



Lamoine Select Board

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

Minutes – June 26, 2023

Chair Larissa Thomas called the meeting to order at 7:09 PM.

Present were: Select Board members Larissa Thomas, S. Josephine Cooper, Kathleen Rybarz, Nathan Mason, Gary McFarland; Administrative Assistant Stu Marckoon, Helen Tracey, Walter & Clair Bennett, Mark Harris, Kathryn Gaianguest, and Amy Morley.

Prior to the start of business, Larissa noted that the three osprey chicks that had hatched in the Mud Creek Road nest had perished when an eagle snatched them out of the nest.

Agenda Review – There was no objection to following the agenda as printed.

Minutes – June 12, 2023 – Larissa reported she sent a few minor edits to Stu. Kathleen moved to approve the minutes as edited. Nathan 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 28 – The Board signed the warrant in the amount of \$178,361.16. Stu noted that he and the town clerk have their salaries divided into 27-payments, and this is a 26 pay period year, so the salary lines on the warrant reflect two payments. Jo asked about the dog waste bags, saying it seems like a lot of money. Stu reported that it was a lot of dog bags and they should last a long time. Larissa inquired about the upcoming invoice from Dave's World. Stu said they probably won't arrive until after June 30th.

Stu reported that the town received a check to cover the replacement module in the Route 3/204 traffic light. He said he also expects a check from the insurance company for the repair to the water damage at the fire station after all the invoices are in.

Cash & Budget Reports – Jo asked about paving. Stu said that would take place after July 1st. He said he intends to call B&B Paving soon.

Encumbrances – Stu reported he had not had a chance to propose projects to be encumbered, but would have that ready for one of the July meetings.

Revaluation Update – Stu reported that the crew from RJD Appraisal started holding meetings with taxpayers today, and it was the busiest schedule day. He said not a lot of appointments had been booked. He said the most repeated complaint was from those who might have qualified for the state stabilization program but failed to apply for it because they had not heard about it.

Moratorium Ordinance – Stu reported that a new moratorium ordinance was presented to the town on Friday and the town clerk certified 172 signatures. Amy Morley said the attorney representing her group spoke with town attorney Dan Pileggi regarding a particular item on the original petition. She said their attorney felt it was better to revise the section on retroactivity. She said they collected signatures at the transfer station, and explained the wording change to the proposed moratorium ordinance. She said she hoped that the town attorney could attend the meeting on July 10th.

Gary asked if Mr. Pileggi would have time to look over the new proposed moratorium ordinance. Stu said he would suggest inviting the Planning Board to the next Select Board meeting and both boards could then consult with the town attorney. Kathleen noted that at least two Planning Board members were not available on July 10th. Nathan said he would be out of state that day as well. After a lengthy discussion it was agreed to change the Select Board meeting from July 10, 2023 to July 13, 2023 at 6:30 PM.

Amy Morley asked if the discussion with the town attorney will be in executive session. After a brief discussion the board said that would be determined.

Appointments – Larissa noted that Claire Bennett was present and she is being proposed to be appointed to the Conservation Commission. Mrs. Bennett introduced herself.

Stu reported that he had added Matthew Caldwell to be appointed as the tax assessor as the Board of Assessors ceases to exist as of June 30, 2023. Jo asked about the appointment of William Fennelly as a transfer station operator. Stu said it was to make sure he was authorized to act in that capacity during the year while Chris Meyer is out.

Jo moved to appoint the following:

Position	Last	First	Term Expires
Road Commissioner	Marckoon	Stuart	June 30, 2024
Fire Chief	Smith	George	June 30, 2024
Fire Warden	Smith	George	June 30, 2024
Deputy Fire Warden	Marckoon	Stuart	June 30, 2024
Deputy Town Clerk	Marckoon	Stuart	June 30, 2024
Deputy Tax Collector	Marckoon	Stuart	June 30, 2024
Deputy Treasurer	Kovacs-Lord	Jennifer	June 30, 2024
Tax Assessor	Caldwell	Matthew	June 30, 2024
Transfer Station Operator	Fennelly	William	June 30, 2024
Transfer Station Operator	Robitaille	Brandon	June 30, 2024
Code Enforcement Officer	Albright	Rebecca	June 30, 2024
Local Plumbing Inspector	Albright	Rebecca	June 30, 2024
Building Inspector	Albright	Rebecca	June 30, 2024
Harbor Master	Herrick	David	June 30, 2024
Deputy Harbor Master	Murphy	Kevin	June 30, 2024
Alternate-Planning Board	Workman	Stewart	June 30, 2026
Board of Appeals	Loft	Gary	June 30, 2026
Board of Appeals	VanAmringe	Jon	June 30, 2026
Budget Committee	Bragdon	Merle	June 30, 2026

Budget Committee	Cosulich	Jeffrey	June 30, 2026
Conservation Commission	Robichaud	John	June 30, 2026
Parks Commission	Ehlers	Robert	June 30, 2026
Committee on Aging	Cooper	S. Josephine	June 30, 2026
Committee on Aging	Smith	Sally	June 30, 2026
Conservation Commission	Bennett	Claire	June 30, 2026

Kathleen 2nd. **Vote in Favor was 5-0.** The Board signed the appointment papers.

Certificates of Commendation – Jo moved to sign certificates of commendation for outstanding public service to Jane Fowler, John Holt, Terry Towne, Brian Thomas, Marguerite Andros, Kerry Diskin and Heather Alley. Nate 2nd. **Vote in favor was 5-0.** The Board signed the certificates.

Land Bond Bids – Stu reported that of the three bids, Machias Savings Bank offered the lowest interest rate. Nathan moved to adopt the following resolution:

**UNITED STATES OF AMERICA
STATE OF MAINE
TOWN OF LAMOINE
2023 GENERAL OBLIGATION BOND**

ISSUANCE RESOLUTIONS

I, the undersigned, the duly appointed and acting Clerk of the Town of Lamoine, Maine, (the “Town”), having custody of its books and records, including the minutes of the meeting of its voters and of the Select Board, hereby certify that at a meeting of the Select Board of Lamoine duly called, noticed and held in accordance with law on June 26, 2023, the Select Board of Lamoine, a quorum being present and voting throughout, adopted the following Resolutions:

WHEREAS, the Select Board has approved the expenditure of Town funds to fund the purchase of an approximately 37 acre parcel of land for municipal development (the “Project”); and

WHEREAS, to finance the Project, the Town has voted to approve the issuance of a \$335,000 General Obligation Bond (the “Bond”) of the Town;

NOW, THEREFORE be it voted and resolved by the Select Board as follows:

RESOLVED: The issuance, sale and delivery of the Bond to Machias Savings Bank is hereby authorized for the purpose of providing funding for

the above-described Project. The Bond shall be sold at a purchase of \$335,000, shall be dated and mature as the Select Board and Treasurer of the Town shall approve, shall pay interest at the rate of 4.68%, and shall be signed by the Treasurer and countersigned by the Clerk, with the Town seal affixed thereto; and

RESOLVED: The Select Board, the Town Clerk and the Town Treasurer, and each of them singly, is authorized and directed and empowered in the name of the Town and on its behalf, to do or cause to be done all such actions and things as may be deemed necessary or desirable in order to effect borrowing of \$335,000 in financing for the Project authorized here and the issue and delivery as evidenced thereof of the Bond of the Town as authorized in the foregoing resolutions and to execute and deliver such certificates and documents as may be necessary in the form presented by the bank or Bond Counsel; and

RESOLVED: If any member of the Select Board or officer of the Town who has signed or sealed the Bond shall cease to be such officer or official before the Bond has been authenticated or delivered by the Town, the Bond nonetheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Bond had not ceased to be such officer or official; and any such Bond may be signed and sealed on behalf of the Town by those persons who, at the actual date of the execution of such Bond shall be the proper officers and officials of the Town, although at the nominal date of such Bond such person or persons shall not be such officer or official; and

RESOLVED: The Bond is hereby designated as a qualified tax exempt obligation for purposes of § 265(b) of the United States Internal Revenue Code; and

RESOLVED: The law firm of Eaton Peabody is hereby designated as Bond Counsel for the Town to advise the Town with respect to the issuance and sale of the Bond, and to prepare documents and render opinions as may be necessary or convenient for that purpose.

Kathleen 2nd. Vote in favor was 5-0

Existing Dwellings – Helen Tracey said she was interested in purchasing 1.5 acres of the property and the mobile home on the site where she lives. She said she would like

to continue living in Lamoine and to have 200-feet of road frontage. Larissa asked what the process might be. Stu said among the options could be a life tenancy. Mrs. Tracey said she is not interested in a life tenancy as she would like to move a new mobile home onto the lot. There was a lengthy discussion regarding where her well is located.

The board discussed a possible temporary agreement to stay, pending town meeting approval to sell Mrs. Tracey a lot. Stu suggested this also be discussed with the town attorney on July 13th. Mrs. Tracey asked if her desire to stay on the property would have garbled the deal to purchase the land. Nathan said it would have lowered the purchase price.

Larissa asked about the existing vacant residence. Stu said perhaps that could be marketed as a separate lot. A brief discussion followed regarding the value. Stu said he would contact attorney Pileggi to alert him about the discussion. A brief discussion followed about how to lay out boundaries.

Heat Pumps – Stu reported that Dave’s World was at the school today and they’ve also started installation at the fire station.

Cistern Project – Stu reported the Superintendent is facilitating discussion between the sprinkler company and the cistern supplier and that’s all he knows.

Solar Project – Stu reported the town has not yet received a contract from Revision Energy. He said it might be here for the next meeting.

Facilities & Infrastructure Committee – Nathan said he was not present for the previous meeting. Stu said he spoke with Brett Jones earlier in the day and the committee is asking a Hancock County based commercial builder to attend a future meeting. He said Brett also asked about laying out adequate office space for the town hall.

Lamoine Committee on Aging – Jo reported the committee will meet with the Conservation Commission in July. She said they’re listening to possibilities for programming for older residents. She said the committee itself was not interested in putting on programs, and instead arranging for public program presentation by others. She said there are things contained in the Comprehensive Plan for the committee to do. She said housing was identified as an issue, but they’re not sure of the need. She said they need to hear from townspeople about a number of issues.

Comprehensive Plan Implementation – Kathleen said she’d not had a chance to do anything since the previous meeting. Jo said she explored the Comp Plan based on the Conservation Commission’s goals. She said one of the high priorities for the Committee on Aging was for marketing agricultural products. She said the most critical issue appears to be future land use in light of the recent submission of a proposed moratorium ordinance. She said she’s not sure what the Select Board role is. She said the other issue that stood out is extreme storm impacts.

Kathleen said that the Conservation Commission was at one point considering applying for a grant to fund a shoreline assessment and stabilization plan. Jo said there is a lot listed for the Planning Board to do. She asked what pot that got put in. She said perhaps a task force could form to bring groups together. Discussion followed regarding development.

Nathan said the Select Board in essence is an executive board and should be careful not to drift into certain areas. He said the Board's function is to execute ordinances. Jo said there should be a goal to bring some groups together on some of the issues. Nathan said other entities should discuss many of the tasks. Jo said it would take people who are interested. She noted that the charge in the Comp Plan was to have recreation programs for all age groups. A discussion followed regarding recreation.

Jo suggested bringing up land use tasks when the Select Board meets with the Planning Board. She said it's not the role of the Select Board to implement land use changes. Nathan said the Select Board role is to facilitate the discussion. He said the town has got to talk and a lengthy discussion followed.

Kathryn Gaianguet said a typical history of a Comprehensive Plan is that it is passed then goes on a shelf. She said she appreciates the Select Board's discussion. She said the plan suggests a committee be developed to review the plan's status a couple of years into the plan. Nathan said the Comp Plan is a guideline for future policy decisions. He said there will be another plan in the future which could be significantly different. A discussion of the past followed.

Larissa asked if the Select Board should appoint a group to study land use issues. Jo said the Planning Board should be approached first. Larissa said the idea should be revisited in a future meeting. Nathan said land use discussion can be extremely political. Gary said he gets complaints from people who say they're not being informed on town matters, and a lengthy discussion about communications followed.

Returnables Request – Nathan moved to award the returnables for July 2023 to the Conservation Commission. Gary 2nd. There was a discussion about having the Administrative Assistant to assign the months going forward and about publicizing the program. **Vote in favor was 4-0 (Thomas abstained)**

Nathan moved to assign scheduling proceeds awards to the Administrative Assistant based on a first come/first served basis in accordance with program guidelines. Jo 2nd. **Vote in favor was 5-0.**

Lamoine Quarterly – Stu said he drafted up the first page today and will continue to work on it. He said it will not be ready by July 1st and he would e-mail it to the board when it is done for approval and editing.

Audit Engagement Letter – Jo moved to sign the letter engaging James Wadman, CPA as the town's auditor for FY 2023. Kathleen 2nd. **Vote in favor was 5-0; Larissa signed the letter.**

Schoodic EMS Follow Up – The Board reviewed a letter from Schoodic EMS chief Ken Munroe. A brief discussion followed, and it is believed that if Schoodic EMS responds for a mutual aid call, the requesting agency would be charged instead of the municipality.

Other – Kathleen reported she got an e-mail from the Maine Municipal Association regarding the senior tax stabilization program. She said it looks like the program will be repealed. A brief discussion followed.

Next Meetings – The Select Board will meet on Thursday, July 13, 2023 at 6:30 PM, Monday, July 31, 2023 at 7PM and Monday, August 21, 2023 at 7PM.

Stu said he would have expenditure warrants to sign in between meetings.

There being no further business, the meeting adjourned at 8:54 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Select Board