

FAYETTE
Selectboard Meeting
November 1st, 2022, 7:00 pm

Roll Call of Members – Mike Carlson, Lacy Badeau, Brian Holman, Jon Beekman, absent Toby Pond

Public Attendance - Brent St. Clair, David Manter, Roberta. Manter, George Buff, Leah Delisle

Pledge of Allegiance – Stated

Broadband Project

Guest – Chris Lynch from Matrix, stated that a letter of support was mailed out on the fiber broadband project. We plan to put in an application for a grant so that anyone in the Town of Fayette will be able to get broadband and free installation. We need the letter of support from the town, to be put on Town letterhead. Around the first of the year, we plan on moving forward to do a town-wide mailing to let residents know that if we get the grant, there will be no cost to residents for installation, and they can sign up. There will also be information meetings held about the service. There will be a \$30.00 discount off the subscriber rate. It is not just income eligible. What we are offering will not require any funds from the town. Also, if the ballot question for Mt. Vernon goes through, we will be working on installations for their residents located on Echo Lake, which also includes Fayette residents.

Seasonal residents will also receive the letter. We do offer seasonal programs where their service can be turned on and off. Seasonal residents are some of our best customers. Any grant funds the town receives can reduce subscriber rates for residents.

Public Comments

Joel Swimm – inquired about his letter regarding the need for more shoulder and guard rails on Jackman Mills and Watson Heights road; as the status has not changed. Mark is waiting to meet with MDEP, John MacLaine on Nov 21st. He will discuss if the weather the stream crossing grant would support these expenses. On Watson Heights – What the guys did this fall is about all we can do Mark stated. There's not a whole lot more that we can do there. Not enough gravel to support a guard rail.

Mark Robinson Re: David Manter –“ I want to provide the board with a summary of our conversations. Mr. Manter maintains that the Town of Fayette and Selectboard are upholding laws that are unconstitutional laws. By continuing the status quo for supporting unconstitutional laws could be held libel and held accountable at some point in the future. He is declining to pay property taxes because he is maintaining a road for public use.”

David Manter – “Not quite. Your statement is not quite accurate. I am questioning the payment of taxes not refusing to pay my taxes. I am maintaining for the public against my three roads. “

Mark Robinson -But you are maintaining that the Town is supporting unconstitutional laws.

David Manter – Presented his case reading from a court decision. “It sounds like our Abandonment Law...Abutters if there is property damage are entitled to compensation. It is without question if a road is not maintained the road will be destroyed. The town has discontinued maintenance of the road. You have given the public the right to use Young Road. There is a contradiction of what you are doing. I’m paying taxes on this road and you’re not putting anything into it. You’ve got to give access to your right of way. It’s the Town of Fayette’s Road. You cannot have a public road without public maintenance. It’s a matter of time without maintenance that the road will become destroyed. The town does not follow the constitution. How does your assessor get access to my house? For 51 years no workmanship has been done on that road. If a statute violates the constitution of the State of Maine or the constitution of the United States, that statute is invalid.”

Mrs. Manter – “Because my husband has maintained that road you have received taxes from property owners who now live on that road. If we hadn’t maintained the road they wouldn’t be there. It costs us \$2,000 to maintain that road.”

Selectmen Committee Reports None

Town Managers Report

As previously stated I will be meeting with MDEP on 21st of November. We are getting closer with our winter plowing situation. I will get you a list of people who will be plowing this winter and an emergency list of people. Matt Chalmers has the week off and it’s much deserved! Matt Stratton passed his CDL last month

Old Business 22-112 Lands Committee Charge

Mark Robinson – The only change is that Board members may not own abutting property or have an immediate or direct vested interest to subject property. The Board accepted the amendments as stated.

New Business

22-116 Pole Permit Approvals

Mark Robinson -We have a couple of pole permits. These two require Board of Selectmen signatures. If the board has no concern.

Motion to approve.

Motion seconded.

Vote on both pole permits - All approved. Lacy Badeau, abstained.

22-117 Plow Truck Payment Agreement

Motion to authorize the transfer of \$12,943.00 from the Highway Equipment reserve to complete the lease purchase agreement as presented made by Mike Carlson, seconded by Brian Holman. Vote all in favor, no one opposed.

22-118 ARPA (America Rescue Plan Act) Funding Usage

Lacy Badeau. – We could possibly use some funding in addition the Broadband project, to give Town employees a portion of these funds. 23 Employees – Possibly giving them \$250.00 - \$300.00 per employee.

Mike Carlson suggested to do what other city/town people are doing which is a %, 1 -2% of annual pay rather than straight math with a minimum. We could also consider putting in an addition to the Town Office. (Someone mentioned that we can't use ARPA funds for that purpose.)

Lacy Badeau - Looking at Efficiency Maine to see about using funds for heat pumps for improved heating systems for Town buildings; the Town Office/Garage, Library and Fire Department. What do they cost?

Mike Carlson – I just put in two heat pumps for \$14,000. One 18,000 BTU and one 6,000 BTU. Rebates are available through Efficiency Maine and possibly the Federal Government in the future.

Lacy Badeau – We will investigate that more and will also explore powering them with solar power. We could possibly do an RFP.

22-119 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #9.

Motion to approve #9 made by xxx, seconded by xxx.

All in favor, unanimous.

22-120 Minutes

Motion to approve Board of Selectmen minutes for October 18, 2022, made by Brian Holman seconded by Mike Carlson.

Vote all in favor – unanimous.

Regarding the Zoom policy, add that a public hearing is to be scheduled before final approval.

22-121 Board of Selectmen Comments

General Comment - Make sure that your house and vehicles are locked up as catalytic converters are being stolen.

Lacy Badeau - United Way grant process/Investment – We have an opportunity to receive monies for up to 35%, for general assistance.

Lacy Badeau - Veterans Day - Watch for the time for the ceremony for the Veterans memorial on November 11th.

Mark Robinson - Zoom policy hearing on the 29th of November at 7pm.

Mike Carlson –To post road signs on curve at Watson Heights Road will not be a liability to the Town. But I recommend we don't put a curve to the right sign but a blind curve sign.

Mark Robinson - The State DOT sets the speed limits for the Town. It can take a while for them to do it.

John Beekman - Asked that everyone support the Keep Me Warm Dinner at Starling Hall this Sat night from 4:30 until it runs out. All proceeds are being turned over to Keep Me Warm. All food was donated.

22-122 Executive Session regarding a personnel pursuant to M.R.S.A. Title 1 §405 The BOS will enter executive session pursuant to M.R.S.A. Title 1 §405. (Section 6. **Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session: Personnel

Enter executive session at 8:27 p.m. exit at 8:47 p.m.

No action taken

Motion to adjourn made by Jon Beekman seconded by Brian Holman

Vote 4 in favor 0 opposed

**FAYETTE
SELECTBOARD MEETING
ZOOM/IN PERSON Fayette Central School
November 15th, 2022, 7:00 pm**

Roll Call of Members - Mike Carlson, Lacy Badeau, Jon Beekman, Brian Holman, Toby Pond

Pledge of Allegiance – Stated

Public Attendance – Brent St. Clair, Marty Rigoulot, John Andrews

Public Comments –

Brent St. Clair - The selectboard has to watch out for money being spent at Starling Hall. The town voted to limit funding to \$5,000 for maintenance. So, you're faced with a question coming up regarding the Fosh committee regarding a security system that's going to be installed. Will they be over – riding the citizens veto or are you going to approve it, using the maintenance money for the security system. I'd like to see this resolved. MMA is saying one thing and Town attorney saying something else.

Selectboard members, Brian, Mike, and Jon have connections to the Fosh committee have an appearance of a conflict of interest. It's a delicate issue. I'm concerned with how you're going to vote on this petition. Like to see Selectboard has to address other issues such as the Town Office coming up. All the land the town owns and what we're going to do with that. A lot of people think that trails that people can use would be good. Can't we get something resolved?

Marty Rigoulot – I moved up here 45- 50 years ago. Every time I picked up the paper there was conflict going on in the Town of Fayette. That was then, and the same thing is happening now with Starling Hall. Why doesn't the Town sell the Hall to the committee and we could rent it if we need it. The Town would keep a \$100,00 bond. That's a lot better than the Town paying \$600,000. Have you ever considered selling it? Then if they want to have weddings there, they could and with alcohol? The town should not be in the business of making money. It should be taking care of the roads, the school. We already have a community center here at the school.

Lacy Badeau – I don't think that we've ever put it to a vote.

Brent St. Clair – Conflict of interest.

Jon - To have a sale you have to have a willing seller and a willing buyer. My wife Joy is the secretary. I'm concerned they just say, screw it and give it back to the town. We haven't had the discussion. They've raised a ton of money to do what they've done so far! I don't think that this is a conflict of interest.

Lacy Badeau – Regardless about how taxpayers feel about selling it. But that would have to go before a vote.

Mark Robinson - Two points being brought up here: Brent has concern of there being a conflict of interest, and this needs to be evaluated, and Marty's request of the board to consider selling Starling Hall and evaluate that and go from there.

Jon Beekman - I will write a letter regarding conflict to MMA attorneys and let them spell it out. Brent, I'll let you read the letter before I send it. Brian Holman's involvement is on the board as a Selectboard representative to the committee.

Marty consideration of selling it.

Mark Robinson – This whole thing got muddled regarding maintenance vs. capital. Capping the taxpayers support of Starling Hall of \$5,000. Unfortunately, the word maintenance got into the wording and muddled it up.

Lacy Badeau – Definition of maintenance. I'm not sure if heat and electricity is considered maintenance.

Michael Carlson – Definition of Maintenance under general accounting principles – is cost of keeping something that is currently functioning to keep it in good working order. If something doesn't work and you have to fix it, that's capital.

Mark Robinson – That vote is as only as good until the next time you have a town meeting event that undoes what was approved in a previous event. There is no finality. We need to get the opinion from MMA attorney to render a decision regarding the \$8,000 that was approved for a security system at November election. My opinion is that the \$5,000 cap doesn't prevent the up to \$8,000 from being spent on the security system. We need to get the MMA attorney, Sue Pilgrim, to render an opinion on what maintenance is. My opinion is that the two are mutually exclusive.

Lacy Badeau – My thought is that we can spend the up to \$8,000 for a security system. Let's do this correctly and follow the law that pertains to these articles.

Marty Rigoulot, I'd like to know if you'll consider selling the building. Will you let me know if you don't, I will get something going?

Jon Beekman - The first submission of the grant got approved for the \$500,000 but it had to be matched. Now they are culling it at Susan Collin's office.

Mark Robinson – As a board you can ask Fosh if they would be interested in owning the building as Marty suggested. If it goes anywhere, that will require approval at a Town meeting. I'd be surprised if Fosh would take that on.

Brent St. Clair - One more question – When the well was drilled, it was done without checking with the Town. I'm curious about the propane contract.

Mark - There is no propane contract. All fuel is part of the Town's process.

Hopefully in the Spring, a standby generator by FEMA.

Selectmen Committee Reports

Jon – nothing But I'm going to submit a grant application for two more wing plows laser guides. But they will not award them until next September and we'll get a grant that covers all but \$200.00

Mike Carlson – I was at the school board committee meeting for 30 minutes. The school finally heard back from insurance and their offer to repair the pellet boiler, and it is about \$52, 370. The difference between the two quotes is about a thousand dollars. A third or a half of the pellets towards bottom are not good anymore. If they are to accept the offer from insurance company they cannot get parts until Feb of 2023.

Mark Robinson – Have they reached out to the manufacturer?

Mike Carlson – The manufacturer is no longer around.

Mark Robinson - That's not true or correct. I have received multiple e-mails from the manufacturer in last 12 months and have forwarded those to the Superintendent. I know the manufacturer has reached out to the school at least 3 times in the past year. Did they make any decisions on this? They should not accept an insurance payment based on a repair unless they are willing to cover any problems after the repair has been made and it's operated successfully for a certain amount of time. Insurance company needs to pay a heck of a lot more than \$51,000. The Boiler was compromised when all the pipes and heat exchanger were frozen solid and cracked.

Mike Carlson – Why would you talk about a settlement before we know the repair costs in the settlement. The school superintendent did not indicate if they've accepted the settlement offer.

Town Managers Report

We had an election and had the largest turn out of the electorate this year of 780 people came to polls out of 900 registered total voters. Over 85%. Very significant turn out. Very fortunate to have who we have to help us working the polls.

We've got a weather mess coming tomorrow. I reached out to Brian and Toby Pond to see what their availability would be like. I've got seats filled on the trucks. The individual who was already to go received an offer he couldn't refuse from Pike industries. So that opportunity has sailed. So, I'm still seeking a 3rd public works employee full-time. Mr. Alfonzo Barker from Leeds, the gentleman we purchase gravel from, and a classmate from Matt Chalmers. Both have their Class A license and will be ready to go. The accumulation will not be as much as initially thought.

Tax payments are pretty robust. Still seeing properties going up for sale and building permits still happening.

In your packet, you have a quote for the 1.5 yard sander with an installation price. I'd like to get this addressed. It won't be ready for this storm but would like to make this happen. Are there any objections or concerns? I'm happy to order this tomorrow. Money would come from the equipment purchase account.

Brian Holman – Do it!

Mark Robinson – That would be my plan.

Mark Robinson - We have not invested any of our money, and have maintained total liquidity. We have a big enough surplus that we may want to lock it up in a 1-2 year CD and go out to bid. I made a random contact from First National out of Rockland, at the Manager's conference. I'd want the Board of Selectpersons to make that decision and get Crystal involved in the conversation as well. We need to decide how much to put into this program.

Jon Beekman - MMA has a list of who they invest with. They invest a lot. It will show you who they invest with and the percentages. I can get that for you.

Jon Beekman - Other municipalities that I've been involved with have investment committees. That's something we should consider. You can bid just it like everything else. I'll send you the list.

Mark Robinson – Do we want to put it on the agenda around the first of the year?

Lacy – Do we want to wait that long?

Mike Carlson - Do we have an investment policy?

Mark Robinson, no we do not have an investment policy. I also emailed you a committee member handbook from Nancy Cronin.

Old Business-

22-111 ZOOM POLICY

Mark Robinson – I handed out the original policy that Lacy Bedeau crafted a few weeks ago. I emailed you a public hearing notice. The town is required to hold a public hearing on the Remote Policy. That has met the two-week deadline. We meet two weeks from tonight and we can adopt the policy that night. The one caveat that I have is that this policy should not be solely for the Selectpersons Board but for the Planning Board as well. So, this should be not only for elected officials but appointed officials.

Jon – You may need to revise the entire thing. Also, define extenuating circumstance vs. personal preference.

Bent St. Clair - Do we have an attendance policy?

Lacy – We do have an attendance policy? Can this be changed?

Mark - Yes, it can be changed at the public hearing/town meeting processes.

Lacy Badeau – Lets send out edits to Mark.

22-118 ARPA (America Rescue Plan Act) Funding Usage

Mark Robinson – We established a reserve account, and I sent question to MMA legal and included in your packet is their response.

Can we use ARPA funds besides Broad Band funds? We received \$122,000. Does this article bind our hands for doing anything else with this money besides broadband.

Mark Robinson - Sue Pilgrim responded as follows, ...” Technically the warrant article you shared does not require that all ARPA monies be go into the broad band reserve account. However, it was clearly the expectations of the voters given the discussion at the Town Meeting. I’m assuming that all that money was put into the Broadband Capital Reserve account. Therefore, a town meeting would be required in order to authorize the use of the ARPA money for other things.”

Jon Beekman– We never did set up the Broadband Capital Reserve account to receive the ARPA funds. We were authorized to do that but we did not as yet set up that account.

Mark Robinson will contact Sue Pilgrim again to get clarification.

Lacy, I would like to see some of that money moved out for heat pumps, so that we can see an immediate return on and be used for other things. Do we want to move forward with the heat

pumps part with Efficiency Maine.

Brian Holman – We need to get quotes on that. We're a ways away from that. I'll see what we can do between Thanksgiving and Christmas. It's interesting that other towns are making decisions regarding ARPA monies without going back to town residents.

New Business

22-123 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #10 made by Mike Carlson, seconded by Brian Holman. No discussion. All in favor, unanimous.

22-124 Minutes Motion to approve Board of Selectmen minutes for November 1, 2022 made by _____ seconded by _____ vote ____ in favor ____ opposed.

Mark Robinson - We do not have the Nov 1st minutes and will put those in the next meeting.

22-125 Board of Selectmen Comments

Jon Beekman found out that MMA has a driving simulator that allows towns to take for free with instructions and gives us the opportunity to save on the safety incentive program. There are 3 tiers in the worker's compensation safety incentive program. I'm going to apply for a grant.

Mike Carlson - Thursday I'm doing a Zoom seminar for newly elected officials. Also, Fosh held the turkey potluck dinner we raised \$1,486.00. I'll be bringing a check to the Town office.

Mark Robinson – Friday we will be in the office as we will start the process of the June 30, 2022 audit.

Lacey Badeau – I wanted to thank Matt Chalmers for maintaining the Veterans Memorial area.

I attended the United Way Grant information session, and I don't think that we would be a good candidate for it focuses mostly on education and improving cost efficiency purposes. I don't think we would make it through the grant application.

Jon Beekman - mentioned that the Freedom for Information Act needs to be completed and is on-line and needs to be completed by elected and appointed officials. It takes about 20 minutes to complete.

Lacey Badeau - wants to make people aware that resources are available that people for heat assistance. Maybe we could put something on the sign across from the store along with heat

information and food pantries and banks that are available. Let's help people access services that are available.

Michael Carlson - Keep Me Warm monies are \$13,580 as of June 20, 2021.
Can we use ARPA funds for that?

Jon Beekman reported that Neil ?????
is leaving MMA. He's bought a summer camp in Waterford. I'm hoping to attend the
efficiency Maine board meeting tomorrow.

Adjournment

BOARD OF SELECTMEN MEETING
7:00 pm IN PERSON
Tuesday, November 29, 2022 following Public Hearing

ROLL CALL OF SELECTMEN Michael Carlson, Jon Beekman, Lacy Badeau, Brian Holman, Toby Pond

PUBLIC ATTENDANCE Brent St.Clair, Marty Rigoulot, George Boff, Marty Maxwell

PLEDGE Stated

PUBLIC COMMENTS Marty Rigoulot asked how much Friends of Starling Hall paid in rent for Starling Hall. Mark responded that FOSH is not required to pay rent whereas they are fund raising to support the Hall a Town-owned building. A 10 minute discussion ensued.

SELECTMEN COMMITTEE REPORT

Toby encouraged people to secure their property. Jon Beekman informed the Board of more grants for plow lasers.

Next Solid Waste Committee – meeting in October.

TOWN MANAGER REPORT

It has been a very hectic time with tax payments and the municipal audit. The storm events we have had have been treated well.

OLD BUSINESS

22-118 ARPA (America Rescue Plan Act) Funding Useage- There were no updates with legal services. Mark recommended that a special town meeting be held to address using the ARPA money for purposes other than Broadband.

NEW BUSINESS

22-127 Special Town Meeting Consideration

Lacy mentioned using this money for heat pumps and staff. Jon Beekman mentioned he would be meeting with Efficiency Maine tomorrow and looking into to infra-red tube heaters.

22-128 Warrants Motion to approve Town and School Accounts payable/payroll warrants #11 made by Jon Beekman seconded by Brian Holman vote 5 in favor 0 opposed.

22-129 Minutes Motion to approve Board of Selectmen minutes for November 1, 2022 made by Brian Holman seconded by Toby Pond.

Corrections: Mike noted that Jon is the one that spoke about what other communities do for a percentage to be more equitable. Also correct XXX Mike and seconded by Brian.
vote 4 in favor 0 opposed 1 abstention (Toby Pond)

Motion to approve Board of Selectmen minutes for November 15, 2022 made by Toby Pond seconded by Brian Holman Correction: Add George Boff in attendance and XXX and Neil Goldberg's name vote 4 in favor 0 opposed 1 abstention (Toby Pond).

Selectmen Comments

Toby expressed that it was irritating that the Town closes School just to bring people in to vote with all of the other locations we could use for voting. Travelling to other Towns who do use their Fire Departments as a voting location feel we need to get away from making kids stay home just so we use the gymnasium just to vote.

Toby had questions for the School Committee Liaison Michael Carlson: Is the Town going to continue to support the position of a dual Superintendent/Principal or do they plan on separating them at some time?

Toby further commented that the Mount Blue craft fair used a floor covering for the gymnasium to protect the hardwood floor.

Toby asked how the new truck is performing? Mark let the Board know the new truck running fine but the 2015 Western Star radiator needs to be replaced.

Toby asked again if any information has been obtained about an electric sign. Mark said that he had not pursued it but will do so soon. Lacy Badeau stated that would be another potential use of ARPA funding.

Toby asked if the BOS would consider 6 p.m. start times for meetings?

Brian Holman asked if Jon Beekman could provide list MMA used for investment purposes.

Brian asked if we had any more interest in our property committee. Mark said he was still awaiting applications. Mark suggested we may have to push it out to the first of the year. Mark confirmed the Stop sign at North Road has been sold.

Mark stated we had abatements and supplemental

22-131 Tax Abatements Motion made by Jon Beekman seconded by Michael Carlson to approve the following abatements as prepared by the Assessing Agent **Vote 5 in favor 0 opposed**

11/29/2022						
2022-2023						
	Name	Map & Lot	Assessment	Mil Rate	Tax	Reason
Abatements			Difference			
2022-1	Edward J. Melia	R02 Lot 37	\$42,000.00	0.01329	\$ 558.18	Listing Errors
2022-2	Time Payment Corp	PP#39	\$2,100.00	0.01329	\$ 27.91	No Personal Property Assets
2022-3	First Citizens Bank	PP#46	\$4,800.00	0.01329	\$ 63.79	No Personal Property Assets
2022-4	Logan Emery	R01 Lot 1	\$14,100.00	0.01329	\$ 187.39	No Building on lot
2022-5	Logan Emery	R04 Lot 48-5	\$14,100.00	0.01329	\$ 187.39	No Building on lot
2022-6	Ronald Stewart & Brenda Willa	R08 Lot 41	\$32,200.00	0.01329	\$ 427.94	Building Listing Errors & Condition
2022-7	Stephen & Victoria Townley	U02 Lot 85	\$1,500.00	0.01329	\$ 19.94	Over Acreage

22-132 Underwood Memorial Library Board of Trustees Application

Motion to approve Heather Chalmers to be appointed to the Underwood Memorial Library Board of Trustees
Motion to appoint made by Brian Holman seconded by Michael Carlson Vote 5 in favor 0 opposed

ADJOURNMENT

Motion to adjourn 8:07 p.m. made by Jon Beekman seconded by Toby Pond Vote 5 in favor 0 opposed

BOARD OF SELECTMEN MEETING

7:00 pm IN PERSON

Tuesday, December 13, 2022

ROLL CALL OF SELECTMEN Michael Carlson, Jon Beekman, Lacy Badeau, Brian Holman, Toby Pond joined at 8:10 p.m. remotely.

PLEDGE Stated

PUBLIC ATTENDANCE Brent St.Clair, Marty Rigoulot, George Boff, James Wright

PUBLIC COMMENTS Marty Rigoulot presented information regarding a listing of a former Grange Hall in the North New Portland for \$159,900. A 5 minute discussion ensued. Brent St. Clair mentioned a letter that he had sent Representative Newman regarding the issues of Diesel Trucks going into "limp" mode (5 mph). George Boff asked if there were any updates on broadband. Mark stated that Matrix is still working toward their effort to bring broadband to Fayette. Additionally Mark had a conversation with Simon Thorne of Fidium regarding there project in Chesterville and opportunities for service in Fayette. Mr. Thorne will be making a presentation at the Board's first meeting in January.

SELECTMEN COMMITTEE REPORT

Mike informed that there are 6 meetings dates coincide with the School Committee 2/23, 3/21, 4/18, 5/16, 9/19 and 10/17. Toby advised the Board about a 12 corners issue regarding animals on the loose and the need for some kind of ordinance.

TOWN MANAGER REPORT

It has been a reasonably quiet 2 weeks since the last meeting. Dog registrations due end of this month and January is a grace period following that there is a \$25 per dog late fee after that. We did have a case of rabies in Town.

NEW BUSINESS

22-131 Capital Investment Plan Update- Budget Committee member James Wright gave an informative overview of his work to update the Town Capital Investment Plan the presentation was 32 minutes in length.

22-132 Lands Committee Appointments

Motion to approve all applications as presented Misty Beck, Robin Holman, Crystal Ferris, Chris Riley, Maggie Chadwick made by Jon Beekman seconded by Michael Carlson. Amended to include Brian Holman as Selectmen Liaison Vote 4 in favor 0 opposed 1 abstention (Brian Holman) Jon Beekman asked that a report be submitted by the end of April.

22-133 Abatements and Supplemental Motion to approve abatements and supplemental as prepared and outlined below by the RJD Assessing Agent with exception of the abatement for Michael Carlson made by Michael Carlson seconded by Brian Holman

2022-2023	Name	Map & Lot	Assessment	Mil Rate	Tax	Reason
Abatements			Difference			
2023-8	Pitney Bowes Global	PP#41	\$900.00	0.01329	\$ 11.96	No Personal Property Assets
2023-9	Michael Carlson & Michael Condon	U15 L27	\$49,800.00	0.01329	\$ 661.84	Over Assessed
2023-10	Clyde D. Walton	R08 L 56	\$226,400.00	0.01329	\$ 3,008.86	No Building on lot
2023-11	John & Denise Churchill	U02 L 34	\$18,400.00	0.01329	\$ 244.54	Over Assessed
2023-12	John & Denise Churchill	U02 L33	\$4,300.00	0.01329	\$ 57.15	Taxed Twice
2023-13	John & Denise Churchill	U02 L32	\$4,500.00	0.01329	\$ 59.81	Taxed Twice
2023-14	John & Denise Churchill	U02 L56	\$11,300.00	0.01329	\$ 150.18	Over Assessed/Access issue
2023-15	John & Denise Churchill	U02 L71	\$11,300.00	0.01329	\$ 150.18	Over Assessed/Access issue
Supplement				0.01329	\$ -	
2023-1	John Churchill & Eldon Churchill	U2 L31	\$51,600.00	0.01329	\$ 685.76	Omitted Assessment
				0.01329	\$ -	
				0.01329	\$ -	0

vote 5 in favor 0 opposed.

Motion to approve abatement for Michael Carlson as prepared by the RJD Assessing made by Jon Beekman seconded by Brian Holman Vote 4 in favor 0 opposed 1 abstention (Michael Carlson)

22-134 Warrants Motion to approve Town and School Accounts payable/payroll warrants #12 made by Brian Holman seconded by Michael Carlson vote 5 in favor 0 opposed.

22-135 Minutes -tabled to next meeting

22-136 Selectmen Comments

Brian Holman asked how the Animal Control Officer is reimbursed for trips to 12 corners. Mark asks the ACO to submit a mileage reimbursement form and we reimburse at the Federal rate. Toby asked Michael about the status of looking into a protective matting for the gym floor. Michael said he would bring it to the School Committee's attention when they convene their next meeting. Toby asked if the Town would be interested in receiving the returnable bottle stand that was removed by the Readfield Fire Department? Lacy discussed the idea previously presented by Toby of a 6 p.m. meeting start time. Lacy stated she would have it on the next agenda. ☺ Toby asked to address the duration of the meeting at the same time.

22-137 Cemetery Lot Conveyance

Motion to approve the cemetery lot conveyance for Josh and Molly Sparling for the Fayette Corners Cemetery as prepared made by Jon Beekman seconded by Michael Carlson Vote 5 in favor 0 opposed.

OLD BUSINESS

22-111 Remote Meeting Policy

Motion to approve and authorize the Town Manager to sign and adopt the Remote Meeting Policy as presented made by Toby Pond seconded by Michael Carlson Vote 5 in favor 0 opposed Lacy asked if the Planning Board

22-118 ARPA Funding Usage –a 10 minute discussion was held regarding how the funding could be applied.

22-127 Special Town Meeting Consideration-Public Hearing on January 24th 2022 and Special Town Meeting on February 7th, 2022

ADJOURNMENT Motion to adjourn 8:50 p.m. made by Michael Carlson seconded by Jon Beekman Vote 5 in favor 0 opposed

BOARD OF SELECTMEN MEETING

7:00 pm IN PERSON

Tuesday, December 27, 2022 meeting started at 6:18 p.m.

ROLL CALL OF SELECTMEN Michael Carlson, Jon Beekman, Lacy Badeau, Brian Holman, Toby Pond joined at 8:10 p.m. remotely.

PLEDGE Stated

PUBLIC ATTENDANCE Belinda Bothwick

PUBLIC COMMENTS Belinda Bothwick thanked the Board for their service.

SELECTMEN COMMITTEE REPORT

Mark in Brian's behalf gave a report of the Land's Committee ZOOM meeting. The Committee is scheduling site walks and will meet the last Wednesday in January.

TOWN MANAGER REPORT

Mark discussed the impact of the last two storm events. Damages to Asa Hutchinson, Bamford Hill, Knox and Fayette Corners Road all had negative impacts of flooding and minor damage. Mark discussed issues related to new plow drivers and impact of wet snow on narrow roads.

OLD BUSINESS -None

NEW BUSINESS

22-136 Cost of Living Adjustments

Mark advised the Board of the significant increases in COLA's across the State and to be prepared for a proposed wage schedule that reflects this trend. The Board of Selectmen historically determines COLA proposed increases. On average COLA's are historically have been 3%. A 15 minute discussion ensued regarding merit pay increases and relationship to job performance/goal oriented based merit pay.

22-137 Special Town Meeting Article

The Board reviewed the draft. Brian offered corrections to dates and agreed to ready it for final approval on January 10th, 2023.

22-138 Warrants

Motion to approve Town payroll warrant #13 made by Brian Holman seconded by Toby Pond vote 3 in favor 0 opposed.

22-139 Minutes

Motion to approve Board of Selectmen meeting minutes for November 29, 2022 made by Brian Holman seconded by Toby Pond Toby question if we took formal action to change meeting start times. Mark thought

that was the case but had yet to complete the minutes for that meeting Toby asked about moving the elections to the other locations Mark stated that Starling Hall once completed will be the next best choice given the number of people we have in attendance. Lacy stated that we will take formal action on 6 p.m. start times at the next meeting.

Vote 3 in favor 0 opposed.

22-140 Selectmen Comments

Toby Pond asked about how the new sander performed on the ¾ ton pick-up.

ADJOURNMENT

Motion to adjourn 7:31 p.m. made by Brian Holman seconded by Toby Pond Vote 3 in favor 0 opposed

SELECTMEN MEETING

6:00 pm

Tuesday January 10, 2023

Fayette Central School

ROLL CALL OF SELECTMEN Lacy Badeau, Brian Holman, Jon Beekman, Toby Pond, Michael Carlson

PUBLIC ATTENDANCE Simon Thorne with Consolidated Communications, Steven Gold, Mark Bender, George Boff, Dan Kimble, Richard Hicks, Marty Maxwell, Rachel Adams, Richard Polsinello, Mark Jarrell, Chris Lynch Matrix Design Group Director Business Development, New England Division, Bob Capers, Holly York, Candace Jackman, Brent St. Clair, Noah Ward Rubin, Jeff Rubin, Robert Black Jr., George Joseph, Bob Weimont, Ed Juris, Katie Juris, Town Manager Mark Robinson, CEO/Recording Secretary Jessica Leighton

PLEDGE Stated

PUBLIC COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

23-01 Fidium Broadband Presentation

Simon Thorne from Consolidated Communications was present to speak about Fidium's efforts and what they have done in the town of Chesterville, and what is possible in Fayette. There was grant funding that allowed Consolidated to build out fiber internet in Farmington, Temple, parts of Chesterville, and parts of New Sharon. There isn't enough density to build out fiber in Chesterville and New Sharon without supplemented funding. This grant was a result of the Connect ME Authority

Jon Beekman asked the total percentage covered by the grant. Simon would have to research these numbers. He knows Consolidated did have to put funds into the application as well, but will get back to Mark in regards to how much.

Simon gave a visual presentation on Fidium Fiber Internet. Prices start at an introductory rate of \$35 per month and are tiered upwards from there based on speeds.

Marty Maxwell asked if there was a timeline at all to get into Fayette. Simon said that without grant funding he has no future timeline for Consolidated/Fidium to expand into Fayette.

The question was posed if those who are near the Chesterville town line, if they are able to hook onto the line. Simon would have to look into specific addresses.

Simon explained the difference between Fidium and Consolidated Communications. Fidium is a strictly fiber network that has to be fully built out. The goal was to "separate from the DSL legacy." Distance and weather don't effect Fiber internet, the line has to be physically severed to not function.

George Joseph asked if Fayette was discriminated against due to size, whether by the grant or by ISPs. Simon spoke about the grants that are available today. He thinks that it is beneficial for towns to come

together to apply for grants. He explained how the state requires Consolidated to put forth money, and why they encourage towns to contribute funds.

Mark clarified that the nearby build in the greater Farmington area was initiated by the Maine Connectivity Authority.

George Joseph asked about joining up with a town that doesn't abutt Fayette. Simon says that you do not have to form a coalition, but he thinks that Jay and Livermore are feasible possibilities.

Lacy asked when the next round of grant applications will happen. Simon believes March at the earliest. He also says that Fayette doesn't need to go with Fidium, but that he does believe Fidium would be able to get fiber built in the town quickly once approved.

Jon Beekman asked what the opportunity for more success is if the town were to contribute. Simon says no more than \$150 per location is necessary, but it does have your grant application weighted more favorably. Simon emphasized that Fayette is unserved, versus underserved.

Richard Hicks says that he can't get service in Lakeview Estates through Consolidated, because they are completely tapped out of hookups. He wondered if the Town can get grant funding for Starlink, as that is reliable for him.

Mark asked when they could bring fiber to the home if the town committed funding and they were awarded the funding today. Simon said the beginning of 2024 to be safe.

Michael Carlson asked how long a build out would take in Fayette. Simon guessed three months or less. They started Farmington at the end of October, and they are wrapping it up this week.

Chris Lynch from Matrix was present to listen to the presentation, and Mark invited comments from him. He stated that he was enthusiastic hearing that Fidium had been denied for two, as Matrix already has an application in for Fayette and hasn't heard back yet. In the grant application they have included funding for the application fees, and funding to assist in meeting a \$30 monthly fee. He is optimistic that they are in the list of finalists for receiving the grant. Mark asked Chris if they get this grant, what will the timeline look like for Fayette. Chris says the pole attachment process will be the biggest challenge, so it would still be early 2024. Fidium will contribute \$700 per location, Chris said that in the current Matrix application, they have committed \$2000 per location. Mark Jarrell noted that Fayette may have lost points by not contributing funds, but asked Chris Lynch how likely it is that they will get this grant approved. Chris explained the two tiers of applications, municipal funded versus private funded, but wasn't sure where they were in the process, but is hopeful that Fidium has heard feedback that they were denied for two.

Mike Carlson asked if the clarifications the MCA asked for were specific to Fayette. Chris explained what it was that they clarified. Jon Beekman asked if he recalled what the pole attachment costs were, Chris thinks it's about \$400 per pole with about 33 poles per mile.

It was discussed that there was no contribution from the Farmington area towns for this fiber build, despite Mark being told in the past that towns needed to "have skin in the game" to have grant applications approved.

23-02 Final Approval and Signing of February 7, 2023 Special Town Meeting Article

Discussion: Mark encouraged the board to add another question for additional funding for Broadband funds, so that there is potential that the ARPA funding could be used for something else. The board discussed.

John asked if we could pose a ballot question to commit to the \$118K and send a letter to the MCA stating that whoever receives the grant, Fayette will provide the "skin in the game."

Lacy thinks no matter who gets the grant application, we still need this question in front of town meeting to give the Board authority to spend the funds on anything.

Toby thinks we should continue with town meeting because we don't know how the grants will shake out.

Brent St. Clair asked if the Select Board could spend x amount of dollars anyway, Mark said the funds have been earmarked for funding. He suggested another possible question asking for the town's authorization to transfer \$50,000 from surplus for the purpose of Broadband.

Mike Carlson motion to keep the warrant article as is and add a second question to request that we transfer \$50,000 from the surplus fund balance into the broadband account. Seconded by John Beekman. No further discussion. VOTE: 4 – 0 – 1 absent (Pond)

23-03 Meeting Times

Motion to continue 6 p.m. start time for all future Board of Selectmen meetings made By Lacy Badeau seconded by Jon Beekman. Discussion: Mike asked if we could make the 6pm meeting time for winter, and for summer meetings to be at 7pm. Lacy amended the motion to reflect that the 6pm and 7pm start times will correlate with daylight savings. VOTE: 4 in favor 0 opposed.

23-04 Warrants

Motion to approve Town payroll warrant #14 made By Brian Holman seconded by Mike Carlson. VOTE: 4 in favor 0 opposed.

23-05 Minutes

Motion to approve Board of Selectmen minutes for December 13, 2022 made by Lacy Badeau seconded by Michael Carlson vote 4 in favor 0 opposed.

Motion to approve Board of Selectmen minutes for December 27, 2022 with corrections made by Michael Carlson seconded by Lacy Badeau. No vote due to lack of voting members.

23-06 Selectmen Comments

Lacy hopes that the Planning Board will come to a Selectboard meeting so that they may have a discussion regarding solar. CEO Jessica Leighton will try to get the board to go attend the February 7th meeting. More discussion regarding solar was had, including Brent St. Clair reporting on what his Facebook group was saying.

Selectmen Committee Reports

School Board: Mike Carlson wasn't able to attend the meeting, but he knows the board accepted the insurance settlement for the boiler, but now Tara wants to form an ad hoc committee regarding the boiler. Lacy asked if there was a way to know if a repair will work. Everyone agreed that no one will know if the boiler still works until it is fired up.

Lands Committee: Brian reported that the committee did a tour of the East Road property and it went well. The next meeting is the last Wednesday in January.

TOWN MANAGERS REPORT

It's been a quiet two weeks, we have some people who have been ill, but got through the holidays. He thinks the public works crew has done well. Bamford Hill and Sandy River Road are the two roads that need the most repair. He did have a conversation with Kate Dufour about federal issues the towns had about emissions restrictions on emergency vehicles. Tomorrow at 1pm there is a hearing in Augusta regarding discontinued roads. Our letter to the committee did make it into the committee.

ADJOURNMENT

Motion to adjourn at 8:44 pm made by Jon Beekman, seconded by Lacy Badeau. All in favor

**FAYETTE
BOARD OF SELECTMEN
MEETING**

January 24th, 2023

6:15 pm (following the Public Hearing)

Roll Call of Members – Mike Carlson, Lacy Badeau, Brian Holman, Jon Beekman and Toby Pond

Attending members of the public – Chris Lynch of Matrix Design Group, Roberta Manter, Brent St.Clair, Mark Jarrell, Marty Maxwell, Joseph Maxwell, Holly York, and Belinda Bothwick.

Pledge of Allegiance – Stated

Public Comments – Roberta Manter asked the BOS if they had a chance to read what she had sent. What we are trying to figure out is why there are Towns all across the state that using Title 23 section 3105A to authorize plowing of private roads because they have been declared as public easements and yet Young Road a public easement road that is not maintained by the public but the public gets to use it. The rest of the state is using the aforementioned statute to plow roads all winter not just in an emergency. Our mail carrier recently had an accident and discontinued delivery because of the condition of the road. The Town of Glenburn has Ohio Road and they refuse to plow a public easement. A person died on that road because the EMT's arrived 30 to 40 minutes after the call because of the condition of the road. That kind of thing is going to happen if the law does not get applied the way it is supposed to be. Roberta further stated that she wanted to sit down with the Town Manager to address the peoples attitude toward them that they knew what they were getting into when they bought the property. We would like to explain what we knew back then when we bought it. The information was not there. Some of the laws that were applied to make it a public easement did not exist until 1976 and the property was purchased in 1971. We could not have known that it would be a public easement. Roberta stated that the Town Managers deed to his personal property has an easement from route 17 to his property. It does not say it was a public road but now the Town maintains it with public funds. Ours gets nothing. Lacy stated that road was accepted at a Town Meeting. Roberta stated that it was not accepted correctly.

It has to go through a process of dedication and acceptance. Lacy Badeau asked are you asking for a meeting with the Board of Selectmen or Mark. Roberta thought that would be a big step forward along with the Selectmen will need to consider whether 3105A can be applied to plow and sand the road so long as you don't use salt because it is bad for David's equipment and the service dogs paws.

One pass in and out with sand (not salted) and one pass in and out with the wing plow is all we are asking for a little bit of help. We are not asking the Town to take full year-round maintenance. We are just asking for a little help and we are consistently refused. We have been told by some people that as long as Manter lives there the Town will do nothing for the road. What kind of way is that to treat your neighbor? Just because you don't like him does that mean you should treat him that way? Toby Pond asked did somebody here say that? Roberta said yes. I am not going to name names but that is what we have been told. The person who said it as far as he was concerned it was never going to happen or they were saying that was the attitude of the Town's people. But he did not ever see it happening. That's what we were told. That's the attitude of the Town. Lacy Badeau said I guess we will possibly schedule a meeting. Roberta stated that would be great in the meantime encouraged the BOS to check out the ROADWAYS facebook page and website where there is a ton of information on other people all across the State that are struggling and impacted by this issue of public easements in our view they are unconstitutional. There was a court case in 1971 Jordan vs Town of Canton in which the court said a public road with no public maintenance will inevitably be destroyed and destroy property access and that constitutes a taking which requires due process and just compensation. You cant make just compensation one time when you

discontinue a road and keep a public easement. Because every time the public uses that public easement there is a new taking. A new taking every time someone from the public drives down the road. It may not be visible when 1 person from the public uses it but over the course of time all times of day and throughout the year. Even in mud season when we are trying to stay off the road. We are constantly battling to keep the road so it does not fall into a state where we cant use it.

Brent St.Clair stated that he inquired about Solar for the school. Also the State is removing the language of scenic view out of future comprehensive plans.

New Business

23-07 Matrix Fiber to the Home Broadband Update-Chris Lynch of Matrix design group gave the BOS an update. Chris encouraged the BOS to review and consider the Maine Connectivity Authority request for the BOS to approve a Memorandum of Understanding with Matrix and letter of support. Jon Beekman stated we will need a special meeting next week to approve the MOU and letter. Whereas the MCA is requiring it by February 3rd.

Committee Reports – Toby Pond addressed Norms snowbank concerns. Mike Carlson reported on the last solid waste committee meeting and anticipated increase in solid waste disposal.

Town Managers Report-Passed

23-08 Town Meeting Timeline

The Town Manager reviewed the timeline with the BOS. There were no changes to the draft provided to the Board.

23-09 Pole Permit Approvals

Mark Robinson -We have another pole permit request. These require Board of Selectmen signatures. Motion to approve and authorize the Town Manager to sign in behalf of the BOS by Jon Beekman Motion seconded by Toby Pond Vote on pole permits – 4 in favor 1 opposed (Holman).

23-10 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #13.
Motion to approve #15 made by Brian Holman, seconded by Jon Beekman.
All in favor, unanimous.

23-11 Minutes

Motion to approve Board of Selectmen minutes for January 10th, 2023, made by Brian Holman seconded by Jon Beekman
Vote all in favor – unanimous.

23-12 Board of Selectmen Comments

Toby Pond addressed the issue of Norm Curriers snow pile. Mark explained the loader will be down tomorrow to clean out. Toby asked if the Town should bill Mr. Carrier regarding the snow removal? Mike Carlson asked to have snow removed at the school parking lot and island of snow left at the T of Jackman Mills and East Road and Watson Heights. Mark stated he would pass along. Brian Holman commented that Campground Road and intersection have been well maintained. Lacy also complimented the work the crew has done.

22-13 Executive Session regarding a personnel pursuant to MR.S.A. Title 1 §405 The BOS

will enter executive session pursuant to M.R.S.A. Title 1 §405. (Section **6. Permitted deliberation.**
Deliberations on only the following matters may be conducted during an executive session: Legal matter.

Motion to enter Executive Session made by Michael Carlson seconded by Toby Pond vote 5 in favor 0 opposed

In at 7:20 p.m. Out at 8:15 p.m. No action taken.

Jon Beekman motioned to adjourn seconded by Toby Pond Vote 5 in favor 0 opposed

FAYETTE
BOARD OF SELECTMEN
SPECIAL MEETING
January 31st, 2023
6:00 pm

Roll Call of Members – Mike Carlson, Lacy Badeau, Brian Holman, Jon Beekman and Toby Pond

Attending members of the public – None

Pledge of Allegiance – Stated

Public Comments –

New Business

22-14 Executive Session regarding a personnel pursuant to MR.S.A. Title 1 §405 The BOS will enter executive session pursuant to M.R.S.A. Title 1 §405. (Section 6. **Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session:
Legal matter.

Motion to enter Executive Session made by Michael Carlson seconded by Toby Pond vote 5 in favor 0 opposed

In at 7:00 p.m. Out at 7:28 p.m.

Jon Beekman made a motion to approve a lease to Matrix Design Group on Town-Owned Land seconded by Michael Carlson Vote 5 in favor 0 opposed.

Jon Beekman made a motion to approve and sign the Memorandum of Understanding and endorsement letter for Matrix Design Group seconded by Brian Holman Vote 5 in favor 0 opposed.

Jon Beekman made a motion to adjourn seconded by Toby Pond Vote 5 in favor 0 opposed at 7:32 p.m.

**FAYETTE
BOARD OF SELECTMEN
MEETING**

February 7th, 2023

6:35 pm (following the Special Town Meeting)

Roll Call of Members – Mike Carlson, Lacy Badeau, Brian Holman, Jon Beekman and Toby Pond

Committee Reports-None

Attending members of the public –Joseph Young, Maggie Chadwick, Joy Beekman, Ellie Andrews, Belinda Bothwick and Brent St. Clair

Pledge of Allegiance – Stated

Public Comments –

Brent St. Clair stated that he spoke to a representative of the Maine State Grange who stated that the Starling Hall deed could be changed to remove the requirement that the Grange could conduct a meeting. Brent reported that the Czech Republic wood boiler manufacturer was willing to come her to assess. Brent asked when are roads going to be posted.

New Business

Town Managers Report-Passed

23-15 Friends of Starling Hall

Joe Young asked to participate in meetings and come up with a plan on what we are going to do with the building. Because the recent votes leave us in never neverland regarding the future of the Starling Hall building. We are submitting an application that will be submitted on the 15th and we will receive notification in June regarding funding so we have a plan of attack.

A motion that the Board of Selectmen provide a letter for the grant for a facilitator made by Jon Beekman seconded Michael Carlson vote 5 in favor 0 opposed.

23-16 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #16 made by Michael Carlson, seconded by Jon Beekman. Vote 5 in favor 0 opposed

23-17 Board of Selectmen Comments

Lacy addressed a concern regarding the facebook page maintained by resident Brent St. Clair and that it needs to be removed from the Town website. Brian Holman asked that the Board returns to 7 p.m. for meeting times. Lacy mentioned a problem on March 21st with the school. Michael Carlson offered his thanks to the Board for the sympathy card. Lacy Badeau expressed her appreciation of the rest of Board and Town employees in the completion of the Matrix application.

Adjournment

Jon Beekman motioned to adjourn seconded by Toby Pond Vote 5 in favor 0 opposed

**FAYETTE
BOARD OF SELECTMEN
MEETING
February 21st, 2023**

Roll Call of Members –Lacy Badeau, Brian Holman and Toby Pond absent Mike Carlson and Jon Beekman

Attending members of the public –Brent St.Clair, Mark Jarrell and George Boff

Pledge of Allegiance – Stated

Public Comments –

Committee Reports – Brian Holman reported the Lands Committee will meet tomorrow.

Town Managers Report- Mark thanked the Board and staff for stepping up to the plate and taking care of business in his absence. Mark mentioned you have the revised estimate for Seacoast Security to complete the work. Toby Pond asked about having security service for all Town-owned buildings. Toby expressed if the building were added what would the cost be in comparison. The Board discussed the benefit of having motion detectors at the Hall. February 24th would be the Maine Connectivity Authority decision day on the Matrix application. Mark gave a not so brief historical review of the PSAP (Public Safety Answering Point) issue. Mark let the Board know that CMP did not know that Shore Road was a private road.

**Old Business-None
New Business**

23-18 Property Tax Abatements

2/21/2023						
2022-2023						
	Name	Map & Lot	Assessment Difference	Mil Rate	Tax	Reason
Abatements						
2023-16	Michael Hall	U12 L16	\$24,200.00	0.01329	\$ 321.62	Over Assessed
2023-17	Michael Hall & David Hall	U13 L 4	\$9,700.00	0.01329	\$ 128.91	Over Assessed
2023-18	Michael Hall & David Hall	U13 L 6	\$8,700.00	0.01329	\$ 115.62	Over Assessed
2023-19	Michael Hall & David Hall	U13 L 7	\$5,900.00	0.01329	\$ 78.41	Over Assessed
2023-20	Tammy & Andre Leblanc	U12 L14	\$28,100.00	0.01329	\$ 373.45	Over Assessed
2023-21	Kenneth & Cindy Ellingwood	R09 L28-D	\$1,300.00	0.01329	\$ 17.28	Over Assessed Acres.

Motion to approve to approve the following tax abatements as prepared by the RJD Assessing Agent made by Toby Pond seconded by Brian Holman vote 3 in favor 0 opposed.

23-19 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #17 made by Brian Holman, seconded by Toby Pond Vote 3 in favor 0 opposed

23-20 Minutes

Motion to approve Board of Selectmen minutes for January 24th, 2023, made by Toby Pond seconded by Brian Holman Discussion: Mark referenced the comments made by resident Roberta Manter who made a request to

meet with the Board as well as an accusation as represented in the minutes. As a point to be memorialized in these meeting minutes the Town Manager let it be known to the Board that he never said to anyone that the Town of Fayette will only accept the Young Road until after the Manter's leave town. Vote 3 in favor 0 opposed

23-21 Board of Selectmen Comments

Brian Holman provided a compliment to Central Maine Power and their prompt response to a broken neutral lug that caused a serious and dangerous fire danger to his home. Lacy asked about FOSH meeting with the Board and Budget Committee. Mark suggested that we may want to think about March 21st as a potential date. Brent had rumors on his Facebook about how the ARPA money was used, specifically heat pumps and employee premium payments. Lacy confirmed 100% that the Board of Selectmen has discussed both in public meetings along with other potential uses along with broadband purchasing an owl for Board of Selectmen meetings at Starling Hall and other Town buildings. At present ARPA funds were used to pay Casco Bay Advisors to ready us for Maine Connectivity Authority grants. Others uses in addition to broadband included employee premium payments, heat pumps, owl for Selectmen meetings and an electronic sign.

Adjournment

Brian Holman motioned to adjourn seconded by Toby Pond Vote 3 in favor 0 opposed 7:01 p.m.

**FAYETTE
BOARD OF SELECTMEN
MEETING
March 7th, 2023**

Roll Call of Members –Brian Holman, Toby Pond, Mike Carlson and Jon Beekman absent Lacy Badeau

Attending members of the public –Brent St.Clair, Joe Longtin, Phil Roy Krout, Maggie Chadwick, Robert Weimont, Ellie Andrews, Holly York, George Boff and Code Enforcement Officer Jessica Leighton

Pledge of Allegiance – Stated

Public Comments – Maggie Chadwick asked about the Lands Committee and reporting and sharing with the public at large. Brent shared that he had put it out on facebook and the majority of responses were with regard to a public beach. Michael Carlson wanted it on the record that he would be firmly against the property creating a beach. Brian Holman stated that it is more conducive to hand carry a canoe or kayak and swimming related to those activities. Joe Longtin expressed concern regarding a beach on the property.

Committee Reports – Brian Holman reported the Lands Committee will meet tomorrow. Jon Beekman stated he expects the County budget to go up by 5%. Michael Carlson reported that Tara Morin resigned and George Joseph is serving as interim. Brian Holman reported that the Lands Committee is making good progress next Lands Committee is the 15th of March.

Town Managers Report- He have had a few snow events and with a few exceptions we fared pretty well and without phone systems were restored today after being out since Friday. March 24th is the date that we will know beyond shadow of doubt whether or not the Matrix grant will be approved. Earlier the Code Officer and Town Manager met with MDEP Shoreland Zoning Director Colin Clark for about 2 hours to review our updated land use map and land use ordinance and things we need to prepare for a future referendum likely at the November election. I contemplated attending the County Commissioners meeting but received a call from Senator Craig Hickman to inform me that he would facilitate a meeting with Department of Public and the other principal people that need to address the. PSAP matter.

Old Business-None

New Business

23-22 Joint Discussion with Planning Board

There was a 50 minute discussion between the two boards and more information needed to determine the latitude the Board of Selectmen have to extend the current moratorium if not a draft ordinance will be prepared for the April 4th meeting of the Board of Selectmen.

23-23 PSAP Contract with Androscoggin County

Motion to authorize on behalf of the Board of Selectmen Mark to sign this the contract for July 1st to December 31st 2023 for \$2,610 made by Jon Beekman, seconded by Toby Pond Vote 4 in favor 0 opposed

23-24 Draft Municipal Budget submittal

The Board had a 20 minute review and discussion

23-25 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #17 made by Toby Pond, seconded by Jon Beekman. Vote 4 in favor 0 opposed

23-26 Minutes -None

23-27 Board of Selectmen Comments

Toby Pond asked to follow up with Seacoast Security and how they could include the school in upgraded security system. Toby Pond also asked how much money is the Town going to pay to move snow that Norman Currier is placing in the way of a driver's vision at no cost to him. It seems as though it's no different than him piling snow in the middle of Watson Heights Road versus him stacking it up on the corner. Instead of a wrist slap Norm needs to get the point the Town should be seeking some sort of restitution every time our employees have to go and clean up what he is causing. Jon Beekman asked the Town Manager to ask the Town Attorney about sending him a bill every time and if doesn't pay, lien his property. Toby Pond stated if he has the ability to bucket it to the corner then he has the ability to bucket it into the woods someplace else. Brian Holman expressed his great dissatisfaction in the numerous roads that are missing road posted signs and the very poor manor they were installed.

Adjournment

Jon Beekman motioned to adjourn seconded by Michael Carlson Vote 4 in favor 0 opposed 7:56 p.m.

**FAYETTE
BOARD OF SELECTMEN
MEETING
March 21st, 2023**

Roll Call of Members –Brian Holman, Toby Pond, Mike Carlson, Jon Beekman and Lacy Badeau

Attending members of the public –Brent St.Clair, Roberta and David Manter

Pledge of Allegiance – Stated

Public Comments – Brent St. Clair explained that he had asked Eric Dyer the Readfield Town Manager to consider an offer to Fayette residents to use the Readfield Beach. “Slip n’ Slide” no extra charge.....

Committee Reports – Michael Carlson reported that that School Committee may be interested in working collaboratively with Seacoast Security. Mike also reported the school has not yet begun prescreening for Kindergarten but have already taken in 14 applications. They are also exploring a separation of the Principal and Superintendent positions. Dick Darling took pictures of the boiler and sent to Josef Vavra the Principal of the Manufacturer of the Woodpellet boiler. Dick intends to work on the boiler to do his own assessment. Toby Pond expressed the concerns regarding the alarm system and safety versus false alarms. Brian Holman stated the lands committee had another good meeting.

Town Managers Report- Following the last meeting, Road Posted Weight Limit Signs were reinstalled and retaped. The Road Foreman is out for 6 weeks with a broken leg. We have had two snow events since and very appreciative of Alfonzo Barker for stepping in to assist and lead to address the storms. Alfonzo served as lead for Matt Stratton, Will Kenniston and Marty Maxwell for the last two storms.

Since the last meeting I have met with representatives from Pikes Industries, Allstates Asphalt, Mainly Paving and Spencer Paving Group. In addition to receiving the bid specs for Bamford Hill and Fayette Corner the group also received the 2022 Road Committee Report and were asked to supply bids for not only the two roads in the spec but also provide alternate bids based on the Road Committee recommendations for those same roads (Bamford Hill and Fayette Corner) AND bid on Sandy River Road as recommended by the Road Committee. April 4th the Board will review the bids and determine how to proceed once we know the true costs for these roads.

Mark then reviewed responses to Jon Beekman’s e-mail regarding specific budgetary lines. Jon recommended the restoration of the discretionary equipment line.

Old Business-None

New Business

23-28 Young Road

There was a 34 minute presentation from Roberta and David Manter.

23-29 Warrants

Motion to approve Town and School Accounts payable/payroll warrants #19 made by Jon Beekman, seconded by Michael Carlson. Vote 5 in favor 0 opposed

23-30 Minutes -Motion made to approve minutes of February 7, 2023, February 21, 2023 and March 7, 2023

Motion to approve minutes of February 7, 2023 made by Brian Holman, seconded by Jon Beekman. Vote 5 in favor 0 opposed

Motion to approve minutes of February 21, 2023 made by Brian Holman, seconded by Michael Carlson. Vote 3 in favor 0 opposed 2 abstentions Beekman and Carlson

Motion to approve minutes of March 7, 2023 made by Brian Holman, seconded by Jon Beekman. Vote 4 in favor 0 opposed 1 abstention Badeau

23-31 Board of Selectmen Comments

Toby Pond asked to follow up with Seacoast Security and how they could include the school in upgraded security system. Toby asked if there had been any further discussion with Norman Currier? Mark said he had told Mr. Currier where he could move snow and where he could not move snow in the future. Jon Beekman asked if the lasers were installed on the plows? Mark said he was not sure but would confirm status. Lacy thanked all who stepped in for Public Works. Mike Carlson reported that \$837 was paid by attendees for 65 adult dinners were served at the St. Paddy's Day Dinner hosted by FOSH. Mike Carlson reported his attendance of the Last Mile Infrastructure Grant Committee and details and concerns moving forward.

23-32 Executive Session regarding a personnel matter pursuant to M.R.S.A. Title 1 §405 The BOS will enter executive session pursuant to M.R.S.A. Title 1 §405. (Section 6. **Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session: Personnel

Motion made by Jon Beekman to Enter seconded by Michael Carlson at 8:47 p.m. vote 5 in favor 0 opposed

Exit at 9:20 p.m. no action taken

Adjournment

Jon Beekman motioned to adjourn seconded by Michael Carlson Vote 5 in favor 0 opposed 9:20.01 p.m.

SELECTMEN MEETING

7:00 pm

Tuesday April 4, 2023

Fayette Central School

ROLL CALL OF SELECTMEN Lacy Badeau, Brian Holman, Jon Beekman, Toby Pond, Michael Carlson

PUBLIC ATTENDANCE Brent St. Clair, Chris Lynch, Marty Rigoulot, Anne Piroso, Ellie Andrews, Josiah Garcia, Michelle Briggs, Belinda Bothwick, Laurence and Marjorie Bruen, Scott Pelletier, Sarah Jancarik, Rick Keen, Renee Keen, Heather Chalmers, Deb Dubord, Dennis Spencer, Andrew Butcher, Larissa Davis, Mark Jarrell, Marty Maxwell, Rachel Adams, Randy, Adam L, Roy Krout, Diane Polky, Holly York, Jeff Davis, Jed Davis, Maggie Chadwick, Bob Weimont, Jamie Ward, Mary Ann Hayes

23-33 Maine Connectivity Authority President

Andrew Butcher summarized the background of why he is here, and explained why the first proposal failed, due to a misunderstanding of the meaning of financial capability in the initial application process.

Jon Beekman asked that since the application was endorsed by the Last Mile Committee, if it needed to go to vote again,

Are there any other broadband providers who are new to Maine, and were they successful in obtaining grants. Andrew said there was one other newcoming company, and they were not successful.

Michael Carlson asked if April will be the last vote. The April meeting is when the Board will be making a decision, if it is a final decision there won't be another vote, but if the Board determines there needs to be more information provided, which he doesn't consider a desirable outcome, then they will have to

Michael asked if Andrew can think of any other information that could be provided by Matrix that hasn't been asked by the board. Andrew does not think at this time there is anything else that Matrix could provide. They have been very forthcoming with information requested.

Lacy asked when the next round of grant funding opens. Andrew said the next round of Connect the Ready grant process is looking to have guidance posted in May or June, with the applications being accepted in July or early August.

Resident Mark Jarrell thanked Andrew for coming this evening and advocating for Fayette, and asked if he was aware of the discussion of the objective merits of Matrix is being held in executive session.

Andrew said that there is proprietary and confidential information that is shared in these proposals, and by discussing them in executive session they are able to request and review more information.

Michael Carlson wanted to 572 in favor 179 opposed. The Board Chairman noted that Matrix had excessive estimations of take rates in Fayette is a factor in tabling their decisions, and this 579 is more than Matrix had reported. About half of Fayette's tax bills are mailed out of the town of Fayette

Andrew encouraged the Town to provide this information so that he may share that with the board.

Marty Maxwell asked if the Board was aware that we had a presentation from Fidium, and that they had projected Fayette wouldn't be a priority for at least 3-4 more years. Andrew said that he did not know that, but is familiar with Fidium.

Andrew went over the timeline for April. There is an internal staff review of materials later this week. They will then translate that into the committee packet, which will be shared on Monday for the committee meeting on April 14. The results of that meeting will be compiled and shared with the board on the 15th, in preparation for the Board meeting at 12:30 on the 21st of April.

Mark noted that there was a good conversation between MCA and Matrix on Friday, and asked if there was more information that needed to be submitted. Andrew believes there were a few requests for specification and clarification.

Chris Lynch noted that while he has been presenting, half of the information had been emailed over, and the other half should be along by the end of the day.

Yes the staff makes a recommendation to the committee and it is his responsibility to help the Board come to a conclusion. Andrew wants to emphasize that this is a board decision, but it is his responsibility to gather a full understanding of capability and specifications, and the responsibility of his staff to

Jon wants to add that in regards to our seasonal population, a large majority of these people come to Fayette from areas where they are working from home, and they cannot here. Andrew said that it is a tricky dynamic that they are seeing in communities around the state.

Brent St. Clair noted that what he is hearing is the same thing that the Town heard in March, being on the budget committee, this makes it that much harder to anticipate if tax dollars are going to be needed to be spent

Mark wants Andrew to focus on the 21st of April. He knows there will be a Last Mile committee meeting before this, and at the previous meeting one of the Board members congratulated Fayette and Wilton on being awarded this proposal. He inquired what the Town of Fayette can do to ensure that there will not be another delay. Andrew said that at the end of the day he can't pretend to know exactly what will be enough to ensure a board decision. Between April 7th and April 14th he will be making sure that everything that has been provided by Matrix will be reviewed by the staff and the board to get a board decision.

Mark asked Chris Lynch how much time Matrix needs to answer questions the MCA may need. Chris said that the most important concern of Matrix is that MCA is clear in their questions so that Matrix can provide clear and adequate responses. It's important to remember that Matrix has a lot of other projects happening, but that the Fayette project is very important to them, and they are committed to providing all the answers that they need.

Andrew said that by early next week any final questions should be asked. He said that at this point in the application process, MCA needs thorough and complete responses, which Matrix has been providing at this point.

Belinda Bothwick said she is one of the few residents in Fayette that has good internet, and asked how many other applications that have been reviewed have gone through this extensive process. Andrew said there are no others, and the primary reason is that Matrix is a new company doing business in the state. One question asked was about the level of services were provided, and the answer Matrix provided wasn't satisfactory to the Board. The Board wants to make sure that the information provided is accurate and detailed so that

It isn't uncommon to see aggressive responses for take rate, and if there is an overestimate on that, it could turn the application sideways, which makes the project fail.

Belinda asked that any assessment is going to depend on the parameters set by the MCA, is there a place where the board is exceeding the requirements of due diligence on this project? Andrew said part of the MCA responsibilities of federal and state funds as serious as possible and that they are enabling the maximum success of their partners.

Jon said that in the average take rate in 2021 was more than the take rate that Matrix was reporting. Andrew said that this is true, but the difference is that 100% of these existing providers have established themselves in Maine. This is a key distinction in this application. He wants to be transparent that this is a key factor in this application, although it is a good thing to have new business in Maine.

Andrew invited Mark to share his personal email for anyone who may have additional questions. He appreciates the effort Mark has put into ensuring this is a successful application.

Belinda said that the proposal for the town was going to be posted on the website, and said it has not been yet. Chris said that the hesitation in posting this is that the pricing levels depend on the grant funding.

Brent asked what his take was in what Andrew said, that there seemed to be some finger pointing back to Matrix. Chris believes Andrew and his team are in support of the project, it's just some Board members who aren't. There was a specific question on the application regarding how many locations are getting 100/20 mbps. The question did not ask about residential locations, and Matrix has tens of thousands of locations, which meant that they did not have to fill out an additional portion of the application, but MCA came back and wanted information regarding residential sites.

Brian Holman motioned to adjourn, seconded by Toby Pond.
VOTE: 4 – 0 (Jon Beekman stepped out of the room)

Meetings adjourned at 7:50

Public Hearing opened at 7:50

Solar Ordinance

Changes to our Land Use Ordinance

Draft 2024 budget

Scott Pelletier spoke on the necessity of getting started on the projects identified in the road committee report. The biggest portion of the budget this year is going to be road construction.

Michelle Briggs spoke about the new things happening at the library. They are expanding their programming exponentially, and the funds requested in the budget.

Public hearing closed at 8:49 p.m.

Reconvening selectboard meeting at 9:00 p.m.

23-34 Road paving bid results

Representative from Mainly Paving Jamie present, Spencer Paving Group Dennis Spencer present via zoom, and Scott Pelletier representing All States Asphalt.

As we sit here today there are approximately \$300,000 available today, and another \$300,000 proposed in the budget. Only \$200,000 is additional
229,000 in the account from last year

25,000 raised last year towards fire station parking lot

The Town authorized \$50,000 in surplus to be designated by Select Board. Whether this will or won't be used on broadband will be determined on April 21st.

Jamie from Mainly Paving thinks that these proposed roads are past the point of shim and overlay. There needs to be reclaiming and.....

These three roads all need attention in his position, reclaim and fine grade base would be his recommendation for those three roads.

Scott Pelletier with All States Paving said that part of the road committee recommendations was for XX, they put together a proposal

Pipe work has been done by the town, most of the ditches are in good shape. Part of this bid includes allowing the town crew to do some of the labor, as they are already on payroll.

Toby asked about what the difference is between what was done on route 17 last summer. Scott explained that what was done there is called "maintenance."

Michael asked what the estimated life of his proposal would be. Scott says it all depends on what is underneath, there could be really be soft parts.

Dennis Spencer said that he agrees all three roads need to be reclaimed. A cold mix could be used as a base and let it sit for a year before doing the overlay.

Mark noted that a portion of the bid was for the Fire Station parking lot, which needs some serious drainage work.

23-35 Warrants

Motion to approve the Town and School Payroll and accounts payable warrants #20 made by Michael Carlson, seconded by Jon Beekman. VOTE: 5 – 0

23-36 Board of Selectmen Comments

Lacy reminded the public that there are open Board of Selectmen and School Board seats. Papers have been taken out of for one seat on each board.

Brian reported that the Lands Committee met on the 29th, and meet again on the 12th.

Michael Carlson reported that the Solid Waste Committee is meeting on the 12th.

Toby asked if public works could get some gravel in on the culvert on Fayette Corner Road. Baldwin Hill, almost to the church, got ripped up pretty good. Mark said they were out patching this week, he will try to make sure they get to those.

Jon asked about street sweeping. Mark said they hope to send them out in the next few weeks. He is hoping to get some rain and let the roads harden up a bit first.

Michael Carlson said the silent auction for Starling Hall raised over \$3,000.

23-37 Executive Session regarding a personnel matter pursuant to MR.S.A. Title 1 §405 The BOS will enter executive session pursuant to M.R.S.A. Title 1 §405. (Section 6. **Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session:
Personnel

Motion made by Jon Beekman seconded by Michael Carlson to enter at 9:27 p.m. exit at 9:44 p.m.

Motion made by Jon Beekman to change the requirement of staff that receive health benefits to eliminate the policy of paying 5% of the benefit via payroll deduction for the 2024 budget year. Seconded by Toby Pond Vote 5 in favor 0 opposed

Adjournment

Motion made by Jon Beekman seconded by Brian Holman vote 5 in favor 0 opposed
At 9:46 p.m.

BOARD OF SELECTMEN MEETING

7:00 pm
Tuesday April 11, 2023
Fayette Central School

ROLL CALL OF SELECTMEN Lacy Badeau, Brian Holman, Toby Pond, Michael Carlson
(Jon Beekman absent)

PUBLIC ATTENDANCE Robert Black, Scott Pelletier, Gerard Bourassa, Jamie Ward, CEO Jess Leighton, Brent St. Clair, Mary Ann Hayes

Pledge Stated

Public Comments:

Brent St. Clair asked who was doing utility work on Sandy River Rd. Mark said it was Lucas Tree, who is contracted by CMP.

OLD BUSINESS

23-34 Road Paving Bid Award

This meeting is being held to select and award a bid from the companies who submitted a bid last week. All companies were represented via zoom or in person.

Michael Carlson asked if three roads were being paved, or if just one was being done. Mark said there are more costs associated with paving all three roads than the town has funds for.

Brian said that on Saturday he and Dave Hutchins will be reviewing all three roads in Fayette. He would like to wait until after that meeting before selecting a bid.

Toby Pond agreed with Brian that he'd like to hear what comes of the Saturday meeting. Michael Carlson agreed as well. Scott Pelletier recommended that the original road committee report be taken with them on this visit. Chairperson Lacy Badeau emphasized that we want the work to get done properly because this is a big investment in infrastructure.

NEW BUSINESS

23-38 Solar and Land Use Ordinance

CEO Jessica Leighton is looking to have the Selectboard approve the two warrant articles at this meeting. The solar ordinance has no suggested changes. Board member Michael Carlson went through a few suggested changes that were necessary to ensure consistency and intent.

CEO Jess Leighton agrees with all changes and said that the Board will have to recommend all these changes tonight because there's not enough time to send it back to the board.

Michael Carlson asked why, when the lease is provided in a solar application, does the applicant not have to provide details of financial compensation. The answer to that was not clear, but Jessica Leighton said that it was the language included in the other ordinances. Toby Pond said that if the language was present in other town's ordinances, then we shouldn't remove it without legal advice.

Michael Carlson motioned to approve the proposed Town of Fayette Utility Scale Solar Energy Facility Ordinance for Town Meeting as written and reviewed at the meeting on April 11, 2023. Seconded by Brian Holman, no discussion. **VOTE: 4- 0**

Land Use Ordinance Changes:

CEO Jess Leighton went through changes that she made after the first public hearing: a typo in the dimensional requirements table, and an omission from the original approval that the Planning Board made.

The other change was a point brought up by Mary Ann Hayes at the last public hearing, about using the term “Dwelling Unit” and including that in the Land Use Ordinance definitions and striking out the definition of dwelling.

Mary Ann Hayes brought up that she also would like to see “square footage” changed to “land area” in the Table of Dimensional Requirements. CEO Jess Leighton agrees with this if the board is comfortable making the change.

In the definition of accessory dwelling unit, the last phrase should read: “-shall be owned by the owner of the principle dwelling unit.”

Mary Ann would also like to see the language “by a single household,” added to the definition of Dwelling Unit. She reasoned that “intended for human habitation” wasn’t specific enough to differentiate that each unit in a duplex or multi-family would be considered a separate dwelling unit.

CEO Jess Leighton said that she took the State’s definition of Dwelling Unit, but she agrees that making it more specific and clarifying intent is a good thing. She emphasized the importance of wording the motion so that it reflected everything that was discussed and altered at this meeting.

Toby Pond motioned to accept the land use ordinance proposed changes, including striking out the definition of “dwelling” and replacing with “dwelling unit,” as just defined in discussion. Seconded by Brian Holman with no further discussion. **VOTE: 4 – 0**

23-39 Planning Board Member Appointment

Toby Pond motioned to appoint Belinda Bothwick to the Fayette Planning Board, seconded by Brian Holman. Discussion: Lacy Badeau wanted to mention that she appreciates those who volunteer for these boards, because it’s a big commitment and important work that needs to be done.

VOTE: 4 – 0

23-40 Planning Board Virtual Attendance Policy

Toby Pond motioned to accept the Town of Fayette Planning Board Virtual Attendance Policy. Brian Holman. Discussion: Toby asked why it was mandatory that someone be in person. Lacy thought it was to allow public participation. Jess Leighton said that she thought that it was mandatory statewide to have a physical location for public meetings, since the state of emergency is over.

VOTE: 4 – 0

23-41 Executive Session regarding personnel

Toby motioned to go into Executive Session regarding personnel, excluding Town Manager Mark Robinson, at 7:50 pm.

Mark mentioned that he needs to be a part of the executive session for a quick moment to discuss another personnel matter, and then he will excuse himself for the evening.

Meeting adjourned at 8:20 pm