



# Lamoine Board of Selectmen

606 Douglas Hwy  
Lamoine, ME 04605  
(207) 667-2242  
town@lamoine-me.gov

## Minutes – April 16, 2020

Chair Kathleen Rybarz called the meeting to order at 7:02 PM. The meeting was held on Zoom meetings.

Present via zoom were: Selectmen Nathan Mason, Gary McFarland, Kathleen Rybarz, Robert Christie, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Technology Committee members Brett Jones, Bill Butler, Justin Zinke, Merle Bragdon; Consultant Brian Lippold, Bayley Baldrige and Patrick Kaemerer.

**Agenda Review** – There was no addendum. Kathleen said Patrick Kaemerer would be joining the meeting later and she would like to move to that matter when he is logged in.

**Minutes – April 2, 2020** – Nathan moved to approve as written. Gary 2<sup>nd</sup>. **Via a rollcall vote, the minutes were approved 4-0** (Christie not fully connected).

**Expenditure Warrant 23** – Gary moved to approve the warrant in the amount of \$96,450.71. Jo 2<sup>nd</sup>. **Vote via rollcall was 4-0 in favor** (Christie not fully connected).

**Cash & Budget Reports** – Stu reported expenditures are where they should be. He said excise tax revenues are way off for April because of the pandemic and the state waiving registration requirements until after the danger passes. He said the reports are posted on the town’s website. Jo asked about what happens if we don’t get a lot of taxes in. Stu said he’s not particularly worried about property taxes as many properties have their mortgage company pay by escrow. He said many property owners are retired and are good about paying taxes. There was a brief discussion about whether the new fiscal year might start on the previous year’s budget.

**Excise tax report**—Stu said the excise taxes have tanked for April after enjoying a record January through March.

**Tax Acquired Property** – Stu said there have been a fair amount of inquiries on the Needles Eye Road land. He said the house on Needle’s Eye had an inquiry. He said he’s e-mailed USDA to inquire about what they wish to do. He said there has been no reply. He said he would like to ask the town attorney about selling tax acquired property that is encumbered by a mortgage. Nathan moved to authorize him to do so. Jo 2<sup>nd</sup>.

Brett Jones asked what the address was. After clarifying which property, Stu said it was 174 Needles Eye. **Roll call vote in favor was 5-0.**

**Heating fuel bids** – Stu reported three bids were received as follows:

Bidder	#2 Heating Fuel	Propane
Acadia Fuel, LLC	\$1.30/gal	\$0.80/gal
No Frills Oil	\$1.399/gal	\$0.899/gal
RH Foster Energy LLC	\$1.749/gal	\$1.579/gal

Jo moved to approve the Acadia Fuel bid. Nathan 2<sup>nd</sup>. Stu said he would let school superintendent Katrina Kane know about the bid. Brett asked about coordinating that better. Nate suggested sending it to the school board members as well. **By a roll call vote, the motion passed unanimously.**

**Broadband** – Broadband consultant Brian Lippold had sent a report regarding a proposal from Charter to wire up the Eagle Point neighborhood. He said that a few weeks ago he recommended looking elsewhere because he believed the price from Charter was too high. He said the overall project price is now slightly lower, and they have lowered the amount they are asking the towns to contribute. Selectmen looked over the updated report from Mr. Lippold. He said the cost sharing ratio is much more appropriate than what was shared previously.

Mr. Lippold said asking ConnectME for a grant would still not be very competitive. He suggested asking ConnectME for \$22,000, with Lamoine contributing \$9,000 and Hancock \$10,800. He said he still believes that the town should see what other options are out there, and recommended not to decline the Charter offer, but see what other options might be available. He said a couple other providers might be interested in looking at the project. He said he'd asked Charter to give pricing for the rest of the unserved parts of town, and that has not come forth.

Jo said it wasn't a bad price for Lamoine. She said she's concerned about current circumstances as broadband is very important and wondered how much longer the town should take. Mr. Lippold said it'll be at least a year anyway for any company to construct the lines, and it could take up to 18-months.

Kathleen asked if this info has been shared with Hancock. Mr. Lippold said he did not. Stu said he'd invited Dean Tyler from Hancock to join the meeting, but he did not. Brett Jones asked what savings there might be down the road. Mr. Lippold said if this were the only unserved area, he would recommend going for it, but there are other areas that need service.

Merle Bragdon inquired about the numbers of homes on Eagle Point. After a lengthy discussion, it was shared that Charter excludes some of the homes in that area. Mr. Bragdon said his concern with Charter is the distance homes are located off the road. Mr. Lippold said Charter did not include those homes to which they could not gain access.

Stu asked what the other options might be. Mr. Lippold named several companies that offer fiber optic service. Discussion followed regarding other areas of town that are not yet wired for broadband. Mr. Bragdon said it would be good to look at the entire unserved community. Mr. Lippold said the other providers utilize the 3-ring binder system which is only about a mile away from the unserved area. He said he's not suggesting that any of the other companies would be eager to get into Lamoine, but it would be good to see their interest.

Kathleen asked what the ConnectME deadline was. Mr. Lippold said it was May 7<sup>th</sup>, but they anticipate another application date in May, and a bond question in July might pass which would offer another round in late summer. He said there is no huge risk to wait.

Stu asked what the appropriate action should be. Mr. Lippold said the original proposal had a number of phases, and the next phase was to see what interest there might be from other providers. He said he only needs to get the go ahead to contact other companies. Nathan moved to have Mr. Lippold explore other options. Gary 2<sup>nd</sup>. **By a roll call vote, the motion passed 5-0.**

**Information Technology Director** – Bob said the audio is cutting out when documents are shared. Stu explained that the Selectboard had talked about creating a part-time Information Technology position. He said he'd envisioned Bill Butler for the position and the Selectmen directed him to write up a job description and place it before the tech committee. He said storms and the pandemic prevented the meeting, so he invited the committee to join the meeting tonight. He said funding would come from the CTV fund.

Mr. Bragdon asked if this would include the school. Stu the school has a full tech director. Mr. Jones explained what Mr. Hilton does at the school. He said the IT person for the town would be a good idea. Mr. Bragdon says the position is needed.

Kathleen asked if it was possible to have a backup website, given that the town website was down for a while this week. Mr. Jones said it could be moved offsite. He said it might be better to farm that out at a hosting facility. Mr. Bragdon says the down time is rare, and there is a generator. He said the issue was that Spectrum was down. Stu explained the outage, and the difficulty he had getting it restored. A brief discussion followed.

Stu said the next step would be to authorize creating the position and to have him search for a suitable candidate. Nathan asked if the tech committee had thoughts. Mr. Jones said he supports. Mr. Zinke said he supports. Nathan moved to create the IT director's job as proposed. Gary 2<sup>nd</sup>. Stu asked how the board would like him to search for a suitable candidate, saying he had Mr. Butler in mind for the position. Jo asked if there was any reason not to appoint Mt Butler. Stu said if the board was fine with negotiating with Mr. Butler, he could come back to the board with a work agreement. Stu said it was his understanding from the majority of the board that he negotiate with Mr. Butler. **By a roll call vote the motion was passed 5-0.**

**Chicken-Rooster ordinance.** – Patrick Kaemerer said he's sent letters and e-mails to the board in regard to a situation at his home involving noise from a rooster. He gave a lengthy, detailed explanation about the rooster that lives next door and is, in his opinion, extremely noisy. He said he would support an ordinance that would regulate roosters on small lots as well as something that might regulate noise on those lots. He said he would like to focus on his neighbor and her rooster. He spoke of an ordinance in Cape Elizabeth which prohibits roosters on lots less than 40,000 square feet in size. He said his wife is ill and this has a major impact on her well-being.

Bob said he's been by the neighborhood several times. He said the town would have to vote on an ordinance. He said he understands the difficulty and hopes the discussion will open up a pathway. Mr. Kaemerer said he understands it's a long process, and does not expect an ordinance adoption in a short period.

Nathan said he's been digging into the issue, and there is a huge range of ways that towns deal with nuisances, and listed some of them. He said he's sensitive to Mr. Kaemerer's concerns, and he has experienced a similar issue. He said he wants to help but the town should not overstep its bounds. He asked if the town has sent correspondence to Mr. Kaemerer's neighbor. Stu said the neighbor was successfully prosecuted for animal trespass but there has been no communication because there is nothing that the town has authority to communicate on at this time. Nathan said the Town of Oakland talked to a homeowner and said they would put together an ordinance if the rooster didn't stop crowing. He said he would like to see the town send a letter to Mr. Kaemerer's neighbor saying that the town is considering an ordinance unless there is something that changes.

Mr. Kaemerer said his neighborhood is very residential while most of the town is zoned agricultural. He said there are small lots in his area, and prohibiting roosters on small lots would be well received. A discussion followed on regulation, zoning and lot sizes.

Bob said he felt a letter to the neighbor might be effective. He said backyard chickens could become more popular as people fend for themselves. Mr. Kaemerer said he would welcome trying a letter. He said he didn't have a problem with people owning chickens, but roosters are a problem. Discussion followed about other municipal chicken regulations.

Kathleen said she is hearing from the Board that they would like to send a letter to the neighbor saying that they might be drafting a letter that says the town would craft an ordinance if the problem persists. Stu said if he understands the sentiment of the board, he could draft a letter from the chair to the neighbor. Board members said they were OK with that. Bob asked that the letter accentuate the positive and to encourage immediate mitigation.

**Emergency Ops Plan** – Kathleen said her committee met twice to do an update and she hopes to meet next week via Zoom with a draft with Stu. She said communications and flooding are issues. She said Wednesday afternoon is a possibility.

**Parks Update** – Stu said he put a sign up the Saturday after the last meeting. He said the few times he's been down, there have been people, but no crowds. He said the Parks Commission has asked about similar signs at Bloomfield Park and Marlboro Beach, but he has not put those up because they are not widely used other than by shellfish harvesters at Marlboro Beach.

**Emergency Declaration** – Kathleen noted that the governor has extended the emergency until May 15<sup>th</sup>. She inquired about having a drive-in or outdoor town meeting. Stu said that kind of depends on weather. He said he's got a big sound system

that could be used if need be. He asked about the school budget. Mr. Jones said he doesn't have a new date for their meeting as the one planned for this week got canceled by power outages. A brief discussion about the general school budget followed.

**Lamoine 150** – Jo said the committee has come up with a fun thing involving sardine cutouts being displayed around town. She said they would pop up this weekend.

**Litter Cleanup** – Stu said a citizen suggested a town wide cleanup day on Saturday. He said the Adopt A Highway leader has sent out an e-mail encouraging cleanup soon.

**Boat Debris** – Stu reported a derelict boat washed up on Seaview Way and the Marine Patrol is willing to haul it away, but was looking for the town to pay the disposal cost. He said he agreed to pay the relatively small fee to the demo disposal site.

**Other** – Selectmen wished each other well during the pandemic. Kathleen encouraged folks to make charitable donations if they are able. She also asked if others are using zoom meetings. Stu said the Lamoine 150! Group has and the Planning Board may need to meet in May via zoom.

There being no further business, the meeting adjourned at 8:28 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen