

MINUTES
SELECTPEOPLE'S MEETING
LIMESTONE MUNICIPAL BUILDING
WEDNESDAY DECEMBER 16, 2020.

SELECTPEOPLE PRESENT: Jesse Philbrick Vice Chairman, Fred Pelletier, Paul Durepo, II, Chairman, James Pelkey, Jr., and Irma Labreck

I. Adjustment to the Agenda:

Town Manager opened the meeting with a few thoughts and they are as follows:

The agenda is short to allow the board to deal with legal issues. The weekend packet that was sent you included minutes, accounts payable, payroll that we have been diligently working on to correct some may or may not have been approved. Most important we have begun correcting and setting up the filing system.

The last meeting a month ago was not a good one. There is a requirement for the board to have a chairman. I have got statements from legal. These are just opinions. There has been a change of chairman due to a vote. The votes taken where legal votes. The question is does Selectperson Pelkey or Philbrick call the meeting to order.

II. Call Meeting to Order:

Selectperson Labreck called the meeting to order at 6:36 pm seconded by Selectperson Durepo, II

III. Pledge of Allegiance and Prayer:

The Pledge of Allegiance was recited by all, and Selectperson Pelkey, Jr led the group in prayer.

Selectperson Durepo, II makes a motion to go into executive session per M.R.S.A 405 to discuss a legal matter, seconded by Selectperson Pelkey, Jr. Selectperson Philbrick states that this was done in open session and we have some public here and this needs to be addressed in open session. Selectperson Labreck talks about how shocked she was over how her first meeting went. Selectperson Philbrick explains that one reason he ran to selectperson was he wanted to see personal property taxes paid and also to clean up some of the old buildings. Selectperson Labreck states we need to work together for the Town not ourselves. Selectperson Philbrick states that there was no reason to remove him as chairperson. The meeting was supposed to be posted 7 days in advance and it was posted only 2. If new officers were to be elected the Town Manager was to open and run the meeting and Selectperson Durepo, II took the meeting right

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over. Selectperson Philbrick asks if Vicki A Page has certified that vote. Page asks Philbrick to clarify what vote he is talking about. Once Philbrick clarified what vote he was talking about. Page informs him no she has not because the minutes were not given to her as of this time.

Selectperson Pelkey, Jr states that he was voted in as Chairperson at last meeting so let's move this along. Town Manager hope, the current issues at hand would be resolved in a mature and timely manner in the best interest of the Town.

Moving Limestone forward is complex due to many of our problems are deep rooted issues often going back 3 to 5 or more years. Most significant is the financial situation the town has and how to work our way out of it. Without question our capital need are great as facilities, equipment, and roads have taken a back seat to keeping taxes low.

The goal of keeping property taxes low is great but artificially low ultimately sacrifices the ability of the town to provide for the long term wants and needs of the community.

The town's problems are now compounded by the economic condition of the State and Country along with social/political issues of the election and pandemic.

In the words of one quote, "When you are up to your ass in alligators, it's easy to forget you came to drain the swamp."

The who or what caused the many issues we face is far less important than getting them corrected and moving on. What often seems like the "Hatfield - McCoy" type feud must come to an end for who did what to who and when does not correct the problem. I became your Town Manager based on my belief there was a desire to move forward with correcting the problem not a desire to find fault.

Most of all the town needs to move on from the concept of the budget being a snapshot in time, (July 1 through June 30), and look at the much broader concept of the budget being looked at as a mural of at least three to five years in advance.

Ultimately the goal is to provide for an effective, efficient, and economical budget for the provision of the wants and needs the community desires.

First and foremost, over these past weeks, my priority has been to provide the board with a legal overview and hopefully a resolution to the issues created at the Wednesday, November 18th meeting.

My direction has been to provide an overview with resolutions thus it was necessary for me to pursue legal opinions for the Board to assist in their decision making.

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Therefore, I requested the Town Attorney and MMA legal to review the issues and provide legal opinions for the Board to act upon.

The Board needs to understand when dealing with issues such as these, the opinion is just that, an opinion, as actual case law with precedence is seldom available.

Ultimately, it is up to the Board to determine how they choose to move forward with the opinions and any other steps necessary to address concerns they may have.

In the opinion of legal they state the meeting was legal for the following reasons:

1. The issue of electing the new slate of officers, in itself, did not make the meeting illegitimate but was a point of contention.
2. The continuation of the meeting, with or without the issue of electing a new slate of officers, is based on the Vice Chair being in charge in the absence of the Chair. Therefore, the Vice-Chair, also being newly elected Chair, provided continuity. This would not change due legal opinion on the By-Laws, election of officers or other issues as part of the meeting.

The issue of a new slate of officers, (By-Laws 2013), is a totally separate issue and up to the Board to decide how they view the legal opinion of the Town Attorney & MMA. This was unanimous vote to do so. The board as a whole decided to follow the 2013 By-Laws. This being said there was a vote for James Pelkey, Jr to be chair with a 3 to 2 vote. Also, Jesse Philbrick had vote of 2 to 3 votes, therefore making James Pelkey, Jr the new chair.

There is a resignation on the floor, does it have to be in writing? No, it does not. There is no clear legal stance on how to deal with resignations, it is up to the board to decide on how they will go.

Selectperson Philbrick asks Walt Elliott to discuss the by-law change. Elliott states that they the board when he was on, he went to legal stating about changing by-laws from any municipal meeting, would be after the annual meeting. Vicki was to type it in the minutes stating annual meeting. Selectperson Pelkey, states it was not found and we did not find it and we need to go with what is better for the Town. Philbrick wants to know why they are wanting to change officers. Selectperson Pelkey asks the board if they are ok with the vote. Pelkey states we went to the lawyer and we are moving forward with me as Chairman. Philbrick wants to know why we don't make Pelletier chairman. Selectperson Labreck states she would like to see Philbrick stay on the board but we need to do the betterment of the board.

Chairman Pelkey asks to approve the minute of October 7, 2020 and October 28, 2020 Pelletier asks for a correction of the date of the next meeting was wrong, Johndro states she has corrected that. Philbrick states there was a misprint on the amount to be left of the books, Johndro states she has corrected that and give Philbrick the figure of \$ 10,418.95 should \$ 5,301.96 to be left on the books. Town Manager asks are they do be listed as collectables or uncollectable. Philbrick

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states he filed for bankruptcy and I would like to see the judgement, if he has a judgement stating that he does not have to pay he will say no more.

Selectperson Pelletier makes a motion to accept the minute as corrected, seconded by Selectperson Philbrick. **Motion Passes 5 to 0**

IV. Public Comment

James Cote wonders why we have by-Laws if not going to follow them. Pelkey states we did follow the by-laws we had. Cote states you have minutes you are not even following. Why do this. Town Manger states the staff is working on correcting and updating all policies and procedures.

V. Old Business

Sign the letter of consent for the Audit FY19. Once this is done FY19 is done and they will be able to finish FY20 audit.

Selectperson Pelletier motions to allow Town Manager to sign the letter of consent for FY19 Audit, seconded by Selectperson Durepo, II. With no discussion **Motion passed vote of 5 to 0**

VI. New Business

A. Town Manager gives his resignation affective December 25th, 2020

Selectperson Philbrick made motion to accept Town Managers resignation. No second Motion Fails

B. Selectperson Philbrick's Resignation from the board

Chairman Pelkey, Jr brings up the subject of Philbrick's resignation. Philbrick brings up that the Chairman did the same thing and that he did apologize to Johndro. Philbrick also states the board did not know about what happened outside. Johndro admits that she did get in Philbrick's face outside, Philbrick states it was not called for. Johndro states maybe not however you were inside swearing at her in front of the whole Town. Chairman Pelkey, Jr states we need to stay civil.

Chairman states that we need to take up conduct of Philbrick. Selectperson Durepo, II states that this can not happen.

Selectperson Labreck makes motion that behavior can not happen again, second by Selectperson Pelletier. **Motion Passes with vote 4 in favor 1 opposed.**

Those in favor Chairman Pelkey, Jr, Selectperson Philbrick, Selectperson Labreck, and Selectperson Pelletier

Those Opposed Selectperson Durepo, II

Conduct of employees in general – No one should be allowed to yell or talk to an employee with out going through the Town Manger. There needs to be a penalty for conduct. If Johndro is able to accept the apology then let's move on.

Town Manager asks that the board puts that into a motion. This needs to be done, Finch states he hopes that who ever sits here after him follows this policy and makes the board very aware of that. The board needs to understand that you only have power when the gavel comes down to when it comes down again. And after that the members of the board do not need to speak to employees.

Finch wants this on record that when he was hired, he told the board that no one needs to tell him what any employee was doing, the employees work for him and he would make that discission.

Selectperson Labreck makes a motion that the board accept the resolution from the last meeting, seconded by Selectperson Pelletier. With no discussion **Motion Passes 5 to 0 Unanimous**

VII. Elected Official Statements:

Selectperson Labreck – When looking at the roads what about looking the sidewalk on main street

Selectperson Pelletier – Congrats to Public Works for making it through the first snow storm under our new Foreman.

Selectperson Philbrick – The door has come off the Salt/Sand Shed Also that half of the abatement that was given to Caldwell's half belongs to Randy Brooker.

Selectperson Durepo, II – Look at getting a price of a security door.

Chairman Pelkey, Jr – Again a great thanks to the Public works

VIII. Approval of Warrants

A/P Warrants - # 24, # 26, # 28, # 30, #31, # 32, & # 33

Selectperson Pelletier made a motion to accept all A/P Warrants, seconded by Selectperson Durepo, II. **Motion Passes 5 to 0 Unanimous**


Payroll Warrants - # 25, # 27, & # 29 # 34

Selectperson Pelletier made a motion to accept all A/P Warrants, seconded by Selectperson Durepo, II. **Motion Passes 5 to 0 Unanimous**

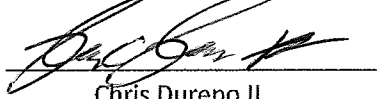
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IX. Executive Session: Selectperson Pelkey, Jr. Motions to go into executive session, seconded by Selectperson Pelletier for M.R.S.A. chapter 405 (6) Personnel Matter. **Motion Passes 5 to 0**

X. Adjournment:


James Pelkey, Jr, Chairperson

Fred Pelletier, Vice Chairman


Chris Durepo II

Jesse Philbrick


Irma Labreck

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