



Lamoine Select Board

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Minutes – November 2, 2023

Chair Larissa Thomas called the meeting to order at 7:00 PM

Present were: Select Board members Larissa Thomas, Nathan Mason, S. Josephine Cooper, Gary McFarland, Kathleen Rybarz; Administrative Assistant Stu Marckoon, Ellsworth City Librarian Sarah Lesko, Surveyor Stephen Salsbury and via zoom, Jim Dunning of Casella Waste.

Agenda Review / Addendum – The Board agreed to move the Ellsworth Library ahead of the MacQuinn Road discontinuance matter.

Minutes – October 19, 2023 – Larissa said she sent a couple of edits to Stu. Jo had one edit. Kathleen said she had some additions and wrote them down at the end of the meeting. Kathleen moved to approve the minutes as edited. Jo 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 12 – The Board signed the warrant in the amount of \$147,178.52. Stu said the bulk of the expenditures was for school expenses. Jo asked who Chalmers Enterprises was, based on an uncashed check. Stu said he would check and e-mailed the board following adjournment that the company performed work on the guest mooring at the harbor.

Cash & Budget Reports – Stu said excise tax continues to be very strong.

Checking Account Reconciliation – The Board signed the statement expressing satisfaction with the reconciliation that had been e-mailed the previous day.

Library Book Box – Ellsworth Public Library Director Sarah Lesko said they would like to install a box at the town hall as a way to thank the Town of Lamoine for its continued support over the years. She said it's a bit of a drive for Lamoine residents to use the library, and while it doesn't necessarily have to be located at the town hall, it should be in a plowed, accessible location. She said the library would keep the box stocked with new books and would maintain the box. He said it's a good way to get library services closer to home.

Jo asked if this is similar to the Little Free Library program. Mrs. Lesko said it's similar, but they'll call it the Lamoine Book Box. She said they hope to have a sheet where people could sign out which books they've borrowed. A discussion followed on possible locations.

Mrs. Lesko said a consortium is forming in Hancock County on a cloud library program. Jo said libraries need to get out of their walls. Mrs. Lesko said the installation could take place next spring. Nathan asked how many books the box could hold. Mrs. Lesko said the box is about 18 inches wide with two shelves. Nathan moved to accept the book box proposal. Gary 2nd. **Vote in favor was 5-0.**

Discontinuance of MacQuinn Road as public through road – Stephen Salsbury said the MacQuinn Road has been a public road that goes through the Harold MacQuinn, Inc. operation in Hancock. He said the company has seen an uptick in theft and vandalism at night and would like to discontinue the public way. He said the Town of Hancock approved discontinuing from their side last year with the town meeting agreeing to let go of the public easement. He said MacQuinn has built a turnaround with a gate.

Mr. Salsbury said he was not sure where town maintenance in Lamoine ends. Stu said the town plows up to the town line. There was a brief discussion of the road's history. It was originally named the Pine Tree Road and was used as the road to Ellsworth before automobiles existed.

Mr. Salsbury said they're asking to discontinue the road beginning at the property line between the MacQuinn Corporation and the Higgins Family near the cemetery. Larissa asked if the fire department had any concerns. Stu said generally the only time the fire department would access the road would be if they are utilizing a water source at the MacQuinn operation. He said it would be unusual for the fire department to use the pit road to access Route 1. There was discussion about the fire department use and about modern GPS services routing traffic through the MacQuinn pit.

Kathleen asked if it would be correct that about 800-feet would be discontinued. Mr. Salsbury said that would be correct. He said the town would have no responsibility to maintain the road after MacQuinn builds a turnaround. Kathleen asked who owns the land under the road. Mr. Salsbury said under ancient law, MacQuinn owns the road.

Stu asked if MacQuinn's attorney could draw up the proposal and outline the process. Mr. Salsbury said there would have to be a public hearing prior to a town meeting. Kathleen asked about the snowmobile trail that goes over the MacQuinn area. Mr. Salsbury said there is one somewhere. Kathleen asked about parking for the graveyard area and a brief discussion followed on accessing the graves.

Nathan moved to proceed with placing the matter before town meeting. Kathleen 2nd. **Vote in favor was 5-0.** Mr. Salsbury said the law firm of Rudman & Winchell would drop off paperwork to the town.

Waste Disposal – Jim Dunning of Casella Waste appeared via zoom call. Larissa said the Board wanted to talk regarding the options given the rising costs of waste disposal. Mr. Dunning said he wished he had better news, especially on recycling costs. He said the processing fee with Casella is \$200/ton and that doesn't include transportation. He said the recycling is transported to Old Town and then to Lewiston. He said the cost per ton for recycling is usually double or triple that of Municipal Solid Waste (MSW) based on the transportation costs. He said it is a very costly to do the right thing. He said it's up to the Select Board to decide on recycling, but he does not see the recycling markets rebounding.

Larissa asked what the latest discussion was at the state level, and the status of the Juniper Ridge landfill. Mr. Dunning said the state is trying to figure out how to get money

back to the towns where it is so expensive to recycle. He said he's not sure where that stands. He said recycling is causing a financial crunch and it's a tough pill to swallow. He said he can't say that anyone is going to see money from the state, but he encouraged seeking grants. He said recycling is a tough financial model, but there is some value in cardboard, and it's good to keep that out of the waste stream. Nathan asked about the charge per ton if we just recycled cardboard. Mr. Dunning said the town could look at a compactor for the transfer station and that would cut down the transportation costs. He said perhaps some 10-yard dumpsters just for cardboard could make sense.

Stu said the MSW hauling contract with Casella/Pine Tree expired a while ago. Mr. Dunning said the company would continue service under an automatic renewal clause in the contract. He said that PERC was sold today to Delta Thermal Energy, though closing is a month away. He said that changes things on solid waste, but they have a backup agreement in case PERC closes. He said an agreement can be signed without a long term commitment. A brief discussion followed on the PERC sale.

Stu asked if there is any inkling that state government might be taking the lead on waste disposal concerns. Mr. Dunning said the PERC sale might reignite the discussion. He said there is no incinerator capacity anywhere in Maine and Juniper Ridge appears to be the only option for now. A brief discussion followed on the former Fiberight Plant reopening. He said there might be some more guidance from the Maine DEP. He said this is similar to 2018 when the PERC contracts expired. Stu said he appreciated that Casella continues to service Lamoine. Mr. Dunning said because the town is a PERC user, they are under a bypass agreement, so Juniper Ridge is an option. He said the landfill is owned by the State of Maine and can only accept MSW under a bypass agreement. He said it might be nice to have something on paper and said he would send down a proposal. Discussion followed on recycling and the ecomaine contract.

Stu suggested that maybe recycling be separated from the rest of the waste disposal budget into a distinct article and the Town Meeting decide whether or not to continue. A brief discussion followed on the budgetary approach.

Facilities & Infrastructure Report – The Board reviewed a report that Stu had prepared regarding town municipal government needs. Gary said he was pleased to see some thinking was 50-years out. Nathan said the report gives good substance about what takes place in town government. Kathleen said it's a good starting document. Jo asked about records retention. Stu said it was taken from state archival rules. He asked if it was OK to pass on the document to the Facilities & Infrastructure Committee. There was no objection.

Code Enforcement – 591 Douglas Hwy. – Stu said that the town attorney will attend the November 16, 2023 meeting. It was asked if an inspection will take place prior to the meeting. Stu said he suspected so.

Narrows Way SZO Complaint – Stu said a letter has gone out to the property owner in regard to trees that were removed. He said he doesn't believe the owner has been in contact with the CEO yet.

Pinkhams Flats – Stu reported the owner of the property in question had called and spoke with him. He said the owner didn't realize that a permit would be needed for moving an RV onto the lot for living. He said that the owner had given permission to the people occupying the RV to be there. He said the RV occupant came into the office and he gave her a permit application, but so far, nothing has been submitted.

Walker Road – Stu said in response to a complaint about a tax assessing question, it was discovered there was a structure placed on a lot on Walker Road without a permit. He said a letter went to the property owner, and he spoke with her yesterday and mailed a construction permit application.

Solar Array – There has been no update from Revision Energy

Comprehensive Plan Implementation – There is nothing new to report.

Boat Ramp @ Lamoine Beach – Stu reported he called Mr. Beck at the Bureau of Parks and Lands, but he has not called back.

Request for Permit Application Fee Refund – Larissa said the Board received a letter from an attorney for CPEX, the applicant that withdrew their application for the resort glampground requesting that a portion of the application fee be returned. Stu suggested this be referred to the town attorney for the next meeting. There was no objection.

Request to place dredging spoils on Map 3 Lot 2 – The Board received an e-mail from Eco-Analysts, Inc. requesting permission to place the material to be dredged from Southwest Harbor into the Smith Pit. Stu said he had replied to Mr. Brown, the gentleman who sent the e-mail, that he would place the matter on the addendum tonight, but that the board would meet next on November 16th. He said Mr. Brown replied that he would be happy to attend on the 16th.

Kathleen said she reviewed the application requirements from the state for such matters, and after the dredge material is placed and covered the land can't be used for residential purposes. She said it's considered much like a landfill. She said harbor dredge material is bound to contain contaminants including salt and boat paint.

Stu noted the town has an ordinance regarding disposal of out of town waste. A brief discussion followed. Nathan said he is opposed to taking any harbor sludge. Kathleen said she believes the entire town would be opposed. Stu said the e-mail mentioned that Mr. Brown met with Karen Knutti of the Maine DEP, and he would be happy to contact her. He asked what the board wished to communicate to Mr. Brown. Nathan said we should send him a copy of the Waste Disposal Ordinance. Jo said we should let him know that the town is not sure what it plans to do with the property, and that we don't want to limit the options. The Board said there would be no reason for Mr. Brown to

come to the next meeting. Larissa said that only reason to meet with him would be if something has moved forward.

Holiday Schedule – Stu said traditionally the town hall has closed early on Christmas Eve and New Year’s Eve. He said both occur on a Sunday this year. The Board said it’s unlikely to be busy on the Friday before both holidays and left it to the discretion of the Administrative Assistant to set the schedule.

Budget Workshop – The Board reviewed proposed budgets for Code Enforcement, Debt Service/Capital Projects and Roads. The budgets will be forwarded to the Budget Committee which meets on November 20th.

Kathleen noted that she provided some additional information in the Shellfishing committee section of the minutes from the previous meeting.

There being no further business, the meeting adjourned at 8:21 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Select Board