

# AGENDA

## ITEM

5.

**OATH OF MUNICIPAL OFFICIAL**  
(Except Moderator or Clerk)

Municipality of Clinton, Maine

I, Randy Clark, do swear, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen thereof. (Constitution of Maine, Art. IX, Sec. 1.)

I, Randy Clark, do swear that I will faithfully discharge to the best of my ability the duties incumbent on me as Selectman (three-year term) for the Town of Clinton, according to the Constitution and the laws of the State. So help me God.

Dated:

\_\_\_\_\_  
Signature

Clinton, Maine

Subscribed and sworn to before me,

Date:

\_\_\_\_\_  
Town Clerk

# AGENDA

## ITEM

6.

# OATH OF MUNICIPAL OFFICIAL

(Except Moderator or Clerk)

Municipality of Clinton, Maine

I, Randy Clark, do swear, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen thereof. (Constitution of Maine, Art. IX, Sec. 1.)

I, Randy Clark, do swear that I will faithfully discharge to the best of my ability the duties incumbent on me as Assessor (three-year term) for the Town of Clinton, according to the Constitution and the laws of the State. So help me God.

Dated:

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Signature

Clinton, Maine

Subscribed and sworn to before me,

Date:

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Town Clerk

# AGENDA

## ITEM

7.

# OATH OF MUNICIPAL OFFICIAL

(Except Moderator or Clerk)

Municipality of Clinton, Maine

I, Randy Clark, do swear, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen thereof. (Constitution of Maine, Art. IX, Sec. 1.)

I, Randy Clark, do swear that I will faithfully discharge to the best of my ability the duties incumbent on me as Overseer of the Poor (three-year term) for the Town of Clinton, according to the Constitution and the laws of the State. So help me God.

Dated:

\_\_\_\_\_  
Signature

Clinton, Maine

Subscribed and sworn to before me,

Date:

\_\_\_\_\_  
Town Clerk

# AGENDA

## ITEM

10.



Town of Clinton

27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

## BOARD of SELECTMEN Rules of Procedure

### Meeting Format

1. An orderly meeting requires Selectmen to share the floor, listen to other Selectmen, not interrupt another who is speaking, be respectful to others when speaking, and remain focused on the topic being discussed. The Chair may require all participants to be recognized by the Chair before speaking on the record about an item on the Board's agenda. When a motion is made and seconded, it is preferable to begin the discussion by recognition of the Selectman making the motion. The Chair should participate in the discussion after the other members have had an initial opportunity for discussion.
2. The board is allowed to discuss an Agenda item without the necessity of a formal motion being made by a member.
3. The Chair will recognize the Town Manager to explain an Agenda item if there is uncertainty about the meaning of the agenda item. The Chair will recognize the Town Manager for comment and input with respect to each matter on the Board's agenda before a final vote or other action by the Board. At any time during the discussions or deliberations by the Board, after being recognized by the Chair, a Selectman may directly ask a question to, or request information or comment from, the Town Manager. The Town Manager may refer such a question or request to a Town Department head or municipal official in attendance at the meeting.

### Rules of Procedure

The Chair will be generally guided by the Tenth Edition of Robert's Rules of Order Newly Revised for the conduct of the Board's meetings.

### Public Comment

1. A reasonable opportunity for public comment will be given before the Board's vote on a matter of municipal policy, as opposed to a procedural, ministerial, or executive matter. The Chair will direct when public comment will be accepted on a matter before the Board. The chair may set reasonable limits on public comment heard or received at the meeting. After the Chair recognizes a member of the public, the person will approach the Board and sit at the Public Comment / Questions Table. The purpose of speaking from this table is to insure the comments are recorded and Board members can clearly hear the comments or questions. Written comments signed by the author(s), which are submitted to the Board before the meeting by filing or mailing to the Town Office, will be



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considered by the Board as public comment. Any written questions from the public must be received by the Town Manager's office before 10:00 AM, on the Wednesday preceding the meeting. After public comment is heard or received, the Board will further consider the matter before a vote or other action is taken by the Board.

2. Any questions from the public, during a public comment period, addressed to a Selectman, the Town Manager, or a Town employee or official, will go through the Chair. The Chair has the discretion whether to recognize the question or rule the question is out of order or otherwise not proper.

3. An agenda item titled "Comments / Questions from the Public Concerning Matters Not Related to Items on the Agenda" is limited to fifteen (15) minutes. The Chair will ask for a show of hands for those wishing to speak. The fifteen (15) minutes will be divided between the number wishing to speak. The speakers will be directed to sit at the public comment / questions table. The Chair has the discretion whether to recognize the comment / question or rule the comment / question out of order or otherwise not proper.

4. A member of the public who becomes unruly or interrupts the orderly conduct of the Selectman's meeting will be asked to leave.

#### Meeting Agenda / Public Notice

1. The Board will not conduct a vote on any matter that is not on the agenda of the Board's meeting, unless of an "emergency " nature. The Board may, under the category of "Other Business Emergency Matter", act upon any emergency matters that could have a serious or adverse effect on the community, public health, or well-being of the Town in the event Board action is delayed. Any matter that is not on the agenda may be discussed, if determined appropriate by the Chair, but no answer will be expected and no vote taken until a later Board meeting.

2. The next to last agenda item will be planning the Agenda for the next scheduled Board meeting. The Board may vote to require a specific matter to be placed on the agenda for the next meeting.

3. All items to be considered on an agenda for a regular or special meeting must be received by the Town Manager or Chairman of the Board of Selectmen by 10:00 AM on the Wednesday preceding the meeting. The Town Manager and the Chair, Board of Selectmen will meet via E-mail, phone or in person to prepare the Agenda not later than 12 Noon on the Thursday prior to the meeting. The agenda will be posted at the Town Office and on the Town's Web Site by 3:00 PM on the Friday prior to the meeting. The agenda and materials necessary for the Selectmen's review will be delivered to each Board of Selectmen, by the Police Department, not later than 8:00 PM on the Friday prior to the meeting.



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4. It is sufficient to post, as public notice, the Resolution specifying Selectmen meeting dates, time and place on the Town Office bulletin board. A public notice must be posted in at least five conspicuous places around Town for any special or emergency meeting of the Board. The Morning Sentinel must be notified in the event of an emergency or special meeting of the Board.

Legal Counsel

1. The Town Manager will promptly inform the Board of Selectmen Chair as to the Town's receipt of service of a Complaint or other pleading filed against the Town in Federal, State, or other judicial or administrative forum and will promptly notify the Town's liability insurer as to the receipt of a complaint or other pleadings which may potentially be covered under the Town's insurance policy. Within fourteen (14) days after the Town's receipt of service, the Board will meet to determine whether legal counsel needs to be retained, and decide what legal counsel will be retained to represent the Town's interest in defense of such legal action.

2. A notice of Tort Claim served upon the Town will promptly be delivered to the Town's Liability Insurer and a copy will be provided to each Selectman before the next Board meeting.

3. No legal action will be filed or otherwise prosecuted by the Town without prior authorization by the Board of Selectmen.

4. The authorization to retain legal service for a specific matter will be approved by the Board of Selectmen.

5. Any request for legal advice directed to the Maine Municipal Association (MMA) Legal Department will follow Resolution 07-03: Restrictions on MMA Legal Inquiries dated and signed by the Board of Selectmen on April 24, 2007.

RULES OF PROCEDURES ADOPTED BY THE BOARD OF SELECTMEN ON JULY 8, 2008 BY:

\_\_\_\_\_  
Jeffrey Towne

\_\_\_\_\_  
Chester Nutting

\_\_\_\_\_  
Randy Clark

\_\_\_\_\_  
Joseph Massey

# AGENDA

## ITEM

11.



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## RESOLUTION 08-12

### BOARD OF SELECTMEN MEETING DATES / TIME / PLACE FOR FISCAL YEAR 2008 / 2009

WHEREAS, Town Charter Section 2.03 (c) requires the Board of Selectmen to establish by resolution the date, time and place for regular Board of Selectmen meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN OF THE TOWN OF CLINTON, that in Fiscal Year 2008 / 2009 the Board of Selectmen will meet at 6:30 PM in the Selectmen's meeting room of the Town Office on the following dates:

- July 8, 2008 & July 22, 2008
- August 11, 2008 & August 26, 2008
- September 9, 2008 & September 23, 2008
- October 14, 2008 & October 28, 2008
- November 10, 2008 & November 25, 2008
- December 9, 2008 & December 23, 2008
- January 13, 2009 & January 27, 2009
- February 10, 2009 & February 24, 2009
- March 10, 2009 & March 24, 2009
- April 14, 2009 & April 28, 2009
- May 12, 2009 & May 26, 2009
- June 8, 2009 & June 23, 2009

Sealed with the Seal of the Town of Clinton on this eighth day of July in the year Two Thousand Eight.

\_\_\_\_\_  
Jeffrey Towne

\_\_\_\_\_  
Chester Nutting

\_\_\_\_\_  
Randy Clark

\_\_\_\_\_  
Joseph Massey



# AGENDA

## ITEM

12. a.

**CLINTON BOARD OF SELECTMEN  
TUESDAY, JUNE 24, 2008  
6:30 P.M.  
SELECTMEN'S ROOM, TOWN OFFICE**

**MINUTES**

**CALL TO ORDER:** Chairman Towne called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Towne led the Pledge of Allegiance.

**SELECTMEN PRESENT / QUORUM:** Chairman Jeff Towne, Vice Chair Steve Hatch, Randy Clark, Joseph Massey, and Chester Nutting. Also present Town Manager James Rhodes, Deputy Town Clerk Shirley Bailey and Police Chief Charles Runnels.

**ACTION ITEMS.**

Approval of Selectmen's Minutes – June 9, 2008

Selectman Clark moved Board approve minutes of the June 9, 2008 Meeting, second by Selectman Hatch. Vote 4-0 Approved

Resolution 08-04: Board of Selectmen Annual Re-Affirmation of the Designated Municipal Reserve Funds (CRS)

Selectman Clark moved Board adopt Resolution 08-04, second by Selectman Massey Vote 5-0 Approved

Resolution 08-08: FY 07 / 08 Police Department and Code Enforcement Budgets to be used as approved at the start of FY 08-09

Selectman Clark moved Board Adopt Resolution 08-08, second by Selectman Nutting Vote 5-0 Approved

Special Town Meeting Warrant

Chief Charles Runnels informed the Board that beginning July 1, 2008 the Police Department coverage will be scaled back to the levels of the previous year due to the Police Department budget being voted down. The Police Department will be using the previous years budget until the new budget is voted in. This means week-end coverage is restricted to one 10-hour shift on Saturday and Sunday and curtailment of the night shift on week-days. If the budget is passed on August 12, 2008, then 24/7 coverage will be instituted immediately.

Selectman Clark moved Board sign the Special Town Meeting Warrant for August 12 2008, second by Selectman Nutting Vote 5-0 Approved

Appointment of First Park Representatives.

## June 24, 2008 Selectmen Minutes

MOTION: Selectman Clark moved Board appoint David Record as the First Park Representative and Greg Brown as the Alternate First Park Representative for the Term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

### Appointment of Town Treasurer, Road Commissioner, Web Master, and KVCOG Representative

MOTION: Selectman Clark moved Board appoint James Rhodes as Town Treasurer, Road Commissioner, Web Master, and KVCOG Representative each for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

### Appointment of General Assistance Director

MOTION: Selectman Clark moved Board appoint Pamela M. Violette as General Assistance Director for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

### Appointment of Tax Collector

MOTION: Selectman Clark moved Board appoint Pamela M. Violette as Tax Collector for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

### Board confirmation of Town Manager's Department Head appointments

MOTION: Selectman Clark moved Board confirm the Town Manager's Department Head appointments of Gary Petley, Fire Chief and EMS Director; Charles Runnels, Chief of Police; Gerald Howard, Director, Transfer Station / Recycling Center; Clayton Pierce, Highway Department; for the term July 1, 2008 through June 30, 2009 second by Selectman Nutting Vote 5-0 Approved

### Board confirmation of Town Manager's appointment of the Code Enforcement Officer

MOTION: Selectman Clark moved Board confirm the Town Manager's appointment of Robert Sharkey as Code Enforcement Officer for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

### Board appointment of Civil Constables

MOTION: Selectman Clark moved Board appoint Mark Sellinger, Robin Sellinger, and Eugene Hutchins as civil constables for the term July 1, 2008 through June 30, 2009 second by Selectman Nutting Vote 5-0 Approved

### Board appointment of Cemetery Sexton

## June 24, 2008 Selectmen Minutes

MOTION: Selectman Clark moved Board appoint Malcolm Smith as the Cemetery Sexton for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting  
Vote 5-0 Approved

### Board appointment of Planning Board members

MOTION: Selectman Clark moved Board appoint Michael Walton and Sandra Gagnon as alternate planning board members for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting  
Vote 5-0 Approved

### Board appointment of Board of Appeals member

MOTION: Selectman Clark moved Board appoint Suzanne Caverly as a regular member of the Board of Appeals for the term July 1, 2008 through June 30, 2011, second by Selectman Nutting  
Vote 5-0 Approved

### Board appointment of Sealer of Weights and Measures

MOTION: Selectman Clark moved Board appoint Luke Goodblood as the Sealer of Weights and Measures for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting  
Vote 5-0 Approved

### Board appointment of Budget Committee Members

MOTION: Selectman Clark moved Board appoint Phil McCarthy, Naomi Wiswell, Bruce Bean, Bruce Salisbury, Stephen Hatch, Tammy Knight, Blynn Galusha, Michelle Flewelling as Budget Committee members for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting  
Vote 4-0 Approved  
Selectman Hatch Abstained

### Resolutions for the transfer of appropriations in the Municipal FY 07 / 08 budget to balance deficit accounts from unencumbered account balances

Selectman Clark moved to accept Resolutions 08-9, 08-10 and 08-11, second by Selectman Nutting  
Vote 5-0 Approved

### Small Claims Court Action for Delinquent Personal Property Tax Payer

MOTION: Selectman Clark moved Board authorize the Tax Collector to proceed with Small Claims Court action to collect unpaid personal property taxes for Tax Years 2004, 2005, and 2006 against Timothy H. and Melissa R. Gerow second by Selectman Massey  
Vote 5-0 Approved

### Annual renewal of Disbursement / Payroll Warrant Policy

## June 24, 2008 Selectmen Minutes

MOTION: Selectman Clark moved the board adopt and sign the Disbursement / Payroll Warrant Policy, second by Selectman Nutting Vote 5-0 Approved

### Order 08-01: Relating to application of payments to unpaid taxes

MOTION: Selectman Clark moved Board adopt Order 08-01, second by Selectman Nutting Vote 5-0 Approved

### Board consent to the Application for a License by the Benton Grange to operate a Lucky 8 Game of Chance at the Clinton Lions Club Fair September 4, 5, 6, 7, 2008

MOTION: Selectman Clark moved Board consent and sign the application for a license by the Benton Grange to operate a Lucky 8 Game of Chance at the Clinton Lions Club Fair September 4, 5, 6, 7, 2008, second by Selectman Nutting Vote 5-0 Approved

### Board consent to the Application by the Benton Grange to operate Bingo at the Clinton Lions Club Fair September 4, 5, 6, 7, 2008.

MOTION: Selectman Clark moved Board consent and sign the application for a license by the Benton Grange to operate Bingo at the Clinton Lions Club Fair September 4, 5, 6, 7, 2008, second by Selectman Nutting Vote 5-0 Approved

### Board appointment of Personnel Advisory Board member

MOTION: Selectman Clark moved Board appoint Everett Flannery, Jr. as a member of the Personnel Advisory Board for the term July 1, 2008 through June 30, 2011, second by Selectman Nutting Vote 5-0 Approved

### Board appointment of Cemetery Committee member

MOTION: Selectman Clark moved Board appoint Keith Graham as a member of the Cemetery Committee for the term July 1, 2008 through June 30, 2009, second by Selectman Nutting Vote 5-0 Approved

## **DISCUSSION ITEMS:**

### Request to attach US Flags to Telephone / CMP Poles in Clinton, Maine

After some discussion regarding permission, cost, liability, etc., it was suggested by a consensus of the Board of Selectmen that the person with the request, should seek help from an organization and submit a written plan to the Town specifying how the organization will control, check daily, and maintain the flags.

### Fire Chief: Interoperable Communications Grant Application.

Fire Chief, Gary Petley, gave an informational report to the Board regarding a Grant for Interoperable Communications.

**SUPPLEMENTS AND ABATEMENTS**

Selectman Clark moved Board approve the request for abatement #32, account RE#891, for real estate taxes in the amount of \$411.64, second by Selectman Nutting  
Vote 5-0 Approved

Selectman Clark moved Board approve the request for abatement #33, account RE#891 For real estate taxes in the amount of \$36.03 second by Selectman Nutting Vote 5-0 Approved

**TOWN MANAGER'S REPORT**

Road construction and paving bids due July 18, 2008 by 10:00 AM. Bids will be opened July 18, 2008 at 10:15 AM. Bids will be awarded at the July 22, 2008 Selectmen's Meeting.

**OLD / NEW BUSINESS**

WARRANT: Selectman Clark moved to accept Warrant #85 in the amount of \$62,511.09, second by Selectman Nutting Vote 5-0 Approved

**NEXT AGENDA ITEMS**

Oaths of offices, Board Elections and Gravel Pits – Mineral Extraction Ordinance

**COMMENTS / QUESTIONS FROM THE PUBLIC CONCERNING MATTERS NOT RELATED TO ITEMS ON THE AGENDA. THE BOARD'S RULES OF PROCEDURE HAS IMPOSED A 15 MINUTE TOTAL TIME LIMIT.**

ADJOURN: Selectman Nutting moved to adjourn at 8:04 pm, second by Selectman Clark Vote 5-0 All in favor

Respectfully submitted,

Shirley J. Bailey  
Deputy Town Clerk