



Lamoine Board of Selectmen

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

Minutes – June 21, 2018

Chair Nathan Mason called the meeting to order at 6:29 PM.

Present were: Selectmen Robert Christie, S. Josephine Cooper, Nathan Mason, Gary McFarland, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Facilities Maintenance Director Rick Gallegos and Transfer Station Manager Chris Meyer.

Nathan moved to enter executive session pursuant to 1 MRSA §405 (6)(a) for the purposes of job performance reviews. Gary 2nd. **Vote in favor was 4-0 (Rybarz had not yet arrived). Out at 7:00 PM.**

Regular Meeting –

In addition to the attendees above, the following were in attendance for the regular meeting: Larissa Thomas, Jay Fowler, Michael Jordan, Brett Jones, Merle Bragdon, Andrew Kahrl (Revision Energy), Kathie Gaianguest, Jon VanAmringe, Rebecca Albright.

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

Minutes – June 7, 2018 – Stu noted that Kathleen had submitted an amendment to the original draft he had e-mailed, and those are incorporated in the minutes for approval tonight. Nathan moved to approve as amended, Kathleen 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 26 – Selectmen signed the warrant in the amount of \$165,677.46. He reported that he moved \$100,000 from the investment management account into the checking account to cover the payments, and will move another \$170,000 after the first of July to cover paving and other bills.

Date to sign Warrant 27 and 2018/19 Warrant 1 – Stu reported there will be a 27th warrant for FY 17/18 and the first warrant of 2018/19 will have the paving bill to pay. After discussion, it was determined the warrants would be ready to sign on July 5th, and Selectmen would individual sign on that date. (Subsequent to the meeting, a special meeting was scheduled for July 2, 2018 on which those two warrants will be signed in addition to other items).

Cash & Budget Report – Stu reported the Administration budget is going to be very tight, as there is one more payroll left in the fiscal year. He said revenues have greatly exceeded the budget.

Encumbrance Order – Jo moved to sign an order to encumber funds as suggested by the Treasurer. Kathleen 2nd. **Vote in favor was 5-0. The order was as follows:**

Encumbrance Order June 21, 2018

We, the undersigned Selectmen of Lamoine, hereby approve this order to encumber fund for projects approved and funded during the fiscal year ending June 30, 2018 but not yet completed. The following accounts shall be recorded as indicated below affecting the Encumbrance Account (GL #2-01-03)

Carried Forward			
Account Name	GL #	Amount	Purpose
Comprehensive Planning	2-01-03	\$4,772.60	Carry Forward – not complete yet
Previously Encumbered and Expiring – close into appropriate fund			
Item	Close To	Amount	Reason
Salt Sand Shed Maintenance	Roads Fund	\$7,017.47	Completed
Fire-Station Maintenance	General Fund	\$500.00	Completed in FY 19 budget
Fire-Turnout Gear	General Fund	\$654.81	Purchased
New Encumbrances FY 2018 Projects authorized but incomplete			
Item	GL #	Amount	Reason
Roads – Asa’s Lane	5-09-09-10.25	\$2000.00	½ Estimated Repair Costs
Roads – Berry Cove	5-09-09-10.32	\$1,125.00	½ Estimated Repair Costs
Roads – Birchlawn Dr.	5-09-09-10.38	\$1,000.00	½ Estimated Repair Costs
Roads – Buttermilk Rd.	5-09-09-10.21	\$3,350.00	½ Estimated Repair Costs
Roads – Clamshell Alley	5-09-09-10.27	\$250.00	½ Estimated Repair Costs
Roads – Cos Cob Avenue	5-09-09-10.28	\$250.00	½ Estimated Repair Costs
Roads – Gully Brook Rd.	5-09-09-10.33	\$750.00	½ Estimated Repair Costs
Roads – Crack Sealing	5-09-09-10.13	\$4,250.00	½ Estimated Repair Costs
Roads – Maxwell Ave.	5-09-09-10.36	\$1,750.00	½ Estimated Repair Costs
Roads – Mill Road	5-09-09-10.23	\$1,575.00	½ Estimated Repair Costs
Roads – Tree Removal	5-09-09-10.15	\$1,500.00	½ Estimated Repair Costs
Roads – Needles Eye Rd.	5-09-09-10.26	\$2,075.00	½ Estimated Repair Costs
Roads – Raccoon Cove Rd.	5-09-09-10.29	\$900.00	½ Estimated Repair Costs
Roads – Shore Rd.	5-09-09-10.22	\$3,000.00	½ Estimated Repair Costs
Roads – South Birchlawn Dr.	5-09-09-10.38	\$250.00	½ Estimated Repair Costs
Roads – Walker Rd.	5-09-09-10.24	\$1,750.00	½ Estimated Repair Costs

Tax Acquired Property – Stu reported that both heirs identified on the property that was tax acquired earlier in the year and subsequently an installment contract was agreed to have received notification that no payment has been received on the property.

Heating Fuel Bids – Selectmen opened and read aloud the following bids for the 2018/19 heating season:

Bidder	#2 Heating Oil	Propane
Irving Oil	\$2.601	\$ no bid
Acadia Fuel	\$2.43	\$1.35
Dead River	\$2.44	\$1.42
RH Foster	\$2.479	\$1.849

Jo moved to award the heating fuel bids to Acadia Fuel. Kathleen 2nd. **Vote in favor was 5-0.**

Board of Appeals – Decision(s) – MacQuinn v. Planning Board – Stu reported that Planning Board Chair John Holt has requested that the Planning Board meet with Attorney Dan Pileggi in regard to the Board of Appeals decisions. Appeals Board member Jon VanAmringe said that the Planning Board chair for the case, Don Bamman, had said a special meeting for that Board would likely require the presence of attorney Pileggi. Discussion followed on whether the Planning Board had requested the attorney's presence. Nathan said the request came from the chair.

Appeals Board member Brett Jones asked if Mr. Holt's recusal during the matter would still be in effect at the Planning Board level. Selectmen reviewed the e-mailed request from Mr. Holt. Nathan said he found the request confusing, and he was not sure if he would approve. Kathleen said the Selectmen have already approved of the Planning Board's use of Mr. Pileggi as an attorney. Jo asked if the meeting would have to be for an entire meeting. Kathleen asked if there is a special meeting planned. Stu said there has been no such meeting scheduled or requested that he is aware of.

Nathan said he would prefer to see the request for using the attorney come from the entire Planning Board. Mr. Jones asked if the full board, including Chairman Holt, utilized the town attorney in this matter, could it put the town in jeopardy.

Stu reported the Board of Appeals final decisions came in earlier in the day for signature. Bob said if the decisions have not been given to the parties, the request for attorney use is not yet needed. Jo said the request again seems premature. Stu asked what reply the board wished to make to the Planning Board. Nathan said he would said that the Selectmen decline to authorize the Planning Board meeting with an attorney until it has received the decision.

Kathleen Gaianguest asked when the next Planning Board meeting would be, as there is a time issue in which to appeal the Board of Appeals' decision. Mr. VanAmringe said it starts when the board chair signs. He said the Gravel decision has to be resigned due to some typographical errors. Jo agreed that the clock doesn't start until the decisions are signed. A brief discussion followed.

Bob said there was discussion at the last meeting about the lack of Board of Appeals minutes. Mr. VanAmringe said the minutes were completed and presented Tuesday and approved with modest changes. He said the minutes will be corrected and posted on the town's website. Appeals Board Secretary Michael Jordan said the transcript of the presentation by Dr. Harold Borns will also be part of the minutes, as the attorney for MacQuinn has agreed to provide those because that portion of the meeting not recorded as it exceeded the time allocated for TV recording. Mr. VanAmringe noted that the meeting discussed the difference between minutes and a transcription.

Jo moved to table the request from the Planning Board chair for the Planning Board to consult with the town attorney until such time as the full Planning Board receives the decision and requests the consultation. Nathan 2nd. **Vote in favor was 5-0.**

Kathleen noted that she has requested an opinion from MMA Legal on this matter.

Cable TV Franchise Agreement – Stu reported that the Technology Committee had reviewed the renewal of the agreement and requested to see if Charter (Spectrum) would change the drop distance from 125-feet to 200-feet. He said he e-mailed that request to Shelley Winchenbach of Charter/Spectrum and received a reply that it was not possible by federal law. After a brief discussion about service from off road areas and nodes, the tech committee members present felt that it would not be likely that any negotiation would work on that issue.

Gary moved to sign the Franchise Agreement as recommended. Jo 2nd. **Vote in favor was 3-2 (Rybarz, Christie opposed). Nathan signed the agreement as the Board Chair.** Bob offered thanks to the committee for their long and thorough work on the agreement.

Technology Committee – Merle Bragdon said the Technology Committee has voted to recommend that the committee be enlarged to 5-members. He said one of the other recommendations was to have someone on the committee who is not wired up with cable as discussion continues on how to wire up the last mile. Nathan moved to enlarge the committee to 5 from 3. Gary 2nd. **Vote in favor was 5-0.**

The Technology Committee said it would like to figure out what to do next in regard to providing high speed internet to un-served areas of the town. Mr. Bragdon said it was suggested that the town contact Mike Edgecomb who did the wiring map as a consultant for Sewall Company to see if he had ideas. Brett Jones provided further explanation and a discussion followed. Kathleen moved to contact Mr. Edgecomb. Nathan 2nd. **Vote in favor was 5-0.**

Solar Energy – Andrew Kahrl of Revision Energy presented a slide show to the Board and audience members. He explained how a power purchase agreement would work to install a system paid for by a 3rd party with an option to purchase after 5-years. There were discussions about including the school's power in the system, roofing materials, investors, potential cost savings and other projects.

Nathan asked if the cost include just the electricity purchase, or would it include maintenance, disposal and insurance. Larissa Thomas said she has used Revision for her home and had a good experience. She said she was not aware of what maintenance is needed. Mr. Kahrl said an inverter replacement is the most likely cost.

Stu asked what the next step would be. Nathan said a cost analysis would help determine what the prudent action would be. Jo asked if a subcommittee might be in order. Nathan said maybe the Technology Committee could tackle this.

Code Enforcement Hours – Code Enforcement Officer Rebecca Albright said there is so much going on in Lamoine that one day of work is not enough. Gary asked how many additional hours she would need. Ms. Albright said another day, and she’s now available other days. Nathan asked how many hours she puts in. Stu said her contract guarantees payment for 8-hours a week plus \$25.00/hour for those hours beyond that one day. She said during busy times, she could use another day per week, and maybe even another half day in addition. She noted that the Town of Gouldsboro has replaced her, and she would like to embrace Lamoine, and is having trouble keeping up with the business here.

After reviewing the work arrangement, it was noted that the contract allows for hours as needed, and the Selectmen said Ms. Albright should work the hours that are needed and the budget impact would be reviewed.

Appointments – Stu reported to the Selectmen that the following list of appointed officials have expressed interest to being reappointed:

Name	Position	Term Expires
Jennifer Kovacs	Town Clerk	June 30, 2019
Jennifer Kovacs	Tax Collector	June 30, 2019
Jennifer Kovacs	Excise Tax Collector	June 30, 2019
Jennifer Kovacs	Deputy Treasurer	June 30, 2019
Stuart Marckoon	Treasurer	June 30, 2019
Stuart Marckoon	Deputy Town Clerk	June 30, 2019
Stuart Marckoon	Deputy Tax Collector	June 30, 2019
Stuart Marckoon	Emergency Management Director	June 30, 2019
Stuart Marckoon	Administrative Assistant to the Selectmen	June 30, 2019
Stuart Marckoon	General Assistance Administrator	June 30, 2019
Stuart Marckoon	Addressing Coordinator	June 30, 2019
Stuart Marckoon	Road Commissioner	June 30, 2019
Stuart Marckoon	Deputy Fire Warden	June 30, 2019
Cecilia Ohmart	Health Officer	June 30, 2021
Shannon Byers	Animal Control Officer	June 30, 2019
George Smith	Fire Chief	June 30, 2019
George Smith	Fire Warden	June 30, 2019
Chris Meyer	Transfer Station Manager	June 30, 2019
Rebecca Albright	Code Enforcement Officer	June 30, 2019
Rebecca Albright	Local Plumbing Inspector	June 30, 2019
David Herrick	Harbor Master	June 30, 2019
Kevin Murphy	Deputy Harbor Master	June 30, 2019
John Holt	Planning Board Member	June 30, 2023

Steve Gabel-Richards	Planning Board Alternate Member	June 30, 2021
Constance Bender	Budget Committee Member	June 30, 2021
Larissa Thomas	Conservation Commission Member	June 30, 2021
Cathleen Goebel	Parks Commission Member	June 30, 2021
Douglas Jones	Parks Commission Member	June 30, 2021
Patricia Haslam	Recreation Committee Member	June 30, 2021
Nicole Chan	Recreation Committee Member	June 30, 2021

Bob moved to reappoint those on the above list to the terms indicated. Jo 2nd. Kathleen moved to include Michael Risoldi to a 3-year term on the Technology Committee. Bob 2nd that.

The **vote to reappoint and/or appoint including Mr. Risoldi passed 5-0**, Selectmen signed the appointment papers.

Transfer Station Compaction – Stu reported that Ken Smith had met with DM&J Waste to discussion compaction options. He said that EcoMaine has a 2nd “silver bullet” available to alleviate the crunch. Kathleen moved to obtain that roll-off container. Bob 2nd. **Vote in favor was 5-0.**

County Ambulance – Stu said he spoke with County Ambulance owner John Partridge about the future of the ambulance contract which expires at the end of the month. He said Mr. Partridge had indicated that he might wish to go month-to-month with a payment system. After a brief discussion, Selectmen requested that Mr. Partridge meet with them at their regular meeting on July 12, 2018.

Employee Contracts – Selectmen signed the acknowledgement of the 3rd year status of an employment contract with Town Clerk/Tax Collector Jennifer Kovacs.

Nathan moved to sign a 1-year contract with Facilities Maintenance Director Edward “Rick” Gallegos. Gary 2nd. **Vote in favor was 4-0 (Rybarz had left the meeting)**

Nathan moved to sign a 1-year contract with Transfer Station Manager Chris Meyer. Gary 2nd. **Vote in favor was 4-0.**

Nathan moved to sign a 1-year contract with Animal Control Officer Shannon Byers. Gary 2nd. Nathan noted that Mrs. Byers is a very dedicated ACO. **Vote in favor was 4-0.**

Marlboro Beach Celebration – It was noted that a major celebration of the purchase of Marlboro Beach is planned for this coming Saturday (June 23) at 2PM.

Audit Management Letter – Jo moved to sign the letter with James Wadman CPA. Nathan 2nd. **Vote in favor was 4-0.**

Maine Municipal Association Legislative Policy Committee – Stu noted that there were no candidates listed on the ballot. The Board did not offer any write in candidates and declined to cast any votes.

Landfill Water Testing – Stu reported the residential water tests for properties around the closed landfill are complete and the results were consistent with previous years.

Larissa Thomas inquired about water testing at Blunt's Pond. She said a member of the Conservation Commission would conduct the test if the Selectmen wished. Bob said he had taken a test kit several months ago, but had not been able to collect water. (Stu supplied Mrs. Thomas with another kit).

Next Meetings – The next regular meeting of the Selectmen will be on July 12, 2018, with a warrant signing by July 5, 2018. Stu noted that the planned August 9, 2018 conflicts with the New England Management Institute which is in Newry.

There being no further business, the meeting adjourned at 9:12 PM (noted, the Cable TV recording ended at 9:00 PM).

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen