



# Lamoine Board of Selectmen

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

## Minutes – August 13, 2020

Chair Kathleen Rybarz called the meeting to order at 7:00 PM at the Lamoine Town Hall.

Present were: Selectmen Gary McFarland, Robert Christie, S. Josephine Cooper, Nathan Mason, Kathleen Rybarz; Administrative Assistant Stu Marckoon.

**Agenda Review** – No changes were proposed to the printed agenda. There was no addendum.

**Minutes – July 23, 2020** – Bob moved to approve the minutes as written. Nathan 2<sup>nd</sup>.  
**Vote in favor was 5-0.**

**Expenditure Warrant 5** – Selectmen signed the warrant in the amount of \$448,401.53. Stu said \$426,000 of that was a transfer into the investment accounts.

**Expenditure Warrant 4** – Selectmen had previously, individually, signed warrant 4 in the amount of \$110,502.30.

**Cash & Budget Reports** – Stu reported some of the formatting in the FY 20 and FY 21 reports needs to be updated. He said cash flow for FY 21 has been very good thus far.

**Checking Account Reconciliation** – Selectmen signed the statement expressing satisfaction with review of the checking account reconciliation for July 2020.

**Liens** – Stu reported liens would be filed next week. He said there looks to be about 56 liens to file, which is down from previous years.

**Berry Cove Road** – Stu reported that it has been several years since any serious work was done on Berry Cove Road. He said Perry and Jay Fowler have been replacing and installing some culverts, and suggested a surface coating of a mix of heavy duty gravel and reclaimed pavement. He said the estimated cost was \$8,000 and proposed encumbering \$4,000 from the FY 20 road maintenance budget and \$4,000 from the FY 20 road paving budget to pay for that. Bob moved to approve the project. Gary 2<sup>nd</sup>.  
**Vote in favor was 5-0.**

Nathan moved to approve the following encumbrance order:

### Encumbrance Order Fiscal Year ending June 30, 2020 Dated August 13, 2020

We, the undersigned Selectmen of Lamoine, hereby approve this order to encumber fund for projects approved and funded during the fiscal year ending June 30, 2019 but

not yet completed. The following accounts shall be recorded as indicated below affecting the Encumbrance Account (GL #2-01-03)

New Anticipated Expenses			
Account Name	GL #	Amount	Purpose
Road Maintenance	5-09-09-10.32	\$4,000.00	Berry Cove Road Maintenance
Major Road Projects	5-09-09-10.03	4,000.00	Berry Cove Road Maintenance
<b>Total Encumbered</b>		\$8,000.00	

Gary 2<sup>nd</sup>. **Vote in favor was 5-0**

**Spring Road Work Update** – Stu reported that Mill Road and Shore Road were paved yesterday and today and that is complete. He said most of the spring projects have been completed or are in progress and the town's roads are in excellent condition.

**Emergency Operations Plan Update** – Jo moved to approve several minor changes to the Emergency Operations Plan as suggested by the Hancock County Emergency Management Agency office. Gary 2<sup>nd</sup>. **Vote in favor was 5-0, Selectmen signed the updated plan.**

**Lamoine Beach Boat Ramp** – Stu reported that he'd received a report of rebar sticking up at the old boat ramp at Lamoine Beach, creating a hazard. He said Parks Commission member Bob Ehlers kindly removed the hazard. He said he checked some old correspondence in regard to the boat ramp and found an e-mail in response to a letter from the State of Maine Bureau of Parks and Lands indicating that they intended to remove the ramp in 2014. He said he called to talk to the Regional Parks Manager, but has not heard back. Nathan suggested sending a new letter with copies of the former correspondence to the Bureau.

**Property Line Agreement** – Stu reported that town meeting had given approval to enter a line agreement with Marion McDevitt. He said he would like to have town attorney Daniel Pileggi write up the agreement with the language from Herrick and Salsbury. Nathan moved to authorize the attorney's use. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**State Valuation** – Selectmen reviewed the proposed state valuation for 2021. Stu said the local valuation is quickly falling behind the state valuation, and it may finally be time to seriously think about a town revaluation. There was a brief discussion about property sales and prices.

**Memo from Planning Board Chair re: Short Term Rentals** – Stu reported that Planning Board Chair John Holt composed a memorandum that was in the Selectmen's packet regarding short term rentals in relation to the existing town ordinances. Kathleen noted that Mr. Holt had attended a Maine Municipal Association seminar on the matter several months ago.

**Maine Municipal Association Executive Board Ballot** – Selectmen signed the ballot, choosing those running unopposed.

**County Budget Caucus** – It was noted that the District 3 County Budget Caucus will be held via a zoom meeting on August 27 2020 at 3PM.

**Broadband Expansion Update** – Stu reported that consultant Brian Lippold had helped him to file the grant application to Maine Community Foundation while was on vacation. He said the town should hear about the grant in September.

