



Lamoine Select Board

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Minutes – March 2, 2023

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

Present were: Select Board members Nathan Mason, Larissa Thomas, Gary McFarland, S. Josephine Cooper, Kathleen Rybarz; Administrative Assistant Stu Marckoon, School Committee members Brett Jones, Gordon Donaldson and Kathryn Gaianguest

Agenda Review – The board agreed to move discussion of LD 487 on the [addendum](#) to follow item 6 on the regular agenda.

Minutes – February 16, 2023 – Stu reported Larissa sent a few minor edits and they have been incorporated. Gary moved to approve the minutes as corrected, Larissa 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 19 – The Board signed the warrant in the amount of \$574,749.60. Stu reported that included \$300,000 to move into the investment accounts, approximately \$184,000 for the school warrants, and the fire truck loan payment of \$66,150. He said he had e-mailed the board prior to the meeting to inform them of the fire truck payment being made prior to the meeting in order to avoid additional interest being charged. He also noted that a new doorbell was on the warrant, which generated a brief discussion.

Cash & Budget Reports – Stu noted that now that the audit is complete, the fund balance report is included as the beginning balances are accurate. Larissa inquired about the Community Action Grant. Stu reported that's included in the unexpected revenues line.

Checking Account Reconciliation – Stu reported he sent the reconciliation information by e-mail the prior day. The Board signed the statement expressing satisfaction with the review.

Tax Abatement – Barry's Electric – Gary moved to approve the abatement for the 2021/22 personal property tax of \$43.70. Nathan 2nd. **Vote in favor was 5-0.**

Community Action Grant Bids – Heat Pumps – Jo noted there were memoranda from both Larissa and Stu in the packet. She said she was very impressed by Larissa's work on the whole grant project.

Larissa reported both summaries of the heat pump bids were organized in a comparable way to calculate the ultimate costs. She said she did not include the BTU calculation in her report. She said both Dave's World and Dawes read the RFP correctly in that the town would participate in the municipal rebate program. She said Valley Home used the home rebate amount. She said if the town uses the municipal rebate program, Dave's World has the best per BTU price at \$0.00104, while Dawes was \$0.00215. She said

had Valley used the municipal rebate rate, the per BTU cost would have been \$0.00999, but the proposal included fewer heat pumps, and was not responsive to the RFP. She said the successful bidder will have to work with Efficiency Maine and in her mind that took Valley out of the running. She said the better value seems to be with Dave's World, and the quote is less than the \$50,000 grant at \$33,140.55 after rebates. She said she would recommend Dave's World.

Brett Jones noted that one of the bids specified Daiken units and the newest portable classroom in use had trouble with those units working in cold weather. He said the school department plans to put the Rinnai heaters from the front portable into the newest portable to help with heat. Kathleen said the proposals do not propose to take out the current system.

Stu said his analysis was pretty close to Larissa's. He said there were two proposals from Dave's World, the February 10, 2023 proposal included more heat pumps for the school.

Gary moved to award the bid to Dave's World based on the February 10, 2023 proposal. Kathleen 2nd. Mr. Jones inquired about timelines and a brief discussion followed. **Vote in favor was 5-0.**

Solar Array – Larissa said there was only one bid, and there were two options with that bid. She explained the two options and said it would be to the town's advantage to buy the system and lock in at better rates. She said the town can buy the system in year six. A brief discussion followed about locking in prices.

Stu said he might suggest a motion to tentatively accept the offer from Revision Energy and he and Larissa would meet with their representative to negotiate a final contract to present to the Board. Jo so moved, Gary 2nd.

Gordon Donaldson reported the school's electric bills have gone up 50% in the past two years. A brief discussion followed on electric rates. Mr. Jones said the salt/sand shed does not meet the totality of current municipal use. Larissa said more solar panels could be added to the south facing roof of the school to provide addition power being used by the heat pumps. A brief discussion followed. **Vote in favor was 5-0.**

Snow Plowing Contract – Stu reported that he put an RFP for the next snow plowing contract in the packets. Bids would be due back by May 4, 2023. Larissa moved to authorize Stu to proceed to advertise for bids. Nathan 2nd. **Vote in favor was 5-0.**

Athletic Fields Maintenance – Stu said he was not sure exactly what to place in an RFP for maintenance at the ballfields behind the school. He suggested that Nathan and Brett Jones get together on what should be done. Nathan said he's looking for some basic level maintenance. Brett said it would be good to chip away at some items each year. The two agreed to get together to come up with a list.

[LD 487](#) – Kathryn Gaianguest said the bill before the Legislature goes back five years when a study group was developed to try to increase local citizen and community input into aquaculture lease permitting. She said it did not make it out of committee then. She said it is perceived that communities do not have a voice in the development of the great waters of Maine. She said only two states, Rhode Island and California, have worked on this.

Ms. Gaianguest said what happens along the coast varies from bay to bay. She said the bill's idea is to develop regional commissions for unique bays to develop zoning rules. She said the commissions would be made up of municipalities in bay areas. She said the committees would include users such as fisheries, aquaculture, shellfishing and the like. She said ordinance would be derived from a model the Department of Environmental Protection would develop, similar to Shoreland Zoning. She said the timeline is for the DEP to develop that model within a year, and two years for communities to coalesce to form the regional commissions and ordinances.

Kathleen said the Friends of Frenchman Bay is now 7-years old and was developed to deal with cruise ships initially. She said there are similar groups in Belfast and Casco Bay and many other places around the state. She said the idea is that if someone wants to seek a permit for something in the bays it would start at a local commission level. Ms. Gaianguest said the idea arose from a real need; the American Aquafarms application where towns saw no power to have effective input. She said communities are disenfranchised from the permitting process. She said the Frenchman Bay Regional Shellfishing group is a good model for regional cooperation. She said the Saco River Corridor is the only other one. She said they wanted to discuss the bill tonight to let the board know the Legislature is coming up with a bill that affects the community. She asked for questions.

Stu said the bill as written mandates that towns join and pay for a regional commission and that will never fly. Ms. Gaianguest said an upcoming work session will recommend that it not be mandated. She said they would like to use Frenchman Bay to start as a model. Stu asked what the cost of a commission would be. He said the recent track record of a regional planning commission has not been very good.

Larissa said her concern is the dearth of qualified personnel. She said she recognized the issues. She said a commission would not supersede state authority in the middle of a bay. Ms. Gaianguest said the intent is that a commission would be the first place an application would be made for an aquaculture project. She said the authority would be from the low water mark to the 3-mile state limit.

Nathan said he would be concerned that the commission's governing body would not truly represent the community. He said the state oversees such projects now and is not doing its job. He said there should be changes in Augusta. Kathleen said every legislative session there are two or three proposals for changes in the process and they have all failed. Discussion followed on the similarity to the mandate for school consolidation. Ms. Gaianguest said planning is not happening in the waters off Maine. She said aquaculture projects are like a gold rush.

Nathan asked who would determine what would go where. He said there are no experts that would be part of the proposed commissions. Mr. Jones said the state is deeply involved in permitting. He asked how a decision of the regional commission would be appealed. He called the idea pretty totalitarian. He said he does not support this and the order of operations is radically off. A brief discussion followed regarding the process.

Gordon Donaldson said this would require a model ordinance, and it becomes a chicken and egg thing. Kathleen said the Friends of Frenchman Bay has a lot of expertise in its membership. She said there are grants available. She said the proposal is neither pro-business nor pro conservation.

Ms. Gaianguet said towns have struggled with these questions. She said the Town of Gouldsboro is spending \$100,000 to manage what they see coming. She said up and down the coast town are spending big money to have their voices heard. She asked what it would cost to have a commission and if there would be a staff person and referred to the local Shellfishing effort. Nathan said Shellfishing is a smaller item – this is much bigger. He said the towns' Code Enforcement Officers are not qualified to manage such a commission. Mr. Jones said if this turns out to be an elected board of activists it would be very ugly politics.

Mr. Donaldson asked if this has been reported out of a legislative committee. Kathleen said the hearing on this bill is March 16th. She said she agrees it is a complex issue. Nathan said he's not dismissive of the idea as communities should have some input. He said Augusta is broken and this could marginalize communities. A very lengthy discussion followed on the matter in general.

School Water Update – Stu reported he spoke with the Superintendent of Schools and he may meet with the sprinkler company and fire chief next week. He said there may be a way to accommodate a cistern for the new portable classroom sprinkler system and the fire department's desire for a cistern and pump to fill trucks.

Mr. Jones explained the sprinkler system needs and suggested that the Facilities & Infrastructure Committee may present a project down the road which may require more school sprinkling. He said he's not opposed to the idea, but it might be a better idea to have two separate systems. Mr. Donaldson said they hope to use the new portable as a community library on the weekends with volunteer staff. A brief discussion followed about school expansion plans.

Town Meeting – **PowerPoint** – Stu said he placed the power point program in the packet for tonight. Kathleen asked to include the parameters for the Commercial Fisheries and Maritime Activities district on the zoning change question.

Citizen of the Year – The board signed the resolve honoring the Citizen of the Year.

Recycling – Stu reported that a representative from ecomaine will likely attend the meeting.

Thanks to Frenchman Bay Conservancy – Larissa said she would ask the Conservation Commission to consider taking the lead on an appropriate thank you message for the recent preservation of the former golf course land in Trenton.

Facilities & Infrastructure Committee – Nathan said the previous meeting was snowed out. He said they will meet at the school a week from tonight.

Committee on Aging – Jo said the committee meets next week and they hope to have an information packet ready to pick up for the town meeting.

Animal Control Officer – Stu reported Hancock County is re-advertising the position and there may be a candidate interested following posting the job on the Lamoine Facebook page.

PFAS – Maintenance Agreements – Gary moved to approve sending out proposed agreements to the three households that had filter systems installed as required by the Maine DEP. Larissa 2nd. **Vote in favor was 5-0.**

Cyber Policy – Nathan moved to move forward with the cyber policy user agreements with staff as requested by the town’s insurer. Gary 2nd. **Vote in favor was 5-0.**

Quitclaim Deed – Map 19 Lot 4 – Gary moved to sign the deed now that the installment agreement has been fulfilled. Kathleen 2nd. **Vote in favor was 5-0.**

Waste Disposal Report – Stu said he placed the report for 2021 and 2022 in the packet. He said the Maine DEP has made it much easier to fill out.

Vacation for Administrative Assistant – There was no objection to Stu taking the last week in March for vacation.

Fire Department Roof – Stu reported there is a leak in the roof at the fire station over the stairs that lead to the storage area. He said the department is looking at possible repairs.

Audit – Stu reported he picked up the audit this afternoon though it was e-mailed earlier. He said they were part of tonight’s packet. There was a very brief discussion about the school fund balance.

Appointment – Nathan moved to appoint Jane McMullen to the Committee on Aging. Gary 2nd. **Vote in favor was 5-0.** Stu noted the appointment is through June 2025.

Bloomfield Park Tree – Stu reported there was just one estimate submitted. Gary read the proposal from Harald Huebner for \$880. Nathan moved to accept it, Jo 2nd. **Vote in favor was 5-0.**

Office Closure March 16th – Stu said he and Jennifer will attend a zoom training by the Bureau of Motor Vehicles from Noon to 4PM that afternoon necessitating the office to be closed.

Request of Code Enforcement Officer to use town attorney – Nathan moved to authorize Rebecca Albright to utilize the town attorney in a matter before the Board of Appeals. Gary 2nd. **Vote in favor was 5-0.**

Other – Revaluation – Kathleen inquired about the progress of the revaluation. Stu said Matt Caldwell was in town this week checking construction progress against what the field agents have found last summer. He said the town will get the new values soon, then the hearing process will start. He noted that the town will also be hiring a new assessor to replace the elected board in the next few months.

Next Meetings – Election Day is March 7th. Stu said Jennifer has selected Joanna Sands as a new ballot clerk. Open town meeting is March 15th, and the organizational meeting is March 16th.

There being no further business, the meeting adjourned at 8:45 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Select Board.