



## Lamoine Board of Selectmen Minutes of September 20, 2007

Selectman Chris Tadema-Wielandt called the meeting to order at 7:04 PM.

Present were: Selectmen Richard Fennelly Jr., Brett Jones, Cynthia Donaldson, Chris Tadema-Wielandt, S. Josephine Cooper (arrived 7:07 pm); Administrative Assistant Stu Marckoon; Greg Burr of the Maine Department of Inland Fisheries & Wildlife (IF&W), Parks Commission Chair Kerry Galeaz, Assistant Town Clerk Kathleen DeFusco, Robert Cooper & Eric Cooper.

**Minutes** – Chris said he'd presented several edits to Stu the previous day. He cautioned the board to take time in reviewing the minutes to make sure they are accurate, as they may end up being used in another forum. Richard said he had found a few typos. Selectmen reviewed the draft minutes. Brett asked if the minutes are considered the official record. Chris said he thought so, though the DVD recording of the meeting could be transcribed.

Chris moved to approve the minutes as corrected. Cynthia 2<sup>nd</sup>. **Vote in favor was 4-0, Fennelly abstained.**

While the review was taking place, Cynthia presented information about the born learning program and suggested that it would be nice if the Cable TV Channel could run a Public Service Announcement periodically. Stu said he wasn't sure if the technology would allow that to happen automatically.

**Town Meeting Matters** – Jo praised Chris for doing an excellent job moderating the meeting. Kathy DeFusco asked Jo to review the answer on what would happen if the Veterans Memorial Committee did not come up with the full funding for the memorial project. Chris said the committee would have to go back to town meeting to ask for more funding. Jo said the town could say no, but she said she didn't think that the committee will have to go back for more money.

Stu asked about the lease with Verizon Wireless. Jo said it would be advisable to contact Verizon to let them know of the approval. Cynthia asked if there was language in the proposed lease about taking the tower down when the lease is over. Brett said that language is in there. Richard asked about a start and completion date, and suggested looking at wording in regard to tower construction. He suggested a six month start date following issuance of a permit from the Planning Board, and anything after that would be subject to lease termination.

A short discussion followed about tower construction and where to locate the tower.

**Regular Town Meeting Date** – Jo asked if a warrant could be ready for March 4<sup>th</sup> or would it be better to wait a week. Richard suggested a later date in the spring. Jo asked Cynthia what the timing might be for the education budget. Cynthia said she's not sure. Brett asked if he was correct in believing there would be an open meeting for the school budget to be followed by a referendum vote. Jo noted that once the Regional School Unit (RSU) is in place, a referendum vote would be needed.

Richard said he'd prefer a later date to give the town the opportunity to refine the warrant questions. A discussion followed about holding the meeting in early April instead of March. Chris asked whether there ought to be a separate town meeting for the school budget. A short discussion followed on the merits of knowing how the entire budget would flush out without the school budget.

Jo moved to set the first Tuesday in April (April 1, 2008) as the municipal election date and Wednesday, April 2, 2008 as the open town meeting night. Richard 2<sup>nd</sup>.  
**Vote in favor was 5-0.**

**Request for secret ballot ordinance referendum** – Stu reported that Colene Sharkey had picked up an Appeals Board form and said they might appeal the Selectmen's decision to not call a special town meeting referendum to that body. He said there was also an indication that the Sharkeys intend to hire a lawyer to handle the matter.

**Code Enforcement Matters – Used Car Business** – Jo said there seemed to be a large number of vehicles for sale at Bradford's Auto on Jordan River Road. She said she was only making an inquiry to the Code Enforcement Officer. Chris referred to materials included in the Selectmen's packet. Stu said the conditional language on the permit indicates that auto sales must be set back 100-feet, but it does not define auto sales. He said CEO Dennis Ford felt the restriction could be interpreted to apply to the building and not where the cars were parked. A short discussion followed.

Jo said she was not out to target business. She gave a hypothetical and asked if this case could be considered a change of use. Brett noted that Mr. Bradford had indicated auto sales was an existing use on his permit application in 1995. Jo asked what could be done if it gets out of hand. Chris suggested looking at the definition in the ordinance. Brett said the state might regulate some of that, and a short discussion followed.

Cynthia said it's interesting how specific one has to be. She said she recalled the discussion at the time of the permitting in 1995 to be about cars. Jo said she was simply surprised to see so many cars so close to the road.

**Mud Creek Road Violation** – Stu reported that CEO Ford informed him that a building permit application and a septic permit application had been filled out, but there are title problems with the land and that has to be sorted out before they can be processed. Stu said he encouraged Dennis to require some proof that these problems are being addressed.

**Seal Point Road Violation** – Stu reported that CEO Ford told him the landowner had one final application before the CEO, and if that's successful (for an RV), the alleged violation will have been corrected.

**Gott Right Of Way** – Stu said he spoke with Steve Salsbury the previous day and the document has been sent to Tim Gott for review, but he has not heard back from Mr. Gott.

**Stocking Trout in Blunt's Pond** – Jo said there were at least two avid fishermen in the room (herself and one of her sons), and she was excited to hear that IF&W wanted to stock Blunt's Pond with trout. Greg Burr of IF&W said Blunt's Pond has been on his radar screen for a number of years, through the urging of the local warden and the MDI Rod & Gun Club. He said they look at stocking as a way to increase fishing opportunities.

Mr. Burr said they surveyed the pond last month – somehow it had slipped through the cracks for many years. He explained that Blunt's was a "kettle-hole pond" and how it was formed. He said the lake was crystal clear and had a lot of vegetation. He said they looked at water quality, and found the water was fairly warm, and the maximum depth was about 7-feet. He said they found yellow perch, pickerel, and crayfish. He said none were native to the pond and were probably introduced by humans. He said they propose to stock the pond with larger brook trout in late October. He said there would be 150-fish between 12 and 14-inches long for immediate fishing opportunities. He said the rules would let folks fish in November and December and ice fish. He said the pond currently closes for fishing at the end of October. He said he would expect mostly ice fishing for the trout. He said there might be some trout left in the spring, but most would probably die when the water warmed up.

Mr. Burr said IF&W would evaluate the program. He said there might be some fish available this season. He said if the Selectmen said OK to the idea, it would get sent for review by the biologists, and if they said OK, they would go ahead and stock the pond. He said he would not do it without the local approval.

Mr. Burr said the evaluation would take place for the first two winters, and if it were successful, they would keep on doing it. He said anglers paid for the fish. He said he didn't see any ecological problems coming from this, though there could be increases in campfires and trash along the pond, and possible parking

congestion issues. He said IF&W would not plow the road into the pond. He said they did not want to create traffic issues.

Jo asked if the Selectmen say “yes” and then find there are issues, could there be an opportunity to revisit this. Mr. Burr said yes, just talk to IF&W. Richard said there is a fair amount of ice fishing use in the winter. Cynthia asked if this would bring in people from out of town to use the pond. Richard said he expected there might be some. Mr. Burr said they always want input from the town. Richard said he wouldn’t expect a huge mob.

Chris asked if there were species that could survive year round. Mr. Burr said brown trout, but there is a limit on the number of brown trout waters around the state. He said the brown trout is not native to Maine, but that would have been his first choice for the pond. He said the state might change its mind on brown trout. He said the brook trout could have an incidental impact as the fishermen would be more likely to kill the pickerel.

Jo asked if the information on the survey of Blunt’s Pond could be made available to the Conservation Commission. Mr. Burr handed out a written proposal and said he did not have the survey map and information yet available but would get it to the town when it’s ready. A short discussion followed on groundwater fed ponds.

Jo moved to allow IF&W to stock Blunt’s Pond as proposed. Richard 2<sup>nd</sup>. Parks Commissioner Chair Kerry Galeaz said the commission was all for it. He said he spoke with his fellow commissioners the other day. He said there are some access issues, especially about plowing and where people might park if it were not plowed. Mr. Burr said the pond would eventually be listed in the IF&W Fishing Rules book. **Vote in favor was 5-0.**

**Town Office Reconfiguration** – Jo asked for comments following the last meeting. Chris said it seemed like a lot of money. Richard agreed. Cynthia said the proposal included more than what the Board had thought would be needed. Richard said he didn’t see where a week’s worth of work would be needed. Chris said the question remains as to whether the Board is committed to the project suggested by town staff. Jo said there are some pretty experienced builders available locally and they could be asked to see what they’d propose. Brett cautioned about vague requests for bidding out a project. He said the drawing from the office staff could be a start.

Stu said he’s not qualified to do such designs, and the drawing was just a first draft of his idea. He said he thought the purpose was to come up with a design that could be put out to bid and a cost estimate that could be included in the budget. Brett said he did not want a confusing bid. Jo said Mr. Riley, who visited last meeting, was looking at the project as an engineer. She said perhaps the question was not communicated well. She said the drawing that was provided

could be used to design the space; there is no need for plans for the attic and the basement. There was discussion about Mr. Riley's offer to do the job for an hourly rate not to exceed a certain amount and the scope of the plan. Brett said Mr. Riley's time should not be wasted, nor should the town's. Chris said a professional might be able to add better ideas of ergonomics, efficiencies and aesthetics. A short discussion followed about the plan.

Jo said there must be a happy medium somewhere. Brett suggested asking a known, quality contractor. Stu said his next door neighbor had just started a design business. He asked what the Board would like to be communicated to Mr. Riley. Jo said to thank him but reject the offer. Brett said the scope of the project was not as grand as Mr. Riley had thought.

**Lamoine Quarterly** – Stu said the paper is about half done. He said he plans to finish it up next week and get it to the Selectmen for editing by the end of the week.

**Salt Sand Shed Update** – Stu said the foundation walls are poured and the site work is continuing and paving should begin shortly.

**Roads** – Stu said he had no update on the local road work. Chris asked about problems on the shoulders of Route 204. Stu said the MDOT maintains that and Selectmen might be better off calling the MDOT directly. He says he's called MDOT a lot recently.

