



Lamoine Select Board

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

Minutes – January 18, 2024

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

Present were: Select Board members Larissa Thomas, Kathleen Rybarz, Gary McFarland, S. Josephine Cooper, Nathan Mason (arrived 7:19 PM); Administrative Assistant Stu Marckoon, Transfer Station Operator William Fennelly. Surveyor Steve Salsbury was briefly in attendance but left prior to the start of the meeting.

Larissa noted that Stu had completed his 31st year of service in his position on January 11, 2024.

Agenda – No changes were made to the printed agenda.

Minutes – January 4, 2024 – Larissa said she sent some minor edits to Stu prior to the meeting. Gary moved to approve the minutes as edited. Kathleen 2nd. **Vote in favor was 4-0.**

Expenditure Warrant 17 – The Board signed the warrant in the amount of \$171,416.56. Stu noted that the school and snow plowing made up a majority of the warrant. He also said firefighters who responded to calls between July 27, 2023 and December 31, 2023 was on the warrant, compensated under the SAFER grant which will be reimbursed by the City of Ellsworth.

Cash & Budget Reports – There were no questions regarding the printed report.

Foreclosure List – Stu reported that two property owners have yet to pay their 2021/22 tax liens. He said he's been in touch with a bank that has a mortgage on one property and expects a check, probably tomorrow. He said a friend of the other property owner was making inquiries earlier this week to come up with a way to pay.

Meeting with Transfer Station Operator – Larissa thanked Bill Fennelly for taking over the position and doing a fine job. She said the Board had received an inquiry regarding expanding the days the facility is open and wanted to know Mr. Fennelly's thoughts. Mr. Fennelly said an extra day open mid-week could potentially help keep flies down. Stu said the Friday trash is picked up Saturday morning and the Saturday trash is picked up on Monday morning, unless it's a holiday, so it would be Tuesday at the latest.

Mr. Fennelly said some days the dumpsters fill up quite early and he spends afternoons manually compacting the trash in the containers. A discussion followed about why the trash fills up and the potential cost of an extra open day. Mr. Fennelly said if recycling is discontinued, that material will add to the dumpsters and may cause a problem some days.

Kathleen asked whether opening on Thursday would work. A brief discussion followed regarding an extra day and recycling. Bill said the big problem is that people do not

flatten out their cardboard boxes and that creates a space problem. Discussion followed on the PERC facility and its future.

Larissa asked if there were any issues at the transfer station. Mr. Fennelly said some fill could be used at the edge of the perimeter as there's a pretty big drop-off. Jo noted the plan is to pave the transfer station next summer. Mr. Fennelly said he would like to paint the swap shop and bottle collection building. He said the public bulletin board is in tough shape and should be replaced

Stu said generally the transfer station employee has worked under a contract. Mr. Fennelly said he would appreciate that as well. Stu said he would propose the salary be increased to \$20/hour. There was no objection. A contract will be ready to sign next meeting.

Set Public Hearing – MacQuinn Road Discontinuance – Nathan moved to set February 1, 2024 at 7PM for the public hearing on the proposed discontinuance of a section of MacQuinn Road. Gary 2nd. **Vote in favor was 5-0.**

Amendments- Building & Land Use Ordinance – There was a discussion about how the proposed amendments were laid out. The proposal from the Planning Board would add the words “resort and glampgrounds” to the line Hotels & Motels, and prohibit such activities in all zones. It would also add definitions for resorts, glampgrounds, glamping and glamping unit to the ordinance.

Gary noted that the town attorney expressed a concern about the constitutionality of banning such land uses town wide. There was a lengthy discussion about hotels and motels.

Stu said the Planning Board will hold a public hearing on the proposed ordinance changes on February 5, 2024.

Jo said she's puzzled by the proposal. Kathleen said it's what the moratorium ordinance requested. Larissa asked if the Planning Board is obligated to follow the wording of the moratorium. A lengthy discussion followed. Larissa asked if the ordinance was found to be unconstitutional because of the blanket bar on hotels, motels and resorts, could there be lawsuits filed. A brief discussion followed on the current short term rental situations.

Nathan said he doesn't like the idea of creating a definition out of thin air. He said the proposed amendment seems to say “we don't know what to do, so you can't do anything”. He asked if the town would be creating a standard saying the town doesn't want any sort of development. After a brief discussion of the merits of the withdrawn resort application, he said the town needs some sort of tax base development to be able to afford things in the future.

Kathleen said proponents of the resort application could have attended the Planning Board hearing to let them know of that support. She said the Planning Board had a big

audience at both the public hearing and the special town meeting. More discussion followed on the now withdrawn resort application.

Jo asked if the Planning Board found examples for the new definitions from other municipalities. Stu said he believed the Planning Board reviewed several examples. Gary noted the Lamoine historically had several big hotels. Larissa said the citizens have a right to vote. Nathan said the proposed amendments limit town growth. Kathleen urged him to come to the Planning Board hearing on February 5, 2024.

Draft Town Meeting Warrant – Stu said the updated draft warrant before the board this evening includes the article wording for discontinuing MacQuinn Road. He said amendments to the Building & Land Use Ordinance regarding affordable housing are not yet ready and that article has been removed.

Map 3 Lot 2 – Stu noted a report from the realtor listing the 2-acre lot with dwellings is in the packet. He said there have been several hundred views, but no offers yet.

Lamoine Conservation Commission – Community Action Grant – Larissa reported the Conservation Commission approved draft submittal documents to re-enroll in the Community Resilience Partnership. She highlighted some of the new information and explained the application information. She said the documents need to be submitted in February, and was looking for authorization to re-enroll so that the town would be eligible for another \$50,000 grant.

Gary asked about several strategies that were listed, including items A1-4 which have to do with electric vehicle (EV) charging stations. Larissa said the Conservation Commission discussed charging stations and determined they were not feasible on any municipal properties at this time. She also said there doesn't seem to be a need for anti-idling ordinances. A brief discussion followed on EVs.

Gary asked about item B-8. Larissa said the various action items are things that are possibilities for grants. She said the town is not required to choose any of them. She said the new things for Lamoine in the past round were the heat pumps and solar project. Nathan asked what the next new thing was that would be proposed. Larissa said they'll pursue an energy audit for the three buildings in which the heat pumps were installed to improve insulation and make them more energy efficient, and utilizing funds for projects suggested for the energy audit.

Gary asked about the action item that would set aside 30% of a municipality's land for conservation. Larissa said that's another voluntary project that can be funded if a municipality so chooses. Gary said as long as that is not on the town's radar, he's OK with the submissions plans.

Jo moved to authorize the Lamoine Conservation Commission to re-enroll in the Community Resilience Partnership. Kathleen 2nd. **Vote in favor was 5-0.** Larissa noted the grant application deadline is July 24, 2024.

Efficiency Maine – Whole Building Heat Pumps – Stu said he attended the webinar held by Efficiency Maine. He said both the fire station and town hall seem to have enough heat pumps already, and the program seemed to be one to add more heat pumps to the buildings. He said he would not recommend participating at this time.

Facilities & Infrastructure Committee – Jo moved to accept the resignation of Mark Harris from the committee with regret. Nathan 2nd. **Vote in favor was 5-0.** It was noted that Mr. Harris was on the committee as he was a member of the Budget Committee and it would be good to have someone from the Budget Committee serve on the Facilities & Infrastructure Committee.

Nathan moved to appoint Amy Duym to the Facilities & Infrastructure Committee to fill Mr. Harris's spot. Jo 2nd. **Vote in favor was 5-0.**

Storms – January 10 & 13, 2024 – Stu reported that a section of Marlboro Beach Road that allows access to the beach is currently impassable. He said the first storm on the 10th covered the road in debris and buckled the pavement. He said the 2nd storm collapsed the newly paved area and would not allow vehicles to access the beach. He also reported that the storms flooded the picnic area at Lamoine Beach and left a large amount of debris and silt that need to be cleaned up.

The board reviewed estimates from McMullen Landscape & Construction and Perry Fowler & Dad to repair Marlboro Beach Road. After a lengthy discussion Gary moved to accept the proposal from Fowler to remove the broken pavement, replace it with 3" minus gravel and add recycled pavement later in the spring. Jo 2nd. **Vote in favor was 5-0.**

Stu said he would like to have McMullen clean up the picnic area at Lamoine Beach. There was no information.

Larissa reported she attended a webinar session with the Island Institute. She said business assistance is available in the form of low-interest Small Business Administration Loans for vacation rental homes that incurred property damage.

Stu noted that Berry Cove Gardens completed the tree debris cleanup around town from the December 18, 2023 storm and did a great job.

Town Report – Stu said he's making pretty good progress on the annual report for 2023. Jo suggested the back cover have storm pictures, since the front cover is of a rainbow over Lamoine Beach.

Other – Ceiling Fans – Gary said ceiling fans at the town office would assist with keeping the floor level heated better. There was a discussion of the Versant bill on the heat pump meter that just came in. Stu said it was likely for the meter since it was installed last June, as there had been no bill prior to this one. He said he would have a better handle on the electric use in future bills. After discussing ceiling fans, the board asked Stu to check with Arthur Ashmore Electric on installing fans.

Stabilization Reimbursement – Stu reported that Maine Revenue Services has sent an advisory that only 56% of the Senior Stabilization reimbursement would be coming as the Legislature grossly under-budgeted the program. He said lawmakers are being asked to approve funding for full reimbursement.

Memorial Day – Jo said it would be good to start planning for Memorial Day at the Veterans' Memorial for May 2024 and asked if having it the day before Memorial Day would be inappropriate, as several other large ceremonies occur simultaneously. Stu suggested holding it later in the day when a nationwide “taps” ceremony takes place. He noted the walkway needs some work as vegetation is growing between bricks. He suggested a subcommittee could start planning the event.

Board members said they had no conflict with upcoming meeting times.

There being no further business, the meeting adjourned at 8:17 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Select Board