

Select Board Minutes

Date: August 8, 2023

Time: 5:30 PM

Location: Multi-Purpose Room

Next Meeting: August 22, 2023

Pledge of Allegiance to the Flag

Minutes: Approval of July 11th and July 25th meetings – July the all good approved

Present: Richard Doughty, Dina Walker, Lisa Miller, Steve & Carol Conant, Bob & Cindi Arp, Eric Calderwood, Calderwood Engineering, Dan Demers and Carol Cochran

AGENDA ITEMS:

Department Heads:

Dan Demers – Dan said that they had been ditching on Center Hill and they are waiting for dig safe to mark the other side of the road so that they can continue to ditch the rest of Center Hill.

The cost to repair the 2016 International is \$7,000. The parts will be in within 2 or 3 days will Tack 2 or 3 days to install them and it could be back next week. As soon as it is back they need to get the 2010 in and get the turbo repaired. A new seat has been ordered for the 2010 International.

Update on ditch at the WFPL:

Dan has sent proposals to the Weld Free Public Library and is waiting for a response.

Eric Calderwood of Calderwood Engineering – Bridges:

DOT has done a bridge inspection and has found 3 of our bridges that they have determined are in need of attention over the past few years. Eric visited in 2022 and DOT had come out to look at the bridges with the Select Board and the big problem was the super structure. The steel underneath the bridges are breaking away due to corrosion. Eric visited and took a look at the bridges and put together some preliminary projections for the cost of the replacement for each of them as well as a more detailed estimate of the cost for the engineering leading up to that. We have talked about this at some other meetings, so Richard asked

him to come to the meeting so that they could meet him and so that he could address some of the questions that the Board had that came up in their previous discussions. The proposed replacements would be steel with precast or in place concrete.

Eric said that there is a funding mechanism through DOT which is the Local Bridge Program, if the Town qualified the project would have to be done with DOT standards. Eric was recommending to do the Kennedy Bridge first which is a 40 foot span bridge.

Eric discussed the different bridges and went over the different materials that could be used depending on the design and the longevity of the bridge. He went over the bridges that they have designed in the Carthage and Canton and what they chose for materials and why they were used.

West Brook Bridge may have to go with DOT funds. It has timber abutment, the decking is good but usually when a bridge is over 50' long you need to get the steel from a mill and there is a significant increase in because it is heavier. They would use hot melt galvanized or can use weathering steel, but would depend on how high the bridge is.

Generally the abutments and decking comes from Dirigo Timberlands out of Madison and Anson.

Once Calderwood Engineering designs the bridge it will be bid out. They can represent the Town with the bids going to Calderwood Engineering and they would bring them to the Town to open at a public meeting or they can come directly to the Town and we open them at a public meeting. Their proposal will include the bidding process.

They will prepare a detailed bid and will engage inspection during the construction of the bridge. If a right of way is needed it will be up to the Town to get that. They try to stay within the right of way but it is not always possible. Once everyone is happy with the design it will go out to bid but they don't advertise unless it is in the bylaws of the Town. They basically send the plans and specifications to all of the bridge contractors. Calderwood Engineering does work for 99% of the bridge contractors in the State of Maine and many from Vermont and a couple in New Hampshire. If the Town has a local contractor that they have done work with they would send a bid to them as well.

Dina confirmed that Calderwood Engineering would be putting together the entire design process, bidding and the amount of money that we would need for the project to the point that we have hired everyone to start the.

Once they have the plan set complete they would step back and do what would be called an engineer's estimate. His goal is not to be the low bidder but in this day and age it would be hard to be. At that time he would come up with a more detailed estimate.

Richard asked if we could engage Calderwood Engineering to inspect the construction during the construction. Eric said that he would highly recommend it, but is not included in the proposal and would be charged out at an hourly rate. He also said another thing would be a design load rating and that would be kept on file and be sent to DOT at the end of the completion of the bridge along with construction documents that would be on file with DOT. If we decided to go down the road of DOT funding then the design, etc. would be sent to DOT sooner. If that is something that we may do then we need to get on that list early.

Richard said that he had reached out to DOT but has not heard back from them and asked if there are any standards that says that you have to build a bridge to those standards where it is. Eric said that DOT can do anything that they want to do with this but they don't tell you that. Typically they make it a 50/50 cost share but Eric said that they have worked for some towns have got 100% and some 80%.

Richard got some history on the Kennedy Bridge from Danny Proctor, past Road Commissioner. He said that they were concrete abutments put in sometime in the 80's. The Skidgells of Carthage had redone the bridge with poured concrete abutments. Danny thought that a used wooden abutment may have been used as part of a form that was in good shape. Eric said it would be doubtful if DOT had a copy of the design of that replacement bridge. Test pits could be dug to see how deep the abutment went and maybe save abutments but thought it would be doubtful.

Richard said he thought that the next step is to meet with DOT again a talk investigate the funding for West Brook Bridge and layout what is in front of us and get their input.

Erick said that DOT is not big fans of a precast concrete abutment can be undermined with it being stacked on top instead of pile driven. In this case financial since not to take the DOT money.

Time frame Kennedy bridge next year plans by February but if we went to Town Meeting is public information and with an estimate Richard said that the concern would be that the contractors would know how much money was raised for the project. Eric agreed that it was not a good idea.

I was decided that it would warrant a Special Town Meeting.

Eric said that he would look to see if there are any funds for any of the 3 bridges.

Bowley Bridge where the concrete abutments are exposed they may be able to put other abutments behind them.

Recommendation is to do the Kennedy Bridge first and Bowley and West Brook Westbrook after.

Jim Foster of DOT says that they tend to only fund those that are dead ends. The Temple and Cushman Roads are dead ends.

Eric felt that with a cost share it would cost more than if we funded the complete amount.

Eric said that if we were thinking of going to try for Local Bridge Funding that we needed to get our name on the list. He will also look for other Federal Funds and call Peter Coughlin of DOT to see if there are other programs that might relate to these bridges.

The SB will check into funding for all 3 Bridges.

Continue Discussion on Solar Farm Ordinance Draft (SB Draft #2):

Dina Starting with the 2nd draft.

Section 4 Page 2 roof top exclusion – The Ordinance will not apply to roof mounted SES. Simple clause to require such roof mounted SES comply with applicable laws, which is a catch all for health and safety.

When building a Solar Farm the idea was that they would take into consideration the safety of Fire Fighters.

Permit Fees – It talks about an application to build a solar farm a permit to operate, which brings up the question of, who is going to monitor the construction? Is it going to be the CEO to take the time to do that and would he have the experience to do that.

Section 9 covers Operating Permit and Inspection.

Is a building permit enough? Is someone needed to check on the solar farm after it is up and running? Do we have an individual to inspect the proposed facility, CEO?

1. Spot checking of solar panels for cracking or evidence of water filtration within the panels.
2. Fence perimeter in good repair.
3. Proper grounding of equipment.
4. Proper signage.
5. Proper installation and maintenance of all safety systems.
6. Proper control of vegetation.
7. Proper maintenance of roads within the proposed facility.

Other than proper grounding of equipment the individual does not need expertise.

This will add more to the CEO's time that he will have to put in. Are we equipped for this?

Richard felt that all of this would come into play if we had a solar farm so we should not modify the CEO compensation or Job description. There should be a fixed cost that would compensate this person's time.

Richard will see if he can get from the State information if the State does an annual inspection on a solar farm.

For the annual cost what would make sense to be fixed on the sizes with KW or better on the acreage instead of KW?

It was decided to table this discussion for another meeting when there can be some input current CEO.

Section 6 on the application:

Application requirements – Just a list for the Planning Board to go through to review the 20 some items to see if they have completed the application in its entirety.

Section L number 12: Lisa said that she felt that this can be taken out, it is covered in Section J.

Section 6. G: If they are going to use herbicides and pesticides then they need to let the Select Board know that they are using them and what they are.

Section 6 number 10: All agreed that the noise level at the property boundaries does not exceed a level of 40db.

Section 6 number L. 1: Applicant will incorporate the proposed Facility into the description of the real property in the property deed and registered with the Franklin County Registry of Deeds.

Dina asked if we can make the applicant record this in the Franklin County Registry of deeds. Lisa said this can be required and this is only to identify it as a Solar Farm. Dina suggested that we do not make it a requirement because we do not want overlap with another entity.

Another example is Page 5 it states that access to the proposed Facility shall be maintained to a level acceptable to the Fire Chief for emergency response. If there is a law with higher standards that says to tell the Fire Chief and State. This rule would be conflicting and we just misled the applicant, so you don't want to make a rule that is already there and is broader. Lisa was concerned that there may not be a law out there that covers this. Dina reminded that this will be going before a lawyer and they will know if there is a law that covers it.

Number 13 Page 4: to provide a copy of the project summary, electrical schematic. And site plan of the proposed Facility to the Town's Fire Chief. Upon request **[by the Selectboard? The Fire chief?]**, the Applicant shall coordinate with local emergency services in developing an emergency response plan. Applicant agrees to install A "3200 Series KNOX-BOX", or equivalent, to be used to allow emergency service personnel continuous access. Applicant agrees to clearly make all means of shutting down the solar energy system. The Applicant agrees to identify a responsible person of public inquiries throughout the life of the installation of the proposed Facility; and **[SB TBD. Does the "catch-all" clause of "follow all applicable laws" already covers this?]**

Dina will check with the lawyer on this one.

Decommissioning: The Applicant shall provide, a performance guarantee to the Town to be deposited in escrow, in an amount equal to 150% of the estimated cost of removal, factoring in salvage, of the proposed Facility ("**Removal Cost**"). Such performance guarantee shall be maintained throughout the life of the proposed Facility through decommission and adjusted in amount every five (5) years based on a re-estimate of the Removal Cost calculated by a Maine Licensed Professional Engineer at no cost to the Town.

It was agreed that the decommissioning cost will be approved by the SB.

Section 7 Number 8: It was agreed that the Applicant must remove the Facility pursuant to the Decommissioning Plan with 180/3665 days after Discontinuation Date.

Section 8 – There will be a Public Hearing to determine whether the proposed facility will have a unreasonably negative impact on the Town, the Planning Board must hold a public hearing in accordance with Maine state law following all applicable posting and notice requirement. The Planning Board must also provide special notice of such public hearing to the residents believed to have property within close proximity to, or in line sight of, the proposed Facility in accordance with [30-A M.R.S. §43529(10)].

If it looks like the array will have an unreasonable impact to the Town it can be brought to Town vote for approval.

Prior to the Public Hearing there will be letters sent out to all of abutters and who has sight where the location of the Solar Farm.

Dina brought up that is a narrow scope mechanism and she has put some thought into changing broadening to any large commercial construction including a wind farm, cell tower or big hotel. With changing a few words it would be very easy to make this a Large Commercial Construction Ordinance.

There has been many comments about the Ordinance and some thought this would include wind towers and cell towers as well.

Richard said that he felt that the more is added that the tougher it will be to get it passed. Folks will become anti ordinance.

Keep it simple and tweak it maybe for next year.

Set Tax Rate:

Richard put together a spreadsheet of last few years showing in increase in Franklin County taxes and RSU 9 School Tax increase.

Richard moved to set the mil rate at .09055. Dina 2nd the motion and it was a unanimous vote.

Update on Property Tax Stabilization Program

We have received from the State that LD 290 Property Tax Stabilization for seniors was repealed by the State Legislature.

We will be putting into the tax bills of those who applied for the program telling of the repeal and other programs that are available for seniors.

Worker's Compensation:

Richard said that the Town has received a Worker's Compensation dividend of \$1,100 from MMA for no lost time accidents.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol J. Cochran".

Carol J. Cochran