

MINUTES

**SELECT BOARD/ASSESSORS' MEETING
TUESDAY, MAY 2, 2023
WILLIAM L. PULLEN MUNICIPAL BUILDING MEETING ROOM
ONLINE NON-INTERACTIVE ON TOWN HALL STREAMS
6:30 p.m.**

Select Board present: Jim Justice, Martha Johnston-Nash, Wayne Kirkpatrick, and Bill Packard

Others present: Jay Feyler (Town Manager), John Gibbons, Dr. Matthew Speno, John Mountainland, Lawrence Nash, Abraham Knight, Greg Grotton, Erik Amundsen, and Ellen Harrison

- 1. Call Select Board Meeting to Order:** at 6:30 p.m. by Jim Justice
- 2. Pledge of Allegiance**
- 3. Approve Minutes of Tuesday, April 18, 2023:**

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

- 4. Approve Treasurer's Warrants dated Tuesday, May 2, 2023:**

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

Wayne said the town got a man lift day free. In answer to Martha, Jay said there will be seven benches at a cost of \$6,700 which is covered.

- 5. Approve and sign the Town Meeting Warrant for posting:**

Motion by: Bill Packard
2nd by: Wayne Kirkpatrick
4-0

Martha noted a discrepancy on Article 6 re: the informational sign, which read 3-0. Jay said it should be 3-0-1 (Bill abstained). Martha also said Article 12 should be 3-1, as she voted against it.

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6. Presentation by Matthew Speno:

Matt said he appreciated the select board allowing him to come up and speak. He had asked not to install an EMC (Electronic Message Center) sign because he wanted to preserve his quality of life. On reflection, he supports updating the sign.

He said an updated sign will provide agency for our aging neighbors, community engagement, and be a vital resource. It's important to select board members Jim Justice and Bill Packard who want to strengthen the community and encourage engagement. We have a problem in terms of people learning what it is to serve and have to start at younger ages. It's important to support equity of access.

He expressed a few concerns being a policy guy. Is there a robust policy in place that addresses brightness or dimming? New technology has dimming capability. Will there be a hierarchy of messages? Will there be public availability for placing one line? Re: brightness, will a really important meeting be programmed to be brighter than the others? Is there a policy for message content? Who is the sign superintendent?

He closed by saying the sign's benefits for his neighbors outweigh any concern for his quality of life. Helping neighbors is more important to him. He wants Union to be a great place to live for all age levels. He offered his expertise, resources, and services to help develop robust policy and thanked the board.

Bill, not to put Matt on the spot, said since he lives across the street and has an interest, he has no problem, if the board and town manager are ok with it, if Matt wants to go ahead and bring some students re: sign, he is fine with that. Matt said he'd go one step further and use the old panels as a resource for kids to work on phonics, community involvement, and potential community service for high schoolers.

7. Town Manager's Report:

Jay said it's been roads, washouts for the last two days. Pretty much every road but Quiggle is passable. Daniels and Payson Roads may be passable tomorrow. Clarry Lane will be finished tomorrow, though people are driving through it right past the signs. Mt. Pleasant Road will be finished tomorrow, not all repaved but the side where it's washed out will be finished and down at the culvert, we'll have it filled back in.

Quiggle Road is going to be awhile. He has MEMA coming down — they're all over the state right now — to see if they will allow an open bottom culvert there and still be able to get FEMA funds. If not, we'll have to decide on how long to leave it closed. We could literally in a couple days with no rain fill it full of gravel or rock and have it passable, but he hates to put the money in when it's going to wash out again. He'd like to do it right, similar to what we did on Clarry Hill. It all comes down to funding. He has a call in to the university, which also has a pile of calls though he called first thing Monday, about the composite bridges to see if it's a candidate for that.

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In answer to Wayne, Jay said the governor has not yet declared a state of emergency. The forms, which used to be called Form 7, are due Wednesday. There's no doubt we'll meet the criteria. We got 6.05" of rain. Most driveways are passable now but may need more work later on.

He said FEMA changes their forms and websites like on daily basis. They've made it easier again for the big cities with staff, laptops, GIS, hooked up to satellite, etc. We have to do paper first, upload pictures, and all that. He asked MEMA today for funds for a laptop to at least pay for some of this, take pictures, and enter them all. You have to have latitudes and longitudes now, length of washout, all that stuff. They've made it extremely difficult. At this point we could have \$3,000 or \$4,000 before we get it all done. He is training Matt to do outdoor FEMA work. It will be two years before we see a dime.

Jay has seen nothing from the state on their plan to get their roads done. Quite a few driveways are washed out. They are taxpayers of Union but on state roads. The worst section was Mt. Pleasant Road, because people were trapped most of the day yesterday between the Hope and Union sides. Wayne confirmed we did not lose Carroll Road.

He discussed the Morgans Mills issue and ongoing efforts with his emergency operating plan. We have the top dog bridge inspector on that now. In answer to Wayne, Jay said he is supposed to open the dam up and notify everybody in that zone, so there's a list in the emergency operating plan. He is supposed to notify all of them of a possible breach.

Wayne said he had CMP take the pole down. Jay thinks Maine Emergency will work with him to make sure it doesn't happen again. It could have been a major life safety issue. There is video of people walking down there when they're not supposed to, literally walking into heavy current, and he got the sheriff to come up. He told our crew not to risk their lives. In answer to Martha, Jay reviewed affected houses.

Jay said we are using a lot of contractors, as they are 100% reimbursable from FEMA. Normal labor during the weekday is not. We only get reimbursed for supplies, gravel, etc. not labor, plus we can get it done a lot quicker.

In answer to Bill, Jay said we're changing the Daniels Road pipe out. He reviewed the past history of the culvert, how seven or eight years ago an extension was put in then bent by debris. Bill suggested putting gravel in the solid pipes, as you can get it back out then do research to get the box culvert. Jay said the Union side looks pretty rusted underneath. We may go that route. Once we go to an open box culvert, probably fall, we have to do the full engineering, DEP approvals, etc. Re: funding he is trying to get this mitigation and get them down here to see it, which is more impactful. We've gotten mitigation funds before 10 years in the past and will pull the data. If we can get mitigation funds on that it would be fantastic. Then we could apply for the stream crossing grant which is now \$135,000 or \$140,000.

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Jay added this was the first major FEMA storm for our young crew except Brian. They are learning how important it is to keep track of everything; hours, which truck, each piece of equipment. It was a good learning experience, but we could have done without it.

8. Other Business: None.

9. Committee Reports:

a. Broadband

John Gibbons said the MCA board approved the grant a week ago. It's solid now. Randal Manning expects the initial funding to arrive no later than June. Their first task will be the detailed engineering on where to run the fiber. The committee's task will be to become an ombudsman committee, then to confirm with LCI the details of where fiber will be run and who will have the option of connecting. Rough sketches were sent with the grant application as an attachment, but getting those details will be important. It will be hard to publicize to citizens if we don't get these details right.

It is likely that after the buildout some pockets of Union will still not be covered. There are preparations for the next grant applications.

In answer to Wayne about you'd think Tidewater, who is making money, would fill those little pockets, John said please don't ask me to disclose our negotiating position with Tidewater. As an ombudsman committee they plan to be very valuable.

Martha confirmed the broadband cum ombudsman committee will continue working toward the new plan. She said so Tidewater needs to give us more information before we can get the ombudsman committee working. John said we'll get that committee working in the sense of figuring out between us and LCI exactly what the committee's going to be doing, when, how fast, etc. The first step will be publicizing the grant to the citizens, as we want them to sign up in advance for the service. There will only be a certain number of connections subsidized under the grant. Then there are four or five tasks beyond that. Meanwhile they'll be cooperating with the Lincoln County LPC which has a planning task from MCA getting ready for the B grant, which is different. It will worry about running fiber to the last remaining pockets and "broadband equity" — making sure people with no devices can still have access to the internet, what different demographic subsets, etc. This will be heavily emphasized in the B grant in addition to running fiber.

Martha said she knows Randal and the committee did a lot of work to keep Union in that group. She appreciates all the work done. The board thanked John.

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- b. Green Space – None.
- c. Sestercentennial

Martha said they met here Thursday and got a lot accomplished. The majority of the committee showed up and discussed a list of things including plans for the parade, plans for the time capsule and how it had been put in before, what it was like, what it was going to be like to dig that up again and get things out of it, how we approach that, when we actually might do that, who would be doing the digging, etc. Early prep work was also done on the parade and fundraiser type things. We will be doing hats and t-shirts, and possibly collector coins.

In answer to Jim, Jay said the minutes are on the town website.

In answer to Wayne, Martha said the historical society had (Union's bicentennial book) *200 Years in Union*. There were only a certain number published, and she thinks they are down to just a few. The committee wants to do an update, probably paperbound, with current information.

Re: event logo, Martha said an invitation for people to submit artwork should be coming out this week. There are two: one for 13+ adults, and the other for youth. Argy was thinking maybe youth one on hats, adult one on t-shirts, but it might work to have both once we get them digitized. A three-person group is set up to judge the artwork, which will be coming in early June. The committee wants some hats and t-shirts ready to sell at this year's Founders Weekend.

Sponsorship was also discussed, event sponsors and different levels. The next meeting is May 15 here at 6:00 p.m. Meetings are now scheduled here for the third Monday of every month. Jay added you can watch the meetings on Town Hall Streams.

- d. Ambulance Advisory

Jay said May 31 right here.

10. Select Board Reports:

Bill wondered if, when communicating or getting quotes, etc., that could be by email. He said when he made the motion for \$30,000 for the tennis courts, he never would have asked for that from the taxpayers if a contractor couldn't do it until next year or the year after. It's easier to be able to go back and reference an email, and it also protects more than a phone conversation. Jay said the contractor definitely said he wouldn't do it this summer. He would've brought it up when Bill made the motion. He added it's good to get the funding July 1 to sign a contract to do it next year, then it's committed and encumbered.

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Bill said if we put that into it, the thought was the courts would be playable for the next three years, which was the contractor's recommendation. We may not want to do a complete rebuild if that's the case next year.

11. Public Comment:

Lawrence Nash said The Farmer's Almanac predicted heavy rains April 28 and 30 followed by fair skies. Jay might want to read it.

His problem was no public comment at the beginning of the agenda; it was suddenly moved to the end. Jay said it was moved because the proper way is to get on the agenda, and people took forever on public comment. Lawrence said he'd like public input moved back to the beginning. If not, he would like to be on the agenda to move it back to the beginning and pursue this further. He would rather not sit through the other stuff, preferring to take his shots and leave. He added he has a little trouble driving after dark and called the later public comment discrimination against old people. He requested to be on the agenda. He thanked the board for its time.

Martha said she saw the problem being not so much people having a lot to say but rather probably them being allowed to talk too much. There was no suggestion to try that. She thought if public comment were moved back to the beginning, it could be made clear people they were not going to be able to talk ad nauseam, limited to two to five minutes. The board thanked Lawrence.

Ellen Harrison said she wouldn't have been able to get on the agenda, as her issue arose at 4:30 p.m. today. She described walking up by Ayer Hill by the Common Cemetery, where she was dismayed to see three gentlemen pruning and a skeleton of a maple tree. She said she was involved with the inventory of those trees in the early '90s when there was a conservation commission and a Common project. At the time the trees were considered part of the Common, maybe part of the original tract of land. She spoke of her love for the trees and their beauty. She had a conversation with the tree people who said talk to the town manager. They also said by next year the plan was to have all the maples out of there. She asked what the plan is.

Jay said she'll need to talk to Myrna. Ellen said she did this afternoon. Jay said the trees cost thousands of dollars of damage to the stones. Myrna wanted some taken down and he could not say how many. They contracted with Hoppe's. Ellen said Myrna did not know how many and said talk to Town Manager Jay. Jay said he will find out tomorrow.

Re: tennis courts, Ellen said she was in St. George. They had old tennis court(s) like ours, and town works resurfaced them. Pickle ball players now use them on either side of the nets – nothing fancy but they are able to use the court(s) until such time as the courts are fixed like we are planning to do. Why wait another year. She added our basketball courts are not great, and playing tennis is probably a liability. Our rec area is not even available to the public.

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Jay got an answer re: maple trees from Public Works Director Matt. Only three trees are being removed. Ellen thanked the board.

12. Adjourn:

Motion by: Bill Packard
2nd by: Wayne Kirkpatrick
4-0

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Sherry Abaldo
Secretary