

Fort Fairfield Special Town Council Meeting Minutes
Council Chambers
Monday, August 29, 2022
6:00 P.M.

I. Roll Call

Council: All Council present.

Staff: Ms. Powers, Neadra Dubois, Kevin Senal, Darren Hanson, Ella Leighton.

Budget Advisory Committee: Pat Canavan, Kevin Bouchard, Janet McGillan.

Citizens: 24 citizens present.

Legal: Attorney Currier.

Councilor Pelletier – “I’d like to make a motion, Bob, before we get started to open this up to Public Comment before we go in to Executive Session.”

Motion: Councilor Pelletier makes a motion to open with Public Comment Period.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

Mr. Foster – “Robert, I think I would like to.”

Councilor Butler – “Excuse me, Mr. Foster? May I [inaudible]”

Mr. Foster – “I beg your pardon?”

Councilor Butler – “May I say something for a second?”

Mr. Foster – “Absolutely.”

Councilor Butler – “Last week, at the Council Meeting, I got a little upset and I left in a little bit of a huff, I told people I resigned, and I didn’t really wanna resign, Bob didn’t accept it anyway, but I would like to apologize to all the Council members, and I’m here for the rest of my term.”

Councilor Pelletier – “Apology accepted, Mitch.”

Chairman Kilcollins – “Thank you, Mitch.”

Councilor Butler – “Okay, Dan. That’s all I needed.”

Mr. Foster – “Thank you, sir. Well, listen, I appreciate the opportunity to speak to you guys. You all know who I am. You all know me pretty well. Melissa, you and I haven’t had a chance, you’re quite a bit younger than I am. All these guys know me quite well. You know, it has never, ever been my intent to ever get involved in another administration. I just never thought it was appropriate, everybody does things differently, and far be it for me to question Andrea, what she is doing or things I didn’t understand, but I am feeling compelled to speak, and I’ll try to keep it brief. But I really do have some concerns, and now that Andrea is moving on, she has another position, I feel more comfortable in, in addressing the Council. I certainly have, I have been approached zillions of times. I can’t go into the grocery store to get a loaf of bread without somebody asking me something about what’s going on. And, I don’t know what all is going on, I can only surmise based on what limited information I have, so if there’s some thoughts that I’m sharing that are not accurate, I’m sure somebody will correct me and that’s perfectly fine and appropriate. My understanding is that tonight, you guys are going to appoint an Interim Town Manager. It’s also my understanding that Andrea feels pretty strong that it should be the gentleman from Public Works, Darren. I, I don’t know Darren, I’m sure he’s a great guy. When Gene Connolaw got done, back in 1998, the Town Council appointed Ann Shaw, who was the Town Clerk, and Ann did a great job. What she did was maintain status quo, which is what somebody normally in that position does. I honestly feel status quo is not gonna cut it. I don’t feel comfortable with that. I don’t have anything against Darren, I’m sure he’s a great guy. I’ve had a number of people ask me if I would be willing to serve as Interim Town Manager, and I am, I can tell you five that if for some reason you felt that I could be helpful in that process, I am willing to talk to you about it. Let me tell you why. Why you might want to consider me is that I’ve been a lifelong resident of Fort Fairfield. I was born here, like a lot of you, and grew up here, went to college, and I went away six years to Florida after I retired, which I enjoyed, but I’ve been back to Fort Fairfield since Covid more and more primarily because of my mother, who by the way is 93 today. Just wanted to let you know, which means I will be around for a while. And, I have my parents’ home, out to Monson Pond, which I thoroughly love, and I’ve decided that this is where I wanna be, and Darlene and I talked about that and we’re working through that. But I changed my residency back to Fort Fairfield, I’m a State, a State of Maine resident now and happy to pay State of Maine income taxes. I think I’m well known in the community, primarily because I spent 15 years here as Town Manager, and I was visible and active, not everybody agreed with me and I certainly did not do everything right, but I can tell you my heart and soul was in it and I absolutely loved it. It was a great job. And, I think that those experiences that I had, and the relationships that I have in this community can help in the transition that’s gonna be needed between Andrea’s tenure as Manager and whoever the next Andrea’s gonna be. One of the concern’s that I have is that some of these, some of the issues that I’m really concerned about I think could really inhibit good,

quality people from wanting to apply. Somebody does not wanna come into a situation and bank their career on an environment that they don't see as stable, friendly, community oriented, and I think that they're some concerns here with that type of environment that we're in right now. And, I want to be able to help facilitate getting us back on an even keel, and, which I hope will increase the quality of candidates that will be interested in coming to Fort Fairfield and work with us, as our next Town Manager. So a few of the things that I'm really concerned about, one is, is that you folks adopted a budget and in three short weeks you're going to set a Mil Rate based on that budget. And, you know, our last taxes, you know, people saw, a lot of people saw a hefty increase, a lot of it was because of the reval, but there were people who saw decreases because of the reval, it was also increases of expenses that contributed to that. What they're gonna see this year, if you adopt, if you set a Mil Rate that is consistent with the budget that you adopted, is you're gonna see almost 6 Mils of an increase, that's a third. People are going to be paying a third more than what they did. And then, that would be one thing, if that was it, if that said, okay now we're square, we're even, there's no other problems, but that's not it. It just doesn't, it still does not cover all the expenses as I understand them, and I see us getting stuck into this going round and round to where taxes are gonna continue to be, continue to be increased. The reason for the short-fall is not, and I just gotta say this because I've had so many people say to me, well if it wasn't for the School Budget. I don't know where in God's name that ever came from, but let me tell you something, it's not because of the School Budget. The School, over the last five years has gone up 5.8 percent. The Town's expenses have gone up 89 percent. That is unsustainable. That is not something we can continue to do. And, you wanna know what the weird thing is about this whole thing? Is that the short-fall that you had in this year's budget is \$1,245,000.00. That's the short-fall that you've gotta make up. Do you know how much of that is actual increase in expenses in the Town Budget? Less than half. Your expenses have only increased by \$600,000.00. But yet, you have a short-fall of 1,245,000. Why? Why is that? Now, there could be lots of reasons, but in my mind, the fundamental reason for how this has happened, is for whatever reason, you folks are using nonrecurring income to fund recurring expenses. And that, this, this thing is, is just, is just been multiplying and this process has got to stop. One of the, one of the issues along with this that really concerns me is you have, the Town has about \$2.2 million in long-term debt, and that, based on what I understand, generates about \$340,000.00 of annual payments. Now, I've looked at the budget that you folks adopted, I don't see that \$340,000.00 anywhere. Now, may be built into one of those accounts that, on the expense side, but basically you have a budget that's 100 percent income here and 100 percent expenses here. There's no, I don't see that \$340,000.00, and if that's not built into that budget, where is the money coming from? On top of that, you have \$1,275,000.00 in short-term debt. So what I see is a \$1 million loan that's a TAN, Tax Anticipation Note. A Tax Anticipation Note is not new money. It's not money that you can just spend. What that \$1 million is, is that, that money is given to you because you receive all your property taxes clumped together in three or four months. So, when you get that million dollars you pay down your expenses for September, October, November into December and then all of a sudden your tax money comes in, and you take that tax money and you pay that million dollars back. Well, you didn't do it. So that's no longer Tax Anticipation Note. That is simply a debt that the Town owes, which comes due in this fiscal year. So,

what I'm looking at in this fiscal year, I'm looking at a short-fall of \$1,245,000.00, which we're gonna make up with a six Mil increase, but I'm looking at this other \$1,600.00 that's gotta be accounted for somehow. And, it technically needs, it's supposed to be taken care of this fiscal year, which is just not practical. That's another eight or nine Mills, and, and obviously that's not gonna happen. It needs to be resolved. You know, on top of that, the other issue that I'm really concerned about is cash flow. My sense is, now I don't know this but, my sense is that the Town doesn't have any money or very, very little. Now, it never did when I was a Town Manager. By the time August and September rolled around, I was coming to you folks and I was asking for a Tax Anticipation Note, so that would carry us through until January or February to, to pay our bills. And so, right now, we owe Katahdin Trust a million dollars on a Tax Anticipation Note from last year, and maybe partly from the year before I don't know, and you're gonna go back and ask for more? Now, and when I was real young, I used to be a banker."

Ms. Powers – "That's actually inaccurate. We already paid the Tax Anticipation Note back from last year."

Mr. Foster – "So, so we don't owe a million dollars?"

Ms. Powers – "We already paid back last year's Tax Anticipation Note."

Mr. Foster – "I understand that, but do we owe a million dollars now?"

Ms. Powers – "For the very same thing that you just said, we just took another Tax Anticipation Note out that we will back again."

Mr. Foster – "So, that million dollars is in the bank and we have that in cash?"

Ms. Powers – "No, we're paying down debt, just like you just said, that you did when you were Town Manager. It's the same thing. Nothing's changed."

Mr. Foster – "What's changed is that you owe the million dollars, but the million dollars has been spent."

Ms. Powers – "This is supposed to be a Public Comment Period, which is only supposed to be a couple of minutes."

Ms. Dubois – "It's been fifteen."

Ms. Powers – "You are allowing this to go on [inaudible]."

[interruption] **Mr. Rogeski** – "You're not allowed to run this meeting."

Ms. Powers – "Excuse me?"

Mr. Rogeski – "You're not allowed to run this meeting."

Ms. Powers – “I’m not running this meeting.”

[interruption] **Mr. Rogeski** – “That’s right. That’s correct.”

Ms. Powers – “Sir, you, this is.”

Councilor Kilcollins – “I take it that, that his introduction and where’s he’s going at is, is coming to a close, I’m sure, Dan.”

Mr. Foster – “I’m trying.”

Chairman Kilcollins – “Alright. Oh, you can carry on.”

Mr. Foster – “Thank you. I’m thinking that we owe this money and there is no cash in the bank right now. So there’s gonna have to be another one. Now, maybe I’m wrong, maybe there is cash but the last financial statement that I saw from whatever it is that you provided me yesterday showed cash balance. So, is it a line of credit?”

Ms. Powers – “The Tax Anticipation Note?”

Mr. Foster – “Yeah. The million dollars, is it a line of credit or is it just a loan for a million dollars?”

Ms. Powers – “It’s a normal Tax Anticipation Note. It’s no different than when you were here and you did Tax Anticipation Notes.”

Mr. Foster – “Well, when I did it, it was a line of credit, so it didn’t necessarily mean that the line of credit had been used out.”

Ms. Powers – “If you would like to come in and talk to me during regular hours about this, I’d be happy to do that. We have business to conduct with the Council tonight.”

Mr. Foster – “Yeah, I know. I’m part of that. Anyway, I’m concerned about cash flow. I’m also concerned about our employees. I think that this has been disruptive. I know that you folks have been upset, employees are upset. You know, employees are the ones that, they’re, they’re the ones that carry the load and they’re the ones that do the work and I can tell you none of this is their fault. None of it, and you know, I think this is hard on employees emotionally and I think that the transition is not necessarily going to be easy for some of it, and I think employees need to be treated with respect and with due diligence. And the last thing that I’m concerned about is community. You know, people are discouraged, people are upset, people don’t understand and there’s not a lot of information out there. I believe that there needs to be a whole lot more transparency for the community to be aware of exactly where we are and what we’re going to need to do to get through this. You know, we use words like community, Town, Municipality, but honestly guys, it’s about people. Why in God’s name, would I want to break up what has been a great retirement out there to Monson Pond to come in and get sassed by Mitch?”

Now, why would I want to do that? Those 15 years that I spent as Town Manager was the most emotionally gratifying job I have ever had, and it's because of the people. And I, and I have been asked by a number of people, would you please consider helping us. So, I'm saying to you folks, I'm willing to help, I think I can. And, I would just simply ask for your serious consideration. Thank you."

Councilor Butler – "Mr. Foster?"

Mr. Foster – "Yes."

Councilor Butler – "Since you said I sassed you, I don't think I did."

Mr. Foster – "Oh my God, yes. Where's Tom Towle?"

[laughter]

Councilor Butler – "I didn't sass you. All I did was ask you for a minute before you got to spoke."

Mr. Foster – "Oh. Mitch, I apologize."

Mr. Sirois – "Mr. Chairman, if I may?"

Chairman Kilcollins – "Yes. Yes."

Mr. Sirois – "Key words that Dan Foster, I'm sorry. Gary Sirois, long-term resident, not a native, only 58 years, but I'm a long-term resident, served on the Council, served as Chairman for two years and many other functions. My concern here is transparency, number one. We haven't had transparency with this Council. A lot of us out in field don't really know what's going on because it's not public, it's not posted, it's not information that we can get a hold of. The other thing I want to say, I'll be very brief, I don't think we should continue with the policies that we've had under Andrea Powers, and I don't, no disrespect, Andrea."

Ms. Powers – "It's a little late for that now, sir."

Mr. Sirois – "But, we need a new broom, sweeper and put him, and again, no disrespect to Darren. We need a new broom and I think that's the time, this is the time for you as a Council to select a new broom to start the process of healing this community. This community is, is reeling, not only because of the proposed tax increase that's coming. I'm not sure when the tax bills are coming out but, this fall. But that's not the end of it, as Dan alluded to, there's more coming next year and I, I cringe when I think about how we're gonna handle that, using the same philosophy, using the same broom that we've been using right along. I think we need a new broom and I totally endorse your selection of Dan Foster as Interim Town Manager. Thank you."

Chairman Kilcollins – “Thank you, Gary. Anybody else? If not, next we’ll have a motion to move into Executive Session for M.R.S.A. 405 Personal Matter.”

II. Executive Session
A. 1 M.R.S.A. § 405(6)(A) Personnel Matters

Motion In: Councilor Pelletier made the motion.

Second: Councilor Libby seconded.

Discussion: None.

Vote: All Affirmative.

Time in to Executive Session: 6:20 PM

Motion Out: Councilor Pelletier made the motion.

Second: Councilor Ouellette seconded.

Discussion: None.

Vote: All Affirmative.

Time out of Executive Session: 7:20 PM

Chairman Kilcollins – “Okay, we’re going to call this meeting to order and if we could get somebody to make a motion.”

Councilor Pelletier – “I’ll make a motion that we, we nominate Dan Foster as Interim Town Manager until we can find a Manager to take his place.”

Motion: Councilor Pelletier made the motion.

Second: Councilor Ouellette seconded.

Discussion:

Councilor Pelletier – “We’ve already discussed it.”

Vote: Motion passed 4-1.

Ayes: Councilors Butler, Ouellette, Pelletier & Chairman Kilcollins.

Nays: Councilor Libby.

Mr. Foster – “Effective when?”

Councilor Libby – “The seventeenth of September.”

Chairman Kilcollins – “Seventeenth of September.”

Mr. Foster – “Thank you for your faith”

Mr. Sirois – “Congratulations.”

[applause]

III. Adjournment

Motion to Adjourn: Councilor Butler made the motion.

Second: Councilor Pelletier seconded.

Vote: All Affirmed.

Council Adjourned at 7:24 PM.

Respectfully submitted,

Neadra E. Dubois, Council Secretary