

SELECTMEN'S/COUNCIL MEETING MINUTES
February 23, 2004

PRESENT: Willis Lord, Eric Herrle, Doug Foglio, Sr., Nancy Brandt, Pam Witman, Clint Andrews, David Benton, Frank Allen, Bob Fay, Bob Gobeil, Wendy Carter, Dwayne Woodsome, Kevin Nelson, John Maguire, Sr., Paul Kussman, Paul Verrell, Sr., & Les Leighton.

Selectman Lord declared the meeting open at 9:08 a.m.

APPOINTMENTS:

Wendy Carter addressed the Board regarding the current fees charged for various copies. Requested that they consider increasing the fees particularly relating to the Assessing Office. Currently the fees are not covering our costs. Stated that the fees were fine 15 years ago when established. Motion by Eric and seconded by Willis to accept immediately the fee schedule presented excluding the dump stickers which are currently under review by the Transfer Station Committee. Voted. Passed.

NEW BUSINESS

1. Motion by Eric that we do the matching grant not to exceed \$33,000 for York County Soil for the proposed grant for next year. Motion seconded by Willis. Voted. Passed.
2. Eric moved to place this item at the end of the agenda. Discussed the \$40,000 request from the Library. Nancy stated that it is on the warrant but not on the spread sheet. Needs to know if this is going on the warrant or referendum. Discussed whether it should be this amount or not. Agreed that they should review the entire budget before making a decision. Agreed to carry forward revaluation funds and not raise anymore this year. Nancy stated that if they are using the fees generated by the ACO for the purchase of a vehicle, then they need an appropriation for wages etc. Need to raise \$9,000 for the ACO to operate. Discussed performance based pay increases. Agreed to 4% pay increases as a jumping off point. Discussed the \$1,000 request for 10 Town Group. Agreed to pull out the Capital Improvement requests as the Finance Committee won't be dealing with this until after the budget is completed. Discussed going out to bid for fuel oil. Discussed replacing the steel door on the vault with a vault door. Reported that the Library request is up approximately \$22,000 mostly because they are now being paid for what they are actually working. There is a request for a Town Planner, discussed sharing with another town. Will discuss with the Finance Committee. Fire Dept. has a request of \$22,000 for a new position of Fire Fighter/Fire Marshall. Discussed adding to the warrant funds to wire the Fire Station and town hall for generators. Agreed to do as a separate article. Motion by Eric not to exceed \$7,500 for the Fire Station and if other funds available, can be used for town hall. Motion seconded by Doug. Voted. Passed. Clint explained his reasons for increasing his request as not knowing what RWS will do. Stated that they can leave "all fees generated" in the article and remove if the referendum question passes. Paul K. questioned if capital improvement funds will be carried forward

and Nancy explained that they are covered under Article 4. Also stated that they can add "until utilized". Willis felt that should leave as originally requested until we find out what RWS is going to do. Felt they should look at capital improvement requests. Discussed hydrant rental. Dave explained that the rates will go up another year but have to increase all rates at once. They have doubled the number of hydrants and still requesting the same amount. Discussed the purchase of a plow for the town tractor. Dave stated that if cuts are needed this would be the place to cut. Has added additional ditching and paving to save current roads instead of doing additional roads. Discussed replacing the culvert and doing ditching on Silas Brown Road. Willis stated that he understands the state is going to pay for attendants at the beach out of the milfoil sticker fee. Agreed that they should still appropriate the funds as they were supposed to reimburse last year and didn't. Nancy noted that today is the deadline for non-money articles. Paul K. suggested that they revisit the Transfer Station request prior to meeting with the Finance Committee as some of those capital improvements may already be built into the Recycling Building.

3. Discussed a request that the Town Hall begin to recycle immediately. Clint stated that there are containers at the Transfer Station that could be brought to the town hall and locked at night. He will have Dean bring a container right up. Eric explained that the silver bullet that was located at the town hall had to be removed because people were throwing trash into it and they were contaminating the loads which was costing the town considerable money. Town saves \$500-\$600 for each clean load. Discussed where to place the container.

4. Motion by Eric and seconded by Willis to accept the resignation of Elaine Pellerin from the Library Board of Trustees. Voted. Passed.

OLD BUSINESS

1. Discussed when to hold Selectmen's Meeting. Eric will be available next Tuesday so will hold the meeting on Tuesday, March 2nd at 7 p.m.

2. Discussed the pull-down stairs. Nancy reported that the contractor did not respond to her letter to come fix the stairs. Suggested having the attorney request an itemized list of cost. Will include wages for those who had to come in while he worked. Doug suggested taking to small claims court to recoup what we can. Motion by Eric to assemble a list of costs to include salaries and attempt to recover through small claims. Check with the attorney to see who should write the letter. This list of cost is to include wages for those who came to let him in when he didn't show up. Motion seconded by Doug. Voted. Passed.

3. Motion by Eric to make part of screening of new applicants a background check. Nancy stated that applicants will have to sign an authorization. License checks are done annually on anyone who drives a municipal vehicle. Paul K. questioned how this would affect prospective employees and questioned what the policy would be. Discussed whether this would include volunteers. Paul stated that the Charter allows Selectmen to run for office even if they have a felony in their past. Would only eliminate them if they were convicted of a felony while holding office. Doug questioned what they would be voting on as there is no policy in place. Eric suggested that it be tabled for more discussion and information. Doug felt it would be more important to find out about pedafiles moving into town than worrying about hiring them.

OTHER

1. Nancy reported that she has sent a letter to the contractor regarding the failure of the boiler in the new building and has had no response. We have until March 5th to repair it or there will be a fine. Eric felt that we need to have the deficiencies corrected and suggested contacting the attorney. Questioned how we received an occupancy permit. Doug felt they should request an extension, get an estimate on the cost and submit to the contractor. Should be sent registered mail notifying him that he is to cover the cost of repairs. If no response in 7 days can take to court to recover the cost. Willis felt it should be repaired and send the bill to the contractor and if not responded to then take to small claims court. Motion by Eric to contact the person who generally services out boiler and have the reset high temperature switch installed and contact the manufacturer for a replacement ID plate. Amended the motion to add that once installed and bill received that through the process contact Mr. Cole and find out how to go about it and if we have recourse through Maine Liability Laws should then send the bill to the contractor and let him figure out which sub-contractor didn't install correctly in the first place. Vote 2-1-0 with Doug opposed.

HEARING OF DELEGATION

1. Dave Benton requested an increase in the rates for his sanders to \$38.00 from \$35.00. The last increase was approximately 5 years ago. Will put on next weeks agenda for a vote. Discussed his need for a full-time employee and requesting an increase in pay before considering the hire. Willis questioned how anyone would be kept busy 40 hours per week. Dave explained that probably wouldn't be 40 hours but would like to be able to do more than one thing at a time. Needs to go up to \$11.50 or \$12.00 per hour. Frank Allen questioned if they would be required to be a Waterboro resident. Nancy felt that would be discrimination. Doug explained that you can do by requiring the live within a certain distance from town for response time. Eric felt they need to take both requests under advisement.
2. John Maguire addressed the Board requesting that the town purchase his property and he'll be gone. Stated that the Patti Berry confessed that she only got the restraining order because the Selectmen wouldn't. On the front page of the July 6, 2002 Journal Tribune it states that he is mentally disabled and should not be walking the streets. Feels that the restraining order violates his civil rights. Stated that he has sent recordings to CNN and has a recording of Sgt. Chauvette stating that he is being harassed because the Selectmen want him out of town. Stated that there was a quote in the Journal Tribune saying that he is a "Lousy no good veteran from Viet Nam". Stated that he can be bought out. If the town buys him out and makes him very comfortable he will turn everything he has over to the town, if not on March 17th or 18th he will turn it all over to CNN.

Eric read reminders.

Motion by Eric and seconded by Doug to go into Executive Session at 11:50 a.m. for

Code Enforcement potential legal action and personnel review of the Town Administrator. Voted. Passed.

Motion 3-0 to come out of Executive Session

Motion by Eric to remove the Town Administrator from her present position and to start the search for a new Town Administrator immediately. Vote 2-1 with Doug opposed. Further discussion held regarding the ad for the position. Requested that the Hiring Panel be contacted to meeting and design a procedure to review applicants.

Requested that employees meet with the Board on Tuesday at 10:30 a.m. to discuss when happened in the Executive Session regarding the Town Administrator.

Discussed the purchase of Custom Transfers equipment.

Motion by Eric and seconded by Willis to accept the minutes of 2/17/04 as written. Vote 2-0-1 with Doug abstaining.

Eric read reminders.

ADJOURNMENT:

Motion by Eric and seconded by Doug to adjourn at 12:50 p.m.

SIGNED:

Warrant for Bills & Payrol

1. DOT agreement on monument
2. Adjustments

APPROVED:

Date_____
