

**- PUBLIC MEETING -
Hope Select Board
Meeting at 6:30 p.m.
Tuesday, May 23, 2023
Hope Town Office**

-AGENDA-

Call to Order:

Agenda Adjustments/Approval:

Public Comment *(Please limit comments to 2-3 minutes):*

Minutes:

- May 9, 2023:
- May 16, 2023:

Warrants:

New Business:

- 2023 Personal Property Taxes 36 M.R.S. 105 §760-A “Minor or Burdensome Amount” of \$3,648.87:

Old Business:

Other Business:

Town Administrator’s Report:

Executive Session:

- Pursuant to 1 M.R.S. §405 6(A)(1) - 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.

Adjournment:

MINUTES OF SELECT BOARD MEETING

Hope Select Board
Tuesday, May 9, 2023
6:30 p.m.
Hope Town Office

Board Members Present:

- Sarah Ann Smith, Dick Crabtree, Charlie Weidman, Mike Brown, and Michael Schultz

Others Present:

- Samantha Mank, Chelsea Summers, John Monroe, Clarence Keller, Melissa Hall, and Adi Philson

Call to Order:

- The meeting was called to order at 6:33 p.m. by Sarah.

Agenda Adjustments/Approval:

- Dick made a motion to approve the agenda as written. It was seconded by Charlie.
Motion passed 5-0

Public Comment:

- None

Minutes:

- April 25, 2023: Michael made a motion to approve the 4/25/23 minutes. It was seconded by Charlie.
Motion passed 5-0

Warrants 80, 81, 82, 83, 84, & 85:

- The Select Board reviewed the warrants. Dick made a motion to approve and sign warrants 80, 81, 82, 83, 84, and 85. It was seconded by Charlie.
Motion passed 5-0

New Business:

- Roads Update – Road Commissioner, John Monroe: The May 1st storm caused significant road damage throughout the town. The worst damage was sustained to Alford Lake Rd. followed by Morey Hill Rd. Clarence, who is the Town's Emergency Management Director, has submitted a preliminary assessment to report the damage to Knox County EMA. There is a dollar amount threshold for both the county and the state in order for the president to make an emergency disaster declaration to receive FEMA money to reimburse for the cost of repairing all of the damage. So far, John has estimated the damage at around \$250,000. Barnestown Rd. and Alford Lake Rd. are still closed. John has been working steadily to patch and repair areas to make roads safe enough to pass even if the roads are a bit rough. The

Select Board commended John for his diligent and hard work and thanked Clarence for keeping the town updated on road closings using social media to keep everyone informed with the most up-to-date information possible.

If there is a presidential declaration for this storm, the Town Administrator will take point in working with the state and federal agencies to get the reimbursements and providing all of the documentation needed to work through the process.

If there is not a presidential declaration, the Select Board will have to make some financial decision on the best way to pay for the repairs with the least impact to the taxpayers.

- Community Resilience Partnership Discussion – Adi Philson: Adi began by stating there could be as much as \$50k available to communities who enroll in the Community Resilience Program. If two neighboring communities with different zip codes decided to work on a common project, the communities could be eligible for \$125k. This is a municipal grant program that helps communities reduce greenhouse gas emissions and become more resilient to the impacts of climate change. Some suggested projects include: accelerate the transition to electric vehicles, improve mobility and reduce vehicle miles traveled, reduce flood risks, strengthen public health, use climate-ready standards, designs, and practices to improve infrastructure, increase public awareness of climate change impacts and opportunities to take action, and engage the business community and recognize climate leadership.

There is no cost to enroll in the program. The Select Board would have to adopt a formal resolution stating Hope wants to participate. Afterward, a citizen working group would have to be established to coordinate the activities to make the town more resilient. There are several additional steps to get a significant “buy-in” and participation commitment from the residents.

Once enrolled, the Town would then have access to someone like Adi to answer questions and guide the project application process. There is also a possibility that a grant could be used to help with weatherization at the school. This is just a pilot program at the moment and is privately funded. There is some state funding but no federal funding at this time.

- Hope/Appleton Broadband Expansion Project Update – Melissa Hall: The ConnectME grant that provides the funding for the Hope/Appleton Broadband Expansion Project, began in July of 2021. The purpose is to provide access to highspeed fiber optic internet to the homes of 100% of Hope and Appleton residents (excluding a few Appleton residents). Only 252 Hope residents signed up for the program. To date, 200 of the 252 installations have been completed. The program is still accepting applications, but people must be signed up no later than June 30, 2023 in order to be considered.

Over the course of the past 2 years, Alan Hinsey, who was the contact person for Tidewater, has resigned. The Appleton representative and partner was Select Board member, Peter Becket. Peter also resigned his position and moved to the United Kingdom. Fortunately, the majority of the work had been either completed or put into place prior to these resignations.

Now that residents can have fiber access to their homes, the reality is the ongoing monthly cost of the service is still really expensive. Melissa has worked with Tidewater to have them provide a price and service chart on the back of some postcards to show residents what the

internet “menu” really is.

Tidewater is now offering a premium package that does not require a telephone hook-up but does have a faster internet speed. Without the telephone requirement, several hidden fees and taxes are eliminated from the monthly bill and the internet service is better for a lower monthly cost.

In addition, through digital equity-digital inclusion, some residents may be eligible for the Affordable Connectivity Program (ACP) which allows for an additional \$30 to be deducted from the monthly internet bill. To find out if someone is eligible, they should contact Tidewater or their internet provider.

- Hope EMS First Responder Program Discussion – Clarence Keller: Clarence gave a brief update and description of the EMS First Responder Program. The Town of Camden has obtained a license to be a first responder agency. It is a non-transporting entity. The first responders can render aid and comfort until an ambulance arrives.

Hope could potentially have as many as five EMT’s serving as first responders in this town by the end of the year if the towns work cooperatively under Camden’s license. This could greatly reduce the response time in Hope. The current contracted response time for the NHMHS ambulance service is 20 minutes.

Clarence is seeking the “will” of the Select Board before moving forward with enrolling and engaging in the Camden’s First Responder Program to make sure they are in favor of participating. Dick asked if there was any additional cost to Hope beyond paying for Hope’s EMT’s per call wages and equipment. Clarence confirmed that there is no other cost to the program. Charlie made a motion to allow Clarence to put together a team of first responders for Hope operating under Camden’s license. It was seconded by Sarah.

Motion passed 5-0

- Recommendation for Official Zoning Map Amendment: The Select Board reviewed the amendments to the Official Zoning Map and compared it to the areas that a required by law to be placed in the Resource Protection district. Charlie made a motion to include the amendments to the Official Zoning Map on the Town Meeting Warrant once it has been reviewed and approved by the town’s attorney. It was seconded by Michael.

Motion passed 5-0

- Recommendation for Shoreland Zone Ordinance Amendment: The Select Board reviewed the amendments to the Shoreland Zone Ordinance to be included on the warrant for the Annual Town Meeting. Charlie made a motion to include the Shoreland Zone ordinance amendments ordinance on the Town Meeting Warrant once it has been reviewed and approved by the town’s attorney. It was seconded by Michael.

Motion passed 5-0

- Review & Sign Warrant & Notice of Municipal Election: The Select Board reviewed the sample ballot and the Warrant & Notice of Election to take place on June 13, 2023. Charlie made a motion to sign the Warrant & Notice of Election. It was seconded by Michael.

Motion passed 5-0

- 3rd Quarter Financial Report: Chelsea presented the 3rd quarter ending April 30, 2023 financial report to the Select Board. Most things are in the 75% range as expected. Select Board accepted the quarterly report.

Old Business:

- None

Other Business:

- None

Board of Assessors:

- Suspend as Select Board and Convene as Board of Assessors: Charlie made a motion to suspend as the Select Board and convene as the Board of Assessors at 8:39 p.m. It was seconded by Michael.
Motion passed 5-0
- 2023 Ratio Declaration and Reimbursement: The Assessors reviewed the Certified ration Declaration for 2023 that was prepared by Vern, the Assessors' Agent. Charlie made a motion to approve and sign the 2023 Certified Ratio Declaration. It was seconded Michael.
Motion passed 5-0
- Adjourn as Board of Assessors and Reconvene as Select Board: Michael made a motion to adjourn as the Board of Assessors and reconvene as the Select Board at 8:43 p.m. It was seconded by Charlie.
Motion passed 5-0

Town Administrator Report:

- The roof work was completed over the weekend. The entire Northwest side of the building was done including ice & water shield over the entire surface, vent boots, ridge caps, flashing, and heat tapes.
- Matthew and I met with the Town Attorney, Maine DEP, and a soil engineer from Gartley & Dorsky this morning to evaluate the violation site once again in order to determine how much fill and gravel was hauled in to create the road in violation of the shoreland zone ordinance and NRPA. Ultimately, it appears that there was more than a foot or more in depth. The DEP is asking for deeper test pits.
- There have been several emails passed between the Town, Central Office, and the Auditor over the past couple of weeks. The Superintendent sent an email to the auditor requesting some invoices for approximately \$143,900 of ESSR III funds back because they hadn't actually been submitted for reimbursement yet. Upon further discussions with the auditor, it seems the audit can't be completed until those funds have been processed because there is a chance they won't be reimbursed. During the May 8th School Committee meeting, Kate explained that Danielle, the HES principal, had written several grants. However, some of them need to be edited because what the grants were used for weren't an exact match to the grant approval was for. As a result, there is a possibility the reimbursements could be denied.

Due to this risk, the audit cannot be completed until those invoices have been received and authorized. Kate did send another email today indicating that Paula could submit invoices for \$67,000 within a few weeks and wondered if Brewer & Brewer would lessen their concern enough to complete the audit.

- I spoke with the Town Administrator of Lincolnville today to find out how that town is feeling about the state of the Central Office. He indicated that his Select Board is also concerned about how things are going and said he thought they'd be more than willing to meet with the Hope and Appleton Select Board.
- Chelsea has been accepted to Graduate School by the University of North Dakota for a master's degree in accounting. She will begin on June 5th.
- There were 3 new building permits and 0 plumbing permits issued since the 4/25/23 Select Board meeting:
 - James Tobin 29 Orchard Lane Accessory Structure
 - Amelia Adolphsen 355 Crabtree Rd. Accessory Structure
 - Dan Smiley 795 Hatchet Mountain Rd. Demolition of Barn
- There are 7 RE accounts for 2022, totaling \$23,110.76. Unpaid 2022 real estate taxes will automatically foreclose on February 27, 2024, if the accounts are not paid in full.
- There are 141 RE accounts for 2023, totaling \$227,594.43.
- There have been pre-payments totaling \$5,122.13 for the 2024 RE taxes.
- The cash has not been out of balance since the Select Board meeting on 4/25/23.

Adjournment:

- Charlie made a motion to adjourn at 9:37 p.m. It was seconded by Michael.
Motion passed 5-0

**Minutes of Special Select Board Meeting
Hope Select Board
Lincolnvillle Select Board
Appleton Select Board
Tuesday, May 16, 2023
6:30 p.m.
Hope Town Office**

Board Members Present:

- Hope Select Board: Sarah Ann Smith, Dick Crabtree, Charles Weidman, Mike Brown, and Michael Schultz
- Lincolnvillle Select Board: Ladleah Dunn, Keryn Laite, Steve Hand, and Mike Ray
- Appleton Select Board: Lori Costigan, Scott Esancy, and Charles Garrigan

Others Present:

- Samantha Mank and Chelsea Summers

Call to Order:

- The meeting was called to order at 6:30 p.m. by Dick Crabtree.

Agenda Adjustments/Approval:

- None

Public Comment:

- None

New Business:

- School Union 69: None

Executive Session:

- Pursuant to 1 M.R.S. §405 6(A)(1) - Personnel Matters: Charles Weidman made a motion to enter executive session pursuant to 1 M.R.S. §405 6(A)(1) to discuss personnel matters at 6:42 p.m. It was seconded by Michael Schultz.
Motion passed unanimously.
- Charles Weidman made a motion to exit the executive session at 7:55 p.m. It was seconded by Michael Schultz.
Motion passed unanimously.
- Result(s) of Executive Session: The Hope Town Administrator will create a Doodle Poll offering several dates within the next two weeks inviting the Select Boards and School Committees of all three Towns to meet together to discuss ongoing financial concerns about School Union 69 and how the municipalities are impacted specifically by not having a

completed annual audit in time for adopting the FY24 annual budget. The meeting, if agreed to by the School Committees, will be held at the Hope Corner Fire Station.

Other Business:

- None

Adjournment:

- Charles Weidman made a motion to adjourn at 8:02 p.m. it was seconded by Michael Schultz.

Motion passed unanimously.

DRAFT

Title 36: TAXATION
Part 2: PROPERTY TAXES
Chapter 105: CITIES AND TOWNS
Subchapter 6: POWERS AND DUTIES OF TAX COLLECTORS

§760-A. Minor or burdensome amounts

1. Not collected. After the date for perfection of collections, municipal officers may discharge collectors from any obligation to collect unpaid personal property taxes that the municipal officers determine are too small or too burdensome to collect economically and authorize the municipal treasurer to remove those taxes from the municipal books.

[PL 1991, c. 231 (NEW).]

2. Discharged. Collectors shall identify the unpaid taxes discharged under [subsection 1 \(../36/title36sec760-A.html\)](#) on the tax lists.

[PL 1991, c. 231 (NEW).]

SECTION HISTORY

PL 1991, c. 231 (NEW).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

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Title 1: GENERAL PROVISIONS
Chapter 13: PUBLIC RECORDS AND PROCEEDINGS
Subchapter 1: FREEDOM OF ACCESS

§405. Executive sessions

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions. [PL 1975, c. 758 (NEW).]

1. Not to defeat purposes of subchapter. An executive session may not be used to defeat the purposes of this subchapter as stated in section 401 (../title1sec401.html).

[PL 2009, c. 240, §2 (AMD).]

2. Final approval of certain items prohibited. An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session.

[PL 2009, c. 240, §2 (AMD).]

3. Procedure for calling of executive session. An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

[PL 2009, c. 240, §2 (AMD).]

4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

[PL 2003, c. 709, §1 (AMD).]

5. Matters not contained in motion prohibited. Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.

[PL 2009, c. 240, §2 (AMD).]

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).]

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire; [PL 2009, c. 240, §2 (AMD).]

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency; [PL 1987, c. 477, §3 (AMD).]

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions; [PL 1999, c. 144, §1 (RPR).]

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage; [PL 2009, c. 240, §2 (AMD).]

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute; [PL 1999, c. 180, §1 (AMD).]

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and [PL 1999, c. 180, §2 (AMD).]

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to [Title 30-A, section 4452, subsection 1, paragraph C \(./30-A/title30-Asec4452.html\)](#) in the

prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter. [PL 1999, c. 180, §3 (NEW).]

[PL 2009, c. 240, §2 (AMD).]

SECTION HISTORY

PL 1975, c. 758 (RPR). PL 1979, c. 541, §A3 (AMD). PL 1987, c. 477, §§2,3 (AMD). PL 1987, c. 769, §A1 (AMD). PL 1999, c. 40, §§1,2 (AMD). PL 1999, c. 144, §1 (AMD). PL 1999, c. 180, §§1-3 (AMD). PL 2003, c. 709, §1 (AMD). PL 2009, c. 240, §2 (AMD).

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