

Stockton Springs Select Board Minutes

01/06/2025

Attendees:

Select Board Members Present	Elizabeth Lenharr Marsha Shute Betsy Bradley
Select Board Members Absent	
Note taker	Sarah Hardy
Community members	Approximately 30 community members were in attendance. Speaker names were captured in the notes as best as possible. No attendance list was captured.

Yellow Highlight indicates NEW or not-yet-completed action items.

Green Highlight indicates COMPLETED action items.

Blue Highlight indicates incomplete notes, based on in-person note taking where something was missed. Need to go to tape back up.

#	Agenda	Notes
1.	Roll Call: Call to Order	Liz Lenharr called to order 8:02am roll call – see attendance above
2.	Changes to the Agenda	Adding Public Comment, before workshop. Working on the advertisement for the town manager will be covered in workshop.
3.	Appoint Interim Town Manager	Liz: putting forth temporarily Diane Reynolds until an interim town manager Trying to get Steven Eldridge from the Maine Municipal association list. He's currently on another assignment which ends today. Steve just needs to speak to his significant other about the role. Liz will hopefully speak to him today, he did express his interest even though it's outside his 50 mile radius by 13 miles. He would be available 2 days a week Rich Cromwell from MMA will also be contacted today by Liz. Liz motioned to make Diane the interim, seconded and all in favor. Maine municipal Association has created a set of questions and they post the answers on each of the candidates. The select board evaluated those questions/answers. Most candidates are from southern Maine. Steve is the closest candidate that seems most suitable. Q: Susan Henkel – where has Steven served previously?

A: He has been at Bethel, Aetna, Green, Lisbon, Berwick, Vinyl Haven as interim manager.

Q Amber Poulin – stated that the list is for interims only.

A: Betsy agreed, and one of Steve’s skills is helping towns through the process of hiring town managers.

Q: Fred Swift: asked how Diane is qualified compared to other town managers.

A: Brief mention of her two associates degrees and other qualifications.

Q: Scott Pace: did Mac Smith have more qualifications compared to Diane?

A: he did have a degree, he worked at the town

Q: Jim Nichols – why was Mac’s contract terminated?

A: Betsy – the select board felt they needed to move in a new direction especially strengths in budgeting, communication. She asked that the town trust them that they were doing what was best for the town.

Q: Jeff Seiler: why wasn’t he allowed to finish out his contract? it was his understanding that Mac Waived his rights to privacy.

A: Marsha – his contract said he could be let go. The select board thought they needed to go in a new direction, following the new strengths. Liz: they aren’t saying the detailed reason because due to privacy reasons they are prohibited. Per the lawyer, he could have waived his rights to an executive session and it could have been a public meeting, he didn’t do that so it will remain private.

Q: Alfred George – interested to know if the board feels they have met the requirements to release him early. Is the town at risk for a law suit, are we set up for more expenses that would affect our taxes. Alfred already pays \$100 per week to live here, doesn’t want to pay a dollar more.

A: Betsy – his contract states that he can be released, but if so would get his months salary, and benefits and payout for unused vacation.

Angie stated that she needs a statement from the Select board about the term dates and what needs to be paid.

Motion from Liz: to put Diane forward as treasure, seconded by Marsha. All approved

Motion from Liz for: Tax collector, road commissioner. Seconded by Marsha and all approved

4.	Public Comment	<p>Q: Jim Nichols – was Mac given the opportunity to do what was wanted? A: Sarah was not not capture the response – would need to go to the tape</p> <p>Q: Susan Henkel: when will the minutes for all the meetings since thanksgiving? A: Betsy mentioned that the select board just learned that Mac asked me to do the notes. Sarah explained that at the last regular select board she commented about her concern for the inaccuracy and lack of detail in the meeting notes. After the meeting Mac emailed her asking if she'd do them, because she does a good job with the resilience committee meeting notes. Sarah asked about any requirement that would need to be followed for official business, Mac said he's look into it. Sarah agreed to try to do it as a volunteer though Mac said it could maybe be added into the next budget.</p> <p>Q: Alfred George – are minutes kept when the board is in executive session. A. They are not kept and they are not public. That is the rule from the state.</p> <p>Q: Kissy: had her hand up originally to ask if the select board had sought advice of lawyers about firing Mac and felt that was already answered.</p> <p>Q: Jeff seiler – a lot happened on the town meeting on the 30th, ambulance and Tally Ho, purchase. There wasn't ample notice for the meeting, especially beign around the holidays. A: Betsy – the select board had been told that Tally Ho was off the market. There was miscommunication with Mac and the seller, and there had only been communication between the owner, lawyer and Mac about the sale, the select board only knew what they were told by Mac.</p> <p>There was discussion about funding: Town had approved \$140,000 for the sale. But the AARPA funds were also going to support the sale, they had to be allocated by 12/31/24. AARPA funds could go toward the land, broadband or the ambulance. The select board found out just 1.5 weeks before the 31st that if the contract wasn't signed by the 31st that the money could not be allocated to the sale so would be lost.</p> <p>A few weeks earlier, Kristin saw the notification that the AARPA money was going to be used for the ambulance so she raised it at the select board meeting, she said that the seller wanted to continue the sale so that's why the sale proceeded. \$50,000ish had already been sent for</p>
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broadband but the remaining \$80,000ish would have been lost. So they had to act fast to not lose the money.

There was a discussion about communications: There are very tight rules about how members of the select board can communicate and even associate with one another. If someone were to ask them in public about a town issue, they can't respond if there is another select person there. The select board cannot even respond to emails to all of them because that's prohibited communication between select board members. Liz mentioned that she resigned from the Community Builders committee so as not to create the perception of communication between members.

Betsy mentioned that she would love to have a 5 person board so that two members could talk to any other member in a social way without breaking rules.

Q: Alfred – a couple of times as Betsy described the timeline, she said “we were told”. Was that communication problem from Maine Municipal?

A: No. per Betsy it was the responsibility of the town manager.

Q: Fred swift – how much of the AARPA money went to broadband and to Tally Ho?

A: \$52,000 to broadband and rest to the town \$82,000. Previously an agreement was signed with broadband, for \$104,000 and a grant was supposed to go to it in 2023. When that grant fell through in 2023, the town need to find money to meet that obligation and AARPA funds could be used with the rest of AARPA going to Tally ho. Now we will have to add to the budget \$52,000 for the second payment, maybe the end of 2025 but more likely early 2026. Mac had been the representative from the town on broadband. Stockton Springs, Prospect, Frankfort and Winterport went into that agreement together. Betsy mentioned that anyone can be the rep for the town at the meeting, Liz is taking it for now. Betsy mentioned that the goal (and requirement of the project) is to get broadband to folks who are not currently served.

Q: Jim Nichols – has tallyho been purchased?

A: Betsy said yes. Mentioned that the current location for the emergency buildings is not expandable so a new location had to be made. After searching for appropriate properties, this one was made available for the town to purchase.

Q: Fred Swift – is the building at Tally-Ho going to be torn down.

A: That's really up to the town, strong feelings both ways. That will be something discussed in the future. The building is in rough shape and

a lot will go into rehabbing it. On the lot will be fire, ambulance, police. The resilience had mentioned trying to get funds to use the new building for emergency shelter since overnights can't happen at the town hall.

Q: Michele Grenier – will the wetlands on the lot affect building?

A: Vern mentioned that the wet spots are on the sandy point portion of the property but the portion they would build on is to the left of the building. A drive through driveway is preferable and could still go through, with the house where it is, and with the swampy areas.

Betsy: The Ambulance came up at the same time because of the Aarpa fund allocation. Amy mentioned that the ambulance melted down because of a battery, has structural issues. Cheaper ones would be used, would still need to be fitted with equipment, and would be multi year wait. For the new ambulance that was approved, will be available in February after the graphics are added.

Q: Fred asked if Prospect helped out with payment for the ambulance?

A: There was discussion about how Stockton Springs emergency is paid by other towns. Per Amy Prospect pays us \$42,000 a year which is based on call volume that amount can change every two years (more coverage, more money).

Scott Pace, mentioned that Winterport's town manager attended a meeting to encourage the ambulance purchase and indicated that they want to pay us more money because they don't have coverage through their own town.

Per Amy we do bill Winterport currently.

Per Betsy- when we do transfers for any community we charge them. Our other ambulance is 7 years old with a typical lifespan of 10 years.

Q: Michele – can we ask prospect to pay more?

A: The town manager and Amy negotiate with nearby towns on payment. Not long ago prospectd only paid \$7,000 per year.

Amy is looking for a grant to regionalize our service between S.S., Frankfort, Prospect and Winterport.

With mutual aid we don't bill. We don't have an agreement with Searsport, they don't pay the bills when we have to cover their lack of crew – that would have been about \$12,000 in 2024.

Q: Sott Pace: the town was close to losing \$82,000 due to inaction. Is there any other money that was lost?

		<p>A. Betsy mentioned there was a \$10,000 technology grant that was sent back.</p> <p>Ken (skeet) spoke up: it wasn't a grant sent back but the Penobscot remediation settlement against Mallinckrodt. Orland got 1.3 million for a project. Mac did not bring this opportunity to the select board, nor the harbor committee. Even Angie was not aware of the opportunities. Mac took it upon himself to just try to get the money for broadband. Ken, via the harbor committee, will be working with the organization to try to get more money for the harbor. He stated that the problem with Mac was not just communication here, he just did what he wanted to without consulting with anyone.</p> <p>Angie mentioned that it's not unusual for the clerks not to know about it, the town manager doesn't have to tell them those sorts of things. Ken talked to Mitch Bernard who told him that Mac, asked for the \$ to be appropriated for broadband and not more. Per Mitch, any town that could prove by the mercury issue could have received a settlement, and Stockton Springs could rate right at the top because we have a dozen fishermen affected. He lost \$75000 personally because some of his territory was taken from him due to toxicity. There are still some funds available, the harbor committee will be working on trying to get some of that.</p> <p>Q: Angie – will the next meeting to hire the interim town manager be a public meeting?</p> <p>A: Betsy – yes it will be a public meeting. Further, she explained if there isn't a 7 day period before, it will be called as an emergency meeting. If more than 7 days it will be a regular meeting. Either way it will be publicized as best as possible.</p> <p>Q: Alfred – are we in such a vacuum that we'd need another interim so soon?</p> <p>A: Betsy and Liz: Yes, and the timing is good with the availability of the candidate.</p> <p>Q: Fred – why aren't some of the meetings at night?</p> <p>A: Betsy – in early days the meetings were weekly, and 3 at night and 1 day meeting. Almost no one came to them, people only came to them when there was a hot topic. Betsy thought that evening meetings were discontinued during covid. Per Angie, the morning meetings were also more lightly attended, now there are people who regularly attended. Suggest we have evening meetings. If there are nightly meetings, some of the clerks will have to work evenings too.</p> <p>Q Name not provided: How about televised meetings –</p>
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A: the select board would like to do them and mentioned that efforts resilience team has made to get equipment.

Q: Name not provided - Why weren't we doing online meetings? Was there push back?

A. Amber, previously during covid, we had to borrow equipment from a citizen. In the past Facebook was used and someone volunteered their phone.

Per Amy – Emergency services got the TV via a grant, they have also asked for an OWL for video conferencing and that could be used for town purposes. The TV is used by Tai Chi, the resilience committee etc. It seems many of their request are redundant with the grant request submitted by the resilience committee. The two groups will work together on fitting out the technology needs.

Betsy asked if there was interest to implement online meetings and people indicated there was interest.

Q: Darren – suggest that we add subscriptions to the budget.

A: Betsy – we'd need a moderator funded too and the select board hopes we can do this.

Q: Vern – over the years, he's been coming to select board meetings. At night, there were only a few attendees. Went to days, hoping more people would attend. He suggested that older residents may not want to travel at night. He suggests a mixture of meeting times.

A: Betsy said the new town manager may suggest a different frequency. In fact there used to be one meeting a month that was split between morning and night time to allow for more public comment.

Fred Swift – suggested try night meetings especially for hot topics where meetings would be more attended.

The question was asked if there are laws dictating how meetings are held.

Per Betsy, no there are not. Diane had researched and state law does not even require agendas and meeting notes, the only official documentation must be kept on motions and decisions.

Q: Rhonda Nichols – regarding having 5 select board members. Is that in the constitution?

A: Betsy thought it might be in the bylaws for the town.

Linda Meadows – She looked into it and found there must be a town meeting to have the number of select people increased and it must be 90 days before the election (which would mean it had to be done in January/early February).

		<p>Betsy is concerned that people wouldn't run for the office. Sarah Hardy suggested that we devise some way of gauging interest (anonymously or not?) and not assume folks wouldn't want to do it.</p> <p>Q: Alfred – is the board elected at large or do we still run under the premise of first, second and third? A: Betsy – when she came in it was changed so that all members were equalized. Chairing is shared on a monthly basis, no gaveling etc. Per Alfred, back when he was young, the election papers were actually submitted for first selectman, for second selectman, for third etc (was hierarchical). They all ran at the same time. The first selectman held the gavel, and seemed to be the dominant voice, the others were more backing.</p> <p>Marsha: recalls that there was no town manager then, once a town manager came in, the select board became “at large” Vern: was a select man briefly. The first select man was the boss and told the select men how to vote.</p> <p>Note: a Bangor Daily News person was in the audience.</p> <p>With no additional questions/comments, the town meeting was ended and the board went into Workshop (most attendees left the room).</p>
5.	Workshop	<p>The floating docks, ad for bids needs to go into the paper today. Pier and doc preservation project. The ad was put together by Liz and provided to the harbor committee and Steve Clark approved it. Bidders would attend a meeting about it at the Stockton harbor, to know what they are bidding on. The project is the building of 7 8x20 and 3 6x20 docks. The select people discussed the merits of a more detailed ad vs paying for a bigger ad. Suggested specifying the timeline for the work must be done by (early in the summer?), not at any time. Liz will update the ad to add some details, run it by Diane as town manager and then get approval again from the Harbor Committee before getting it posted in papers.</p> <p>Regarding the town manager ad, Betsy suggested that it would be good for the interim town manager to give input on the town manager ad. Also, indicated a preference not to have Diane get inundated with applications as she is balancing two roles, it would be better to have the interim get involved.</p> <p>Liz suggested involving Redman and Winchel? That cost \$5000 in 2016 to do so so the select board is trying not to do that.</p> <p>Steven, the potential interim, is going to charge \$600 a day.</p>

		<p>A letter was left in the office door which seems to imply the firing was improper based on his contract. Select board indicated his contract allowed the actions that were taken.</p> <p>Question from Liz– should the lawyer draw up a statement for the public? Per Betsy, he said to “stay the course”. Everything that happened is completely legal and appropriate.</p> <p>Question from Liz – Betsy said in the meeting that they can’t answer emails and that would be seen as improper. If they can’t respond, why are their email addresses published? Having all of them on an email could be construed as “a meeting” so they can’t talk or respond. This was not resolved, just presented as a dilemma.</p> <p>The topic of having 5 people on the board, makes it easier so that two people can be in each other’s presence.</p> <p>Darren came down asking for an executive session with Diane immediately.</p> <p>The select board made a motion to transition to executive session, it was seconded and approved by all.</p> <p>All other citizens left the room.</p> <p>Meeting notes by Sarah Hardy, concluded at this time.</p>
7.	Adjournment	