of trees and other vegetation; construction of water bars, stone steps, bog bridges, erosion control measures, and cairns; erection of an informational kiosk and small directional and informational signs; and painting marks on trees to identify the location of the trail.

The Town of Readfield, acting through its Trails Committee and other committees and departments, agrees to:

- maintain the trail on an annual basis or as needed to ensure that it is safe and suitable for public use and does not pose a threat to the environment;
- oversee use of the trail and cooperate with the landowners to prevent and rectify any inappropriate use; and
- be responsible for placement of informational signs to inform the public of rules related to the proper use of the trail.

The Landowners may make reasonable rules and regulations for safe public use of the trail and to control, limit or prohibit, by postings or other means, any of the following uses: night use, camping, loud activities, motorized use, open fires, hunting, and trapping.

The Landowners and the Town claim all of the rights and immunities against liability for injury to the public to the fullest extent of the law under Title 14 M.R.S.A. Section 159-A, et seq. as amended and successor provision thereof (The Maine Recreational Use Statute), Title 14 M.R.S.A. Section 8101 et seq. as amended and successor provision thereof (The Maine Tort Claims Act) and under any other applicable provision of law and equity.

In witness hereof, the parties hereto have executed this Agreement as of the last date written below.

LANDOWNERS

J. A. Boy
Witness

Thomas S. Lukas
Thomas S. Lukas

8/18/10
Date

J. A. Boy
Witness

Ann M. Lukas
Ann M. Lukas

8/18/10
Date

LANDOWNERS ACKNOWLEDGEMENTS

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared Thomas S. Lukas and acknowledged the foregoing instrument to be his free act and deed this 18 day of August, 2010.

Before me, Milton A. Wright
Notary Public

Milton A. Wright
Please type or print name of notary
My commission expires: 11/25/14

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared Ann M. Lukas and acknowledged the foregoing instrument to be her free act and deed this 18 day of August, 2010.

Before me, Milton A. Wright
Notary Public

Milton A. Wright
Please type or print name of notary
My commission expires: 11/25/14



TOWN OF READFIELD

[Signature]
Witness

[Signature]
By: Stefan Pakulski
Its: Town Manager

August 18, 2010
Date

TOWN OF READFIELD ACKNOWLEDGEMENT

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared the above-named Stefan Pakulski, Town Manager of the Town of Readfield, Maine and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the TOWN OF READFIELD this 18 day of August, 2010.

Before me, [Signature]
Notary Public

Robin L. Lint
Please type or print name of notary
My commission expires: 5-22-2017



NOTICES
 ALL INTERESTS ARE REFERENCED TO THE NORTH, INHERENT FROM THE PLAN OF THE FAIRGROUNDS ASSOCIATION - PHASE I.
 OWNERS OF RECORD AT TIME OF SURVEY - AS NOTED.
 PARCELS C AND PARCELS E ARE THE SAME AS SHOWN ON THE PLAN OF THE FAIRGROUNDS ASSOCIATION - PHASE I, SAID PARCELS ARE SUBJECT TO CERTAIN EASEMENTS AND ENCUMBRANCES AS SHOWN ON SAID PLAN.
 THE PLAN OF THE FAIRGROUNDS ASSOCIATION - PHASE I, PLANNED FOR THE TRAIL FROM THE TOWN OF READFIELD TO THE TOWN OF LEECHBURGH, IS HEREBY REFERENCED TO THIS PLAN BY THE SHADDED AREAS OF PARCELS C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

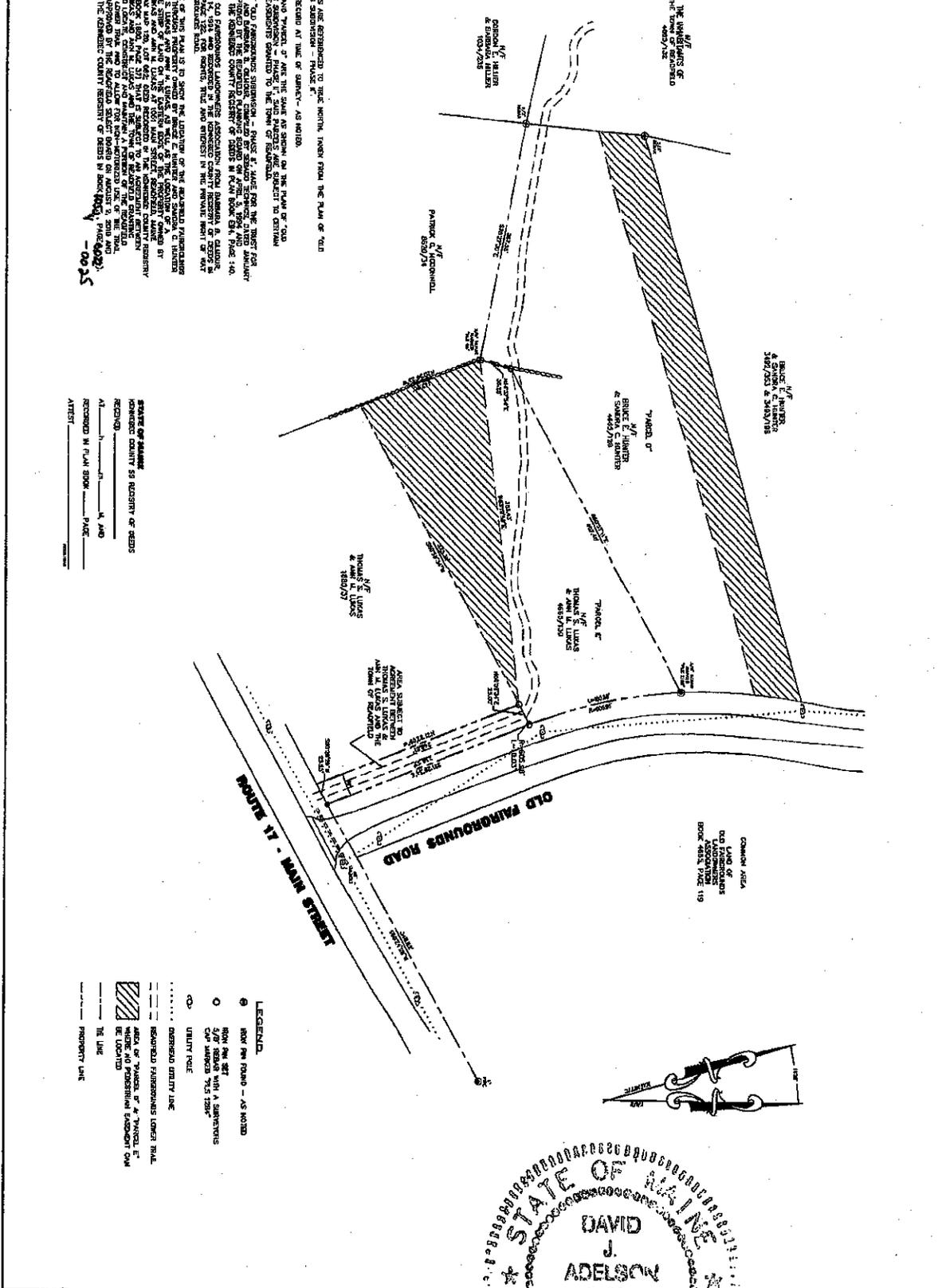
STATE OF MAINE
 COUNTY OF DENNIS
 TOWN OF READFIELD
 RECORDED IN PLAIN BOOK PAGE
 ATTEST

LEGEND
 ○ ROAD PER PARCELS - AS NOTED
 ○ HIGHWAY SET
 ○ 20' BUFFER WITH A SURVEYING
 ○ 20' BUFFER WITH A SURVEYING
 ○ UTILITY POLE
 ○ UTILITY POLE
 ○ DASHED DOTTED LINE
 ○ SHADDED AREA - LOWER TRAIL
 ○ AREA OF PARCELS C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

SURVEY PLAN
READFIELD FAIRGROUNDS LOWER TRAIL
THROUGH LANDS OF LUSKAS & HUBER
 TOWN OF READFIELD - COUNTY OF DENNIS - STATE OF MAINE
 MADE FOR
THE TOWN OF READFIELD
 6 OLD HERTS HILL ROAD - READFIELD, MAINE 04265

DATE OF SURVEY: OCTOBER 2009 - DATE OF PLAN: AUGUST 2010
 JOB NO: 09-136 - P.L.C. NO. 1725 - FIELD BOOK NO. 91762
 GRAPHIC SCALE
 1" = 60 FT.
 1" = 60 FT.

STATE OF MAINE
DAVID J. ADELSON
 1128
 MAIN-LAND DEVELOPMENT CONSULTANTS, INC.
 P.O. BOX 22 CHURCH STREET - LIVERMORE FALLS, MAINE 04264
 PHONE: 203-875-8722 FAX: 203-875-8404
 WEB PAGE: 4100/www.maine-landdevelopment.com



8. Firearms ordinance review

Dan Meyer of the Readfield Conservation Commission (RCC) might attend the meeting to provide any recommendation from the RCC about updates or changes to the Firearms ordinance, specifically in regard to the changes on the Fairgrounds property. The new ball field and trails on the Fairgrounds raises the question of whether shotgun-only hunting is still an appropriate activity there. This was discussed at the previous Select Board meeting

The RCC has stewardship responsibility for the Fairgrounds according to the property's Select Board-approved management plan, and can make recommendations to the Select Board on changes to that plan. The Firearms ordinance is Town Meeting-approved. The Select Board can offer ordinance changes for the voters to consider.

9. Naming Application for Town properties, 2nd reading

Please see the attached version of the Naming application, with the change as discussed at the previous Select Board meeting: to include the 'Town of Readfield' on the top.

A clean copy will be available for signing if the Select Board approves this version.

Town of Readfield
Land, Trail, Park Area, Facility Naming Application

* Give full details of proposed name for land, trail, park area or facility and attach any applicable information such as naming after person/family because...

* Suggest two (2) names (one preferred name and one alternative name) and state reasons to support the requested name for each suggestion. If possible, the history of the name(s) proposed should be included with the application.

Individual/group submitting proposal: _____

Organization/Affiliation of applicant (community member, committee member, neighbor, etc.): _____

Address: _____

Phone: _____ Email address: _____

Application is for (circle one): land trail park area facility other

If other explain: _____

Current name if applicable: _____

Are there any same/similar names to the proposed name already in Readfield? If so please list them: _____

1. Preferred Name _____

Reason to support preferred name:

History of the name(s) proposed:

2. Alternative Name _____

Reason to support alternative name:

History of the name(s) proposed:

Date Submitted: _____

Date approved: _____

Sue Reay, Chair _____

Val Pomerleau, Vice Chair _____

Greg Durgin _____

Allen Curtis _____

Tom Dunham _____

10. Secret Ballot Process workshop format and information

At the previous meeting, the Select Board discussed the outcome of the advisory referendum vote on creating a secret ballot for all Town Meeting articles. The Board set dates of December 4th and 11th for workshops to develop the schedule and process of creating a secret ballot. The Board could discuss tonight:

- A possible format for those workshops,
- Possible workshop outputs,
- Information that could be helpful for the workshops, and
- Any individuals who could be invited to help the process.

The Select Board has not yet decided formally whether to adopt the secret ballot process and what eventually to include on a secret ballot for Town Meeting consideration

11. Executive session questions

As authorized by the Select Board, on November 24, 2014, Select Board members Tom Dunham and Valarie Pomerleau met with the Town Manager to review confidential files in the Town vault from executive sessions related to a previous complaint by resident Lenny Reay against the Town Manager.

After reviewing the files, the Board members had several questions about when files must be kept for executive sessions and what must be included in any executive session files. They also had questions about how the Select Board could decide more efficiently whether an executive session might be needed on any issue, aside from actually entering executive session to discuss the issue.

The Town Manager contacted MMA's legal services department to request answers to these questions. However, MMA attorney Richard Flewelling recommended that these questions would be better for the Select Board to review with the Town's own legal counsel. The Town Manager forwarded the questions to Lee Bragg.

The Select Board could consider scheduling a meeting or call with Lee Bragg to review these questions and any others about executive session requirements and files.

12. RSU cooperation opportunities

Select Board Chair, Sue Reay asked for this agenda item for the Select Board to discuss.

13. Other (if needed)

14. Public Communications: Members of the public may address the Select Board on any topic

15. Executive Session (if needed)

Adjournment