

MINUTES

**SELECT BOARD/ASSESSORS' MEETING
TUESDAY, DECEMBER 3, 2024
WILLIAM L. PULLEN MUNICIPAL BUILDING MEETING ROOM
ONLINE NON-INTERACTIVE ON TOWN HALL STREAMS
6:30 p.m.**

Select Board present: 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, Christine Simmonds, Dan DeBord (MCOG), and others

1. Call Select Board Meeting to Order: at 6:30 p.m.

2. Pledge of Allegiance

3. Approve Minutes of Tuesday, November 19, 2024:

Motion to approve the revised minutes (of October 29, 2024) by: Martha Johnston-Nash
2nd by: Linda Mountainland
4-0

Motion to approve the minutes of November 19, 2024 by: Martha Johnston-Nash
2nd by: Linda Mountainland
4-0

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

Motion by: Linda Mountainland
2nd by: Martha Johnston-Nash
4-0

5. Welcome new Town Manager:

The board welcomed Town Manager Todd Souza, who said it's been helpful having a couple weeks coming to meetings ahead of time, putting names to faces. He added the staff upstairs has been great. Adam confirmed Todd and Jay are in touch.

6. Accept the resignation of Robin Milliken from the Planning Board:

Adam said the board has Robin Milliken's letter of resignation.

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Motion that we accept Robin Milliken's resignation from the Planning Board with regret and thanks by: Martha Johnston-Nash
2nd by: Steve Migliorini

Planning Board Chair Jerry Brooks thanked Robin for nine outstanding years of service, citing her great insight based on common sense and experience. She will be sorely missed. Adam noted the planning board is where the rubber meets the road, often an extremely hard public service to do. He said thank you to everybody who serves or has served on it, and definitely thank you to Robin.

Jerry said hopefully we will see her again when her schedule permits. CEO Chris Packard said she wanted to be in the wings if something comes up.

Above motion passed,
4-0

7. Appointment of Barry Norris to the Planning Board:

Adam said the board has his letter of interest form.

Motion that we accept Barry Norris as a member of the Planning Board by: Steve Migliorini
2nd by: Linda Mountainland

Adam said Barry has a lot of experience as CEO in the past, fire chief, etc. and a good fit.

Martha expressed a concern that this feels like back door stuff, noting nobody out there who may have an interest in the Planning Board has an opportunity to put in an application if we approve this. She also said this is probably the best person to serve on it.

In answer to Adam, Jerry said we have one opening right now. We had someone shadow Mike Johnson who expressed interest but have heard nothing back. There are seven members total on the Planning Board.

Linda asked about proper procedure. Adam said his suspicion was once Robin expressed she was leaving, Jay probably tried to fill her space as quickly as possible, as we have some stuff coming down the pike, with somebody who understands the background. Martha thought it was maybe Chris, who said it wasn't Jay.

In answer to Martha, Jerry said between now and the next select board meeting they have two subdivisions and a workshop. Chris said they have been trying to get people to apply and turn the form in. Adam urged people to come in and fill out the letter of interest (for the planning board), noting it's been a hard board to fill.

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Chris said he and Todd have been going through policies and boards. Todd said he will go through them all and bring them back one by one to the select board. His goal is to have a transparent process.

Steve brought up the board of appeals. Chris said we haven't had a zoning board of appeals since 2019 from what he can see. He added Abraham Knight said he'd love to serve, and we will try to advertise to get people to be on the zoning board of appeals as we don't have one and we are supposed to. Adam noted you need people with a good handle on how the planning board process works, and who are comfortable in a tense dispute situation. Jerry noted it's a final semi-judicial legal process before going to court.

Adam confirmed with Jerry that where we don't have a board of appeals, it automatically goes to Superior Court.

Steve said if there are issues coming up that the planning board needs to rule on, it's probably not good to have an even number of members. Adam said he liked the idea of having a full board going into the holidays and the first of the year, and encouraged people to come and fill out interest forms.

Above motion passed,
4-0

8. Discuss and review proposed updated land use fees:

CEO Chris Packard said he tried to make good decisions and be reasonable, middle of the road. He noted we may have to change things down the road again, but we're trying to start covering some of our costs in certain things. He discussed the updated land use fees, of which which board members had a copy. He said the two biggest things to him were the entrance fee permit and instituting an application fee.

Martha confirmed the application fee is a flat \$75, then add on for everything else, and that this is completely new.

Adam said construction permits are always going to be our ticket item, so we're talking a \$75 fee flat rate plus the square footage.

Chris said he is willing to entertain any thoughts, adding he didn't want to overregulate but wants to cut costs. He said if two years down the road we end up going with the (national) building code, which is the feeling amongst all the code officers, we're going from a couple of inspections to over 10, increasing everything we have to do. Some towns are adding an assistant code person. He summarized these things we're doing may be a step method to get to where we want to be.

Linda said Chris did a good job and put a lot of work into it, without many drastic changes.

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Adam noted in construction, permitting is the cheapest thing.

Chris put a plug in for Todd, saying he was part of this. Todd said if we get to a point where we have to change something bigger because the state dictates, we won't have to jump as high all at once. He added Chris is changing the system upstairs a bit where we are doing some things digitally, so we can keep better records of a number of things – when we have to make budgetary choices, for example, we will have permits that say this is taking 20% of his time, etc.

Martha asked what it would take to build a tiny house, approximately 400 SF. Chris said 45 cents a square foot. Martha noted the \$75 fee plus \$180 for the square footage is \$255, not bad. Her only concern was the jump in entrance permit (\$25 to \$100) and especially demolition (\$10 to \$100). Discussion followed.

Adam summarized the cheap easy land is gone. This is the next phase, and we're going to see more of it. Todd said it comes down to what we're trying to accomplish in the end; to be able to give him (CEO Chris) the tools he needs – if he has to go out and check, he's not going out there for ten bucks to make sure somebody did the right thing.

Adam noted he (Chris) got rid of the flood hazard permit. Consensus was this issue would involve the planning board. Todd said this would be kept in the back of mind as we redo maps and could be brought back. Chris said we could leave it.

In answer to Adam, Chris said a person has to have a sign permit for every permanent sign they put up, with no fees for temporary signs. He added there are restrictions re: speed limits, size, setbacks, etc.

John Mountainland brought up potential town liability re: flood permit. Martha agreed, favoring just leaving the flood hazard permit for now.

John Gibbons asked to get Chris's notes as an attachment to the minutes. Chris said he gave board members a spreadsheet on other towns in the area and their fees. Adam said he's got a list of the fees, what they currently are, and what is proposed. Most fees have come up to be more in line with surrounding towns and to cover code enforcement costs essentially. Steve confirmed we would not include the list of other fees towns charge that we don't. Martha gave John an extra copy she had.

Christine Simmonds said Thomaston is updating their fee schedule as well. She asked if the board would approve this or if it would have to go to the voters. Chris thought the board would approve. Adam noted they are not appropriating money. Todd said he will double check and suggested not approving it this evening, as discussed with Chris. He added this is out there, let the public react to it, and we can put the vote on next meeting's agenda to give people time to digest it. Consensus was good plan. Christine got a copy of the plan from Chris.

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Steve confirmed the only change is we are going to leave the flood hazard permit for now at \$30.

In answer to Martha, Chris confirmed the use permit includes new and change of use.

Chris asked for suggestions to add before the vote. Adam and Martha brought up short term rentals. Chris said the planning board is workshopping air bnbs, food trucks, and campers to eventually bring something to the select board.

Adam brought up erosion control and confirmed the CEO and planning board look at surface water runoff issues as part of the subdivision approval process.

The board thanked Chris, who again brought up the board of appeals which we need to work on. Todd said he and Chris will review what the charge of that board is and have it for the board to review so it's fresh when we put it on the website looking for candidates.

Adam reiterated it would be nice to have people who have served on the planning board on the appeals board, or with a legal background John Mountainland said.

9. Other Business:

Steve brought up the Heald Highway bridge replacement project, and how traffic will be diverted, with preference for a temporary bridge rather than diverting traffic through the square. Adam said we get no say whatsoever (it's all DOT). Steve said the public comment period ends tomorrow. The question he got from a resident is: does the select board want to comment as a board on how we think the traffic should be diverted?

Discussion followed. Chris noted typically they build a temporary bridge. He raised the issue of whether the repair is a deck replacement or a full replacement. Steve said it's eight million dollars, which Chris said sounds like a full replacement.

Adam encouraged anyone who wants to comment to go to the DOT.

10. Town Manager Report:

Todd said he and Jay spent a lot of time yesterday going around doing bank work, etc.

Motion to remove all financial privileges from Jarrett Feyler at Camden National Bank on behalf of the Town of Union, as well as authorize and approve Todd Souza to have similar financial privileges on behalf of the Town of Union by: Martha Johnston-Nash
2nd by: Steve Migliorini

4-0

Martha confirmed with Todd that First National does not need a similar motion in the minutes.

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Todd thanked the Resiliency Committee, saying a lot of work went into what they are presenting tonight.

He said he is starting to check in with departments. He has Public Works, Fire and EMS this week and will tour the community center on Thursday morning.

He brought up the staff asking about potentially altering the holiday schedule.

He reminded that Christmas in the Country is this Sunday at 5:00 p.m.

Adam said the holiday schedule question is do we ask them to open on Thursday, the day after Christmas, for one day. The staff would love that Thursday off. Brief discussion followed. Adam and Linda favored a paid day off as last year. Steve confirmed Christmas Eve will be regular Tuesday hours.

Motion that the town office will be closed the day after Christmas with pay by: Linda Mountainland
2nd by: Steve Migliorini
4-0

Todd thanked the board, saying he will share that with staff tomorrow.

11. Public Comment:

Erik Amundsen said last year the board approved the TMA to put up a Christmas tree secured to the flag pole at the TCC. They would like to do it again this year. They have the lights, are covered by insurance, and Adam confirmed Abe running a power line through the window worked terrific. Linda confirmed Abe will secure that window.

Motion that we approve the placement by the TMA of a Christmas tree on the TCC flag pole with lights to be run through the window by Abe Knight by: Steve Migliorini
2nd by: Martha Johnston-Nash
4-0

Erik also said that going over the policies is probably the best thing Todd could do, noting the school board constantly updates theirs. He applauded Chris for getting the fees up and thanked Todd for coming on board.

12. Committee Reports:

a. Resiliency

Chair John Shepard introduced facilitator Dan DeBord of MCOG (Midcoast Council of Governments).

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Dan reminded at the last meeting the board approved a resolution to enroll in the Community Resilience Partnership of the state. He submitted all the required enrollment materials and awaits confirmation from the state.

He is now working with the committee on pursuing their Community Action Grant, with a deadline of December 17. The committee met last night to winnow down the five funding priorities they had identified, through evaluations and a community workshop, to one grant proposal that we would be working on and submitting by that deadline.

He said in the board's packet is the general proposal we are going for: pursuing a Community Action Grant to fund an environmental assessment of the impact of severe and multifaceted weather events on critical community infrastructure. He added we're looking at planning for extreme cold, extreme heat, drought, flooding, snow, ice, high winds, and specifically combinations of these, and the weather event's impact on the power grid, public water, internet service, private business, private households, public buildings – basically community-wide infrastructure.

He said the idea with this kind of assessment is that it will help the town come up with capital improvement planning and a proactive stance as far as coming up with a report with recommendations for the best way to deal with all these weather events, to help with various municipal departments and their procedures in a reactive sense – i.e., what are Public Works prioritizing on their checklist?

The outcome we're hoping for is a report/assessment with a series of recommendations that the town will pursue to help better prepare for these kinds of severe weather events.

Adam confirmed with Dan that the grant this round has a maximum amount of \$75,000. Dan said if the board approves going after this proposal, he will gather a few estimates from various firms who do this type of work and basically create the scope of the application around that funding limit. He said the town would not have to pay staying under the \$75,000 limit. Adam reconfirmed there would be no dipping into taxpayer funds.

Motion that the Town of Union pursue with MCOG a Community Action Grant to fund an environmental assessment of impact of severe multifaceted weather events on critical community infrastructure, and also to empower the town manager to sign off on the grant application and make any actions related to that

by: Steve Migliorini

2nd by: Linda Mountainland

4-0

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In answer to Steve, Dan said we should hear back about the application within a month or two. He added you can select in the application process whether you want the award to close out in 12 months or in 24 months. Adam confirmed no penalty one way or the other.

Linda confirmed that a timeframe is part of the prep work for the application in addition to getting the cost estimates. Steve confirmed the engineers will come back with a report and some recommendations for a capital improvement plan and recommendations for emergency response. He also confirmed that a subsequent grant application, in the next application period six months from now, could be used to address any needs on that list – Dan said yes, as long as it fits into one of the 72 priorities. Steve also confirmed this is not necessarily committing the town to a capital outlay; it's making a recommendation/list or as Dan put it, professional information gathering.

Todd added it helps prioritize decisions, such as this culvert is more important than that culvert – a great tool – and helps you go after an infrastructure buildout grant. Steve summarized \$75,000 will get you the list not the culverts, but the next grant may (get culverts). The board thanked Dan and the committee.

b. Broadband

John Gibbons said Tidewater continues to forge ahead on making connections to the expanded fiber. Their response time is short. That's important as on previous grant-funded expansions in other towns, that's where the problems were. He noted Tidewater was ready for this one.

Tidewater's emphasis now is on increasing the take rate, likely motivated by the deadline which he believes is December 2025. To that end they are hosting an information session for Union residents here next Wednesday. People can drop in and ask questions. The town is helping with publicity.

The committee is updating its own estimates of where we're going to be at the end of this expansion effort, compared to the original goal of providing high speed access to all Union residents. They got an update of roads and addresses from Jim Murphy (Assessors' Agent). They have updates from Tidewater. They are looking to get an update on Spectrum's plans for including cable network and transition eventually to fiber, which they have told the state they eventually plan to do statewide. The objective is to identify the specific roads and addresses that will not have access to either of the high speed options right now, cable or fiber, and to work out how to bring access to those – around 100 such addresses in Union. The backup or final solution is radio sources, satellites, and US Cellular which are moving rapidly to increase their take rates in all areas where they are.

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Publicity for Wednesday's event was briefly discussed, with John Shepard suggesting putting info on the electronic sign.

Adam addressed the committee's former fear of connections taking forever, which thankfully has not been the case as Tidewater came in with guns blazing, stepped up to the plate, and he thinks they are now looking for us to push it a little bit which is a really good thing.

More publicity was discussed. Erik Amundsen suggested What's Up in Union (Facebook). John said it's on the town website. Linda mentioned the school newsletter. Martha brought up posters/flyers. Adam mentioned info that Tidewater has on the compelling case for fiber: medical devices, the future, etc.

c. Thompson Working Group

Steve said they have not met. Abraham has been trying to keep in touch with Matt. They expect to have a meeting in mid-December. The state committee that meets quarterly to approve the recommendation for historic status has not met yet.

Steve brought up Abraham's concern re: the northwest corner of the building where the siding has been removed – should that have attention prior to the winter? Adam said we could look at hiring our regular contractor to potentially put some Typar on it, the question being when our contractor has time. John Mountainland suggested waiting until mid-December when we'll know what the developer is going to do.

Motion that we leave it in Todd's hands to do what he thinks is necessary for that
by: Martha Johnston-Nash

Adam reminded we have TCC money sitting there. Linda suggested waiting to see what the developer is going to do before we put any more money into it.

Amended motion to ask Todd to make arrangements to have that Typar'd by:
Martha Johnston-Nash
2nd by: Steve Migliorini

Brief discussion followed, including Steve reminding that we don't yet have the joint development agreement and may still own the building in the spring. Adam said he could see the value in a couple hundred dollars addressing an eyesore.

Above motion passed,
3-0-1 abstention (Mountainland)

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13. Select Board Report:

Martha reminded about the Tidewater event on December 11. She said she went to the Midcoast Council of Governments General Assembly, which was very interesting. Christmas in the Country is at 5:00 p.m. – cocoa, cookies, Santa Claus, singing, and fires and Christmas tree lights Adam added.

Adam again welcomed Todd. He said it's bittersweet without Jay but noted the energy of having both Todd and CEO Chris begin at the same time

14. Adjourn:

Motion by: Linda Mountainland
2nd by: Martha Johnston-Nash
4-0

Meeting adjourned at 8:08 p.m.

Respectfully submitted,

Sherry Abaldo
Secretary