

Garland Select Board
Meeting Minutes
March 27, 2024, at 6:00pm
108 Corinth Rd

1. Opening Ceremonies:

- a. R. Fick called the meeting to order at 6:00pm
- b. R. Fick, T. Scott and N. Watson attended and are a quorum. L. Keefe, Office Administrator and K. Wood, Director Public Works also attended.
- c. R. Fick motioned to accept the agenda as written with the add-on of the Trail Hawks Road Access Request.

2. Public Comments: ***R. Fick motioned to open to public comment at 6:01pm, seconded by T. Scott – All Aye.*** Public attending: S. Giles, D. Fogg, L. Dumont, Y. Burrill, B. Scott, S. Berryhill, P. Stevens (CEO), N. Pitts, B. Marquis, E. Strout, C. Mackie, T. Watson, J. Rock

S. Giles asked if there were public comments during other parts of the meeting, could they be recognized if they raised a hand? Select Board replied they would recognize but to keep the comments to the subject at hand and respectful.

N. Pitts – stated that more affordable housing is needed in town. He called Penquis Housing Division in Bangor and spoke with Peter Mallet who sent Nathan information. If the select board is interested, Peter will come to a meeting to speak. Nate will forward the information to the select board.

There being no further public comment, ***R. Fick motioned to close to public comment at 6:07pm. Seconded by N. Watson – All Aye.***

3. Consent Agenda: R. Fick read into record the items presented. ***R. Fick motioned to accept the consent agenda items as presented, seconded by T. Scott – All Aye.***

4. Motions/Discussions:

- a. ***R. Fick motioned to approve and sign the March 13, 2024, meeting minutes as read. Seconded by N. Watson – All Aye.***
- b. R. Webber has stated that the week before Memorial Day is the usual time to place boards in the dam unless it's been very dry. ***R. Fick motioned to have K. Wood place the boards in the dam. Seconded by T. Scott – All Aye.***
- c. L. Dumont provided an update on Garland Days preparation.

The Fire Department and Historical Society will be hosting events (BBQ & Ice Cream Social) on Friday September 20th beginning at 5:00pm.

Garland Days event will be held on September 21st from 10am – 4pm at the Town Field.

Bookings to date: 2 musical groups, 1 food truck from Carmel, chainsaw carving, bounce house and military helicopter (?).

The field will be mowed regularly during the summer, weather permitting, as was done last year. Electric will be in working order for the event. We will assess the cook shack for safety. If needed, the cooking equipment can be moved to the clubhouse building. L. Keefe to contact Washburn Electric for repairs/moving fuse boxes to the clubhouse building.

L. Dumont said the event will be a Harvest Theme. They are having a coloring contest for the front of the Ad book. She asked if S. Giles and V. Glenar could choose the winner on June 21st. S. Berryhill said to please contact the committee if you would like to place an Ad.

P. Stevens said he has a commercial inflatable ball bit, inflater and balls included, that he would be happy to donate to the town.

R. Fick motioned to approve the payments for the items discussed and to approve L. Keefe to approve purchase and make payment for other bookings or items that must be paid in between select board meetings. Seconded by T. Scott – All Aye.

R. Fick motioned to accept the donation from P. Stevens, seconded by N. Watson – All Aye.

- d. P. Stevens, Code Enforcement Officer, provided an overview of statutes and regulations that municipalities are required to follow under State regulations if they have not adopted a code enforcement ordinance. Leeway is given to those under 4,000 population as it is unreasonable to comply with everything falling under MUBEC (Maine Uniform Building & Electric Code). Municipalities under 4,000 can adopt an Intent to Build/Notification to Build Ordinance in place of MUBEC.

With the adoption of this ordinance, we must follow Best Practices which the CEO determines, and we must abide by State codes for septic and shoreline. Initial electric hook-up from the street must be done by a licensed master electrician. Plumbing and Septic must be inspected and within the State code. The Intent to Build form must list basic requirements for building/improvements to notify the Town of taxable items.

Phil & Lori have begun work to update/revise our current Intent to Build form to address our needs and answer questions of those filing the forms more accurately and to appropriately address health and safety concerns. This will help to prevent legal issues by ridding ambiguity.

The current Notification to Build Ordinance will be revised to include a definition section so all will understand the difference between “notification, permits and codes”. These have been used interchangeably when speaking but do not have the same meaning.

Thirdly, Phil & Lori are working on a “Welcome to Garland” packet to provide an overview of contacts, services and what the Town needs if you are building or improving property.

Phil strongly suggests adding inspection for fossil fuel heating/cooking sources. Are there grants for the Fire Department to receive smoke/co2 detectors to hand out?

Briefly discussed the ADU state requirements for an ordinance by July 1, 2024. Phil agrees we don't need to write a lengthy new ordinance as we don't meet many of the requirements listed for growth areas. We can revise the existing Notification to Build Ordinance to include areas relatable to Garland such as septic for ADUs or minimum lot size that the State has already determined.

Briefly discussed the drafting of a new ordinance to address recreational vehicles. We have several good examples from other towns that the Planning Board is reviewing.

R. Fick motioned to have a joint Select Board/Planning Board meeting on Tuesday, April 9 at 6:00pm for further work/discussion on these items. Seconded by N. Watson – All Aye. L. Keefe to post.

- e. R. Fick motioned to approve and appoint the following to the 2024 Budget Committee: Lynn Dumont, Yolanda Burrill, Danielle Fogg, Sue Berryhill, and Sanford Giles who submitted their names for consideration. This leaves 2 seats to fill if anyone else comes forward.

Barry Scott and Josephine Rock, who were in attendance, asked for consideration of appointment to the Budget Committee.

R. Fick motioned to appoint Lynn Dumont, Yolanda Burrill, Danielle Fogg, Sue Berryhill, Sanford Giles, Josephine Rock, and Barry Scott to the 2024 Budget Committee. Seconded by N. Watson – All Aye. Budget Committee seats are filled.

R. Fick motioned for the Budget Committee to elect a Chair and a Secretary and to keep both written and recorded meeting minutes. Seconded by N. Watson – All Aye.

R. Fick motioned to re-appoint as follows:

Lori Keefe as the Office Administrator to include related duties of DER Agent, HR, Sexual Harassment Officer, Information Officer.

Lori Keefe as Treasurer

Lesley Maynard as Town Clerk, Tax Collector, Local Health Officer, General Assistance Director, State Agent for BMV, IFW, AW, and as Registrar.

Tara Arnold as General Assistance Fair Hearings Officer

All appointment motions seconded by T. Scott – All Aye

- f. Request from Trail Hawks ATV club for 2024 road access
- Select Board reviewed all requests submitted by the Trail Hawks ATV club – **see attached letter for final votes**. There were two requests added to the list by resident request.
- There were a couple of requests submitted that the Select Board can't approve due to the road being discontinued or the request was not under our jurisdiction.
- R. Fick motioned to reopen to public comment at 8:10pm, seconded by N. Watson – All Aye.**
- E. Strout asked why all secondary roads can't be open? People shouldn't have to trailer for one mile. Not all residents living on secondary roads wish to have them open to constant traffic. We must be fair and equitable and have safety in mind.
- Voting on the entire length of Greeley Road and vote on the Day Rd to the Hanson Rd was tabled until the April 10th meeting to allow for clarification of "dead-end" access. N. Watson will contact Brian Bronson to arrange a call in for the next meeting for clarification of dead-end road vs dead-end access.
- R. Fick motioned for L. Keefe to draft a letter to the Trail Hawks ATV Club for the voting results on their road access requests. Seconded by N. Watson – All Aye.**
- g. **R. Fick motioned to have L. Keefe resend the Exeter/Garland Fernald Road/Bridge agreement to J. Pottle for review.**
- h. **R. Fick motioned for L. Keefe & K. Wood to draft a process for department heads to close the town office or transfer station for weather or other emergency events to be presented at the April 24 meeting. Seconded by N. Watson – All Aye.**
- i. L. Keefe provided an overview of her discussion with Deputy Kennedy who received a complaint that the Town had taken a resident's dog. L. Keefe provided written reports to Deputy Kennedy relating to phone/email conversations with that resident occurring that same day and the previous day. There is no further action expected on the dog complaint at this time.
- j. L. Keefe provided information received on the cost of hiring a company to provide a comprehensive evaluation of our roads.
- S. Giles was acknowledged for comment – do a cash flow analysis to see what we can afford to pay; how much we can put in a reserve account.
- K. Wood replied that he has spoken with the road ranger, Paul Brown, who has offered to work with Keith to access our roads to provide concepts of road repair needs at no cost to the town. Keith has also spoken to the bridge ranger several times. Peter Coughlan has offered assistance as well.

R. Fick motioned to have K. Wood schedule with Paul Brown for assistance. Seconded by T. Scott – All Aye.

- k. Discussion on how to address residents working on town-maintained roads. Cited MMA Roads Manual “No private maintenance of town ways.”, though there is no statute, case law is clear that private individuals have no right to repair or reconstruct town ways. Under Maine Tort Law – the Town is not held liable for damage to property or persons if a resident takes it upon themselves to do road work on a town-maintained road. The residents will be held responsible for their actions.

There should be clear notice that a resident who does damage to the road, utilities or property will receive an invoice from the town for the cost of repair.

R. Fick motioned to have L. Keefe draft a notice for review at the April 10th meeting. Seconded by N. Watson – All Aye.

- l. Discussed using Zoom or other platform for select board meetings. In 2021, this was discussed but the cost/perimeters for a municipality was prohibitive. **R. Fick motioned to research platforms/cost and to revisit. Seconded by N. Watson – All Aye.**

- m. No discussion/decisions, informational only.

- n. No discussion/decisions, informational only.

- o. **skipped until after updates**

- p. Add-On: Motion to approve & sign the agreement letter with Frosty Valley Snowmobile Club to receive the State Snowmobile Reimbursement as voted in Article 31 of Town Meeting. **R. Fick motioned to approve and sign the agreement, seconded by N. Watson – All Aye.**

5. Updates: Lien notices were sent out for 149 accounts totaling \$105,634.14 for 2023 unpaid property taxes.

- o. **R. Fick motioned to move to Executive Session under 1 M.R.S.A 405 (6)(A) for personnel matters – potential hire, at 9:37pm. Seconded by N. Watson – All Aye.**

R. Fick motioned to adjourn Executive Session at 10:17pm. Seconded by N. Watson – All Aye.

R. Fick motioned to allow K. Wood to offer the part-time public works position to Scott White at \$19.00 per hour. Seconded by N. Watson – All Aye.

6. Adjournment: **R. Fick motioned to adjourn the select board meeting at 10:17pm, seconded by N. Watson – All Aye.**

Respectfully submitted,

Regina M. Fick
Regina Fick, Select Board Chair

Teresa Scott, Select Board

Nova Watson
Nova Watson, Select Board

Date: 4/10/2024

ATRUE COPY

Ray M. Clark
Clark