

**VEAZIE SEWER DISTRICT  
MARCH 14, 2012 – MINUTES  
6:30 P.M.**

Attended by: Chair Esther Bushway, Trustee Gary Brown, Trustee Rob Tomilson, Supt. Gary Brooks, Tammy Olson, and members of the public.

- 1) Call Meeting to Order – Esther called the meeting to order at 6:32 p.m.
- 2) Consider Meeting Minutes of February 8, 2012 – Rob moved to accept the minutes of February 8, 2012 as written; Gary seconded. Vote 3-0, passes.
- 3) Review Agenda – There were no changes to the agenda.
- 3a) Trustee Comments – Before going into executive session, Gary wanted to discuss the email that has been circulating. He asked Rob what criteria he used for sending the email. Rob said he received a list of email addresses from the Town of Veazie. Rob explained that there is a digital sign-up sheet there, so people who have signed up for information from the Town put their email address in to receive meeting minutes, town council agendas, and so on. Gary asked if Rob sent it to everyone on that list, and Rob said it was sent to everyone on the list he had. Gary asked why it was not sent to Esther, himself, or Supt. Brooks. Rob said that Esther does not have an email address, and Esther said that he could have brought her a hard copy. Gary said he knew nothing about the email until he received a phone call from the Bangor Daily News because Rob brought nothing to the board. Rob said that he has previously griped about wage rates. Rob then added that the contract was not an agenda item last month. Gary reiterated that this discussion is concerning the contract, and that he heard no gripes from Rob about the contract, that all Rob said was at the last meeting when he asked for the lawyer to look at it. Rob said the attorney only changed one word. Esther asked if Rob had wanted more revisions, and he said absolutely. Rob said that the last thing Esther said at the last meeting was, “I am going to pass this contract at the next meeting for the protection of Gary [Brooks].” Esther said she did not say “for the protection of Gary [Brooks].” She then asked if Gary had his questions answered. Gary said no, but that they could move on.
- 4) Executive Session per 1 M.R.S.A. Section 405(6)(e) – Gary moved that they go into Executive Session per 1 M.R.S.A. Section 405(6)(e) to discuss the Board of Trustees rights and responsibilities with the District’s attorney; Rob seconded. Vote 3-0, passes at 6:39 p.m. Gary moved to come out of Executive Session in accordance with 1 M.R.S.A. Section 405(6)(e); Rob seconded. Vote 3-0, passes at 7:40 p.m.
- 4a) Executive Session per 1 M.R.S.A. Section 405(6)(a) – Gary moved that they go into Executive Session per 1 M.R.S.A. Section 405(6)(a) involving the discussion of the employment, duties, and compensation of an individual or public official; Rob seconded. Vote 3-0, passes at 7:40 p.m. Gary moved to come out of Executive Session in accordance with 1 M.R.S.A. Section 405(6)(a); Rob seconded. Vote 3-0, passes at 8:59 p.m.
- 5) Employment Contract – Esther stated that at the next meeting, the Trustees will go into Executive Session to discuss a revised contract and possible negotiations.

- 6) Lien/Foreclosure Update – Tammy discussed the postponement of the March 5 hearing date. Esther described her meeting with the property owner where she attempted to negotiate a reasonable settlement but an agreement was not reached. The property owners have a new lawyer and are waiting for a new judge since the current judge asked to recuse himself since he had former involvement with the property owner. The District is now waiting for a new hearing date.
- 7) Delinquent Update – Tammy sent out 34 reminder postcards this week. The average number of cards sent per quarter is 25 to 40. She also did three warning letters this week, which is below average. Tammy went through the delinquent list and briefly updated the Trustees on the status of each group of accounts. She added that the District has collected over \$5,600 this quarter and that the list is the shortest it has ever been. The Crowe properties have been removed from the list since they technically do not own the properties, but even if they were added back in, the amount owed on the delinquent list is still down over 52 percent from eight years ago when Tammy’s employment began.
- 8) Department of Labor Enforcement Inspection Update – Supt. Brooks updated the Trustees on the Department of Labor enforcement inspection. Everything is done that needed to be done. The railings were done in-house. Because we were able to borrow tools from our electricians, we did not need to rent tools to be able to cut pipes and drill into the concrete structures. The only thing left to do is to finish the paperwork to show everything was completed on time. Rob asked if we would now get a date to dispute the fine. Supt. Brooks said that the work had to be completed to get a date, but often fines are forgiven when the work is done. Supt. Brooks further discussed the fine and the railings. Rob asked about the voluntary compliance program, SafetyWorks. He said that if you are actively in that SafetyWorks program, we would not be exposed to a Department of Labor inspection or fines. Supt. Brooks said that it gives you a six-month grace period. Rob then said we could have SafetyWorks come every six months. Supt. Brooks said he doesn’t know if SafetyWorks offers that. Rob said that if the State of Maine comes in within those six months, the District would not be fined. Tammy said they would not be allowed to do an inspection at all. Rob said his question is can we get actively in that SafetyWorks so that the District is always in a period where we don’t have to entertain any inspections. Supt. Brooks said he would check, and Tammy added that she thinks they are designed to help people comply, not to help people avoid inspections. Esther agreed that we could ask SafetyWorks.
- 9) Superintendent’s Report – a) The plant is running really well right now. b) The Trustees were provided with some rate increase information from some other communities. c) The Trustees received a copy of a letter to the Town Manager inviting him to visit the District. d) The Trustees also received a copy of the letter sent to the enforcement agency. Esther asked if there was anything else about the plant, and Supt. Brooks said no.
- 10) Other Business – a) Esther asked if there was any other business, and Supt. Brooks distributed a letter written to the Town to go with the District’s assessment. He asked the Trustees to let him know by next week if they had any changes. Supt. Brooks then asked the Trustees if they would like to set the assessment tonight or if they wanted to hold another meeting before the April 1 deadline. Esther confirmed that the assessment last

year was \$150,000. She then asked if the Town asked for a reduction, and Supt. Brooks said no. She added that they have asked in the past, and Supt. Brooks said yes, and added that we have offered in the past. Esther asked the Trustees if they wanted to stay at \$150,000. Rob said he doesn't think there should be an assessment because there are people located outside of the District and people within the District not on the sewer system that help pay for the assessment with their property taxes and one customer in Orono that doesn't. Rob thinks that having the sewer bill tied directly to usage is fairest and most straightforward way. He added that the vast majority of people do not itemize their taxes. Esther said it might be up to the Town to say that people who don't use the sewer could get some kind of rebate. There was a brief discussion on how the budgetary need of \$160,000 was determined last year, as well as the subsequent reduction to \$150,000. Rob asked what the budgetary need would be after the Crowe issue is resolved. Tammy said it might not be resolved this year. Rob said we could give the Town an assessment of \$150,000 and any excess money from the Crowes after paying property taxes and sewer bills could be deducted from the Town assessment. Esther said we could look at that. Supt. Brooks said we also need to look at the reserve accounts. Esther said that funding reserve accounts and giving some money to the Town is a fair idea. Gary moved we forward an assessment of \$150,000 to the Town, Rob seconded. Vote 3-0, passes. b) It was the consensus of the Trustees to allow 20 minutes of public comments. Member of the public Buddy Webb thanked Rob for bringing up this issue so the people in Orono and Veazie know what's going on and said that he doesn't see how the contract in any way benefits anyone at all. Another member of the public asked why a contract is needed. Another member of the public asked why the contract is needed. Esther said more municipalities have contracts, and added that it's an evolving thing. She said when she started on the Board 12 years ago, there was no personnel policy and no salary scale, and those have been implemented over the years. Member of the public Mike Williams said he doesn't think a contract is in the best interest of the Town. Esther pointed out that the Town and the Sewer District are separate, and he said he didn't think it was in the best interest of the Sewer District to provide a three-year contract. Esther said the revised contract should work good without harming the Sewer District. The Town Council negotiations with the Town Manager was briefly discussed. Member of the public Natalie Arsenault said that wasn't in the best interest of the Town. She said that they did that on their own and did not represent the Town of Veazie. She said they weren't representing the residents of Veazie when they went ahead and did that undermined thing just like the Trustees tonight are representing Gary Brooks. Mike Williams said the District should look at subcontracting some of this for the best interest of the Town. Member of the public Pat Joyce said that Veazie property taxes went up 155 percent from 2000 to 2009. He said he doesn't think sewer was a big part of that. He suggested that people look at the big picture, and hopes that people go to budget committee meetings and ask questions. Another member of the public stated that contract payouts have to be planned for. Member of the public Sue Hass asked Esther how she would get in touch with her since she doesn't have email. Supt. Brooks said that if emails are sent to the District, they are forwarded to the Trustees. Esther gets hard copies. Esther added that she is in the phonebook under Bushway and said she could be called anytime. Member of the public Chris Dalton asked who brought the issue of a contract forward. Esther said she brought up the issue and brought a draft to the meeting. Natalie Arsenault asked why the Trustees were not brought in ahead of time, and Esther said that the Trustees have to do everything in a public meeting because otherwise that would be an illegal meeting. Mike Williams

asked if the contract would be discussed at the next meeting, and Esther said there would be another Executive Session. He then asked if people would see it before it was passed. Esther explained that after the Trustees finalize the contract, then they have to negotiate with Supt. Brooks. After the negotiations, the Trustees have to vote in public. Member of the public Jon Parker asked if there was a rush, and Esther said the process needed to get started. She didn't think it was an issue. A member of the public asked if the contract would have been signed tonight if not for the turnout at the meeting, and Esther said not necessarily. Natalie Arsenault asked Rob that same question, and Rob said he did not know. Natalie Arsenault asked if the Trustees would take their opinions into consideration, if they were hearing what they were saying, and Esther said yes. Rob said when there is a final, negotiated contract, then there will be a public vote of the Trustees. Pat Joyce added that this is a small fry and he hopes everyone is there and fired up for the bigger fish to fry. He said it was bad timing for Supt. Brooks to get a raise right now, and Rob said that Supt. Brooks did not get a raise. Pat Joyce again pointed out the 155 percent increase in property taxes. Another member of the public suggested the Trustees reach out to other sewer districts to see what they do.

11) Adjournment – Rob moved to adjourn, Gary seconded. Vote 3-0, passes at 9:50.

NEXT MEETING: APRIL 11, 2012 AT 6:30 PM

Minutes approved April 11, 2012, by a vote of 3-0.

Gary Brown, Secretary. 4/11/12