

TOWN OF RANDOLPH
BOARD OF SELECTMEN

June 17, 2008
3:00 P.M.

BOS PRESENT:

Robert B. Davis
Peter K. Hanley
Edward F. Gorham

Wastewater Committee Members:

R. Gloria Mansir Fitzherbert
Paul Hallee

Others Present:

Lynn Mealey, Town Clerk
John Crocker, Public Works Director

Everett "Sonny" Barry(Contractor)

Meeting was called to order at 3:10 p.m.

Lynn asked the Board for direction on the **Board of Appeals**. Winston Shepard's term expired in April of 2008 and after being contacted he stated that he did not want to be reappointed. Bob Davis mentioned the fact that the Board of Appeals has two alternate members, Alfred King and Richard West and that perhaps one of them would be interested in moving into a regular appointment slot. Bob said that he wished to have it in the minutes that the Town wished to thank Mr. Shepard for his many years of service to the town. Bob said that this could be filed away until a later date.

Bob Davis asked the Town Clerk if Randolph had a computer policy in place. Lynn stated that we had policies that were drafted, approved and signed by all employees in the office regarding internet usage etc. Bob asked to be provided with a copy of the policy which will be put in the Selectboard's folder for the next meeting.

Request for abatement of taxes from **Donna Schlick** was discussed. Bob St. Pierre was asked to talk to the Board about this. He stated that Ms. Schlick had talked with the town's tax assessor, Bill VanTuinen about the fact that she is paying taxes on two lots (Map 12/21 & 12/23) but only one lot is buildable and she feels that she is being over taxed. Bob said that the town could combine the lots but only with the owner's permission. One lot is on Maureen Avenue and the other is on Windsor Street. It was also noted that Ms. Schlick's request for abatement was after the deadline for filing such requests. Bob Davis said that he will write a letter to Bill VanTuinen regarding this matter. Bob St. Pierre left the meeting.

Bob Davis informed the board that town constable **Greg Lumbert** had recently updated the **sex offender list** in the town office and reported that there are now 13 registered sex offenders on that list that either live or work in Randolph. Also noted was that several of these on the list are employed by Maine Professional Road Services which is located on Water Street.

Budget items discussed by Robert Davis were considerations for charities. Bob mentioned that he would like to see the following charities given consideration: Crisis & Counseling, Sexual Assault Crisis & Support Center, Kennebec Behavioral Health and the Family Violence Project. Also on Bob's list but not discussed in the meeting: Senior Spectrum, Boys & Girl's Club, KVCAP. Ed Gorham asked if he could look at a list of prior donations given by the Town. Bob Davis made a motion to table this discussion. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

John Crocker brought up the subject of **cemetery lots** given a while back to **Stan Coutts, Sr.** in consideration of work he did in the annex. Lots are as follows: Lot 43(Denis Coutts), 46(Michael Coutts) & 48(Douglas Coutts). Apparently, he was to be given 3 lots and the tomb, but there was never a motion made, seconded and/or voted on at that meeting. In order to finish up the paperwork, this needs to be done so that conveyances can be completed. Peter Hanley made a motion to convey the 3 lots to Stanley Coutts. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

Ed Gorham made a motion to accept the minutes of the June 3, 2008 meeting. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.**

All three Board members signed the **Certificate of Commitment of Sewer User Rates** dated June 17, 2008 in conjunction with the sewer bills that were mailed on that date.

Everett “Sonny” Barry was on the agenda for 4:00 but prior to Mr. Barry's presence, Bob Davis spoke to the Board members stating that in talking with Peter Coughlan and John Crocker they both felt that it would be the most advantageous to continue with E.C. Barry and in fact draw up a new contract with him. John had a “draft” of a contract that was sent to him by Peter Coughlan to use as a guideline. Peter Hanley stated that he would still like to see this go out to bid but Gloria mentioned that the last time it was put out to bid, there were no other bids received. John Crocker also brought up the fact that the town should require that bidders have at least 7 – 10 years of municipal experience.

Gloria Fitzherbert and Paul Hallee, both members of the Wastewater Committee were present at the meeting to discuss the process of selecting a contractor to upgrade the pump station. Gloria presented the Board with a letter stating her concerns. The following is the content of Gloria's handwritten letter to the Board Members:

“I am writing this in regard to the selection process of a contractor to upgrade our pump station.

I am very disappointed in how it was handled. I am under the assumption that the selectmen were elected to watch our tax dollar and get the best job done for a reasonable amount.

A sewer committee was appointed to oversee the process. Committee members in attendance June 5th were Janet Richards, Peter Oakes (resigned) "Sonny" James, Gloria Fitzherbert, Paul Hallee, Robert Davis and Chuck Applebee as our advisor. After, rather than before, much discussion, Chuck Applebee presented a letter from the DEP, Karen L. Hefler, P.E. dated Sept. 20, 2005. He told us that Al Hodson never responded to the letter, which indeed he did in BOLD PRINT, to the letter.

I feel the committee was misled and deceived. We also feel the process is being hurried through. I would like to see that the people chosen to be interviewed be postponed until further notice. Some of the committee members feel they were not given enough time to review the proposals so that could honestly evaluate the contractors proposals.

Why was a committee appointed if Chuck & Bob are making the decisions? Was it done to make them look like they honestly value others opinions? It was very obvious that night who they wanted and who they did not.

Why reinvent the wheel when the process has already been started and paid for? It would have all been done if we hadn't run out of money. Why should another contractor be given the manuals from a contractor who has already been involved. Makes no sense.

Please keep your constituents in mind when making these expensive decisions.

Respectfully submitted, Gloria Fitzherbert."

After the letter was read a general discussion was had about the bid & selection process. Bob stated first, that he had received a letter of resignation from Peter Oakes from the committee.

Gloria stated that she would like to see the interview process set for Thursday, June 19th postponed. Bob Davis said that he felt that this was all being handled in an acceptable manner and that all the proposals were scored properly. Both Gloria and Janet said that the committee had erroneous information when scoring the proposals, referring to the letters between AE Hodsdon and the DEP. Gloria stated that she feels that Chuck Applebee and Bob Davis were the only two involved the this process and that the other 2 board members were not involved. Paul Hallee stated at this point that he did read the proposals but felt that there was not enough time to read all of them and make an informed decision. Also Bob feels that if they grant AE Hodsdon an interview now after the scoring process, it compromises the other bids. Bob stated that AE Hodsdon has problems with the DEP and Gloria asked why Bob had gone to the DEP. Bob said he went to the DEP to find out what was going to be required.

Paul Hallee spoke to the fact that he had some concerns with AE Hodsdon as there were some things that were requested from them but never were provided to the Town. He also said that quite honestly he had only had the time to thoroughly read 3 ½ of the 5 proposals he took home.

He also said and suggested that it might be a good idea to have an engineering hired just to review the proposals. Mr. Hallee also brought up the fact that there were supposed to be a list of possible questions to be used in the interview process but he had not seen anything as of yet.

Gloria stated her displeasure and said she still was concerned that the entire process was hurried, the committee did not have correct information and she felt that Bob Davis and Chuck Applebee had already made up their minds who they wanted to be awarded the contract. She also stated concerns about Bob Davis wanting to get rid of the pump station all together and turning over everything to the City of Gardiner and this would make the town's rates skyrocket. She asked Bob Davis about how Chuck Applebee was being paid for being the Town's advisor. Bob said that he was going to be paid by the hour but there had not been any bills submitted as of yet for all the work and time he has spent. Gloria wanted it on record that she feels and thinks that some of the other committee members also feel that it would save the town money to stick with AE Hodsdon as they has already done some of the work requiried.

Bob Davis said that he had been contacted by Al Hodsdon and Al talked about the 7 year relationship with the Town. Al had asked about coming to today's meeting but Bob Davis said that he discouraged him from coming. Bob does not feel anything should change and that the interviews should go ahead as planned.

Mr. Hallee said that the other committee members should review the proposals and make themselves aware of all facts and would in fact want to make sure that the committee follow up on checking the references of these companies.

Questions were brought up about why the project was never finished by AE Hodsdon. The answer to that question was that the Town of Randolph ran out of funds to complete the project. Janet Richards explained that \$50,906.12 of unused funds were turned back per a decision by the Board to apply to our capital debt with the Maine Municipal Bond Bank as this would not be enough to continue or complete the upgrade of the pump station at that point at a meeting of the Board of Selectmen on August 8, 2006.

Ed Gorham said that he thinks the town should continue with the interview process as planned for Thursday, June 19, 2008. Bob Davis said that all 3 Board members should plan on being in attendance. Ed Gorham made a motion to proceed as planned. Peter Hanley seconded the motion. **VOTE – UNANIMOUS.**

At 4:00 p.m. **Everett "Sonny" Barry** entered the meeting. Sonny had asked to be put on the agenda regarding his snowplowing/sanding contract for the upcoming season. He wanted to know if there had been any decisions on how the town was going to proceed with this issue as he was going to bid on doing the town of Chelsea which had a deadline of Friday. He said he would like to know about Randolph because he did not want to do both towns and would prefer to stay with Randolph. Bob Davis told Sonny that it had been discussed with John Crocker and Peter Coughlan and that the consensus was that we should stay with Mr. Barry. John Crocker

gave Mr. Barry a “draft” of a contract which they would like to use that was provided by Mr. Coughlan. Mr. Barry asked if he could take the draft home, read it and then have a meeting with John and Peter Coughlan to hammer out the details of the contract. Peter Hanley stated that he still would like to see this go out to bid “to satisfy the people in town”.

John also mentioned that there were variables to the town’s relationship/contract with Sonny Barry, including the sanding/sweeping and catch basins. Sonny said that he would read the draft and then be in touch with John Crocker tomorrow.

Sonny Barry left the meeting.

Peter Hanley left the meeting at 4:55. **Donald Poulin a Kinderhook** Street resident who had asked to be put on the agenda for 4:45 p.m. regarding speeding on Kinderhook Street did not show up at the meeting.

Next meeting is Tuesday, June 24, 2008 @ 3:00 for municipal budget work with next regular meeting scheduled for Tuesday, July 8, 2008 @ 3:00 p.m.

Ed Gorham made a motion to adjourn the meeting. Bob Davis seconded the motion. **VOTE – UNANIMOUS.**

Meeting was adjourned at 5:10 p.m.