**School Consolidation** – Cynthia said she did not prepare a written report. She said School Committee Chair Faith Perkins was trying to get something ready for the website. She said she did not want to compromise the school board chair as being the lead for communications. Cynthia said she wanted to give an oral report, but the written should come from another venue. Brett said he wanted to hear Cynthia's perspective. Richard asked if he was correct in understanding that Education Commissioner Susan Gendron had disapproved keeping Union 92 intact as a Regional School Unit (RSU) for some school units in Union 92, but approved it for others.

Cynthia reported that the Regional Planning Committee (RPC) met on September 12<sup>th</sup> and talked about what a top notch education system would look like. She talked about the committee assignments in the larger planning unit. She said there was concern that the local members focus not get fractured by their committee work. She said they have received the staff salary scales and the school staffing numbers. She said when they met yesterday they looked at the response to the letters of intent. She said it was a mess. She confirmed that Richard's statement about some Union 92 towns being approved and some disapproved for the same plan had taken place. A short discussion followed on the state's response.

Cynthia said the Superintendent is trying to get answers from the state. Chris asked if there should be any faith at all in the process. Cynthia said she would be skeptical. Jo said the response from the state makes the whole thing laughable. A short discussion about the state problems followed.

Cynthia said a benefit to the process has been good communications between school systems. Jo said she would be horrified at the amount of time and energy expended if the whole thing turns out to be a sham. She said it would not do well for education in Maine. Chris said there does not appear to be any intent to improve education. A short discussion followed.

Richard said the first opportunity to see the state's work was very disappointing. He said the towns in Union 92 should send a letter to the state saying they've agreed to be a unit as approved in some of those towns and go ahead with that. Cynthia said School Committee Chair Faith Perkins is interested in meeting with the rest of the Union 92 school boards. Richard said it appears the folks in Augusta are not paying attention.

Cynthia said Union 98 is putting pressure on Lamoine and Trenton to make a decision on whether to join them for an RSU. Richard said Lamoine's position seems to be getting better in that the town could find itself without any partners. Brett said he was keeping the option of going it alone in mind. Cynthia said the Union 98 figures have started to look a little more favorable. Brett asked about the projections for the future. Cynthia said salaries have not been a part of the figures yet. Richard asked if the Union 92 option may be the least costly. Cynthia said they've played with that idea. A short discussion followed about the figures and the options.

Cynthia said the first community forum will be October 1<sup>st</sup> at the Lamoine School at 7:00 PM following the school board meeting. Chris asked if reports in the future would be verbal and not written. A short discussion followed.

**Vexation Order Violation** – Stu reported that he contacted the town attorney as instructed who made a complaint to the Sheriff's Department. He said a deputy served some sort of complaint to the subject of the order, but he was not sure what happens next. Chris explained how the process typically would work. Jo reported the Secretary of State received a phone call from the same person and hung up on him.

**Expenditure Warrant 6** – Selectmen signed expenditure warrant 6 for \$291,252.86. Stu said \$100,000 was a transfer to investments, \$113,000 was for school expenditures, and about \$60,000 for the salt sand shed construction. Chris asked how often engineer Jim Kiser would be inspecting the progress. Stu said he was not sure.

Brett asked if there was any update on the fire truck from K&T Environmental. Stu said he'd not heard any and explained that pumper 401 was taken to Island Falls for work because the pump was not consistently engaging.

**Cash & Budget Reports** – Stu reported he had moved \$100,000 to investments. There were no other questions.

**Checking Account Reconciliation** – Selectmen signed a statement expressing satisfaction with the reconciliation of the checking account. Stu noted that he had overpaid a Wal-Mart bill by 3-cents.

**Audit** – Stu noted the auditors would be here on Tuesday to complete their field work. Jo said she would like the auditors to present their final report in person. Stu said he would ask.

**Resignations** – Jo moved to accept with regret the resignations of Steve Valleau and Bonnie Moretto from the Parks Commission. Richard 2<sup>nd</sup>. **Vote in favor was 5-0.** Selectmen signed letters to both along with a letter thanking Tom Spruce for his service on the Conservation Commission. Openings for all 3 will be advertised with interest to be expressed by October 15<sup>th</sup>.

**Brownfields Grant Support Letter** – Brett moved to sign a letter of support to the Hancock County Planning Commission as they seek a grant from the EPA for grants to restore brownfields. Jo 2<sup>nd</sup>. **Vote in favor was 5-0, Jo signed the letter.**

**Other** – Richard reported that he had heard the land across the road from the Town Office might be on the market. He said he was not sure if the town was interested. There was a short discussion on the price, wetlands and possible municipal uses. Stu said he would try to find out more information.

**Next Meeting** – Selectmen set the schedule for their next meetings as: October 11<sup>th</sup>, October 25<sup>th</sup>, November 8<sup>th</sup> and November 29<sup>th</sup>.

Stu said he would inform the Budget Committee and the Department Heads about the October 11<sup>th</sup> meeting as the pre-season meeting.

There being no further business, the meeting adjourned at 8:57 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.