



**SPECIAL TOWN COUNCIL MEETING
AGENDA**

- ITEM 1.** Call to Order

- ITEM 2.** Consideration of the June 20, 2011 and June 27, 2011 Council Meeting Minutes

- ITEM 3.** Municipal Resources Inc. – Presentation on Assessing

- ITEM 4.** CEO Appointments

- ITEM 5.** Executive Session 1 MRSA 405(6)E Consultation with Town Attorney and Insurance Risk Consultant on Pending or Contemplated Litigation

- ITEM 6.** Adjournment

Joseph Friedman
1 Veazie Villas
852-0933

Jonathan Parker
1149 Buck Hill Dr.
947-4740

Brian Perkins
1116 Chase Rd.
942-2609

Tammy Olson
5 Prouty Drive
947-9624

David King
1081 Main Street
942-2376

AGENDA NOTES and MANAGER'S REPORT

For Wednesday July 6th @ 7 PM Veazie Council Chambers

ITEM 3: Municipal Resources Group Inc. – Review of Assessing

Don Jutton of Municipal Resources Inc. will be present to review the assessment and recommendations that they have for the Town's assessing services.

MRI had two people in all day Wednesday working with staff reviewing the work done to date and the assessing data and other records that pertain to assessing duties. Staff assisted in finding where records were located and what they knew had been entered into the system. One item that will be discussed below is the Tax Map update project.

They outlined in the exit meeting, with myself, that things were not in bad shape but in a manner that one would think they would find when someone was on medical leave for several months.

They also met and spoke with some regional assessors who had been working with Allan. They also had discussions with the State Bureau of Taxation.

The State was also in last week reviewing last year's work and community valuation. That seemed to move along quite smoothly also.

Staff looks forward to hearing their proposal on how to address the assessing situation.

Management does not have a recommendation due to the fact that we have not seen a proposal. So we reserve comment and recommendation until that time.

*One large item that did come up which will have to be addressed is the planned update to the tax maps which were going to be undertaken upon Allan's return from leave. The last update was completed in 2008. Sewell has not received the deed descriptions to update the changes. This will have to be investigated by the new assessor and planned funds will have to be encumbered to do the project in the coming year.

A proposed motion for this would be:

Motion to carry forward \$2,000.00 of Assessors Expense (FY 2010-2011) for the purpose of updating the Town's Tax Maps.

ITEM 4: CEO Appointments:

It would be recommended that we reappoint Brian Stoyell as an alternative Code Enforcement Officer until June 30, 2012.

At the present time, management is speaking with two individuals on acting as interim Code Enforcement Officer until we establish a long term path forward. We are in hopes to finalize discussions with the individuals by next week. The holiday and summer vacations have made it somewhat difficult for lining up quick meetings.

ITEM 5: Executive Session:

The Town Attorney sent you an email pertaining to potential legal matters that involve the former Assessor / CEO.

Since that point in time we have contacted our insurer and they will be coming to the session to review the situation. Legal counsel, staff and consultants will be present for a consultation on this pending legal matter.

Other Items:

Please find enclosed a copy of a request from Attorney Hammer for all records pertaining to Allan Thomas. If you have any documents for any reason in the request please forward the documents to the Town Office. We are currently putting together a packet for the Attorney.

Also find enclosed a copy of a letter from Rob Tomilson, this letter was handed out at the last Special Town Council meeting. He requested that the document be read during an open session. I have enclosed it for your consideration and review.

PRESENT: Councilor Parker, Councilor Perkins, Councilor King, Councilor Friedman, Councilor Olson, Manager W. Reed, Deputy Clerk K. Humphrey, Office Administrator J. Reed, Assessor A. Thomas, Fire Chief G. Martin, Police Chief M. Leonard, Parks & Recreation Director R. Young, Public Works Director B. Stoyell. Members of the Public.

ITEM 1. The June 6, 2011 Veazie Town Council meeting was called to order at 7:00PM.

ITEM 2a. Election of a Chair

Motion By: Councilor King—to nominate Councilor Friedman as Chairman.
Seconded: Councilor Perkins, Voted 3-1. Councilor Friedman abstained.

ITEM 2b. Setting of Meeting Schedule

It was the consensus to continue the same schedule of every other Monday meetings.

ITEM 3. Consideration of the Minutes

Motion By: Councilor King—to accept the June 6, 2011 meeting minutes as written. Seconded: Councilor Perkins, Voted 4-0 in favor. Councilor Olson abstained

Motion By: Councilor King—to accept the June 14, 2011 meeting minutes as written. Seconded: Councilor Parker, Voted 3-0 in favor. Chairman Friedman and Councilor Olson abstained.

ITEM 4. Consideration of the Agenda

Chairman Friedman stated he would like a list of the committees and expiration dates for the Council to review.

ITEM 5. Comments from the Public

Member of the public Travis Noyes suggested the Council coming up with some sort of agenda that they want to accomplish this year with the Budget Committee and also in general. Councilor Perkins stated that it was definitely something to think about, setting goals and objectives.

ITEM 6a. Community Center - Doors

Motion By: Councilor King—to order the Town Manager to award the door replacement award to Viking Glass for the sum \$6.870 with said funding to come from the Energy Efficiency Grant and the matching funds for the grant coming from the Economic Development Reserve Fund. Seconded: Councilor Perkins. Councilor Parker asked if that was the lowest bid. Manager Reed stated it was. Voted 5-0 in favor.

Andrew George of EMDC outlined that they have hired someone from Penquis to do an energy audit on the community center. Once done they can submit and release the funds from the grant. They are currently applying for a \$20,000 grant as well.

ITEM 6b. Annual Appointments

Manager Reed stated that Allan Thomas's assessing and code enforcement appointment expires at the end of June and it was recommended that he be appointed for another year.

Chairman Friedman stated that he would like to have the Town Attorney meet with the Council and discuss this before appointing anyone. Manager Reed suggested at least appointing a code enforcement officer otherwise the Town won't have anyone to enforce code after June 30th. Councilor Olson stated that there was a state statute that stated that if the code enforcement officer was not reappointed that they can continue serving until one is appointed. Councilor Olson provided a copy of the statute to the Council.

Councilor Parker suggested appointing Mr. Thomas for a shorter term. It was the consensus of the Council to have Manager Reed contact the Town attorney and see when the earliest date would be that he could meet with the Council to discuss this issue and to take no action on the appointment.

ITEM 6c. Fund Transfer

Motion: Councilor King—to authorize staff to transfer \$125,000 from the undesignated fund to the municipal credit reserve account as approved at the annual town meeting to reduce the property tax rate. Seconded: Councilor Parker, Voted 5-0 in favor.

Member of the public Todd Lynch inquired on how money got into the undesignated fund. Manager Reed explained that any unused money from year to year or any overlay that isn't used to offset abatements goes into the undesignated funds.

ITEM 7a. RSU Funding

There was discussion on handling the roughly \$160,000 increase in the RSU assessment. Manager Reed outlined that the RSU may be receiving some extra funding from the State which would help offset the assessment. The extra funding may be around \$19,000.

Staff's recommendation was to address the present year's proposed RSU assessment by using the 2013/2014 reserve funds (\$33,000) and possibly some of the 2012/2013 reserve funds which has a balance of \$180,000. Staff also recommends establishing a new reserve account called the Veazie Assessment Stabilization Fund. This would help offset any large sudden increases in the future.

Councilor Perkins outlined that he did not wish to raid reserve funds because he was afraid the Town would need them next year.

Member of the public Todd Lynch inquired on when the Council had to decide by. Manager Reed explained that it needs to be done before the RSU sends their assessment.

Chairman Friedman stated that he would like to see what happens at the meeting on June 21st before he makes a decision. He would like to have it on the agenda for the next meeting.

ITEM 7b. Junk Complaints Update

CEO Allan Thomas gave an update on the junk complaints. The homeowner on Thompson Road had trimmed their grass, they also only had one unregistered vehicle in the yard. The residence on Hobson Avenue had trimmed their grass and there is nothing that can be done about the snowmobiles in the yard. The Main Street residence tends to be an ongoing problem.

Member of the public Michael Boynton outlined that this is an ongoing problem and the codes need to be changed.

Councilor King mentioned a few lawns that are above the ten inch limit.

Manager Reed will consult the Town Attorney to see if the Town's code is as good as it can be or if it can be improved upon.

ITEM 7c. Jake Brake Update

Chief Leonard stated that a jake brake ordinance was not something that could be enforced. The black and yellow signs that are in other municipalities are just advisory. It was the consensus of the Council to have a sign put up along Route 2. The wording will address all vehicle noise.

ITEM 7d. Delinquent Tax Accounts

Motion By: Councilor Parker—to order the start of a property tax sale of real estate 346 – 5 Veazie Street (07-46) and real estate account 945 – 1490 State Street Trailer 21 (10-06-21). Seconded: Councilor Perkins. Chairman Friedman asked if the water and sewer district had been notified. Manager Reed stated they had. Voted 5-0 in favor.

Councilor Perkins asked where the Town was with the Crowe properties. Deputy Tax Collector Julie Reed stated that she will file the 3rd lien this August and January will be the foreclosure.

ITEM 8. Additions by Council

Councilor Parker stated that he would like to start getting the Sewer District minutes in the Council packets.

Councilor King inquired about the letters from the Town Attorney regarding eligibility of Council member and legality of assessment. Manager Reed outlined that a resident and others had asked about the legality of a sewer district employee serving on the Council due to the assessment matter and the other issue concerning "revealed by implication" was brought up to the assessor from questions asked of him.

Councilor Perkins outlined that he felt it was frivolous to contact the Town Attorney on those issues and felt that things should be brought to the Council's

attention before taking it to the Town Attorney. Manager Reed stated that it was an internal request from staff to know if the assessment was acceptable and legal and an election matter.

Gary Brooks, Sewer District Superintendent stated that he agreed it was frivolous and the Sewer District could have been contacted and asked. Manager Reed stated that Travis Noyes, Budget Committee member, had outlined to him that he went to the Sewer District for answers but did not get any.

ITEM 9. Manager's Report

The Town Council reviewed the following items:

- a. a copy of the sewer assessment opinion pertaining to "repealed by implication" written by the Town Attorney
- b. a copy of a conflict of interest opinion written by the Town Attorney
- c. a copy of photos displaying the Shore Road repair project
- d. a copy of a letter from the Maine Community Foundation outlining that we did not win a second grant.
- e. the BACTs long range transportation plan public document
- f. the water district's minutes
- g. a copy of the Legislative Bulletin

ITEM 10. Requests for Information and Town Council Comments

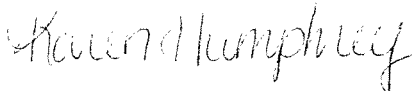
Councilor Perkins inquired on Manager Reed's submission for reimbursement in the warrant and why it wasn't submitted sooner or done monthly. Manager Reed explained that he had just saved up his submissions.

The next regular Council meeting falls on July 4th so it was the consensus to cancel the meeting. The will try to meet on July 11th instead.

ITEM 11. Warrants: Town Warrant 26, 26A and Town Payroll 26 were circulated for signature.

ITEM 12. Adjournment: Motion: Councilor King—to adjourn the June 20, 2011 Town Council Meeting. Seconded: Councilor Perkins. There was no further discussion. Voted 5-0. Meeting adjourned 8:41 pm.

A true record, Attest:



*Karen Humphrey
Deputy Clerk
Town of Veazie*

PRESENT: Chairman Friedman, Councilor Perkins, Councilor King, Councilor Parker, Councilor Olson, Manager W. Reed, Deputy Clerk K. Humphrey, Office Administrator J. Reed, Fire Chief G. Martin, Police Chief M. Leonard, Parks & Recreation Director R. Young, Public Works Director B. Stoyell. Members of the Public.

ITEM 1. The June 27, 2011 Veazie Town Council meeting was called to order at 7:00PM.

ITEM 1a. Motion By: Chairman Friedman—to accept Allan Thomas' resignation dated June 21st, 2011. Seconded: Councilor Perkins, Voted 5-0 in favor.

ITEM 2a. Assessing / Code Enforcement Discussion

Chairman Friedman outlined that he has asked Manager Reed to contact Don Jutton of Municipal Resources Inc. to request help with the assessment/commitment. .

Manager Reed outlined that Mr. Jutton passed him on to their assessing agent for the State of Maine and they can have two people come up on the 29th and review the assessment information then come to a special meeting on July 6th with a proposed action plan. The cost for the evaluation process is about \$750. Manager Reed stated that the Town Attorney had reviewed the RFQ and if the Council wished it could be placed in the Bangor Daily News.

Motion By: Councilor Perkins—to hire these two consultants to come up on June 29th to look at books and proceed from there. Seconded: Councilor King. Chairman Friedman stated that he'd like to have them in to help get the commitment done then maybe do the RFQ or another avenue like partner with another municipality. Voted 5-0 in favor.

Motion By: Councilor Parker—to send out an RFP that also includes municipalities as soon as possible. Seconded: Councilor Perkins, Voted 5-0 in favor. Manager Reed stated that he will amend the RFP and send it to the Town Attorney for review then forward to the Councilors.

Member of the public Travis Noyes inquired what the Town was going to do about a code enforcement officer. Manager Reed stated that the Deputy Code Enforcement Officer will continue providing services until June 30th. Manager Reed added that he has had discussions with Orono about utilizing one of their employees if we were in a pinch.

Councilor Parker inquired what happens to the 1/5 salary in the budget for the Superintendent of Public Works / Deputy Code Enforcement Officer. Manager Reed stated that a transfer may have to be done from the executive budget to the public works budget. He also outlined that we may still need someone here as backup in the event that the person from Orono is not available. Councilor Parker inquired what the Town will do after June 30th. Manager Reed stated that hopefully the current Deputy Code Enforcement Officer will work with the Town through the transition.

Manager Reed will have more information at the next Council meeting.

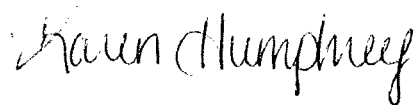
ITEM 2b. Executive Session 1 MRSA 405(D) Discussion of Fire Department Labor Contract

Motion By: Councilor Perkins—to enter Executive Session under 1 MRSA 405(D) – discussion of labor contracts. Seconded: Councilor King, Voted 5-0 in favor.

Motion By: Councilor King—to close the Executive Session and resume regular session. Seconded: Councilor Parker, Voted 5-0 in favor.

ITEM 3. Adjournment: Motion: Councilor King—to adjourn the June 27, 2011 Town Council Meeting. Seconded: Councilor Perkins. There was no further discussion. Voted 5-0. Meeting adjourned 7:33 pm.

A true record, Attest:



*Karen Humphrey
Deputy Clerk
Town of Veazie*

RUDMAN WINCHELL

John K. Hamer
E-Mail: jhamer@rudmanwinchell.com
Direct Dial: (207)992-2598

June 28, 2011

William Reed, Town Manager
Town of Veazie
1084 Main Street
Veazie, ME 04401

Re: Allan Thomas

Dear Mr. Reed:

Our office represents Allan Thomas, who, as you know, is the former Assessor/Code Enforcement Officer for the Town of Veazie.

Please accept this letter as a request on his behalf under 26 M.R.S.A. § 631 and 30-A M.R.S.A. § 2702 for a copy of all documents that fall within the definition of a "personnel file" pertaining to Mr. Thomas. For that purpose, enclosed please find an authorization from Mr. Thomas.

Without limiting the breadth of this request, I wish to highlight that this request includes, but is not limited to, all complaints, charges, or accusations, medical information, notes, memos, e-mails, formal or informal evaluations, commendations, and any other document pertaining to Mr. Thomas or his employment. Please note that this request applies to all documents pertaining to Mr. Thomas in the possession of you or any officer or official of the Town, including any Selectman, whether or not kept at the Town office or kept in a folder identified as a personnel file, including, but not limited to, correspondence, e-mails, notes of meetings and telephone conversations, and memorandums.

Additionally, we request that the Town suspend any automatic destruction policy or practice pertaining to documents or electronically stored information pertaining in any way to Mr. Thomas. We request that no email communication or other electronically stored information relating to Mr. Thomas be destroyed or altered.

If you (or counsel for the Town) have any questions about these requests, please feel free to contact me.

Sincerely,



John Hamer
Enclosure

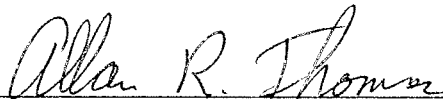
cc: Thomas A. Russell, Esq.

AUTHORIZATION AND RELEASE

I, ALLAN THOMAS, authorize and request the TOWN OF VEAZIE to release to my attorneys, Rudman Winchell, 84 Harlow Street, P.O. Box 1401, Bangor, ME 04402-1401, a complete copy of my "personnel file" within the meaning of 26 M.R.S.A. § 631, and any documents or information contained therein, as well as any other documents pertaining to my character, credit, references, performance or conduct, all wage and salary records pertaining to me, all benefits information pertaining to me, and any health insurance or medical related information pertaining to me or to dependents of mine covered under the group health insurance plan maintained by the TOWN OF VEAZIE.

This authorization will continue in force until revoked by me in writing.

Dated this 27th day of July, 2011.



Allan Thomas
62 Oliver Hill Road
Garland, Maine 04939

To: Veazie Town Council

From: Rob Tomilson

CC: Bill Reed

RE: Allan Thomas

Dear Veazie Town Councilors

I am out of state on business and therefore unable to attend the Monday, 6/27, Veazie Town Council Meeting to personally voice my opinion on this matter, so I am writing this letter to express my thoughts and feelings on this matter.

First of all, I would like to thank Allan Thomas for his many years of service to the Town of Veazie. He has, in my opinion, done an excellent job in carrying out his duties as the town assessor, as well as the town code enforcement officer positions. During the construction of my residence in Buck Hill, Allan was there diligently inspecting all aspects of the construction ensuring that the contractors were building my future home to the proper codes and bringing to my attention anything that was amiss so I could ensure it was properly addressed.

Allan's work as the assessor was also above reproach as well. No one likes the assessed value of their property and as such the tax assessor has a completely thankless job to do. Whenever I questioned any aspect of my properties valuation, Allan would listen to my concerns, explain how the assessments were made and show me the data and facts behind the assessment to back up his work. It was always fair and followed the letter of the law. Allan would also go out of his way to ensure that any deductions that you were entitled to, you were made aware of, that you were provided that proper forms and any assistance that you required to complete the forms was given so they could be correctly completed so you could receive the deductions you were entitled to.

I know that Allan has been battling cancer and I hope God willing successfully. During this battle he has still made the commitment to work part time so that the Town of Veazie and its citizens can receive their tax bills in a timely manner and the Town can receive the funds required to operate the Town of Veazie. Allan could have chosen to go out on disability and just collect his check, he did not. That speaks a lot to character and his commitment to you, the Veazie Town Council and its citizens. Ask yourselves if you would have had that level of commitment and personal character.

Based on Allan's prior record of service to the Town of Veazie and his dedication to the Town during his battle with cancer, I find it incomprehensible that the Town Council would not renew his position but would also blind side him with the decision. The way that the decision was made, makes it appear to have been a pre-planned plot against him by a select few councilors to carry out some type of personal vendetta. This plotting would almost have to have occurred in unsanctioned meetings of questionable legality.

While for the citizens and taxpayer's of the Town of Veazie's sake I do not wish Allan to pursue legal action in response to the Town Councils unwarranted actions, I do hope that Allan does investigate all of his options and bring forth any and all options available to him that will uncover these actions and expose them to them fully to the citizens of Veazie.