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OAKLAND TOWN COUNCIL AGENDA
1/8/2025
6:00 pm
OAKLAND FIRE STATION

- I. Call to order – By Town Clerk – Kathleen Paradis
- II. Pledge of Allegiance
- III. Council vote to elect Chair and Vice Chair by secret ballot
- IV. Roll Call
- V. To consider approving the minutes from December 18, 2024, and signing the weekly payables warrant.
- VI. Business Agenda:

New Business:

1. Order 42-2425 - 6/30/24 Audit Presentation- Craig Costello from Brantner, Thibodeau & Associates via Zoom
2. Order 43-2425 - First Reading of Appeals Board Ordinance
3. Order 44-2425 - Council Appointment of TWO (1) year Appointments for Budget & Advisory Committee
4. Order 45-2425 - 2025-2026 Fuel Bids

Manager Updates (if any)

Executive Session: - Union Negotiations, 1 MRSA § 405(6)(D)

Adjournment

Upcoming Meetings:

- January 13, 2025 – Memorial Hall Committee Meeting - Cascade Room– 6:00 p.m.
January 22, 2025 – Transfer Station Meeting – Cascade Room – 4:00 p.m.
January 22, 2025 – Town Council Meeting Atlantic Room - 6:00 p.m.
January 30, 2025 - Downtown TIF Committee – Cascade Room - 3:30 p.m.

TOWN COUNCIL MEETING MINUTES

DECEMBER 18TH 2024

Council Members Present:

Michael Perkins, Chairman
Robert Nutting
Donald Borman

Dana Wrigley, Vice Chairman
David Groder

Others Present:

Kelly Pinney Michaud, Town Manager
Nathan Smart – Code Enforcement Officer
Kathleen Paradis, Town Clerk
Shannon Bizier-Deputy Clerk
Art Jones
Cynthia Reese
Angela Jurdak
Lisa Gurney
Edith Cornwall
Laura Rose Day
Sahwn Landry

Janice Porter, Town Clerk
Rick Stubbert, Police Chief
Chris Cowan, Police Lieutenant
Susan Giguere
Mathew Connors
Jon Cox
Steve Gurney
Ray Gruber
Ed Cornwall
Shawn Stevens
Robyn Deveny

Business Agenda:

The meeting was called to order by Chairman, Michael Perkins and led those present in the reciting of the Pledge of Allegiance.

1. It was moved by Dana Wrigley seconded by David Groder and voted 5-0 to approve the minutes of the December 4, 2024, meeting.
2. Town Manager Kelly Pinney Michaud then introduced the new employees recently hired by the town. Susan Giguere is our new Counter Clerk. Shannon Bizier has been hired as the new deputy town clerk. Janice Porter our going town clerk and notary then swore in incoming town clerk Kathleen Paradis. Newly sworn in town clerk then swore in new deputy clerk Shannon Bizier.
3. **Solar Moratorium:** A discussion by Town Manager Kelly Pinney Michaud began as she explained to the council that it would be best to do a 180 day pause on all commercial

solar over 5,000 square feet. This would provide time to do some research on large scale solar farms and the impacts it would have on the virgin land and lakes. It was moved by Dana Wrigley, seconded by Don Borman, and voted 5-0 to approve the moratorium.

4. **Notification System and Website:** Town Manager advised the council that the town has received \$19,000 from FEMA 2023 December storm. She said since the funds have already been accounted for in the last fiscal year, she and the Police & Fire Chief felt it would be smart to create a Storm/Emergency Fund. The Town Manager then spoke to the council regarding an emergency notification system. This would cost \$4000-\$4600/annually and would be used to notify residents of events such as Storm Closings, Street closings, summer rec registrations, any emergency situations. Dave Groder said he was in support of the EMA. Don Borman asked about the annual fee. Bob Nutting advised to try for 1 year and see how this works. Dana Wrigley asked if there were any other plans, and the Town Manager advised that there are different plans out there that we could look at one being Civility. She will get firm pricing and quotes from several companies before a decision is made. It was then moved by Dana Wrigley and seconded by Don Borman and voted 5-0 to get quotes and begin the process for the EMA.

5. **Library Building:** The Town Manager explained to the council that the library needs to replace 2 existing heat pumps. They would be able to use money from the library building fund of \$2500 and send out Request for Proposals to then select the best company to do the job. Dana Wrigley explained that when we had the council meeting in the library last summer it was very humid and not good for the books, and he thought that it was a great idea. Kelly will bring back more information once the RFP's are received back.

It was moved by Dana Wrigley and seconded by David Groder and voted 5-0 at 6:15 pm. to go into executive session.

It was moved by Dana Wrigley and seconded by Dave Groder and voted 5-0 to end executive session at 7:01pm.

Executive Session Vote: Dana Wrigley made a motion which was seconded by David Groder and it was voted 5-0 to renew the Town Manager's contract until 6/30/2026 with the evaluation process taking place in December 2025.

Adjourn: It was moved by David Groder and seconded by Dana Wrigley and voted 5-0 to adjourn.

Oakland Board of Appeals

Section 1. Establishment

There is hereby created the Oakland Board of Appeals pursuant to Title 30 MRSA Section 2411.

Section 2. Appointment

2.1 Members of the Board of Appeals shall be registered voters of said town and reside therein throughout their term. Members are appointed by the Municipal Officers who shall determine their compensation and be sworn by the Municipal Clerk or other person authorized to administer oaths.

2.2 The Board shall consist alternate members of five (5) members and two (2) alternate members.

2.3 The term of each member shall be three (3) years, except the initial appointments which shall be for one, two, or three years, with alternate members appointed for three years.

2.4 When there is a permanent vacancy, the Municipal Officers shall appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member fails to attend four (4) consecutive regular meetings, or when a member ceases to be a voting resident of the town. The Board may recommend to the Municipal Officers disapprove the recommendation. The Municipal Officers may remove members of the Board of Appeals by majority vote, for cause, after notice and hearing.

2.5 A Municipal Officer or any member of their immediate family may not serve as a member or alternate members of the Board of Appeals

Section 3. Organization, Rules, and Procedures

3.1 The Board shall elect a Chairperson and a Vice Chairperson from among its regular Members. A secretary may be from members of the Board, or an appointed secretary, or the Code Enforcement Officer. The term of all offices shall be for one (1) year with eligibility for re-election.

3.2 When a member is unable to act because of conflict of interest, physical incapacity, lateness or absence, the Chairperson shall designate an alternate as a voting member for that relevant portion of the meeting.

3.3 Any question of whether a particular issue involves a conflict "of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the members, except the member who is being challenged.

3.4 An alternate member may attend all meetings of the board and participate in its' proceedings but may vote only when he/she has been designated by the Chairperson to sit for a member.

3.5 The Appeals board shall hold at least one regular meeting a month as established by vote of the Board members. The Chairperson may waive a regular meeting if there is no business to conduct. If the date should fall on a holiday, the board members may select a different date for that month.

3.6 No meeting of the Board shall be held without a quorum consisting of ~~three (3)~~ **four (4)** members or alternate members authorized to vote. No action shall be taken by the board without at least three (3) concurring votes on the issue before the Board.

3.7 On matters to come before the Board, the Board of Appeals shall be empowered to hear:

1. Issues that require an interpretation of an ordinance. The Board shall act in a purely appellate capacity and shall be bound in its deliberations by the Findings of Fact made by the Planning Board or the Code Enforcement Officer. Should an error by the Planning Board be uncovered, the appeal shall be returned to the Planning Board with recommendations for a further review to correct the error; and
2. Variances, which shall not be granted unless the applicant demonstrates an undue hardship as defined in 30 MRSA Section 4963; and
3. Issues of Set Back Approval pursuant to the Letter of Intent Ordinance.

3.8 Setback Variance of up to 20% may be granted for structures providing the following criteria is met:

1. The need for the variance is due to the unique circumstances of the property; and
2. The granting of the variance will not alter the essential character of the locality or substantially reduce or impair the use of abutting property; and
3. The need for a variance is not the result of action taken by the applicant or a prior owner; and
4. No other feasible alternative is available; and
5. Disabled persons shall not need a variance to secure access or egress from a building. This access or egress shall include railing, wall, or roof systems necessary for the safety and effectiveness of the structure.

Section 4. Duties and Powers

4.1 The Board of Appeals shall adopt bylaws governing the Board functions.

4.2 The Board of Appeals shall adopt rules and procedures for transaction of business and the Secretary, along with the Code Enforcement Officer, shall keep a record of its' resolutions, transactions, correspondence, findings, and determinations.

4.3 The Board of Appeals shall file all bylaws, rules and procedures and subsequent revisions with the Municipal Clerk. Copies shall be provided to the Municipal Officers for their information.

4.4 The Board of Appeals shall perform such duties and exercise such powers as are provided by Oakland Ordinances and the laws of the State of Maine.

4.5 The Board of Appeals may obtain goods and services necessary to its' proper function within the limits of appropriations made for the purpose.

Section 5. Savings Provision

The creation of the Board of Appeals shall not nullify or affect in any way, any actions taken by a prior Board of Appeals.

Section 6. Severability Clause

Should the courts declare any section or provision of this Ordinance to be invalid, such decision shall not invalidate any other section or provision of this Ordinance. The effective date of this Ordinance is March 12, 1986, Revisions(s) to this Ordinance dated July 27, 1988, June 24, 1992, and February 9, 2016 and June 22, 2022.

Section 7. Definitions

Residents that are registered voters must live and reside in Oakland ten (10) out of twelve (12) months per year.

Section 8. Amendments

This Ordinance may be amended by a majority vote of the Town Council. Amendments may be initiated by the Town Council, a majority vote of the Planning Board, or written petition by the number of votes cast in the municipality in the last gubernatorial election.

**Pick 2 - for a ONE YEAR APPOINTMENT on the Budget &
Advisory Committee**

Council Appointment

RICK MACKENZIE	
ARTHUR MORRISSETTE	
RAY GRUBER	
MARK FISHER	
ANITA CHADDERTON	