

**TOWN OF SANGERVILLE  
BOARD OF SELECTMEN  
MEETING AGENDA  
Beginning @ 5:00 p.m.  
Wednesday, September 13, 2017**

**Item 1. Open Meeting: (Pledge)** Chairman Mike Wark called meeting to order at 5:04 PM, followed by the Pledge of Allegiance.

- a. **Selectmen Present:** Mike Wark, Jody Cabot, Dale Gray
- b. **Employees Present:** Lois Jones
- c. **Residents Present:** Terri Wark, Sherry Martin, Phil Martin

**Item 2. Approval of Minutes:**

- A. **August 23, 2017.** Selectman Gray made a motion and Selectman Cabot 2<sup>nd</sup> to approve the August 23, 2017 minutes, as read. All in favor.

**Item 3. Review of the Treasurer's Warrants:**

- A. **Payroll #140, 143.**
- B. **Accounts Payable #141, 142, 144, 145, 146.** Selectman Gray made a motion and Selectman Cabot 2<sup>nd</sup> to approve the warrants. All in favor.

**Item 4. Open Session: Limited to 2 Minutes – Extension per Chairman**

- A. **Phil Martin – Martin's Cleaning Service.** Mr. Martin addressed the Board regarding when is the Town Hall cleaning going to go out to bid.

**Item 5: Selectmen Concerns:**

- A. **Selectman Gray.** Selectman Gray had received an inquiry from a resident on the Douty Hill Road asking about the horse signs and if it was possible to get them on Douty Hill. Because Douty Hill is a state-aid road, the State would have to be contacted for that to happen. He also received a complaint from a resident regarding the work on Silver's Mills Road – the ditching material was dumped on Easler Road and was blocking part of the road. Would it be possible to get it pushed back?
- B. **Selectman Cabot.** Stated she had received a complaint that there was a brush pile on the Village Cemetery. Can it be removed or has it been chipped?
- C. **Selectman Wark.** Stated he had looked at Silver's Mills and so far it looked pretty good.

**Item 6. Committee Reports:**

- A. **Rec Committee.** Jason Higgins provided an update on the progress of the gazebo and multipurpose field (attached). There could be an issue with the gazebo being required to meet ADA requirements for the opening. This was not planned in the original plans, but for a future plan. It is believed this will have to be completed for the opening on September 23<sup>rd</sup>, but the Town Manager has a call in to the Fire Marshal's office at the State and is awaiting a response and determination from them. September 23<sup>rd</sup> is the grand opening of the gazebo and multipurpose field, with a concert and bar-be-que. The rec committee also inquired about mowing the multipurpose field – who can do it and how will it be paid for? Board reviewed the

- remaining rec budget and determined there should be enough in the budget to cover mowing for the next few weeks and opted to pay Orman Gray \$25/hour.
- B. Road Commissioner.** Stated the Silver's Mills Road project is coming along nicely. Culverts and ditching was done, 800 foot section was nearing completion.
  - C. Public Works report.** A report was submitted by PW Director – attached. The report indicates that the PW Dept did brush cutting and chipping and is requesting the rental of a mini excavator to remove stumps and shrubs to reduce cutting every year. Town Manager will research the possibility of using an herbicide.

#### **Item 7. New Business:**

- A. Regular Board meeting schedule.** Chairman Wark made a motion and Selectman Gray 2<sup>nd</sup> to hold the regular Board of Selectmen's meetings the first and third Wednesday at 5PM of every month, and to add meeting as needed. All in favor.
- B. Abatements.** Selectman Cabot made a motion and Selectman Gray 2<sup>nd</sup> to approve the abatement for Stephen & Jacqueline Mendrzychowski, in the amount of \$14.82 for corrected acreage. All in favor.
- C. Distribution email system.** The Board felt there was no need for an email distribution listing as the Town posts on its website, the Town Office, the Post Office, AE Robinson, and at Country Time store.
- D. Public hearing for GA.** Public hearing was set for 4:45PM on September 20<sup>th</sup>.
- E. Sand/Salt Ratio.** Selectman Gray made a motion and Selectman Cabot 2<sup>nd</sup> to approve the ratio of sand and salt at the budgeted ratio, which was the plan to be 10-1. All in favor.
- F. Town Funds, fund balance policy.** Board discussed available Town funds and how to invest them for the best outcome. There is a question regarding the interest on the loan for the fire truck. Also, what is the interest rate for the Town funds? Manager will research.
- G. Multi-year contracting (mowing).** A Board, when accepting and choosing a bid winner, cannot enter into a multi-year contract. If contract is to be for more than one year, it must be approved at a Town meeting.
- H. Health ins memo.** Manager designed a memo for employees to complete, based on info requested by local insurance agent, to get price quotes from other insurance companies.
- I. Randall email RE: Phil Martin.** An email was sent from Melissa Randall regarding Phil Martin(attached). The Board addressed the email, paragraph by paragraph, as follows:
  - Paragraph 1: Citizens should be calling Town office or the Board when they have concerns. Mr. Martin was informed last Nov/Dec that he would be an independent contractor – that he would no longer be an employee.
  - Paragraph 3: In multiple discussions with Terry Ann Holden, from the Office of Community Development in Augusta, she assured both the Town Manager and the Chairman of the Board, that there is no scenario where the Town would be held responsible to repay any of the \$50,000 grant funds back to the State. The Martin's, who were present, understand that they are responsible for staying in business. The term "fire" is a misnomer – Mr. Martin was not "fired." Fired implies some type of disciplinary action. The Town is transitioning from employee to contract.
  - Paragraph 4: There is no Board motion needed to "fire" an employee – it is strictly a Manager's decision.
  - Paragraph 5: Public works, usually only 1 PW employee, usually completes the task of cleaning the Town office, library, community rooms, and bathrooms in 1-3 hours

per week, which took Mr. Martin 11 hours per week. The Town office or library have not received any complaints regarding level of cleanliness.

Paragraph 6: A resident cannot demand the Board to pay for a service the Town may or may not need.

- J. The Board will be willing to write a letter for the website and present at next Board meeting.
- K. Melissa Randall also wrote an email to Chummy Jackson, titled "mutual concerns" (copy attached). The Board was not sure about her comment regarding FOAA. Everything is posted as it should be – there was no emergency road committee meeting – it was an emergency Board meeting about the roads. Both notice and minutes reflect it as such. Proper notice was given, media called, posted 24 hours prior.
- L. The Board will continue to address emails from any resident, to clarify and supply Townspeople with correct information, as they come.

**Item 8. Old Business.** None.

**Item 9. Correspondence.**

- A. **Tracy Hibbard Kasprzak – Mayo Regional cancer center opening invite.** Acknowledged.
- B. **MMA Risk Management W/C Fund Dividend.** Acknowledged.
- C. **Verbal Judo Class.** Class is October 27<sup>th</sup>, 2017, at Hilton Garden Inn in Bangor. This is an excellent class for Board and Manager to attend. Manager will check budget.
- D. **Sprinkler Inspection Certificate.** Acknowledged.
- E. **SAD #4 Vote and Budget.** Acknowledged.
- F. **2018 State Property Valuation review.** Manager explained that this is the amount the State values the Town, and the value that is used to calculate school payments, county tax, and Maine Revenue Sharing.

**Item 10. Request for Additional Agenda Items.**

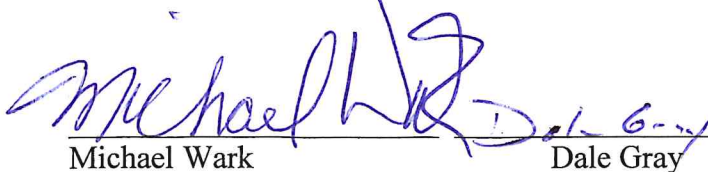
- A. **Abbie Fowler Minutes.** Abbie Fowler minutes from their Sept 6<sup>th</sup> meeting was briefly reviewed. It was suggested to have Mr. Howard attend the Sept. 20 Board meeting, along with the Abbie Fowler committee.

**Item 11. Executive Session.** None.

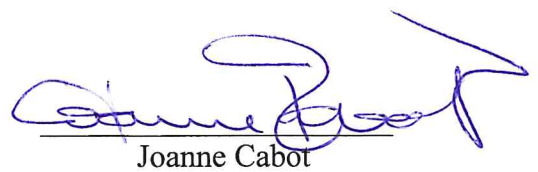
**Item 12: Adjourn.** Chairman Wark made a motion and Selectman Cabot 2<sup>nd</sup> to adjourn the meeting. All in favor. **(NEXT MEETING SEPTEMBER 20, 2017, 5PM)**

Respectfully submitted,

  
Lois A. Jones

  
Michael Wark

  
Dale Gray

  
Joanne Cabot

## Town Manager

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**From:** Jason Higgins <higginsjd1016@yahoo.com>  
**Sent:** Wednesday, September 13, 2017 4:33 PM  
**To:** Lois Jones; Jimmy Bell  
**Subject:** Rec committee update

General update

Field - grass has been cut 4 times and would like to transfer to town.

Work to cleanup the perimeter of field (low spots)

Done watering with irrigation

Plan to put goals together and line field for soccer games in late Sept and first Oct

### Gazebo

Electrical hookup completed

Builders on site

Base is complete and floor boards done

Working on roof

Grass in this section planned.

Receive donation from Hydro Seed Corp in Pittsfield for good grass seed. Purchased \$50 of winter eye to mix with it.

SPW to help with moving crush rock and few other task to prepare for Sept 23

Ask that TM and SB join us at the event.

Rec committee would like to do a short recognition of major sponsors and volunteers.

Ordered picnic tables

Sent from my iPhone

## Public Works Report for Selectboard

For the past month, we have cut and chipped brush on the side of the road on Silvers Mills, Frenchs Mill and Flanders Hill Roads. We've cut and chipped brush around all the cemetery property lines. This Fall I would like to rent a mini excavator to go back and remove the stumps and shrubs so the Mower Contractor will be able to mow this area. If not it will have to be cut every year with brush saw.

Lois and I agreed that we should have Herrick Const., while they are in the area, replace the culvert on the Silvers Mills Road, the first one north of the Frenchs Mill Road intersection. The top of this culvert is exposed and could be a problem with snow plowing. Also, if the budget allows it, we will be able to extend the paving further up the hill.

We need to place a load or two of gravel at the mouth of Knowlton Mills Road and Douty Hill Road intersection.

Peter Drummond

Public Works Director

## Town Manager

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**From:** Melissa Randall <bmandc@gmail.com>  
**Sent:** Thursday, September 07, 2017 4:36 PM  
**To:** tmsangerville; Mike W; jazzmo farm; jkcabot@gmail.com  
**Cc:** Rick Pellerin; Cynthia Hall; Diana; Paul Davis; Charlie Cleaves; Dyan McCarthy-Clark; Ron Labonte; Jerry Peters; Richard Doherty; callwild2@hotmail.com; Dan Hall; Matt Bell; Steve DeGoosh  
**Subject:** Martin's Cleaning Services

Dear Ms. Jones and Board,

Recently I have received several phone calls expressing concerns about the apparent firing of the Town's long term maintenance man, Mr. Phillip Martin, owner of Martin's Cleaning Service.

I have discussed the situation at length with Mr. Martin and his wife. He tells me that he was called into the Town Manager's office and fired on the last day that Mr. Matthew Pineo worked for the Town. Mr. Martin says that Mr. Pineo told him that the Board was planning on contracting out the cleaning of the Town Hall, and that he should expect to be back at work shortly. That was in May. Mr. Martin tells me that he has approached Ms. Jones as to why he hasn't heard anything about resuming his position, and was told that the Board was considering their options.

I remember discussing with Mr. Wark and Mr. Gray the requirements of the the micro grant that Martin Cleaning Services received. One of the stipulations of the grant required that Martin Cleaning Services remain in business 5 years after the closure of the grant. Further, if the requirements of the grant are not fulfilled, then the Town of Sangerville could be held responsible for repaying the \$50,000 grant. I also remember, as part of that discussion, the purported benefits of saving the Town the cost of his Workman's Compensation Insurance, and payroll tax.

To the best of my knowledge, there was no formal plan to fire Mr. Martin or replace him with an independent contractor formally discussed (through motion and vote) while I was on the Board or were there any presented at the Budget Committee meetings. The budget lines for General Government included Mr. Martin's full compensation including, in separate accounts, payroll taxes and workman's compensation with no reduction or discussion at Town Meeting. I have reviewed the Select Board Meeting Minutes from September of 2016 to the present and find no reference or agenda item where the Town Manager, either Church, Pineo or Jones, was instructed to fire our former employee. How did this come about? Why was no vote taken in a public meeting? Did the former Town Manager do this without instruction from the full Board? Mr. Martin has worked satisfactorily for the Town for 20 years. This is a shabby way to treat him. I remember we have had more than one occasion where Town employees have been fired and the Town has paid dearly or the subsequent lawsuits

Finally, I would like to know why it is preferable to pay upwards of 30 dollars per hour with benefits for vacuuming the Hall and cleaning the restrooms by both Public Works employees, than to pay Mr. Martin at \$10 per hour with no benefits? It is also troubling that men, who could be out doing much needed road work, are scrubbing toilets.

I have always found Mr. Martin a competent, valuable, and reliable employee, and an asset to the Town of Sangerville. I am requesting that an equitable contract, at least through the end of 2017, be awarded to Martin Cleaning Services considering his further costs of liability and workman's comp insurance and payroll tax; costs that any independent contractor would calculate into his pay. I would also like to see this done as soon as possible, preferably at the next Selectmen's Meeting. I would also expect that there be some assurance from the Board to Mr. Martin that his services will be required in 2018, thus assuring the taxpayers of Sangerville that their investment in Martin's Cleaning Service was well placed.

Sincerely,



Mail 7.0 - Mutual concerns .eml

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## Mutual concerns

From: Melissa Randall <bmandc@gmail.com>

Date: 09/08/2017 18:53

To: chummyjackson@myfairpoint.net

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Hi Chummie,

I had high hopes that our new Board would behave honorably, but apparently not. I am deeply worried about their lack of respect for FOIA laws. Did you happen to notice how the "Emergency Road Committee Meeting" posting has changed into a "Select Board Workshop"? Not only did they have an illegal meeting, but they went back and changed the posting on the website. Take a screen shot today. Who is handling the website?

We should talk.

Melissa

Sent from my iPad