



Lamoine Board of Selectmen

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Minutes – May 6, 2021

Chair Gary McFarland called the meeting to order at 6:32 PM.

Present were: Selectmen S. Josephine Cooper, Robert Christie, Nathan Mason, Gary McFarland; Administrative Assistant Stu Marckoon and Town Clerk/Tax Collector Jennifer Kovacs-Lord.

Selectman Kathleen Rybarz had e-mailed to say she was unable to attend due to another commitment.

Gary moved to enter executive session pursuant to 1 MRSA §405(6)(a) – personnel matter for the purposes of conducting the annual job performance review with the Town Clerk/Tax Collector. Nathan 2nd. **Vote in favor was 4-0.**

Out at 6:54 PM.

Regular Meeting – The regular meeting came to order at 7:00 PM.

In addition to those noted as present above, Alida Liberty was in attendance, while Town Clerk Kovacs-Lord left.

Agenda Review/Addendum – Gary said he would move Ms. Liberty's matter up after dealing with the minutes and the Treasurer's matters.

Minutes – April 15, 2021 – Bob moved to approve the minutes as written. Jo 2nd. **Vote in favor was 3-0 (Mason abstained as he was not present at that meeting).**

Expenditure Warrant 25 – Selectmen had signed the warrant in the week prior to the meeting in the amount of \$109,251.12. Nathan signed the warrant this evening. There were no questions.

Expenditure Warrant 26 – Selectmen present signed the warrant in the amount of \$18,531.48. Stu reported the largest expenses were for payroll and motor vehicle and fish and wildlife registrations.

Cash & Budget Report – Stu noted that expenses are lower than projected for the amount of the fiscal year that has passed, while revenues exceed the budget for the year. He said he expects to make the excise tax budget in the next week with the two busiest months of the year left.

Checking Account Reconciliation – Selectmen signed the statement expressing satisfaction with review of the reconciliation for April 2021 which had been e-mailed on Monday.

Meeting with Alida Liberty re: Walker Road Drainage – Gary noted that information from Ms. Liberty was in the material for tonight’s meeting and she is requesting help with expenses from a recent issue with her underground electrical entrance.

Ms. Liberty said she has reported issues with drainage on Walker Road where her property borders the road for the past four years. She said she called an unnamed prominent person on February 22, 2021 and was given two names to call. She said only one person returned her inquiry. She said runoff from the ditch extending across the front of her property bypasses the cross culvert under Walker Road and travels further south down the road. Bob asked about the functioning of the cross culvert and her driveway culvert. Ms. Liberty said they are not working. Bob asked if they have worked in the past. Ms. Liberty said no, she’s been dealing with it for the past 4-to-5 years. Gary asked if water runoff is passing under her driveway. Ms. Liberty said no. She said someone helped her dig a trench in past years.

Ms. Liberty said she called the town hall on March 5, 2021 because she had no power and Versant had advised her that the problem was ice buildup at the pole by her underground conduit near the driveway culvert. She said it was a sheet of ice on February 22, 2021. She said she has an underground electrical entrance and Versant told her that the water froze so deep, that it went into the conduit pipe. She said Anderson Pressure Washing thawed things out on March 5th. She said that on a rainy day, she called Jay Fowler who came to the property. She said Mr. Fowler told her that “even a blind man could see the problem”. She said Mr. Fowler suggested that she contact her homeowner’s insurance. She said she got a bill from Versant but she has a \$500 deductible. She said she got a check from her insurance company and the reason she is here is that she would like the town to pay the \$500 deductible.

She said the problem has been going on for years. She said her neighbor gets water in her basement. Nathan said it would be helpful to see the color pictures from a March 5th memo that Stu had prepared. Stu printed the memo in color for the board.

Nathan said the town is responsible for the culvert and asked again if water was flowing through the culvert. Ms. Liberty said every year it’s getting progressively worse. She said her property is totally saturated from the water in the ditch. Nathan asked if Versant had the ice thawed through the driveway culvert. Stu said there was no sign that the driveway culvert was not functioning. He said if water was not flowing through it, the water would come up over either the driveway or the road and create an ice dam and start creating washouts along the shoulders.

Bob said he understands Ms. Liberty’s frustration. He said he drove by on March 5th after Stu had informed the board about the issue and tried to assess the matter. He asked how anyone could put conduit in a ditch without making sure it was secure and asked who installed the electrical service. Ms. Liberty said it was her electrician. Nathan said conduit leaks and nothing will prevent that. He said it appears there was a short circuit in her electrical line which is likely caused by the casing around the underground line. Ms. Liberty said Versant found a break in the wire. Nathan said such installations are supposed to use an underground rated wire, and it appears this was

flawed. Bob said what he saw might have had to do with landscaping, plowing and freezing water, and perhaps a different landscaping plan is needed. He said he doesn't see that the town is responsible in the way that Ms. Liberty wants.

The board took no action on Ms. Liberty's request for reimbursement.

Employment Contracts – Administrative Assistant – Nathan moved to approve the contract with Stu for 3-years, noting a date correction was needed on the 1st page. Jo 2nd. **Vote in favor was 4-0, Selectmen present signed the contract.** Stu noted that he will be retiring from his part time radio announcing job on July 2nd.

Town Clerk/Tax Collector – Nathan moved to sign the acknowledgement of the 3rd year of the contract with Jennifer Kovacs-Lord in regard to salary and accumulated vacation and sick leave. Jo 2nd. **Vote in favor was 4-0. Selectmen present signed the acknowledgement, which had been signed by Mrs. Kovacs-Lord.**

Road Work – The Selectmen opened and read the following estimates on road work that were due today:

| | Jay Fowler | McMullen Construction | Kelley & Sons |
|-----------------|------------|-----------------------|---------------|
| Buttermilk Rd. | - | \$12,000 | \$3,550 |
| Shore Road | \$810.50 | \$900 | \$450 |
| Mill Road | Free | \$300 | \$200 |
| Needles Eye | - | \$4,800 | \$1,200 |
| Clamshell Alley | \$693.20 | \$1,500 | \$600 |
| Raccoon Cove Rd | - | \$1,600 | \$1,100 |
| Gully Brook Rd. | \$400 | \$6,500 | \$2,000 |
| MacQuinn Rd. | - | \$1,400 | \$2,500 |
| Marlboro Beach | \$85 | \$750 | \$100 |
| Walker Rd | \$777.60 | \$900 | \$1,000 |
| Birchlawn Drive | | \$1,600 | \$7,500 |

Selectmen expressed concern about why the wide discrepancies on some of the estimates. Jo moved to authorize the road commissioner to discuss the projects with the bidders to get a feel for the scope of work proposed and to have him award the work to the bid that will satisfactorily accomplish the job as envisioned for the least cost. Gary 2nd. **Vote in favor was 4-0.**

Tree Work – The Selectmen opened and read the following estimates on tree work that were also due today:

| | Huebner Tree | Berry Cove Gardens |
|-----------------|--------------|--------------------|
| Maxwell Ave | \$1,860 | \$950 |
| Mill Road | \$1,200 | \$900 |
| Seal Point Rd. | \$14,400 | \$6,800 |
| Needles Eye Rd. | \$14,400 | \$5,600 |

Jo moved to award the jobs to Berry Cove Gardens. Nathan 2nd **Vote in favor was 4-0.**
Paving Supervision – Selectmen reviewed a proposal from Haley-Ward to supervise the 2021 paving on Buttermilk Road. After a brief discussion, the board asked Stu to explore what other options might be available for a lower cost. Stu said he would check with the Maine Local Road Center

Returnables – Nathan Moved to award the proceeds from the returnable containers at the transfer station to the Frenchman Bay Riders Snowmobile Club for May 2021. Bob 2nd. **Vote in favor was 4-0.**

Animal Control Status – Gary reported that Stu met with current Animal Control Officer Shannon Byers and potential ACO Debbie Verrill-McFarland earlier in the day. Stu said Debbie has agreed to become the ACO on July 1st and Shannon will become the deputy to assist when needed, but not on law enforcement matters. Gary said when the time comes for the appointment, he would abstain, as Debbie is his wife.

Stu said the concern is for a longer term solution, and possibly on a regional basis as most of the surrounding towns are also in need of an ACO. He said he would like to bring this before the League of Towns at the May meeting. There was no objection.

Welcome to Lamoine Sign – Stu reported that Jonathan Mohr has offered to replace the Welcome to Lamoine sign on Jordan River Road at no cost. Nathan moved to accept the offer, Bob 2nd. **Vote in favor was 4-0.** Stu reported that Frenchman Bay Conservancy hopes to utilize Mr. Mohr for the Whitcomb Woods sign. He said he fears that there are some communications issues and he will contact the Conservancy again and try to get everyone on the same page.

Regional Shellfishing – Stu said Franklin has agreed to be the administrative town, but there is nothing new to report.

Lamoine 150! – Jo said the committee will meet next week.

Budget Committee – Stu said he's expecting to receive the school budget tomorrow for Monday's Budget Committee meeting.

Town Meeting Warrant – Stu asked the Selectmen to sign the special town meeting warrant to consider the school budget next Wednesday.

May 26, 2021 Town Meeting - Stu said it would be nice to recognize Harvey Kelley as this will be his final town meeting moderating job in Lamoine because of his pending retirement. Selectmen agreed. Nathan noted that he'll be unable to attend the town meeting.

Vacations – The town clerk/Tax collector has requested to take from June 1, 2021 to June 8, 2021 for vacation, and Stu has requested July 26, 2021 to July 30, 2021 and November 14, 2021 through November 21, 2021. There were no objections.

Personal Protective Equipment – Stu reported the transfer station manager and facilities maintenance director both completed some required training and had a great discussion on potential hazards. He said he will be ordering some PPE for the transfer station and work in the parks.

Request of Conservation Commission for Lamoine 150! Event – Jo said she intends to attend the Conservation Commission Meeting next Wednesday.

Comments – Those in attendance wished Jo a happy birthday.

Bob said the world has been in crisis for more than a year now with the Coronavirus pandemic, and suggested that the health officer could provide an update on potential future health issues.

Next Meetings – Gary outlined the upcoming meeting schedule.

There being no further business, the meeting adjourned at 8:22 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen