

## **SELECTMEN MEETING**

7:00 pm VIA ZOOM

Tuesday February 22, 2022

**ROLL CALL OF SELECTMEN** Lacy Badeau, Jon Beekman, Nathaniel Sparling, Toby Pond and Brian Holman at 7:01 p.m.

**PUBLIC ATTENDANCE** George Boff, Joseph Young, Michael Carlson, Brent St. Clair, Code Officer Jessica Leighton, Ryan Galouche and Belinda Bothwick

**PLEDGE** Stated

**PUBLIC COMMENTS** Joe Young asked the BOS if they could find \$6,500 to pay for the reinstallation of the fire and smoke alarm systems. Mark explained that the funds did not exist in the operational budget. ARPA funds may be an option.

**COMMITTEE REPORTS** None

### **TOWN MANAGER REPORT**

Mark reported that he doesn't have much to report, but he will have the budget ready for the board before March 8th. Prior to this the budget committee will meet, and then will meet with the Board to go over their findings.

Mark said he will do his best to recommend payroll increase for everyone, and the Board can decide what they want to do from there. Nathaniel wanted to note that layoffs among EMS workers for not getting vaccines have caused this issue to be passed off the towns, was explicitly created by the Maine EMS association.

He would request that the board think about: solar energy from CMP, what would it take to attract a solar farm; a letter addressed to Katherine Athearn from easylandstore.com, but many in Fayette have received this letter that appears to be a scam. Many in attendance said they received the letter as well. Mark asked from a law enforcement perspective, can anything be done. Toby says he feels bad for those who have fallen for scam calls. They receive many calls daily. He says the sheriff's office post it on facebook. Jessica will post this on Facebook.

Mark wanted to highlight the last page of the packet is about dog registrations. It's the one of the most pain in the neck duties to perform in the town office. Mark is going to work with some other town managers to essentially eliminate the law and shift the state registration to requirements to veterinarians.

### **Old Business**

**22-1 Property Secession** Mark wanted everyone to read and have a chance to react to Mr. Linder's most recent email.

Jon asked how long he's owned the property, and Mark said less than two years.

Lacy said that as a representative of the town, she would be concerned splitting off a piece of the town without receiving anything in return.

Jon agrees with Lacy.

Brian said that the taxpayer knew he was purchasing a place in Fayette.

Joe said that he sent out a link to Maine State Law, explaining how he can petition to move a piece of land to another municipality.

Lacy said she thinks she's seen the law, and she appreciates Joe pointing it out.

This can be tabled until further action is taken. Mark asked the BOS for more guidance.

Jon says that maybe it should be conveyed to Mr. Linder that the board is in general, not in support of this action. The BOS unanimously expressed its disinterest in parceling out any lands to an abutting community and asked Mark to inform Mr. Linder.

**22-14 Truck Sander** Following a 10 minute discussion a motion was made by Toby Pond if the highway crew has the current F250 available for next years winter road maintenance that a sander be purchased no later than September 1, 2022 seconded by Brian Holman Jon Beekman asked to have it contingent upon Town Meeting approval. Both Toby and Brian accepted the amendment. Toby asked to ammend his motion futher to purchase the small sander 1.5 cubic yard Brian agreed. **Action:** Motion to require the highway maintenance crew if it still has the F-250 that an appropriately sized sander (smaller 1.5 cubic yards) be purchased by September 1st, contingent on Town Meeting approval. Seconded by Brian Holman.

**VOTE: 2 in favor (Toby, Brian,) 3 opposed (Jon, Nathaniel and Lacy)**

**Jon requests to see an updated rolling stock capital improvement plans.**

**22-15 Town Meeting Timelines** Mark stated that at the last meeting, there was a 45 day requirement determined by the board. It is actually 60 days from the date of the event that the board has to approve. That means that the questions need to be decided 60 days before the date of the event. Mark suggested dealing with this as part of the ballot at the election portion of town meeting in June. There would be one side with the school board and selectmen vote, the other side with the broadband questions. Currently the board is waiting on a recommendation from the broadband committee.

Mike Carlson thinks that it's accurate, but there may be a recommendation to include a third article. So that all of the options are presented to the town.

Lacy says that she wants Mike to bring whatever recommendations that they feel is necessary. She wants the board to make a final decision for the March 8th meeting.

The other mistake made in schedule is that the primary election is not June 7th, it's June 14th, which was the date picked for annual town meeting. Mark suggests moving the meeting day to Thursday, June 16th.

Mark would prefer that the Board waits until March 8th. He will have all of his suggestions ready by then.

### **22-16 Return to In-Person Meetings**

Mark said that the next meeting March 8th, could be in person or via zoom. Selectmen could participate via zoom even if other's are meeting in person. The school has installed new technology as of a week ago.

### **New Business**

**22-21 Solid Waste Hauler** Jon Beekman presented that the BOS should approve of any hauler that hauls trash and recycled material to the Readfield Transfer Station. The BOS was then introduced to Ryan Galouche of Belgrade. Ryan replaced long time hauler Francis Trask of Manchester 4 years ago. Jon did not want Ryan to have any difficulty in the future hence the n need to invite him to a Selectmen meeting. A motion was made to approve Ryan Galouche as a hauler to the Readfield Transfer Station for the Town of Fayette was made by Jon Beekman seconded by Brian Holman Ryan Galouche thank the Board Toby Pond asked about what the approval does for Ryan Galouche and does all trash get delivered to Readfield? Brent St. Clair stated that Archies compactor trucks go directly to Norridgewock Jon Beekman stated that this was a formal approval for Ryan to haul to the Readfield transfer Station and that Archies going directly to Norridgewock saves Fayette costs. Vote 4 in favor 0 opposed

**22-22 Speed Bump Request** Nathaniel Sparling joins the meeting at 7:15. Mark reviewed a letter from Liz Winfeld requesting the use of speed bumps that the Town no longer needs them. A motion made to give the speed bumps to the Fellows Cove Road Association contingent upon the receipt of a letter signed by every landowner that owns properly along Fellows Cove Road for ownership as of April 1, 2022 seconded by

Nathaniel Sparling Toby Pond asked whereas it is a private road why do we care if the private road association approves it or not. Lacy Badeau expressed concern that other private road associations would want the speed bumps and were not afforded the opportunity. Nathaniel Sparling stated that he agreed that it could come back to be a problem for the Town if a release or letter is not given. Toby Pond suggested that the Town put the speed bumps out to bid instead. Lacy Badeau concurred. Jon Beekman retracted his motion Nathaniel his second. Jon wanted to make sure they only go to Fayette private road association. Lacy suggested to leave it to Mark's discretion after a long 15 minute discussion that is captured above...

**22-23 KVCOG CEO**-Mark informed the BOS of an opportunity to apply for a shared Code Enforcement Officer Mark asked the BOS for its support to apply as a co-applicant with the Town of Monmouth

Mark put in a request to KVCOG months ago about the thoughts of a regional CEO position. The new president presented the idea of a town sharing CEO. KVCOG envisions it to be shared between two towns and KVCOG. 20% of time to KVCOG, 40% to one town, 40% to the second town.

Mark says this is a good idea for a number of reasons. The town has been behind in a few different facets of the Code Enforcement Department since before Jessica's arrival.

Mark says he'd like to be an applicant in conjunction with the town of Monmouth. Mark is waiting to hear what the cost would be. He'd like to budget and condition it on town meeting's approval.

Jon asked why we just hire Jessica full time as CEO. Nathaniel wants to make sure this effect Jessica. Lacy thinks it's a good idea, especially in terms of protecting the lake.

Brian asked about what the terms of the contract would be. Mark is waiting to hear on all of those details.

Lacy asked if this would be a tentative agreement.

At minimum it would be a fiscal year commitment.

Belinda asked to speak. She says that it's been brought to her attention that trees were cut possibly illegally. She would support any more CEO hours wherever possible.

Jon says the salary discrepancy seems unfair.

**Mark said his intent is to submit the application with Monmouth, and everything would be contingent on town meeting approval. The board would have another chance to look at the line item budget if Fayette's application with Monmouth is accepted.**

#### **22-24 Tree Growth Removal Penalty**

Motion to approve the tree growth removal penalty for parcel map R8 Lot 10 as prepared by the Assessing Agent made by Jon Beekman seconded by Brian Holman Mark advised Toby Pond to recuse given it had some relation to his home purchase vote 4 in favor 0 opposed 1 abstention

#### **22-25 Warrants**

Motion to approve Town and School Accounts payable/payroll warrants #17 made by Nathaniel seconded by Toby Pond contingent upon School Committee approval vote 5 in favor 0 opposed.

#### **22-26 Minutes**

Motion to approve Minutes of January 25, 2022 made by Brian Holman seconded by Toby Pond Jon asked to add the referendum vote was about broadband only vote 5 in favor 0 opposed

#### **22-27 Board of Selectmen Comments**

Lacy mentioned that the salt shed where the sand is, the salt is taking the paint off the cinderblocks. She's wondering if there's a way we can treat the building in the spring. The chain that goes across the garage should also have reflectors. Mark said he'll get some reflective tape back up there.

Brian asked what the latest information was on the boiler freeze up at the school, and asked what the dumpster was for. He doesn't know much else about the boiler other than it froze up. His recommendation was to have the school contact their insurance company to have it evaluated. He asked if Brent or Ellie, who were at the last school committee meeting could provide information. Brent asked to be put on the agenda to inquire what was going on. He was told by Tara that a part was on order. He reminded her that he asked about the boiler last fall, and that she said they were waiting for a part last fall and weren't using it. She said they hadn't used it in over two years, in part due to lack of training and the low prices of oil. He said that lack of use will cause the boiler to rust out. He said that Nancy Cronin said that they will have to discuss it further at another time. He thinks there will be an increase of about 4,000 gallons of fuel oil. Brent has asked for a log of service work that has been at the school. He doesn't think the insurance company would be happy to see that it hasn't been used or serviced in two years.

Lacy thanked the public and budget committee for attending the meeting.

**22-28 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:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

(1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;

(2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal; [PL 2009, c. 240, §2 (AMD).]

**Motion to go into executive session and include Jessica in discussion. Made by Toby Pond  
Seconded by Jon Beekman. Entered Executive session 8:57 p.m.**

**VOTE: 5 – 0**

**Executive session ended at 9:40pm**

**Motion to direct the town manager at his discretion to offer Class A CDL training to Matthew Stratton with a contingency that he works for the town for two years. Seconded by Nathaniel Sparling.**

**Discussion: None**

**VOTE: 3 (Lacy, Nathaniel, Toby) in favor – 2 (Jon, Brian) opposed**

**ADJOURNMENT**

**Motion to adjourn at 9:42 pm made by Jon Beekman, seconded by Nathaniel Sparling. All in favor**

**Adjournment**