



## Lamoine Board of Selectmen

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### Minutes – January 26, 2017

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

Present were: Selectmen Gary McFarland, Robert Christie, Nathan Mason, S. Josephine Cooper, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Code Enforcement Officer Rick Gallegos, Comprehensive Planning Committee Chair Fred Stocking, James Norris and Kenneth Smith.

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

**Minutes – January 12, 2017** – Jo moved to approve the minutes as written. Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Expenditure Warrant 14** – Selectmen signed the warrant in the amount of \$111,693.80. Stu reported the largest bills were for the school department, and snow plowing, and there were many lien discharges included.

**Cash & Budget Report** – There were no questions regarding the written report.

**2014/15 Tax Liens** – Stu reported only two liens remain outstanding as of this evening with foreclosure day tomorrow. He said one lien will have its automatic foreclosure delayed because a party of interest that didn't show up in the initial Registry of Deeds search which restricted the search to only Lamoine, did show up with an all-community search, as a court decision does not include just a single community. He reported the other lien was on a property owned by a woman in Indiana who had not claimed her certified letter. He said he sent a copy via first class mail that has not been returned.

**Audit** – Stu reported that the auditor hoped to have the FY 2016 audit completed tomorrow. He said the holdup has been a decision from the school department regarding compensated absences.

**Comprehensive Plan Consultant** – Fred Stocking recounted that the Selectmen gave the Comprehensive Planning Committee permission to get proposals for consulting last year. He said the deadline was the end of 2016, and there were no local applicants and only one who expressed interest at all. He said the committee interviewed that applicant by computer this week and thought he was great. He recommended that the town enter into an agreement with Rick Taintor and gave a brief biography. Mr. Stocking said he thought Mr. Taintor would be terrific.

Jo moved to sign an agreement with Mr. Taintor. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0; Mr. Stocking and Gary signed the agreement.**

**Land Donation** – Kenneth Smith passed out a section of the 1887 property tax map and explained the source of a piece of land between Asa's Lane and Blunt's Pond that he is proposing to give to the Town of Lamoine. He said he had written to the Planning Board

in 1983 about various changes in that area but the Board opted not to make this particular change as Effie Googins had claimed ownership. A brief history followed as did a discussion of the stream leading from the pond.

Mr. Smith referred to the Coley Woods subdivision. He said the land would come with two easements; one to leave it wooded, and the other to allow trimming trees along Asa's Lane to allow for vehicular site distance maintenance. He said this is a straight donation to the town. Stu said it shows up as article 13 on the draft town meeting warrant.

**Appointments** – Jo moved to appoint Jennifer Kovacs as Registrar of Voters and Stu Marckoon as Deputy Registrar serving until December 31, 2018. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Town Meeting** – Stu reported that the Planning Board is opting not to present any amendment to the Building & Land Use Ordinance at this town meeting, as there were issues that arose at the public hearing on Monday.

Jim Norris met with the Board regarding the proposed purchase of the remainder of Marlboro Beach. Gary said the Board appreciates the generous offer. He said there were some questions about the use of the beach after the town acquires it, and asked what Mr. Norris had for thoughts on its continued public use.

Mr. Norris recounted that his father purchased the land in 1945 at a relatively inexpensive price. He said the family always kept it open for commercial fishing and recreational use, and that it still gets a great deal of such use. He said two of the surviving brothers agreed to donate their share while the remaining survivors wish to sell their shares. He said there would be no restrictions on the property, and there is a lot that can be done to it, but that would be up to the town. He said there are a lot of good opportunities for the beach.

Jo said the acquisition would be wonderful for the future. Mr. Norris said there are a lot of clam and worm harvesters that use the beach. Gary said the concern was about closing out the clam and worm harvesters. Jo said the town needs waterfront access.

Mr. Norris said he donated a small piece of the beach years ago to give the commercial harvesters access. Nathan said that adequately clarified the intentions. He said the town would have to be mindful of any covenants in the future. Bob said there are grant dollars available for all sort of things but public access must be maintained. Mr. Norris said as far as he is concerned, there are no restrictions from the family – that would be up to the town. He noted that he is involved in a pollution clean-up project, and there may be money available to improve water quality. He said there is a good swimming hole at the beach, and sea lavender available for harvest. He said the family wishes to see the beach used, but not abused.

Warrant – After reviewing the warrant and making a couple of typographical corrections, Jo moved to sign the town meeting warrant for March 7 and 8, 2017. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.** The revised warrant was printed and signed.

**PERC Update** – Stu reported he'd not heard anything back from PERC in regard to a buyout of the town's share. Bob said he recalled attending a meeting in Hancock last year and reference was made to the town's share in the facility. He asked Ken Smith if that was accurate. Mr. Smith said so far as he could tell, that was correct. He said he would try to substantiate that tomorrow.

**Town Report** – Stu reported he was waiting for the audit to be able to finish off the town report. He requested that Selectmen review what has been done thus far with the printed versions included in the materials set out this evening.

**Marlboro Mist II Complaint** – Stu reported the town attorney has not reviewed the consent agreements he drafted for the two parties that purchased the lot referenced in the complaint. Jo moved to send the letters to those parties and to SARJOY, Inc in regard to the proposed consent agreements. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0, Selectmen signed the letters.**

**Code Enforcement Officer – Vacation** – Selectmen had no objection to CEO Rick Gallegos' request to be out of the office from March 21, 2017 to April 3, 2017. Stu noted that both he and Mr. Gallegos will be out during the last week of March. There was a discussion about the need for a Deputy Code Enforcement Officer. Stu reported that it's not likely to be all that busy during the week he'll be gone, and that staff can take messages for the CEO and explain that he will be back in on April 3.

There was a brief discussion about the training and testing opportunities for CEO certification for Mr. Gallegos. He said the state is not offering anything until March, which is the certification deadline. Stu suggested this be part of the job description review planned for next meeting.

**Conservation Commission Request** – Kathleen explained that the Conservation Commission is creating and selling reusable grocery shopping bags. Jo moved to approve the expenditure. Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Shore Road Opening Permit** – Stu reported that he sought an opinion from Maine Municipal Association Legal Services in regard to this matter and they advised that a driveway across a right of way would be legal. He said unless there is an objection from the Board of Selectmen, he would generate the road opening permit tomorrow. There was no objection.

**Spirit of America Award** – Stu suggested forwarding the name of the Citizen of the Year to the Spirit of America group for consideration. There was no objection.

**Traffic Light Update** – Stu reported the town office started getting complaints about the length of the red light coming from Jordan River Road. He said he reset the system on

Monday and it seemed to shorten the light significantly. He reported that he has contacted A&D Electric, and they would take a look at the light that twisted a few weeks ago.

**Returnable Requests** – On a motion from Jo and a 2<sup>nd</sup> from Nathan and a **5-0 Vote in Favor** the board awarded the proceeds of the returnable containers at the transfer station as follows:

Lamoine 8<sup>th</sup> Grade Class – March 2017  
Lamoine School Sports – April 2017  
Lamoine School Music – May 2017  
Lamoine School Special Projects – June 2017

**Next meetings** – The next regular meetings will be on February 9 and 16, 2017. The annual town meeting is March 7 & 8, 2017 and the organizational meeting for the Board will be on March 9, 2017. The board expressed a desire to set future meetings beyond March 9, 2017 at their next meeting.

There being no further business, the meeting adjourned at 7:57 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen