



Lamoine Board of Selectmen

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Minutes – December 3, 2020

Chair Kathleen Rybarz called the meeting to order at 6:28 PM.

Present were: Selectmen S. Josephine Cooper, Nathan Mason, Robert Christie, Gary McFarland, Kathleen Rybarz (via Zoom); Administrative Assistant Stu Marckoon and Code Enforcement Officer Rebecca Albright (via Zoom).

Bob moved to enter executive session pursuant to 1 MRSA §405(6)(a) for a personnel matter. Nathan 2nd. **Vote in favor was 5-0.** Out at 6:59 PM.

Chair Kathleen Rybarz called the regular meeting to order at 7:00 PM.

Present (via Zoom) in addition to the parties present for the executive session were Alan Moldawer, Thomas True, and Rebecca Alley (Ellsworth American).

Agenda Review – Kathleen noted three items were contained on an addendum to the printed agenda.

Minutes – November 19, 2020 – Jo moved to approve the minutes as distributed. Gary 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 14 – Selectmen signed the warrant in the amount of \$148,910.99. Stu noted that the school warrants and snow plowing bill made up the bulk of the expenditures, and the volunteer firefighter stipends were included on the warrant.

Cash/Budget Reports – Stu reported no anomalies, strong excise tax, and things are where they should be at this point in the fiscal year.

Tax Liens – 2018/19 – A list of the unpaid tax liens was prepared for the board and in their packets. Stu said notices of impending automatic foreclosure will go out later this month and that foreclosures take place automatically under state law. He said there was no relief program approved to take the pandemic into account. Kathleen noted that the list seemed a little smaller than in past years.

Checking Account Reconciliation – Selectmen signed the statement expressing satisfaction with the checking account reconciliation which had been e-mailed to them the day before.

Letter from Kenneth Ogden – The Board reviewed a letter received from Kenneth Ogden with a complaint about the actions of one of the members of the Board of Assessors. Stu said that he had drafted a response to Mr. Ogden, pointing out that the Board of Selectmen does not have any authority over other elected officials, and noting that the Selectmen and the Assessors have begun a dialogue regarding code enforcement and other matters. Nathan said the response sounded great. Bob moved to sign the response to Mr. Ogden. Gary 2nd. **Vote in favor was 5-0** (Kathleen said she would stop by the next day to sign the letter). Stu noted that the assessor in question

had been informed of Mr. Ogden's letter and sent a response to the Selectmen by e-mail just prior to the meeting. Bob asked about the memorandum's destination, noting it was "Selectmen Assessors". Stu said and the board agreed that the memo likely left out a comma.

Code Enforcement Follow Up – Meeting with Assessors, Planning Board 10/15/20 – Kathleen said she appreciated the memorandum from CEO Albright in regard to the process of responding to inquiries and complaints. Jo said the process speaks for itself. Nathan said he hopes it resolves issues brought by the Board of Assessors. Stu noted that CEO Albright had followed up to the list of complaints/inquiries the Assessors had sent. CEO Albright said she is quite approachable and would appreciate if the Assessors have CEO issues that they can speak with her.

Map 16 Lot 48-1 – Stu said at the previous meeting the Board had asked to obtain legal services to guide the town and CEO through the order from the Board of Appeals in the Moldawer v. CEO II appeal. He said he asked town attorney Dan Pileggi for suggestions as Mr. Pileggi and the two back up attorneys both have conflicts in the case. He said Mr. Pileggi sent a list, and he attempted to contact Rudman and Winchell, but they've not been diligent about responding. The Selectmen asked Stu to make contact with a different attorney as suggested by Mr. Pileggi.

Transfer Station Design – Stu said Chip Reeves will have material for the Board and will attend via Zoom at the December 17th meeting.

Land Donation – Stu reported that the donation of land around Blunt's Pond was also to include a \$5,000 check. He said the Frenchman Bay Conservancy (FBC) would be sending the check shortly. He said that the Whitcomb sisters who donated the land had requested a sign for the new Whitcomb Woods. He said a town resident who is a sign maker is struggling to pay his property taxes and offered to make signs for the town to help pay off those taxes and suggested that he be utilized for this project. The Selectmen had no objection to doing that. Stu said the FBC wants a sign that will hold up and require little maintenance, and he would have the sign maker talk with the FBC executive director.

Stu reported that the heavy wind and rain storm on Tuesday brought down a limb on top of the structure above Latona Spring and shattered it. He said he'd been in touch via e-mail with Judy Whitcomb who still owns the land and sent her a picture of the damage. He noted that some private citizens may be banding together to try to repair the damage.

There was a brief discussion about the storm. Stu said the fire department responded to a structure fire call on Lorimer Road and the mutual aid departments from Hancock, Trenton and Ellsworth were automatically dispatched. He said the fire was electrical in nature and the Lamoine Department was able to handle it without further assistance, but the response was incredible. Jo noted that Seal Point Road did not lose power during the storm for a change.

Broadband Expansion – Stu said he's waiting to hear back from consultant Brian Lippold on how to proceed following receipt of the Island Institute grant.

Meeting Room Monitor – Selectmen noted that the new 65" monitor is now mounted on the wall in the town hall meeting room. Bob said it's much easier to hear, and suggested exploring use of closed captioning for zoom meetings.

Lamoine 150! Radio Theater – Stu reported that IT Director Bill Butler will meet with Gordon Donaldson to try to determine what equipment would be appropriate. A brief discussion followed on podcasts and software.

Lamoine 150 Update – Jo said the committee has set up a display as part of the School Aglow program. She said they're sending a holiday card, and planning for the big celebration in August for the 151st birthday. There was a brief discussion about the light display at the school and fire station.

Hancock County Planning Commission Hazardous Waste Collection – Stu said the Planning Commission holds an annual HHW collection at Ellsworth High School and is looking for town interest after the HCPC's resurrection. He said Lamoine has participated for years in the MDI High School collection program and recommended staying with that event. Selectmen expressed no interest in changing events.

Regional Shellfishing Joint Municipal Board Representative (JMB) – Kathleen said she was contacted by a representative of the JMB about no replacement on the board for Richard Fennelly. Stu said he contacted a couple of people who he thought would be a good fit, but they were not interested. Kathleen said she would be willing to serve on an interim basis until someone else expressed interest. After a brief discussion Jo moved to appoint Kathleen as the interim representative for Lamoine on the JMB. Nathan 2nd. **Vote in favor was 4-0, and Kathleen said she would agree to serve in that position.**

Shellfishing Resiliency Report – Kathleen said the report on repopulating clams was kind of depressing. Stu asked if green crabs were the problem. Kathleen said they were. A brief discussion followed, and Selectmen asked that this be on a future agenda.

Returnables – Nathan moved to assign the January 2021 returnable proceeds to the Conservation Commission and February 2021 to the Lamoine Bayside Grange. Bob 2nd. **Vote in favor was 5-0.**

Other – Aquaculture Lease – Bob asked about a recent Aquaculture operation e-mail that he'd received. Stu said he forwarded the notice from the Department of Marine Resources as requested a few meetings ago. Kathleen said the organization is raising sea urchins and oysters for educational use.

Office Closure – Stu said he might have to close the office for an hour tomorrow as Town Clerk Jennifer Kovacs was out ill today and may be again tomorrow. He said he has an appointment.

It was noted that nomination papers are available for the March 2021 municipal election and after the meeting adjourned, Jo and Gary both got papers and a few signatures.

There being no further business, the meeting adjourned at 7:44 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen