



Lamoine Board of Selectmen

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Minutes – May 23, 2019

Chair Bob Christie called the meeting to order at 6:30 PM.

Present were: Selectmen Robert Christie, Gary McFarland, Kathleen Rybarz, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Town Clerk/Tax Collector Jennifer Kovacs.

Gary moved to enter executive session pursuant to 1 MRSA § 405(6)(a) for a personnel matter (job performance review). Kathleen 2nd. **Vote in favor was 4-0 at 6:31 PM. Out at 6:50 PM.**

Chair Bob Christie called the regular meeting to order at 7:00 PM.

Present were the parties listed above and Selectman Nathan Mason, Chad & Jackie Irwin, and Parks Commissioners Jeff Cosulich and Cathi Goebel. Town Clerk/Tax Collector Jennifer Kovacs left the meeting prior to the call to order.

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

Minutes – May 9, 2019 – Nathan moved to approve the minutes as presented. Gary 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 25 – Selectmen signed the warrant in the amount of \$99,778.90. Stu reported he did not have to add any money from investments to cover the warrant.

Cash & Budget Reports – Stu reported that either today or tomorrow, the full budgeted amount of excise tax for the year will have been collected.

Quitclaim Deed – Stu reported the town meeting approved the sale of Map 14 Lot 59-1 to the successful bidders. He said once the payment is received and the transfer tax forms come back from the bidders, the deed can be filed. Gary moved to sign the deed to Eugenia Kolkas and Eric Davidson. Nathan 2nd. **Vote in favor was 5-0.**

Sale of Tax Acquired Property (Map 14 Lot 51) – Stu reported the town received two bids. Selectmen opened the envelopes. Kathleen said Ericka Duym of Trenton bid \$4,525.55. Gary said that FARS Properties LLC bid \$5,210. Both bids enclosed the required deposit checks. There was a brief discussion about whether to award the bid to a local bidder versus a Portland bidder. Jo moved to award the bid to the high bidder, FARS Properties LLC. Kathleen 2nd. **Vote in favor was 4-1, Mason opposed.**

Public Hearings – Referenda Questions for June 11, 2019 – Bob opened the hearing at 7:11 PM.

School Budget Validation Continuation – Bob said the School Committee has recommended that people vote “no” on the question regarding whether to continue the

budget validation referendum requirement, and he agrees with that. Nathan said this is a hold-over from when the schools consolidated, and it's time for the budget validation process to go. Bob said the vote is on June 11th.

Advisory Question – Maine Department of Transportation Municipal Partnership Initiative

– Bob summarized the question, saying it would be to see if the town wants to pursue entering an agreement with MDOT to help repair state highways with a matching amount. Kathleen said the MDOT will match up to \$500,000, which will rebuild about 8/10 of a mile of highway. She said it would be a one-time shot, and the town would have to raise the matching amount. She said the return on investment is pretty low, and it's a very controversial thing. She said that figure represents about 15-to-20% of the current total town budget.

Cathi Goebel asked if there were other options. Gary said the state is not going to rebuild their roads in Lamoine, period. Nathan said the state would continue to put a skim coat on the roads. Gary said it's doubtful that the highway conditions and classification will ever change. Nathan said \$500,000 is a big dollar amount, and any MPI project requires a 10-year life span. Mrs. Goebel said the road needs rebuilding.

Bob said the MDOT plans to replace culverts and dig ditches this summer and pave the road with a skim coat next year.

Stu said as town treasurer, this seems to be a lot of money for not very much result. He reported that the Ellsworth American plans to do an article in the near future on road conditions. Kathleen noted that the road conditions hamper public safety because emergency vehicles have to travel slowly because of the poor condition of the roads.

Advisory Questions – Solar energy @ landfill – Bob read the ballot question. He said other towns in the state have done such things. Kathleen said the idea came from the Conservation Commission and would be in addition to a possible facility for supplying power to the town and school buildings.

Stu said basically the plan would be to rent the landfill space to a firm that produces solar power. Mrs. Goebel asked how the process might work. Stu said the vote is advisory in nature to see if the town wishes the Selectmen to proceed with soliciting proposals. Jeff Cosulich of the Parks & Conservation Commissions asked what the downside might be. Nathan remarked that solar project generally have a 15-year lifespan. Bob said he is a proponent of solar power and agreed that disposal could become an issue after 15-years.

There being no further comments, the public hearing closed at 7:25 PM.

Vendors at Town Parks – Parks Commission Chair Cathi Goebel said she sent a proposal to the Selectmen a few weeks ago. Kathleen said they had received it. Mrs. Goebel said the proposal from Chad and Jackie Irwin was to sell ice cream at Lamoine Beach Park, and it was tabled last year. Mrs. Goebel suggested using a parks use permit to allow for the vendor to use a piece of the Lamoine Beach Parking lot to set up

shop. She said there is no ordinance that deals with such proposals, so the thought was to give it a try this summer on a trial basis and to see how it works out. She said she thought it was a good idea to give it a chance. She said the parks commissioners indicated a willingness to give it a try.

Nathan said the only issue for him would be excess trash; the same as a wedding. Stu said he alerts the facilities maintenance director when there is a wedding planned in case it needs some extra pickup.

Chad Irwin said he wished to sell ice cream a couple days a week, mainly in July and August. He said his company goes to many events, and they always thought Lamoine Beach looked like a good place.

Stu asked Mrs. Goebel if the plan was to have this would come from a Parks Commission generated permit. Mrs. Goebel asked if it was fair to publicize that the town is preferring one vendor. She asked if the parks commission could limit such use to a single vendor. Nathan said permits should be issued on a first come-first served basis.

Jo asked about generator noise. Mr. Irwin said they have a generator that sound similar to a dishwasher. Nathan asked where they would plan to set up. Mr. Irwin said they would be toward the far end of the parking lot. Mrs. Goebel said the Parks Commission is prepared to move forward and keep the Selectmen posted. She said if there are more requests, the town might consider the same process as Ellsworth uses, which issues licenses. Mr. Irwin confirmed that Ellsworth has a fee and guidelines to follow, as well as an inspection process. Nathan asked Mr. Irwin if they have a state license. Mr. Irwin said they do. Bob asked how long they've been in business. Mr. Irwin said this is their 2nd season.

Mrs. Goebel offered to get the guidelines from the City of Ellsworth.

Road Work – Stu reported that he had generated a spreadsheet of proposed work to be done on town roads, suggested contractors, and a priority. He said he supplied the board with the lists ordered by road name, by vendor name, and by priority.

Jo asked that he look at a culvert on Seal Point Road that needs cleaning. Nathan asked that the trees on Walker Road opposite the stop sign on Mill Road be removed to improve site distance, as oncoming traffic can't be seen from Walker Road when turning left onto Mill Road.

Stu said his highest priority is to get Buttermilk Road ready for paving as soon as possible. After a brief discussion of some of the road needs, Gary moved to authorize the Road Commissioner to move forward with the list. Nathan 2nd. Kathleen said the in the past there have been potential prices on the list. Stu said he did not do that this time. Kathleen said getting contractors may be difficult. Stu said he was aware of that. He said that Kelley and Sons is new to town and has their insurance paper work in and he plans to use them for some projects. **Vote in favor was 5-0.**

Census – Stu reported the Census Bureau has invited the town to report its new construction directly to them for the upcoming census, but it has to be in the format the Census Bureau prefers which involves GIS technology the town does not possess. He said his recommendation is not to participate. There was no objection from the board.

Paving Contract – Stu reported that Vaughn Thibodeau II had sent the paving contract for 2019 which arrived this afternoon. He recommended that the Selectmen sign it. Nathan moved to approve, Gary 2nd. **Vote in favor was 5-0, Selectmen signed the contract.**

Property Line Agreement – Stu explained that many years ago the Selectmen started pursuing a clarification of property lines for Map 1 Lot 52. He said former town attorney Tony Beardsley had engaged a surveyor, but the matter fell off the radar. He said that as part of a property line dispute with other parties in the same neighborhood, Marion McDevitt had supplied a survey map. He said it would be helpful to both the town and Mrs. McDevitt to come up with a line agreement for her land and the town land that had previously been described as an unknown lot. He suggested the funding for such could come from the legal line of the administration budget.

Nathan moved to proceed with pursuit of a line agreement with regard to Map 1 Lot 52. Gary 2nd. **Vote in favor was 5-0.**

Lamoine 150! – Jo reported that a judging committee chose the Lamoine 150! Logo earlier in the day and that would be unveiled on June 15th. She said the committee has a great calendar of events, and things will start in September with a scavenger hunt. She said there will be a road race on October 5th with the fire department putting on a barbecue. She said there will be something every month, and said she would bring a calendar next meeting. Kathleen noted a calendar is posted on the town's website.

Special Town Meeting – Stu suggested June 20th for a special town meeting to deal with disposal of the tax acquired property approved earlier in the meeting as well as the fire ladder truck repair matter. Nathan moved to approve that, Gary 2nd. **Vote in favor was 5-0.** Stu said he would prepare a warrant for signature on June 6th which would be posted on June 7th, which is enough time prior to the meeting, which would be held at the start of the public session of the Selectmen's meeting at the town hall. He said he did not expect a large crowd for either matter.

Honor Graduates – Selectmen signed certificates acknowledging Ross Fowler and Isaac Weaver as honor graduates from MDI High School. Stu reported that there apparently are no Lamoine seniors graduating at Ellsworth High School this year.

Hancock County Planning Commission – Stu reported that an employee at the Planning Commission was arrested and charged with embezzling \$100,000 + from the agency to which Lamoine belongs. He said the County Commissioners noted at their last meeting that the commission is not doing any work at this time. Jo said her husband had worked for the commission until a few months ago and they knew about problems, and it's not a good situation. She said she hopes that the Commission can come up with

a plan to keep going. Stu said he's asked the Planning Board to discuss whether to continue membership at their June meeting. He said the town has rarely used the commission, other than with some help on the Comprehensive Plan several years ago. Discussion followed regarding the assistance the commission provided with the Comprehensive Planning process. Selectmen will wait to get a recommendation from the Planning Board.

Other Matters – Bob said an annual event with EcoMaine in Southern Maine piqued his interest, but he will be out of town. Stu said the event is June 20th, the same night as a Selectmen's meeting.

Gary reminded the Board that a Memorial Day ceremony will be held at the Veterans' Memorial on Monday at 10AM.

Next Meetings – The Board will meet on June 6, 2019 with the Hodgkins Scholarship Committee beginning at 6PM and the regular meeting beginning at 7PM. On June 20th, the Board will meet, beginning with a performance review at 6:30 PM, the special town meeting at 7PM, and the regular meeting to start after the town meeting. The Board set July 11, 2019 and August 15, 2019 as regular meeting dates. Stu said he would likely have expenditure warrants ready to sign in between meetings.

Executive Session – Kathleen moved to enter executive session pursuant to 1M RSA §405(6)(a) to conduct a job performance review with the Administrative Assistant. Gary 2nd. **Vote in favor was 5-0 at 8:03 PM. Out at 8:20 PM.**

There being no further business, the meeting adjourned at 8:20 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Board of Selectmen