

Town of Trenton
Board of Selectmen
Minutes of March 22, 2022

- I. Call to Order: The meeting was called to order at 7:00 pm. Present: Fred Ehrlenbach, John Bennett, Rachel Nobel, Daniel Monahan, and Carol Walsh. Charles Farley attended virtually. Visitors present: Rick Nielsen, Mark Remick, Jessica Thurston, Susan Sargent, Michael Gilmartin, Christina Heiniger, Danielle Cole, Jesse Cameron, Stephanie Waite, Jarod Rollins, Crystal DaGraca, Brant Viner, Mike Zboray, Nancy Thurlow, Chip Rostrom, Steve Heckman, and Susan Starr. Virtual attendees were Starr Gilmartin, Jeff and Linda Hodgkins, Sam Hughes, Barb Acosta, and Margaret Harling.

- II. Visitors to be Heard: None.

- III. Acceptance of Agenda: Ehrlenbach proposed moving the Liquor License application for Volta to the beginning of the meeting. Bennett motion to make the change; Monahan seconded. Vote: 4 Yes. Nobel stated that Jarod Rollins would give the presentation on Road Safety. Monahan added a discussion of “selecting a moderator for Town Meeting” under New Business.

Liquor License: The application is for a new license for the sale of beer and wine at Volta. Cameron explained that this will enhance the leisure experience for adults after climbing at the gym. Movement and access to areas inside the gym will be controlled with a band/bracelet system and multiple cameras. There will likely be a two-drink limit. The gym is owned by Slope, Inc., dba Volta. Ehrlenbach opened the public hearing to comments regarding this application. There were no comments; the hearing was closed. Bennett motioned to approve the license; Nobel seconded. Vote: 4 Yes.

- IV. Approval of Minutes of March 8, 2022: Bennett motioned approval; Monahan seconded. Vote: 4 Yes.

- V. Old Business:
 - a. Fire Department: Nothing New.

 - b. Broadband: Last met on 3/17/2022. Spectrum has upgraded the service speed from 100 to 200 nbps. Diane Pacheco has completed a training, which is now on you tube. John Whetstone will do the next training on hardware and software. Diane Pacheco will do a presentation on Cell Phone Security at a later date. These presentations have been flipped due to travel changes. The Broadband Committee would like to have a live link to the town website that they can control to reduce the burden on the town office regarding updates, etc. The details will be provided to Walsh by Whetstone.

- c. Road Committee: Rollins reported that the committee met on 3/17/2022 with a rep from the Hancock County Planning Commission (HCPC). Both contacts within HCPC are leaving their positions; one to take a position with MDOT. The committee has a survey for the public planned. This will be posted on the town website, and on the Town Crier. Three-year DOT plans for Trenton were reviewed. The Planning Board in Bar Harbor will inform the committee of any activities that may affect traffic in Trenton. Dale Doherty, MDOT, will attend the next meeting to discuss the Village Planning Initiative. There may be funds available that Trenton could use.

- d. Monarch Butterfly Pledge: Rostrom explained that Barb Acosta is the Coordinator for the Monarch Pledge. Acosta approached the Parks & Recs Department regarding the decreasing population of the Monarch Butterfly. Pesticides are a cause. Milkweed is a food that these butterflies eat. He asked that the Board take the pledge to take steps (a list of which he provided to Board members, i.e. 1. Issue a proclamation; 2. Engage with community groups; 3. Plant milkweed; etc.), to sustain the Monarch Butterfly population. There is little or no cost to this effort. Parks and Rec will manage this effort for the town. Gilmartin stated that the latest solar panel enterprise that came before the Planning Board has agreed to plant pollinators on their site. Ehrlenach motioned to let Rostrom sign the pledge for the Board, allowing Rostrom and Acosta to manage; Monahan seconded. Vote: 4 Yes.

- e. PFAS: Attorney Tim Pease agrees with the determination regarding well testing; it is allowable to use ARPA funds for PFAS and water well testing for residents.

- f. Update on PFAS Free Trenton ARPA proposal: Heiniger explained her group is submitting a proposal that \$10,000 in ARPA funds be used for testing of resident's well for PFAS. Defend our Health representative Sergio, reported that PFAs were found in the school well and have since been remediated. Concerns were raised that other wells in town might have a similar problem. Twelve wells within a mile of the school were tested in 2021 and two were found to have the toxic PFAS. Maine DEP is focusing efforts on towns with sludge spread in agricultural areas. They have categorized towns in four tiers. Trenton is not a high priority, because there is lack of agriculture/sludge spread. More testing in Trenton may highlight a greater PFAS presence. Cyclopure screening test kits are proposed for this process. The proposal will give \$9,000 for test kits, for all in Trenton who have asked for them. \$1,000 will be used for outreach to create awareness in Trenton on this issue. Defend our Health will help to distribute the tests. MDEP will help affected residents with bottled water until they can obtain a water filtration system. Ehrlenbach asked about who would have the responsibility to maintain documents and records about the distribution, testing, analysis, and final results. ARPA will require results of funding for possible audit. A discussion ensued regarding whether the test results for residents could be kept confidential. One school of thought is that the results would become public knowledge because public funds were being used to conduct the investigation. Others present believed that residents would be able to keep results information out of public records. One thought was that if residents did not wish

to make findings public, they should purchase and conduct the test privately. Suggestions were made for Heiniger to obtain more information, possibly seek guidance from Jane Disney or Sarah Hall, regarding how to manage this. Ehrlenbach suggested that a written policy be provided to the Board. Heiniger stated that she will work to formulate a policy that can be acted upon by the town. Nobel suggested that a check with MMA for more exact requirements for record-keeping might be worthwhile. Walsh agreed that new test kits can be shipped to the town office.

VI. New Business:

- a. ARPA Webinar: Nobel and Rollins attended the webinar hosted by MMA, on March 3rd. The final rule was published January 6th, and is effective April 1st. There are four eligible uses: 1. Replace lost sector revenue. 2. Support COVID-19 public health and economic responses. 3. Premium pay for eligible workers. 4. Invest in water, sewer, and broadband structure. Nobel explained that category 1 is most flexible, with simplified reporting, can replace up to the ARPA grant or \$1,000,000 for municipalities. She believes revision of the Comprehensive Plan, the water tank for the fire department, would be allowable under this category. Category 2 may support non-profits, and food banks, but is more requiring of documentation. Category 4 may include culverts, storm water infrastructure. Funds must be used for costs incurred on or after March 3, 2021. They must be obligated by December 31, 2024. Funds must be expended by December 31, 2026. The first report is due April 30, 2022. ARPA and MMA clarified that the town needs to identify the specific use of the appropriate funds in a warrant article; not just a general warrant article that allows the select board to appropriate and expend the funding. The obligation date will be the town meeting date approving the funds. Regarding Category 1, loss of revenue, Nobel explained that the town does not have to explain the loss of revenue, as it is a standard deduction. Ehrlenbach questioned that an individual must sign the documentation affirming that a loss is true and accurate. Nobel explained that the town does not have to have recognized lost revenue. MMA offers an option to use the standard allowance that presumes impact from COVID. The government recognizes that small towns like Trenton might not have a revenue loss. if there was no revenue loss. An opinion from the town's attorney may be sought.
- b. Moderator: Monahan noted in the most recent MMA magazine that advice is to not choose a moderator who holds elected office in the town where the town meeting is being held. He assumed that Trenton has chosen a member of the Select Board in the past because it is the easiest thing to do. He sees this as a conflict of interest. Although, in actuality, at the opening of Trenton's Town Meeting nominations are sought for the position and a vote is taken from those present. Monahan proposed that money be set aside to pay a neutral individual to preside over the Town Meeting. Starr asked if the article stressed that a town cannot choose an elected official to moderate, or if it is simply advising that it should not. There appeared to be no absolute expressed in the article. Discussion among attendees leaned against paying someone to moderate. There was pushback from all who spoke up regarding such a change.

- VII. Other Business: Ehrlenbach asked for a volunteer to write the Municipal Officers Report. Nobel offered to write a draft.
- VIII. Approval of AP and Payroll: Bennett motioned to approve; Nobel seconded. Vote: 4 Yes.
- IX. Adjournment: Bennett motioned to adjourn the meeting at 8:20 pm; Monahan seconded. Vote: 4 Yes.