



Lamoine Board of Selectmen Minutes of August 17, 2006

Chair Josephine Cooper called the meeting to order at 7:02 PM at the Lamoine Fire Station.

Present were: Selectmen Richard Fennelly Jr., S. Josephine Cooper, Perry Fowler, Brett Jones; Administrative Assistant Stu Marckoon, Fire Chief George "Skip" Smith, firefighters Bill & Angie Butler, Joe Reynolds, Joe Young, Ed Farnsworth, Michael Jordan, Jim Carney, Kermit Theall, Jim Hunnewell, Jon Harris, Bob Schust, Bob Gettman, Carlton Johnson (& Boris), Mary Harney and David Herrick. (Selectman Cynthia Donaldson had informed the board previously that she could not attend the meeting)

Agenda Review – No changes to the agenda were proposed.

Consideration of Minutes July 13, 2006 – Jo said there was one minor correction. Perry moved to approve the minutes with that correction. Jo 2nd. **Vote in favor was 4-0.**

Flags – Stu asked the Board how long the flags should fly. Jo said there had been a very positive response. Stu said he'd received numerous compliments. Jo noted a couple of flags had been lost, hit by trucks. Richard said several potential donors have called him. Jo noted Franklin has a lot of flags displayed. Stu said he had one person tell him the number of flags in Lamoine was just right, but Franklin was a bit of overkill. Jo said she thought the flags should fly for about a month. Perry said they should go up before the 4th of July. Stu suggested they be put up on June 14th, which is Flag Day. Selectmen approved the start date of June 14th and an end date of August 1st.

Stu said people wondered how to donate more flags. He said Franklin accepts donations and lists the donors and in whose memory the flags were donated at their town hall. Jo suggested Stu draw up a plan. Stu said he would have it for the next meeting.

Resignation of Enid Neleski from Planning Board – Jo moved to accept Mrs. Neleski's resignation with regret. Perry 2nd. **Vote in favor was 4-0.** Selectmen signed a letter thanking Mrs. Neleski for her service on the Planning Board.

Appointment to Planning Board – Jo moved to appoint James Gallagher as an alternate to the Planning Board. Brett said he'd like to see Terry Towne appointed. He said Mr. Towne is very thorough on matters and very knowledgeable about ordinances. Perry 2nd Jo's motion. He said the reason he supported Mr. Gallagher as opposed to Mr. Towne was that the town already has a Code Enforcement Officer, and he's afraid there could be a conflict between Mr. Towne and the current CEO. He said Mr. Towne almost has too

much experience. Jo said her reason for nominating Mr. Gallagher is that he is very well educated, very open minded, and she'd like to get as many people involved in the town government as possible. She said the CEO issue was also on her mind. **Vote in favor of Jo's motion was 3-1, Jones opposed.**

Flooring Specifications – Stu said the specifications he wrote up are very general in order to give the potential bidders some flexibility. Brett said it might be better to shop around and see what type of flooring people recommend, and put that type of material out to bid. Richard said the proposal as drawn up should give the town that range of different projects. A short discussion followed.

Jo said the specifications looked OK to her, and maybe some research could be done while the project is out to bid. Stu said the problem with shopping is that the recommendations would come from potential bidders. Richard said he liked this method of soliciting bids. Brett said maybe three different types of materials could be sought. Another short discussion followed. Brett suggested requests for specific types of flooring – laminate, carpeting, and rubberized flooring. Richard said the various contractors may not sell all three different types.

Richard suggested that the objectives contain a line to preserve the present historic floor in the town hall. Jo said this set of specs would encourage different bids. Stu said he would make the historic preservation change and send out the specs.

Cell Phone Tower – Stu said he'd given a copy of the proposed contract to the Selectmen at the end of their last meeting. He said he researched what other towns were receiving for rental, and this seems to be in the ballpark, though on the lower side. He said he didn't know if they actually intend to build here. Richard said the rental price seems to be per cell company using the tower. Brett asked if we have to wait for the company to make an offer. Stu said yes, then it would have to go to town meeting, and siting the tower would have to go to the Planning Board. He said this is still in its infancy. Brett said he would like the town to have the ability to use the tower for public safety purposes for a repeater. Richard said the price variance is about \$100 per month compared to other towns. Brett said the town should decide what to do with the money. Jo said that would be up to the town. Joe Reynolds noted that municipal access to towers goes hand in hand with the proposed emergency operations plan.

Road Projects – Stu said Seal Point Road would be paved next week. Perry said he would touch up the final grade on the rebuilt section.

Stu reported the end of Birchlawn Drive was rebuilt with a new culvert, and the cost was approximately \$4,000, half of which had been encumbered in the previous year's budget.

Perry said he would offer to replace two culverts scheduled for replacement for the cost of the culverts and \$1,000 in labor and other materials each. Jo asked if the total cost would be \$3,000. Perry said that would be correct. Jo asked about the culverts on Seal Point Road. Perry said the first culvert was deducted from the cost because it was brand

new, and they just reset it. He said the culvert on the hill below Gerald Ford was also brand new, and that was reset deeper, as there was no ledge there. Jo said there needs to be a new ditch by the upper part of the road. She asked about the timing on the Buttermilk Road. Perry said it would be before winter.

Jo moved to accept Perry's offer. Richard 2nd. **Vote in favor was 3-0, Fowler abstained.**

Stu said a letter from Robert Williams had come in, and has been forwarded to Dennis Ford. Jo said there have been issues with rain all over town. She said it's been a common problem. Selectmen asked Stu to write to Mr. Williams and tell him that we've received his letter and are dealing with several similar problems.

Stu reported the mowing was done. Richard asked if the landfill had any problems with tires spinning up the ground. Stu said no. Richard said he got a call from a Shore Road resident expressing dissatisfaction that the mowing didn't extend far enough onto his lawn. He said we should specify in the mowing another year how far off the road should be mowed. Stu said the specification this year was 5-feet from the edge of the pavement. Richard said he didn't think the area in question was mowed any differently than any other part of the road. Jo said Dennis should be made aware of this complaint. Stu said he is well aware of it. A short discussion followed on the type of mower used.

Bangor Hydro Transmission Line – Stu said the project appears to be a reality according to the last Conservation Commission Meeting. Jo asked if the Commission had any concerns. Stu said they expressed a concern about using herbicides over the aquifer.

Transfer Station Anomaly – Stu explained that one dumpster of trash didn't get picked up a few weeks ago, so he called Pine Tree Waste and was told that a trash hauler often goes in on Monday and that might have happened. Stu said he inspected a bag of garbage and traced it to a homeowner who said they didn't use a hauler and had taken their trash in on either a Friday or Saturday. He said he didn't buy the Pine Tree story, and wanted to know how much follow up the Selectmen would like to give it. He said we haven't had any problems before or after, maybe the driver had a bad morning. Perry asked which dumpster it was. Stu said it was one of the outside dumpsters.

Road Name – Stu said he could foresee a problem as the road proposed for the name Phil's Road is actually a long path on which several homes on different properties could be constructed years down the road. He said this appears to be the old Berry Road to which many deeds refer. Selectmen asked Stu to send a letter to all land owners along the road saying that a name has been requested and soliciting input for the name. Stu said he would do so.

Harbor Ordinance – Stu said the Selectmen asked that this be on the agenda for this meeting in regard to the time to present the changes to the town meeting. Richard asked if it would be ready for the fall. Jo said the question is whether this ought to be a

referendum for November or a special town meeting. Brett said he would prefer to hold it until the regular town meeting next spring. There was general agreement to do so.

Shoreland Zoning Ordinance – Stu said the tax bills contained a stuffer indicating the plan by the Planning Board on changing the ordinance to meet state guidelines. He said the drafts are ready in the town hall.

Vendor Policy – Stu said the Parks Commission may soon suggest to the Selectmen that a vendor policy be developed for the parks areas. He said an 8-year old girl had asked permission to sell lemonade at Lamoine Beach, and that presented a lot of potential issues. Jo said she hoped the Parks Commission had granted approval. Stu said they did.

Veterans Memorial Update- Jo said the people interested in the Memorial project met and talked about various locations and researching other memorial projects such as Sorrento and Franklin. She said they were interested in the property between the Town Hall and Perry Fowler's property line. Fire Chief George Smith said he spoke with leaders of the Grange, and they're not opposed to having a memorial on that property. Jo said she believes the Grange would be the first choice. She said the next meeting is September 20th. She said some people were interested in serving but unable to attend the first meeting. She said there was a discussion of having names on a memorial. She said the committee is gathering information and would like to present a proposal that all would feel good about.

Chief Smith said the Grange site would be OK provided the memorial isn't very large. Brett said it's important to pick an area that would not exclude other uses for the property. Jo said the committee's concern is that it be visible and respected and not invite vandalism. Jim Carney asked if it would honor just deceased veterans. Jo said they've not come that far – there are various issues to discuss. Chief Smith said the consensus seemed to be to honor all veterans. A short discussion followed on whether to include names, the style, and other issues.

School Building Project – Stu said the building committee has met several times and there is a preliminary design. He said the initial estimate was about \$3-million. Jo said the project is still very preliminary.

Safe Routes to School Grant – Jo said there was no time to get a grant together for this year. She said she spoke with the school, and any project would require that the state not have to purchase right-of-way. She said she plans to meet with the school board. She said the idea is for a sidewalk on the school side of Lamoine Beach Road extending from Shore Road to Mill Road with a cross walk at Mill Road. She said there would have to be some local match, and she thought about asking the gravel truck owners to kick in a donation. Richard asked that maintenance issues in the winter be explored, whether the town would have to maintain the sidewalk, or would the state do it.

Community Development Block Grant – Stu said the CDBG program is out, and it's an annual grant the town generally does not qualify for. He urged Selectmen to look over the document to see if there might be anything of interest.

Warrants 2 & 3 – Stu said Perry had expressed concern about the cost of the Birchlawn Drive culvert replacement, so he held sending the check until this meeting. Perry said there is no reason not to release the check. Jo asked if the project was done without an estimate. Stu said that was correct. Selectmen said to find out costs ahead of time.

Warrant 4 – Selectmen signed warrant 4 for \$99,364.84. Perry asked about the PERC tonnage. Stu said it's up slightly from the previous year. Brett asked about the fire truck payment showing up as an over expenditure. Stu said he would look into that, but it's likely the entire account payable was booked instead of a portion being applied to the current fiscal year as had been done in the previous year.

Checking Account Review – Selectmen signed the statement expressing satisfaction with the checking account reconciliation.

Liens – Stu reported he filed 27 liens in July, the fewest since he's been on the job.

Vacation Day – Stu asked if he could take September 1st as a vacation day. There was no objection.

Deputy Code Enforcement Officer – Selectmen signed a card expressing wishes for Dennis Ford to get well soon. Stu said he wondered if it's time to look at appointing a deputy for Dennis in such cases. He said he'd be willing but not sure if it would be cost effective for him to attend all the training required to do it. Perry said an on-call deputy should be advertised for.

Fire Department Issues – Jo thanked the fire department for hosting the meeting. She said the Selectmen felt it was important to be at the fire station because a lot of work takes place here. She said they wanted to acknowledge the great volunteers and take a look at the station and let the firefighters know they're appreciated.

The firefighters present introduced themselves. Chief Smith said things are going well this summer. He said they just had a very successful auction. He said they're looking at three areas to update – rescue tools, airpacks, and turnout gear. He said it's been a slow summer for calls. He said Lamoine is likely to take a bigger hit on calls when Ellsworth changes its High Street traffic pattern that will encourage more traffic to use Buttermilk, Jordan River, and Douglas Highway.

Jo said she was glad to see new volunteer firefighters joining. Brett said the number of volunteers is a state and national issue. Jo asked why the decline. Chief Smith said people don't have the time to devote to training. He said too many members are getting quite old, and they need to get young people into the department.

Jo said it's easy to be out of touch. Chief Smith thanked the board for its support and open communications with the fire department. Bill Butler said he recently met with Ellsworth City Councilor Larry King and found out the increase in traffic on Buttermilk Road is something they hadn't planned on with the one-way configuration. A short discussion followed on the Ellsworth one-way traffic plan.

Future Meeting Schedule- Stu had proposed a meeting schedule for the Selectmen and the regular town meeting in a separate memo. Selectmen had no objection to the planned dates.

Workshop with Fire Department on Emergency Operations Plan – At 8:30 PM the Selectmen and Fire Department reviewed the proposed Emergency Operations Plan. After some minor corrections that Stu said he would make, it was agreed a final plan would be given to the Selectmen for approval at their next meeting. There was discussion about holding a table-top exercise on the plan as proposed.

The workshop and meeting adjourned at 9:05 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst.