

MINUTES

**SELECT BOARD/ASSESSORS' MEETING
TUESDAY, JULY 16, 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, and Linda Mountainland

Others present: Jay Feyler (Town Manager), John Mountainland, John Gibbons, Buddy Savage, Tracy Weed, Clairlynn Rountree, Kathleen Thornton, Argy Nestor, Brian Huntley, 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, July 2, 2024:**

Motion by: Wayne Kirkpatrick
2nd by: Martha Johnston-Nash
4-0

- 4. Approve Treasurer's Warrants dated Tuesday, July 16, 2024:**

Motion by: Wayne Kirkpatrick
2nd by: Linda Mountainland

Amended motion to approve Treasurer's Warrant 5 by: Wayne Kirkpatrick
2nd by: Linda Mountainland
4-0

Motion to approve Treasurer's Warrant 94 by: Martha Johnston-Nash
2nd by: Wayne Kirkpatrick
4-0

- 5. Approve and Sign Interstate Septic Contract:**

Adam said this has not changed, still \$2,300 a year, and allows anyone in town to have their septic pumped.

Motion to accept by: Wayne Kirkpatrick
2nd by: Martha Johnston-Nash
4-0

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6. Discussion on possible combination town meeting in 2025:

Jay said after two years of referendum voting you see a lot of ballot fatigue. He suggested putting the option for a hybrid structure (part referendum, part town meeting) out to voters – to see if they would like to do all of what he calls the “fluff items” (to see if the select board can set the salaries, to see what interest rates are, etc.) in open town meeting, recess it, have the public hearing on the warrant, then vote by secret ballot/referendum on all of the financial and ordinance articles. He added this is what he thinks the voters wanted: referendum voting on ordinances and financial items.

Consensus was they board would love to go back to town meeting. Wayne thought Jay’s suggestion was a great idea. Buddy thought it should go back the way it was. Discussion followed. Adam clarified the hybrid model. Kathleen Thornton spoke in favor of having more than one person explain the warrant articles. Martha said she’d heard from voters with “buyers’ remorse” about all referendum voting. Linda said word it (warrant articles) so they (voters) understand it.

In answer to Adam, Jay said the public meeting would have to be before the referendum vote, adding you have to have a public hearing on your referendum at least 10 days before the vote. Adam clarified we would basically combine that public hearing and the meeting at the same time. People could ask questions, and the whole board would be there. Martha confirmed the ballots would be printed by that point. Jay said the whole purpose is not to have such a long ballot in June. This would take care of all the small items. Adam thought the informational meeting would get a bigger turnout this way, with the board present and some voting. He noted we would have to put the question on the ballot in November for June.

Discussion followed, including Jay’s reminder that you can absentee vote on referendum but not town meeting, and pros and cons of having the camera in the meeting room.

7. Approval of additional Sestercentennial Committee member:

Motion to accept Holly Savage’s application by: Martha Johnston-Nash
2nd by: Wayne Kirkpatrick

Martha said Holly has already done a lot of work for the Sestercentennial Committee.

Above motion passed,
4-0

8. Discussion on Executive Search:

Jay sent information to the board and has a contract for the board to sign with the firm. The board will meet next Monday with the firm.

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9. Other Business:

Jay had two appointments for the Community Resilience Partnership Committee: Keith Seigel and Tracy Weed. He said this is where we get money into the town. We need three people to join this committee. In answer to John Mountainland, Jay said it will be short term. They will probably meet monthly with MCOG or maybe twice in one month. The committee has to decide with the board what projects they want to go with. MCOG does all the application work and gets paid by grant funds. We could partner with Warren and get double the amounts. John said he will fill out an application.

Kathleen Thornton asked for an elevator pitch. Jay said there are about 70 different types of projects that qualify: solar panels, heat pumps, public works, energy efficiency, climate change. It is not TCC related. Adam said there are a lot of federal dollars, for which towns that form a resilience committee and identify projects that fit the guidelines can apply, and we are partnering with MCOG. Jay said we will have additional highlights next week that he will put on the website and list serv to try to recruit.

Motion (to appoint Keith Siegel and Tracy Weed to the Community Resilience Partnership Committee) by: Wayne Kirkpatrick
2nd by: Martha Johnston-Nash
4-0

10. Town Manager Report: None.

11. Public Comment:

Tracy Weed addressed the board about the lack of reaching out to Leo (Laukka) vis a vis the Sestercentennial, which was brought up at the July 2 meeting. She said it was not intentional, and what bothered her most was hearing that Ruth Ann Senff-Wiemer (Sestercentennial Committee member) had never reached out when she in fact had.

Tracy noted these are fellow community members giving up a lot of time, energy, and effort into making something good. She urged the board to please just practice positive regard. Adam didn't think anyone was trying to step on anyone else's toes but said point well taken.

Kathleen brought up an email she wanted on the record, re: the warrant article concerning tax acquired property.

She said she was not aware it was going to be a warrant article until she read it going through ballots ahead of the vote. She read aloud the email, which stated her last contact with the select board or Jay was when the board agreed that the Green Space Committee (GSC) could continue working on the management plan for the Coggins Hill property. She said the board changed its mind, and it would've been nice to have gotten a heads up about decisions so they could've attended the meeting, and been kept in the loop as things

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developed. She noted Jay usually emailed her on GSC issues. She understands the court ruling affects tax acquired property but does not think that negates all the work the GSC has done. She added if the owner doesn't respond, GSC should be involved in any decision about the fate of the Coggins Hill property.

She reiterated it's nothing personal but officially requested all the correspondence and communications that Jay or the select board has received concerning that warrant article and the issue of tax acquired property, the town's reaction to that, and any links or references to information used to form that decision on the warrant article. Adam said she will need a FOIA request, which Jay said is pretty simple. Jay added there is no correspondence – this is state law. The court made that decision, and it's a state law that we have an article in our warrants about tax acquired property. Jay also said it was all vetted by attorneys, and the exact wording came from Maine Municipal.

Discussion followed, including how vague the tax acquired property mandate is and how it will be challenged in court. Kathleen confirmed that Adam and the board gave their approval for GSC to continue working on a management plan for Coggins Hill.

More discussion followed. Jay will direct Kathleen to the relevant legal decisions, one Supreme Court and the other State of Maine. Martha said this could be an easy out for people who want to get rid of their property. Adam said it's pretty clear the legislature put it through half-baked, which is why there was no need to put a halt to GSC.

Kathleen also brought up GSC becoming a Conservation Commission, about which they had approached the board several times. She said they would have resources available that they don't have now, and it's in the state statute whereas GSC is not. Adam said he would be interested in information about a Conservation Commission in the future – a broader picture, a cohesive look, a strategy. Kathleen will give a presentation.

Jay said forming a commission is not an issue, talking about other town owned properties is an issue. He added it is extremely important not to talk about those properties right now, until they're taken care of, but we can still talk about the commission.

Kathleen said she will call a meeting of the GSC, and they will continue to do some work on the Coggins Hill plan. Adam said they will find the state statute number for her and thanked her.

Clairlynn Rountree, GSC member but speaking as a member of the Coggins Hill Preservation Association, brought up the use of the word "may" in the warrant article: the municipality may sell the property. Adam reiterated they did not write it and are not lawyers, but his understanding was we're not required to by any means. Jay said we're required to reimburse the owner for those funds, and how we reach that number is questionable until it's fully vetted out.

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Clairlynn brought up what decision the board was going to make re: Coggins Hill. Adam said he didn't think the board had any intention of selling the property. Martha and Jay noted it already went to the voters. Clairlynn said the preservation association (CHIPPA) would like that property not to be sold, the town voted on it and recognized the value of the land. In answer to Wayne, Adam confirmed CHIPPA is the nonprofit that formed when they were initially making an offer on the property.

More discussion followed. Clairlynn requested that any decisions down the road about the Coggins Hill property be made publicly here, with the board, so it's on video.

Kathleen requested as GSC chair that they get a heads up when these important decisions about Coggins Hill are going to come up. Adam said it would definitely be on the agenda and they would definitely give a nod to GSC. He added we're in pretty vague territory other than the Supreme Court made a ruling and passed it down to us.

Kathleen said CHIPPA is willing to raise money but that takes time. She said the Coggins Hill property was not listed while other tax acquired properties were. Adam said noted. He thanked Kathleen and Clairlynn.

12. Committee Reports:

a. Broadband

John Gibbons said things are moving. The network on the poles is complete. They are finishing up testing now. The next step is to start making the connections themselves. They expect to start that within the next week or so, well ahead of the original schedule. They have over 70 applications right now, a take rate of just under 30% which is impressive. There are no problems at this point with the network itself.

He said they will soon have a list of the requirements they (Tidewater) expect homeowners to meet before the installation crew shows up to make the connections. The committee has talked with them about playing a role in making sure the site is ready when the installation crew shows up.

A couple of long range tasks are on the horizon. John raised the question what do we do when this network expansion is complete? It's time to pay attention to what's left in the town that is still not connected to high speed internet. A couple of tasks need to be kept on back burner right now. Tidewater has their hands full and plate full dealing with this expansion. Things are in good shape. We could not expect anything to be much better.

In answer to Adam, Jay said he did not think broadband infrastructure is included in the resilience partnership but will look. John said it's worth taking a close look, since when this fiber network is complete there will be as substantial amount of

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addresses in town that still don't have access to fiber. About three quarters of those have access to cable, which is not too bad but not a long term solution. John added it's difficult to get grant money now to overbuild cable routes. Cable companies themselves are busy converting their cable to fiber but doing the cities first. The board thanked John.

b. Sestercentennial

Argy said they are ready. She confirmed Adam will speak briefly at the opening. At the closing Corporal Cobb will rededicate the Civil War monument. Martha and possibly Steve will be there to accept it.

Wayne said for public record he was asked to bring up the fact of security during the parade. He talked to Jay and thinks there will be some deputies down there. He added with the events that happened in the last couple of days with the RNC, etc., we want to make sure people are safe.

Argy said the committee requested that as well, so appreciated Wayne's comment. They put on Facebook and hope word is spread that they would like cars to park at the fairgrounds and take the shuttle to the Common. All times and information are on the Facebook page. The schedule is on the historical society page, the town page, and the Facebook page as well as around town.

They are asking folks who might normally bring a pet to please leave pets at home unless it's a service animal. They anticipate large crowds.

Re: the 20th Maine shooting as part of their demo, the committee wants to support that tradition. They will shoot one time during the parade in front of the reviewing place where the Crocketts will be taping, during the closing ceremony when the Civil War piece is happening on the Common with Corporal Cobb, and the third place where they will be shooting those blanks will be at the fairgrounds. They put that warning in the pocket guide and want to make sure people understand what is happening.

They went house to house from the Common in all four directions and gave neighbors lots of information including the schedule.

They still need volunteers. There is a link on Facebook.

Tracy said the new time capsule is on display at Union Farm.

Argy said the time capsule will be opened during the opening ceremony on Friday. Items for the new time capsule – to be buried on Sunday at the end of the closing ceremony – are welcome until noon on Sunday.

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Adam thanked them, the committee, and volunteers. Argy said the committee is amazing.

Buddy Savage confirmed traffic control is all set for Friday. Jay said not for the early closing. Extensive and often heated discussion followed about the band Enter the Haggis needing a snake across the road for sound check at 2:00 p.m. on Friday. Mentioned were: “local traffic only” signs, manpower, speed bumps, blocking the road with a couple of cars, running the snake through a culvert if any, and running the snake overhead.

Brian Huntley spoke, contributing several ideas and quoting Aaron Burr: “boldly assert, plausibly maintain.” Adam said there is no situation where he will delegate an illegal activity to a town committee. Brian said that’s why he voted for Adam.

Common Market traffic was also discussed. Martha said she talked to Mark this morning, and he is 100% behind this whole celebration.

The upshot was Buddy said he will move ahead and just see what he can do. Adam said he wished we had a better solution.

In answer to Argy about their responsibility once the Sestercentennial is over as a committee, Adam suggested a post-event meeting and recap then close the committee, possibly with a rundown for the board. He added they have more than earned time off. Argy said they will have a meeting as a committee to finish up. Adam confirmed as long as the board has all the financial stuff they need from the town’s end, they can disband the committee at that point. Martha said any residuals would be the historical society.

Wayne encouraged Buddy to reach out if he needs any type of lift or whatever.

Brian said the (Sestercentennial) committee should, following the event, look forward to personalized letters of commendation with original signatures from every member of the select board thanking them for the yeoman’s work they’ve done to organize this event, within two months of the end of the event.

c. Thompson Working Group

Adam confirmed they have not met. Jay said we received an email confirming their intent to reimburse us, which will be put in the joint development agreement. He told Matthew let’s get the historic tax credits moving. He said that satisfies our town attorney as a legal document and should have it tomorrow.

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13. Select Board Report:

Linda thanked the Sestercentennial Committee and all involved, noting the businesses and hard work from all the different people coming together as a community.

14. Adjourn:

Motion by: Linda Mountainland

2nd by: Wayne Kirkpatrick

4-0

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sherry Abaldo
Secretary