

Town of Lamoine, Maine



Established 1870

Lamoine Board of Selectmen Minutes of July 14, 2005

Chairman Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen Brett Jones, Richard Fennelly Jr., Cynthia Donaldson, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Reggie McDevitt (Long Range Planning/Budget Committee/Appeals Board), Dennis Ford (Code Enforcement Officer), Michael Garrett (Planning Board/Long Range Planning Committee), Joseph Young Jr., (Budget Committee, Long Range Planning Committee), Amy Duym (School Building Committee), Christa Brey (Parks Committee), Brian Corrigan, Faith Perkins (School Committee), Kerry Galeaz (Parks Committee), Tom Barr (Parks Committee), David Bridgham (Union 92 Business Manager), Bonnie Marckoon (School Committee, Building Committee, Long Range Planning Committee), Chris Bowman (Cable TV technician), Lance Landon (Long Range Planning Committee, Planning Board), Kathleen Rybarz (Long Range Planning Committee), Bonnie Moretto (Parks Committee), Kathleen DeFusco (Assistant Town Clerk). Selectmen Perry Fowler had called the town office prior to the meeting to say he was unable to attend.

Agenda Review - Selectmen had no objection to the order of business. Cynthia said she would like to add an item regarding printing cards with the town logo on them.

Minutes of June 30, 2005 – Richard handed in some written corrections. Jo moved to approve the minutes with the corrections. Cynthia 2nd. **Vote in favor was 4-0.**

Meeting with School Committee – Bonnie Marckoon said the school's building committee wanted to talk about planning what ought to be done with the school building. She said they're in the process of applying for a renovation grant and no interest loan, and they've authorized the superintendent to apply for them. She said they're asking the James Sewall Company to update the costs of renovation. She said the estimate was \$369,000 two years ago.

Jo asked about the no interest loan. Mrs. Marckoon said the program allows the school to apply for up to \$1-million. She said 70% is a no interest loan, and 30% is a grant. She reported there is an effort by the Haslam and Neleski families to build a new gym in the memory of Jina Haslam. Richard asked what the scope of the work was for the \$369,000. School Union 92 Business Manager David Bridgham said there are needs at the school and explained the difference between Phase I and Phase II issues. Richard asked on what date those were determined. Mr. Bridgham said it was September 2003, and nothing has changed since then.

Brett asked about the term of such a loan. Mr. Bridgham said it's based on the amount borrowed, and with less than \$500,000 the loan term would be 5-years. Jo said Phase I and II do not address the gym, science or art space. Mr. Bridgham said Phases I & II deal with existing facility issues, not programming issues. Jo asked if there had been research in science and art space costs. Richard asked if there was any use for the existing gym space. Mrs. Marckoon said it would probably require that the town do it with its own funding and without state funding.

Brett asked where a new gym could go. Richard asked if it could be located behind the school by the fire station. Brett said if the school builds an addition, it would not address the parking issues.

Richard asked if there had been any study of population trends. Mr. Bridgham said they've had a study, and there is a dip next year, and then it would rise slowly to a projected 150-students in 2014. Richard said that's different from the state trend. School Committee chair Faith Perkins said last year was the lowest, and this year is up a bit and they're keeping an eye on it. She said the school department believes the population would be stable or increase a bit. Discussion of the population trend followed. Richard asked if there was any benchmarking with neighboring towns. Mr. Bridgham said Hancock also had a study and is in the same boat as Lamoine with projected slow growth.

Brett asked if Ellsworth High School is at capacity. Amy Duym said her daughter attended from Ellsworth High and said it was full at the time she graduated a few years ago. Jo noted the plan doesn't include parking, which is a safety concern. Mr. Bridgham said that might qualify as a Phase 1 project. He said the building committee felt it could apply for money to address health and safety issues instead of raising it through taxes. He said the committee was curious how many programming issues ought to be included with the basic health and safety issues, and what the community would support, and how to proceed.

Jo said there is an effort to build a gym, and that would get a lot of support. She said no one would question the need. She said parents can't even get into the door to see their kids play. She said there are safety issues when playing basketball. She said her concern is that they're not addressing some of the programming issues at the same time as the health and safety issues. She said it would be more cost effective to do it all in a package. She said it's a modest proposal and maybe reconfiguring what is already there might be in order. Mrs. Marckoon said they were kind of hoping for a package and getting a sense from the community that a package deal would work. She said they're trying to do it together in an overall plan and not to disrupt the school more often than they need to.

Jo said determining how to get the community's input and support would be important. She said public hearings and forums are one way. She said the school population knows the needs, but some of the older population doesn't think the town needs a school any more. Mrs. Marckoon said consolidation is also a consideration. Ms. Perkins said the immediate schools are bulging with Trenton and Hancock full, and Ellsworth is in the

process of building. She said there are recommendations that there be fewer school unions, but that recommendation must come from the state. A long discussion followed on consolidation.

Mrs. Duym said the question becomes how to best become either a Kindergarten-5th or K-8th school, and the programs for either. Richard said you have to focus on the health and safety issues. He said it should be easy to do a business model to determine the effect on the average taxpayer. He said the first thing to get through will be the revaluation. Stu said that's about a month away. Jo said doing the basics without doing the programming needs might mean the school would have to go back and undo the first part. Richard said he agrees there needs to be a new gym, and the heating system would need to be larger. Jo said that makes her point that you need to do a package all at once. Discussion followed on the alternatives. Richard said to present this to the town you should start with health and code issues and work up to a gym. He said there won't be a project unless the taxpayers are willing to fund it.

Brett asked if there are drawings of ideas on how something would sit on the lot. Mrs. Marckoon said there were plans from the 1990's when Lamoine was at the top of the state priority list. A short discussion followed. Richard asked if there were any conceptual plans for a gym. Mr. Bridgham said they built a pre-fabricated gym in Trenton, which appeared to be the cheapest solution. He said that cost about a half-million dollars. A short discussion on size followed. Brett said the amount of space on the property is a limiting factor, and the fire department building might be utilized. Mrs. Duym said there were a lot of conversations in the previous try on the school building. Jo said there have been a lot of drawings, and it might be good to come to a meeting with a rough idea. Discussion followed on Trenton's gym.

Cynthia said the effort made in the 1990's hurt, and was a learning opportunity on how to present the plan differently. She said she keeps thinking about the community utilizing the school building, especially the library. She said the process is really important, as are cost and safety concerns. Richard said people need to understand this is not an attempt to build a new school, but an attempt to address the needs of the current school. He said he agreed that the building committee ought to look at other things while addressing the safety needs. Jo said the school building should have usefulness for the whole community.

Bonnie Moretto said people without kids need to realize that the school is used for things other than a school. She said when she was a scout leader that they could use the gym without charge. She said the safety issues are a first priority. Richard noted that he was a Den Leader at a lot of Cub Scout meetings held at the school. Brett asked if it was the intent of the building committee to come up with a package and present it to the town. Mrs. Marckoon said they want to get input from the communities and the major players and to promote an idea without contention. She said they want to come up with an idea the community can embrace. Brett said the questions are what the needs are and what the wanted improvements are.

Ms. Perkins said there are a lot of entrances to the school, and that's a safety issue. Brett said the committee should come up with ideas. Stu said pictures on paper would help. Richard said numbers are important, and the cost items should be described line by line. A short discussion followed. Cynthia said if people want pictures, the committee will need money to do that. Mr. Bridgham said the question is whether to say there is a need for a project and to go to the town with a project, or coming to the town first without any plans, and how far is the town willing to go without pictures. Brett said there ought to be solid ideas with options. Cynthia said the committee needs to get people engaged. A short discussion followed.

Jo said there are three phases, beginning with a brainstorming phase. Brett said it seems logical for the school committee to come up with ideas and start from there. Discussion followed on how to approach the process. Jo said the groundswell of support for a gym shows there is a lot of frustration and people really want something to happen. Richard said the town turns out good athletes with the facility it has. A short discussion followed.

Ms. Perkins said the school committee is not doing a good job supporting its teachers with the present facility. Mrs. Marckoon asked Richard if he would be willing to serve on the building committee to create a liaison with the Selectmen. Richard said he would, but noted he is stretched for time.

Meeting with Parks Committee – Christa Brey said they had three basic things to address with the Selectmen. She said they have ideas for signage to improve the parks image. She said with nice signs people are less likely to litter. She said the Parks Committee met with the chief deputy who gave them some ideas on how to improve the ordinances. She said signage is a huge deal, and they're working on the ordinance.

Mrs. Brey said the committee is looking at a 3-faced kiosk similar to Acadia National Park. She said it's educational; it could stress conservation, the park hours and rules. She said they looked at the budget and there is not much extra. She asked about how to go about getting money for signs, and they talked about a lumber donation. She said the Parks Committee is also looking to find out what the Selectmen expect from them and where they see the committee going.

Jo said the town faces interesting times with funding and the constraints of LD-1. She said there are always creative ways to do things. She asked about the cost of a sign being \$274. Kerry Galeaz said they priced a couple alternatives, and one avenue is up to \$2,300/sign. Jo said one possibility is to collaborate with the Conservation Commission for grants. Brett said some of the local builders could lend assistance. Mrs. Moretto said the lumber part is easy – they just need a sturdy sign. Mr. Galeaz asked how to get a money request. Brett said it should go to the town meeting in March. Jo noted there might be an attempt to have an LD-1 override next year, and to look at grants and fundraisers. Dennis Ford suggested maybe having a road race in Bill Pinkham's memory.

Jo said she'd like to address the direction question. Richard said it sounds like the committee is on track. Jo said the town needed people who care about parks, and that's been taken care of. She said there ought to be some liaison with the Conservation Commission. Mrs. Moretto said when they did the site survey at Blunt's Pond they saw the possibility for a nice trail. Mrs. Brey said the committee has talked about meeting with the Conservation Commission and the Long Range Planning Committee. She said the Parks Committee has some cool ideas for the long range. She said they could meet with almost every committee. Mr. Galeaz said there is a lot of potential with the parks for not lots of money. Kathleen Rybarz said the Long Range Planning Committee has talked about parks.

Jo thanked the committee members for their effort and energy. She said there used to be a Parks Commission but that faded out, and the town's at a different point now. She said there is not money. Mr. Galeaz asked what to do about fund raising. Jo said the budget cycle starts in September, and the committee should put in a request with the Budget Committee. Cynthia said the Selectmen have no discretionary funds to hand out.

Mrs. Moretto said the picnic table at Blunt's Pond needs to be removed as it's a safety issue. A short discussion followed. Jo said there are lots of groups that could be involved with the parks. Mrs. Brey asked if someone were to donate a picnic table, is there anything special that would need to be done. Jo said there wasn't.

Mrs. Brey said the committee is working on the ordinance and asked how to present that for changes. Jo said it should go to Stu for review by the Selectmen before going to town meeting. She said the Planning Board and Conservation Commission and the Code Enforcement Officer might want to be involved in ordinance updates. A short discussion followed regarding signs and allowable sizes.

Meeting with Long Range Planning Committee – Brett noted the committee had not met prior to the Selectmen's meeting. Stu said he had a conversation earlier in the day with Carol Korty who pointed out to him what seems to be a problem. He said Ms. Korty had told him the next Long Range Planning meeting conflicted with the Conservation Commission's Water Study results meeting. He said he was not aware of the Long Range meeting and that's the difficulty – no one seems to know what's going on.

Michael Garrett said one of the difficulties of the Long Range committee is that it is too big, and it needs some organization. He said the committee is supposed to meet on the 3rd Tuesday of each month. He said the committee's agenda for next week is to attend the Conservation Commission's presentation.

Jo said one of the questions of the Long Range Planning Committee is the mission. She said it's been pretty broad, so that would be a good place to start. She said at the time the committee was formed, the concern was rapid development. Mr. Garrett said the committee has worked on a questionnaire and talked about ways to distribute it. Stu said there are a couple of broad mailings that will be sent out – one with the new property values, the other being tax bills. Brett said a return envelope would help.

Reggie McDevitt said the Long Range Planning Committee came up with a war memorial idea, and he might have found a piece of land on which to locate it, next to the Grange Hall. He said the Selectmen should send a letter to the Grange board and ask for permission to use the land for that purpose. He said it looks favorable. He said an agreement and deed might be needed, and the Selectmen should contact Linwood Brann. He said there is room for a memorial and a bench and a flagpole.

A short discussion followed regarding mailing options. Brett asked about the general direction of the committee. Jo said the survey makes sense as it would get some direction from the town and determine how much interest there is in various things. Richard said it would be a wonderful tool. Ms. Rybarz said they have a \$100 donation for postage. Cynthia suggested collecting responses in the fall where people gather such as the fireman's supper. A short discussion followed about on-line responses and people filling out more than one survey.

Brett asked about membership on the committee. Jo said self regulating the membership makes sense. Brett said a notice should go to all committee members that if they wish to continue to be a part of the committee they must attend the August meeting, and the roster would be set then.

Stu asked who is supposed to be doing what. Mr. Garrett said he would do a reminder about the meeting for next week. Brett said the question about the memorial should be referred to the Parks Committee and they should meet with Mr. McDevitt. He said the Long Range Planning Committee might want to meet with the Parks Committee in August. Mr. Galeaz said the Parks Committee's prime focus is on the ordinance and the signs, so the sky is the limit.

County Ambulance Contract – Richard asked if the contract should be reworded so that it is retroactive to July 1st. Stu said it doesn't really make a difference. Jo moved to renew the contract with County Ambulance, Inc., Brett 2nd. **Vote in favor was 4-0, Selectmen signed the contract.**

Bill Pinkham – Selectmen signed a sympathy card for Bill Pinkham's family. Cynthia said she'd had cards printed up when she worked for another organization with that organization's logo on it. She said Pioneer Print said the town could do that for about 39-cents a card, and suggested the town do that. There was no objection.

Appointment of Harbor Master – Stu said three people have expressed interest in being Harbor Master in the wake of Mr. Pinkham's death. Brian Corrigan said he was offering to help. Stu read the job description. Stu said Gerald Ford, the current deputy, indicated interest in filling the position, as did David Herrick. Stu said Mr. Ford has been laid up, but felt he could handle the paperwork from home for the time being. Richard said Mr. Herrick has the resources available to work in the harbor area and would be a good choice.

Stu said he had a call earlier from a person who has a mooring permit asking where the mooring should be placed. He said he had no idea and referred the caller to Mr. Ford. Richard said one important thing is to know the scope of the mooring lines.

Jo said any harbor issues are difficult to grasp if one is not down there. Mr. Corrigan said things seem to be pretty calm right now. She asked if Mr. Herrick is accessible. Richard said he would strongly recommend Mr. Herrick. Dennis Ford said his brother Gerald is temporarily out of service, but has the schooling to be Harbor Master and would really like to have the position. Jo said if Gerald Ford moves up to the Harbor Master slot, the other person could be the deputy. Richard said having a working waterfront guy is an advantage since he's down there a lot. Jo thanked Mr. Corrigan for stepping forward.

Richard moved to appoint David Herrick as Deputy Harbor Master and promote Gerald Ford to Harbor Master. Brett 2nd. **Vote in favor was 4-0.**

Road Commissioner – Stu said there were no people interested in the job following posting of the ad in the paper, on the website, on TV and posted around town. He said Dennis Ford offered to take the position but was concerned that it be properly advertised. Mr. Ford said he was glad the position was advertised. Jo moved to appoint Dennis Ford as Road Commissioner. Richard 2nd. **Vote in favor was 4-0.**

Sale of Woodshed – Stu said one offer for the woodshed on the former Anderson property came in. He said Richard McMullen offered either \$75 in cash or to maintain the lawn for the rest of the summer for the woodshed. Jo moved to sell the shed to Mr. McMullen in return for the maintenance of the lot. Richard 2nd. **Vote in favor was 4-0.**

Expenditure Warrant 1 – Stu noted the biggest parts of the warrant are the school operations bill and the payroll warrants. He said he moved \$25,000 to the checking account to cover the warrant. He said instead of sending each public service agency \$1 for funding, he cashed one check for \$1 and sent a dollar bill with an explanation memo. Selectmen signed the warrant for \$128,466.35.

Encumbrance Order – Stu explained how he determined the amounts to be encumbered from the just ended fiscal year. Jo moved to sign the order. Richard 2nd. **Vote in favor was 4-0.**

Cash & Budget Report – Cynthia asked how the state school revenue was much higher than projected. Stu suggested that part was a payment for an out-of-state special education student, but she should ask Mr. Bridgham. The trash figures for the first half of the year were discussed briefly, noting a significant drop in the trash sent to the PERC plant. Cynthia asked about the request that Pine Tree Waste hold off on the pickup in late June. Stu said they didn't get much notice and were unable to accommodate the request. He said there was also a problem the 4th of July weekend when they didn't show to pick up the trash first thing on Saturday and their answering service could not get anyone to respond. He said it turned out the truck had broken and was being repaired, and they did get the trash in time.

Vacation Days – Stu said he would like to take July 25-to-27 and the week of August 22nd off. Selectmen asked what happens if someone has questions, but had no objection to the proposed vacation dates.

Voter Registration Computer – Stu noted the Secretary of State is giving each town office a computer for voter registration purposes. A short discussion followed on how advanced some towns are and are not for centralized voter registration.

Stu noted the office would be closed next week on Tuesday and Thursday for training in a new way of registering recreational vehicles for Inland Fisheries and Wildlife.

FEMA – Flood Aid – Stu said he attended a meeting earlier this week and some federal money might be available for road repairs on those roads damaged by heavy rain this spring.

CEO – Enforcement Action – Mr. Ford said construction started on a garage before the permit was issued. He said he'd reviewed the application on July 12th and needed some more information so he went to the site to see if he could find the property owner. He said he didn't find the owner but found the project had already started. He said the paperwork was started to stop work on the project. He said he had a procedural question about after-the-fact permits, and how the town would force the offender to pay.

Jo said it sounded like Mr. Ford had tried to accommodate the property owner. She would go for the maximum fine, but be willing to listen for legitimate reasons. She said it sounded flagrant and said Mr. Ford should issue the stop work and notice of violation. Mr. Ford said he'd not yet sent anything. Mr. Ford said if he withholds the permit until the offender can meet with the Selectmen, that could be a lengthy delay. He said if it's in violation, the man should pay a fine. Stu said the violation doesn't start until the town notifies the landowner they're in violation. Jo said the town can't withhold the permit. Brett asked about whether the project is in the Shoreland Zone and if it has to go before the Planning Board. Stu said the CEO can issue the Shoreland Permit in this case.

Mr. Ford said the application was dated July 6th. Brett said it sounds like the building was taking place long before the application was made. Cynthia questioned about when a violation starts. A short discussion followed. Mr. Ford said the man in question had a permit for a residence so he went to the site thinking he might be working on the house and instead found the garage under construction. Brett noted the town can't start fining the man until he receives the notice of violation. Cynthia said there needs to be a statement made so people will get permits. Richard said the town needs to be consistent on such matters, and to address the issue so that it doesn't encourage people to go put up a building without a permit. Mr. Ford said in some communities an after the fact permit is a double fee. Richard said he'd hate to see a fine structure that's difficult to deal with but at the same time the town should not be taken advantage of. Mr. Ford said he tries to work with people, but this kicks him in the face. Richard said Mr. Ford is very easy to

work with. Jo said the town should deal with this as stringently as we can. Stu suggested calling Maine Municipal Association or the town attorney.

URIP / MDOT Agreement – Selectmen signed the Urban Rural Initiative Program form from MDOT. Richard said he got calls for the part of Shore Road that was not repaved. Stu said that part was paved a few years ago and it didn't need it. Stu said he's contacted George Crawford to bring the road up to grade on the shoulders.

War Memorial – Mr. McDevitt asked if the Selectmen had any plan to contact the Grange about putting a memorial on that land and if there would be a committee to raise money. Jo said Stu would write a letter to the Grange, and the Selectmen would see what the response is, and see what it costs. She said it would be ideal for the Parks Committee, but it must go one step at a time.

Unsolicited Donation – Stu reported that the town received a \$10 cash donation for the ambulance prior to the vote from Noel Dechar. He asked for guidance on what to do with the money. Richard suggested donating it to the Jina Haslam gym fund. Jo said it could be returned. Stu said he would contact Mr. Dechar by e-mail to see what his desire is.

Aquifer Preliminary Results Meeting - It was noted this meeting would be July 19th.

MMA Executive Board Vote – Selectmen signed the ballot for the MMA Executive Board – none of the candidates was opposed.

Route 184 – There was a letter from David Henry regarding Route 184. Stu said the state plans to grind High Street in Ellsworth and use that material to shim Douglas Highway then put a surface coat down.

Cable TV – Selectmen asked that Cable TV be on the August Agenda. Stu said there was a meeting earlier in the week about the purchase of Adelphia by Time Warner.

Election Irregularity – Richard asked about how the town filed the complaint regarding the photocopied ballots. Stu said he reported it like he would any potential crime and without input from the Selectmen. A short discussion followed. Stu reported that Sheriff Clark met with him yesterday and he was investigating the case personally. He said he understands Sheriff Clark has tried to interview those with the means to copy the official ballot, but he was not sure how successful the Sheriff was.

Richard said with anonymous mailings he was always taught to consider the source. Jo said this was a pretty serious misrepresentation and was deliberately misleading. She said a political campaign requires full disclosure. Mr. Garrett asked why the sender did not identify themselves and he would like to have responded to the letter.

Other – Brett asked about the meeting with Bangor Hydro. Stu said Bangor Hydro called and would prefer to meet with the Chair first before going public with anything.

Next Meeting – The next board meeting will be August 18th. Brett noted that he would be out of town between September 11th through the 21st.

There being no further business, the meeting adjourned at 9:50 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.