

Select Board & Board of Assessors Meeting - Minutes
December 11, 2023 @ 7:00 p.m.
(immediately following the Special Town Meeting)
Fire Station Community Room, 86 River Rd.

Present Board Members: Karen Paz, Tor Glendinning, Joel Lind, Thomas Kostenbader, Rufus Percy
Staff: Kevin Sutherland, Town Manager

Minutes transcribed by Emma McKearney, Deputy Town Clerk

- 1. Call to Order:** Meeting started at 7:50pm.
- 2. Amendments to the Agenda:** No amendments were made.
- 3. Minutes of the previous meeting:** No minutes were presented to approve. Minutes from the November 27, 2023, meeting will be presented at the next meeting.
- 4. Public Comments on Items Not on the Agenda**
 - a. Ben Frey:** Ben, Newcastle resident and Chair of the Planning Board, expressed concerns regarding the vote to not pass the Article 7 amendments to the Core Zoning Code at tonight's Special Town Meeting. He feels as though there is now a large hole in the Core Zoning Code that someone can, and eventually will, take advantage of. He plans to have the Planning Board work with the Town Planner, Michael Martone, to create alternative changes and recommendations.
 - b. Wanda Wilcox:** Wanda, Newcastle resident, voiced concerns about people's desire to have a weight restriction on the North Newcastle Road. She doesn't see a reason for there to be a weight limit because some people may need deliveries from trucks that would exceed the weight limit. Wanda expressed that she is not in favor of the possible weight limit posting of the North Newcastle Road.
 - c. Mal Carey:** Mal, Newcastle resident, is following up on what he brought forward at the November 13, 2023, Select Board Meeting: ownership and maintenance plan of East Hassan Ave. The Select Board is working on creating a maintenance plan for the Town's roads which will be shared with the public upon completion. Currently, there is a list of roads that are part of the budget to be worked on.
 - d. Roger Wilcox:** Roger, Newcastle resident, also expressed that he is not in favor of weight limit posting of the North Newcastle Road. He stated that reaching that area of town for larger trucks would be very difficult and out of the way.
 - e. Joel Lind:** Joel, Newcastle resident, expressed an observed theme of Newcastle residents feeling as though the Select Board puts forth policy and ordinance changes that have an ulterior motive. Joel clarified that this isn't the case. He encourages that public to regularly attend public hearings and meetings to allow for a greater understanding and open conversations prior to voting at Town Meetings.
 - f. Kevin Sutherland:** Kevin, Newcastle resident on Pond Rd, explains that he did try to hand out copies of the Select Board Priorities and Policies/Ordinances review plan. He welcomes the public to schedule a time to meet with him at the Town Office to discuss the timeline, concerns, and other related items.
 - g. Kevin Verney:** Kevin, Newcastle resident on North Newcastle Rd, sought clarification from the Select Board regarding the original weight limit posting of the North Newcastle Road and why the posting was lifted. It was explained that the posting wasn't enforceable due to a lack of legal roads and parking ordinance.
- 5. New Business**
 - a. Farm Space Classification Removal Penalty:** Assessor's Agent is requesting that the identified property be removed from the Farm Space Classification. The property owner would be responsible for the owed taxes.

Wanda Wilcox, property owner, explained that the property should have been removed from the Farm Space Classification several years ago, but it is now recognized. Joel made a motion to assess a Farm Space Withdrawal Penalty as recommended and presented by Assessor's Agent Murphy. Motion was seconded by Tor. Motion passed unanimously.

- b. **Fireworks Ordinance:** Town Manager presented proposed changes to the current Fireworks Ordinance. He explained that in addition to some content changes, the formatting was altered to make all the ordinances look similar. The Select Board had some grammatical changes. Town Manager will make the necessary changes and will provide an updated copy. Then, a public hearing will be set.
- c. **Reserve Account Review:** Town Manager reviewed reserve fund accounts and balances. Balances are noted to be from June 30, 2021. Town Manager and Select Board want to clarify that what was spent, or will be spent, from the accounts will be in line with the intent of the accounts when they were created. There was discussion about how to utilize building maintenance accounts and which Town buildings would fall under each reserve account.
- d. **Board and Committee Membership:** Town Manager reviewed the Town's Boards and Committees. Many boards and committees have vacancies. The public is encouraged to explore those vacancies and be the touch with the Town Office if they would like to participate. The Select Board would like to explore having more than one Newcastle resident on the Alewife Committee. Currently, the Ad-hoc Historic Preservation Committee is idle awaiting a clearer direction regarding the proposed ordinance. The Broadband Committee hasn't met for some time and is believed to have been an ad-hoc committee. The Select Board may explore restarting the Broadband Committee once the first phase of broadband implementation is complete to explore underserved residents and gain more information about making the service accessible. There is a vacancy on the Great Salt Bay Sanitary District board. This is an elected position; Newcastle will need to find a resident who is interested in participating. Ben Frey is interested in running for this board position. Select Board Chair, and Historical Society participant, will provide the Town with updated committee members and contact information. The Planning Board has a member vacancy.
- e. **Updates on Recent Community Meetings:** The Aquaculture Meeting, held on November 21, 2023, included a variety of interested parties including the Department of Marine Resources, oyster farms, clambers, elected officials, and residents. Medomak River community members expressed their aversion to oyster farms on the river. The Planning Board Meeting, held on November 30, 2023, discussed options and changes for the Shoreland Zoning Ordinance to bring it in line with Chapter 1000 of the State's code. The Newcastle School Committee Meeting, held on November 30, 2023, discussed AOS options. The Great Salt Bay School District will remain intact as a K-12 committee which includes the towns of Damariscotta, Newcastle, and Bremen. Moving away from an AOS and to an alternative school district system could allow for more money from the State.

6. Unfinished Business

- a. **Personnel Policy:** A completed, revised version of the Personnel Policy was presented. Town staff have been notified of the changes. Joel made a motion to approve the updates to the Personnel Policy effective January 1, 2024. Motion was seconded by Rufus. Motion passed unanimously.
- b. **Domestic Partnership Coverage:** Tor made a motion that, effective January 1, 2024, the Town of Newcastle amends its personnel benefits policy to allow any employee who is eligible to enroll in the employer benefits the option of enrolling a domestic partner. Any employee who wishes to add a domestic partner will be advised of the requirements set forth in the Domestic Partner Affidavit to add said partner. Furthermore, said employee has been advised there could be tax implications for adding a domestic partner. The Domestic Partner of an Employee shall be: a "life partner of either the same sex or opposite sex of the employee; not legally married or separated, to either the employee or anyone else; at least 18 years of age and mentally competent to consent to contract; are each other's Domestic Partners and intend to remain so indefinitely;

have been each other's Domestic Partner for at least 12 months prior to the date of the signed Affidavit; are not related by blood to a degree of closeness that would prohibit marriage in the State of Maine; are jointly responsible for each other's common welfare; share financial obligations and share their primary residence." Motion was seconded by Rufus. Motion passed unanimously.

- c. **Finance Committee Ordinance:** Joel made a motion to table this topic until January 8, 2024, meeting. Motion was seconded by Tor. Motion passed unanimously.

- 7. **Town Manager Report and Communications:** Town Manager reviewed his report. Topics discussed were: the Community Meeting in Sheepscot focusing on the streetlights, the MDOT project on Main St and Mills Rd progress which is not a Town project, they will be patching what they've dug up for the winter until they can complete paving in the Spring.

8. Fiscal Warrants

- a. **FY24 Twelfth AP Warrant: \$229,800.41:** Joel made a motion to approve the Twelfth AP Warrant for \$299,800.41. Motion was seconded by Thomas. Motion was passed unanimously. Select Board Chair would like to explore moving the Sheepscot Cemetery Mapping to the Sheepscot Cemetery Perpetual Care Fund.

9. Executive Session

- a. **1 M.R.S.A. Section 405 (6) A – Personnel:** Joel made a motion to enter Executive Session regarding personnel. Motion was seconded by Thomas. Motion passed unanimously. No report upon exiting Executive Session.

10. Future Agenda Items

- a. **Fire Engine Bid**
- b. **Comprehensive Plan State Approval**
- c. **Posted Road Application**
- d. **Ground Lease Agreement**
- e. **Fish Ladder Agreement**
- f. **Historic Preservation Ordinance**
- g. **Harbormaster Ordinance**

- 11. **Adjournment of Meeting:** Rufus made a motion to adjourn the meeting at 9:46pm. Motion was seconded by Karen. Motion passed unanimously.