



# Lamoine Select Board

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## Minutes – September 15, 2022

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

Present were: Select Board members Larissa Thomas, S. Josephine Cooper, Gary McFarland, Nathan Mason, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Stewart & Alice Workman, Sue and Glenn Baez, Recreation Committee members Nicole Chan, Andrea Smith and Michelle Stoll, and School Committee member Brett Jones.

**Agenda** – No changes were proposed to the printed agenda or [addendum](#).

**Minutes – September 1, 2022** – Larissa noted she sent in two very minor corrections and moved to approve the minutes as corrected. Gary 2<sup>nd</sup>. **Vote in favor was 4-0 (Rybarz abstained).**

**Expenditure Warrant 6** – The Board signed the warrant in the amount of \$237,847.29. Stu noted the school expenditures and the first payment on the revaluation were the largest on the warrant.

**Cash & Budget Reports** – There were no questions regarding the reports for both FY 22 and FY 23.

**Audit Update** – Stu reported that Jim Wadman's office will be starting the FY 22 audit this month – much sooner than the previous two years.

**Recreation Committee** – The Select Board and Recreation Committee members introduced themselves to each other. Rec Committee chair Nichole Chan said a couple of folks have offered to step up to serve on the committee as their membership has dwindled a bit. Jo asked how things were going. Mrs. Chan said the last couple of years saw programming and participation drop due to COVID. She said they had stopped indoor soccer but offered outdoor soccer and basketball. She said they also held a fun run on Halloween. She said spring sports were a no-go as they would end up competing with Little League. She said they have 58 kids signed up for soccer which starts on Saturday. She said they might start a cheering program again this winter. A brief discussion followed regarding the condition of the cheer mats.

Larissa asked if programming is open to just Lamoine residents. Mrs. Chan said it's open to neighboring communities and a lot of home schooled children take part. Jo said it appears the focus is on children. Mrs. Chan said the people serving on the committee have children in the programs and that's where the interest lies. A discussion followed regarding the original purpose of the committee.

Jo said a citizen expressed concern about pedestrian visibility. She said the resident was interested in promoting safety and making walkers more visible to traffic. She asked if such a promotion could be under the umbrella of the recreation committee. Mrs. Chan said the group could discuss that. She said they're a fairly small committee and pull things together with a shoestring. Larissa said she spoke with the person who made

the visibility request who had suggested a Facebook post to promote safety. She said perhaps some town branded items to increase pedestrian visibility could be offered. A brief discussion followed.

Nathan said the original reason for requesting a meeting with the Red Committee was the condition of the athletic fields at the school. He said money was allocated to fix up the field this spring, but it needs to be continually maintained independent of the school, and that costs a lot of money. He said he wants to make sure the field is maintained. He said no plan has been put together for a maintenance schedule. School Committee chair Brett Jones said once a plan is established, some entity should be tasked with making sure it's carried out. A brief discussion followed.

Stu mentioned that there had been discussion on whether it's time to hire a Recreation and/or Parks Director, and a brief discussion followed. Nathan said he wants to keep the committee on the agenda and wants input from the Rec Committee. Stu noted that a couple more committee members are needed and a discussion followed on the appointment process.

**Request for Short Term Rental Regulation** – Jo said the Select Board received a letter requesting some regulations for short term rentals in town. She said the board is aware of some issues.

Stewart Workman said he opposed regulation of rentals through Air B&B and other similar entities. He said the rentals are regulated by those companies. He said he's invested a lot of money in properties in Lamoine and doesn't wish to see regulation when it's not needed. He said there are some in town who oppose short term rentals.

Kathleen said this is not a new issue. Mr. Workman said he had read the letter the Select Board received. He said when regulation starts, it gets out of control. He said the letter mentions problems with too many people staying in short term rentals. He said they regulate how many stay in their units. He said they have nice place and they are well kept. He said some of the neighbors may not like the activity.

Jo said there are several Air BnBs in her neighborhood. She said only once in a while is there any sort of problem, and that seems to involve the speed in which people drive. She said she wondered if this really is a big issue anywhere. Gary said the letter the board received mentioned that all rentals see issues. He said he hasn't seen any issues with his neighbors who rent their property short term.

Nathan said it's a sticky situation. Jo said she's not opposed to having some rules in writing. Susan Baez said she hadn't seen the letter the Board received (a copy was made for her). She asked what the concerns were. Jo said the letter mentioned septic impact, traffic and noise issues. Kathleen said some campgrounds have popped up and that became an issue. A discussion followed on how to regulate bothersome activity. Nathan said the rentals self-regulate in a way. Brett Jones said on-line reviews tend to take care of some of the problem properties.

Kathleen asked if this question ought to go before citizens. Nathan said the board got a letter and one issue identified was the impact on septic systems. Mrs. Baez said there is concern about vacation rentals taking away from the inventory of low income or workforce housing. Discussions followed on the housing inventory, the economics of building a home, and impacts on septic systems.

Nathan said corporations could be coming in to buy housing. Larissa said it's unfortunate that somebody felt bad enough to have to contact the Select Board. She said she didn't see anything in the letter that lays out a case to regulate short term rentals.

Kathleen said she'd received two other complaints this summer. She said there is a concern that people are coming down the improper driveways to find their vacation rental. A discussion about the accuracy of Google maps followed. Alice Workman said the letter writer did not mention whether he had contacted the owners of the properties that had caused his upset.

Stu asked how the Board wished to respond. Kathleen said she doesn't know the extent of the issue. Jo said the letter writer requested what he called some simple regulation and she read from the letter. She suggested that the Board could let the writer know that they received the letter and the Planning Board is aware of his concerns and has discussed it. She said that the Select Board could write to the [Planning Board](#). Nathan said the Select Board needs to listen to the community. Discussion followed on what the issues were. Following the discussion the Board said it would like to let the writer know they've received his concerns and appreciate them, and supply the letter to the Planning Board. Nathan noted that vacation rentals seem to be at a high point, and that will drift off eventually.

**Special Town Meeting** – Stu explained that he redrafted the question regarding replacing the elected assessors with an appointed assessor to make it easier for voters to understand. He said the Board of Assessors reviewed the question as revised yesterday and favored it. Jo moved to sign the warrant and the amendments to the Ordinance Regarding Municipal Elections, Terms of Office and Assumption of Official Responsibilities. Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0.** The Board signed several copies of the warrant and one copy of the amended ordinance.

**PFAS/Landfill Monitoring** – Stu reported that purchasing of water has started for two homes whose wells tested higher than tolerated for PFAS in the vicinity of the closed landfill. He said he has supplied information about the salt problem in 1992/93 to the DEP after another well tested high in sodium. He said he awaits more communication from the Maine DEP.

**Regional Animal Control** – Stu reported a draft contract with Hancock County is going before the County Commissioners on Tuesday, September 20<sup>th</sup>. He said the State Animal Control Agent for the area is very pleased with the process.

**Request to Sponsor Halloween Event** – The town had received an e-mail from

Melissa Johnson asking to help promote a large house to house trick or treat event on Halloween. Stu reported the school plans a trunk or treat event again this year. A brief discussion followed on what exactly was being requested. The Board requested to thank Mrs. Johnson for her request and advise that the school is planning some sort of event.

**Transfer Station Incident** – Stu reported that he had e-mailed a memorandum to the Board the previous week regarding a complaint by a commercial hauler at the transfer station. Jo said it's not stated anywhere in the policy that Friday is the commercial hauler day. Stu said the attendant has the right to request commercial haulers adjust loads to meet capacity. A discussion followed regarding the rude nature by the complainant. The board asked if the complainant had supplied the customer list required by policy. Stu said he has not yet. The Board directed Stu to inform the commercial hauler that they will not be allowed to use the facility until such time as the list is provided.

**Community Center** – Jo said she'd like to make this a live topic again and wanted to hear the Board's thoughts. She said various groups would like to have some sort of community events center. She suggested maybe forming a small group to go to various groups and gather input and bring that back to the Board. Larissa said that was done already by the previous committee which became inactive when the pandemic hit. Jo said she thought going to meetings of other groups and having a conversation about a community center was more of what she had in mind. She asked if the idea was dead in the water.

Larissa said there needs to be a concrete plan from a decision maker on where a community center could be located, because absent that, it's all in the abstract. She said the town is beyond an open ended question.

Nathan asked what the status is for the school. Brett Jones said community space is part of the idea for any school project, but they are not very far along for a practical concept. He gave an update on portable classrooms and said the current portable building in front of the school needs to be moved out, and perhaps that could be some sort of community center. A discussion followed regarding the condition of that building.

Nathan noted that the community center discussion came about after the latest school building project failed. Jo said she envisions a multiple use space. Nathan said there should be an adequately sized gym. More discussion followed on where the school building process stands.

Mr. Jones reported that Daniel Higgins is the new business manager for the Lamoine and Hancock School Departments.

Jo said she wants to keep the discussion alive without duplicating previous work. Stu asked where the board wished to go from here. A lengthy discussion followed regarding potential school and community space. It was informally agreed to keep this as an active agenda item under the umbrella of municipal infrastructure. Larissa suggested

bringing together the three principle user entities (school, fire department, municipal government) to set priorities. Jo said money is always the issue.

**Elder Services** – Jo said the Comprehensive Plan notes that a committee for older adults is a goal. She said her consulting work includes communities that have services for older people. She said she'd be willing to work on it, but she can't do it alone. She said the services would focus on Lamoine. She said those services focus on transportation and housing and what services exist. She said aging alone is a concern in the community. Nathan said the website could have a separate section to direct people to existing resources. Kathleen said perhaps a call could go out for volunteers to serve on a committee. It was agreed to keep the matter on the agenda.

**Public Hearing – General Assistance Ordinance Amendments** – Nathan moved to set Thursday, October 6, 2022 at 7PM as the public hearing time for the annual General Assistance Ordinance updates. Kathleen 2<sup>nd</sup>. **Vote in favor was 5-0. Jo signed the notice.**

**Efficiency Maine – Municipal Buildings** – Stu reported that Efficiency Maine is promoting energy upgrades for municipal buildings. Larissa said the town is not guaranteed to receive a grant from the Community Resilience application, and the cap on that of \$50,000 would not cover all the heat pumps proposed for the town hall, school and fire station. She said it might be wise to pursue the Efficiency Maine program too.

**Lamoine Quarterly** – Stu reported he has started the October 2021 Lamoine Quarterly. He said when it's drafted, he will e-mail it for final editing.

**Heating Fuel** – Stu said he was able to lock in a price for propane for the 2022/23 heating season, but not yet for #2 oil.

**Grading** – Stu reported he has asked for an estimate to grade Bloomfield Park Road, the entrance onto Marlboro Beach, and the access road to the former landfill. There was no objection to getting prices.

**Lamoine Beach Toilet** – The town received an anonymous complaint regarding the condition of the outhouse at Lamoine Beach. Stu said the company that maintains the facility comes twice a week during the heavy summer use months. A brief discussion followed.

**Support Letter to Bar Harbor** – Stu reported that he sent a letter to the town manager in Bar Harbor after receiving a request yesterday for support in a grant application that community was applying for. He said the deadline for the application was today.

**Shoreline Cleanup** – Larissa reminded the Board that the annual shoreline cleanup is planned for this coming Saturday, meeting at Lamoine State Park and on Seal Point Road. She said there will be some press coverage.

**Monarch Pledge** – Larissa reported the [Conservation Commission](#) has voted to

encourage the town to pursue the Mayor's Monarch Pledge. She said there will be more details regarding the program which has to do with habitat for butterflies.

**Cable TV Expansion Update** – Stu reported that Spectrum/Charter had sent an update of where things stand with expanding the cable lines. He said that many of the poles will be ready for cable this fall.

**Notices of Violation** – Stu reported the Code Enforcement Officer has written two notices of violation in regard to RV's being placed and occupied on lots for longer than 30 days without permits.

**Ditching – State Roads** – Stu reported he spoke with the area Maine Department of Transportation supervisor regarding the ditch work that they are performing on Lamoine Beach Road. He said the supervisor is aware that the ditching has damaged the edge of the pavement in several spots and effectively removed the gravel shoulders and will need to be fixed.

**Warrant 7 signing** – Stu said expenditure warrant 7 will need to be signed prior to the next scheduled meeting. He said he would let the board know when it's ready in a couple of weeks.

**Next Meeting** – The next regular meeting will be on Thursday, October 6, 2022. Jo reminded the Board that she would not be able to attend and Nathan will have to chair the meeting. The future regular meetings are scheduled for October 20, November 3 & 17 and December 1 and 15.

There being no further business, the meeting adjourned at 9:14 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Select Board