

TOWN OF RANDOLPH
BOARD OF SELECTMEN

April 27, 2010
6:00 p.m.

BOS PRESENT:

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

OTHERS PRESENT:

Lynn Mealey, Town Clerk
Ron Cunningham, Fire Chief
John Crocker, Public Works
Sonny James, Pump Station Super
Peter Coughlan, Budget Committee
Michael Carrie, Budget Committee
Marjorie Gilman, Budget Committee
Gregory Lumbert, Police Chief
William Ebert, EMA Director
Janet M. Richards, Treasurer/Tax Collector

Residents:

R. Gloria Mansir Fitzherbert
Darryl Fitzherbert
Theresa Chicoine
Art Forand
Delsa & Doug Mock
Mark Turek

Meeting was called to order at 6:07. Ed Gorham stated that the Board was reviewing the minutes from the previous meeting.

Selectman Hanley requested that some of the comments in the minutes from the previous meeting be removed from the record regarding the fire department. Ed Gorham made a motion to accept the minutes from the April 13, 2010 meeting as amended. Al Seymour seconded the motion.

VOTE – UNANIMOUS.

Discussion of lawn mowing & wages with John Crocker. Mr. Crocker asked the Board if they wished to continue on with the lawn mowing and maintenance they way it has been handled over the last few years. Ed Gorham asked for clarification. General discussion of rates of pay for John's workers. Peter Hanley made a motion to continue with the Public Works Department handling all the lawn care and stated that he felt that our cemeteries have never looked better. Al and Ed said that they have not received any complaints. Peter reiterated that we continue with the same set-up and same rates of pay. Ed asked if there were any public comments. Al Seymour seconded Peter's motion. **VOTE – UNANIMOUS.** Janet Richards, Treasurer asked the Board to state the rate of pay. They said: \$10.80 per hour for Steven Thurston and \$10.00 for the rest.

Peter Coughlan was asked to address the recent Culvert Policy that was presented to the Board by John Crocker and passed at a previous meeting. This policy stated that the Town would follow the State. Ed stated that he was not aware of the implications of the policy. Driveway culvert problems are now the homeowners' responsibility. Ed and Al both stated that they were not aware of that. John was asked about this and he stated that the State policy was as long as water was flowing through the culvert, the State would not do anything. John said that in some of the subdivisions in town etc., there was no supervision over the work that was done in the past and that they are not in good shape. Peter Coughlan asked why should every homeowner in town be responsible for hiring a contractor to fix the problem. Ed asked John if the Town had provided this service in the past and John said that they had. John stated that there are probably only two or three of these "issues" per year. Peter Coughlan said that he just wanted to know if the Board was aware of the details of the policy they signed and the implications.

Ed Gorham said that he would like to have a motion to **rescind this policy** and go back to the way things were done before passage of the new policy. Peter Hanley stated that he felt at the time that if that policy was good enough for the State it should be good enough for us. Ed Gorham made a motion to rescind the policy and go back to the way we were doing it before. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.**

John Crocker left the meeting.

Ron Cunningham was recognized by the Board. He asked Ed Gorham if he and Al Seymour would be sending a letter to the Town of Pittston informing them that they were not in favor of the takeover by Pittston Fire Department. Ed stated that the letter had not been done but would hopefully be done this week. Ron also asked if they had come up with a list of savings that such a takeover would accomplish. He asked if Pittston would be paying for our hydrants or dispatching services. Ed said that none of this had been looked at because the Town had not gotten a further proposal. Ed said that he felt that the document they had been presented with was not a proposal but Ron said that this was the proposal that the Town of Pittston voted on.

Glendon “Sonny” James was recognized. Sonny said that he had 7 questions and that he would read them and the Board could respond to each one or at the end of his list:

#1. Sonny asked why the Town does not advertise for jobs. Peter Hanley said that there was no set policy in past years for advertising the job openings.

Sonny used the example that if one of the girls in the office gets done, the job is advertised in the newspaper but that the Highway Department arbitrarily picks people to hire with no advertisement and in fact at this point in time, all the workers hired for the department are family members. Sonny stated that he felt this was discrimination.

Ed said that there was no hard and fast policy set up by the Board for hiring. Al said that if you do advertise for one they should all be advertised.

#2. He asked if these new hires had job descriptions. He reminded Selectman Hanley of his refusal to sign his reappointment (Sonny’s) this past year (after 43 years of working for the town) and stated that it was because” he did not have a job description” but that John Crocker had hired family members to work for the town and they did not have job descriptions, did not apply for the jobs and were not under the same scrutiny as all other employees of the town.

Sonny reminded the Board that taking the mowing away from him and giving it to John as a cost saving measure to the town did not really save money as the town turned around and purchased a riding lawn mower, hired Steve to do the mowing and that the town now was responsible for any damages and for liability etc..

#3. What is the pay scale going to be for these new hires. For example, Mr. Crocker hired his daughter at \$8.00 but two weeks later she got a \$2.00 per hour raise. Why?

#4. When hiring people for the town in these capacities, is there a background check done. Art Forand added to the question and inquired about license checks for employees who are driving town owned vehicles and operating equipment.

If they should have a traffic record, how would that affect our insurance and would our premiums go up?

#5. This past weekend two of the new hires were listed as the persons to call if there was a sewer emergency in the town.

Sonny stated that John's daughter was probably not qualified to handle a sewer emergency. Sonny said that in the past John would call Sonny if he was going to be away he would be a back up for John. This did not happen this time.

Ed stated that John had called him and told him that he was going to be away for a few days and that he had given emergency numbers to the town office in case something happened. Ed said he will talk with John about that.

#6. Why is the lawn mowing not being put out to bid.

Sonny said that he was unhappy with the way the mowing was being done and that he had in fact offered to do the mowing for free last summer but the Selectboard chose to stay with John Crocker.

#7. Why are the flags on the memorial torn and tattered.

Ed Gorham stated that he would get answers to some of Sonny's unanswered questions by the next meeting. As far as the pay rates for new hires, Ed stated that it varied and it was decided on the recommendation of the department head etc. Sonny expressed concern that one was hired and then given a \$2 per hour raise two weeks later. Ed said that he remembered that it was just done to bring her up to the level of the person who had the job before. Sonny said that usually you start people out at minimum wage unless they come in with a resume and have job qualifications. Background checks and license checks will be looked into.

Marge Gilman stated that the incident that was being referred to was when Mr. Crocker's grandson lost his license, Mr. Crocker had to drive him around to do his job.

Resident Mark Turek asked about moving the public comment portion of the meeting to this point in the meeting. Ed stated that the meeting was progressing and that they should be getting to the public comments section very soon.

Tax acquired properties per request of Selectman Hanley were discussed. The tax collector provided a list of such properties to Mr. Hanley for possible sale by bid. The first was Map 1 Lot 3 which is the property beside the Goodheart property on Water Street. This has been sent to the Town's attorney before consideration to sell. Mr. Hanley recommended that this is the only one to be put out to bid at this time and the others on the list will be taken into consideration Paul Hallee questioned why this was the only piece of property being moved on. Ed said that this one is the only one that has been researched properly and is **ready** to go out to bid.

Peter Hanley made a motion to put the land known as Map 1, Lot 3 bordering the Goodheart property out to bid. Al Seymour seconded the motion. **VOTE – UNANIMOUS.** The others will be tabled until the next meeting.

Marjorie Gilman stated some issues with the piece of property near her home that gives access to the Town property on Maple Street for sewer issues etc. This is Map 002 Lot 080. She stated that she strongly objects as this is something that will affect her and her property. Ed stated that the Board will take a look at these properties before going any further.

Estimate for **bathroom light fixture** was discussed. This had been brought up before by the office staff as a request to have a new light fixture installed. The current light in the bathroom is a “nightlight” and does not afford proper lighting. The estimate was from Mike Sirois a local electrician in the amount of \$425. This would be for a 4 foot fluorescent light fixture and wiring that would need to be done as there is not an existing fixture there. Mark Turek asked for an explanation. Al Seymour made a motion to table this issue to the next meeting. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.**

Paul Hallee asked if the intention was to get other bids on this. Ed Gorham stated that this was indeed the intention.

Quitclaim deeds releasing old tax liens were brought to the table for execution by the Board of Selectmen.

Peter Coughlan told the Board that in order to get the property at the end of the bridge conveyed to the Town for a possible park and some expansion of the **Maple Grove Cemetery**, they must send a letter to the DOT requesting that this property be given to the Town by a Governor’s Deed. Peter Coughlan did suggest that the uses for this property should be discussed and possibly open to public suggestions.

Al Seymour made a motion to sign this letter to the State to accomplish this. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.** Mr. Coughlan will draft the letter for the Board and will send it to the office for execution at the next meeting.

Appointment of **election clerks** for the Town of Randolph (2 year appointments) required by the State of Maine election law was presented by the Town Clerk. Al Seymour made a motion to sign the appointment. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.**

Public Comment segment was opened.

Gloria Fitzherbert asked about a pothole on Maple Street and why this was not being fixed by the Public Works Department. Ed stated that he did not know why this was not being addressed. Al Seymour said that they will check with John about that. Gloria also stated that this should go out to bid. She mentioned that all work should be put out to bid.

Theresa Chicoine asked about why there were no policies in place for hiring. Ed said that the town was moving in that direction. There are in fact policies for the office staff which include advertisement, job applications and the interviewing process.

Arthur Forand asked about **the Cemetery Account**. There was \$13,000 raised for this account and now it appears to be in the red. Art inquired about payroll amounts during the months that the cemetery is closed. Ed stated that this will be looked into so that answers can be given.

Mr. Turek asked when the next evening meeting will be. Ed said he did not know when it will be. It will be discussed by the Board. He had concerns with having meetings only in the evening because of the elderly population. Ed said that maybe it could be 50/50 in the future.

Mr. Turek stated his concerns with how taxpayer dollars are being spent. Mr. Hanley made reference to the annual town meeting and Marge Gilman reminded the Board that the only things that can be discussed at the annual town meeting are the items on the warrant.

Marge Gilman spoke regarding the Fire Department and Ron Cunningham. She asked what the status is and if this was going to come up at the annual town meeting. Where does the town stand on the Pittston proposal. Ed said that we have our fire department and Pittston's proposal was voted down by the Town of Pittston.

Selectman Hanley stated that the City of Gardiner proposed to come over to give an estimate but nothing has happened with that.

Delsa Mock suggested that the Selectboard members attend other meetings in Augusta or Lewiston to see how other boards run their meetings.

She also voiced her concern about registered sex offenders living in town in close proximity to the school. Selectmen Hanley asked Police Chief Greg Lumbert to address this issue. He pointed out the book that is kept in the office with a list of all of these offenders living in Randolph.

Greg said there is nothing that can be legally done to prevent having them in the Town.

Illegal pesticides sprayed in Randolph by the Public Works Department was brought up by Mr. Turek who asked who did the spraying and why should the town pay the fine. The Town of Randolph as an employer was fined.

Sonny James stated that the employee should have been trained and advised by the Board and that a license must be posted at the town office for such spraying to be done.

Mr. Turek asked how many hours any **salaried** employees for the town are expected to work. This was in direct reference to John Crocker who works as a salaried employee for the Town. Ed said that John Crocker should be expected to work at least 40 hours per week. The office staff is paid hourly.

Mr. Turek had obtained random copies of time sheets and Mr. Crocker worked various hours but he received the same pay each week.

Rules for **part-time employees**. Mr. Turek asked why part-time employees get paid for holidays. This is in the office personnel policy approved by the Board of Selectmen. Part time employees get paid for holidays that fall on their regularly scheduled days. Also the Town Clerk explained that all employees get paid vacation, paid holidays and personal time but no other benefits. The personnel policy for the Office Staff explains this in detail. He questioned personal time and comp time. Holiday, vacation and personal time are in the personnel policy for the office staff. "Comp" time is given in lieu of overtime.

Marge Gilman addressed Mr. Turek in her capacity as a member of the budget committee and explained that the Budget Committee is only an "advisory committee" and that the budget is the Selectmen's budget. This is why the Budget Committee presents alternatives.

Michael Carrie and Peter Coughlan, the Budget Committee **Chair and Co-Chairs** respectively explained in more detail the purpose and powers of the Budget Committee. They can recommend passage or non passage but it is the Board of Selectmen's budget and the townspeople can vote down or pass at town meeting. Marge also mentioned that the Budget Committee is proposing some changes for the upcoming year.

Discussion regarding changing the order of the annual town meeting warrant articles to that if everything is passed, this is how it will affect the town's budget and the taxes. The budget committee is going to discuss this and advise the Selectboard.

Mr. Turek asked if there was a possibility of decreasing the salary of the Selectboard from \$5,000 each per year to \$2,000 per year. Ed said this was not going to happen.

Peter Hanley made a motion to adjourn the meeting. Al Seymour seconded the motion. **VOTE-UNANIMOUS.**

Meeting was adjourned at 7:45 p.m. Schedule of upcoming meetings is as follows:
Tuesday, May 11, 2010 @ 10:00 a.m.
Tuesday, May 25, 2010 @ 10:00 a.m.

Respectfully submitted,

Lynn R. Mealey, Town Clerk