



Lamoine Board of Selectmen

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Minutes - February 15, 2018

Chair Jo Cooper called the meeting to order at 7:00 PM.

Present were: Selectmen Nathan Mason, Gary McFarland, S. Josephine Cooper, Robert Christie, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Michael Jordan, Fire Chief George "Skip" Smith, Conservation Commission Chair Larissa Thomas and Ken Smith.

Agenda Review – Stu requested that the fire chief be moved up in priority if possible.

Minutes – February 1, 2018 – Nathan moved to approve the minutes as presented. Gary 2nd. **Vote in favor was 4-0 (Rybarz abstained).**

Expenditure Warrant 18 – Selectmen signed warrant 18 in the amount of \$112,222.94. Stu reported that major expenditures were for the school department, snow plowing and the new water filter which he'll discuss later on the agenda.

Cash & Budget Reports – Stu noted that the escrow tax checks arrived late yesterday afternoon.

Foreclosed Property – Map 19 Lot 4 – Stu reported the property occupants received the letter signed by the Selectmen at the previous meeting, but he has not heard anything from them at this time. He said he would endeavor to make personal contact next week.

Stu also noted that the Maine Legislature is discussing tax foreclosure legislation in regard to not evicting elderly taxpayers from their homes. He said municipalities make every effort not to take any occupied home away from owners, and the proposed legislation is a solution in search of a problem. He said there are some serious unintended consequences from the proposed legislation.

Use of Fire Department & Rescue Boat – Maine Maritime Academy – Fire Chief Skip Smith said Maine Maritime Academy has requested that they use the Lamoine Fire Station and Boat for fast boat rescue training similar to what took place the previous summer. He said he would like the opinion of the Selectmen, and his concern regards what is covered by the town's insurer. He said a Lamoine VFD member would be on board the rescue boat during use.

Kathleen asked who the training would be for. Chief Smith said any department running a boat rescue operation. Jo said we should ask Maine Municipal Association. Gary said he thought it was an excellent idea. Nathan said he agreed as long as insurance covers it. Jo asked if a spot can be reserved for Lamoine VFD members. Kathleen asked what location would be used. Chief Smith said the fire station and the Lamoine State Park area. Nathan asked who the teacher might be. Chief Smith said it's Liza Clark from

Maine Maritime Academy who did the course last summer. He said once the class is over, the students get US Coast Guard certification. Stu said he would inquire with Maine Municipal Association. There was no objection on the board to utilizing the fire station and boat, provided it is covered by insurance.

ISO Rating – Stu reported that he spoke with the Insurance Services Organization regarding the recent proposed down-grade from a 6 to an 8B. He said he's not sure exactly what ISO is looking for in terms of water availability and that the representative for the area will likely contact the fire chief.

Recycling Contract – Conservation Commission chair Larissa Thomas said the Commission is recommending that the town accept the bid from Eco-Maine. She said it was the least expensive bid of the zero-sort proposals. She said they compared the proposal to the existing Casella / Coastal Recycling system which is limited on what can be recycled. She said Coast Recycling's future is uncertain, and there is a better value on Eco-Maine. She said the Commission was persuaded by Eco-Maine's commitment to recycling.

Ken Smith said he would recommend an early termination clause for the years 2019, 20 and 21 in case there is an even bigger downturn in the recycling market. He noted that the Eco-Maine proposal is actually a contract with DM&J of Winterport, and it's not clear how all this works contractually. Mr. Smith said he would offer to work with Stu on a contract.

Stu noted that the least expensive option for recycling was not to do it at all and send the waste to PERC. Jo said she appreciated the recommendation from the Conservation Commission. Gary moved to award the recycling contract to Eco-Maine. Kathleen 2nd. Nathan noted a difference in tonnage. Mr. Smith said his analysis included glass which would be less to pay to PERC. Stu suggested that if there were some way to compact the material, that could save significantly on shipping. Bob asked about signage with the new system. Stu said the education component of the RFP was very impressive. **Vote in favor was 5-0.**

Emera – Posted Roads – Gary moved to sign a letter granting permission for Emera, Maine to operate on posted roads for repair emergencies. Kathleen 2nd. **Vote in favor was 5-0.**

MDOT Speed Trailer – There was no objection to applying to locate the MDOT speed trailer in town for a couple of weeks next summer.

E-mail Issues – Stu reported that the individual e-mail system that allows the public to directly e-mail Selectmen using the town's domain name does not work on G-mail accounts. He said he's called Spectrum to try to resolve it but without luck. He said it's nearly impossible to reach anyone at G-Mail and he found no useful help on their web service. Kathleen suggested Selectmen get a different account, such as Yahoo.

Request for Board, Committee Name Changes – Selectmen discussed an e-mail received from Carol Korty which made some suggestions about changing the Selectman designation and a naming protocol for committees. It was noted that the Legislature is contemplating a bill that possible change the name of the office of Selectman to something gender neutral. After discussion, members suggested waiting for the state to take any action. Nathan noted the request from Ms. Korty about board and committee name placement. No action was taken.

Water Filter – Stu reported the new water filter was installed earlier in the day. He said Norlen's may suggest a sediment filter, as there was a lot of material in the water after the change. He said things have calmed down with the water after a few hours.

Town Report – A proof copy of the town report arrived just prior to the meeting and was passed around. Stu noted that the front cover shot of Marlboro Beach was submitted by Diane Fennelly and the back cover picture of tender boats at Marlboro Beach was a picture from Jo. He thanked the Selectmen who helped to edit the report, and without objection it will be printed ASAP.

Resignations – Jo moved to accept with regret the resignation of Elizabeth Stanley from the Recreation Committee. Gary 2nd. **Vote in favor was 5-0.**

Stu reported he spoke with Cece Ohmart last week, and she indicated that she needed to resign from the Appeals Board and Budget Committee because it was impossible for her to make meeting times due to work. He said he asked her to drop him a note but that hasn't happened yet, but he was confident that she wished to resign. Kathleen moved to accept her resignation from both appointments. Gary 2nd. **Vote in favor was 5-0.**

Harassment Policy – Stu requested Selectmen sign the receipt for the harassment policy they approved several weeks ago.

Snow Plowing Contract – Stu reported Richard McMullen had signed the proposed contract sent after the previous meeting. Jo moved to sign the contract with Mr. McMullen's company. Nathan 2nd. **Vote in favor was 5-0.**

Citizen of the Year Plaque & Resolve – Selectmen approved the draft of both documents.

Returnables – Jo moved to award the proceeds from the returnables program to the East Lamoine Cemetery in September 2018 and to the Lamoine Historical Society in October 2018. Nathan 2nd. After a brief discussion about the timing and request strategy, the motion passed on a **Vote of 5-0.**

Gravel Ordinance Decision – Stu reported that the decision from the Business and Consumer Court came in on the lawsuit from several gravel companies against the town in regard to the gravel ordinance and the town prevailed. He said it does not seem likely

that it will be appealed. Bob noted that the decision was very well written and understandable.

Other Matters – Kathleen noted that the Grange will hold a candidate's night on February 27 at 6:30 PM.

Bob asked about the Bar Harbor Port Authority bill and an amendment that would require municipalities around Frenchman Bay to vote on the matter. Kathleen reported it did not pass in the Senate.

Next Meetings – The Board meets next on March 1st and March 15th with the annual town meeting on March 7th.

There being no further business, the meeting adjourned at 7:56 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen