



# Lamoine Board of Selectmen

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## Minutes – March 21, 2019

Deputy Town Clerk Stu Marckoon called the meeting to order at 7:00 PM.

Present were: Selectmen S. Josephine Cooper, Nathan Mason, Gary McFarland, Robert Christie, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Board of Appeals & Conservation Commission member Michael Jordan and Conservation Commission chair Larissa Thomas.

**Board Officers 2019/20** – Chair – Jo nominated Bob as chair. Kathleen 2<sup>nd</sup>. Gary nominated Nathan as chair. There was no 2<sup>nd</sup>. **Vote in favor was 5-0.** Bob took over as chair of the meeting.

Vice Chair – Bob nominated Nathan as vice chair. Gary 2<sup>nd</sup>. **Vote in favor was 4-0 (Mason abstained)**

**Agenda Review** – The proposed property donation around Blunt's Pond was moved up the agenda to accommodate the Conservation Commission.

**Minutes – February 21, 2019** – Kathleen moved to approve the minutes as presented. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Expenditure warrant 20** – Selectmen signed the warrant in the amount of \$138,530.68.

**Expenditure warrant 19** – There no questions about the warrant signed between meetings in the amount of \$551,579.60.

**Budget Report** – Stu reported that the Code Enforcement line reflects an over-expenditure but the town meeting approved increase from the night before had not been added.

**Checking Reconciliation** – Selectmen signed the form expressing satisfaction with the checking account reconciliation for February which was 3-mailed prior to the meeting.

**Foreclosed Property** – Heirs of Richard Wallace – Gary moved to sign a quitclaim deed to the heirs of Richard Wallace. Jo 2<sup>nd</sup>. **Vote in favor was 5-0.** The Selectmen had no objection to having the treasurer sign the Real Estate Transfer Tax form.

Jo moved to abate the remainder of the 2016/17 property tax lien against the late Mr. Wallace. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.**

Mannisto/Mason – Stu reported that Erica Mason had stopped by the office while he was on vacation and told the town clerk she was interested in entering an installment agreement, but wanted to meet with me. He said she's not been in contact since his return. He suggested that the Selectmen might sign an installment agreement and vote to approve entering into that agreement contingent upon the signature from Mrs. Mason.

Gary so moved, Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0.** Selectmen signed the agreement.

Estate of Richard Wilk – Stu reported there still has been no communication from anyone associated with the late Mr. or Mrs. Wilk. He said he has drafted letters to the abutting property owners offering it up for sale for all back taxes, fees, interest, and an estimated 2019/20 tax as a minimum bid. Selectmen signed the letters to the abutters.

David & Tracey Kerr – Stu reported the Department of Health and Human Services filed a lien on this lot after the automatic foreclosure date. He said he wrote to the enforcement agent who signed the lien explaining that the town automatically foreclosed, but has not heard back from DHHS yet. He said because of the lien claimed by DHHS, no action has been taken, and he would not recommend any action until the situation might be clarified. He said neither Mr. Kerr nor Mrs. Kerr has been in touch for several months.

**Proposed Land Gift** – Stu reported that Aaron Dority of Frenchman Bay Conservancy contacted him on Tuesday with word that Judith Whitcomb and Katherine Dudzinski want to protect their land around Blunt's Pond by donating it. He said he put what information that FBC had sent in the packets for tonight. He said he would recommend that the Selectmen meet with Mr. Dority.

Nathan asked what the tax status was on the property. Stu said he was not sure, but could look that up. Bob said sometimes land owned by FBC is taxable, other times it is not. Larissa Thomas said the Conservation Commission would like to discuss the matter at their next meeting. A discussion followed regarding the potential uses and valuation. Following the discussion, Selectmen requested that Mr. Dority be invited to the next meeting.

**Policies** – Early disbursements – Nathan moved to approve the renewal of the early disbursement policy. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

Mileage Policy – Stu reported the policy increases the mileage reimbursement for 2019/20 on July 1, 2019 to \$0.51/mile. Nathan moved to approve, Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0.**

Selectmen Procedures – Gary moved to approve the renewal of the Selectmen's Rules of Procedure. Nathan 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Transfer Station** – Stu reported the Chris Meyer plans to return to work in April. Stu also gave a brief verbal report to summarize an incident at the facility. He noted that he has not sent the report to the person who complained yet. Nathan said there is a sign that is meant to allow the public in the facility only when it's attended. Bob said the attendant is doing his job. Kathleen asked about the cell phone for the attendant as the caller ID came up with a former attendant's name, and the voice mailbox is full.

**Community Center Committee** – Stu reported that appointee Jane Fowler has opted not to serve on the committee. Bob said he was not in attendance when the committee members were picked. He said he would like to see Amanda Frost added to the e-mail list.

Nathan moved to appoint Brett Jones to full member status from his current Alternate member status. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

Kathleen moved to appoint Allison Howaniec as an alternate member to the committee. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.** It was noted that Mrs. Howaniec is serving as secretary and her husband, Paul, is the committee chair.

**Returnables** – Jo moved to award the returnables for July 2019 to the Historical Society and for August 2019 to the East Lamoine Cemetery Association. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Town Meeting Follow Up** – Stu reported that the Comprehensive Planning Committee chair asked that the Selectboard chair sign the transmittal form to the state, which Bob did.

Bob said it would be helpful to folks hard of hearing to have people speak on the amplified microphone. Stu said there is a wireless mic available, but someone would have to run it around to the audience.

**Route 184 – Maine DOT Municipal Partnership Initiative** – Stu reported that a gentleman from MDOT contacted him regarding a program to have the town and state partner to improve state road. He said the MDOT representative was willing to meet with the Selectmen. Kathleen said it appears there is a maximum of \$500-thousand dollars available, which isn't very much for road improvements. Bob said there are a couple of spots, including North Lamoine and just east of the Lamoine School that should be rebuilt. He said it's worth discussing. Nathan said he questions how the road could become a 10-year road. A discussion followed on how deplorable the state road conditions are. A brief discussion followed about an accident on Election Night that saw the axle on a boat trailer fall off. Selectmen asked to invite the MDOT Representative to the next meeting.

**Winter Road Maintenance** – Stu reported that he's had McMullen Landscaping remove numerous ice patches and ditch properly so that water would stay out of the road. He said he wrote, at the request of the plow contractor, to a Buttermilk Road resident asking them to refrain from plowing snow from their driveway over to the other side of the road. He said some patching on Buttermilk Road has been done. A brief discussion followed regarding icing issues.

**Lamoine Beach – Property Boundary Marking Request** – Stu reported the Parks Commission had a request from a property owner near Lamoine Beach that a sign be posted at the boundary indicating that private property begins there. He said he received a telephone call earlier in the week from the property owner immediately

adjacent to Lamoine Beach asking that no sign be installed. No further action was taken.

**Lamoine Beach - Mobile Vendors** – Selectmen received a request from a Hancock mobile ice cream vendor asking for permission to sell their goods at Lamoine Beach. Stu said the town has no ordinance in place to regulate that. Kathleen said some towns do have regulation. Stu noted that he looked into the matter a while back, and Mt. Desert has an ordinance. Jo said the Lamoine 150 event might wish to have mobile food vendors in places, so something ought to be in place. Nathan said he'd like to see examples from other communities. Gary said the vendors should have insurance. Kathleen said she would provide some examples.

**Photocopier** – Stu said the photocopier is starting to fail on a regular basis, and the repairman has said it's getting more and more difficult to find parts. He asked if he could contact the vendor that gave the town the copier to see if there might be an affordable, updated product. There was no objection.

**Hodgkins Scholarship Subcommittee** – Kathleen, Bob and Gary offered to serve on the committee to review scholarship applications. A brief discussion of the process followed. The subcommittee will meet an hour before the first regular meeting after June 1<sup>st</sup>.

**Complaint – Fire Department Occupancy** – Stu reported that he'd shown each Selectmen a complaint from a resident that the upstairs "apartment" at the fire station was being lived in by someone who had not been displaced by a fire, along with a response to the complainant. He noted there is no apartment above the fire station, and the meeting /training room that is there was never intended to house fire victims. Nathan moved to sign the response. Gary 2<sup>nd</sup>. **Vote in favor was 4-0 (Rybarz abstained).**

**Future of Board of Assessors** – Stu reported that Jane Fowler, who won the election on Tuesday with 5-write in votes, has agreed to serve the term, though she had indicated she had wished to retire at the end of June. He said the Selectmen and Assessors should have a discussion given that no one has run for the Board on the ballot the previous two elections. Bob asked if the Selectmen should wait on a date from the Assessors. Nathan asked to find out what would be a good date for the Assessors.

**LED Streetlights** – Stu reported that many communities in Maine have upgraded streetlights to LEDs from conventional Sodium or Mercury Vapor lights. He asked if the Selectmen would like him to contact Emera to see what it would take to convert, noting that some street lights are failing. There was no objection.

**Other Matters – Drones** – Nathan said there was a discussion about using drones to spy on gravel pits at candidates' night. He said the town is not in the business of spying on citizens. Gary said it's illegal to fly them because of the proximity to the airport. Kathleen said drones can fly so long as they are under 400-feet. Bob said drones are a nuisance in a lot of ways. Jo said she didn't understand the discussion at the

candidates' night. Bob said drones have never been a discussion before the board. Stu said there are some potential public safety uses for drones.

**Next Meetings** – Selectmen set the regular meeting dates for April 4, April 25, May 9, May 23, June 6 (starting with the Hodgkins Scholarship subcommittee at 6PM), and June 20. A warrant will be prepared for signature for April 17<sup>th</sup> given the length between the two April meetings.

There being no further business, the meeting adjourned at 8:18 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen