



Lamoine Board of Selectmen

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Minutes – June 16, 2016

Chairman Gary McFarland called the meeting to order at 5:58 PM.

Present were: Selectmen Gary McFarland, Kathleen Rybarz, Robert Christie (arrived approximately 5:20PM), acting as the Hodgkins Scholarship Subcommittee.

Gary moved to enter executive session pursuant to 1MRSA §405(6)(a)(1). Kathleen 2nd. **Vote in favor was 2-0 (Christie not yet present).** In at 5:59 PM, out at 6:48 PM. The meeting recessed until the regular meeting at 7:00 PM

Present for the regular meeting of the Board of Selectmen in addition to the above were: Selectmen S. Josephine Cooper, Nathan Mason; Administrative Assistant Stu Marckoon, Town Clerk/Tax Collector Jennifer Kovacs, Code Enforcement Officer/Facilities Maintenance Director Rick Gallegos, Ken Smith, State Representative Brian Hubbell and Wanda Whitener.

Agenda Review – No changes were proposed to the printed agenda or addendum.

Minutes – June 2, 2016 – Kathleen submitted corrections to a couple of typos. Bob moved to accept the minutes as corrected, Kathleen 2nd. **Vote in favor was 4-0** (Mason abstained).

Stu welcomed back Nathan following his election two days earlier as a Selectman.

Expenditure Warrant 27 – Selectmen signed warrant 27 in the amount of \$92,442.82. Stu reported most of the expenditure was for education.

Warrant 28 – Date to sign – Stu reported that since a meeting with the town attorney will likely be needed, there will be a warrant 28 to sign. After a brief discussion, Selectmen said they would like to meet on Thursday, June 30, 2016 at 6PM if attorney O'Connell is available.

Cash & Budget Reports – There were no questions regarding the printed reports.

30-day Unpaid Tax Notices – Stu reported that he and tax collector Jennifer Kovacs would begin making the notices next week.

Mowing Bids – Two bids were opened and read as follows:
George Smith of Orono, \$2,182.50 annually
George Crawford of Lamoine \$2,200.00 annually.

Jo noted that the sweeping job earlier in the spring was less than ideal. Nathan move to award the bid to Mr. Crawford. Gary 2nd. **Vote in favor was 4-1 (Rybarz opposed).**

Solid Waste Decision – Jo requested that Ken Smith keep his presentation concise. Mr. Smith said PERC remains an option for the town to consider. He said he was disappointed with the communications from the Municipal Review Committee (MRC) dated May 24, 2016 regarding PERC. He said it will be up to the attorneys to resolve things.

Mr. Smith discussed draft document issues from December 14, 2015 which a document on March 8, 2016 corrected including termination, mediation before court action, and penalties. He said an alert published by the MRC on April 19, 2016 has some issues. He said it is not unusual for towns to have individual agreements with waste to energy companies. He said the MRC has been beneficial to the town, but is not essential going forward. He noted that the MRC will not own the Fiberight plant, just the land that it sits on, and that's not much different than PERC. He said PERC has agreed that the June 30, 2016 deadline doesn't apply, provided a municipality has not signed up with the MRC/Fiberight plan.

Mr. Smith said there are alternatives if PERC ends up closing. He said he doesn't see a reason to join the MRC as an equity member. He said he met with the PERC manager on Monday and talked about staffing. He estimated costs will be a bit higher than projected as PERC would likely need 62 to 65 people instead of the estimated 55. He said it is irrelevant that PERC has not operated in the past in the manner that is proposed. He said other similar plants do operate in that manner. He talked about boiler adjustments, and life span, and said the cycling plan does not have a significant impact on the boiler's life.

Mr. Smith said he should be able to finish an analysis in the next two weeks to see if PERC is viable, and if so, he could recommend that. He said the town could look at a contingent agreement with a landfill. Gary said the town doesn't know if the Fiberight project is viable. Mr. Smith said the MRC has a draft DEP permit, but the DEP does not have all the information, as Fiberight has not submitted the financial information. He said he would look at the draft DEP permit. Bob thanked Mr. Smith for his hard work on analyzing the plans and said he looks forward to hearing more.

Stu asked about the reported savings account the town has with the PERC operation. Mr. Smith said the MRC has proposed using some of the savings in its joinder agreement. He said at the time of the contract termination with PERC, those monies would supposedly be distributed. A brief discussion followed.

Appointments – Stu reviewed the list of proposed appointees. Nathan moved to appoint the people to the positions as proposed below. Bob 2nd. **Vote in favor was 5-0.**
Selectmen signed the appointment papers.

Position	Current Appointee	Term	Willing?	Recommended Appointee
Town Clerk	Jennifer Kovacs	1 Year	Yes	Jennifer Kovacs
Tax Collector	Jennifer Kovacs	1 Year	Yes	Jennifer Kovacs
Excise Tax Collector	Jennifer Kovacs	1 Year	Yes	Jennifer Kovacs
Deputy Treasurer	Jennifer Kovacs	1 Year	Yes	Jennifer Kovacs

Deputy Town Clerk	Stuart Marckoon	1 Year	Yes	Stuart Marckoon
Deputy Tax Collector	Stuart Marckoon	1 Year	Yes	Stuart Marckoon
Deputy Excise Tax	Stuart Marckoon	1 Year	Yes	Stuart Marckoon
Road Commissioner	Stuart Marckoon	1 Year	Yes	Stuart Marckoon
Deputy Fire Warden	Stuart Marckoon	1 Year	Yes	Stuart Marckoon
Animal Control Officer	Shannon Byers	1 Year	Yes	Shannon Byers
Fire Chief	George Smith	1 Year	Yes	George Smith
Fire Warden	George Smith	1 Year	Yes	George Smith
Transfer Stn. Mgr.	Chris Meyer	1 Year	Yes	Chris Meyer
Code Enforcement	Rick Gallegos	1 Year	Yes	Rick Gallegos
Plumbing Inspector	Michael Jordan	interim	Yes	Michael Jordan
Harbor Master	David Herrick	1 Year	Yes	David Herrick
Deputy Harbor Master	Kevin Murphy	1 Year	Yes	Kevin Murphy
Planning Board	Chris Tadema-Wielandt	5 Years	Yes	Chris Tadema-Wielandt
Appeals Board	Jay Fowler	3 Years	Yes	Jay Fowler
Budget Committee	Marion McDevitt	3 Years	Yes	Marion McDevitt
Budget Committee	Constance Bender	3 Years	Yes	Constance Bender
Conservation Cmsn.	Linda Penkalski	3 Years	Yes	Linda Penkalski
Conservation Cmsn.	Douglas Stewart	3 Years	Yes	Douglas Stewart
Parks Commission	Julie Herrick	3 Years	No	Jeff Cosulich
Technology Cmte	Merle Bragdon	3 Years	Yes	Merle Bragdon
Rec Cmte. Alt	Patricia Haslam	3 Years	Yes	Patricia Haslam
Rec Committee	Jason Trenholm	3 Years	Yes	Jason Trenholm
Comp Plan Cmte-Full	Michael Jordan		Yes	Michael Jordan
Comp Plan Cmte-Alt	Wanda Whitener		Yes	Wanda Whitener

Honor Graduates – Selectmen signed certificates of commendation for the following Lamoine residents who graduated with honors from MDI High School:

Emma Andros
Nicole Brown
Kaleb Payson

Consent Agreement – Gary reviewed correspondence with town attorney Diane O’Connell received earlier in the day. Selectmen said they would like to meet with her on June 30, 2016 at 6PM if she is available. Stu said he would contact her and confirm with the board.

Shellfish Warden/Insurance – Gary summarized the issue as communicated by Maine Municipal Association which is that MMA contends that according to state statute, each town within the regional Shellfishing district is required to individually appoint and insure the shellfish warden. The Region’s Joint Municipal Board hires the Ellsworth Police Department to provide and insure the warden at this time. State Representative Brian Hubbell said he would look into the matter.

Wikipedia Listing – Kathleen said she would like feedback to the proposed listing revision on the Wikipedia website for Lamoine. She said any corrections would be best done via e-mail.

Lamoine Quarterly - Stu reported that he's not gotten very far on the July edition, with just a couple of stories written.

Computers – Stu reported two new desktop computers have been purchased, and Windows 10 has been installed successfully on the computers that remain in service. He said he has tried to pursue purchase of Microsoft Office through the school department with limited success.

Route 3/204 Traffic Light – Stu reported the traffic light is currently on “blink” in both directions as the programmed pattern failed due to a hardware issue. He said there were long traffic tie-ups the previous week which the Sheriff's Department had alerted him to. He said the part is on order and the MDOT should be installing it soon.

Rabbits – There was a brief discussion about Animal Control Officer Shannon Byers' concern about an increase in matters dealing with rabbits.

Fire Department Bequest – Stu reported the Lamoine VFD received a check in excess of \$17,600 from the estate of Naomi Alexander earlier in the week, which was not expected.

Joint Salt/Sand purchase – Stu reported plow contractor Richard McMullen will once again participate in the joint purchase administered through the Hancock County Planning Commission (HCPC).

Household Hazardous Waste Collection – Selectmen did not express interest in participating in the Ellsworth HHW collection coordinated through HCPC in August. The setup fee is \$500. The town generally participates in the collection in September at MDI High School through the League of Towns.

Local Road Assistance – Selectmen signed the annual form to accept local road assistance from the State of Maine.

Next Meetings – The Board will meet next on June 30, 2016 at 6PM for a short agenda and with the town attorney. Summer meetings are set for July 14, 2016, August 18, 2016 and September 8 & 22, 2016.

Executive Session – Gary moved to enter executive session for personnel matters (job performance reviews) pursuant to 1MRSA §405(6)(a). Nathan 2nd. **Vote in favor was 5-0 at 7:58 PM Out at 8:46 PM.**

Following the executive session, Kathleen expressed disappointment that an executive session in June 2015 inadvertently aired on the local Cable TV channel and inappropriate comments were made. She also expressed disappointment that the Board did not follow its policy in regard to hiring a new Code Enforcement Officer, offering the job to the Assistant CEO the same night as the resignation of the past CEO.

Contracts – Jo moved to approve the agreement with Michael Jordan as the Interim Local Plumbing Inspector. Bob 2nd. **Vote in favor was 5-0.**

Jo moved to sign the acknowledgement of the 2nd year of the contract with Administrative Assistant Stu Marckoon. Gary 2nd. **Vote in favor was 5-0.**

Jo moved to sign a contract with Transfer Station Facility Manager Chris Meyer. Gary 2nd. **Vote in favor was 5-0.**

Jo moved to sign a contract with Animal Control Officer Shannon Byers. Nathan 2nd. Nathan added that Mrs. Byers has done a great job. **Vote in favor was 5-0.**

Jo moved to sign a contract with Code Enforcement Officer and Facilities Maintenance Director Edward “Rick” Gallegos. Nathan 2nd. **Vote in favor was 5-0.**

Bob noted that he enjoyed attending the recent elected officials’ workshop.

There being no further business, the meeting adjourned at 8:59 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen