



# Lamoine Board of Selectmen

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

## Minutes – June 30, 2016

Chairman Gary McFarland called the meeting to order at 6:00 PM.

Present were: Selectmen S. Josephine Cooper, Gary McFarland, Robert Christie, Kathleen Rybarz, Nathan Mason; Administrative Assistant Stu Marckoon, Kenneth & Pamela Hoogerhyde, Code Enforcement Officer Rick Gallegos.

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

**Minutes – June 16, 2016** – Bob moved to approve with one minor typographic correction. Jo 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Expenditure warrant 28** – Selectmen signed the warrant in the amount of \$110,706.65. Stu noted that he and the town clerk had a double payroll to finish out the fiscal year, as their contracts were broken into 27-payments.

**Cash & Budget Reports** – Jo asked why the end of the year report seemed to be down. Stu said that reflects outstanding property tax collections. Jo asked about items being carried over from the current year to the next fiscal year, such as Comprehensive Planning. Stu said he would have an encumbrance order to sign at the next meeting.

**Lien Notices** – Stu reported he and Jennifer Kovacs mailed out 153 notices to taxpayers who had not yet paid their property taxes in full as of last week.

**Request to utilize the town attorney** – Stu explained that Kenneth and Pamela Hoogerhyde had submitted a building permit for a garage that is located less than 25-feet from an existing subdivision lot line, but the Hoogerhydes have purchased the adjoining property and sold both pieces to themselves in order to create a single lot. He said the Planning Board and Code Enforcement Officer have requested to use the town attorney to clarify some questions as to whether the subdivision lot line can be erased with the additional property.

Mr. Hoogerhyde said they intended to merge the two lots together and he wrote a letter to the Planning Board. He said Planning Board Chairman John Holt replied that this was not in the jurisdiction of the Planning Board. He said they hired an attorney and merged the two lots with a single deed, even though their attorney did not advise them to do so. He said their attorney suggested asking for a waiver, which was rejected, so they subsequently merged the lots into one deed. He said the deed should erase that line between the two lots. A brief discussion of the history of the Misty II subdivision followed.

Selectmen discussed the request from the Planning Board to utilize the town attorney. Bob said it should not take a lot of attorney time, and a brief discussion followed.

Bob moved to approve of the request from the Planning Board and Code Enforcement Officer to use the town attorney. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Contract – Town Clerk/Tax Collector** – After a brief discussion to clarify vacation days, Jo moved to sign a three-year contract with Jennifer Kovacs as town clerk/tax collector. Gary 2<sup>nd</sup>. **Vote in favor was 5-0, Selectmen signed the contract with Ms. Kovacs, which she had already signed.**

**Auditor Engagement Letter** – Jo moved to sign the letter confirming that James Wadman, CPA has been engaged by the town to conduct the FY2016 audit. Gary 2<sup>nd</sup>. **Vote in favor was 5-0, Gary signed the letter.**

**LPC Ballot** – Jo moved to cast the ballot for the Maine Municipal Association's Legislative Policy Committee for the only two candidates, Gary Fortier of Ellsworth and James Schatz of Blue Hill. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0. Selectmen signed the ballot.**

**Shellfish Warden** – Stu reported that Maine Municipal Association Legal has advised that the town should formally appoint a Shellfish Warden even though the regional shellfish ordinance grants that power to the joint board that governs the ordinance. Gary moved to appoint Michael Hall of Gouldsboro.

**Welcome to Lamoine Packet** – Stu handed out drafts of an updated Welcome to Lamoine publication. Kathleen suggested adding a section on the heating assistance program.

**Next Meeting Dates** – Gary listed the regular meeting dates as July 14, August 18, September 8 & 22, and October 13 and 27.

**Consent Agreement** – Selectmen reviewed a message from the town attorney who was not able to be present. Stu said he would recommend authorizing the town attorney to proceed as she has recommended to the Selectmen in regard to the consent agreement with Broughman Builders. Jo so moved, Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.** Stu asked that any questions for the town attorney be coordinated through the town office.

**Executive Session** – Gary moved to enter executive session pursuant to 36-MRSA §841 to discuss a poverty abatement application. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0 at 6:28 PM. Out at 6:39 PM.**

**Appointment Policy** – Nathan said the policy passed by a previous Board of Selectmen is a non-binding guidance document. He said he would like to propose a wording change in regard to paid officials and vacancies for the next agenda. A very brief discussion followed.

An informal discussion followed about asking the Planning Board to propose a clarification about building setbacks in the Building and Land Use Ordinance.

There being no further business, the meeting adjourned at 6:53 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen