

**SELECT BOARD  
TOWN OF DOVER-FOXCROFT  
MONDAY, FEBRUARY 26, 2024 - 6:30 PM  
MEETING ROOM  
MINUTES**

**I. OPEN MEETING**

A. Opening Ceremonies

Select Board Chair Thomas Lizotte opened the meeting at 6:30PM and let the Pledge of Allegiance.

B. Roll Call

Select Board Members Present: Thomas Lizotte, Chair, Cindy Freeman Cyr, Vice Chair, Jane Conroy, Emery Cox, Stephen Grammont, Mike Sutton, and Joel Vail (Remote/6:35PM).

C. Conflict of Interest

**II. CONSENT AGENDA**

Treasurer Warrants

1. Administrative Warrant #30
2. Payroll Warrant #8

*Resolution #094-022624*

*MOTION: Freeman Cyr, seconded by Conroy, and voted unanimously (6-0) to approve the consent agenda. Motion passed*

**III. APPROVAL OF MINUTES**

Regular Select Board Meeting Minutes – Monday, February 12, 2024

*Resolution #095-022624*

*MOTION: Sutton, seconded by Freeman Cyr, and voted unanimously (6-0) to approve the minutes of the Regular Select Board Meeting of February 12, 2024. Motion passed.*

**IV. QUITCLAIM DEEDS**

**V. BOARD OF ASSESSORS/MUNICIPAL OFFICERS**

## **VI. OPEN SESSION**

### **A. Public Hearing**

### **B. Open Session – Public**

Representative Chad Perkins referenced a letter he had addressed to the Select Board on February 22nd on behalf of his constituents, whom, he said a fair number of are in opposition to removal of the dam. He said that although he appreciates the work of the steering committee, he is concerned for how the work was conducted as he considers the committee unduly biased by special interest groups that are proponents of removing the dam and do not have the best interest of Dover-Foxcroft citizens in mind. Representative Perkins asked that the Select Board place a moratorium on any action regarding the dam while other options are explored.

Ed Kramer also spoke in opposition of the removal of the dam. Mr. Kramer said that the dam is the town's survival in the event of a great power outage and could be the way to power the town and avoid hardships in the event of a crisis.

Sean Hadley said that with only six of the seven-member board present, the Board should not vote on the removal of the dam, at which time it was recognized that Select Board Member Vail was in attendance via Zoom.

Dennis Allen asked if the proposed park would be public and if property lines would change with the changes to the waterline.

Chair, Thomas Lizotte said that the park would be public and that the property lines would continue to be at the waterline.

Jake Arno said that he's lived in Dover-Foxcroft for 80 years and has had the privilege of the view of the river and the dam. He said he's never thought to himself that he wishes that the dam wasn't there. He said that he supports the businesses that have been willing to stay in their locations despite the flood risks. Mr. Arno said that he understands that there are other options and encouraged exploring those options for the sake of the migrating salmon. Mr. Arno said that he understands the issues with the dam and costs involved, but that he is in support of exploring options other than removing the dam.

Leona Leathers asked how many Select Board members serve on the steering committee for the redevelopment of the dam. She said that it appears to her as a conflict of interest and that she is familiar with conflicts such as this from her time serving on various school boards. Leona Leathers also said that that the removal of the dam should be decided by the town's people.

Thomas Lizotte, Chair said that three members of the Select Board serve on the steering committee and that this is the first time the full Board has addressed the steering committee's recommendations.

Select Board Member Stephen Grammont explained in regards to Select Board Members serving on the steering committee, that the Select Board has subcommittees of three members who meet to review and discuss matters before bringing those matters to the full board with a recommendation.

Steven Sargent, land surveyor said that for purposes of flood insurance, that removal of the dam could cause a potential change to the flood zone, and that consideration should be

given to a flood zone study as there could be financial consequences for not doing so.

Priscilla Weiden said that she has not thought in economic terms regarding the removal of the dam because she is concerned for the wildlife that will be affected by such a drastic change to the environment. Ms. Weiden said she hopes there is another alternative and asked why the state of the dam has been overlooked for so long and not repaired.

Stephen Robinson said that if building a park, the town should ask for \$500,000 to be put in an escrow account so that the costs of maintaining it do not fall onto the taxpayers.

Earl Robinson, 1964 Foxcroft Graduate, said that he has lived in many places and has brought people to Dover-Foxcroft from other states and many have taken photos of the dam because they don't see things like it in Washington or Arizona. He said that his opinion is new, he is just getting up to speed but wanted to say people are taking pictures because the dam is unique and he wanted to share that it was noticed by others.

James Clement said that if it is a matter of a repair that the Board may want to consider cutting a V-Notch. He said that so many people don't want the dam removed and he doesn't see a catastrophic failure.

Daniel Bishop said he is concerned that planning a park is misleading. He said that he owns riverbank frontage and that you cannot just build a park with gravel, but are required to use gravel from the riverbed and that a lot of species live there. He said that a park doesn't make sense because it won't meet DEP standards and is misleading because the river is a sea plane fly-in and safety aspects need to be adhered to.

Paul Matulis said that the town should focus on economics because sooner or later money will have to be spent on the dam and at some time FERC will be involved. He said he'd like to see the river how it was.

Thomas Lizotte said that FERC has already been in contact for some time regarding the dam.

Mark Donaghy, 20-year resident, said that everyone present should be clear on their stance.

Barbara Olmstead said she wants to save the dam.

Debra Stallings said regardless of how it goes, she doesn't believe all options have been considered.

Erin Chandler, four-year resident, said that regarding the economic and finances in having a park, it doesn't maintain itself and asked if an existing department would be responsible because positions are difficult to fill. Ms. Chandler said that Sebec has always had gates at their dam, and the fish ladder has always worked.

Grover Kilpatrick mentioned Stephen Robinson's suggestion for an escrow account. He also said he is in favor of retaining the dam.

Steve Purdy said that he is in favor of retaining the dam also. He said that he lives on Pine Street behind AE Robinsons, and that a member of the steering committee, Alsina Brenenstuh, visited him and his family at their home and spent two hours answering many questions and addressing the report. He said he was not expecting someone to be so willing

to talk to him about his concerns, and that now he sees that the committee is addressing the many details and encouraged others to reach out to a committee member because they will take the time to explain the report. He also said that he is still in favor of saving the dam.

Alan Willis said he would like to see the dam stay because he feels that after the Bangor waterfront project, it will ruin a lot.

Jenny Sharrow asked where the park is supposed to be located. She said that she owns the redemption center on South Street and no one has spoken to her. She said there has been no response to an offer she's made to the town for the property.

Thomas Lizotte said that the details of the park would be determined by public input.

Tracy Redmond spoke in favor of keeping the dam and said he would like a comprehensive study on what it would cost to keep the dam. He said that people need parking areas more than they need a park.

Thomas Lizotte said that he understood that there have been conversations between Ms. Sharrow and the Town Manager. Jenny Sharrow acknowledged that there was a conversation, but she was still awaiting a response to her offer.

#### C. Open Session – Select Board

Emery Cox said that he grew up here and has spent a lot of time on the river. He said that he doesn't want to see the dam go. He said that when he began to attend meetings, he would ask others to look at the report, and would mostly hear comments such as "the dam is beautiful" and "it has always been there". He said that mostly he was the only one in attendance but there were times that two people attended one of the meetings. He said that to say the committee was underhanded is not true. He asked where the people are now who were not in favor of putting capital funds aside for maintenance and repairs of the dam.

Vice Chair Cindy Freeman Cyr said that she appreciates those who serve on the committee who were not part of the Select Board. She said that the town is fortunate and she values volunteers who are willing to step up and do the work.

Joel Vail thanked those in attendance and said that the matter discussed is difficult. He said the steering committee held a lot of meetings where little to no one was in attendance. He said that he understands the people's concerns and that he would like to see more people attend or serve on committees.

#### D. Adjustments to the Agenda

### VII. COMMITTEE REPORTS

The admin/assessing committee received an update on the wage study at their meeting on 02/21/24.

**VIII. UNFINISHED BUSINESS**

**IX. NEW BUSINESS**

A. Mayo Mill Dam

1. Steering Committee Presentation

Chris Maas, steering committee member said that in January of 2023 the committee held their first meeting about what people wanted and that a vital meeting place was something people wanted to have in our town. He said that the committee understood that FERC had been in contact about the condition of the dam.

Town Manager, Jack Clukey said that for ten years, FERC had been requesting the town's plan on how to deal with improvements required at the dam.

Chris Maas talked about the 2003 plans of the downtown redevelopment committee that included a meeting place downtown. He said that the committee's consultant presented a 15-page 11 x 17 spreadsheet including 23 options on how to deal with the dam with the first option as keeping the dam and the very last option listed as removal of the dam. He said that after the evaluation criteria, he was surprised that removal of the dam went to the top of the list and keeping the dam went to the bottom. He said that it is important for the people to understand that the removal of the dam will go to a town vote, and if removed, it would take six to eight years for permitting and designs to be completed and during that time, the town could look at potential locations for a park at the same time as seeking funding sources. He said repair of the dam would cost up to \$8 Million Dollars which would represent three mils and an added \$1,200 on our tax bills. He said that having been on the Central Hall Project, he recommends support of the committee's recommendations.

Emery Cox said that the chances of receiving funding to improve the dam are remote and that there is no interest in the hydro-electricity. He said that he doesn't want three mils on his tax bills to keep a beautiful view, but he is comfortable to give the matter another look. He asked Chris Maas what the hurdles would be to get funding for repairs.

Charis Maas said it is determined by the return on the money.

Emery Cox said that since there is funding for the removal of the dam, and that if the Board votes to accept the committee's recommendation, the next step would be to seek the funding.

Chris Maas said that to repair the dam, the town would need to seek \$6-\$8 Million Dollars in funding.

Amanda Nemeth, Project Coordinator for the Atlantic Salmon Federation said that if the Board votes to accept the committee's recommendations, she could assemble the proposal and work through the necessary steps and that the ASF would commit to permitting. She said she is confident in securing funding for the landscaping piece as well. She said that overall, she would act on the Town's behalf and that the ASF would execute the project.

Town Manager Clukey said that this is because of the funding environment right

now for dam removal and restoration.

Maranda Nemeth said that given the multitude of funding opportunities at this time, they are confident in the prospect of securing funding.

## 2. Select Board Decision

The Select Board members discussed the steering committee's report and recommendations.

Joel Vail said being confident in securing funding is not a guarantee of securing funding. He also asked what has been happening with the dam since it has stopped working.

Town Manager, Jack Clukey said that to restart the mill, and to restart the hydro dam was part of the development plan with Jonathan Arnold, Mayo Mill LLC. He said that in 2021, Mr. Arnold had come to the conclusion that it is not viable and stopped efforts due to the project not being feasible. The dam was leased to Mayo Mill LLC and as the landlord the town has to answer to FERC. He said that at each inspection, the town was reporting of the plan to redevelop the hydro dam, and now after five years, FERC is no longer agreeing to defer repairs to coincide with a hydro project. The Town needs to begin addressing the matter. He said that the hydro dam needs extensive repairs and a fishway that needs to be replaced. He said that in answer to Select Board member Vail's question, as soon as the dam no longer generated power for Moosehead and after multiple efforts.

Joel Vail asked if the town has spent money in the redevelopment of the dam.

Town Manager Clukey said that all development efforts were borne by the developer and that the town has not contributed in the cost.

### ***Resolution #096-022624***

***MOTION: Freeman Cyr, seconded by Cox, and voted (6-1) by rollcall, to approve the steering committee's recommendation to remove the Mayo Mill Dam and to redevelop town property along the riverfront. Nay: Vail. Motion passed.***

### ***Resolution #097-022624***

***MOTION: Cox, seconded by Conroy, and voted unanimously (7-0) by rollcall, to place a question on the June referendum ballot pertaining to whether to remove the Mayo Mill Dam and redevelop town property along the riverfront. Motion passed.***

## B. Code Enforcement Dangerous Building/Unpermitted Junkyard

### 1. 58 East Main St.

Kathryn Cerick, property owner was present and said that she plans to make the necessary improvements and apologized for the delay as she was out of town.

Cindy Freeman Cyr asked if there were long term plans for improvements.

Kathryn Cerick said that she is going to make improvements and hoped to use it

for the Nature Conservancy.

Joel Vail said that the property has been in disrepair for a long time and asked for a timeline.

Kathryn Cerick said that as soon as she determines a timeframe for the work she will inform the Board.

2. 367 East Dover Rd.

Code Enforcement Officer, Brian Gaudet was present to discuss the dangerous buildings on East Main Street and East Dover-Road and asked that the town pursue dangerous building actions with regards to both properties.

***Resolution #098-022624***

***MOTION: Freeman Cyr, seconded by Conroy, and voted unanimously (7-0) by rollcall, to authorize Code Enforcement Officer, Brian Gaudet to pursue dangerous building actions pertaining to 376 East Dover Road. Motion passed.***

3. 367 Norton Hill Rd.

Code Enforcement Officer Brian Gaudet discussed his efforts to address an unpermitted junkyard at 367 Norton Hill Road and whether to pursue legal action in order to address the issue.

***Resolution #099-022624***

***MOTION: Freeman Cyr, seconded by Conroy, and voted unanimously (7-0) by rollcall, to authorize Code Enforcement Officer, Brian Gaudet to pursue legal action pertaining to an illegal junkyard at 367 Norton Hill Road. Motion passed.***

C. Paving Bids

The Select Board received a tabulation of bids received for paving in 2024 with the apparent low bidder as Wellman Paving out of Herman. The Town Manager said that after reviewing the bid, it was found to be incomplete. He said that the town's paving consultant recommends that the town consider Roundy Paving as the low bidder but to also consider the next low bid submitted by B & B Paving in consideration of the town's past experience with the two contractors. The Select Board discussed the bids.

***Resolution #100-022624***

***MOTION: Freeman Cyr, seconded by Conroy, and voted unanimously (7-0) by rollcall, to award the paving bid to Roundy Paving for \$336, 905. Motion passed.***

D. Town Manager's Report

Town Manager Jack Clukey gave the following report:

The town submitted a letter of intent for a grant from the Maine Connectivity Authority (MCA) for improvements to the PHEC building. He said that if the town is invited to submit a full application, due at the end of March and the award would be

announced in May.

Nannette Redmond was recently hired as assistant to code and assessing, previously she worked at James Austin's Law Office and she has been serving as the town's election warden for several years.

The first meeting of the budget advisory committee is scheduled for Thursday, Feb 29<sup>th</sup> at 6:30 PM.

**X. CORRESPONDENCE**

-RSU No. 68 Board of Directors Meeting Minutes,02/06/24 & 24-25 Calendar  
-FY 2024-2025 Budget Advisory Meeting Schedule by Department

**XI. CLOSING REMARKS - SELECT BOARD**

**XII. EXECUTIVE SESSION**

**XIII. ADJOURN**

*Resolution #101-022624*

*MOTION: Grammont, seconded by Conroy, and voted unanimously (7-0) by rollcall, to Adjourn at 8:35 PM. Motion passed.*