



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605
(207) 667-2242
town@lamoine-me.gov

Minutes of July 8, 2010

Chair Jo Cooper called the meeting to order at 7:05 PM at the Lamoine Volunteer Fire Station.

Present were: Selectmen William Brann, Gary McFarland, Richard Fennelly Jr., S. Josephine Cooper, Cynthia Donaldson; Administrative Assistant Stu Marckoon, Fire Department Captain Ed Farnsworth, Road Commissioner/Assessor Michael Jordan, Shellfish Conservation Committee Member Paul Davis, and Fire Lt. Brett Jones

Agenda Review – Cynthia said she would like to add a quick update on the town meeting format survey

Richard said he would like to give a briefing on the region shellfish ordinance effort.

Minutes of June 17, 2010 – Richard said he had one very minor change. Jo moved to approve as corrected. Gary 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 26 – This warrant was signed individually by the Selectmen during voting on June 29, 2010

Expenditure Warrant 27- Selectmen signed the warrant for \$12,269.49. Stu reported bills for Fiscal Year 2010 will continue to trickle in and be booked as accounts payable for warrants during FY 2011.

Expenditure Warrant 1 – Selectmen signed warrant 1 for \$21,764.68. Stu noted that most of the warrant consisted of one time payments to social service agencies, the Library and the YMCA.

Cash & Budget Report – Cynthia asked why the fire truck loan payment lags. Stu said the loan closed last August, so the 1st payment of principle is not due until August 2010. He said the interest through 6/30/10 has been paid. Cynthia noted that solid waste costs appear to be down. Stu said weights are down significantly in the past year.

Checking Account – Selectmen signed the statement expressing satisfaction with the Checking Account reconciliation.

Encumbrance Order – Richard asked about the reference to Periwinkle Alley. Road Commissioner Jordan said there has been a drainage problem where Periwinkle intersects with the town maintained Cos Cob Avenue. He said they hope to fix it by running a culvert across Cos Cob. He said a change of use to a year round residence had a lot to do with the problem.

Jo moved to sign the encumbrance order. Richard 2nd. **Vote in favor was 5-0.**

Contracts – Jo moved to approve the contract with Animal Control Officer Michael Arsenault. Cynthia 2nd. **Vote in favor was 5-0. Selectmen signed the contract which Mr. Arsenault had previously signed.**

Cynthia moved to sign a contract with Dennis Ford, Code Enforcement Officer following a non-substantive grammar change. Jo 2nd. **Vote in favor was 5-0. Selectmen signed the contract to be offered to Mr. Ford (which was subsequently signed by Mr. Ford).**

Jo moved to sign a contract with Michael Jordan, Deputy Code Enforcement Officer. Richard 2nd. **Vote in favor was 5-0. Selectmen signed the contract which Mr. Jordan had previously signed.**

Jo moved to sign a contract with Transfer Station Manager Bill Fennelly. Richard 2nd. There was a very minor grammar correction in section 9 which is hand written in. **Vote in favor was 5-0; Selectmen signed the warrant which Mr. Fennelly had signed previously.**

Freedom of Access Training – Stu explained that each Selectman is required by state law to complete training on the Freedom of Access Laws and submit documentation of that training for the files. He said the written training materials were in the packets and requested the forms indicating completion be submitted once the material is reviewed by each Selectman.

Resignation of RSU 24 Representative – Jo moved to accept the resignation of Jonathan Morren as the representative to RSU 24 effective August 31, 2010 with regret. Richard 2nd. **Vote in favor was 5-0. Selectmen signed a letter to Mr. Morren.**

Stu asked if it would be appropriate to advertise for an interim representative to the RSU to serve between September 1 and November 2. Jo said she would like to see an appointment at the August meeting.

Appointment to Local School Advisory Committee – Stu said two people have offered to serve – Brett Jones and Frederick Cahn. Cynthia noted that the two positions that are open had the terms expire at the end of June. Jo moved to appoint both Mr. Jones and Mr. Cahn to the Local School Advisory Committee. Mr. Jones said he intends to file nomination papers for the RSU 24 representative post. He said he would also be willing to serve as the interim representative. Jo thanked Mr. Jones. Richard 2nd the nominations. **Vote in favor was 5-0, Selectmen signed the nomination forms.**

Abatement Update – Stu reported that Old Point Inc. has filed for tax abatements with both the Hancock County Commissioners and the State Board of Property Tax Review. Michael Jordan said the Board of Assessors will meet with William Haass and Barbara Davis at their August meeting.

Request for Dog Waste Control Ordinance – Richard noted there is a state leash law, and if people complied with that, there would not be much point in creating another

ordinance. Gary said the concern appears to be damage to the clam flats and said an ordinance would require policing the flats. Richard said the concern apparently revolves around testing for fecal coliform bacteria and the potential closure of the flats if a test comes back positive. Shellfish Conservation Committee Representative Paul Davis said that was correct and an excess amount of bacteria could close an entire area. Jo said it sounds like a matter for the shellfish committee.

Cynthia said she was concerned about the parks. She said she would like to see plastic cleanup bags available at the parks. Stu said he believes the Parks Commission built that into their budget for this year. He said he would pass along that request to the Parks Commission. Jo said she would like to hear from the Shellfishing Conservation Committee. Mr. Davis said there has been no issue so far, but there could be. Richard asked how dog waste is any different from a cattle pasture being located next to a stream that empties onto the flats. There was a brief discussion about restrictions in the Shoreland Zoning Ordinance and flats closures.

Mr. Davis said he was unsure whether people could see the sign with the rules posted on it at Bloomfield Park when they drive in. He said it would be good if people would respect the leash law. He said some dogs appear to be out of control. Selectmen agreed that would be referred to the Parks Commission as well.

Request for lower damages to broken window incident – Stu reported that he drafted up a letter offering to lower the damage amount for the damage to the floor if the rest of the restitution is paid by November 1st. There was a discussion about the options and the effort by the perpetrator to pay back the damage. Selectmen agreed to change the payback deadline to January 1, 2011, and directed Stu to redraft the letter and Jo could sign the new version.

Excess Tuition FY 2009/10 – Stu reported the extra tuition cost has been built into the tax commitment, but RSU 24 was still waiting for an opinion on whether that could happen. Cynthia said she talked to Stu about why the estimate was so far off, but she has not yet talked to David Bridgham. She said she understands why the estimate was off, but not how that wasn't caught until the very last minute of the year. Richard said he could see a lack of familiarity with the new system, but he agreed it's troubling that it could go nearly a full year without being discovered. A short discussion followed.

Election – Richard noted the turnout for the June 29th referendum on the MDI Debt Service Factor was good. There was a brief discussion about the outcome.

Road Name – Jo moved to assign the name Lightning Point Lane to a road off Seal Point Road. Richard 2nd. **Vote in favor was 5-0. Selectmen signed the road naming order.**

Maine Municipal Association Ballot – Jo moved to support the candidacy of Sophia Wilson of Brownville and instruct Stu to cast the ballot on behalf of the Board. Cynthia 2nd. **Vote in Favor was 5-0.**

MDOT – Sign at Mud Creek – Stu said he received a request to ask the MDOT to post some sort of direction sign at the intersection of Mud Creek Road and Partridge Cove Road to direct motorists toward Route 3 in Trenton and Route 1 in Hancock. Jo said travelers unfamiliar with the area often take a wrong turn at that intersection. Stu said he was willing to contact MDOT. There was no opposition.

Tax Commitment – Stu reported the Board of Assessors made the commitment the previous day, and the rate is down by 1/10th of a mill.

Fire Grant Status – Ed Farnsworth reported that most everything has been obtained – including the lift bags which arrived earlier in the day. He showed off the new cutter and a lift bag and explained that they will give the department a lot more capability in responding to vehicle accidents.

Open Door Recovery Center – Stu reported that when he was cutting the checks to the Social Service Agencies, he discovered the line for Open Door Recovery Center had been left off the Town Meeting Warrant, but the amount raised at Town Meeting included the \$600 recommended. Richard moved to authorize payment to Open Door Recovery Center. Jo 2nd. **Vote in favor was 5-0.**

Survey – Cynthia reported her compilation of the town meeting format survey would be done by August 10th. She handed out a spread sheet of what she's come up with thus far. She noted that 145 people have returned surveys, and the results are interesting. She noted that many people seem confused by the issue and that is an indication that an education effort is needed, and there is a thorough discussion before November's vote. She said it's good stuff coming back. Richard said the results are interesting, and there is a distinct split between the yes and no sides.

Shellfishing Ordinance Update – Richard reported that warden candidates were interviewed the previous week and three of the four candidates showed. He said the primary and secondary candidates rejected the job, the 2nd candidate because of money. He said there was discussion about increasing the funding, but there was no guarantee that the candidate would take it for more money. He said the 3rd person was offered the job and has accepted, and has all the training. He identified the new warden as Michael Hall and said he's the current shellfish warden in Gouldsboro. He said Mr. Hall should have a uniform in a couple of weeks and should do a bang up job on the flats. He said the committee has purchased a 2001 Dodge Truck and everything appears ready to go. There was a very brief discussion about the uniform.

Next Meetings – The next meetings will take place on August 12, September 2 and September 16th.

Executive Session – Jo moved to enter executive session pursuant to 1MRSA §405(6) (a) to discuss a personnel matter with an employee. Richard 2nd. **Vote in favor was 5-0 at 8:10 PM. Out at 8:25 PM.**

There being no further business, the meeting adjourned at 8:25 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.