

1 **COMMISSIONERS MEETING**

2 **June 7, 2023**

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5 *YORK,ss*

6
7 At a regular meeting of the County Commissioners of the County of York, begun and
8 holden at the York County Government Building in Alfred, within and for the County of York,
9 being held on Wednesday, June 7, 2023, A. D. at 5:00 P. M.

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12 **COMMISSIONERS PRESENT:**

- 13
- 14 Richard R. Dutremble
- 15 Richard Clark
- 16 Robert Andrews
- 17 Justin Chenette
- 18 Donna Ring
- 19
- 20

21 County Manager Gregory Zinser and Deputy County Manager Linda Corliss were present at the
22 meeting.

23
24 **YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES**

25
26 Vice- Chairperson Chenette began the meeting as Commission Chairperson Dutremble had not
27 yet arrived.

28
29 **06-07-2023 ITEM**

30 **1 PUBLIC COMMENT(S) ON ANY ITEM(S)**

31 Susan Wiswell from Kittery spoke in favor of Tammy Wells as the media
32 specialist.
33 She then voiced that she is against item 5d (Budget Committee update-general
34 discussion of budgeting increase to address homelessness) and stated that she
35 believed it is the wrong time for the county to take on another large project among
36 other reasons.
37 Susan Wiswell stated that she is also against agenda item 5e (Pride Month
38 Proclamation).

39
40 **2 TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:**

41 a. Commissioners' regular meeting of May 17, 2023
42 Commissioner Clark motioned to approve the minutes. Commissioner
43 Andrews seconded the motion. Vote- Commissioners Clark, Ring and Andrews
44 voted yes with Commissioner Chenette abstaining as he was not present at the
45 last meeting.

46
47 **3 TO APPROVE TREASURER'S WARRANTS**

48 a. Warrants to be approved on May 17, 2023, in the amount of \$412,710.96

49 Commissioner Clark motioned to approve the warrant. Commissioner Andrews
50 seconded the motion. Vote 4-0.

51 b. Warrants to be approved on May 24, 2023, in the amount of \$411,386.38

52 Commissioner Clark motioned to approve the warrant. Commissioner
53 Andrews seconded the motion. Vote 4-0.

54 c. Warrants to be approved on May 31, 2023, in the amount of \$328,881.93

55 Commissioner Clark motioned to approve the minutes. Commissioner
56 Andrews seconded the motion.

57 DISCUSSION: Commissioner Ring asked if we approve the warrants, does
58 that close it out for us?

59 County Manager Zinser replied that yes, it does but you can ask questions.
60 Vote 4-0.

61
62 **4 TO HEAR ANY REPORTS FROM THE COUNTY**
63 **COMMISSIONERS**

64 Commissioner Chenette mentioned that Southern Maine Planning and
65 Development Commissioner will hold its 58th Annual Meeting and the
66 Commissioners are invited. Maine State Economist Amanda Rector will be the
67 speaker.

68
69 **5 NEW BUSINESS**

70 ******HEARD AFTER AGENDA ITEM 5c*******

71 a. Willey v. Town of Berwick Tax Abatement Denial Appeal Hearing

72 Commissioner Clark recommended that the Commissioners take items out of
73 order as Commissioner Dutremble is not yet at the meeting and that it is more
74 appropriate to have a full board for this matter.

75 Commissioner Clark motioned to table this item and go on to 5b. Commissioner
76 Andrews seconded the motion. Vote 4-0.

77 County Manager Zinser swears John Willey in. The County Manager informed
78 Mr. Willey that the Commissioners are aware of his request and have received
79 his information.

80 Mr. Willey explained that he went to his insurance company for renewal on his
81 homeowner's policy and was told by them that they had to change his policy as
82 he had added an extra kitchen and in-law apartment. He told them that was
83 incorrect, and they showed him on the town of Berwick's website that it shows
84 as added in 2021. Mr. Willey the went to town office and a gentleman (from the
85 Town of Berwick) went out and inspected his house and saw that there had been
86 no changes and told him that they had made a mistake and there was another
87 neighbor that had done this (added an in-law apartment to include a kitchen).

88 Mr. Willey continued that he asked for a rebate for those 2 years. The Board at
89 the (town) Hearing approved the second year and stated that they could do three
90 years but that they never have so they would be setting a precedent.

91 John Willey stated that he did get a reimbursement for one year from the town
92 but that he is looking for that second year as he was taxed on something he did
93 not have.

94 Commissioner Ring asked Mr. Willey did he not notice the tax increase?

95 John Willey responded that he did not notice but had it gone up \$3,000, he
96 would have noticed. The taxes have fluctuated, and he added that it is unfair that
97 he should pay for something he does not have. He continued that he wouldn't
98 have noticed unless he had gone to his insurance company.

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Berwick Town Manager James Bellissimo was sworn in by County Manager Zinser. Berwick Manager Bellissimo stated that he doesn't disagree with anything John (Willey) said. He asked for a dismissal citing state statute 36 MRSA § 841 that states the appeal is an untimely request. The request is for the April 2021 tax year. Therefore, stated Berwick Town Manager James Bellissimo the Board doesn't have authority to give the abatement. Commissioner Chenette questioned since the town is admitting to the mistake, why not pay up for mistake? Town Manager Bellissimo replied that they would be opening up a flood gate of liability and more importantly they are following State law. Commissioner Chenette replied that the selectboard can go back three years. He asked Mr. Bellissimo if he anticipated a lot of mistakes. Town Manager Bellissimo responded that it goes back to 36 M.R.S.A. § 841. The request is beyond 185 days. Commissioner Chenette asked Berwick Town Manager Bellissimo if he knew what percentage of that (Willey abatement request) is your budget? Town Manager Bellissimo replied that their budget is about \$19 million. He added that he was here last year for a similar appeal and that there are instances where it is appropriate to grant abatements. Commissioner Ring clarified that this was an error not a miscalculation. Commissioner Clark motioned that we grant the abatement for the year (2022) in the amount of \$353.19. Commissioner Clark stated that it is his concern that Mr. Willey should not be responsible for a mistake the Town made. If it was a huge manufacturer, it would mess up the town's taxes, but this is a small amount of money. Commissioner Chenette seconded the motion. Vote 5-0.

Commissioner Clark explained to Mr. Willey that the Board will have Findings of Fact prepared and vote on them at the next meeting and then we will send it on to the Town (and to Mr. Willey).

- b. To review and seek approval of Media Specialist job description (reserve position)- County Manager Zinser explained that he would like the Commissioners to review and that he is then seeking their approval. He reminded the Board that this item has been discussed over the past few meetings. This person would be working with the Development Director and the person who does our online postings. Commissioner Ring stated that the job description states this person must have 5+ years of journalism experience. She asked if there is anything that is comparable to that? Deputy County Manager/H.R. Director Corliss replied someone who has worked for a newspaper. County Manager Zinser added someone who has done professional drafting to write articles. Commissioner Clark motioned to approve the job description. Commissioner Andrews seconded the motion. Vote 4-0.
- c. H.R. Director Corliss to seek approval of hiring/transfers of the following:

148 H.R. Director Corliss explained that she will present the names in order of
149 seniority rather than how they are listed on the agenda so that the minutes show
150 this.
151 Commissioner Ring asked what constitutes seniority?
152 H.R. Director Corliss replied that the ALERT test scores but since that is not
153 being done the score for the interview is the alternate. This is the identified
154 practice within their contract.
155 i. Sarah Janes in the position of full-time corrections officer in the Sheriff's
156 Office with an effective date of hire of May 22, 2023.
157 Commissioner Clark motioned to approve the hiring of Sarah Janes in the
158 position of full-time corrections officer in the Sheriff's Office with an
159 effective date of hire of May 22, 2023. Commissioner Andrews seconded
160 the motion. Vote 4-0.
161 ii. Mathew Sanborn in the position of full-time corrections officer in the
162 Sheriff's Office with an effective date of hire of June 5, 2023
163 Commissioner Clark motioned to approve the hiring of Mathew Sanborn with
164 an effective date of hire of June 5, 2023. Commissioner Andrews seconded
165 the motion. Vote 4-0.
166 iii. Justyn Winn in the position of full-time corrections officer in the Sheriff's
167 Office with an effective date of hire of June 5, 2023
168 Commissioner Clark motioned to approve the hiring of Justyn Winn in the
169 position of full-time corrections officer in the Sheriff's Office with an
170 effective date of hire of June 5, 2023. Commissioner Andrews seconded the
171 motion. Vote 4-0.
172 iv. Nathan Burnell in the position of full-time corrections officer in the Sheriff's
173 Office with an effective date of hire of June 12, 2023
174 Commissioner Clark motioned to approve the hiring of Nathan Burnell with
175 an effective date of hire of June 12, 2023. Commissioner Andrews seconded
176 the motion. Vote 4-0.
177 v. Scott Lallas in the position of full-time corrections officer in the Sheriff's
178 Office with an effective date of hire of June 12, 2023
179 Commissioner Clark motioned to approve the hiring of Scott Lallas in the
180 position of full-time Corrections Officer in the Sheriff's Office with a start
181 date of June 12, 2023. Commissioner Andrews seconded the motion. Vote
182 4-0.
183 vi. Joao Moniz in the position of full-time corrections officer in the Sheriff's
184 Office with an effective date of hire of June 30, 2023
185 Commissioner Clark motioned to approve the hiring of Joao Moniz in the
186 position of full-time corrections officer in the Sheriff's Office with an
187 effective date of hire of June 30, 2023. Commissioner Andrews seconded the
188 motion. Vote 4-0.
189 vii. Ethan Kenney in the position of reserve corrections officer in the Sheriff's
190 Office with an effective date of hire of June 5, 2023
191 Commissioner Clark motioned to approve the hiring of Ethan Kennedy in the
192 position of reserve corrections officer in the Sheriff's office with an effective
193 date of hire of June 5, 2023. Commissioner Andrews seconded the motion.
194 Vote 4-0.
195 viii. Joshua Gosselin in the position of full-time corrections officer in the
196 Sheriff's office with an effective date of hire of June 26, 2023

- 197 Commissioner Clark motioned to approve the hiring of Joshua Gosselin in
198 the position of full-time corrections officer with an effective date of hire of
199 June 26, 2023. Commissioner Andrews seconded the motion. Vote 4-0.
200 ix. David Small in the position of reserve DAR III in EMA with an effective
201 date of hire of June 12, 2023.
202 Commissioner Clark motioned to approve the hiring of David Small in the
203 position of reserve DAR III in EMA with an effective date of hire of June 12,
204 2023. Commissioner Andrews second. Vote 4-0.
205 x. To waive hiring formalities and hire Tammy Wells in the reserve position of
206 Media Specialist with an effective hire date of August 14, 2023 (see memo)
207 H.R. Director Linda Corliss addressed the Board to request a hiring waiver to
208 waive the county's hiring policy and make a direct hire. Tammy Wells has a
209 long, distinguished career and long-term relationship with the county.
210 Commissioner Ring stated that she has some concerns and questions. We
211 have hiring practices and procedures, so she stated that she is curious as to
212 why we feel the need to not follow that and put in for a waiver. How many
213 times have we waived the policy and what is the hurry to do so?
214 Commissioner Ring stated that it concerned her that the path that we are
215 taking to make exceptions to our rules, and it opens up a lot of cans of
216 worms.
217

218 Commissioner Dutremble arrived at the meeting and took over as Chairperson of the meeting.
219

220 H.R. Director Corliss responded to Commissioner Ring's concerns and stated
221 that it is a reserve position, and we know this person is more than qualified for
222 this position.
223 County Manager Zinser added that it is a matter of convenience.
224 Commissioner Ring asked if it was a set number of hours.
225 County Manager Zinser replied, no and if we want another waiver we have to
226 come back and ask for another waiver.
227 Commissioner Clark asked if you were to follow the regular procedure how
228 long would that take?
229 H.R. Director Corliss replied that it would take probably another month and a
230 half.
231 Commissioner Clark motioned to waive the requirements and allow this
232 position to be filled. Commissioner Andrews seconded the motion.
233 Vote 4-1 with Commissioner Ring opposed. She added that her opposition had
234 nothing to do with the individual.
235 Commissioner Clark motioned to approve the hiring of Tammy Wells in the
236 position of reserve Media Specialist with an effective date of hire of August
237 14, 2023. Commissioner Andrews seconded the motion. Vote 5-0.
238
239 H.R. Director Corliss gave an update on corrections officers and stated that
240 there are currently forty corrections officers and with the hiring of the seven
241 tonight that brings us to forty-seven. She added that there are six to eight
242 people in the final stages (of the hiring process) and another two or three in
243 the beginning phase. H.R. Director Corliss informed all that it looks like there
244 could potentially be fifteen candidates going to the MCJA .
245
246 Commissioner Clark moved that the Commissioners return to the regular
247 agenda- item 5A now that Commissioner Dutremble has arrived.

248 Commissioner Andrews seconded the motion. Vote 5-0.
249

- 250 d. Budget Committee update-general discussion of budgeting increase to address
251 homelessness- County Manager Zinser explained this was discussed at the
252 Budget Committee meeting brought up by Marc Lessard. He stated that this
253 issue went beyond just the City of Biddeford. The County Manager continued
254 that he also sent it off to the town managers.

255 County Manager Zinser informed the Board that the Budget Committee is
256 taking the position that it sounds great and it is something they feel the need to
257 address and that the homelessness issue is important and timely. They voted to
258 add \$125,000 to the budget for this matter.

259 He asked if this is going to be acceptable to the Board as this is the budget that
260 he believes will go to the them. Will you be rejecting this budget? he asked.

261 County Manager Zinser continued that he had a meeting with all the town
262 managers and the general consensus was not to go down the road of the RFP
263 that we have received. However, they asked that we do include it in the budget
264 and look at what are actionable items. What is the root cause of the issue?

265 What is it that the governments can do? I, Sanford, Kennebunk and Southern
266 Maine Planning and Development Commission agreed to develop an RFP and
267 then engage with the District 1 Chiefs to get their feedback. The RFP would
268 then be refined and brought back to the Town and City Managers' group for
269 further refinement. They think there is a lot of value to it and they want to be
270 involved every step of the way.

271 Commissioner Chenette asked County Manager Zinser if Biddeford approved
272 their version for their municipality. County Manager Zinser responded that he
273 did not believe so. The Budget Committee decided to vote it into the budget.

274 County Manager Zinser explained that if the money is voted in to the budget
275 and if it doesn't get done, the money lapses into the budget or it takes on another
276 form (another RFP).

277 Commissioner Ring asked how many towns (managers) were in the meeting?

278 County Manager Zinser responded about 10 out of 13 who have town managers.

279 Commissioner Ring stated that she was quite taken aback at the budget meeting.
280 She added that as a Commissioner, she has never heard anything about this and
281 they want this money put in the budget. It was not the proper way to handle it,
282 she stated. Commissioner Ring added that she has not heard anything about it
283 from any towns she represents that have homelessness as a problem. She stated
284 that she doesn't think it is something that the county wants to get involved in at
285 this point. We are not town government.

286 Commissioner Clark said that he was at the meeting when it was introduced and
287 that he was also surprised. He stated that he is not in favor of rejecting the
288 budget over \$125,000. We don't have to spend the \$. Ask the people who are
289 pushing it to come in and present it and we go from there. I suspect that the
290 Budget Committee will be amenable to another approach as long as something
291 is done.

292 Commissioner Clark continued that we should allow the gentleman who brought
293 it up to come in and bring those people with him or another approach we can
294 take. He stated that he would support it. Commissioner Clark added that the
295 Budget Committee has the power to represent their people. They are willing to
296 tax their own people for this and they brought it forward. It will lapse into the
297 county's general fund if it is not used for this project.

298 Commissioner Chenette stated that he does tend to agree with Commissioner
299 Clark. We shouldn't rush to determine which company is doing what thing. A
300 small fund for us to evaluate and have conversations with various people in the
301 county to address homelessness makes sense. It is clear that towns are
302 struggling with this issue as well as the State and the Federal Government.
303 Commissioner Chenette added that he is also supportive of leaving the money in
304 the budget. He added that it is important for this Board to think about these
305 conversations at the county level.
306 Commissioner Dutremble stated that he attended the Budget Committee meeting
307 and was surprised that it came up but it was also mentioned that people were
308 initially against the recovery center and now are for it. He informed all that he
309 will agree to this budget.
310 The County Manager stated that we will know next Monday. The Budget
311 Committee has already approved the budget on their end. There is no formal
312 acceptance on our end.
313 Commissioner Ring commented from her perspective that she is pleased to hear
314 this conversation. It was out of the blue and she stated that she enjoyed hearing
315 from the Board and having this discussion.
316
317 d. Scheduling of tax abatement denial appeal (recommend date of July 12, 2023)
318 Commissioners are okay with holding the Hearing on July 12th.
319
320 e. To review, discuss and possibly approve Pride Month Proclamation
321 Commissioner Chenette read the Proclamation that is attached as record to these
322 minutes.
323 Commissioner Chenette then motioned to accept the Proclamation.
324 Commissioner Clark seconded the motion.
325 DISCUSSION- Commissioner Ring stated that while she appreciates the
326 Proclamation brought forward and is in full support of equal rights for all, she
327 does not believe it is equitable to provide a special Proclamation for a select
328 few. She continued that we don't have special Proclamations for select races,
329 etc. Commissioner Ring stated that everybody is equal and that she would be
330 there for anyone who has been discriminated against.
331 Commissioner Andrews stated that although he has no animus, this subject is
332 political and he does not believe the Board should not be involved. He added
333 that he cannot support this as a Pastor.
334 Commissioner Chenette said that as a member of this community, this feels
335 personal. He continued that there is nothing political about his existence as a
336 human being and that this (Proclamation) is nothing more than decency. If we
337 can honor dogs, we can honor this community. Commissioner Chenette stated
338 that members of his community are engaged in violence every day. This
339 Proclamation recognizes the diversity and dignity of this group.
340 Commissioner Clark addressed all and stated that we all stand up and salute the
341 flag at every meeting that states, "Liberty and justice for all". Talk about
342 freedom and equality is more of a goal than a reality, he continued. These folks
343 have been treated very badly for 100s of years. They are who they are,
344 continued Commissioner Clark and to say that this is somehow something
345 special is wrong. They deserve respect and tolerance. Commissioner Clark
346 referenced a comment made by a member of the public earlier stating this
347 (Proclamation) would cause radical activism and stated that he is seventy one

348 and that has never happened to him. As long as you are not harming someone
349 else, you have the freedom to be who you are.
350 Vote 3-2 with Commissioner Ring and Commissioner Andrews opposed.
351

- 352 f. To review and seek approval of Dredge Storage Agreement with Saco
353 County Manager Zinser informed all that we are ready to sign off and get the
354 dredge here. At some point when the Dredge Authority becomes an entity, we
355 would be entering into an agreement with those folks as well.
356 Commissioner Ring asked, "aren't we supposed to have a representative on this
357 Board"?.
358 The County Manager replied that he will ask for a Board representative.
359 Commissioner Chenette motioned that we approve dredge storage agreement.
360 Andrews seconded.
361 DISCUSSION: Commissioner Clark commented that he wants to make sure
362 this is stored in a manner that preserves it.
363 County Manager Zinser replied that was part of the discussion and that the
364 care of the dredge is in the agreement.
365 Commissioner Ring asked if we are paying for the insurance?
366 Greg- part of the blanket insurance policy.
367 Commissioner Chenette stated that this definitely needs to have county
368 involvement. There is an associate membership and a full fledge Board
369 member.
370 Vote 5-0.
371

372 **6 OLD BUSINESS**

- 373 a. Reminder of July meeting date changed to July 12th
374 County Manager Zinser stated that he would ask that the Commissioners
375 consider holding a Special Meeting but it would be on a typical meeting night
376 of June 21st.
377

378 Commissioner Clark motioned to hold a Special Commissioners' meeting on
379 June 21st. Commissioner Ring seconded the motion. Vote 5-0.
380

381 **7 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL**
382 **ISSUES PURSUANT TO 1 M.R.S.A. § 405 (6) (A), ACQUISITION OF**
383 **REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT**
384 **TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT**
385 **TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL**
386 **COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E), REVIEW OF**
387 **CONFIDENTIAL RECORDS PURSUANT TO 1 M.R.S.A. § 405 (6) (F)**
388 None
389

390 **8 PUBLIC COMMENT(S) ON ANY ITEM(S)**
391 None
392

393 **9 ADJOURN**

394 Commissioner Clark motioned to adjourn. Commissioner Andrews seconded
395 the motion. Vote 5-0. Meeting adjourned at 6:20 p.m.



COUNTY OF YORK

*Robert L. Andrews
District 1*

*Richard R. Dutremble
Chairperson
District 2*

*Justin Chenette
Vice-Chairperson
District 3*

*Donna L. Ring
District 4*

*Richard Clark
District 5*

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*Gregory T. Zinser
County Manager*

*Kathryn A. Dumont
Assistant to the Manager*

*Linda M. Corliss
Deputy County Manager
Human Resource Director*

*Lorene B. Lemieux
Finance Director*

June 14, 2023

Memo:

The HVAC preventive maintenance request for proposals was posted and a comprehensive review of the submitted proposals has been completed. Proposals were received by the following companies:

Thayer LLC
Siemens
AAA Energy Service
Mechanical Services

After reviewing all submittals, I would suggest AAA Energy Service be selected for HVAC preventive maintenance on all county buildings. The annual amount for this proposal is \$131,264.00.

Respectfully submitted,

Richard deRochemont
Facilities Manager

Service Location	Thayer LLC	AAA Energy	Mechanical Services	Siemens
Jail	\$ 24,333.00	\$ 68,820.00	no bid	\$ 44,336.00
Maintenance garage	\$ 1,800.00	\$ 2,484.00	\$ 1,620.00	included in jail
Recovery Center	\$ 7,000.00	\$ 8,908.00	\$ 5,830.00	\$ 16,827.00
Food Pantry	\$ 3,728.00	\$ 2,320.00	\$ 3,300.00	\$ 5,192.00
Government building	\$ 7,805.00	\$ 8,928.00	\$ 15,863.33	\$ 17,364.00
Courthouse	\$ 16,460.00	\$ 39,804.00	\$ 27,720.00	\$ 38,613.00
*	**	***	****	****
Annual Total	\$ 61,126.00	\$ 131,264.00	\$ 54,333.33	\$ 122,332.00

* THAYER Did not follow the RFP as the proposal doesn't include full service contracts as requested
 ** AAA ENERGY Followed all RFP instructions
 *** MECH SERVICES Failed to include monthly inspections (See email). Proposals reduced the requested number of visits from RFP.
 **** SIEMANS Proposal stated that they will not do comprehensive repairs on units with R22 refrigerant which most county buildings have

Cost beyond maintenance	AAA Energy	Mechanical Services
Hourly Rate	\$ 100.00	\$ 112.00
Overtime rate 4:30pm to 8am	\$ 150.00	\$ 168.00
Energy Management & temp controls	\$ -	\$ 137.00
Overtime rate 4:30pm to 8am	\$ -	\$ 205.50
Mileage per mile	\$ -	\$ 0.80
Trip charge per round trip	\$ -	\$ 16.00
Emergency call out Outside regular hours	\$ 50.00	\$ 150.00
Total without jail	\$ 62,444.00	\$ 54,333.33