

TOWN OF RANDOLPH
BOARD OF SELECTMEN
February 16, 2010
10:00 a.m.

BOS PRESENT:

Peter K. Hanley
Edward F. Gorham
Alfred A. Seymour, Jr

OTHERS PRESENT:

Lynn R. Mealey, Town Clerk
Gloria Mansir Fitzherbert, G.A. Adm.
John H. Crocker, Public Works
Peter M. Coughlan, Editor, Town Newsletter
Ron Cunningham, Randolph Fire Chief
Bill Ebert , Assistant Fire Chief

Residents & others:

Mark Turek, Douglas & Delsa Mock
Darryl Fitzherbert , Marjorie Gilman
Benjamin Carr, Theresa Chicoine
Michael Chase
Peter Oakes, David Sims, David Cobb
Jason Farris, Pittston Fire Chief

Meeting was called to order at 10:09 A.M.

Ed Gorham made a motion to accept the minutes from the February 2, 2010 meeting. Al Seymour seconded the motion. **VOTE – UNANIMOUS.**

Chairman of the Board Peter K. Hanley opened the floor to **Mark Turek** who was on the agenda. Mr. Turek stated that he was at the meeting to continue the discussion of what he felt are special interest groups taking advantage of the residents of Randolph through the selectboard in regard to the recent resolutions that were signed by two of the three selectboard members. These resolutions were passed and signed by Al Seymour and Ed Gorham with respect to the Excise Tax and Tabor II issues on the November 2009 ballot. These resolutions were included in the taxpayer funded newsletter. Mr. Turek asked Mr. Seymour if he felt these resolutions were one-sided as to these two initiatives. Mr. Seymour stated that he did not believe they were. Mr. Turek spoke directly to the fact that until recently Ed Gorham was president of the AFL-CIO and that this organization has a liberal agenda. Mr. Gorham asked Mr. Turek to be specific.

General discussion as to the fact that the newsletter is supported financially by the Town of Randolph and the feeling that this was in essence “telling people how to vote”. Mr. Turek stated that he felt at the previous meeting, he had been cut off and treated rudely by the Board. Mr. Gorham apologized to Mr. Turek. Mr. Turek brought up many questions regarding the resolutions and why these were different on the MMA Website than the resolutions passed by the BOS.

Peter Coughlan who is the editor of the Newsletter presented the Attorney General's opinion regarding these kinds of resolutions being passed by towns and municipalities. He also pointed out that on the Town website, both resolutions were available and there were also links to the Maine Heritage Policy Center for opposing views.

Mr. Hanley asked Mr. Turek if he would consider serving on the budget committee. There are two slots available and only Marjorie Gilman is on the ballot. Mr. Turek could run on a write-in campaign

Mr. Turek asked if resident **Theresa Chicoine** could be recognized to speak in his allotted 15 minutes. Mrs. Chicoine also stated that she felt the Board was treating the people who were in attendance in a rude manner. Mr. Gorham apologized on behalf of the Board. She also stated that a few years ago she felt she was told how to vote on the Palesky initiative by town office staff. (Note: The Palesky initiative was on the ballot in 2004) The Board said that if this did happen it should have been reported at the time and not several years later. She also stated that when she called Mr. Hanley recently, he told her to e-mail him with her issues as the "town office staff might get the e-mails and tear them up." Mr. Hanley denied saying this.

Delsa & Douglas Mock were recognized by the Board. Mrs. Mock was on the agenda to discuss "The Voter Registration Process. She had many comments about "partisan politics" going on in the town. Ed stated that partisan politics were not a part of town government and in fact did not know the party affiliation of the other two selectmen. The opinion by the AG's office regarding the resolutions was read by Peter Coughlan and Mr. Mock asked to read it himself. He left the meeting for a short time and returned. He felt that the opinion did not state that this was an "obligation" of the town to inform the residents of the impact of these two initiatives. Mrs. Mock stated that she was unhappy with the political views in the resolutions and was personally offended by the newsletter. There was no discussion of Voter Registration.

