



# Lamoine Board of Selectmen

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## Minutes – September 7, 2017

Chair Jo Cooper called the meeting to order at 7:02 PM.

Present were: Selectmen Gary McFarland, Robert Christie, Kathleen Rybarz, S. Josephine Cooper; Administrative Assistant Stu Marckoon, County Commissioner Antonio Blasi, Carol Korty, Mike Edgecomb (Sewall Company), Technology Committee members Bill Butler, Brett Jones, Merle Bragdon; State Representative Brian Hubbell, and Fire Chief George Smith. Selectman Nathan Mason had phoned prior to the meeting to say he was unable to attend due to a work commitment.

**Minutes – August 3, 2017** – Bob moved to approve as written, Gary 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Minutes – August 24, 2017** – Kathleen offered a clarification to identify the Asher Pit in the discussion about gravel pit restoration. Bob moved to approve the minutes with that amendment. Jo 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Expenditure Warrant 6** – Selectmen signed expenditure warrant 6 in the amount of \$720,632.97. Stu reported \$600,000 of that was to the investment account, and another \$81,000 or so for education costs.

Stu briefly left the meeting to attend to a cable TV channel malfunction but returned a couple minutes later.

**Cash & Budget Report** – Bob asked about the funds left over from the 2016/17 paving budget. Stu said they close into the road fund.

**Sewall Company Proposal** - Stu introduced Mike Edgecomb of the Sewall Company. Technology Committee chair Bill Butler reported that earlier in the evening the committee met and opted to make no recommendation to the Board of Selectmen. He said there were questions about how expenditures for a cable buildout would translate into a return for the town.

Mr. Edgecomb said there are two matters proposed; one to help expand broadband opportunities through the cable TV system, and the other to negotiate renewal of the franchise agreement, and the two work well when combined.

Jo said broadband is the biggest concern for the town, especially for areas that don't have it. Mr. Edgecomb said the proposal would identify areas that Spectrum does not serve. He said the franchise agreement portion would involve a lot of negotiation.

Kathleen asked about the two different options on the proposal. Mr. Edgecomb said the Services 1 (broadband expansion exploration) option would cost a flat \$5,000.00 while the Services 2 (franchise agreement negotiation) option would cost \$10,000.

Bob asked what other towns they have worked with. Mr. Edgecomb said they have a large project going in Mt. Desert to extend broadband to about 24-miles of town, and a small project in Alna which involves about 4-miles.

Brett Jones said if the town were to put \$100,000 into an expansion project, there would not likely be a return to the town in increased tax base. He said the town is already a long way into negotiations with Spectrum/Charter. He said Sewall is a consultant and he questions whether this would be a wise use of funds.

Merle Bragdon said Sewall is only talking about the cable TV lines; not other broadband options such as DSL. He said some homes are not hooked to CTV because they are too far off the road. He said running cable to those homes would be very costly, and questioned what good this might do. He said it would be helpful to include other alternatives such as DSL, satellite and wireless. He said most of the franchise agreement is boilerplate, and the only things negotiated are items such as number of homes per mile. He said some subdivisions lack the density to get cable.

Bill Butler said part of the proposal is to work to see if a ConnectME grant is feasible. He said if the town doesn't look into it, we would never know. He said the Tech Committee wanted to talk to engineers from Spectrum before finalizing a franchise agreement.

Mr. Bragdon asked Mr. Edgecomb if they would identify every home without broadband and cable. Mr. Edgecomb said if that were the town's wish, they could, and they could include other broadband providers in a different proposal. Mr. Jones asked for clarification on who would write a ConnectME grant. Mr. Edgecomb said they would do it with the town's involvement.

Bob asked State Representative Brian Hubbell about his thoughts on broadband service expansion. Rep. Hubbell said he's followed similar discussions in other towns and the Legislature has struggled with funding for ConnectME at times. He said he was not qualified to give a recommendation for how to proceed.

Kathleen said she would guess that it's 5-miles or less for unserved portions of the town. Bob said the Comprehensive Planning Committee has heard of the need for broadband to serve more of the town and there is reason for concern. He said the proposal from Sewall is not a huge amount of money.

Stu said he believes the services 1 package is a good buy for a lower price. A brief discussion followed on how long the project would take. Bob said he would be inclined to have approve gathering the data. Stu said the Board has the authority to enter such an agreement and to utilize the CTV Fund. Mr. Bragdon said he opposes using the CTV fund for this believing it would not be a proper appropriation for funds that are generated from CTV users who pay the franchise fee. A discussion following on the philosophy of utilizing that fund.

Kathleen moved to authorize the services 1 option from Sewall Company and the pay for that from the CTV account in an amount not to exceed \$5,000.00. Bob 2<sup>nd</sup>. Brett Jones

asked if the purpose of this is exclusive just to Cable TV. Jo said the board could get information about other providers. Stu said exploring broadband beyond CTV lines might not qualify as an appropriate use of the CTV fund. **Vote in favor was 4-0.**

**Checking Account Reconciliation** – Bob inquired about a few older outstanding checks. Stu said he generally prepares a stale check order once a year to address how to reconcile those matters. Selectmen signed the statement expressing satisfaction with the review of the checking account reconciliation documents which had been e-mailed prior to the meeting.

**Cable TV – Switcher** – Stu reported the Technology Committee had recommended purchase of a switcher for the CTV system at the school to allow input of additional sources into the Nexus system. He noted that Spectrum/Charter has not yet installed the modulator to allow for the 2<sup>nd</sup> channel. Jo moved to approve the purchase, Bob 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Salt / Sand Shed Engineer's Report** – Stu reported he received a message from Jim Kiser to expect the structural engineer's report on repairs by the end of the week.

Door- Stu reported the door was stuck open and PDQ door was due to repair it tomorrow.

**Code Enforcement Officer – Transition Agreement** – Jo said the draft agreement with Rick Gallegos regarding resignation from the CEO position but retention of the Facilities Management job seemed satisfactory. Stu reported that Mr. Gallegos has not gotten back to him on the proposed agreement. Selectmen opted to take no action until they hear from Mr. Gallegos.

Search for new CEO – Stu said he would like to recommend that the Selectmen form a search committee to assist with hiring a new Code Enforcement Officer. He said he'd spoken with Terry Towne (Assessor) and John Holt (Planning Board Chair) about serving on a search committee and both agreed to do so. Gary said he would also like to serve. Kathleen said she would gladly act as an alternate. There was no objection from the Selectmen.

Update on Gravel Pit Restoration – Stu reported that the Little B&H Pit awaits an affidavit from the owner or their representative. He's not sure what has been communicated to the owner/representative in that regard.

Stu reported that the Planning Board chair has sent an e-mail to the representative for Harold MacQuinn, Inc. in regard to required restoration on the Asher Pit. He's not sure what the status was on that.

Stu reported there has been significant work done on the RF Jordan (King) pit in regard to spreading loam and replanting it. He said he plans to meet with CEO Gallegos Monday to better learn what the status of town notification on each pit is.

**Contracts – MSW & Recycling Transport** – Stu said the last time the contract was bid, it included both the solid waste and recycling transportation programs. He said he put the RFP from last time with the materials from tonight and urged the Selectmen to review that and suggest any changes. He asked specifically if the Board wished to separate out the MSW transport and Recycling programs. A brief discussion followed.

**Snow Removal** – Bob asked if there was any performance review built into the contract. Stu said there was not, but the current contractor has been very good about meeting with the Selectmen and responsive to town needs. He said that certainly could be built into the contract.

Fire chief George “Skip” Smith said he had talked to Richard McMullen about using straight salt instead of the salt/sand mix and that Mr. McMullen was open to that. There was a lengthy discussion of a salt priority program.

Jo asked if this should go out to bid in January. Kathleen said it would be helpful to be able to budget for a new contract. Stu said he would draft up an RFP for the next meeting. Merle Bragdon suggested a salt only budget for the entire town be added to the RFP.

**Town meeting date** – Gary moved to set the annual town meeting date for March 6 & 7, 2018. Kathleen 2<sup>nd</sup>. Stu noted that the Legislature had changed the law requiring nomination papers to be available sooner. **Vote in favor was 4-0.**

**Capital Projects** – Stu reported the new electronic sign should be installed in about 3-weeks. He said the company doing the installation would be up tomorrow to take more measurements.

**Marlboro Beach Purchase** – Stu reported that he spoke with a member of the Norris family earlier in the day in regard to whether the town’s tax mapping was correct at the beach. He said from what he and Mr. Norris could figure, the maps were correct. Kathleen said there will be some sort of awareness event at Marlboro Beach in the near future. She noted that the Frenchman Bay Conservancy will do a presentation next week for the Conservation Commission.

**Pinkham Park/Mud Creek Road** – Stu reported that he spoke with Fred Stocking in regard to the progress on that proposed land donation. He said Mr. Stocking’s law partner is doing some title work and hopes to get a survey to come up with a formal proposal to put before town meeting next March.

**Building Use Policy** – Stu noted that several non-town sponsored groups have asked to use the town hall lately for meetings, including the Friends of Frenchman Bay and a group of local volleyball officials. He said town officials (including himself) had been present to oversee the building at those meetings. He noted that the policy on outside group meetings has required a building security deposit and that hasn’t been collected on all occasions. He said he would be happy to pay the use fee on behalf of groups when he’s used the building. After a discussion, the board indicated that use that is

supervised by a town official would be allowed without charging the use fee in most instances. It was noted that while the security deposit collection and refund is doable, it was more of a hassle than it was worth. Kathleen said the Friends of Frenchman Bay group would like to meet at the town office monthly and might make a contribution to cover any costs that might be associated with that.

**General Assistance Ordinance Hearing** – Jo moved to set a public hearing for proposed annual changes to the General Assistance Ordinance for next meeting, September 21, 2017 at 7:00 PM. Gary 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Other** – Bob noted that given the recent flooding disaster in Houston and a pending hurricane in Florida that the town is blessed to have a strong cadre of volunteers who serve the town in the fire department, including the fire chief who is dedicated to providing emergency services. He said he's very grateful for that. Jo said she seconds that, especially now that a fire pager resides in her home with a son who is a volunteer firefighter. She said the turnout at calls on Sunday and earlier today were impressive.

**Fire Chief** – Chief Smith said the department is strongly looking at purchase of a ladder truck as the next piece of apparatus. He said there is a truck in Vancouver for \$149,000 which has the department interested, but it will not be available until next year. He showed the Board the picture on his I-pad. He said he would like to send a couple of people to Vancouver to look it over. He said the truck is a 1997 model with about 13,000 miles on it, and explained that a broker company is offering it for sale.

Chief Smith said he asked Mr. Bragdon as a member of the budget committee to stick around for his presentation. He said if the LVFD wants to hold the truck, the broker would require 10% down which the fire corporation has on hand. He listed several reasons for needing a ladder truck. He said this truck has a 75' ladder, a 2,000 GPM pump, and 600 gallons of water on board. He said the plan would be to trade in pumper 401.

Jo said this could be on the warrant for the town meeting next spring. Bob asked who would go to Vancouver. Chief Smith said an engineer from the Ellsworth Fire Department was willing to go along with one or two of the LVFD members. Bob noted that Lamoine is not a 3-4 story building type of community, but he recalled an incident at his home that involved a broke skylight. Chief Smith said other towns with ladder trucks find them more useful than one might think.

Jo said the idea sounded good. She said she would like to see what the proposal might be. Bob asked when the deposit is needed. Chief Smith said in the next couple of weeks. Bob asked about the expense to fly a crew out. Chief Smith said the fire department corporation has enough money in the bank. A brief discussion followed on fund raising.

Mr. Bragdon discussed the timing for the budget committee. Kathleen said she could not see why anyone would be upset about an upgrade for the fire department.

**Water Testing** – Carol Korty asked what the status was for testing water at Blunt's Pond. She said she understood the town would pay for testing. It was noted that the surveillance camera has been installed.

Stu asked who was supposed to do the testing, and what exactly would be tested for. Bob asked if Hancock County Soil & Water Conservation would do it. Stu said he doubted they would. Bob noted Blunt's Pond qualifies as a Great Pond. He reviewed the minutes which said the Selectmen authorized Stu to buy a test kit. There was a brief discussion about mapping out possible springs for the pond.

Jo said the project could be a Parks Commission or Conservation Commission project. Brett Jones said any logical contamination to the pond could be from septic systems installed at nearby homes. Bob volunteered to gather the test sample for an e-coli test.

Stu asked what the impetus was for testing, as there has not been any type of algae breakout or reported health issues at the pond. Kathleen said it would be good to have a baseline. Jo said something like this sounds simple, but it doesn't just happen. Ms. Korty asked what happens to the information when the town gets it. Kathleen said the Conservation Commission could be asked. Jo said the town could contact the Conservation Commission to see if they're willing to take on the task. Bob said he would wait for a test kit.

**Next Meetings** – The Selectmen will meet next on September 21 then on October 5 and 19<sup>th</sup>, and November 2 and 16<sup>th</sup>.

There being no further business, the meeting adjourned at 8:43 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst.