**SELECTBOARD MEETING MINUTES**

**Date: October 1, 2020 Time: 6:00 PM Place: Municipal Building and YouTube**

Select Board Members Present: Walter Reitz, Jan Gaudio and John Spear.

Others: Town Administrator Casas, Fire Chief Bryan Calderwood, Ambulance Director Amy Drinkwater, EMA Director Betty Thomas, LHO & CEO Mo Fortin, Knox County Sheriff Timothy Carroll, project engineer Andrew Hedrich and many members of the public. There were approximately 30-35 members of the public physically in attendance and at least 30 members of the public participating remotely via town hosted Zoom platform. The entire meeting was recorded and posted on the Town’s YouTube channel.

Note: A listing as present does not denote attendance for the entire meeting.

1. **Call to Order**

 Reitz called the meeting to order at 6:22 PM. The delay in meeting start was related to technical difficulties in remote/ in person platform.

1. **Adjustments to the Agenda-** None

1. **Public Comment for Items Not on the Agenda**- None
2. **New Business-**
* **Discussion about Island Rd Project:** The Select Board and Town staff introduced themselves. A summary of the project history and answers to frequently asked questions (FAQ) was provided for the meeting. A copy of the FAQ is attached to these minutes. Board members gave information about the road construction project and voiced that they were open to hearing opinions, thoughts, and other inputs on the project so that the final plan was generally supported by the community. There were many comments from the public. When appropriate, answers to questions by the public were given by either Board members, Town Administrator, project engineer, or County Sheriff. During the course of the meeting, which was held in the Town Office emergency bay, there was an emergency call for the Fire Department/ EMS and all participants were asked to temporarily vacate the bay for emergency personnel to gear up. \*\*Meeting was recessed\*\* Meeting reinitiated after emergency personnel moved to scene. There was continued discussion of the road project with more questions and answers on various aspects of the project.
* *Spear moved and Gaudio seconded a motion as follows:*

(1) any and all negotiations regarding this proposed project between the Town and Spruce Head Island Lobster Company be suspended for a period of at least twenty days and only be re-initiated by a majority vote of the Selectboard,

(2) over the course of these 20 days that the Selectboard members consider comments and questions regarding this proposed project that have been or may be posed by members of the public,

(3) the Selectbboard request that the engineer develop and present an alternative option or options for the north area that would still relocate the road away from the lobster pound to some extent and improve sight lines, but would minimize ledge removal, particularly subsurface ledge removal,

(4) the Selectboard request that the engineer develop and present an alternative option or options for the south area that would still improve the Village Road intersection, but would consider concerns that have been or may be expressed by the owners of the abutting property

(5) the engineer not be restrained from filing permit applications with Maine DEP, the Army Corp of Engineers and other agency of jurisdiction for this proposed project provided the permit application(s) may be amended to accommodate alternative design plans.

(6) all future Selectboard meetings, where action and/or discussion regarding this proposed project is undertaken, including review of any alternative plans developed by the engineer, be held via zoom, or similar platform, until a majority vote of the Selectboard rescinds this requirement.

There was discussion on the motion. ***Motion passed 3-0.***

1. **Adjournment**

*Spear moved and Gaudio seconded a motion to adjourn at 8:54PM.* ***Motion passed 3-0.***

***\*\*SEE NEXT PAGE FOR ISLAND ROAD PROJECT FAQ WHICH WAS PROVIDED AT THE MEETING\*\****

**Town of South Thomaston - Proposed Spruce Head Island Road Project Fact Sheet and FAQs - 9/30/2020**

**Primary Purpose:** Protect Spruce Head Island Road from projected sea level rises by raising the road where it passes by the “lobster pound” near Spruce Head Lobster Company (South Area) and near the intersection of Village Road (North Area).

**Secondary Purpose:** Promote vehicle/ pedestrian safety by relocating the road slightly to the west in South Area and improving the intersection at North Area.

**Funding Sources and Amounts:** Northern Borders Regional Commission (NBRC) $330,000 - Grant Island Institute $10,000 - Grant Town of South. Thomaston, $91,000 - Reserve Drawdown and New Appropriation

* **Project Engineer:** Andrew D. Hedrich, P.E., Gartley and Dorsky**,** Camden ME.
* **Approximate Linear Feet of Road Reconstruction:** South Area, 750 ft, North Area, 500 ft.
* **Approx. Road Elevation Increase at Highest Point:** South Area, 2.25 ft., North Area, 2.25 ft

**Frequently Asked Questions:**

**Q.** When did public planning for the project begin? ***A****. At a Selectboard meeting held on* *January 8, 2019 but the project area is referenced as a concern in the 2016 Town Emergency Operations Plan on pages 44 and 49.*

**Q.** Has the Town’s share of funding been approved and if so when? ***A***. *Yes. The Town’s share was approved at the 2020 Annual Town Meeting as part of the Public Works budget as was explained by Selectboard Chair Walter Reitz in response to a question by new Board member John Spear. No questions or comments were voiced by any Town Meeting attendees.*

**Q.** Are the plans for this project finalized? ***A****. No. The current set of plans is the second revision and is dated June 24, 2020. They can be viewed on the Town’s website under announcements, or at the Town Office. Also, permits from both the DEP and Army Corp of Engineers still must be obtained.*

**Q.** What was the impetus that led to the redesigning of the Village Road intersection? ***A****. This came from public comments voiced at the* *November 19, 2019, Public Information Session held at Spruce Head Community Hall as well public comments voiced at other venues over many years. This site was also viewed by various private and MDOT engineers who all recommended reorganization of the intersection. All the proposed changes would be within the existing Right of Way (ROW).*

**Q.** What was the impetus that led to relocating the road to the west where it passes the lobster pound? ***A****. This also came from public comments voiced over many years concerning poor sight lines in that area and concerns that vehicles, including fuel trucks, school buses etc. would not be prevented by the guard rails from entering the pound in the event of a mishap. Also keeping the guard rails and the embankment stable has over the years been a challenge. Engineers recommendations support this as well. Road realignment is consistent with Grant application submitted to NBRC.*

**Q.** Do the current plans propose rerouting the road outside of the existing ROW? ***A****. Yes. In South Area the current plans propose moving the ROW to the west, a maximum of 30 feet at its greatest point, onto land owned* *by Spruce Head Lobster Co. Spruce Head Lobster owns the land on both sides of the road in the area where the road is proposed to be rerouted.*

***Q****. Does the Town have any agreements concerning a land exchange with Spruce Head Lobster Co?* ***A.*** *No. The Town Administrator has had email and phone discussions with Spruce Head Lobster Co regarding the possibility of exchanging up to two tenths an acre with the Town, but no formal proposal has been agreed to, either orally or in writing.*

**Q.** I have been told that the owners of Spruce Head Lobster Co. approached the Town proposing the land exchange in order to improve their development rights under current zoning requirements, is this true?***A****. No. Actually, the Town Administrator initiated the discussions and only after funding for the project was approved at Town Meeting. Also, the addition of two tenths of an acre does not change or improve any development rights and still leaves the lot on the east side of the road a pre-existing non-conforming lot. As a matter of fact, the property owners have not demonstrated an eagerness to move forward.*

**Q.** Can the road elevation increase be accomplished in South Area within the existing ROW? ***A****. Yes**,* *but it would not correct the existing erosion and undermining of the road alongside the lobster pound.*

**Q.** Are any further Town Meeting votes required to approve this project? ***A*.** *A Town Meeting vote would be required to approve the proposed relocation of the road and to discontinue the portion of the road that would no longer be used in the South Area. A Town Meeting vote would* ***not*** *be required if the project is accomplished within the existing ROW.*

**Q.** I have been told that a lot of people who live or own property in the Spruce Head area of South Thomaston were unaware of this proposed project until very recently and that planning for it was not conducted openly with adequate public notification? ***A.*** *It has become quite clear that many people were indeed unaware of the project, or at least unaware of the details.*  *The misconceptions regarding the project that have circulated in the last several days bears witness to that. Additionally, there is no question that the Covid pandemic has made the challenge of engaging public discourse difficult.*

*That said, this project has been discussed at many meetings (listed below) where notice was properly posted. The project is briefly discussed on pages 13 and 43 of the 2019 Town Report that was mailed to all taxpayers. We intended for an update to be included in the August 2020 Town Newsletter and apologize that it was inadvertently omitted. Additionally, the Town Administrator has personally met with and discussed the project with many property owners to listen to concerns. In one situation a meeting with landowners included the engineer being present on the project site. These meetings have led to some substantive modifications to the plans.*  *\*indicates non meeting item of importance\**

* January 8, 2019, Selectboard Meeting, initial planning meeting with EMA Director
* August 5, 2019, Selectboard Workshop to discuss project Grant
* August 13, 2019, Selectboard Meeting, Board accepted NBRC Grant
* October 8, 2019, Selectboard Meeting, Town Administrator provides project update
* November 12, 2019, Selectboard Meeting, Town Administrator provides project update
* November 19, 2019, Public Information Session held at Spruce Head Community Hall
* \*January 6, 2020, Town received final Engineering Report as part of Maine Coastal Program Resiliency Study\*
* January 14, 2020, Selectboard Meeting, Town Administrator provides project update
* February 21,2020, Selectboard Meeting to select project Engineer firm
* May 21, 2020, Selectboard Meeting via ZOOM/You Tube, Engineer reviews draft plans
* June 17, 2020 Selectboard Meeting via ZOOM/You Tube, Engineer reviews 2nd version draft plans
* June 30, 2020 Town Meeting, Town votes to fund town portion of project
* July 7, 2020, Selectboard Meeting, discussion with engineer regarding phase two planning update
* September 8, 2020, Selectboard Meeting, Town Administrator provides project update

**Q.** I’ve been told that the Town’s match requirement was a major contributor to the increase in my 2020 property tax bill, is that correct? ***A****. No. Actually, the Town’s match requirement had only a minimal impact on the 2020 tax rate, as the bulk of the funds were taken from reserve (savings) accounts.*

*Of the $91,000 that the Town is responsible for, $16,000 was from the Emergency Management Reserve and $45,000 was from the Paving Reserve. Island Road would have been paved in the 2020/2021-time frame in any event, so it is not caused by or tied to the project.*

*The balance of $30,000 was appropriated at the 2020 Annual Town Meeting. That represents 1.89 % of* *the municipal appropriation of $1,584,843 and .57 % of the total of the 2020 the municipal appropriation and assessments from Knox County and RSU 13, which was $5,227,676. The $30,000 contributed 11 cents/1000 to the South Thomaston 2020 mill rate. The $30,000 was necessary to complete the Town’s 22% share/match for the NBRC Grant. Two things can happen that are unknown at present: (1) The town can reduce the scope and expense and thus reduce grant use and Town match in 78/22 ratio, or (2) construction bids will be above estimates with the entire excess likely being Town’s responsibility unless the scope of the project is reduced* *or if NBRC approves supplemental funding based on need.*

**Respectfully submitted, South Thomaston Select Board Members- W. Reitz, J. Gaudio, J. Spear**