

March 20, 2019- Town Meeting Minutes

Deputy Town Clerk Stuart Marckoon opened the annual town meeting at 7:55 AM at the Lamoine Town Hall.

1. To choose a moderator to preside over said meeting. **It was moved and 2nd to select Harvey Kelley as moderator. Three ballots were cast and the vote for Mr. Kelley was unanimous. Town Clerk Jennifer Kovacs administered the oath of office to Mr. Kelley. Mr. Kelley appointed Mr. Marckoon as Deputy Moderator. Kathleen DeFusco and Marion McDevitt were appointed as ballot clerks by Town Clerk Kovacs and Town Clerk Jennifer Kovacs administered their oaths.**
2. To elect the following Town Officers by secret ballot:
 - a. Selectman & Overseer of the Poor (2 positions, term to end town meeting 2022)
 - b. Assessor (1 position, term to begin July 1, 2018 and end June 30, 2022)
 - c. School Committee Member (2 positions, terms to end at town meeting 2022)

Voting Results were as follows:

Lamoine Municipal Election- March 19, 2019

Selectman/Overseer of the Poor

Christie, Robert	203
Manring, Glenn	108
Rybarz, Kathleen	145
Others	1

School Committee

Jones, Brett	214
Pulver, Robert	202
Others	0

Board of Assessors

Write-Ins

Sargent, Adam	2
Fowler, Jane	5
Gabel-Richards, S.	1
Towne, Terry	2
Veysey, Robin	1
Thomas, Brian	1
Jordan, Michael	4

Total Turnout	267
# Registered	1504
Turnout %	17.75%

Moderator Kelley certified the results, declaring Mr. Christie, Mrs. Rybarz, Mr. Jones, and Mr. Pulver to be elected in their respective offices.

Open Town Meeting
Wednesday, March 20, 2019 - 6:00 PM

Town Clerk Kovacs checked in 67 voters at the open town meeting.

Town Clerk Kovacs administered oaths to Mr. Jones, Mr. Christie, Mrs. Rybarz, and Mr. Pulver.

Moderator Harvey Kelley called the open town meeting to order at approximately 6:00 PM.

Mr. Kelley announced the results of the Election from March 19, 2019.

Mr. Kelley established that he would operate according to the Maine Moderator's Manual.

It was moved and 2nd to allow non-voters/non-residents to speak at the moderator's discretion. The motion passed by a greater than 2/3rds majority on a hand vote.

Prior to the start of business:

The Lamoine Board of Selectmen presented the Citizen of the Year award to Mr. Robert Pulver.

3. To see if the town will vote to set the date that property taxes will be due in two equal payments on August 31, 2019 and February 28, 2020, and to fix the rate of interest at 9.00% to be charged on the unpaid amounts beginning September 1, 2019 and March 1, 2020 respectively, and to fix the rate of interest paid for overpayments at 5.00% per annum. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
4. To see if the Town will vote to authorize the Selectmen to offer to sell any property automatically acquired by tax liens to the previous owner(s) for payment of all back taxes, fees and interest; should the previous owner decline to redeem the property after 30-days' notice, to authorize the Board of Selectmen to advertise for sealed bids on same, and stating the lowest bid acceptable, and to execute, upon specific town meeting approval, a quit claim deed to the highest responsible bidder; and further to allow the Selectmen to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town. If sale is to anyone other than the former owner, the Board of Selectmen shall follow the special sale process required by 36 M.R.S.A. §943-C for qualifying homestead property. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
5. To see if the Town will vote to authorize the Selectmen to sell and/or dispose of any property or fixtures deemed to be surplus and unusable to the Town and worth less than \$1,000 fair market value, under such terms and conditions as they deem advisable after advertising such items publicly. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
6. To see if the Town will vote to appropriate all funds from the money received from the State of Maine for registration of snowmobiles to the Frenchman Bay Riders Snowmobile Club for the purpose of maintaining snowmobile trails. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
7. To see if the Town will vote to authorize the tax collector or treasurer to accept pre-payments of 2019/2020 and 2020/2021 taxes not yet committed and set the rate of interest at 0% for overpayments pursuant to 36 M.R.S.A. § 506. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
8. To see if the town will vote to adopt the Lamoine Comprehensive Plan as proposed to the Board of Selectmen on January 4, 2019 by the Comprehensive Planning Committee. A copy of the proposed plan is on file at the Lamoine Town Clerk's Office. **It was moved and 2nd to approve article as written. Fred Stocking**

spoke briefly about how long it took to write the plan about four years. He said tonight's vote to approve will put the plan into effect. The motion passed on a hand vote.

9. To see if the town will vote to amend the Lamoine Building and Land Use Ordinance by adopting amended section 13 Cluster Housing Development Standards entitled Final Draft 10-1-18. A copy of the proposed amendment is on file with the Lamoine Town Clerk's Office. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
10. To see if the town will vote to amend the Harbor Ordinance by adopting an ordinance entitled Lamoine Harbor Ordinance 2019 Amendments. A copy of this amended ordinance is on file with the Lamoine Town Clerk's Office. **It was moved and 2nd to approve article as written. The motion passed on a hand vote.**
11. To see if the town will vote to amend the Building and Land Use Ordinance by striking the following words from footnote #3 of Section 4. Land Use District Requirements, H. Table of Land Uses: "or applied for" so that the footnote reads "Land within the Rural and Agricultural Zone that received a Site Plan Review permit for gravel operations before March 13, 2013, may continue to be eligible for gravel operations upon Planning Board approval of a gravel permit." **It was moved and 2nd to approve article as written. Jay Fowler asked if a person was to purchase a new lot they would not be able to use it as a gravel pit. John Holt said that is correct. The motion passed on a hand vote.**
12. To see if the Town will vote to appropriate \$7,000 from the Code Enforcement Fund for the purposes of increasing the Code Enforcement Budget for the fiscal year ending June 30, 2019 due to unanticipated personnel expenses. *(The Selectmen recommend a vote in favor).* **It was moved and 2nd to approve article as written. Lynn Tscheiller asked what the unanticipated expense was. Stuart Marckoon explained the CEO was working an extra day due to increased business which was not included in the budget. The motion passed on a hand vote.**
13. To see what sum the Town will vote to raise and appropriate for its share of costs for enforcement and administration of the Frenchman's Bay Regional Shellfish Conservation Ordinance. *(The Selectmen and Budget Committee recommend \$3,000.00)* **It was moved and 2nd to approve article as recommended. The motion passed on a hand vote.**
14. To see what sum the Town will vote to raise and appropriate for Administration and to set the salaries of the following elected officers whose salaries will be paid from the Administration Account of the General Fund, and to authorize the Board of Selectmen to establish the rate of compensation for appointed officials.

Position	Recommended Salary (Budget Committee & Selectmen)
Selectman (Chair)	\$1,600.00
Selectman (non-chair, 4 positions)	\$1,000.00
Assessor (Chair)	\$1,600.00
Assessor (non-chair, 2 positions)	\$1,500.00

(The Budget Committee & Selectmen recommend \$238,086.24 and the salaries as outlined above.)
It was moved and 2nd to approve article as recommended. Carol Korty asked about the differences in salary for the chair and non-chair. Jo Cooper replied that the chair has more responsibilities. The motion passed by a hand vote.

15. To see what sum the Town will vote to raise and appropriate for capital projects and debt service payments. *(The Selectmen and Budget Committee recommend a total of \$71,803.52 including \$15,803.52 for debt service payment on the 2015 rescue boat, \$20,000 to add to the Town Hall Foundation/Lot fund, \$5,000.00 to add to the Lamoine Sesquicentennial Celebration Fund, \$1,000*

to add to the Land Conservation Fund, \$15,000 for the purposes of designing improvements to the Lamoine Transfer Station, \$10,000 to purchase playground equipment for installation at Lamoine Beach Park, and \$5,000.00 to establish a fund entitled Internet/CTV Expansion Fund.)

It was moved and 2nd to approve article as recommended. The motion passed on a hand vote.

16. To see what sum the Town will vote to raise and appropriate for Code Enforcement, including operations of the Planning and Appeals Boards, and to authorize expenditure of the state share of local plumbing fees to the Maine Department of Human Services. *(The Selectmen and Budget Committee recommend \$38,400.00.)* **It was moved and 2nd to raise and appropriate \$38,400.00. The motion passed on a hand vote.**

17. To see what sum the Town of Lamoine will vote to raise and appropriate for the support of social service organizations listed below, which made written requests for funding from the Selectmen, and met the criteria of the Town Meeting Donation Requests Ordinance adopted November 7, 2000 as amended.

Requesting Agency	Requested	Recommended
Community Health & Counseling Services	\$548.00	\$548.00
Health Equity Alliance (DE AIDS Network)	\$700.00	\$700.00
Downeast Horizons	\$700.00	\$700.00
Eastern Area Agency on Aging	\$500.00	\$500.00
Families First Community Center	\$700.00	\$700.00
Friends In Action – Community Connection	\$700.00	\$700.00
Grand Auditorium	\$700.00	\$700.00
VNA-Home Health Hospice	\$579.00	\$579.00
Hospice Volunteers of Hancock County	\$700.00	\$700.00
Lamoine Historical Society	\$700.00	\$700.00
Lifelight Foundation	\$700.00	\$700.00
Loaves & Fishes Food Pantry	\$700.00	\$700.00
Open Door Recovery Center	\$700.00	\$700.00
DE Cmty Partners - Washington/Hancock Community Agency	\$700.00	\$700.00
Women's Infants & Children	\$700.00	\$700.00
Yesterday's Children	\$300.00	\$300.00
Total	\$10,327.00	\$10,327.00

(The Budget Committee & Selectmen recommend \$10,327.00 as outlined above. The donation requests ordinance requires the Board of Selectmen to recommend no more than 5% of one mill, which is \$13,441.88)

It was moved and 2nd to approve article as recommended. The motion passed on a hand vote.

18. To see what sum the Town will vote to raise and appropriate for Parks, Recreation and Cemetery Maintenance. *(The Parks Commission, Selectmen and Budget Committee recommend \$24,365.00).*

It was moved and 2nd to raise and appropriate \$24,365.00. The motion passed on a hand vote.

19. To see what sum the Town will vote to raise and appropriate for library services. *(The Selectmen and Budget Committee recommend \$8,343.00. The Ellsworth Public Library has requested funding of \$8,343.00).*

It was moved and 2nd to raise and appropriate \$8,343.00. The motion passed on a hand vote.

20. To see what sum the Town will vote to raise and appropriate for Public Safety Expenditures. *(The Budget Committee, Selectmen and Fire Department recommend \$91,480.54)*

It was moved and 2nd to raise and appropriate \$91,480.54. The motion passed on a hand vote.

21. To see what sum the Town will vote to raise and appropriate for Road Maintenance. *(The Budget Committee and Selectmen recommend \$178,250.00.)*

It was moved and 2nd to raise and appropriate \$178,250. The motion passed on a hand vote.

22. To see what sum the Town will vote to raise and appropriate for major road projects including repavement of a section of Buttermilk Road. *(The Budget Committee and Selectmen recommend \$85,000.00).* **It was moved and 2nd to raise and appropriate \$85,000.00. The motion passed on hand vote.**

23. To see what sum the Town will vote to raise and appropriate for waste disposal including operation of the Lamoine Transfer Station, shipment to the Penobscot Energy Recovery Company, recycling contractor, monitoring of wells around the former landfill, and to authorize the Selectmen to continue the contract of disposal of septic sludge. *(The Selectmen and Budget Committee recommend \$124,845.00)*

It was moved and 2nd to raise and appropriate \$124,845.00. The motion passed on a hand vote.

24. To see which revenues the Town will vote to appropriate for inclusion in the non-education portion of the budget to offset local property taxes.

Revenue Fund	Amount	Fund Total
General Fund		
Interest on Real Estate Taxes	\$11,000.00	
Automobile Excise Taxes	\$360,000.00	
Watercraft Excise Taxes	\$3,500.00	
Administration Fees	\$300.00	
Tax Lien Charges	\$4,000.00	
Agent Fees	\$5,500.00	
General Assistance Reimbursement	\$1,750.00	
Interest on Investments	\$15,000.00	
Rental Income – Cell Phone Tower	\$13,800.00	
Undesignated Fund Balance (Surplus)	\$100,000.00	
		\$514,850.00
Road Fund		
URIP Program (State Funding)	\$20,000.00	\$20,000.00
Code Enforcement Fund		
Code Enforcement Fees	\$8,000.00	
Transfer from Code Enforcement Fund	\$2,000.00	
Plumbing Permit Fees	\$8,000.00	\$18,000.00
Recreation Fund		
Recreation Fees	\$2,400.00	
Transfer from Recreation Fund	\$2,700.00	\$5,100.00
Other Funds		
Local Animal Control Fees		\$1,600.00
Hodgkins Trust Fund		\$10,000.00
Transfer Station Capital Fund		\$15,000.00
Total Offsets to Local Property Tax		\$584,550.00

*Municipal Revenue Sharing will also reduce the tax commitment and is not included in the above figure. *(The Selectmen and Budget Committee recommend the revenue figures listed above.)*

It was moved and 2nd to pass as recommended. The motion passed on a hand vote.

25. To see if the Town will vote to continue and establish the following funds:

Fund Balance Account	Balance as of 6/30/18*
Code Enforcement Fund	\$58,803.36
Fire Truck Reserve Fund	\$1,509.81
Road Assistance Fund	\$55,626.63
Education Capital Fund	\$9,991.32
Animal Control Fund	\$3,245.34
Revaluation Reserve Fund	\$108,390.08
Insurance Deductible Fund	\$8,041.11
Harbor Fund	\$25,837.89
Cable TV Channel Fund	\$29,902.92
Parks Fund	\$3,672.26
Capital Improvements Fund	\$52,031.97
Land Conservation Fund	\$584.00
Veterans Memorial Fund	\$5,367.76
Conservation Commission Fund	\$2,900.14
Flag Display Maintenance Fund	\$1,372.02
Allen & Leurene Hodgkins Fund	\$31,809.68
Recreation Fund	\$21,378.58
Town Hall Renovation Fund	\$40,491.54
Heating Assistance Fund	\$15,362.74
Sesquicentennial Celebration Fund	\$23,638.47
Transfer Station Capital Fund	\$9,612.72
Education Fund (from operations)	\$497,936.72
Education Special Ed Reserve	\$150,000.00
Education Secondary Tuition Reserve	\$35,000.00
Education – Facilities Maintenance Reserve	\$127,884.00
Cemetery Care Fund	\$5,992.84

*Note that most funds are part of continuing operations, so the balance of 6/30/18 does not reflect any appropriations, expenditures or revenues for the current fiscal year.

(The Selectmen and Budget Committee recommend continuing and establishing the above funds)

It was moved and 2nd to pass as written. There was a motion and 2nd to amend and add Cable TV Expansion Fund. The motion to amend passed on a hand vote.

26. To see if the Town will authorize expenditure of funds from the Harbor Fund for improvements at the Harbor area as suggested to and approved by the Board of Selectmen, and to authorize the Selectmen to set the compensation of the Harbor Master and Deputy Harbor Master to be paid from the Harbor Fund. Expenditures are not to exceed available amounts in said fund.

It was moved and 2nd to pass as written. The motion passed on a hand vote.

27. To see if the Town will authorize expenditure of funds from the Cable TV Fund for operation of Lamoine's Cable TV channel as suggested to and approved by the Board of Selectmen, and to authorize the Selectmen to set the compensation of the Cable TV Operations Manager. Expenditures are to be deducted from and Revenues are to be added to the Cable TV fund. Expenditure amounts are not to exceed available amounts in said fund.

It was moved and 2nd to pass as written. The motion passed on a hand vote.

28. To see if the Town will authorize expenditure of funds from the Veterans' Memorial Fund as recommended to and approved by the Board of Selectmen for the purposes of maintaining the memorial, not to exceed the available amount of the fund.

It was moved and 2nd to pass article as written. The motion passed on a hand vote.

29. To see if the Town will authorize expenditure of funds in the Conservation Commission Fund as recommended to and approved by the Chair of the Conservation Commission for commission projects, said funds not to exceed the available amount of the fund.

It was moved and 2nd to pass article as written. The motion passed on a hand vote.

There being no further business to transact, Moderator Kelley declared the town meeting adjourned at 6:50 PM.

Respectfully submitted,

Jennifer M. Kovacs, Town Clerk