

# MINUTES

**SELECT BOARD/ASSESSORS' MEETING  
TUESDAY, DECEMBER 17, 2024  
WILLIAM L. PULLEN MUNICIPAL BUILDING MEETING ROOM  
ONLINE NON-INTERACTIVE ON TOWN HALL STREAMS  
6:30 p.m.**

**Select Board present:** Wayne Kirkpatrick, Adam Fuller, Martha Johnston-Nash, Steve Migliorini, and Linda Mountainland

**Others present:** Todd Souza (Town Manager), Chris Packard (CEO), Jerry Brooks, John Mountainland, Erik Amundsen, John Gibbons, Buddy Savage, Ellen Harrison, and others

- 1. Call Select Board Meeting to Order:** at 6:30 p.m. by Adam Fuller
- 2. Pledge of Allegiance**
- 3. Approve Minutes of Tuesday, December 3, 2024:**

Motion by: Wayne Kirkpatrick  
2<sup>nd</sup> by: Martha Johnston-Nash  
5-0

- 4. Approve Treasurer's Warrants Tuesday, December 3, 2024:**

- a. Payroll: December 11 & 18, 2024

Motion by: Wayne Kirkpatrick  
2<sup>nd</sup> by: Martha Johnston-Nash

Todd clarified there are two payroll warrants on this agenda due to a cancelled check. Martha said voting to approve the payroll warrant is new to the board. Todd said it's kind of an after-the-fact as they (the board has) already committed to the wages. He signs off on payroll anyway. He added that for future agendas, he will just put the AP warrants.

Motion withdrawn by Wayne Kirkpatrick.  
Second withdrawn by Martha Johnston-Nash.

- b. AP: December 10 & 17, 2024

Motion by: Wayne Kirkpatrick  
2<sup>nd</sup> by: Martha Johnston-Nash  
5-0

## Select Board Meeting Minutes – December 17, 2024

### 5. **Second Read of Proposed Changes to the Planning, Use, & Development Fees Schedule & Action on Request:**

CEO Chris Packard brought up the application fee which is on the proposed fee schedule. He also brought up adding permits for solar panels and/or heat pumps. Adam noted we don't require any special permits for an oil furnace.

Discussion followed, with Chris saying state law is that everybody follows the Maine building code. Buddy Savage spoke in opposition to the increased demolition permit fee and the application fee, mentioning the level of service for our taxes. Wayne pointed out that permits help keep (Assessors' Agent) Jim informed.

Buddy asked what percentage of the department's costs are covered by users' fees, and if the fees are not covering a big percentage, what are we doing? Adam said the idea is the fees are paid by people who are doing stuff, instead of people who haven't done anything (code-wise) paying for code enforcement. Buddy said he found the fees not fair and not equitable, and in answer to Adam added he thought the entrance permit was also too much. Chris explained the costs including paperwork, driving out and back, measuring, processing, etc. More discussion followed.

Todd said the demo fee was the biggest challenge. They are looking at pulling data from the past. Chris is trying to change the software setup so it's easier for them to do primary accounts, etc.

Martha said she questioned things like home occupation, \$30 going up to \$75 which is now \$150 because of the application fee. She struggled with the application fee and felt it a bad message to the taxpayers.

Linda felt Chris and Todd did a good job, saying we have to start somewhere to try to cover costs.

Steve asked if the demolition fee could be modified on a square footage basis, noting building permits are based on square footage. Martha suggested maybe a few brackets. Steve felt a blanket fee that high did not seem equitable.

Chris said you could have it so under a certain square footage you do not charge that fee, noting the options are endless. This was looking at 12 to 14 towns and trying to stay in the middle. Our last fee changes were in 2017, he said, and we are way behind.

Adam said he was not sold on the application fee, citing a chicken coop as an example. John Mountainland agreed with Steve that it should be on a square footage basis. Chris said we don't charge permits for an 8' by 10' building; anything under 100 SF is not supposed to have a fee.

## Select Board Meeting Minutes – December 17, 2024

Motion that we proceed with the proposed fees with the exception of the application fee, and change the demolition fee to \$25 under 1,000 SF and \$50 over 1,000 SF by: Martha Johnston-Nash

Steve clarified this is by structure not by lot. Adam said we can revisit the application fee.

2<sup>nd</sup> by: Linda Mountainland

Buddy brought up solar. Martha said it's on the list for \$.30/SF. More brief discussion followed. Todd suggested pulling solar.

Amended motion that we proceed with the proposed fees with the exception of the application fee and the solar fee, and change the demolition fee to \$25 under 1,000 SF and \$50 over 1,000 SF by: Martha Johnston-Nash

2<sup>nd</sup> by: Linda Mountainland

Todd said they are trying to cover fees to make sure people are safe and we're doing the right thing. Adam said the potential to impact a neighbor is fair game. Todd said we don't want to discourage people from looking at clean energy sources. Chris brought up (solar) roof-mounted vs. ground array. Todd said they will do more digging and clarification.

Above motion passed,  
5-0

Adam thanked Chris and commenters.

### **6. Committee Appointment Process Review & Action**

Todd said the board has the policy in their packets. He went in and updated what it means when we have a committee vacancy, last updated in 2009. The only changes he struck were "select board" vs. "board of selectmen" as on all policies per state rules. Re: vacancies – whether a new addition to a committee or a resignation – that resignation comes through the select board to accept. He then takes it back to the clerk for posting, then we advertise and collect applications for four weeks, then applications go to him and he gets them to the board. He added he is talking with staff upstairs and working on the website re: committees.

Martha said four weeks is fine. She confirmed applications would be accepted outside of that time, but no action would be taken until we have a four-week period from a vacancy. Todd emphasized anybody can come in at any time and fill out an application, and the application will be held until we have a vacancy. Linda confirmed when they come, that is when their term starts; somebody could be filling the remainder of a term. Adam noted most committees have one-year terms. Todd mentioned wanting to keep living history on the committees.

## Select Board Meeting Minutes – December 17, 2024

Planning Board Chair Jerry Brooks said he found it unwise to leave boards such as the planning board in the lurch for four weeks, even with seven members. In answer to Martha, he said they have no alternates. Todd brought up having a quorum. Jerry said in the past alternates were generally unavailable. Jerry felt someone's preapplication should count from the time they submit the application (toward the four weeks).

Chris said we could have a caveat in case of an emergency situation. He talked about having a procedure that you can lean on. Adam played devil's advocate, noting all the committees and all the boards serve at the select board's discretion. When they fill a vacancy, the board wants the right person for the job. More discussion followed.

Todd clarified it's *advertise* for four weeks, not an application sitting for four weeks. It gives people a period in which to do it, and (for the board) to see the whole pool of applicants.

Buddy brought up the optics of recruiting, and having a quorum of active members which Jerry said is four for the planning board. More discussion followed re: last meeting's planning board resignation and appointment.

Todd said you could make it three weeks, not four. Jerry noted the planning board is not a paid position, no stipend, nothing, and he is happy when someone volunteers.

Wayne brought up having a quorum again, which Todd said he will get answered legally. Jerry noted anyone on the planning board with any agenda will not succeed, as they are governed by the ordinances. More discussion followed.

Ellen Harrison asked Todd to delineate committee vs. board. Todd noted that, technically, we only have a committee vacancy policy. John Gibbons clarified that a board has the power to take actions on its own, while committees make recommendations to the select board and have no authority to take actions on their own.

Adam asked if anyone had issues with the policy. Wayne echoed by Linda thought it should say "board and committee vacancy policy." It was clarified that the only boards we have are select board, planning board, and zoning board of appeals; everything else is a committee.

Motion that we change this committee vacancies policy to say committees and board so no gray area by: Wayne Kirkpatrick  
2<sup>nd</sup> by: Linda Mountainland

Martha brought up the time limit, four weeks. Erik Amundsen said in his interpretation, serving on the school board, boards are elected. They have subcommittees who just advise. Wayne said the exact definition John just said was why he did this. Erik reiterated boards are usually elected by the public. Adam said not always.

## Select Board Meeting Minutes – December 17, 2024

Todd summarized the board's task at hand and mentioned there could be a shorter period of three weeks. He also said the board could let him accept any resignations, so he can bring them to the board at the next meeting and post right from there to start the three-week process. Jerry said great idea. Re: the amended motion, Adam reminded we are talking about going to three weeks, and we want to change the policy wording from "board of selectmen" to "select board."

Steve brought up clarifying the policy on board or committee members who do not attend a particular number of meetings consecutively. Chris and Todd said it's in the ordinance already. In answer to Steve, Chris said board or committee members must attend 75% of all meetings in a calendar year.

Amended motion to accept the wording "select board" instead of "board of selectmen"; after three weeks' period has expired, let the town manager accept all resignations; and change it from "committee vacancy policy" to "committee and board vacancy policy" by:

Wayne Kirkpatrick

2<sup>nd</sup> by: Linda Mountainland

5-0

### 7. Appointment of the Registrar of Voters

Motion that we appoint Michelle Clifford as Registrar of Voters by: Martha Johnston-Nash

2<sup>nd</sup> by: Steve Migliorini

5-0

### 8. Maine Paid Family & Medical Leave Program – 1% or .5%

Adam said we need to decide if we are going to cover the 1% or ask to split it with the employees. Todd said effective January 1 our treasurer needs something in writing so we can start making actions on the next pay period. He also said Stacey put together a spreadsheet, and the estimated cost for the year at 1% of wages currently is just over \$12,000, so the employees' share would be \$6,000 if you voted to do .5 and .5. Adam clarified \$12,000 is for all town employees combined.

Martha said she didn't think we budgeted for this, and we have half a year that we're going to be into this without it being in the budget. The difference between them doing it or not is \$6,000. She said she hates the government telling employers what they have to do for employees but also feels because of the substantial benefit the employees need to share in this. Linda agreed.

Adam noted we were talking about splitting \$6,000 per year amongst all the employees across the whole year. His counterargument was that our biggest carrot as a municipal employer is our benefits. In answer to Adam, Todd said our employee count is currently 12 full time.

## Select Board Meeting Minutes – December 17, 2024

Motion that starting the first of the year we share the cost with the employees and review it for the next fiscal year by: Martha Johnston-Nash  
2<sup>nd</sup> by: Linda Mountainland

Linda said we can bring it up at budget time and make sure we can cover it. Martha said maybe it becomes part of the benefit package. Linda clarified it was not budgeted so we have to do it this way, and we can discuss during budget time whether to cover the whole thing or keep on with half. Adam didn't think there would be a huge financial impact on any one individual. Todd liked the idea of looking at it during budgeting, noting all the other costs are going up as well – health insurance, wages, etc. – for us to be competitive. In answer to Wayne, Linda and Todd said it goes into a pool.

Above motion passed,  
5-0

### 9. Other Business: None.

### 10. Town Manager Report

Todd said now that we have a board and committees policy passed, we'll get the advertisement out for the zoning board of appeals. He will have staff review all committee vacancies.

He met with Matt and Dan from MCOG. Matt is frequently trying to get an answer from the state re: historic tax credits. Hopefully we'll have an answer by the next board meeting. We did submit the resiliency grant today and should hear something end of February/early March.

The fire department received a \$25,000 grant award from the Steven and Tabitha King Foundation, which Todd said was in the works prior to him. They had applied to use the grant to replace some of the aging AEDs as well as add another LUCAS (hands-free CPR) device onto the second rig, so both rigs will be matched now with this grant. We last replaced the AEDs in 2008. Todd said it needs a motion from the board to accept.

Motion that we accept that grant from the Steven and Tabitha King Foundation by:  
Wayne Kirkpatrick  
2<sup>nd</sup> by: Linda Mountainland  
5-0

Todd said he attended Christmas in the Country, put on by the Chamber, which was excellent. He thanked all involved. He also thanked the Common Market for their partnership in getting out 34 holiday baskets, and Tabby for pulling that together.

He reminded the town office will be closed tomorrow from 12:00 p.m. to 1:00 p.m. for the annual holiday lunch.

## Select Board Meeting Minutes – December 17, 2024

**11. Public Comment:** None.

### **12. Committee Reports**

a. Broadband

John Gibbons said everything is going fine on the fiber buildout. Tidewater is keeping up with the application requests as they come in and providing connections relatively quickly.

Tidewater is now seeking to increase the number of applications they get for the fiber that's already installed. Part of that process was the community event held here a week ago. They were happy with results; more than 20 citizens came in.

The committee's focus is on the next stage. The fiber network currently reaches almost 2/3 of all the addresses in Union. Of those it does not reach, 3/4 of them are reached by the cable network. They are trying to work with Spectrum to understand their plans for further improvements in the cable network and ultimately conversion to fiber. About 100 addresses have neither fiber nor cable. Tidewater has agreed to work with the committee to identify pockets of addresses among those 100 or so that could be reached by an extension of the fiber network, for which they have another grant funding source that they can tap.

Bottom line: we're not there yet, but you can see the end of the road.

b. Thompson Working Group

Adam confirmed the group has not met. Wayne brought up a concern from an individual that the rug will get pulled out with the new administration coming re: federal money. No one had information on that front.

Todd said Matt was going to try to meet with Developers Collaborative next week re: timelines, etc. Wayne said their Peasley Park project in Rockland is incredible. Todd will follow up with Matt. Adam would like to see the committee meet once Matt can touch base with the state.

c. Resiliency

Adam reiterated the grant went out today. Todd said Dan got quotes from a firm to do a lot of the work as part of the fee but leaves room for us to contract with MCOG for some of the ongoing management and implementation of the grant once we, fingers crossed, get it.

Ellen Harrison said people have approached her about difficulty hearing speakers who face away from the cameras during select board meetings, adding it's

## Select Board Meeting Minutes – December 17, 2024

sometimes hard to hear the board, too. The public audience sometimes feels they are not part of the conversation. The podium, adjusting cameras, and having speakers at the podium were briefly discussed.

### 13. Select Board Report

Linda said she and John wanted to thank Tidewater and whoever else was involved for their fiber connection. In answer to Adam, John Gibbons said the committee started in October 2020.

Martha said she and Lawrence also had a good experience with Tidewater. She said Christmas in the Country, a Chamber event, was very good though not as well attended as in years past. On behalf of the Chamber she thanked the town for its help. She noted this is the board's last meeting before the first of the year, and wished everyone happy holidays and a prosperous new year.

Adam apologized for losing his voice.

Wayne thanked Jeff Grinnell for setting him onto a wreath for the fire station.

### 14. Adjourn

Motion by: Linda Mountainland

2<sup>nd</sup> by: Martha Johnston-Nash

5-0

Meeting adjourned at 8:06 p.m.

Respectfully submitted,

Sherry Abaldo  
Secretary