



Lamoine Board of Selectmen

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Draft

Minutes – August 1, 2019

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

Present were: Selectmen Robert Christie, Nathan Mason, S. Josephine Cooper, Kathleen Rybarz, Gary McFarland; Administrative Assistant Stu Marckoon, Joint Municipal Shellfish Board member Richard Fennelly Jr. and Brian Lippold (Casco Bay Advisors).

No changes were made to the printed agenda. There was no addendum.

Minutes – July 11, 2019 – Kathleen moved to approve the minutes as written. Nathan 2nd. **Vote in favor was 4-0 (McFarland abstained).**

Expenditure Warrant 3 – Selectmen had signed the warrant in the amount of \$15,093.42 individually during the prior week. Bob asked how often the vault toilets are pumped. Stu said about every 2-years or when they get full.

Expenditure Warrant 4 – Selectmen signed the warrant in the amount of \$34,477.54. Bob asked how often the ambulance service is paid. Stu said it's an annual payment by contract.

Cash & Budget Reports – Stu reported he moved \$55,000 from the investment management account to the checking account to cover the school payroll warrant. He noted that cash flow from 2019 / 20 property taxes has been very good.

Open Door Recovery Payment – Stu reported he has not mailed a check to Open Door Recovery Center as approved by the town meeting because the facility has reportedly gone out of business. He asked what the recommendation was from the Selectmen. Jo suggested putting the payment on hold and try to communicate with the organization to see what the plan is moving forward. There was no disagreement.

Tax Commitment – Stu reported the Board of Assessors made the tax commitment on July 17, 2019 and set the mill rate at 10.9, down from the previous year. He said the town paved less mileage this year, and that helped with the reduction. A brief discussion followed.

Broadband Expansion Consultant Contract – The Board met with Brian Lippold of Casco Bay Consultants in regard to a proposed contract to move along with expanding broadband coverage to unserved portions of the community.

Mr. Lippold said there are two broadband suppliers to Lamoine, Spectrum (Charter) and Consolidated Communications. He said few people are satisfied with DSL speeds, but cable doesn't build out to sparsely populated areas. He said his company works with communities to understand how many miles in town are unserved, and whether the cable TV company adhered to the franchise agreement. He said some areas in Lamoine appear to not have been built out. He said he also finds out the cost to have a

high speed build out. She said sometimes the town and the cable TV company can split the costs and used the Town of Mt. Desert as an example. He said Spectrum picked up 60% of the buildout cost, and the town provided 40%, but a ConnectME grant helped lower Mt. Desert's costs.

Mr. Lippold said there are other grant opportunities available. He said the contract would include working with the community and broadband providers to negotiate. He said the town would have a chance to decide whether to proceed. He noted there are low interest loans available. He said there is no magic bullet. He said he's met with Charter, and there is new interest in many towns to expand service. He said his proposal cannot predict how much time it would take – he said that would depend on the broadband providers. He said he estimated the number of hours it would take to come up with something – and he would bill by the hour.

Jo asked if there is any guarantee of expanded service when they finish. Mr. Lippold said there are no guarantees. Nathan asked about areas that cable TV was supposed to build out. Mr. Lippold said Spectrum has all the knowledge and power in regard to that. He said a town would need to know the industry and the background, and that would be a struggle to negotiate alone.

Kathleen said one of the unserved areas covers both Hancock and Lamoine. A brief discussion followed regarding Heather Lane, and how Lamoine would get the attention of Spectrum/Charter.

Mr. Lippold said there has been some level of dissatisfaction with Spectrum, and the company wants to grow their business. Bob asked if there were other towns of comparable size dealing with. Mr. Lippold said he was confident that he could get something on the table that Spectrum would consider. He said it will take time to get on their calendar.

Stu reported the town meeting approved \$5,000 to get cable TV expansion and the Technology Committee recommended funding the rest from the CTV fund. Nate said there seems to be some low lying fruit. Mr. Lippold said there are 47-homes that could be built out now. He said the other 66 homes will be tough – Spectrum is likely to want 50 to 60% of the cost. Bob asked if a ConnectME grant is included. Mr. Lippold said that was not part of the proposal, but he does that work.

Nathan asked if it's really necessary to seek other internet service providers (ISPs), as that is 16-hours of the proposed work. Mr. Lippold said the lowest cost is to partner with existing providers and he would look at that first. He said the odds are that other ISPs are not interested. He briefly discussed other ISPs working in the Blue Hill/Penobscot area. He said he's learned not to rule anything out. Bob asked about the timeline. Mr. Lippold said that depends on the cooperation of providers. He said typically this would take about 6-months.

Kathleen moved to approve entering the contract. Jo said she's not against it, but she is concerned about spending money and nothing happening. Jo 2nd the motion. Bob said

the Technology Committee and the town meeting voted to move forward with expanding broadband. A brief discussion followed on the build out process. Jo said the town needs to make the effort. Gary asked if looking at other potential providers might nudge Spectrum forward. Mr. Lippold said perhaps a little bit. He said Consolidated is not a player in most areas. He said he can report back after meeting with Spectrum and how off moving forward with seeking other ISPs until talking with existing ISPs. He said he's not sure how much of an effort that will take.

Vote in favor was 5-0.

Shellfishing Ordinance Enforcement Status – Richard Fennelly, Lamoine's representative on the joint municipal board, said the City of Ellsworth has informed the group that it didn't want to employ the shellfish warden through the police department any longer. He said there have been a lot of changes at city hall and interest in the joint program has waned. He said the joint municipal board met with the City and informed Ellsworth that a lot of the commercial harvesters are residents of Ellsworth. He said Ellsworth had agreed to retain the city's Administrative duties. He said the police chief no longer wants anything to do with hiring a warden.

Mr. Fennelly said they are scrambling to find an employer for the shellfish warden, so he met with Hancock County Sheriff Scott Kane who initially open to the idea. He said the Sheriff, though was interested only if the warden is a full time deputy with an approximate cost of \$105,000/year. He said it's clear the Sheriff's Department wants nothing to do with the position. He said the Board would like to hire two part time wardens. He said there is currently no backup for Warden Hall. He said some labor overhead would not apply to part time personnel.

Mr. Fennelly said there is a liability issue. He said Ellsworth was concerned about hiring a warden because there is no enforcement needed in Ellsworth. He said he talked with the Hancock County Administrator, Scott Adkins, and he was interested, but then met with the County Commissioners with no notice of the meeting.

Mr. Fennelly said the program is doing well. He said Sullivan is the new leader in clams being harvested thanks to rotating closures. He said he will be meeting with Mr. Adkins again and the group would give a presentation to the County Commissioners, including job descriptions. He said the warden would not be part of the Sheriff's Office. He said if the county is not interested, one of the towns would have to act as the employing agency. A lengthy discussion followed about what responsibilities there are as the employing agent, arrest authority and firearms use. Mr. Fennelly said they Board hopes not to be an inconvenience to any one particular municipality. Bob said the Selectmen will wait for an update from Mr. Fennelly.

Road Matters – Walker Road – Stu reported that a resident of Walker Road called to complain about a drainage issue, but he could not find any standing water, even during a rain storm. He said there some shoulders in the area that need to be shaped better, but that's about it.

Lorimer Road – Stu reported a resident of Lorimer Road stopped into the office and said a cross culvert was not working properly. Stu said he looked at the culvert and found no evidence of water spilling over the road and wrote to the property owner to ask for clarification.

Marlboro Beach Road- Stu reported a resident of Marlboro Beach Road had requested the speed limit be lowered. He said he set the speed sign on the road, and the average speed was about 31MPH in the posted 35MPH zone. Selectmen suggested trying a blind speed measurement in the future. Stu said he could sent the results to the requested. No action was taken.

Heather Lane – Stu reported that a resident of Heather Lane complained that a fire truck had caused a big rut in her lawn during the Falcon Lane fire on July 6, 2019. He said he looked at the site and confirmed the rut and hired contractor Randy Kelley to fix it.

Appeals Board Attorney – Stu reported both the Code Enforcement Officer and the Board of Appeals Chair had requested that James Collier be retained to guide the Appeals Board on the Moldawer v. CEO appeal. Kathleen moved to sign an agreement with Mr. Collier. Gary 2nd. **Vote in favor was 5-0.**

Older Adults Committee – Jo said the new, nearly adopted, Comprehensive Plan addresses aging issues and recommended a committee to address older adults. She said she would be interested in helping to form such a committee. She said the plan addressed the issue under the Housing and transportation section. She said it should be looked at.

Bob said there are things communities can do. He said older adults are a great resource for a community. Jo said it's an economic development matter too. She said housing is a big issue. She said she would like to put the formation of a committee to be on the docket in the next year. A brief discussion followed about being pro-active. Stu said he would check with the Town of Sullivan which has quite an effort. He said he would try to draft up committee objectives and goals.

Lamoine Quarterly – Stu said there are very few paid subscribers to the Lamoine Quarterly remaining. He said postage has gone up and sometimes the Post Office won't always deliver without additional postage. He said he would like to send the hard copy to finish out the subscription time period and notify those subscribers that the postage subscription will cease.

Land Donation – ME Coast Heritage Trust – Stu reported that a sizable piece of land on Shore Road will be donated to Maine Coast Heritage Trust by Old Point, Inc. He said Mr. & Mrs. Hartline stopped by the other day and told him of their plans which were confirmed by an employee of MCHT. He said he hopes that an MCHT representative will meet with the Selectmen in the near future.

Cemetery Records – Stu reported that the Washington County Genealogical Society had written to the town to say they have some cemetery records that belong to Lamoine.

There was no objection to Stu planning to drive to Machias to pick them up sometime next week.

Solar Energy RFP – Stu reported he visited the landfill area with Sundog Solar out of Searsport this week. He said the Town of Trenton is interested in being a power purchasing partner if and when a project materializes.

Lamoine 150! – Jo reported the committee helped to stuff tax bills in envelopes with a flyer of coming events. She said the committee met with Thelma Beal of Ellsworth to help organize a parade. She said the Maine Bicentennial Commission has mini grants available. She said they meet in August, and things are getting serious.

Comprehensive Plan – Bob reported the Comprehensive Planning Committee met last night, and it was noted that the gentleman from the State Government in charge of comp planning retired. He said it looks like the local committee will take the state agency suggestions for language change and move forward. He said there will have to be a town meeting to approve the revisions.

Shed – Stu said the facilities maintenance director looked over the shed next to the former Anderson Garage and determined it was not able to be efficiently repaired. He suggested shelving for the Rec Department inside the garage. There was no objection from the Board.

Town Hall Bell – Stu reported that facilities maintenance director Gallegos determined the bell in the town hall cupola will have to be removed in order to be able to repair the leaking louvers in the cupola. He said Mr. Gallegos suggested the bell could be displayed more effectively that living unused in the cupola. Selectmen asked that consultation be made with the Historical Society.

Correspondence Concern – Stu reported that he received a very cryptic, anonymous envelope in the mail and showed the message to the Board. No action was requested.

Next Meetings – The Board will individually sign an expenditure warrant on August 15, 2019. Regular meetings will be held on September 5 and 19, October 3 & 17 and November 7 & 21, subject to revision.

There being no further business, the meeting adjourned at 8:36 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen