

**Minutes  
Town of Skowhegan  
Regular Selectmen's Meeting  
5:30 P.M.  
Tuesday, June 14, 2016  
Municipal Building – Opera House**

**Board of Selectmen:**

Donald Skillings, Chairman  
Paul York, Vice Chairman  
Betty Austin  
Darla Pickett  
Soren Siren

**Town Manager:**

Christine Almand

**Executive Secretary:**

Cara L. Mason

Call Selectmen's Meeting to order.

Donald Skillings called the meeting to order.

The Pledge of Allegiance to the Flag of the United States of America was recited.

1. Town Manager's Report

At the Annual Town Meeting last night, all articles were passed as written with the exception of the Parades and Gatherings Ordinance. The Town budget to be raised and appropriated is \$10,178,589. The net Town budget after revenues is \$6,888,979. The projected mill rate is 18.91, up from 18.3 this year.

If you are a registered voter in Skowhegan and have not voted yet, please do so before polls close at 8:00 tonight.

The revaluation fieldwork is continuing. They are currently working on tax map 10. They will be starting on tax map 11 and possibly 12 next week. For more detailed information, visit our website.

The Town has a 1990 Arial Fire Truck for sale. For more information, visit our website or contact Chief Howard.

Thursday, June 2<sup>nd</sup> I attended part of the Highway Congress held at the fairgrounds.

On Wednesday, June 22<sup>nd</sup> at 7:00 pm, the Skowhegan History House is holding a dedication of the exhibit gallery to honor the late Lee Granville.

## 2. Items by the Public

Phil Shaden said that a week ago last Thursday four policemen came to his house to arrest him. He and his neighbor, Tim Hewett, have been having an issue with regards to the rights to that road. He had this same problem 10 or 15 years ago. He has had to come before the Selectmen before to explain what he believes his rights are based on the court decision regarding the Richardson Road. It was deemed by the Superior Court, in 1998, that the road is discontinued...so half of the road belongs to the landowner on either side of the road. There is also a right-of way up to the Lambert Road. The decision is final unless it is litigated again, and he does not feel that four police officers needed to show up at his house for this matter. If the State Police and the District Attorney didn't show up he feels he would have been arrested. This situation has gone beyond a civil matter.

Donald Skillings said that the exact details of the situation were not necessary. The Town Manager has the formal complaint that was received on June 8, 2016. She is looking into this complaint and will be speaking to the Chief of Police. We do not have answers to this tonight. She will gather the information, and report to the Selectmen if necessary...she will also respond to Phil Shadan regarding the complaint.

Phil Shadan said that he lives on a private road. It was not necessary to have six police officers and the District Attorney at his house, when he is the only one that lives there. He lives on nice acreage. He is not a party goer. He appreciates it and pays his taxes. He wants to be left alone and he expects a little courtesy.

Donald Skillings said that this being a civil matter, it will not be addressed by the Selectmen. What will be addressed is the complaint about his treatment. There will be a response from the Town Manager.

Phil Shadan said that the newspaper said that he was trespassing. He does not find it funny that he was said to be trespassing when he is the only person who lives on that road.

John Youney said that he is the attorney that won the case at the Superior Court. He proved that the Richardson Road is not a road. It is a Way. There is a public easement for any landowner who is in beyond. They have the right to travel that road to get to their property. By law each landowner on that way owns to the middle of the roadway. Mr. Shadan planted a truck on his side of the roadway. There are actually trees growing up through it. Mr. Clark had a survey done to find the middle of the road. He and Mr. Hewett built a new road south of that middle line. That is the road that Mr. Shadan was blocking last week with his truck. That is trespassing, and that is where it becomes a criminal matter. Yes, the police were called and were there for a criminal violation.

Chief Bolduc asked if the Selectmen wanted to hear from him on this matter.

Donald Skillings said that he didn't think it would be prudent for this to be discussed in a public forum. He said that the complaint needs to be addressed with Christine Almand, and they will be made aware of that.

Chief Bolduc said that he does not need four officers in order to make an arrest. He was there to try to resolve an issue. That is also why the District Attorney was there. The reason two other state troopers showed up, was because Mr. Shadan called them.

Donald Skillings said that he appreciated what Chief Bolduc was saying...but he does not feel that this is the forum to have that resolution.

### 3. Selectmen's Items

Betty Austin said that today has been a fun day at the polls, although slow with few people coming in to vote.

Darla Pickett said that SparkStart was great at the Community Center. The Spirit of America Award was great that Cara and Christine put together.

Darla Pickett said that she had received a complaint about Glenview Drive. She asked Greg Dore why it was like that.

Greg Dore said that there were some issues with that road when it was built. The sub-base isn't there and the water under the road isn't getting out to the ditches. We fixed part of it last year. We will fix some more this year. We do not have the money to do the whole thing at once. It is a low volume road, so it doesn't take priority.

Soren Siren wished the girls softball team good luck in the playoffs tonight.

Soren Siren asked Greg Dore where we are at with the North Avenue fountain.

Greg Dore said that he hasn't done anything with it. He has not met with Chris. John Lewis was going to bring him a concept of what we could do differently. He has not received that, and he has not called to follow up on it. He is thinking that he can build a frame that can sit inside the fountain.

Paul York thanked Jeff Hewett for the parking lots being kept up. They really look nice. He also asked that something be done with the islands exiting and entering the Municipal Building parking lot. They look awful.

Christine Almand said that she would take care of it.

Darla Pickett said that she was out there with a tissue today, wiping cobwebs off of the doors to the building.

Paul York thanked New Balance for the work they did in town at the Community Center and the schools.

Donald Skillings said that there was an issue brought up to him today regarding voting. The ballots were not fitting in the box. Somebody was physically feeding the ballots in and reading them. People were uncomfortable with that. This is an issue that needs to be addressed. If people do not feel comfortable voting, that is a problem.

Donald Skillings said he doesn't know the legalities or what the best time would be to move wind turbines through town...but he is certain that 3:00 p.m. and 5:00 p.m. are not the best times. Is there any consideration that we can ask, that they not jam up our town at these times.

Chief Bolduc said that we got the schedule a while ago. Their intention is to not be here between 2:00 p.m. and 4:30 p.m. Two weeks ago they had a real mess. Things happen along the way that change that schedule. When that happens the state troopers are supposed to hang back and direct traffic.

Donald Skillings said that Town Meeting went well last night. Ha thanked everyone who came out for that.

He has been asked where we are with the boiler at the Community Center. Have we hired an engineer yet?

Christine Almand said that she talked to an engineer today. She had been waiting for him to get back to her. He will be coming next week.

Donald Skillings said that the building is designated as a shelter. We were elevating our heating needs because of that designation. He said he finds it ironic that a building that is designated as a shelter, does not have a generator. If we lost power we would not have any heat. There is a greater conversation that we need to have about this.

#### 4. Department & Committee Reports

Chief Howard said he has been working with Chief Bickford from the Fairfield Fire Department and Kennebec Community College on a shared fire station located on the Campus in Hinckley. We both feel that our towns could benefit from a station located there. This could also help to draw businesses to that area. We are also working with Clinton and Canaan, as they could also benefit from a station in that area. A partnership between four towns and a college is a very new concept. This has just been brainstorming up until last week. The college has interest in offering a fire science degree program. They are looking at a live-in program. The president of the college made an offer to fund a feasibility study and pay for a grant writer.

Donald Skillings asked if this would be equally staffed by the towns involved.

Chief Howard said that it would be shared staffing.

Donald Skillings said that he doesn't see any harm in exploring an idea, especially since we are not paying for the study or the grant writer. We will get a plethora of information.

**A motion was made by Soren Siren and seconded by Darla Pickett to allow Chief Howard to move forward with a feasibility study and a grant writer for a possible shared fire station.**

**Vote: 5/0**

Recording Time: 29:28

Greg Dore said that they will start milling on Monday on Heselton Street, High Street, Pleasant Street and Norridgewock Avenue. They will come back and shim it, bring everything back up and have the overlay completed in July. Then we can pay the bill and get reimbursed by the State. Then they can come back in August to complete the out-of-town roads.

The truck was ordered today. We should have it for next winter's plowing.

He asked for permission to put traffic cameras out to bid. He received a quote for \$16,000.00. We have loops there now, but they are inconsistent and not very dependable. We have had really good luck with the cameras. When we install cameras the DOT pays half of the cost.

**A motion was made by Betty Austin and seconded by Darla Pickett to allow Greg Dore to go out for bids for traffic cameras.**

**Vote: 5/0**

Brent Dickey said that the contract signing for Phase 3.4 will be on Thursday. They should start in July.

**Consent Agenda:**

1. Approve and sign Minutes for the following:

Regular Selectmen's Meeting                      May 24, 2016

2. Approve the emergency repair at the Elm Street Pump Station not to exceed \$2,136.50 and expend this amount from the Pollution Control Reserve Account, Equipment Maintenance and Repairs Designation. This was previously approved on an emergency basis on May 31, 2016.

**A motion was made by Betty Austin and seconded by Paul York to approve the Consent Agenda as written.**

**Vote: 5/0**

**Regular Agenda:**

1. Discussion regarding a Nepotism Policy.

Donald Skillings said that there is now a full-time firefighter position open in the fire department. Christine Almand's husband would like the opportunity to apply for that position.

Darla Pickett asked about Christine Almand working on union negotiations which would directly benefit her husband.

Christine Almand said that she sees where there could be some conflict of interest or public perception issues. She said she could be taken out of that process.

Darla Pickett said that is her problem with this...we then lose the Town Manager in that process.

Donald Skillings said that he agrees, but he thinks that we are doing this now. With Trisha Austin being an employee of the Town and Darla Pickett (her mother) being a Selectman...we lose Darla Pickett in those discussions.

Darla Pickett said that she does not benefit financially from that.

Donald Skillings said that in a small community we are confronted with these things. It is difficult to lose the person who runs the town in those instances.

Paul York said that we definitely need to have a policy in place. He doesn't think it is fair to say that somebody cannot apply for a position that they are qualified for. The process needs to be done fairly. We need to have a policy in place to handle this. This issue will come up again in a small town.

Donald Skillings said that this job is scored mathematically in three categories. The Chief and the town Manager are not part of that process. There is an agility score, a fire fighting intelligence test, and there is an oral board. The oral board is made up of Chiefs from other towns.

Chief Howard said that each candidate is given numerical scores and is known as a number, not a name throughout the process. No name is matched up to a number until there is a final score.

Donald Skillings asked if rank one was ever skipped because of personality and fit within the department.

Chief Howard said he doesn't have enough history to answer that. Since he has been Chief, he has only participated on one hire.

Donald Skillings said that is his concern. Hypothetically...Christine's husband has ranked number two by numerical value, but based on fit for the department he is offered the job.

Chief Howard said that the only way he could see that happening is if the first candidate failed a pre-employment drug screening or background check. The oral board would be made up of Chief Howard, Chiefs from other fire departments and Trisha Austin. Everyone scores the candidate and then the scores are tallied.

Soren Siren said that it would be a shame if the most qualified person couldn't take a position because of this issue. Chief Howard would be the direct supervisor of this person, not Christine Almand.

Chief Howard said that this position reports to a Captain, the Captain reports to Chief Howard, and Chief Howard reports to the Town Manager.

Darla Pickett said she is worried about how much of Christine Almand we would lose with this. In many small ways she would not be able to do her job.

Soren Siren asked that if there was a human resource issue, wouldn't it go to Trisha Austin before it went o Christine Almand anyway.

Chief Howard said that that is spelled out in the union contract.

Donald Skillings said that this would have to go into every union contract, the employee handbook, and applied to management.

Chief Howard said that the Personnel Policy applied to all employees, union or non-union.

Christine Almand said that the Personnel Policy would be sufficient.

Darla Pickett asked where this language came from.

Christine Almand said that she asked Dave Barrett for language. The language he sent had provisions for the Town Manager to waive the policy. She improvised what he had. This is a draft. She wants to know where the Selectmen want to go with this. Allow it, not allow it, put a policy in place??

Betty Austin said that she thinks we should move forward with this, and have it come back for approval.

Darla Pickett asked of this was for all employees or if this is specific for this instance.

Donald Skillings said that this policy would be for all town departments.

Chief Howard said that he feels that this policy is necessary. He currently has two sets of father and son in his department.

Betty Austin said she would like to see it in the policy that whatever position the relative holds would be skipped in the chain of command. For instance, if Trisha Austin's daughter worked at the Recreation Department and there was a Human Resource issue...it couldn't be brought to Trisha. It would have to go to the Town Manager instead.

**The Selectmen were in favor of moving forward with this policy. Once completed, it will come back before the Selectmen for approval.**

Recording Time: 49:43

2. Discussion and decision to approve Statewide Powers of Arrest for Detective Katelyn Treylino.

Donald Skillings asked why we have this, who else has it and how we go about approving this.

Chief Bolduc said that we have this in place for our Detectives. It is common throughout the state for anybody who works outside of our boundaries for investigations and follow up. It is routine, but it needs the Selectmen's authorization.

**A motion was made by Betty Austin and seconded by Soren Siren to approve Statewide Powers of Arrest for Detective Katelyn Treylino.**

Donald Skillings asked if the Chief had those same powers of arrest.

Chief Bolduc said that he did not.

If officers are involved in a high speed chase, or something similar, because of the hot pursuit they have the authority to arrest anyway. With this approval, if she is interviewing somebody outside of town and has probable cause to arrest, she can do that.

**Vote: 5/0**

3. Discussion and decision to approve the application for Malt, Vinous License for:

Kelly Rossignol  
The Kel-Mat Café  
147 Madison Avenue

**A motion was made by Darla Pickett and seconded by Betty Austin to approve the application for Malt, Vinous License for The Kel-Mat Café.**

**Vote: 5/0**

4. Discussion and decision to expend an amount not to exceed \$650.00 from the Administration Reserve Account, Information Technology Improvements Designation to purchase a high output printer for the Assessor's Office.

**A motion was made by Darla Pickett and seconded by Betty Austin to expend an amount not to exceed \$650.00 from the Administration Reserve Account, Information Technology Improvements Designation to purchase a high output printer for the Assessor's Office.**

**Vote: 5/0**

5. Discussion and decision to expend an amount not to exceed \$1635.39 from the Pollution Control Reserve Account, New Equipment Designation to purchase a Dissolved Oxygen Meter.

**A motion was made by Betty Austin and seconded by Sore Siren to expend an amount not to exceed \$1635.39 from the Pollution Control Reserve Account, New Equipment Designation to purchase a Dissolved Oxygen Meter.**

**Vote: 5/0**

6. Discussion and decision to award the Municipal Building Painting Bid to Newell Graf with a total bid price of \$7,288.00 and expend an amount not to exceed \$6,728.00 from the Municipal Building Reserve Account, Repairs Designation.

**A motion was made by Darla Pickett and seconded by Betty Austin to award the Municipal Building Painting Bid to Newell Graf with a total bid price of \$7,288.00 and expend an amount not to exceed \$6,728.00 from the Municipal Building Reserve Account, Repairs Designation.**

**Vote: 5/0**

7. Discussion and decision to allow Brent Dickey to go out to bid for polymer and sodium hypochlorite for fiscal year 2017.

**A motion was made by Betty Austin and seconded by Soren Siren to allow Brent Dickey to go out to bid for polymer and sodium hypochlorite for fiscal year 2017.**

**Vote: 5/0**

8. Discussion and decision to approve a revision to Change Order #2 for the Aeration and Clarifier Project (changed from -\$12,096.58 to -\$5,696.58).

**A motion was made by Betty Austin and seconded by Paul York to approve a revision to Change Order #2 for the Aeration and Clarifier Project (changed from -\$12,096.58 to -\$5,696.58).**

Brent Dickey said that this was an oversight of Olver and he did not catch it. The \$6,400.00 should have been on the Final Balancing Change Order that the Selectmen approved, but it was left off.

**Vote: 5/0**

9. Discussion and decision to approve the Agreement between the Town of Skowhegan and the American Jr. and Sr. Legion Baseball Leagues and authorize Christine Almand to sign.

**A motion was made by Betty Austin and seconded by Soren Siren to approve the Agreement between the Town of Skowhegan and the American Jr. and Sr. Legion Baseball Leagues and authorize Christine Almand to sign.**

Donald Skillings said he had some questions and concerns about this agreement. He said that he is not trying to limit people using the fields, but he is trying to minimize the Town's expense. This agreement is almost identical to the Cal Ripkin agreement.

The agreement says that they will pay fees when additional field maintenance is requested. Donald Skillings is not aware of any fees in place for this. It also states that they will be responsible for Water and electricity costs. Donald Skillings is not aware that they are being billed for this. He does not believe that this building sits on its own meter. Donald Skillings wanted to know who is responsible for the removal of trash. We would also be responsible for lining that field. The High School takes care of this during their season. We would be giving them authority to use the concession stand. The building is on our property. The Baseball Boosters actually paid for that building, and he believes that they own the contents inside that building. He feels that we should ok it with the Boosters for these groups to use it.

Darla Pickett asked if one of the other concerns was that it wouldn't be just Skowhegan people using it.

Donald Skillings said that the Recreation Facility is open to everyone. We do, however charge fees for people who are not residents of Skowhegan. He just wants to make sure that we are not on the hook to pay for this. There are no fees being recouped for this. We need clarity.

Paul York said that he agrees with the concerns about the concession stand. He also agrees about the fees. He is also not sure how you would bill for power and water. Is that just in there, but not going to happen? Are they just going to be allowed to use the fields and have us fund the costs?

Donald Skillings said that this field was not previously maintained over the summer. It was just mowed. Lining is a fairly regular process for baseball. He assumes it would have to be lined at least twice a week. He is concerned about that expense. He believes that with Cal Ripkin, the Town gets the fees when kids sign up. In this situation, we would not be getting the sign-up fees. He would like to verify that.

Soren Siren hopes that we can continue to welcome people to play baseball here, because we have a great facility. He does understand the concern about the booth. Seeing that Rob Bolduc's signature is on this document makes him feel a little bit better about it. He is one of our baseball coaches.

Darla Pickett asked if we could approve it with stipulations.

Soren Siren said he would be comfortable with that. This needs to be approved so that they can move on with their season.

Christine Almand said that she would be making sure that the communication with the Boosters has taken place. She pointed out that in the agreement it does state that the group using the equipment would be responsible if anything were to happen to it.

Donald Skillings said that we are being asked to sign a document that we cannot enforce.

Darla Pickett said she would not vote for it unless there was a fee schedule in place.

Betty Austin said that Christine Almand could get the answers, and if everyone agrees, she could then sign the agreement.

An amended motion was made by Betty Austin and seconded by Soren Siren to approve the Agreement between the Town of Skowhegan and the American Jr. and Sr. Legion Baseball Leagues and authorize Christine Almand to sign, once the questions asked tonight have been answered.

Vote: 5/0

10. Discussion and decision to approve Pole Location Permits for Central Maine Power to place one pole on Fairview Avenue 95 feet North Westerly of Jones Street and move one pole on Green Street 45 feet south easterly of its current location.

A motion has been made by Paul York and seconded by Soren Siren to approve Pole Location Permits for Central Maine Power to place one pole on Fairview Avenue 95 feet North Westerly of Jones Street and move one pole on Green Street 45 feet south easterly of its current location.

Vote: 5/0

11. Treasurer's Warrants to be approved:

#98	\$	36,522.41 (Payroll #21)
#99	\$	34,306.87 (Payroll #22)
#100	\$	10,358.68 (State Payables)
#101	\$	37,640.95 (Payroll #23)
#102	\$	20,542.71 (State Payables)
#103	\$	<u>1,168,737.35 (FY 2016 Accounts Payables)</u>
<b>Total</b>	<b>\$</b>	<b>1,308,108.97</b>

A motion was made by Betty Austin and seconded by Soren Siren to approve the Treasurer's Warrants as written.

Vote: 5/0

12. Other Business

There was no Other Business.

13. Unfinished Business

- Job Classes/Pay Scale
- Run of River/Economic Development
- Utilizing Outside Services
- Town Charter

14. Sign Documents

**Executive Session:**

1. Executive Session in accordance with M.R.S.A. Title 1 § 405 (6)(A) to discuss a union matter.

**A motion was made by Betty Austin and seconded by Paul York to enter into Executive Session in accordance with M.R.S.A. Title 1 § 405 (6)(A) at 6:42 p.m. to discuss a union matter.**

**Vote: 5/0**

**A motion was made by Betty Austin and seconded by Darla Pickett to exit Executive Session at 7:34 p.m.**

**Vote: 5/0**

Nothing to report.

**Adjourn Selectmen's Meeting.**

Approved and signed on June 28, 2016.

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A True Copy Attest: \_\_\_\_\_  
Cara L. Mason, Executive Secretary