



## Lamoine Board of Selectmen

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### Minutes – March 24, 2016

Chairman Gary McFarland called the meeting to order at 7:00 PM.

Present were: Selectmen Robert Christie, Kathleen Rybarz, S. Josephine Cooper, Gary McFarland; Administrative Assistant Stu Marckoon, Bruce Gillett, Ken Smith, Michael Wight, Carlos Rosales, Valerie Sprague, and Cathy deTuede. Selectman Heather Fowler had informed the board at a prior meeting that she was unable to attend.

**Agenda Review/Addendum** – No changes were proposed to the agenda or addendum.

**Minutes – March 10, 2016 & March 15, 2016** – Kathleen moved to approve both as printed. Bob asked if there was a time set for cleaning the transfer station on April 9<sup>th</sup>. Stu said there as not, and the issue will come up later. Bob 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Expenditure warrant 21** – Selectmen signed the warrant in the amount of \$106,904.76. Stu reported the largest expenditures were for schools and snow plowing.

**Cash & Budget Report** – Stu noted that he did not reprint the budget report after adding a \$30 bill for fire expenses that was reimbursable to one of the firefighters. Jo asked about publicity for the heating fund. Stu said it's on the website, and there were a couple of inquiries this winter, even though the winter was mild. He said when people call for assistance to the town hall, he will let them know of its availability.

**Foreclosed Property** – Stu reported that David DesIsles has paid all back taxes, fees and interest and recommended that Selectmen sign a quitclaim deed to Map 14 Lot 1. Jo moved to sign and to authorize Stu to execute the Real Estate Transfer Tax form. Kathleen 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Consent Agreement** – Gary said the draft was updated and the latest version is in tonight's packet. He said the change earlier in the day was to allow for a 40-foot fence or shrubbery. A brief discussion followed about screening. Jo said she would hate to see the new homeowner parking between the house and Douglas Highway. Michael Wight of Broughman Builders said he intends to loam and seed that area. Kathleen asked if there was a porch on the front of the building. Mr. Wight said there was just a set of steps with a rail for an exit, no porch or deck. Mr. Wight asked what kind of trees the Selectmen had in mind. A brief discussion followed clarifying that either shrubs or a fence would be adequate. Mr. Wight signed the consent agreement. Selectmen said they would sign once Mr. Wight takes care of all the items contained in the agreement.

**Contract – Pavement Management Services** – Jo moved to sign the contract with Pavement Management Services for the annual paving jobs. Bob 2<sup>nd</sup>. **Vote in favor was 4-0.** Stu reported this might be the last year for this contract, as Mr. Picard plans to retire. He said he knows of a gentleman in Hancock who is qualified and possibly interested in doing a similar type of arrangement.

**Sweeping Bids** – There was no objection to sending out a request for proposals for sweeping the town roads for the next 3-years. There was a brief discussion as to whether it was needed after the mild winter, and it was agreed the roads do need to be swept.

**Mowing Bids** – Bob moved to seek proposals for mowing the town roads for three years. Kathleen 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Social Media Policy** – Stu said there was a request that came in during the campaign to put a post on the town's Facebook page about folks moving campaign signs. He said he tries not to get the town involved in politics, but there is no formal policy about the Facebook page. Selectmen suggested that Stu search out a policy and draft one for future consideration.

**Town Domain E-Mail Addresses** – Kathleen said she was surprised that each Selectman had their own town e-mail address and asked if each Planning Board and Comprehensive Planning Committee Member could have a similar set up. Stu said it was possible, but will take a little time to accomplish. There was no objection to extending the e-mail addresses to board members. Stu suggested the Appeals Board could also have a domain address.

**Solid Waste Options** – Ken Smith gave a formal report on the options the town has to choose from. They include the MRC/Fiberight project, staying with the Penobscot Energy Recovery Company (PERC) incinerator, or landfilling.

Mr. Smith said there seems to be a fair amount of municipal hostility toward PERC. He said the MRC proposal is for \$70/ton with rebates, provided there is enough tonnage and revenues to generate rebates. He said there are added costs, as the towns have a collective reserve fund of \$28-million dollars. He said \$5-million of that is being used for infrastructure construction to accommodate the Fiberight plant. He said the MRC can purchase the plant if the contract is terminated early. He said that cost is between \$2.25 and \$7.00/ton. He said there are no additional charges at PERC. Mr. Smith then reviewed the Fiberight plan.

Mr. Smith said if the Fiberight Plant works, there will be a great benefit. He said the question is whether Fiberight will spend the money to make the plant work. He said Fiberight does not have the funding, but its partner, Covanta does. He said there is a significant effort to putting 5-technologies to work together in one plant, and that's a risk. He said such ideas often underestimate the costs, and there is risk prior to construction. He said Fiberight can terminate the agreement during construction or could request to the MRC Board that tipping fees increase. He said the MRC Board has final approval on any tipping fee increase. He said Fiberight should pick up the cost if the plant doesn't pass its tests. He said Covanta would have to fund changes, but they've not participated in the community meetings. He then read from the Covanta commitment.

Mr. Smith said he cannot recommend the MRC option without speaking with Covanta. He said there are a lot of comments on the three possibilities and lots of comments, and

there are liabilities with the MRC proposal due to unacceptable waste. He said if there were a project failure, the trash would go to the landfill in Norridgewock.

Mr. Smith said there is a higher tipping fee with PERC, and they're looking for municipalities to commit to 90,000 tons per year. He said the risks are related to power sales, which are all new to PERC. He said there potential air emission risks too. He said the PERC agreement is simple and straight forward. He said the major issue would be if the PERC facility fails, communities are left out in the cold trying to get trash to a landfill.

Mr. Smith said the only landfill option is in Norridgewock at \$90/ton. He said the Juniper Ridge landfill in Old Town is \$62/ton, but they are not licensed to accept MSW and would need a permit change.

Gary remarked that the Fiberight plant is an experiment, and commitment from Covanta is not known. He said Fiberight won't be able to continue without backing from Covanta. Stu said he spoke with Greg Louder of the MRC earlier in the day, and they had wanted a decision from the town at the annual town meeting earlier this month. He said after May 1, 2016 the town could lose out on revenues and be charged a higher tipping fee. He said Mr. Louder would try to ask the board if Lamoine could be considered for the lower rate.

Bob asked Mr. Smith if USA Energy, which owns the PERC plant, has other plants. Mr. Smith said they are associated with some other incinerators. Bruce Gillett asked if there was a huge difference in the amount of carbon dioxide in the two plants. Mr. Smith said he did not know, but the two facilities use very different processes.

Bob said he spoke with the Blue Hill Selectmen, and they have different opinions on PERC vs. MRC. He said he spoke with Hermon Town Manager Roger Raymond who said the Fiberight plant will have some bugs in the system to start. He said Mr. Raymond had an attorney do up a report on the pros and cons of the Fiberight agreements. He said Mr. Raymond said he felt like the towns were being sold on something and there is a reason to question the agreements. He said there is a need to protect the town. A brief discussion followed.

Stu said the unanswered question on Fiberight seems to be the Covanta agreement. He suggested that Selectmen could commit to placing the item on the May 24, 2016 warrant and communicate that to the MRC and await the information. He said if the town meeting opts, it can turn down the MRC contract on the 24<sup>th</sup>.

Kathleen moved to place the MRC option on the May 24, 2016 town meeting warrant. Bob 2<sup>nd</sup>. A discussion followed on how the town can change its option. **Vote in favor was 4-0.**

**Hodgkins Scholarship Subcommittee** – Gary said usually three Selectmen serve on the committee to review scholarship applications. Jo said she has a child that would

likely apply, so she couldn't serve. Kathleen said she is not available for that June meeting date. Gary said he, Bob and Heather could be the subcommittee.

Catherine deTuede gave a brief history of the Hodgkins family and the source of the scholarship fund.

**Cable TV Contract** – Stu said he had spoken with both the Hancock and Trenton town offices about working together on the next Cable TV Franchise Agreement. Kathleen suggested asking for a relaxed density requirement and a brief discussion followed. Bob moved to pursue renegotiation jointly with Hancock and Trenton. Jo 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Transfer Station** – Stu reported that while Rick Gallegos filled in last week at the transfer station, he did a wonderful job picking the trash up in the perimeter that had appeared after the winter snow melted. He said there no longer appears to be a need for a community cleanup.

**Lamoine Quarterly** – Stu said he's nearly finished with the April 2016 edition of the Lamoine Quarterly – just waiting for some school articles and the Flat Top 5K race to be run. He asked Selectmen to review it so it could be printed next week. Bob Christie extended congratulations to Jo on her honors for running the Friends in Action program which was publicized in the Ellsworth American.

**Stu – Vacation** – Stu reminded the board he would be out of the office from March 31, 2016 until April 9, 2016.

**Comprehensive Planning Committee Appointment** – Jo moved to appoint Andrea Ames as a full voting member of the Comprehensive Planning Committee, replacing Bonnie Marckoon who has resigned. Kathleen 2<sup>nd</sup>. **Vote in favor was 4-0.**

Stu noted that Bob is still serving on the committee and the question about whether a Selectman should serve was raised at the Comprehensive Planning meeting last night. Bob said there was an opinion that a Planning Board member had to resign when they became a Selectman because that is the law. He said after listening to the discussion last evening, he was comfortable with continuing to serve on the Comprehensive Planning Committee as well as being a Selectman. Jo said she had no objection. Gary said he too was OK with Bob staying on the Comprehensive Planning Committee.

**Department of Labor Citations** – Stu reported that the Department of Labor has reduced the fines imposed on the fire department from \$2,100 to \$210. He noted the payment was placed on the expenditure warrant this evening.

**Marine Resources Inspection** – Stu said there is a letter in tonight's materials explaining that the Department of Marine Resources will inspect Lamoine's shoreline for pollution sources.

**Donation Review Ordinance** – Selectmen signed the revised Donation Review Ordinance that voters approved at the March 8, 2016 town meeting vote.

**Elected Officials Workshop** – Stu noted that the workshop is scheduled for April 28, 2016 in Bar Harbor, the same night as a Selectman’s meeting. Bob said he would like to attend the workshop on June 9, 2016 in Orono.

**Next Meetings** – Gary listed the next meeting dates as follows:

April 14, 2016

April 28, 2016

May 12, 2016

May 19, 2016

May 24, 2016 (special town meeting)

June 2, 2016

June 16, 2016 (Hodgkins Scholarship Committee 6PM followed by regular meeting)

There being no further business, the meeting adjourned at 8:23 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen