

**TOWN OF SANGERVILLE  
SELECT BOARD  
MEETING MINUTES  
Beginning @ 4:00pm  
Wednesday, April 3, 2024**

**Item 1: Open Meeting: Chair called meeting to order at 4:00 pm, followed by the Pledge of Allegiance.**

- A. Selectpersons Present: Mike Wark (Chair), Dale Gray, and Jody Cabot**
- B. Employees Present: Jeff Libby, Michelle Nichols, Matt Blockler**
- C. Public Present: Wilson Nuite, Dyan McCarthy-Clark, Craig Mitchell, Tanya Mitchell, Thomas Vacchino, Tom Warren, Bruce McNaughton, Ralph McNaughton, Jeff Peters**

**Item 2: Open Session: Limited to 2 Minutes – Extension per Chair:**

- **Time Stamps: 0:38 – 30:05** - Bruce McNaughton voiced his complaints about Phil Kinney closing his own property, so the public is unable to access the town's property. Bruce said that last fall when this was brought up he and several others were told that they weren't going to do anything until spring. He said that spring time hunting starts in three weeks, and he amongst a handful of other people would like to go to that property to participate in the hunting. He wants to know what the town is going to do about Phil Kinney closing his property. Chair Wark said that Phil Kinney had come to see the board, and said that if the town had a need for harvesting wood that's something he would talk to us about. That's all he talked about when he came to them. Chair Wark said he knows that some of the residents abutting his property got letters, working out access arrangements, but the town hasn't gotten anything like that. Bruce McNaughton said that the town of Sangerville is one of the property owners down there, and there are only three property owners who abut Phil Kinney's property. Chair Wark reiterated that the town has not received a letter of any kind. Bruce McNaughton said that he talked to Phil Kinney's attorney, who told him that the town of Sangerville doesn't have claim, access, or use of that road. Chair Wark said that's how it was explained to the board as well. Bruce McNaughton said that he'd like to know on record, what the board is going to do about it. He said that all of us should have access to that property. Chair Wark said that so far the only avenue they are aware of is litigation because Phil Kinney owns the land abutting the town property. The town doesn't have a right to use it, nor does anyone else. Selectperson Gray said that they'd asked Patrick to speak to someone with federal agency that's behind the town's property to see if they've dealt with an issue like this in the past or what our options would be. We can't be the only town that's ever dealt with this issue. There's millions of acres that fall under that same bucket in that same group, so Patrick was supposed to reach out to them to see what is the course of action. The board doesn't know if Patrick ever did. (Patrick did reach out, but wasn't able to finish it due to having to leave his position early.) Bruce McNaughton said that his group contacted Susan Collins' office, and they haven't heard anything back yet. He wants to know if the town is going to defend the town property and access to it. Chair Wark said there's currently nothing budgeted to do that. Bruce McNaughton asked if there was going to be anything budgeted for this? Chair Wark said that they haven't had the town meeting yet, and there's a lot of competition for town funds right now so that hasn't been at the very top of the list. Bruce McNaughton said that Phil Kinney is biding his time, and we don't have a lot of time. Chair Wark asked if he meant for hunting season? Bruce McNaughton said no, if the town doesn't take any action then they're going to get shut out. That's why Phil Kinney has the gate up now. He's depending on nobody doing anything, including Mr. Wilson Nuite. Bruce McNaughton believes that the town should go and do something. Chair Wark said that it's certainly an opinion, but right now to answer his question, there isn't an article for funding for litigation. They haven't even sought an estimate as to what that would cost. Tom Warren said that one of the issues they've been trying to get more information and they understand that the town is going through a lot of transition. The solution he thinks is sitting down with a couple of the residents, and exploring the issue with them. We've gone through multiple times asking for information when that happened, and records from the town. We don't know if the road was officially abandoned or discontinued. It seems like there's an obligation to the town to sit down with the interested citizens that feel they're losing out on access to town property, and we ought to sit down and say what are our options. What do we need to explore? We heard there's no money. Well, that's valued woodland. It can be harvested, and the money can be used to give the town some options. They just want to get on square one, to sit down and have a conversation and explore what our options are. What can we explore? Who can look this up? Who can make this contact? The Department of

Transportation has resources about abandoned and discontinued roads and access. The state just developed a commission to deal with this because they're inundated with these issues. The landowners have gotten a letter from a lawyer. The town hasn't gotten a letter, so the town should call up the lawyer and say look what's happening here, and we need a letter because you're blocking access to our land. Tom Warren said that he believes it's the board to look out for our interests. The town can't just throw up our hands and say we've got too much to do. We've got too many people wanting us to spend money on other things. We just have to explore it, and that's the frustrating point. We've made multiple attempts. I understand the town has been through some transition, but it's like I'll give you a call back or I don't know anything about that. I made an appointment with Patrick, and I went in to meet with him, he was gone. You know it's like, is the town skirting obligations here? I don't think so, but it certainly doesn't smell good. Chair Wark said that if anyone has asked for a document he was unaware if anything has been withheld. We haven't received a letter from Mr. Kinney, so we couldn't give it to them. He asked Jeff Libby if he'd found a date that the road was abandoned. Jeff Libby said he doesn't know how the road was discontinued. It's usually discontinued to summer and winter maintenance. That doesn't mean you abandon the road or don't own it anymore. So we need to find out when it was actually abandoned. In the letter that Mr. Kinney sent to Mr. Nuite said, I think it said 1930 or something it was discontinued. Bruce McNaughton said that nobody knows in fact if it was abandoned. He has a document suggesting that three of the roads over there that the town vote to discontinue, but we don't know for a fact that any action was ever taken. Jeff Libby asked to get back to the letter sent to Mr. Nuite. The lawyer stated that the road was discontinued in 1930. Jeff Libby had some documents that state there was no road discontinuation in 1930. That will take some research for someone to go down to the registry of deeds to see how it was registered, how it was discontinued if it got registered. Jeff Libby also got in contact with the USDA, forestry department. They went through several departments to speak to the deed. The deed says public use, it doesn't say public access. It doesn't mean that the public has the right to go in and out of that land. It's saying the wood can be cut, and that money can be used to do something for the public. You can use the money from the land to buy stuff for the town as a whole, not public access. Tom Warren asked whose interpretation for public use was. Is that a legal interpretation? Jeff Libby said that interpretation was from the USDA. They're the ones that had the deed, they're the ones that gifted the land. Also on that, just because we have abandoned the road or if we didn't doesn't mean we have to give the land back. The land is the town of Sangerville's. Tom Warren said whether its discontinued or abandoned, has implications, so that needs to be determined very specifically. In order to do that, you'd have to look at what's written down on the minutes of record of any meeting that town had about that. Jeff Libby asked if they could find the time date of when that was generated. Chair Wark said he thought we had that, and somebody sent it to us. Selectperson Gray said, we have it. Chair Wark said, what happens if you discontinue a road today, a public easement remains. That's the state law now. Years ago, and I can't tell you the date, it wasn't the case, it reverted to the landowner. If you have a landowner on either side of the road then they both own to the middle of the road, and that's why he (Phil Kinney) bought the other side of the road so now he owns the whole road. But the letter that we received was that at a date precluded the current status. The land would revert to the current owners or abutters. We don't have the documents on hand, but we did see them and someone dug it up. Tom Warren said, That's what's frustrating. Are we able to see that? Chair Wark said, if we can put our hands on it then yes. Tom Warren said, that's one of the issues. Chair Wark said that he thought it was sent to them in an email. Jeff Libby said that Butch Lemieux had been in to see him, and he showed Butch the deed. Bruce McNaughton said that he had the deed with him, and he knows exactly what it says. Jeff Libby said, I think it goes back to 1929, all access and right of ways. Bruce McNaughton cut in and said, No, no, it was proposed three roads over there, the proposal to discontinue started in 37. Jeff Libby asked if he had a copy of everything. Bruce McNaughton said that he had them all right there with him. Jeff Libby asked if he could see what it looks like. Bruce McNaughton said, Not at this moment. Bruce McNaughton said that the problem here is that we're all talking about things we know. He's done a lot of research. I've spoken with his attorney face to face. I've spoken with another real estate attorney. I have another one who is an expert in all this down in Portland, ready to go, and that's why I asked, what has the town done? Has the town purposefully spoken with a real estate attorney that knows this business? Chair Wark said no, the town has not done that. Bruce McNaughton said, is the town going to do that. Chair Wark said, again the town would have to budget for that. We didn't do it this year because we had no funds for that. Going into next year, if that ends up being a priority we will have to budget funds for that. We should probably get an estimate before we would decide what the article would look like, but we didn't have the capacity without a special town meeting to even address that so that's where we're at. Selectperson Gray said, I thought the last time you guys were in here, you had that information. I think it was you two who were going to work

with sharing information with Patrick, what we had, what you had, and come up with something. Tom Warren said, he tried to get with Patrick but Patrick left. I've since followed up, and asked if I could get in and then I was told and I understand. I'm not criticizing, I just was told I'll get back to you and I haven't heard back yet. Can we get together? Can we pull out all the documents that are relevant to the situation and have a conversation on it. Are there any options? What process would we take? It just seems like it's an obligation of the town to see what in the best interest of the townspeople and taxpayers. It's an asset of the town, and I think the town needs to look into every avenue to preserve that access to that land. It's been used for years. There are a lot of options. You guys know, you talked to a lawyer, there are a lot of options to pursue. It might even be sitting down with the land owner to negotiating some type of reasonable agreement or something. What's frustrating is we can't keep kicking the can down the road, and not doing anything. That's why we're here, we just want to have a dialogue, we want to sit down with some folks and discuss it further. Map out whose gonna do what, whose gonna look into what, what options have I made, and I guess it would be nice to leave here with a commitment that the town is willing to do this or enter into a two way dialogue on it. Chair Wark said he would suggest in preparation for the budget that we at least have Jeff Libby reach out to an attorney that's an expert in right of ways and get an estimate as to what it might cost to address this. Then we can decide if we are going to raise the funds or not. Tom Warren said that to him, even if they are doing their own research if they had the facts it would be a lot better. When they are talking to a lawyer, a friend, a contact, etc and they ask well was it abandoned or discontinued, I don't know. What year was it, I don't know. What did the town records for that meeting as recorded say? I don't know. When the Department of Agriculture gave that to the town, were there any stipulations with that? I don't know. So that's where we're at right now? Chair Wark said, the problem with these things is that we learn about them the same time you do. Tom Warren said, it's not a criticism. Selectperson Gray said he seriously thought that's what they did. Tom Warren said that Patrick told him that he had a box full of information and he's reviewed it. Tom Warren asked if he could have a meeting with him to be sure, and then he was gone. He hasn't been able to reestablish that. Jeff Libby said that he hasn't seen the box, but his office is always open and they're more than welcome to come. He can show them the two deeds that he's found because there's two deeds to that property. One deed was different things that we had. Tom Warren said that Patrick told him that there was a box in the old town office under the stairs or something. Jeff Libby said that he'd been in that section of the old town office, and hadn't seen a box. Tom Warren asked what are the people trying to hide here? Why would you say that if it doesn't exist? It would be a help if he could meet with Jeff Libby. Jeff Libby said he's going to be straight with Tom Warren, and he's going to just tell him the straight facts. He's said that to a whole bunch of people. He's not going to take sides, and anything that all of us can get together and do that don't cost us money, great. We can all take a part, and do something on our time. That's a reasonable offer, he thinks. Tom Warren said, what he's hearing is that they can sit down with Jeff Libby and discuss the whole issue. Chair Wark said there is a document that addresses the date. He knows it was emailed to the board., which if it is, he can still find it. He doesn't know whether it said discontinuance or abandonment but he just remembered reading it and saying, well that date precedes the current status. So he understood the argument Phil Kinney's attorney was making. Bruce McNaughton said that Phil Kinney's attorney talked him, he was a nice guy and they had a good meeting. However, he's advocating for his client, so the town of Sangerville needs somebody to advocate for the town of Sangerville. Chair Wark said sure, but the town of Sangerville needs to know what that entails financially. Selectperson Cabot said, we can't hire an attorney with open end, let's gith this to the end. Tom Warren said, no, there's two avenues, one is seeking an easement through the described easement and the other one is eminent domain. That's the cleanest route, right there. Chair Wark said, you know more than I do. I don't know either one of those. Tom Warren said, that's why we need to explore some of those and if that's the potential then the town must have someone legal, someone on retainer to ask a question, hey, here's the issue. What are our options? What do we do next? What do we need to find out, without it costing? Chair Wark said real estate is pretty specialized. Selectperson Cabot said, it is. Selectperson Gray said that's one thing they've learned, is that most of our resources are specialized. Yes, we do have a couple attorneys out there that we use, but as far as MMA (Maine Municipal Association) when you get into a lot of these type of questions when you ask MMA they're almost going to guarantee that you speak with your town's attorney about that case. Then if you talk to our attorney, our attorney from what he's gathered isn't specialized in that. You'd be better off to find one. Bruce McNaughton said he has one. Selectperson Gray said, that would be very useful. Bruce McNaughton said that he was recommended by the lawyer that he found and dealt with whose very good in real estate and deals with this sort of thing all the time. Bruce McNaughton said that the money issue is that the town land hasn't been cut in over 30 years. The last time it was cut, it was just the junk wood that was cut. There's all kinds of

money just sitting there. Ralph McNaughton said that Mr. Wilson Nuite has lived there his whole life as most of them know, and that's going to be part of the precedent because he's lived there and utilized that his whole life. You know as some of us have too. So when somebody comes in and buys it up, and all of a sudden there's a gate on it. When you set a precedence it pretty much says it right there. Jeff Libby asked if that was for the fields? Ralph McNaughton said, yes. Jeff Libby asked Mr. Wilson Nuite, did you get a letter saying you could use the fields? Tom Warren answered, yes, he did stipulating how many times you can use it. Mr. Wilson Nuite said, he said I can cut it twice a year, and thinks he's being generous in letting me do it. Jeff Libby asked, "Twice a year?" Bruce McNaughton said that the stipulations for twice a year is absolutely wrong. Multiple people are voicing their disagreement with the stipulations given to Mr. Wilson Nuite via the letter. Bruce McNaughton said that whoever gave Phil Kinney the ok to put up a fence down there, they had no business doing that. Chair Wark said that no one gave him the go ahead. You don't need a permit to put it up. Bruce McNaughton said that Patrick met with him, and shortly after that the gate went up, as well as a mailbox that's on town property or cemetery property. Chair Wark said that they don't issue permits for gates and that he never got permission from the town to put it up. Bruce McNaughton said that by putting up the gate without permission, Phil Kinney was testing to see what he could get away with. Chair Wark reiterated that Phil Kinney didn't get permission from the town. Bruce McNaughton said, I think you'll find that Patrick walked away from it all. Chair Wark said that as far as other land owners, what we addressed isn't necessarily going to address their property. Tom Warren said, that's not necessarily so. If the town reestablished access to their land that would mean Wilson could travel that route to get to his land as well. Chair Wark said, maybe. Selectperson Gray said, not necessarily. Tom Warren said, well, he'd probably have a better chance than anybody else because its his land. You can't just put a gate and tell people you can't access your land. Chair Wark said it seems that way, and he's exactly right, but you still gotta win. Tom Warren said, I know, but there's a lot of ways to get to that point if in fact we've got to bring it before a court of law and pay a lawyer. There's a lot of options and a lot of research we need to do, including up to what would it take financially? Maybe logging the property would generate enough revenue to support it and it would be a good cause for the town. Who knows, but we have to explore some of these things and take some action and take some steps. We just can't get to the next step it seems, and we're stuck and a meeting with them or with a committee and form a game plan will be beneficial and the right thing to do for the town. Chair Wark asked, does it seem reasonable that the first step is to figure out what this endeavor might cost, so then we can seek the funds to do that. Tom Warren said, yeah there's a bit of the cart before the horse, you know you got to collect all your facts. Chair Wark said, You're not going to talk to an attorney very much without money. Tom Warren said, yeah, it wouldn't hurt, sure. Selectperson Cabot said, Tom, what you're saying is you're having trouble just gathering all of the historical information about that road. Tom Warren said, he's gone to a number of resources called the department of transportation, talked to the state, talked to Senator Collins' office, and he gets a fair amount of questions he doesn't have the answers to because he can't get access to the info so that is the first step, yes that would be helpful in the process. Selectperson Cabot said, it is a certain skill to be able to do that research, just sitting there and digging through and reading document after document. The board isn't standing in the way of anybody doing that and it just depends on money and Jeff Libby working on it. Bruce McNaughton said that he and Tom Warren will do the research, they just need access to the paperwork. Selectperson Cabot said, we just have to put our hands on it, I guess. 1939 is what they're talking about, she thinks. Bruce McNaughton said he can give Jeff Libby the information. Tom Warren said, the best bet would be just to contact Jeff Libby and make an appointment or something. Jeff Libby said, anytime just walk in day unless something comes up, but not much usually happens after two. He works full-time Guilford as well. Bruce McNaughton clarified, so you're there after 2pm? Jeff Libby replied, yes. Jeff Libby said, if they can have a time frame, roughly what they're looking for, where they're looking, and there's some local people they can talk to. Tom Goulette, whose been involved in real estate for a long time. He could tell them a lot of stuff. Tom Warren asked, is there any mechanism for the town to connect with other towns across the state and say have you dealt with an issue similar to this, sometimes you can learn a lot from people. Selectperson Cabot said, every situation that she's found because she has a situation on her own road that she owns, every town is different. Every story for these roads is different, and so they're kind of them. You'd be really lucky to happen upon the same situation. She's spent a lot of money with an attorney to straighten it out and to get everybody on the same page. Chair Wark said we had an issue on the Grant Road, it goes to an apartment and a landowner put up a gate and someone was being denied access wanted the town to take down the gate. The board talked to the attorneys and it's really thorny. You start tearing down people's gates, you can't do that. You can do it, but you're going to get in a lot of trouble. They ended up working something out, but in that case there actually was a public easement that remained. Even in that case the

board was advised, don't be tearing down gates. Let the two parties work out what they're going to work out, and they eventually did figure it out. Chair Wark in his research found examples where a judge said, yes you have access, but it doesn't mean you have access with a truck or you might have to walk in there. Those kind of solutions seem crazy, but there are examples of it. Tom Warren said, we might not like the end result, but we've got to do our best to explore our options, and that's what we really want to ask the town to commit to is moving this ahead and working on it. Chair Wark said, he if there's an article they'll have to vote on it, but they'll get an estimate as to what it would realistically cost to start this challenge. They'll get the number, and decide is it worth going in that direction or not. Tom Warren said, also just asking what options are there? What are they fighting for? Selectperson Gray said, That's just it because if the verbiage that way that person he was talking to if that was actually the case, yeah we probably already have that now without doing anything. The town could get an agreement with him to be able to harvest the wood off that property from his understanding from what Phil Kinney said to the board. Tom Warren said, yeah it's the fact that he's telling the town they can't. Chair Wark explained that Phil Kinney believes that he owns the land and can dictate who travels on it. Others believe that he's wrong., but that's what he believes. Tom Warren said, and a lawyer will help with that. , but his core belief is that he can't believe there's any way that he can decide whether the town can get revenue off of their wood lot, if that's an option the town wants to pursue or even that any towns. Selectperson Gray said, well, that's not what he's saying. Phil Kinney clearly said there wouldn't be an issue for the town to access the wood lot. He wouldn't block the town from going in to harvest wood. Chair Wark said that Phil Kinney said specifically what he was opposed to was the populace having access because the way it has been, you didn't have to be a Sangerville resident, anybody could go in there, and he said he's not doing that. Tom Warren said, looking at the documentation from the federal government from the Department of Agriculture, he believes gave that land to the town, is there any language in that agreement or that paperwork that says this is part of the deal? The town can have the land, but you've got to maintain access to the citizens of the town, he doesn't know. Selectperson Gray said, that's what Phil Kinney is saying, that there isn't for the citizens of the town. Tom Warren asked, whose opinion is that? Is that a legal opinion? Jeff Libby said, the biggest thing is, the deed speaks for itself, yeah always going to that, no matter what the deed speaks for itself no matter what he says, he said the deed speaks for itself and the question is how did that road and when did that road or if the road got discontinued? What does abandonment mean? Does it mean just non-maintenance? Does it mean you lose your access, he doesn't know. Tom Warren said what it means is you don't lose access, he believes. He'd have to look back on that. Chair Wark asked, if there was anything further they'd like to add. Bruce McNaughton said, no if they can have access to the records, he and Tom will come in and figure something out. That would be helpful and they would appreciate it. Chair Wark said they will get a number, and an expert somewhere. Bruce McNaughton said he could give the expert to Jeff Libby as well.

- **Time Stamps: 30:06 – 35:43** - Craig Mitchell has another topic to discuss. He'd like to know what the town is doing about the enforcement of the property maintenance at 1035 North Dexter Road. Chair Wark said he sees legal bills going through. Is that fair to say? Selectperson Cabot said yes. Selectperson Gray said, that is fair to say. Chair Wark said, yes, there are. Craig Mitchell said that he heard that on December 21<sup>st</sup> of last year, this is three months later. Chair Wark said he's been signing outgoing checks. Craig Mitchell asked, has it been filed with the county in the courthouse? Chair Wark asked if someone on the board, or staff knew? Michelle apologized because she forgot to add it to the agenda. Jeff Libby said that after Craig Mitchell came in, he made some phone calls, and talked to code enforcement. It's in the hands of the court. Craig Mitchell clarified, it has been filed? Jeff Libby said, yes, it's going to be served. We're waiting for the court. Craig Mitchell said, well the ordinance has been in effect since October of 2021. It's 2 and a half years on the ordinance, the property is worse than it's ever been. It's affecting his business across the street. Many people don't realize it's a business because they're too mesmerized with junk that's literally on State Route 23. Chair Wark said, he's in the breakdown lane now. Craig Mitchell said that there are 12 vehicles he can view visually , none of them are registered, most of them have attached plates that get driven up and down the road. There are burnout marks in front of his business, not from him. People will not drop their cars off at his business now because of the garbage. He has to pick up the trash in his yard that blows over from the offending property. It's ridiculous! This ordinance is supposed to stop that, it's been two and a half years. Where has it failed? Show him why it failed. Chair Wark said, they all agree with him. Craig Mitchell said, that the owner of said property is supposed to be fined, is he being fined right now as per the ordinance. Chair Wark said, he thinks the meter is running. Jeff Libby said that the code enforcement officer has gone to his full extent of what he can do. He has filed it with the court, and now it's just waiting for a date. Craig Mitchell asked, is he being fined right now as per the ordinance? Jeff Libby said, it's

gone to the court. Craig Mitchell said, the Court's not fining him, the town ordinance fines him. Jeff Libby said, it's gone to court. Craig Mitchell said, there's some revenue right there, you need revenue for other stuff. Chair Wark said, you have to collect it. Craig Mitchell said, when the owner of that property needs money he loads up his truck with junk like he did today and he goes down to the scrap yard. Chair Wark said, right, but he's not bringing that money to us. Craig Mitchell said he brought it in once with some colorful language, at one point he did. Chair Wark said that they're all in his corner. Craig Mitchell said he's losing money, and he intends to recoup his money if nothing is done. The domestic abuse and violence that goes on across the street and the gunshots is ridiculous. There's much more that goes on than just a property maintenance issue. Craig Mitchell said he had a Sheriff at his house today, talked to him, and they're quite well aware of who lives across the street and what he does. Craig Mitchell thinks its going to take some people getting together about the maintenance issues, the lack of power there's no power there. The property should be condemned, but you just drive by, go, oh that's a mess and keep going. It's the town of Sangerville. Do you like the town, he does. That's why he moved here. When he saw that the ordinance was in place, there was a little bit of junk around the house, he thought good they're going to do something. Nothing. It's gotten worse and worse and worse. The stink from that house is ridiculous. That's all he has to say. Selectperson Gray said based on some of the things that Craig Mitchell told them, he would be on speed dial with the Sheriff's office. Craig Mitchell said that he called the other day when the owner was outside, beating his girlfriend, and an hour and a half later, the Sheriff's office called back and said they were tied up. They can't even count on the police in this instance. He hasn't seen a state police officer in a long time, and doesn't know if they even patrol anymore. He will wait to see if the owner of that property gets served. Chair Wark said he thinks he's been served. Jeff Libby said he has been served. Craig Mitchell said he made no effort. Chair Wark said, the problem is that he doesn't have much to lose. Craig Mitchell said that the generator runs all night because he doesn't have power to that place.

- **Time Stamps: 33:49 – 34:05** – Dyan McCarthy Clark had a topic to address with the board. She got a message at 3:30pm that she was invited to the select board meeting, and doesn't know if she's on the agenda. Chair Wark asked if she didn't mind staying they'd get to her, and her letter. Dyan said, ok.

### **Item 3: Approval of the Minutes: Select Board Meeting 03/20/2024 and 03/27/2024**

**Time Stamps: 35:44- 35:46** - The board signed the minutes.

### **Item 4: Review of Treasurer's Warrants**

#### **A. Payroll: #20, #21**

**Time Stamps: 35:47 – 35:55** - Selectperson Cabot made a motion to approve those, Chair Wark 2<sup>nd</sup>. All in favor.

#### **B. Accounts Payable: #22**

**Time Stamps: 35:56 – 36:00** - Selectperson Cabot made a motion to approve a as read, Chair Wark 2<sup>nd</sup>. All in favor.

### **Item 5: Old Business:**

**Time Stamps: 36:01- 36:09** – None

### **Item 6: New Business:**

#### **A. 30 Day lien notices mailed on 4/1/24**

**Time Stamps: 36:10 – 36:44** - 103 lien notices were sent out via certified mail. We're starting to get some payments back from those. May 1<sup>st</sup>, 2024, they will go to lien. These are for 2023 unpaid taxes.

#### **B. Gerald Peters resigned and Blaine Nuite now chairman of planning board.**

**Time Stamps: 36:25 – 36:38** - The planning board came in, and Gerald Peters has resigned, and they have appointed Blaine Nuite as the new chairman of the board.

#### **C.**

**Time Stamps: 45:03 – 2:11:30 – Dyan McCarthy-Clark:** Chair Wark asked if Dyan was ready. She replied that she was. Chair Wark announced that Dyan McCarthy-Clark is present. He said that Dyan has submitted a letter for consideration in the town report. It's kind of a position paper from the Ad-Hoc town hall committee. Dyan replied, yes, that they were contacted and invited to give a report. Chair Wark said, ok, does anybody want to start with this or? Selectperson Cabot said, well, go ahead Mike. Chair Wark said, There's a couple of things here, One that really caught his eye was, midway through the report it said, "We figured we thought that if the board thought the number was

affordable, we should use the same number”, and you’re referencing your request for \$440,00 worth of town funds to do this renovation of the old town hall. That strikes Chair Wark as very glib. The board’s \$440,000 was based on an engineering proposal and analysis for a particular job, a job that if finished was probably going to set the town up for the next 100 years. It was a specific job, it has no correlation to this job, and yet it’s the entire underpinning that use for your requests. It just seems very disjointed. Dyan McCarthy-Clark said, it was a number that the committee felt was going to be a fair target, considering at the special town meeting in December that same number had been approached with the board’s article for building a new town office, using surplus funds, and we just thought as a group that that number if the board thought \$440,000 was available from surplus funds for a new town office then maybe we should start with that same figure. It’s not meant to be glib, it’s just an explanation that this is how we came up with that number, you came up with that \$440,000 based on whatever it was that you based it on, and we just thought that we would go with that same number as we move forward with our findings. Chair Wark said, but it’s like saying, we’re going to ask for \$180,000 because that’s what the town pays for snowplowing. They don’t have anything to do with each other. Selectperson Cabot said that they are two completely different things. Dyan McCarthy-Clark reminded the board that she was just there because the board had invited her to attend this meeting. That number was something that as a committee at that point, more than 18 people made an agreement that it was a reasonable number to target, and it was based on the figure from the special town meeting article. That’s all there is. Do you know how do we come up with that number because the selectboard came up with that number, whether you got it through engineering reports or a dart at a target. It didn’t make any difference to the committee, they didn’t know. Chair Wark said that Dyan McCarthy-Clark actually did know because she was part of that project with them. Dyan McCarthy-Clark said, here’s the board’s number and we’re just going to use that number as a realistic number when we asked for surplus funds for our article. That’s all it is. Selectperson Gray said, when he reads that he honestly read that as the first thing he was really disappointed because the number one view from that special meeting and from a lot of people on that committee and the reason why they voted down our new town office is because they want a real number, as far as to repair the old building. What’s it going to cost? Dyan McCarthy-Clark said, they wanted details. Selectperson Gray interrupted, yes, but they wanted a real number, and that number is far from a real number. Dyan McCarthy-Clark said, based on the estimates that they’ve gotten so far, it is within, she’d say the realm of a real number based on the things that they’ve been able to get from reputable contractors and reputable companies that is looking like it is a valid number to work toward. Selectperson Cabot interrupted, and based on engineering and you’ve got an engineer whose. Dyan McCarthy-Clark continued, We’ve gone with companies based on the recommendations of MMA, the insurance report that they gave the town that showed the violations that they said we can’t in good faith insure the town hall because of these concerns. We took those concerns as the basis for finding out what would it cost for concern one, what would it cost for concern two, what would it cost for concern three? We went very simply, on this is what MMA says that they can’t insure the building for. Let’s see what it would cost to correct those issues, so that insurance could be found again. Dyan McCarthy-Clark finds this frustrating piece that we’re talking about this, and she understands that the board is also going to find this frustrating as well because you feel you’ve done all your homework and checked all the boxes and you have made a decision that the town hall is not a viable option for the town office and continued monies to be put into it. The committee wants the town to have an opportunity to make a decision on their own, and what the committee did is they based it on the figures they have been able to get. That were a result of going down the MMA list. It’s frustrating, she understands that they are in complete opposite viewpoints of what should be done with the town hall. She understands that because the board feels frustrated because they feel that they have done due diligence to come up with a decision of what the town hall and its future should be. The committee takes another view and the committee feels as though they too are doing due diligence. Chair Wark said, that the committee’s letter maps out all the steps. He asked if it turned out that the proposal they have could demonstrated to be impossible or false. Dyan McCarthy-Clark asked for clarification on what he meant by false. Chair Wark explained, in other words, the committee’s intention is to do these repairs in this way and then the town office operations will be brought back in because we’ll have insurance and then the next step and the next step. If the committee knew that they couldn’t do this, would you still pursue this? Would you still try to get this passed? Dyan McCarthy-Clark asked, is this where you are going to insert that you have had some engineers come into the building and take a look. Chair Wark said, no, you already know this. Selectperson Gray said, there is no frustration for him because the committee has a different opinion. Whether or not their opinion is to fix the building and his opinion is to build a new one, he’s not frustrated by that. He’s frustrated with is that he wants to see a real number that the citizens can make a decision. That’s the frustrating part when he reads that. Dyan McCarthy-Clark said the real numbers are on the second half of the page. Those are the numbers that have been found so far. Dennis Campbell has done work to contact people who can give them solid figures, and he was able to get into the building with Patrick and the contractor for the company and come up with real solid estimates on what each of the jobs would entail. They do have missing figures

because after Patrick left, they were no longer able to have access to the building to bring in other people in order to get the rest of the figures. What she's frustrated by is that it's such a struggle for citizens to try and get something on the town warrant, so that a vote can be had. The whole purpose of this is just to allow the people of the town to have a vote. It's just a struggle. Chair Wark said, they will be on the warrant because they were able to get their signatures. It's also really important that what ends up on the warrant is a reflection of reality and it's true. He's not talking about an opinion, he's saying, if you knew hypothetically that if you did all these that you were still not going to get insurance, would you promote this, if you knew for sure that this remedy you've mapped out wasn't going to get the insurance back, would you still support that? Dyan McCarthy-Clark said that she can't talk for everyone because she's not the committee. Jeff Peters said he would like to speak to that. Chair Wark said, to let him finish first because Jeff Libby reached out to MMA, the person in charge of risk management, the person whose in charge of this report. He got a reply back that said, "For MMA to consider placing coverage on this building we will need a copy of a licensed engineer's report, and a sign off from him or her that all engineering recommendations have been satisfactorily completed. This is the same information given to Lance Johnson on 3/15/24, so Lance knows this, that means you guys know this. You know that unless all of the things in this report, and he doesn't say you can just do the basement or you can just do the third floor. He said everything. Lance knows this, which means you know this. You're not going to get the insurance back if you do everything on your list. MMA has just told you this. His question is, are you still going to promote this when you know that the assertion that you're making isn't going to happen? Dyan McCarthy-Clark asked Jeff Peters if he wanted to speak. Chair Wark asked the same question again. Jeff Peters said, let's regroup. He said that Chair Wark said that the committee's numbers are not researched. Selectperson Gray said, he didn't think they said that they weren't researched. Jeff Peters said that they said the committee wasn't bringing a realistic number to the table. Chair Wark said, referencing the board's \$440,000 was not. It has nothing to do with the committee's project. Jeff Peters said that it has a lot to do with that project. Two selectboard meetings ago, the committee asked for access to finish the quotes so it would be ready for town meeting in front of the people. He said the board denied them access and he said the board is chastising the committee for not having a real number. The board has the ability to grant or deny access, which they denied. Chair Wark said that it was at the recommendation of their attorney. Selectperson Gray said that the committee had already had the \$440,000 long before they had any numbers. Chair Wark said committee hasn't even spent that number because it was a number based on something that has nothing to do with the committee project. Jeff Peters said that the board's presentation on a new town office, the question was asked where is the money going to come from. Jeff Peters said that the board responded at that meeting was they have that money in reserve and they wouldn't need to borrow that money. In the committee's opinion, it was in reserve because the town or the board has neglected the buildings. If that money in reserve had been put into maintenance then we wouldn't be here. Chair Wark said the old town hall building wasn't neglected because they spent hundreds of thousands on that one. Jeff Peters said that hasn't been since 2019. Chair Wark said they've spent half a million dollars in the last twenty years on that building and it didn't work. The board and Jeff Peters had this conversation a few weeks ago. Selectperson Cabot said in regard to the special meeting, that number and perhaps no one understood it. All they were asking at that meeting was to have permission to go after congressional spending. Jeff Peters asked why they didn't write that one the warrant when they put that in front of the town's people? (Please check the minutes for the December 16<sup>th</sup>, 2023 on the website to confirm that this was on the article on the warrant). Chair Wark said that Dyan McCarthy-Clark knows the answer, that if you just ask for money you're not going to get it. You have to commit to the project just like other towns do. If you say, can we have a bucket of money they won't give it to you, and you're not very likely to get it. It was worded in that way. Chair Wark said that Lance Johnson told the committee that they needed to do this in order to get the insurance back and the committee is making the assertion that the town will get the insurance back and they know they will not. Chair Wark's question is, should the committee be doing that? Jeff Peters said that Lance's interpretation was that the repairs it was called out for by the insurance company which they were told originally that they lost the insurance and that wasn't the case. They never lost insurance on that building, Jeff Peters said. He also said that three town meetings ago, the select board asked for some discretionary spending money of \$10,000 and then after the meeting, rented a space and moved the town office out of the old building. Selectperson Gray said that that wasn't true, and that Jeff Peters is making things up. Jeff Peters said no he is not. Chair Wark asked for clarification, does the committee still think they could be in the old building? Jeff Peters said that if we had no moved out of that building they could approach this project as maintenance and maintain the insurance. Chair Wark asked, the whole liability insurance being pulled, we made that up? Jeff Peters said they didn't pull the insurance. Chair Wark said they have liability insurance because the town office agreed to leave the old building. If we didn't leave they were going to discontinue our liability insurance. It's no wonder you're so frustrated, you actually think we orchestrated the move. Selectperson Cabot said that they kicked the can down because of Covid because they would've had to move sooner, and they said well at least with Covid they were kicking the can down the road because



the insurance company was giving them the leeway to stay there. Jeff Peters said, so one of the words you guys use often is transparency, and he's here to tell you as a citizen trying to accomplish something as a citizen transparency is not a thing with you guys. Chair Wark asked if Jeff Peters could give them an example of where the board was lacking transparency. Jeff Peters said, so in their meetings in the town hall meetings before it turned into the town hall committee about what to do with the town office back in the fall, he asked the insurance question once, the second time he asked the question Jodi gave Jeff Peters an answer that the insurance was indeed not cancelled. Selectperson Cabot asked, "What?" Jeff Peters continued, he asked that question multiple times. Chair Wark said, it wasn't cancelled. Selectperson Gray said they've talked about this repeatedly in many different meetings. Chair Wark said they avoided it being cancelled by being compliant. The insurance company told them that if the building was open for day to day business then the town office was going to lose its insurance. Selectperson Gray clarified, that we would've lost all insurance. Chair Wark said that we complied, so it wasn't cancelled, but that doesn't mean we could've stayed there. Jeff Peters said, this is what he's trying to say. The board implied, and made a decision for the town. Chair Wark said, they didn't have a choice. Selectperson Gray asked, how can a town have people in a building with no insurance on it, no liability? Jeff Peters said, that the town needed to make a collective decision together instead of just moving the town office out of the old building. The board reiterates that they had no choice. Jeff Peters said this goes back to transparency. The board said they told him that. Jeff Peters said, no they never told him that. Chair Wark told Jeff Peters that it was in the town report. Jeff Peters said that they told him that the liability insurance was cancelled, and when he did his homework it was not. The decision to move out of the old town office was made by the board and not the citizens of this town. That is a fact. Dyan McCarthy-Clark said, this isn't getting us anywhere. Chair Wark said, that it's pretty productive. Dyan McCarthy-Clark said there are two different perspectives. The board said there are not two different perspectives. Chair Wark said, he thinks it's great to get this on the record. Dyan McCarthy-Clark would like to return to the board's concern that MMA has said that they would need to have an engineer's clearance on anything that was taking place. She wants to know what the board thinks the cost of an engineer coming in after repairs were done. Selectperson Cabot said that you have to have the engineers in first to map out exactly what the process of all of the repairs are going to be done in that building and because it's a multistory building. You might have to start with sagging balconies before you can even do anything else. You have to have a comprehensive engineering study of the building. Dyan McCarthy-Clark said, she doesn't understand why they unless regulations have changed. She doesn't understand why that has to be the first step. How much would it cost for an engineer to do the work that the board said needs to be done? Chair Wark said it would be \$75,000. Dyan McCarthy-Clark said, the way it's working now, according to the budget as we see it, and that budget it does include a couple of things that were not on the MMA agenda, like paving the parking lot or painting or whatever. We still had \$130,000 that hadn't been earmarked for the renovations that MMA report had asked for. Selectperson Gray said, an engineer's plan may not allow for some of the contractors the committee has chosen. Things may have to be done at a certain level, and it needs to be a certain contractor. You may not be able to just pick and choose who's going to do this because it's his name at the end of it that's got to sign off on this that says that's fixed and fixed properly. Ralph McNaughton said, you need to have engineer's in the beginning because they do the layout, they do the design, and they're also going to be the ones inspecting the work. As far as you just said there, you can't pick anybody, you have to pick people that are confident to do the job. He's not up to date on all that's been going on, but he does know that you do need an engineer in the beginning and at the end. Then the ones that are driving the school bus if you can get it to that point, but you can't get it to that point unless you have access to the building to complete an actual, physical number. Chair Wark said, they started with the foundation, and they got an engineering report for that, and the latest updated number, now it only addresses one item in this packet. It's just the foundation, and some damage to the first floor, that was \$600,000. That was his estimate. We haven't addressed anything else that's in that packet. So we had an estimate of \$600,000, so we started looking at other alternatives like a congressionally funded building that would only cost us \$60,000, those were the kinds of things we started looking at. We didn't even do a full analysis, we just did the foundation and the damage of the first floor and that's what the engineering firm came up with. If we followed their advice and we did the job the way they said it should be done, they would come back and they would sign off and say this has been done up to our engineering standards and probably MMA would be happy with that part of it, but it doesn't address all the other things in this packet. We also never got numbers for the balconies or all the other things, so we just stopped at \$600,000, but we could do that. Jeff Peters said, he never saw it. Chair Wark said, it's in the town report. The board can't understand why Jeff Peters keeps saying these things when the information is in the town report. Selectperson Cabot said to Dyan, in regard to an engineering report, she wanted to point out that the work that was done on the building twenty years ago, there was a full plan, and it wasn't followed. Dyan McCarthy-Clark said that the actions of that time had nothing to do with a committee that was in effect at the time, but the board and the town manager at the time. It had nothing to do with a citizens committee disregarding the engineering report. Selectperson

Cabot said, the danger of not following an engineer's report, and a comprehensive plan for the building is, for example, all the work that was done, that's how you lost access to the second story because by doing all of that ADA work, big wide doors, big bathrooms, turn around the wheelchair. Because that was brought up to ADA compliance on the first story, the town lost the use of the second story. Chair Wark said, once you spend enough money you have to be compliant. Selectperson Cabot said, you have to be compliant throughout the entire building. Dyan McCarthy Clark said, the plan had been and this was over a long period of time was to have a reserve account, that every year the town contributed to so they could get an elevator. In the community room, there's a nook, and that was along with some of the space in the hall was going to be for an elevator. That money was a sizeable chunk of money, ended up being reallocated for a sprinkler system, and it knocked the feet out from getting ADA compliance for the second floor for the next phase of the renovation. Chair Wark said, that was lucky. If they had put hundreds of thousands into renovating the second floor of the building, the foundation still would've failed and they'd have an even greater monetary loss today. Dyan McCarthy-Clark said that she sees their point, and understands the concern with the engineering report. Chair Wark said, it's actually MMA's concern. Dyan McCarthy-Clark said she understands that, but based on a very dedicated group of citizens, trying their best to come up with a solution, which includes facts that are backed by people who know what they're doing. They're not just getting some random person, they're talking about some very reputable companies who have come in and made some good estimates she would say. Dennis has done his work, and he's not just going to bring in so and so. He's got some good people who've done the work, the whole purpose is to get it so the townspeople have some say in what happens to the building. She said she understands her point, but she's saying as a citizen's committee, they've done their best to do the best they can, and they've done what they can do. Chair Wark said, it's just facts. Dyan McCarthy-Clark said that that's the kind of stuff that the board can bring up at the town meeting when the article comes up. You can express your opinion about the need for, not an opinion, but you can express the need for a viable engineer's report to guide what's going on. We have information we can share too, but the point is this, I guess what I'm saying is defending that an entire committee put together. Chair Wark said, Well, this is your letter that's all. Dyan McCarthy-Clark said, that she's one person. She didn't write that whole thing by herself, granted the board knows her writing style. She got input from others as she wrote it, and they tried to make the letter as factual as possible without pointing fingers at anybody, this is what the committee did, this is how they did it, and this is why they're doing it, and the whole purpose of it is to get it so that people can vote on whether or not they want to put effort into restoring the building. Chair Wark said, if you're telling people they vote for this this is what's going to happen is XYZ, but we know it's not because MMA is saying, it won't that's not a matter of opinion. MMA is not going to give the insurance back, so it begs the question, what do you really want? They won't get back into that building with liability insurance if you follow this plan, so what's really the end game? Jeff Peters asked, how would they know that, Mike? Chair Wark said, because MMA has specifically addressed it. Jeff Peters said, you as selectman. The board said, no Lance Johnson also got this same information when he spoke to MMA. Jeff Peters said, let's rewind a second, what he wanted to make for a point. Ralph McNaughton stepped in to ask, he asked if he could see the sheet with the violations that the board held. The board said yes, and let him take a look. Chair Wark said that this was in response to a question that Jeff Libby asked. Jeff Libby said, he would tell them how he got to that. He called MMA on some clarifications of the insurance and everything on the building, and never got a response He called again, never got a response. Finally he was able to get hold of somebody else at MMA that passed him on to a gentleman who said that they gave that information to Lance Johnson, two weeks ago. He said, we thought we had your answer, and so that's what he said. Jeff Libby said, can you send me something, and that's what he sent Jeff Libby. Ralph McNaughton said, clearly the committee thinks if you bring that up to the deficiencies take care of it, the insurance will be restored, you go on with life. Chair Wark said, you need to realize that Lance Johnson is one of the committee members, so they already know all of this, so that's the point. Ralph McNaughton said, so you're saying that if all of that is corrected, they can insure that building? Chair Wark said, correct and Lance knows it. Selectperson Gray said, Jeff Peters also knows because he was in the building with Selectperson Gray, the old town manager when the engineers were there, and they had this conversation, as long as it's a municipal owned building and you start messing with the floor and things start changing, it's no longer just the floor because now you're into the walls, you're starting into the walls, now you've got to finish the walls. He actually told the three of them that once you start this project, it's going to keep extrapolating to more and more to bring to code. Chair Wark said, and that's why we talked about a non-profit. Everyone agreed in November that the two building solution was the only thing that made sense because a non-profit isn't held to the same standards as a tier-one municipal building. Jeff Peters knew that, the engineers explained it to them, and they all agreed on it, and now the committee is promoting a false reality. That's not a difference of opinion, so again if you get this money is basically spend as much of it as you can and then make the non-profit so you get the building for free and the free money, is that it? Dyan McCarthy-Clark said, no, absolutely not. Chair Wark said there's no other explanation for this because they know that we're not getting back in

there if we piece-meal this, and your proposal is a piece-meal. Ralph McNaughton said, they will consider insuring the building as long as the engineer signs off. Chair Wark said, you need an engineer to get in and get out. Selectperson Gray said, an engineer won't sign off until everything is done. Ralph McNaughton said, you've got to get insured. The board said, that's the whole goal, but you have to play by the rules. You have to complete all of those highlighted deficiencies and fix them all according to an engineer. Selectperson Cabot said it's frustrating because they've been talking about this all along, and thought the committee was going in that direction, but that's not what you did. Chair Wark said, the scary thing is, if you get enough hands raised in favor of this project then you're going to get to do it. Just like 20 years ago, a bunch of people got together and said, we don't need to do it the way they said and they just wasted a million dollars. Dyan McCarthy-Clark said, no it wasn't a bunch of people again. Selectperson Gray said regardless, it's the same scenario. If you don't follow the engineer report that's why that's in there that you have to because they're actually trying to protect the town to make sure that you can't spend this money in bad directions because your end game is he has to sign off on it. Selectperson Cabot said, the other thing about professional engineers is that they're putting their professional stamp on something that they are basically saying that this building is going to last the next 100 years. Their name is on the line when they put that stamp on there, and so that's our guarantee and responsibility to this town. Chair Wark said to give you an example, Jeff Libby had an engineering firm that he works with in Guilford that he brought into that building, and they said this project is way too big for us. They're smart enough to know their limitations. Selectperson Cabot said, they're experienced enough to know. Dyan McCarthy-Clark said, so somebody went in after we were told that no one was allowed to go in? Chair Wark said, Jeff Libby, the town manager reached out to an engineering firm, and said would you be interested in assessing this building, and they said the project is too big for us. Ralph McNaughton said, well that just means they're not qualified, that's what that means. Chair Wark said, they're educated enough to know. Ralph McNaughton said no, no that engineering firm is not qualified to do that, that's what that says. Chair Wark said, all things Base doesn't look at it that way. Ralph McNaughton said, yeah well, that's different. Chair Wark said, that's who we got our quote from. Ralph McNaughton said, I'm just making a comment on what you just said. That engineering firm is not qualified. Selectperson Gray said, it doesn't necessarily mean that. It's too big of a project. The board and Ralph McNaughton talked over each other. Selectperson Gray said, it's too big of a project that the engineering firm wants to deal with. Ralph McNaughton said, so you find somebody that does want. The board said that's correct, but that takes too much time. Chair Wark said, so maybe it's beyond the scope of a committee of people that have nothing to do with engineering. That's the point. Ralph McNaughton said that's another argument. He asked, do you have another set of plans and design for a new building? Chair Wark said yes. Jeff Peters asked, you do? Where did they come from? Chair Wark said, Plymouth Engineering. Jeff Peters asked, who paid for them? Chair Wark said, the town did. It was on the budget. Jeff Peters said, the committee was tasked with what to do with the old building, they zero budget and not allowed to be on town property. Chair Wark said they offered all that to them, but they didn't want it. Jeff Peters said, they wanted to cherry pick the committee. The board said that phase two would've been a town committee. Chair Wark said that Jeff Peters doesn't understand town government. A committee that is formed by the town is a committee that serves the town and answers to the board, under statute to inform the board as far as moving forward. Selectperson Cabot said, they formed a committee to continue this work in regard to now going towards a 501-C3, which is what the plan was with Patrick. Chair Wark said, you agreed to it, Jeff Peters. Jeff Peters said, no he didn't. He doesn't recall that. The board told him to listen to the original committee meeting on November 6, 2023, and he would hear that he agreed. Jeff Peters said, so here's my point, through this process that we've been. Everyone in the town wants to save the town hall. Selectperson Gray said, false statement. He wants to be clear right now that earlier in this meeting they just saw how many people just got service lien notices? Michelle said, 103. Selectperson Gray said, I'm pretty sure 103 people that can't afford their taxes that are going to get a lien aren't in favor of a chance of a tax increase for that building. Say anything about the rest of the citizens in the town, but that's a pretty easy 103 right there. Chair Wark asked, you told us you about 300 people sign? Jeff Peters said, they talked to over 300 people and there were 252 who signatures certified for the petition. Chair Wark said, Each one of the signatures on the petition gives them \$2,000 each and it's half a million dollars. If they did the nonprofit, they had their half a million, and have at it. If they'd done it like that, the board would've put it on the warrant in ten seconds. Jeff Peters said, what I'm saying to you is, we weren't allowed as a committee to converse with you as our leaders and come up with a direction in this. Chair Wark reiterated, we did, Jeff Peters on November 6, 2023. Listen to the audio, you were in favor of a two building solution. Jeff Peters intercepted, we didn't start the committee until January 8<sup>th</sup>, 2024. (He's speaking of the Ad-Hoc committee that wants to restore the old town hall building, not the original committee that was formed to look for a solution to a new town office.). Chair Wark said, that was also agreed upon, after the special town meeting, phase two would take place and it was, Dyan McCarthy-Clark, you remember this? Dyan McCarthy-Clark asked, what? Chair Wark said, they were going to pursue a nonprofit, and pursue a utilization study that was all agreed to in November. Everyone was on the

same page at that point. Dyan McCarthy-Clark said, but people can change their minds too. She asked if they asked her to come to the meeting with the idea that they would convince her that they need to pull the article from the warrant. Chair Wark said, I don't think they can, can they? Selectperson Gray said, I don't think you can pull a warrant article. Chair Wark said, he was curious because they haven't been faced with this before, and he asked Michelle, do you think an article can be pulled and we were spit balling it. I don't think it can be. Selectperson Gray said, I think the only time it could be pulled would be before you submitted it to the town. That's his opinion. Once it's been validated, he's not so sure he can. Dyan McCarthy-Clark said, she guesses what needs to happen is that they need to go forward with the town meeting and the article. When the article comes up, you express these concerns, make it clear what you believe. Chair Wark said, it's not going to make any difference if you have 85 people there that are going to raise their hand no matter what, it's going to go through. Selectperson Gray said, you can't have people standing up, making false statements. Chair Wark said, unfortunately, you can. Dyan McCarthy-Clark said, I think if people keep their cool, stick with the facts, don't yell at each other, don't cast dispersions on someone's character, and just say this is the fact. We've done as much as we can as a citizens group, our due diligence in trying to come up with a solution to keep the town hall for the town office. If we've made a mistake, you can bring that up, if it's done in a manner where people can listen and digest the information. I don't think this is sealed and delivered as this is what's going to happen because as much as we speak to our choir there are going to be people in that town meeting who are not in the committee's choir. There are differences of opinions, this is a passionate issue, but I think if people listen with an open mind to all of things that are being said, including what you say about an engineer needs to be part of this process from the start then people can make a decision that is informed and if they say no to it then that's what happens and we start another route. If they say yes to it, then we're going to have to take a look at, you know the cost of an engineer survey, we have \$130,000. Chair Wark said, what you're going to find out is that when we do the engineering survey, the cost of the total building is, I predict going to be an astronomical number. Selectperson Cabot said, I feel that should be done before the meeting, so that people are informed with regard to that as well, that engineering report if you're going to present this, and say well we can do it this way, I think we also need to go ahead and get an engineering, which we can't because, do we have time? Selectperson Cabot said, we don't have the money. Chair Wark said, we have contingency, that I think this is serious enough so that you, you burn your contingency if you have to because it'd be one thing if you guys were sitting here saying, oh wow, it was not intended, but clearly we have started something here that is not in the best interest of the town, we're going to stand up and rename. Okay, but that's not what's going to happen, I fear. We need a full report of whatever it's going to take. Selectperson Cabot said, so we can come with an informed bit on our part and honestly even if we spend the whatever it takes, even if everybody still raises their hand, it's not going to make any difference. You're going to get the money, and you're going to get to do this if you want to. Chair Wark said that they're trying to protect people's money. Dyan McCarthy-Clark said, that's your role. Chair Wark said, I think if we can really, I don't want to push the town meeting into May if we can help it. Jeff Libby said, it's two weeks before they could come. Chair Wark said, I think we'll take a motion and an action. I don't know what else to do. Selectperson Gray said, I don't know how we can spend the funds. Chair Wark said, I think it's an emergency, but we can debate that. Selectperson Gray said, I think I would want to have the town lawyer, we'll have to do a motion and talk about it, I guess. Chair Wark said, these are the things we wrestle with. Selectperson Cabot said, I understand that when these engineers, they don't just look around they, we have to open walls, have to tear things down for them to look at, we have to do that. Chair Wark said, this is going to happen anyway. Selectperson Cabot said, we have to tear things down if they wanted to see something in the walls, so it's a big deal, and we as selectmen decided we didn't want to do that. Chair Wark said, once we got to \$600,000 we just backed away. Selectperson Cabot said, we're not going to spend the town's money that way. Selectperson Cabot said, if we're going to do that then, walls get opened, and once you sign up with the firm there, we have to do exactly what they say we have to do to make their inform. Chair Wark said, so let's say we do that, and they come back with a number to do the whole building to get it all tier 1 approved, what ultimately is it going to cost? Let's say, \$8 million, at that point what would your position be? What do you think? I mean, would your committee at that point say \$8 million is let's do it or that's a little rich for Sangerville? Where do you think you guys would land? Dyan McCarthy-Clark said, I have no idea. I can't. I don't. Selectperson Gray said, I can answer that question. Dyan McCarthy-Clark said, well if I can't and I'm on the committee well. Selectperson Gray said, I can answer the question and what's going to happen to town meeting, I'm very confident that three quarters of the people are going to say that guy doesn't know what he's talking about, you need a different idea because we've already done this. Nobody wants to believe facts, that's the problem. Ralph McNaughton said, you're not going to get a real number anyway unless you put it out for bid. Selectperson Cabot said, absolutely, that's what we're talking about. Ralph McNaughton said, an engineer is estimate is that, an estimate. They won't give you a total an hour, so they'll be halfway there roughly. Now you've got to put it up for bid. That's the only way you're going to get a real number. Chair Wark said, they'll probably say somewhere between 6 and 8 million,

but it's probably going to fall within that window. Ralph McNaughton said what do you think a new town office would cost? The board said they already had numbers for that. They didn't put it out to bid, but we got a range, again. Ralph McNaughton said, if you don't put it out for bid you don't have a price. This is what he does for a living. He asked how many square feet is it? Chair Wark said, around 1100 or 1200. Ralph McNaughton asked if it had a vault? The board replied, no and that we don't need a vault. Plymouth Engineering did the design as a tier one municipal building with a community room. Ralph McNaughton said that the company he works for did Plymouth last year, and their scope with no hot top, septic, or water with ground work five feet from the foundation was little over \$700,000 and that was with no engineering cost, no asphalt, and the rest of the ground work. Chair Wark said that the town's estimate from Plymouth wasn't \$450,000. Ralph McNaughton said that that estimate is way low. The board thanked him for his input.

Selectperson Gray said that Ralph McNaughton was making him feel better when they've had every engineer tell them that they would be in the millions to fix it. Jeff Peters said that the town of Dexter just did a building the same size as the airport, and that was \$1.5 million. Chair Wark asked how much to rebuild the old town hall next door? Jeff Peters said that they couldn't get access to the building so they don't know. Selectperson Gray said, the number one thing you really needed was the engineer's report. That's where you start. Jeff Peters said, I understand that. Dyan McCarthy-Clark asked, is the new town build on the warrant? Chair Wark replied that they would put it on again. Ralph McNaughton said that if you're at about \$400,000 or so you're probably about half, depends on where it goes. Chair Wark said, now with the benefits of hindsight, we know we'd have gotten the congressional funds, so it was going to cost us 60 or 70 grand, but next year's bucket is less full and there's also some political risk. There might be another person from Congress signing off. Selectperson Cabot said that it may be gone. Selectperson Gray said, yes, this could end. Selectperson Cabot said, we missed the window. Chair Wark said, to give you an idea if Dexter, Dover, or Bangor does a project it's very different than Sangerville doing a project. Easy enough number to remember. A \$7.5 million project in Sangerville is \$100 million, that's what it would take for tax payers to foot that. In Bangor, that might be \$2 million, so what does \$100 million mean? Take your tax bill, and multiply it times 5, and then add it to the existing tax bill. That's the ramifications of a project that's only \$7.5 million. That's how little horsepower we have, the same thing in Herman, you barely notice it. A lot of people don't know those numbers, don't understand them, but that's the reality, so even a \$600,000 foundation, that's a 35% increase in your taxes. We have the money, but we will have to replace it, so that's what it amounts to in Sangerville. The board doesn't take it lightly when it comes time to do a project of that magnitude. Dyan McCarthy-Clark said, I get it. Chair Wark asked if they still wanted them to consider this, maybe with adjacent disclosures to their concerns? Chair Wark said that's he's going to have a hard time putting this in the town report based on everything they've just discussed, and knowing that it's not even possible. Dyan McCarthy-Clark said, again, I can't make a decision for a committee. I'm the writer for the committee, that's who I am, the writer. Jeff Libby asked, how much time did you guys spend on that? Dyan McCarthy-Clark said, we have been meeting weekly since January 8<sup>th</sup>, and that's just the meeting time. We've also had subcommittees that have done a lot of that work, learning about, Warren is learning about the citizen's petitions, getting feedback from different places. Dennis has been put in a full time job's worth of work. We're talking hundreds of volunteer hours. I've been keeping track of it. Selectperson Cabot asked, do you have a subcommittee that's working on a 501-C3? Dyan McCarthy-Clark said, at this point it's on hold.

Selectperson Cabot asked, why? Dyan McCarthy-Clark said, because it's all about let's see what this happens, and if it doesn't work out then we'll go to Plan B, let's see what a citizen's 501-3C nonprofit could do with the meeting.

Selectperson Gray said, from listening to the committee tapes that's not really what the conversation was. He knows that he's heard a lot of people mention that the intent is to start here, and then phase 2 is to have a nonprofit and have the building donated. Dyan McCarthy-Clark said, there's been some discussion since then. Chair Wark said, it's consistent with what you've written though. Dyan McCarthy-Clark said, it's just looking at options to make the building something that stays in Sangerville and doesn't go to someone else for an apartment building, doesn't fall in on itself, it's a useable building, and a focus of the town. It remains a center of the town, hopefully. Chair Wark said, one thing the committee talked about that he thought was a laudable idea, if you go back to November and utilization discussion that they had, that a nonprofit could take that with a goal of creating an annual meeting space. If you just have the first floor you don't need an elevator anymore. Something that's motivating, and aspire to. This is our goal, we want to become a nonprofit, will Sangerville transfer this to us with the understanding that someday we're going to cut the ribbon an annual meeting place. Chair Wark said he'd support the committee 100% if that's what they wanted to do. He would donate money. The committee isn't held to the same standards as the town. He wasn't being glib when he said two grand a piece is half a million dollars, but maybe \$1000 a piece gets them back in there for an annual meeting if owned by a non profit.

Selectperson Cabot said, there are monies available through grants, through fundraising that it doesn't need to be a nonprofit if you can get them. Dyan McCarthy-Clark said if it stays a municipal building, and hypothetically have the town office back in there, make it the center of the municipal government, still had the community room, we can have

our voting there. It doesn't preclude having people start beating the bushes for state and federal monies that still allow for the building to be municipally owned. There are monies available, but also available for nonprofit. It doesn't exclude getting money if it stays a municipal building. Selectperson Gray said, your percentage of getting those nonprofit grants over the municipal grants is not the same. Dyan McCarthy-Clark said, it's not, but it doesn't mean that it's impossible. I am a person who tends to go for optimism, and a can do attitude. Yes, it's difficult for any kind of a grant, just because it's nonprofit doesn't mean you're going to get it. Chair Wark said, it's definitely easier for a nonprofit. Selectperson Gray said, the percentage of being approval is far superior if you're a nonprofit than the town being a municipality getting awarded the funds for the building. A nonprofit is going to be able to get more funds approved faster than the municipality. Dyan McCarthy-Clark, I tend to disagree with that because I was just apart of a process helping to write a grant for a municipality, they received the money for that grant, and it was a pretty short timeline involved with that. Grant writing is complicated and time consuming and after you do all that work and throw it in, do all these kinds of things. Selectperson Gray said, we're trying all the time, competing with these other town to get it, as far municipal things such as fire trucks, fire equipment, etc. Dyan McCarthy-Clark said, I understand that. Selectperson Gray continued, Small town Sangerville to restore an old building, he thinks we'd fall very low on the list of everything else that's out there. Dyan McCarthy-Clark said, we don't know until we try, and there are people who have been talking with donations and there seem to be people willing to do that. These people seem to be willing to do that, and it has nothing to with it being municipality or nonprofit. Chair Wark said, the difference in the standard is huge, even if your success rate is equal between the two. The standard that the municipality is held to makes it way more onerous to get this back up and operational. Dyan McCarthy-Clark said, for insurance purposes. I get it, I do get it, but it's not impossible. Chair Wark said, it's more likely to happen if you take the other avenue. Ralph McNaughton said, part of the grant money, someone has to be the bus driver, and if you go through the USDA because they were dispersing money for a while, when you get in on that program they are the bus driver. Because that's what they are dealing with at the fire station down in Corinna right now. It's painful, but when you get it, if you're fortunate enough to get there. Someone has to be the point person, they've got to drive the bus. Selectperson Gray said, when you throw out all of these projects right here, the way society is as a whole, you have towns that are trying to get firefighter gear, or firefighter trucks or fire stations, or brand new facilities. That's going to go higher on the list for approval than restoring that massive square footage. Ralph McNaughton said, the Levi school building in Corinna they paid over \$2 million. Selectperson Cabot said, but you've got to apply for it. Ralph McNaughton said, absolutely and that's why you started you be diligent and stay on it. Chair Wark said, if you apply for a building that is ten times the size of what you actually needed, you're probably less apt to get the funds. That's what we would be doing. That building is easily 10x what we need for a town office. Ralph McNaughton brought up the meeting room. The board explained that they use the Community Room at the Grace Bible Church on Douty Hill Road for town meetings at the moment. Selectperson Gray added, do you want to spend all of that money to renovate the old building just to use part of the facility once a year or use the money to pave a road or something else? Ralph McNaughton said, he knows that all the towns are struggling with that. Chair Wark added, we could go to the school too, if we wanted to. It's just more convenient to use the community room at the Grace Bible Church. You can't use the school any day you want, you've got to request the time. Chair Wark said, open to solutions, but it looks like we could be headed down a really dangerous path, again. Dyan McCarthy-Clark said, well then, ok, when the discussion comes up you need to lay out all of your concerns clearly. The board said we have, and that we'd need the committee or Dyan McCarthy-Clark to persuade them. Chair Wark said, if you've got 80 hands that are going to go up, you guys are the ones who are going to control it. We haven't changed from November. We're not persuading any of you, well maybe tonight. Selectperson Gray said, we provided all of this information over and over. I mean, like you Jeff Peters you were there when we met with the engineers. We've been very transparent with the numbers and what all this stuff is, and that's why I said what I said. It doesn't seem to matter what we present, because that's every time. That's the belief. You guys don't know what you're talking about. Find somebody else, find somebody else. And it's not there. Dyan McCarthy-Clark said, I think as figures go, it's always been it's going to cost us 10 million, it's going to cost us 12 million, but there's nothing. Where did that number come from? Well, it came from an engineer walking through and saying well, this is easily going to cost but there's been no cost break down. Chair Wark said, no there's been no actual analysis because you had to pay money for it. Selectperson Gray said, \$7500. Chair Wark said, if that's the road you think the town should take. Selectperson Cabot added, now we're pushed to do that. Chair Wark said, if that project analysis tells us that the project is 7-8 million, do you think, at that point do the two of your say, okay that's a bridge too far? Sangerville can't afford that. Is there a number where you would say that? Jeff Peters said, I don't think it's up to us to say that. Chair Wark said, he's just asking for a personal opinion, not a representational opinion for the committee. Do you, Jeff Peters or Dyan McCarthy-Clark think there's a number, any number? Dyan McCarthy-Clark said, I think over the, if we look at it as a long term, not something that's going to happen in five year,

not something that's going to happen in 8 years, but something that's a long term, multiphase project, I think it's a possibility. Selectperson Cabot said, that Central Hall model that we wanted to emulate. Chair Wark asked how many years did that take. Selectperson Gray replied, 10 years. Dyan McCarthy-Clark reiterated, grants, nonprofit fundraisers. Selectperson Cabot said, we're getting right back to the committee that we formed with exactly all of that wording in it as far as modeling the central hall because that's the only way we can afford it as a town. Chair Wark said, Dover-Foxcroft said they couldn't afford it, and they have three times the horsepower that we do. Selectperson Cabot said, and they spent no money on it, it was all fundraiser. Jeff Peters said, so if that's our platform, why did we walk Sam Hutchins through it, and explore that option? Selectperson Cabot said, there's a lot of misinformation, and Dennis Campbell came to her house. She asked him to share that information with anyone who would listen to him. She explained to him about Sam Hutchins. Sam Hutchins came to the board, and wanted to purchase the building. Chair Wark asked, what impression do you have regarding Sam Hutchins? Jeff Peters said, well I don't have any impression. Chair Wark asked, well why did you bring it up? Jeff Peters said, because in your January 3<sup>rd</sup>, 2024 selectboard meeting, you owed it to him to put it on the warrant. What does that mean? Chair Wark said, he made us an offer to the town of Sangerville to buy a building. We can't give him, we can't honor his offer, we can't accept his offer. We can't say no, and we're not going to tell anybody. Selectperson Cabot said, we can't just forget it, and say oh the town wouldn't accept that. That's not for us to do. We owe it to Sam to bring it to the town, so the town can decide. Chair Wark asked, Jeff Peters, remember a few years ago we had an offer on the town garage, the guy wanted to pay us 100 grand or something. That wasn't our idea, he came to the select board, and said you have a piece of property I would like to buy it. We are obligated to advance his offer, we didn't support the offer, but we had to advance it. Sam's the exact same thing. Selectperson Cabot said, he's been waiting a long time too, and it was suggested that we didn't put it on the special because it was going to confuse things, so we held him off again. He's been waiting, but I sat with Dennis Campbell and explained that, exactly that. Chair Wark said that's a perfect example of how we get, we're just doing our job. A gentleman walks in and says, I'll write you a check for \$20 grand for that building, I'm going to put apartments in it. We're like okay, well we'll share with the town, eventually when we have a town meeting, and it's all we're doing. Selectperson Cabot said, it's been over a year. We owe it to him to put it on the warrant and let the town decide. That's what we owe him, so that's another article. Jeff Peters said, it's simply a question. Again, it goes back to the transparency. Selectperson Gray said, Jeff Peters, that tape runs every meeting. Jeff Peters said, I understand this. Selectperson Gray said, there's a lot of people that listen to this. We don't have to record that, we don't have to have the detail that's in our minutes. This town, this select board is more transparent than any other area or town that I've gone online and read meetings or listened for things. You're saying transparency, the issue isn't transparency is if anybody actually has a concern that either wants to come to listen or take the time to listen to that. I have people that live in Bangor that have recreation in our area. They listen to our meetings when one's posted, but it's not transparency it's whether or not people want to get involved. Selectperson Cabot said, in regards to saying we owe it to Sam, it's an ongoing conversation. We, at one point at one meeting brought his offer to the table we read it, I'm sure we probably read it into the record, and then it's been simmering. We've been kicking that can down the road. We said in that conversation the other night, well we owe it to him to get that you know yes or no to him. Chair Wark said, you this is something I've noticed and this can happen to anybody. You have an impression of something that happened, and it turns out that your impression was wrong. It wasn't malicious, it was wrong. When it's explained to people, you very rarely get an I'm sorry I didn't realize that. There's never any conciliatory attitude. Jeff Peters said, here's the problem you have, we've talked to a lot of people in the town of Sangerville and maybe transparent isn't the right word, but a lot of people have the same, what I'm addressing with you a lot of people feeling the same way. I'm hearing it over and over people I talk to. Selectperson Cabot said, we're doing the town's business, it's not our responsibility to educate the citizens of Sangerville, I mean it's their responsibility to educate themselves. Chair Wark said, you've had a series of objections and concerns and accusations on lack of transparency and it turns out every single one of them, you were misguided, it's either actually in a town report or in another place that we put it. It was there, you just hadn't been able to find it, right. So what you're saying is you've talked to lots and lots of people who are as uninformed as you are. Jeff Peters said, when you've got many people uninformed you have to ask yourself why. Selectperson Gray asked, how many people listened to the last meeting. Chair Wark replied, 350. Jeff Peters said, I'm one of them. Chair Wark said, so you knew what happened last meeting, right? The people who didn't, for them to come in and say well I didn't know you did that you guys lack transparency. Well, you didn't listen to the meeting, but it turns out that everything you were looking for we've had out there. Dyan McCarthy-Clark said, a lot of times the word transparency is used incorrectly. Chair Wark said, I think it's used to disparage sometimes. Dyan McCarthy-Clark said, I think it's more transparency doesn't mean that people agree with each other. I think transparency just means that information is available and if you disagree that doesn't mean that it's not transparent. The board agreed. Dyan McCarthy Clark continued, Transparency has become an overused word.

The whole idea is the effort that's involved. I think there are many people who want an easier way than to sit down and listen to an hour and a half tape or to read the minutes. The minutes have been much more detailed, thank you very much. It's not just topic, topic topic, it's details, and that's an important piece, but I think as just a little sidebar. People were very interested in having some kind of quarterly newsletter that came to their mailbox that just informed them about what's going on with the fire department, what's going on with the store, what's going on with the school, school, board, and the select board. Jeff Libby said, we talked about that. Dyan McCarthy-Clark interrupted, Please don't drop that. Chair Wark said, we put it in the budget. Dyan McCarthy-Clark said, because that kind of thing working toward reaching out to people in a simple way like that is going to stop this irritating kind of us against them. Selectperson Gray said, I don't think anything is going to stop this. Chair Wark agreed. Dyan McCarthy-Clark said, I think it's a measure that I think should be approached as an effort to get this animosity to stop. Chair Wark said, let me give you an example. I was looking at a social media post, and it had to do with a select board, I don't remember the topic but post after post after post, they lack transparency. Some sounded like they were accusing us of taking funds or you know I don't trust them. All I did was post, here's the name of your select board members, and here are their phone numbers. If there are any concerns, anything that's going on with the town, please feel free to call us. Do you know how many calls we got? Dyan McCarthy-Clark said, I can guess. Zero. Chair Wark said, those people aren't really concerned about anything that they're saying. Dyan McCarthy-Clark said, well, they have a keyboard background. Chair Wark said, sure, but there were lots of them on there. Dyan McCarthy-Clark said, yes, they feed on each other. Chair Wark said at one of the last meetings they had, someone he'd never met before said, we don't trust you. I don't even know who you are, but no one ever calls. So when someone behaves that way, that tells me that they know what they're saying has no merit, they're just giving us a hard time. Dyan McCarthy-Clark said, it's a knee-jerk reaction to passion. I just don't feed into it. Selectperson Cabot said, all we're saying is, here's our phone numbers, please give us a call. That's not feeding into it. Dyan McCarthy-Clark said, I understand. What I'm thinking is that happened at the special town meeting, and that was a meeting that was absolutely full of personal attacks and accusations and there was misinformation as well that was thrown around. Backing off on the passion with tone with word selection and with body language deescalates and people can hear what you have to say. I think that's important and don't get into personal attacks and that works with the people too. If I had the opportunity before town meeting to get up and encourage people to think with their head, and not with their gut to be civil I would do it in a second. Chair Wark said, but it someone shows up at a weighty public meeting where making a decision that will affect the next 100 years and they tell a lie. You came in, and basically chastised us for pointing out that we knew that person was lying. It's almost like pointing out the liar is worse than being the liar. There's a lot at stake. Dyan McCarthy-Clark said, I understand, and I'm sorry if you thought that what I was doing as a chastising of the board, I was having a concern with everybody because the citizens were attacking you and there were things going on from the board's side to the citizens as well that that's one reason I didn't say anything because I wasn't going to be a party to the back and forth mudslinging. I want to deal with the facts and the issues not with the personalities and accusations, not with you said this then and now you say this now. Selectperson Gray said, you know what bothers me the most, Dyan McCarthy-Clark is that nobody wants to think about those 103 people. Dyan McCarthy-Clark said, I do think about those people. Selectperson Gray said, we are the poorest town in our area, our medium age is increasing every year. It's not going down, it's going up. I just don't get it. Everybody is like, oh let's throw \$440,000, we're going to spend it. Well, what about all of these citizens, all of our neighbors who can't pay the taxes they've got? Chair Wark said, it's interesting because the only thing people get angry with us about essentially and I can go back to a lady who wanted the town to pay for a snow fence because it blew and it's always people who feel like we should grant them excess access to other people's money and they get furious with us because we are protecting that. It's the only thing that gets people riled up. Dyan McCarthy-Clark said, I understand that you have a very difficult job, I would never want it. I don't know how you keep going up for it. What I will keep talking about is when we talk about things, let's talk about them as adults without attacks and raised voices. I don't know I would like to be the civility police on the side, and if someone in the town meetings starts going on, I just hold the flag up and say stop. Chair Wark said, he's had a number of citizens who've come to him and felt like the moderator in the special town meeting was not balanced. Some found that it was offensive, and from listening to your meetings I know the intention is to try to make him moderator again. I would suggest if you're really about civility and I trust that you are then you should promote that someone completely apart from both parties be moderator. Unfortunately, it's just like a misguided article, if enough hands go up, you get whoever you want for moderator. Unless he's encouraged to have someone completely impartial, it's probably going to happen again, and based on what you just told me, that's not what you want. Dyan McCarthy-Clark said, I want the anger to stop. Selectperson Cabot agreed, Absolutely. Selectperson Gray said, then we need a moderator that is not biased, not even any appearance of bias. You can't collect signatures for an article and then preside over that meeting, particularly we have competing articles. Dyan McCarthy-Clark said, at this point three, in terms of town office,



town hall kind of thing. Chair Wark said, even open animosity are very much like the committee meetings. The transition from November to today with regard to the select board is like well it's like like everybody says Angerville because it rhymes with Sangerville. It's really not, it's dysfunctions there, I mean it's amazing. Selectperson Gray asked, have either one of you listened to your meetings after you've had them? Jeff Peters and Dyan McCarthy-Clark said no. Chair Wark said, you should. It's a very different experience from when you're actually in the meeting. We've got some experience, not all good, but we've done it. Because much of what you're saying is not reflected in your meetings. They're very hostile. Selectperson Gray said, it's not been only towards us, but towards other citizens as well. Dyan McCarthy-Clark said, well, that was addressed after you made it known, that was addressed at our next meeting in terms. Chair Wark said, it's ok, it's just more interesting than anything. Dyan McCarthy-Clark said, no, it's not ok. It's not ok, Jeff Peters was very good about that at the very next meeting. The cards were on the table and it was a reality that needed to be addressed and was addressed. Jeff Peters said, I think too if you're trying to pull a moderator from the citizens of the town of Sangerville then everyone is going to be biased. The board said, they can't assign the moderator and not every citizen in the town is going to be biased. Ralph McNaughton said, you don't need to be a citizen either. Jeff Peters said, what I'm saying is, everybody's got an opinion and to the end of that opinion everybody would have a tendency to lean towards their side of the opinion and if they come from the town of Sangerville, they're probably gonna have an opinion. Chair Wark said, they don't have to come from the town of Sangerville. Jeff Peters said, theoretically everybody would have a bias. Chair Wark said, we could get an attorney to come and be moderator. There are rules for moderating and that attorney have to even know any elements of the articles, and they could run the meeting because they know the rules. The last moderator, Mr. Davis, it doesn't matter, in the last meeting in the opinion of many citizens demonstrated bias, so if we do it again, I don't think we should expect a different outcome, that's all. Selectperson Gray said, he knows that. He knows that if he has a biased opinion he's not supposed to be moderator, he's actually supposed to be the one. Selectperson Cabot said, it's incumbent upon him to identify the fact that he has that opinion. Chair Wark said, even the appearance. It doesn't matter what's in your heart. If there's a reasonable appearance, in other words I collected signatures for this article. That's a reasonable appearance, that's enough so that's how it works. Selectperson Cabot said, and as much as you can say well, I'll be totally equal and unbiased it, you will have citizens that will say it's biased. Jeff Peters said, that's what I was going with. No matter what you do somebody's gonna stand up and say you guys have bias. If you guys hire an attorney somebody is going to stand up and say oh they paid him to do this. Chair Wark said, I understand that, that's like how some people say engineers don't know any better than my local mason, but that doesn't mean they're right. If we hire an attorney and we haven't talked about it, they're going to follow the rules. They don't even know what's in the articles until it comes up. We can get someone from another town that doesn't really care about the outcome in Sangerville and I'm sure they'll do a great job, and it would be fair to everyone. We already know what happened in December so we don't have to guess. You guys, I do appreciate you feeling this discussion with us. Dyan McCarthy-Clark said, it's good to talk. Selectperson Cabot said, absolutely. Chair Wark asked, is there anything more? Dyan McCarthy-Clark asked, can I go? I'm am wobbling. Chair Wark said, yes you may.

**Time Stamps 02:11:33- 02:23:15 - Auditor/Discrepancy:** Michelle reminded the board that they still had a few more topics to get through before they could close the meeting. Michelle said we need to make some sort of decision with the auditor. Chair Wark said, so we haven't resolved the anomaly, is that fair to say? Michelle said, we've hit a brick wall. She's reached out and Jeff Libby has reached out. No one has gotten back to them about he anomaly. Chair Wark had to interrupt briefly to make a motion to change the batteries in the recorder at 6:12pm. Back from recess, 6:13pm, Michelle reminded them they are still talking about he auditor situation. She and Jeff Libby have been back and forth with the current auditor, and haven't gotten any answers. We need help, we've got to a point where we can't move forward with anything. Selectperson Gray asked, when you say current auditor, does that mean the one we used last year? Michelle replied, Yes. The lady who Michelle uses for Kingsbury has said she could come up in a couple of weeks to sit with them and go through things. She's \$8200. Selectperson Cabot said, you're talking about because of this discrepancy? Michelle said, yes. Selectperson Gray said, are you talking about the discrepancy or the year-end audit? Michelle said, the year- end audit completely. Selectperson Gray said, so it's kind of both. We're scheduled for our year end and we know we have this discrepancy. Selectperson Cabot said, my thought is to go right with a forensic accountant and find out what's up. Michelle said, a couple of things I also discovered, the general assistance reports, there were a few that weren't filed. Michelle worked with them and the state, and able to go back and file those reports. Chair Wark asked, does that create a discrepancy. Michelle, said, not it doesn't because that's just a reimbursement factor. Chair Wark said, one time we looked at this and the bank said we had more money than we thought we had, and then it switched and the bank said we had less money than we thought we had. Where do we stand on that? Michelle said, I honestly don't know. I can tell you what's on the bank statements, that's all. Chair Wark asked, does it still go back and forth like that?

Michelle said, yes. Trio took our data, they sent us an answer, and can't give us a definite idea because they don't have access to our bank accounts. Selectperson Gray asked, what do we need to do to do that because I'm still stuck. If you have an error that repeats then that tells him that's an audit issue, a clerical issue. Somewhere, we've got something in there that we can't find, that the auditor is going to help with. The numbers aren't staying consistent. It has to be system related. The board doesn't understand where the discrepancy is coming from, which is what Michelle is working on still. Chair Wark said, I think the auditor is the only one that's going to connect that. What about Trio? Selectperson Gray asked, what does that mean to connect that? What do we have to do for Trio to do that they need to do? That sounds like that's what they want to do, so ok this is the information we have to look at your account and compare the numbers. The board asked why they wouldn't want to do that? Michelle said, we can, but I've never been faced with a situation like this before. They just said they couldn't run tests on it because they didn't have access to our banking information. Chair Wark said, that doesn't necessarily mean they were asking for it. They're saying they can't do it because they don't have that access. Jeff Libby said, we still can't find a contract yet. Selectperson Gray said, to reach out to Trio and ask them, if I grant you permission to use my accounts can you run these tests to try to it. If they say yes, I'm assuming we sign something. The sooner we get that done, then I mean we can't even have a town meeting without an audit, period. Michelle said, you can. I have a letter in the town report stating that they're working on it, that's from the auditor. When I first came on board, we wanted to have a different auditor, because Patrick and Lorna were leaving. We're still with the same auditor, but we don't have a contract that we can find. The auditors said they didn't believe we had a contract with them, but she was also going to check with another lady. Selectperson Cabot asked what we pay the current auditor. Michelle said, \$6500. Michelle said, our contract with them ended on December 31, 2023. She was able to find that. Selectperson Gray said, with that they're supposed to provide a year end audit. Michelle said, okay, I don't know because I haven't. Selectperson Gray said he's confident that it's supposed to work like that. So when they're done with the year end audit for 2023 then we can have town meeting. Michelle said, but they're still not answering us. Selectperson Gray said, that's a different issue. In theory, the auditor is working on year end, but we're not able to communicate. What's really interesting is when they do complete the year end, and if they find this if they don't find this discrepancy. Jeff Libby said, he talked to person yesterday and she was going to talk to another person to see where we're going. Selectperson Gray said, we've had them here in February in the past. Selectperson Cabot said, so as far as cost, we're talking about \$2200. Selectperson Gray said, you've already paid the other auditor. Michelle said, this auditor we have right now has taken some of the 2023 information, but they're still not answering us concerning the check book balances. They've said we'll set a date and come up. That was a month ago. I still haven't heard from them about coming and sitting with me and through the issues we have. We're all waiting for the audit, so we can budget, but our current auditor doesn't seem to be answering. Chair Wark said, this really isn't addressing the discrepancy, it's addressing a separate issue. Regarding the discrepancy, you're going to see what Trio was implying with that. There's some sort of connectivity we can create we're willing to do that. With regard to the audit, we need to find a more reliable source. Jeff Libby said, that will resolve this one. Michelle said, that was basically where we need to have some direction to go on. Selectperson Gray said, Milo went through something like this, not having an audit so they tabled the whole meeting until the audit is done. This has happened two years in a row. Michelle said, I don't think we've ever had an audit done before Guilford had their town meeting because we always had it the third week in March. Selectperson Gray said the only reason he wants the audit is because we have too many. We really need to know that when we put a number out there this is what we really have as a town and you start adding all of these articles together. Chair Wark said it will equal up to half a million dollars and tap us out, so being off a little bit is a big deal now. Selectperson Gray said, the other side of it too is part of our budget process we've been generating that income off that. That's something no one else wants to think about.

#### **Item 7: Town Manager Report:**

- **Time Stamps: 36:45 – 37:40 – Shut down for 1 hour when only one person in office:** Jeff Libby said, from time to time staff is on vacation at the town office. That leaves one person at the town office. He'd like to have it, so we could shut down, say 11am to noon, so that the one person that's there can just shut the door, put a sign on it that says down for one hour, and they can go take their break, eat their lunch, whatever it is, and not you know. Might not have time to go to the bathroom or whatever with people coming in and out all the time. He'd like for us to be able to do that. Chair Wark said that's his call, reasonable. Selectperson Cabot agreed. Selectperson Gray

said, he means the same thing with going to check the mail or whatever. There's things that have to happen when you're one person, you do what you've got to do. Chair Wark said If the sign says, we'll be back at one, then at least people know.

- **Time Stamps: 37:41 – 39:24 – Records Room:** Jeff Libby asked what they would like to do with the record room and the records that are at the basement in the old town hall because they're sitting there cold and it's starting to get a little bit moldy. He thinks we need to do something. Chair Wark said, can we move them up to the first floor? Jeff Libby said that he'll have to look to see how many there is. Chair Wark said, he knows a lot of records were gone through in the last few months, and a lot of it was novelty stuff. Some of it was of value, and some of it wasn't. Michelle explained that those records actually came from upstairs where the stage is, and the ones that are in the boxes that are in the office, and we've sorted two big containers of those. The ones that Jeff is speaking of, are the ones downstairs in the vault where the books are getting moldy from the temperature changes. She does think if we go down we should be able to wipe them off and bring them up to the safe that's upstairs. There are some boxes down there that are the throwaway boxes, you keep them for seven years then throw them away. Those will be fine down there. There's nothing down there that we have to keep forever, so to speak. Selectperson Gray said, so those ones you guys are talking about, those are the old leatherbound, so that's really the issue. It's not the paper, it's the leather. Michelle said, it's the leatherbound and of course, the outside gets moldy then it goes to inside the book. It molds from out to in, so if we can move those upstairs, Michelle believes that's a good idea. Selectperson Gray said, for now he thinks that's the first step. They have to figure out what they're going to do.
- **Time Stamps: 39:26 – 45:01 – Kelly Doyle:** Jeff Libby said that she has been in to speak to Brydie, Patrick, Michelle, Sam, and Jeff Libby, himself to go over her taxes. Jeff Libby gave her a paper that said that this is what she has to do. He got enough information out of her before, and found out that the town owes her money because Hamlin's had made an adjustment and they didn't notify the town. She wants to know where her money went, but the town didn't know anything about it. We did some investigating, and we owe her about \$1,100.00. Selectperson Gray asked if that was back from the original adjustment when she first bought the property. Michelle answered that yes, it's from 2019. Selectperson Cabot said that she's been there longer than that, she thinks. Michelle replied, no. Selectperson Gray said that's the only adjustment that he remembers was when she bought the property and even that was controversial. He'll say that because there as a timeline from when she bought it to when she renovated it to when they went in and reassessed, so that was different. There was an amendment or whatever done at that time. Michelle hasn't found anything different than what we can see right there, and matching her story to what we figured out, there was a huge decrease in value, so she believes it was Lovely Properties that owned the property before Kelly Doyle bought it. The original taxes were between \$1,200.00 and \$1,300.00 to start with. The next year it dropped to \$30.00, so there was a huge change in taxes, therefore she was really kind of overtaxed. Chair Wark said, the real estate evaluation went from a high number to almost 0, and then Hamlin didn't adjust. Michelle replied, that Hamlin's has adjusted since then her taxes have been about \$30.00 a year, until last year when she didn't get the full Homestead, which that's going to be adjusted this year because of the revaluation. Chair Wark asked if Josh had provided Michelle with a written explanation as to what happened. Selectperson Cabot said that this isn't generated by Josh. Michelle replied no, that this is the actual tax paid, and the overage, all from our systems. Selectperson Cabot said so 2018, 2019 so she owned the home in 2019. It seems like she's been there way longer. Selectperson Gray said he thinks that's when it was, she bought it and again, he's trying to remember this right. She bought it late fall/winter. She did a bunch of renovations to the building, and demolition and then she questioned the value. It was a this isn't what it was, it was a this is what you did, conversation. He doesn't think they've ever reevaluated it, and she's done work on it every since. So what should've happened is that they should've adjusted and every year since because she's worked on it, it should be going back up. Michelle said, it probably will this year because they're doing the revaluation. Selectperson Gray said that it should anyway, just because she's steadily been making improvements on the property. Chair Wark said he wouldn't do it. They need Josh to give Michelle the history of why he assessed it the way he did and if he made a mistake and he's done this before. Chair Wark said he's not disparaging, but he says he made a mistake on this, here's what I recommend you do. That's right and then we sign off on it. Jeff Libby said, that's what we did. We gave her the number, we gave her an abatement sheet, and told her to contact Hamlin's and bring that information back and we go from there. Selectperson Cabot said, so we just need the letter from Josh, instructing us. Chair Wark said, we need Josh to instruct the board, here's what I think you need to do. Selectperson Gray said they've had the same conversation every year, and every year the town has been correct, she has not been correct. Chair Wark said, but Josh has made corrections. I thought this

building belonged to this person, but it was to this person so we need to fix it. He directs us, normally. Jeff Libby said, that he wants to make sure that we make it right with her, whatever it is. The board said, absolutely. Selectperson Cabot said that at the next meeting we should have a resolution on that.

#### **Item 8: Road Commissioner Report:**

- **Time Stamps: 02:23:17 – 02:23:20 - None**

#### **Item 9: Select Board Concerns:**

**Time Stamps: 02:23:19 – 02:31:47:** Chair Wark said, a, I think we need to get on a more frequent meeting schedule. I know we want to do a mailer, Selectperson Cabot and I can doodle ideas off to the side. The mailer will be on the two petition items. I think tonight's meeting actually is going to be good fodder for some of that. Then we want to have an informational meeting. I think that mailer can be a good introduction to that date and what the topics are going to be. We need to express how important it is that you come and get this information. Then the town meeting. I think those should be close together. Michelle said, we need to have the town report, seven days prior to the town meeting. Jeff Libby brought up the engineer's report, and what they wanted to do whether they wanted one or no. It will cost about \$7500. Jeff Libby said they'll go through the whole thing top to bottom, and they'll poke holes. Chair Wark said, but you won't end up with blueprints like the ones that got stolen. Selectperson Gray said, until we have an audit you don't know how much we've already spent out of the contingency. Chair Wark said, I agree with you, but I don't think there's a more important number this guy is going to give us. Selectperson Gray said, I don't disagree with that. Michelle asked, the contingency is for the 2%? Selectperson Gray said, it's for anything the way the articles were approved last year, if those numbers in Trio don't equal. Article 5 was these things, when you take all of those buckets, and you add them together you should have them equal. Chair Wark said, the fire department overspent the budget two years in a row. That didn't come out of contingency because they had an article. We had to go back in town meeting and you will approve this over expenditure. Selectperson Gray corrected, that the first year they did take money out of contingency for it. So that's why we have \$15,000 that's already approved for us so that if we do a budgetary error. We're allowed a \$15,000 mistake, basically. Michelle said, ok. Chair Wark said, where do we stand on town funds, running the town? Selectperson Cabot said, it's very very important. Chair Wark said, if we don't have real numbers. I agree with Selectperson Gray when you say even if we do have numbers you're still going to have 80 people stand up and say that's not true. Chair Wark said, we're not making this stuff up despite what people keep saying. I'm leaning towards getting a real number. Michelle said, what she can work on tomorrow, now she understand your negatives and figure out where stand with that. I'll work on that tomorrow morning. Selectperson Gray said, if you could send us an email tomorrow with whatever you find and if you need a hand or whatever tomorrow just call. I would just feel better if we could just sort that. Michelle said, we also have had questions on road money. Sam is digging into that to see where we stand with that and with the monument lot. Selectperson Gray said, that should be pretty straight forward. Michelle said, not really. You'd be surprised. Selectperson Gray said, we had an audit at the end of last year that said what was there and the town report that said what's we've spent. Michelle said, she's going back through some other stuff as to how it got set up, and how it arrived so she's digging a little further. We'll work on that tomorrow. Chair Wark said, I have a calendar, are we thinking of a weekday or a weekend for the meeting. Michelle said, think you're going to have to do a weekend. Chair Wark said, a Saturday, not a Sunday. Can we do the April 27th for town meeting. Chair Wark said either April 27th or May 4th would work for town meeting dates. Michelle said, I'm thinking May 4th because you have to get your town report and your articles. Once we pick a date we can work backwards with an informational meeting date, the mailer, etc. We can have as many select board meetings as we need to discuss this, and get things straightened out. Jeff Libby asked what time the board was thinking of for the town meeting. Chair Wark said, for a Saturday, he was thinking 1PM. Michelle said, we need to come up with articles, are you coming up with articles that are?

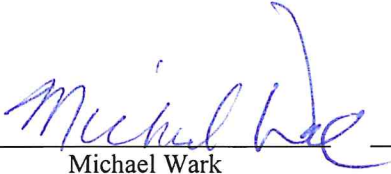
**Adjourn.**

Selectperson Gray a motion to adjourn at 6:45pm, Selectperson Cabot, 2<sup>nd</sup>. All in favor.

**THE NEXT MEETING IS APRIL 17, 2024, at the Fire Station (*Agenda subject to change without notice*)**


Respectfully submitted,

Town Manager



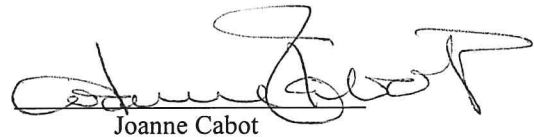
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Michael Wark



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Dale Gray



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Joanne Cabot