

MINUTES

SELECT BOARD/ASSESSORS' MEETING

TUESDAY, JUNE 4, 2024

WILLIAM L. PULLEN MUNICIPAL BUILDING MEETING ROOM

ONLINE NON-INTERACTIVE ON TOWN HALL STREAMS

6:30 p.m.

Select Board present: Jim Justice, Adam Fuller, Martha Johnston-Nash, Wayne Kirkpatrick, and Linda Mountainland

Others present: Jay Feyler (Town Manager), John Gibbons, John Mountainland, Steve Migliorini, Greg Grotton, Ellen Harrison, Argy Nestor, Ruth Ann Senff-Wiemer, 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, May 21, 2024:**

Motion by: Wayne Kirkpatrick

2nd by: Jim Justice

Linda made a correction that she raised \$1,233 fundraising (for the Sestercentennial from the chicken barbecue).

Above motion passed,

5-0

4. **Approve Treasurer's Warrants dated Tuesday, June 4, 2024:**

Motion by: Wayne Kirkpatrick

2nd by: Martha Johnston-Nash

5-0

5. **Discussion and vote to begin Historic Registry application:**

Steve Migliorini, member of the TCC Working Group, said the working group met on May 23 joined by two representatives from Developers Collaborative (DC), Project Manager Meg Robinson and Director of Affordable Housing Laura Reading. Together they presented an outline for DC's proposed redevelopment and adaptive reuse of the yellow school building into rental senior housing.

Their proposal calls for 16 rental units comprised of a combination of one-bedroom and studio apartments with all units being income and rent restricted up to 80% of area

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median income. DC also reviewed their anticipated capital cost for the project as well as their proposed funding sources. Total development cost to DC for the senior housing project would be approximately \$6.4 million.

Steve continued the next step for DC to be able to move forward is to determine if the yellow building is eligible for listing on the National Register of Historic Places. This listing would enable DC to utilize historic tax credits to help fund the project. Based on preliminary evidence, the working group, DC, and Matt Eddy of MCOG have a high level of confidence that the building will be found to be eligible. The working group unanimously recommends that the select board agree to hire Christine Baird of Essex Preservation to conduct an evaluation of significance on the TCC.

He said if the yellow building is found to be eligible for placement on the National Register of Historic Places, then DC will reimburse the town for the cost of the assessment.

Adam confirmed the application for eligibility is done through the State of Maine, and what they're requesting is this study to determine that eligibility ahead of time – we are not locking ourselves in if they have no interest. Steve said if that comes back with a positive assessment, step two would be that the application would then proceed to the National Park Service for placement on the National Register of Historic Places. Adam also clarified the \$6.4 million is not money the developer is coming to the town for.

Martha confirmed we do not as of yet have a contract with the developer. Steve said he thought the intention and plan was to have a joint development agreement with contingencies they hope by the end of the month, Wayne added before they move forward with sending this to the state.

In answer to Adam, Steve said his impression from DC was that this most likely is a requirement for the development to be fiscally viable for them.

Wayne brought up the brick building. Steve said they might have an interest in the brick building, but the conversion of the yellow school building into senior rental apartments is way more straightforward just given the layout and nature of the building. Jay said that would be phase two; they haven't run any numbers on the brick building. Wayne said they had a super good informational meeting. They talked about town water which is not on the cards right now with Maine Water; they were trying to get ideas on gallons per minute from the well and septic information. Jay said he will text Wayne a reminder to get in touch with a guy re: septic.

Adam noted the above would be some of those contingencies in the contract. Steve said the list other than the Historic Register and assessment include: evaluate the well capacity and water quality; confirm the condition of the existing septic; complete a Phase I environmental assessment; and discuss TCC redevelopment funding and ownership scenarios.

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Jay confirmed our only obligation would be the Historic Register (evaluation) fee, about \$12,000, the study to see if we qualify and to figure out the gallons per minute on the well. Everything else is in the developer's hands. Adam confirmed this will encompass the entire structure (yellow and brick buildings), and just because we do the study does not mean we're going into the registry, so we have time to do more homework and have them give us more detail.

Linda confirmed the study cost was stated as up to \$12,000 via email. Jay said those expenses will be listed in the agreement.

Jay said Steve had mentioned right now they are looking at a little shortfall in funding which means they will apply for a CDBG grant which the town would have to apply for on their behalf but would not be responsible for. Wayne thought it would behoove us to do it. Adam confirmed it would be similar to how we did broadband. Steve said this would be along the lines of late winter/early spring 2025.

Wayne said he asked when would the first hammers swing, and they said it would be at least a year. Steve said late summer/early fall 2025.

Motion that we proceed with the historical credit study with Christine Baird of Essex Preservation, the funds of which would come out of the enterprise account, and that we proceed in testing our well water by: Martha Johnston-Nash
2nd by: Jim Justice

Greg Grotton noted there is a chance the town might not be reimbursed for the \$12,000. More discussion followed. Steve said they estimated the historic tax credit value at \$2.6 million just for the yellow building. Adam said he thought we'd have a contract before we're actually paying for the study, which would say if they move forward they have to reimburse us. Wayne confirmed with Jay that if, for instance, they have to drill another well or deal with septic, they basically said it was not a deal breaker; they just need to put it in their budget.

Adam noted if we don't come up with a long term solution for that property it's going to cost us a boatload more than 10 grand by orders of magnitude.

Martha asked to move the question.

Above motion passed,
5-0

The board thanked Steve to applause from the room. Jay noted this as an example of how good committees work, and the background done by MCOG. Wayne reiterated they had a great informational meeting. Adam said a couple hundred people in town have been working toward this: good job to everyone who stuck it out; we have a real future in line.

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6. Appointment of Election Clerks:

Jay said Sonya has two: Republican Arnold Crabtree and Democrat Elena Hernandez.

Motion to accept the above election clerks by: Jim Justice

2nd by: Wayne Kirkpatrick

5-0

7. Vote to close Town Office on June 11 for elections:

Motion by: Martha Johnston-Nash

2nd by: Wayne Kirkpatrick

5-0

8. Other Business: None.

9. Town Manager Report:

Jay said town reports arrived today, not complete, so Tabatha is stuffing things in them. He will see if the post office will accept them with that stuffing, otherwise it'll be a pickup program (which would save us \$800 or \$900). He will know tomorrow. In answer to Adam, he said several pages were missing – same publisher, but the person with whom we've worked for years is gone. The error was in the assembly, the binding. Dedication and Spirit of America Award will be done tomorrow morning.

He said re: last meeting's discussion about the (Verizon cell) tower, he and Roger have an online meeting tomorrow. All the attorneys agree we will have to put this on the ballot in November. There is case history where select boards can lease land for short periods of time, but not for this long period of time. There is some negotiation of wording, such as the Maine Tort Claims Acts that they didn't have in there. He expects it to be ironed out tomorrow. He added they need planning board approval.

He said this week or early next week work will be done on Upham Road. He thinks the culvert was put in this week, and they are doing the dirt section. It will be paved – a couple hundred feet, not terribly expensive, but they will be working up there. The paving won't happen next week. They will be putting fabric down. We are contracting the fabric work.

Jay also apologized to the Sestercentennial Committee, as their meeting last night did not get recorded. He added they are doing a great job.

He said the office is now closed for lunch from noon to 12:30 p.m. not noon to 1:00 p.m.

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10. Public Comment:

Ellen Harrison, who is on the Parks and Rec Committee, proposed re: Sestercentennial efforts that replacement of the tennis court nets would do wonders for the look of the TCC and be much more useful for tennis and pickleball players. Now they do not function. In answer to Adam, she said she had not yet brought this up to Parks and Rec. Adam said he will bring it up to the Parks and Rec Chair and thanked Ellen.

11. Committee Reports:

a. Broadband

John Gibbons said the news continues to be good. The rollout of the extended fiber network continues to be ahead of schedule. The original plan was that the mounting of fiber on the poles would be completed by the end of July. As of last Friday it was 90% complete. Tidewater is patting itself on the back; their contractor Cockeye is doing a great job. It was anticipated the connections would begin by the end of September. The current view is they will start this month, well ahead of schedule.

He said based on the experience of other towns, the biggest difficulty is going to be that installation crews are a scarce resource. Managing expectations will be one of the tasks that the committee can really help with. The committee's principal priority right now is to make sure that we're well-positioned to make that rollout go smoothly, working with Tidewater under this ombudsman committee role.

He said they have requested from Tidewater a list of the expectations they require of their customers before the installation crews show up. They have to put that list together. In addition to the committee managing expectations, he said a lot of the newer houses in town have underground utilities and we anticipate a lot of customers will want fiber in an underground conduit, too. It will be the customer's responsibility to have the conduit there with a pull string in it before the installation crew arrives. John Mountainland has been looking into the availability of contractors to help with that process.

He said another priority for the committee is getting the status meetings between the committee and Tidewater on the schedule and moving. They need Alan Hinsey who's been on vacation and will be the point of contact.

He also said over the longer term, they are going through an assessment of what the situation will look like when this expanded fiber network is completed. It looks like there will be a few hundred addresses in town that do not have access to fiber, but about three quarters of them will have access to cable, and although cable is not as good as fiber it's not all that bad. He added it is very difficult right

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now to get grant funding re: cable network, a more complicated discussion. Bottom line: of the town addresses after this buildout is completed that will not have fiber, most will have cable, which is not too bad. Details to come.

Jay noted the more people who sign up for fiber, the faster the cable becomes due to less users.

In answer to an attendee, John said there will be a map re: fiber access which he will make a priority. He referenced the Broadband Committee page on the town website. Adam said before we have the map, there will be an address list.

b. Sestercentennial

Adam brought up the proclamation, noting that board members all thought the language was pretty good, and he liked that the committee wrote the language since they were the ones who have done the work.

Motion that we accept and sign the Sestercentennial proclamation by: Wayne Kirkpatrick

2nd by: Jim Justice

5-0

Argy confirmed the office will print it out and said they need it electronically for the book ASAP. She thanked the board.

She said re: last night's meeting, the committee had voted on the amount to pay the fairgrounds earlier. They needed to go back and adjust that number, so it was increased by \$317.50. They will submit that invoice as soon as they have that information from the fairgrounds all wrapped up. Adam confirmed they have the funds in the \$10,000 already appropriated.

She said Holly Savage helped create a volunteer signup electronically. They put the call out on Facebook, it will go out in the newsletter, and it's in board members' hands. She urged people to consider volunteering for two hours or whatever – sign up online, or reach out to anybody on the committee. She said a press release went out today with that information as well, adding press releases go out every Tuesday and appear each week in at least one outlet.

She said Michael has a half day's work left on the bandstand, which will happen tomorrow or over the weekend.

She said the two trees have been planted on the Common. The elm tree is in honor of the original trees on the Common. They will be doing a dedication during the Sestercentennial.

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The map is underway. The painting has started. The back side is underway as well.

The book is their big thing this week. Tracy has put many hours into the book, which will document the last 50 years in the Town of Union – it's about 55 pages long, amazing.

Argy also said Ruth Ann Senff-Wiemer has almost 50 entries in the parade – all ages, all kinds of great stuff.

Ruth Ann said, re: parade, there are two possible routes: Common Road and Depot Street. She and Jay met a couple weeks ago, and though he knew she disagreed, it was the Common Road route that was decided upon. She provided more information comparing the two routes. She questioned why if it was safe in 2016, why can't the Depot Street route be safe now? She noted both routes are 0.9 miles.

Discussion followed, in which Jay said it comes down to safety and manpower. Ruth Ann thanked the board for its time and said it's going to be a good event.

Jim brought up throwing candy during the parade. Jay said it's a big insurance liability. Walkers can hand the candy out, which is what most parades do. Argy said all participants they can give out candy but not throw it, for safety purposes so no children come out into the road. Adam clarified we are not banning candy.

Greg Grotton noted parades have always gone down Common Road, through the Common, and 99% of parade watchers all gather at the big green where the Civil War monument is.

In answer to Adam, Argy said there will be as much activity on the Common after the parade as on the fairgrounds. She added they encourage everyone to drive to the fairgrounds and take the shuttle bus to the Common, and not bring their cars because of the parking issue.

Jay suggested signs on the Common Road, "Parade Viewing Area," beyond the pizza place. Viewing options were discussed. Argy said they will be communicating with people about spots to watch the parade from, and appreciate any word people can get out about that.

Argy also noted we all look to the past and our past experiences. The committee has felt strongly about this. This is an opportunity for us to come together. She said Ruth Ann has talked to people who have said, "I'll put chairs out for people to sit on my lawn." She urged everybody to keep this in mind – an opportunity to come together.

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Adam thanked the committee and said even holding their feet to the fire, they have accomplished a massive amount in a very short time. He added the bandstand and the trees look fantastic, and to do things like that in the framework of a municipality is a lot of work. He said he is personally appreciative even when driving them nuts. Applause from the room.

- c. Thompson Working Group – Above.

12. Select Board Report:

In answer to Wayne, Jay said they will start on the fire station parking lot after July 1 and expects they will be done in three or four days. He has not signed the contract yet and will make sure the date is in there (not during the Sestercentennial).

Adam wished best of luck to all candidates next time around.

Martha shared a story about the new elm tree gaining a vigilant young guardian. She said her grand niece, who lives above the House of Pizza, has a little boy Orion, 5 or 6. He has adopted the little elm tree, watches it out the window, and thinks it is the greatest thing.

She also noted next week is elections. Win or lose, she wished the board the best in their work to do the will of the people. She added the blackflies and the politicians are horrible; the good thing is, after this election we'll be rid of the blackflies.

Adam said he doesn't like goodbyes and didn't want to jinx anybody. He said he and Martha have been pretty good foils to each other for the past few years. He has appreciated and enjoyed every minute of it even when they were driving each other crazy. He wished everyone the best of luck and thanked Martha for her service.

Adam also noted Jim is not running. Jim has been our longest serving select board member – 22 years. He has left and come back. Adam said he got on the board by knocking Jim off it, after which Jim proved nothing but supportive: he came to meetings, encouraged Adam to keep learning, to keep pushing, didn't hold a grudge, got back on the board and served as vice chair, and has always been a good voice of reason in his back ear. Adam expressed his appreciation for Jim's service to the town over the years, noting it takes a lot of flexibility, and you've really got to care about the people in town.

And sleep with your eyes open, added Jay, who then produced a plaque for Jim (Jim's second) and read aloud: "Presented to James Justice for dedicated service to the Town of Union from 2021 to 2024." Hearty applause from the room.

Adam had Jim take the big chair for his send off. Jim thanked those that voted for him and, prompted by Adam, those that didn't. Jim said he had a tough year involving some trouble speaking which is why he has been sort of quiet. He said he appreciated all for putting up with him, adding he moved up from Boston and this is the best town he ever

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lived in in his life. He said he's been here in Union for 24 years and tries to contribute to everything that goes on. More applause. He added this board was really great, followed by a round of hearty handshakes.

13. Adjourn:

Motion by: Jim Justice

2nd by: Martha Johnston-Nash

5-0

Meeting adjourned at 7:49 p.m.

“...and JUSTICE for all,”

Sherry Abaldo
Secretary