Mr. Turek asked for more time to speak. Ed Gorham made a motion to allow Mr. Turek more time. Al Seymour seconded the motion. **VOTE – UNANIMOUS.**

Peter Coughlan presented an "opinion letter" from the **Maine Attorney General's office** regarding municipal officials taking a stand and disseminating information (such as the resolutions) on matters that will directly affect the town and its citizens and further said that he felt the board had an obligation and a right to take a position. Mr. Mock stated that he felt there was a difference between an obligation and right to disseminate information to the public.

Mr. Turek asked the Board to amend the **minutes from the November 24, 2009**. He would like the word "illegal" removed and stated that he never used the term. Lynn reported that she was awaiting an opinion from **MMA Legal** as to how to make the amendment as the original minutes were already part of public record.

Mr. Mock said that he would like to see the articles on the town warrant presented so that it clearly spells out how this will effect the town budget if all articles are passed.

Mr. Turek next brought up the issues of **office charges for photocopies**. He feels that the charges make access to public information more difficult and he would like to see this office policy changed. The policy passed on January 9, 2007 states as follows: \$0.25 per page up to 5 pages and then \$1.00 per page thereafter. These charges are for residents. Non residents pay \$1.00 per page for copies. Lynn stated that before these fees were put into place, the office staff checked around with other town offices and municipalities as to their rates and we were nearly the same as other municipalities and in some cases, our charges are much lower. This helps to defray the cost of use and wear and tear of the photocopier and the labor of the staff.

Ed Gorham made a motion to put the office fees on the agenda for the next meeting. Al Seymour seconded the motion. **VOTE – UNANIMOUS.**

Peter Oakes asked to be recognized. Peter is a member of the budget committee and a former selectmen. He stated that he was upset by the accusations being leveled at the office staff. He said he knew the town office staff to be impeccable, hard working and that they would never do anything improper. **Marge Gilman** who is also on the budget committee and has worked as an election clerk for the town for years reiterated that the staff was above and beyond any wrongdoing in the office.

At 11:30 a.m. Mr. & Mrs. Mock and Mrs. Chicoine left the meeting.

The Board recognized **David Cobb** who was on the agenda. Ron Cunningham, present Fire Chief entered the meeting and stated that he was going to record this part of the meeting as he wanted all comments recorded.

Mr. Cobb stated that he wishes to take over as **Fire Chief** for Town of Randolph as he lives in town and he feels that he can save the town money . He would also look into possible consolidation with Pittston Fire to perhaps save the town money.

There was reference to a *complaint* filed against Mr. Cobb by Ron Cunningham.

Ed Gorham asked Mr. Cobb to put his proposal in writing and to make out an application and apply for the job if he wanted to. Mr. Cobb said he would do that and asked if the BOS wanted him to come to the next meeting. They said he could do that if he wished. Ron Cunningham should also be there.

Gloria Fitzherbert asked David Cobb to explain the specifics of his job up country and David replied that he was hired as an interim for a specific time and purpose and when they hired a permanent candidate he was done which was a condition of his employment.

Mr. Cobb also said that he understood that Jason Ferris, the Pittston Fire Chief had called Mr. Hanley to talk to the BOS about consolidation.

Mr. Cobb left the meeting at 11:43 a.m.

The Board recognized **Jason Ferris** from **Pittston Fire Department**. Ron turned off the tape recorder and stated that he did not need to record Mr. Ferris' statement. There was a question as to how he came to prepare a proposal for consolidation. Ron asked him if he was contacted by one of the selectboard members. Jason said that he had "heard" from someone on his department that Randolph was thinking about consolidation, he in turn called Peter Hanley and Mr. Hanley told him to get on the agenda. Jason said that he then came into the Town Office to get figures on the Fire Department budget so that he could run some figures to prepare his proposal.

He reported that if Randolph wanted to consolidate with Pittston Fire, Pittston could provide the services to the Town of Randolph at the cost of **\$42,500.00** per year. Mr. Ferris presented a proposal for consolidation. The Board will read over the proposal and discuss it at the next meeting, **Wednesday, March 3, 2010**. Jason Ferris left the meeting at 12:23 p.m. He will be on the agenda for 10:15. Ron Cunningham will also try to be at the meeting.

Marjorie Gilman was recognized by the Board. She had recently e-mailed the Board members and sent them an article regarding a bill that is currently in the Maine Legislature (LD 1699) regarding mandatory **flood insurance** for homes located in the **flood zone**. The Government is going to be re-mapping the flood zone areas which will change the classification for some homes. Marge stated her concern that the figures were going from \$600 to \$6,000 (approximately). She urged the Board members to contact Representative Steve Hanley and Senator Earle McCormick to express their concerns. Ed Gorham said he will do some checking into this before the next meeting. Al Seymour made a motion to put this on the agenda for the next meeting. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

The Board reviewed the draft of the upcoming **newsletter**. Al Seymour made a motion to approve the newsletter. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.** There were a couple of changes that will be made before it goes to the printer.

Timing of meetings was discussed. Some feel that they should be held in the evenings rather than during the daytime as more people would be able to attend. Al Seymour made a motion to discuss the meeting times for the next meeting. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

Peter Hanley asked Lynn to tell Bob St. Pierre with regard to the **Verizon Cell Tower** that the Board would be negotiating the lease.

A note regarding a meeting of **KVCOG** was given to the Board. Chris Huck from KVCOG had called the town office and asked to schedule a meeting regarding some

upcoming transportation issues. Mr. Huck asked that one of the Selectboard members call him today after the meeting to discuss. Ed Gorham said he will call Mr. Huck. The meeting is set for **Wednesday, March 10, 2010** at 6:30 p.m. at the Randolph Town Office.

A note was presented to the Board from Janet Richards. There is a meeting with **Lincoln County Dispatch** at the Pittston Fire Station tonight, February 16, 2010 @ 5:30 and all three Board members were required to be there to sign the agreement for dispatch services. Peter, Ed and Al will all be in attendance.

A **General Assistance training** session scheduled for Friday, February 19, 2010 was discussed. Gloria Fitzherbert said that she will attend. Raeleen York, Deputy Clerk will also attend. Gloria said that the selectboard members should also attend.

Janet Richards, **Treasurer** for the Town of Randolph entered the meeting. She presented the Chairman with an agreement for signature by the Chairman with **Dennis K. Burke** who got the bid for our oil **and Irving Oil** who got the bid for our propane. These were in a bid with **RSU #11**. Peter Hanley signed the agreement with **Dennis K. Burke** and a credit application for **Irving Oil**. Oil will be at the price of **\$2.28** and propane will be at the price of **\$1.693**.

Janet also discussed with the Board the **loan for the sewer project** with Savings Bank of Maine. The Bank has extended our initial loan of \$204,500.00 until November 10, 2010 and issued another for \$237,500.00 which is to be secured by cash. Janet is asking for authorization to set up an account and use money from the Wastewater Department, the Town and the Randolph Revolving Loan fund so that the town's money is not completely tied up. She suggested using **\$70,000** from the Revolving Loan Fund, **\$35,500** from the Wastewater Account and **\$132,000** from the Town account to make up the **\$237,500** that needs to be secured. Al Seymour made a motion for Janet to discuss using the Randolph Revolving Loan Fund with Robert Davis and setting up the funds in this way. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

Al Seymour made a motion to adjourn the meeting. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

Next meeting will be Wednesday, March 3, 2010 at 10:00 a.m. which is the day after the municipal election.

Meeting was adjourned at 1:03 p.m.

Respectfully submitted,

Lynn R. Mealey, Town Clerk