**Transfer Station Design** – Selectmen said they would like to meet with Chip Reeves at their next meeting to get an update on where things stand. They suggested meeting via zoom and inviting facility manager Chris Meyer and Ken Smith.

**Appointments** – Stu reported so far there are no takers for the Joint Municipal Board Representative. He said the Conservation Commission had two people offer to fill an open alternate member position, so they flipped a coin and are recommending Diana Cassel. Jo moved to appoint Ms. Cassel as an alternate member. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

**Absentee Balloting** – Stu reported that absentee balloting during the July 14, 2020 primary election created an overwhelming amount of work from which they are still catching up. He asked if they could utilize Nancy Jones, the current part time assistant clerk, to assist with processing absentee ballots for the November 3, 2020 election. Nathan moved to use Mrs. Jones as needed. Gary 2<sup>nd</sup>. Discussion followed on purchasing a drop box that would be acceptable to the State of Maine. Bob suggested having the absentee issue on the agenda for each meeting to keep the board up to date. There was a discussion about issues with the postal service and absentee ballot delivery. **Vote in favor was 5-0.**

**Lamoine State Park Piling** – Stu reported he met briefly with the new park manager, Haley Parsons, and discussed collaborating on replacing the broken piling. He said she expressed a willingness to work together, but he's not heard back from her. Bob said this is a safety issue and wondered why the town would have to collaborate to get it repaired. Discussion followed about the quality of work performed in the park.

**Lamoine 150!** – Jo reported that a poster and note cards are in the works keeping with a sardine theme. She said the Facebook Page has kept things interesting. She said the book that Gordon Donaldson has been working on is nearly done, and when it's printed, it's hoped that every household in town will get a copy (for free). She said there are new T-Shirts for Sale, and a radio theater production recreating the first town meeting is posted on the Facebook Page and town website. There was discussion about doing a similar recording with the story of Marlboro with a podcast. She said there will be a scavenger hunt in conjunction with the book, and T-Shirts with Sardine labels are in production. Discussion followed about continuing with the celebration in 2021.

**Memorandum from the Board of Assessors** – The Board discussed how to hold a joint meeting with the Board of Assessors and Planning Board, preferring to have an “in-person” meeting at the school gym.

Bob said the memo was disturbing, and it feels like the Selectboard is dealing with issues with which it has already gone over. He said it’s starting to get on his nerves, and he’s not sure how this issue got to be a discussion at an assessors meeting. Kathleen noted that some of the alleged violations outlined in the memo are 12-years old. Nathan said the Code Enforcement Officer (CEO) can look at the alleged violations. He said he wondered what the role of an assessor is, and how that role is applied. He said he wondered if there is a charge to the assessors to act as a CEO. He said any citizen can make a complaint about a perceived violation. He said if the assessors are doing that in their role as an assessor; that is not fine – it’s trespassing. He said this is an abuse of government power.

Jo said allowing assessors on a property is an issue to begin with. Discussion followed on the authority and role of the assessors. Nathan said the role of government must be properly used. Jo said the CEO is feeling picked on, and this has been going on with every CEO the town has hired.

Gary said windshield inspections are not part of the CEO job description. A discussion followed. Nathan said this violates the public trust. Gary said he really would like to meet in person, and not by Zoom. Bob said the Planning Board has been thrown into this, and Chairman Holt’s memorandum in response seemed pretty clear, and it should be discussed. He said the Selectmen should run the meeting. He said this is not right for the CEO.

Kathleen asked if it should be a regular Selectmen’s meeting date or a special meeting. After discussion, it was decided to meet at 6PM on October 15, 2020 at the Lamoine School Gym if available, and the regular Selectmen’s meeting would follow beginning at 7PM. Nathan moved to set that as the meeting time. Gary 2<sup>nd</sup>. **Vote in favor was 5-0.**

### **Other Matters**

- Nathan said in hindsight he was glad to see that the town sold the tax acquired property on Needles Eye Road to the high bidder, but he might have voted against lowering the price. He said it opens the door to issues and is not a good way to do business.
- Stu noted that Town Clerk Jennifer Kovacs is on vacation this week, and that he planned to be off on August 24<sup>th</sup>.
- Selectmen noted the weather has been very dry, and tourism is busy.
- Stu reported the fire department twice responded to Ellsworth with the rescue boat to ferry equipment and manpower to an island in the middle of Graham Lake that had a woods fire.
- The Board briefly discussed the current pandemic situation
- It was noted the school has worked up a plan to reopen next month and it was outlined at a public meeting at the school the night before.

**Next Meetings** – Stu said a warrant will be ready to sign in a couple of weeks. The next regular meeting of the Selectmen will be on September 3, 17<sup>th</sup>, October 1<sup>st</sup> and 15<sup>th</sup>.

There being no further business, the meeting adjourned at 8:20 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen