

# Lamoine Town Meeting Minutes

## March 8, 2022

Prior to the start of business Town Clerk Jennifer Kovacs-Lord appointed Kathleen DeFusco, Joan Broussard and Lynda Tadema-Wielandt as ballot clerks for said meeting. The ballot clerks were sworn in by Mrs. Kovacs-Lord.

Deputy Town Clerk Stuart Marckoon called the meeting to order at 7:55 AM at the Lamoine Town Office.

**Article 1: Select a Moderator** – It was moved and 2<sup>nd</sup> to nominate Maurice Marshall as moderator. There were no other nominations. Clerk Jennifer Kovacs-Lord distributed blank ballots for those present and by unanimous vote, Mr. Marshall was elected as moderator. Mr. Marshall was sworn in by Mrs. Kovacs-Lord. Mr. Marshall appointed Mr. Marckoon as the Deputy Moderator, and Mr. Marckoon was sworn in by Mrs. Kovacs-Lord.

Moderator Marshall opened the polls at 8:00 AM and closed the polls at 8:00 PM.

The following town meeting votes were counted:

### Lamoine Town Meeting Election Results

8-Mar-22

#### Selectboard (vote for 2)

Rybarz, Kathleen	136
Thomas, Larissa	145
Write-Ins	1

#### Assessor

Fowler, E. Jane	155
Write-Ins	0

#### School Committee (vote for 2)

Dandurand, Katie	32
Jones, Brett	138
Pulver, Robert	117
Rollins, Michelle	48
Write-Ins	0

**Moderator Marshall certified the results, declaring Mrs. Rybarz, Mrs. Thomas, Mr. Jones, Mr. Pulver, and Mrs. Fowler to be elected in their respective offices.**

**March 09, 2022-** E. Jane Fowler was sworn in as Assessor by Stuart Marckoon, Deputy Town Clerk. Brett Jones was sworn in as School Committee Member by Jennifer Kovacs-Lord, Town Clerk.

**March 15, 2022-** Kathleen Rybarz was sworn in as Municipal Officer by Jennifer Kovacs-Lord, Town Clerk.

## Lamoine Open Town Meeting Minutes March 16, 2022

Ballot Clerk Bonnie Marckoon and Town Clerk Jennifer Kovacs-Lord checked in 57 voters at the open town meeting.

Robert Pulver was sworn in as School Committee Member, Larissa Thomas was sworn in as Municipal Officer by Jennifer Kovacs-Lord, Town Clerk

Prior to the start of business:

Larissa Thomas & Linda Penkalski presented the Conservation Commission award to Jeffrey Cosulich.

Gary McFarland chair of the Lamoine Select Board awarded Jay Sutter with the Boston Post Cane as the oldest resident of Lamoine.

Gary McFarland presented Robert Christie with an award for outstanding community service.

Gary McFarland chair of the Lamoine Select Board presented the Citizen of the Year award to Joseph Reynolds.

**Maurice Marshall opened the Open Town Meeting at 7:06. Mr. Marshall announced the results of the Election from March 8, 2022. Mr. Marshall established that he would operate according to the Maine Moderator's Manual. Stuart Marckoon made a motion to allow non-residents to speak at the moderator's discretion. It was moved and 2<sup>nd</sup> and the motion passed on a hand vote.**

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, 2022 and February 28, 2023, and to fix the rate of interest at 4.00% to be charged on the unpaid amounts beginning September 1, 2022 and March 1, 2023 respectively, and to fix the rate of interest paid for overpayments at 1.00% per annum.  
**It was moved and 2<sup>nd</sup> to pass 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 2<sup>nd</sup> to pass 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 2<sup>nd</sup> to pass 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 2<sup>nd</sup> to pass 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 2022/2023 and 2023/2024 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 2<sup>nd</sup> to pass as written. The motion passed on a hand vote.**
  
8. To see if the Town of Lamoine will authorize the Selectboard to seek intervenor status in the matter of permits sought by American Aquafarms to locate a salmon aquaculture operation in Frenchman Bay. **It was moved and 2<sup>nd</sup> to pass as written. A brief discussion followed on what intervenor status means. Brett Jones asked if the lawyer could be shared. Gary McFarland said they were advised not to share a lawyer. Sally Mills, lawyer for Frenchman Bay explained what an intervenor is and what happens during appeals. Stuart Marckoon asked what the lawyer would cost. Ms. Mills said cost is usually set by the hour and did not know the exact price. The motion passed on a hand vote.**
  
9. 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 Selectboard to establish the rate of compensation for appointed officials.

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

*(The Budget Committee & Selectboard recommend \$261,815.69 and the salaries as outlined above.)*

**It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**

10. 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 Selectboard, and met the criteria of the Town Meeting Donation Requests Ordinance adopted November 7, 2000 as amended.

Requesting Agency	Requested	Recommended
American Red Cross	\$600.00	\$600.00
Community Health & Counseling Service	\$400.00	\$400.00
Downeast Horizons	\$700.00	\$700.00
Eastern Area Agency on Aging	\$700.00	\$700.00
Friends In Action – Community Connection	\$700.00	\$700.00
Northern Light Home Care & Hospice	\$700.00	\$700.00

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
Downeast Community Partners	\$700.00	\$700.00
Women's Infants & Children Clinic	\$700.00	\$700.00
<i>Total</i>	\$8,000.00	\$8,000.00

*(The Budget Committee & Selectboard recommend \$8,000.00 as outlined above. The donation requests ordinance requires the Selectboard to recommend no more than 5% of one mill, which is \$13,298.45)*

**It was moved and 2<sup>nd</sup> to pass article with the recommended amount. The motion passed by a hand vote.**

11. To see what sum the Town will vote to raise and appropriate for library services. *(The Selectboard and Budget Committee recommend \$8,010.00. The Ellsworth Public Library has requested funding of \$8,010.00).* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
12. To see what sum the Town will vote to raise and appropriate for Public Safety Expenditures. *(The Budget Committee, Selectboard and Fire Department recommend \$100,407.55)* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
13. 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 Selectboard to continue the contract of disposal of septic sludge. *(The Selectboard and Budget Committee recommend \$176,800.00)* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
14. 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 Selectboard and Budget Committee recommend \$37,200.00.)* **It was moved and 2<sup>nd</sup> to pass with the recommended amount. The motion passed on a hand vote.**
  
15. To see what sum the Town will vote to raise and appropriate for Road Maintenance. *(The Budget Committee and Selectboard recommend \$202,500.00.)* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
16. To see what sum the Town will vote to raise and appropriate for major road projects including repavement of Marlboro Beach Road, Maxwell Avenue & Lorimer Road *(The Budget Committee and Selectboard recommend \$115,000.00).* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
17. To see what sum the Town will vote to raise and appropriate for Parks, Recreation and Cemetery Maintenance. *(The Parks Commission, Recreation Committee, Selectboard and Budget Committee recommend \$23,738.00).* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**
  
18. To see what sum the Town will vote to raise and appropriate for enforcement of the Frenchman Bay Regional Shellfishing Ordinance *(The Budget Committee and Selectboard recommend \$3,000.00)* **It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**

19. To see what sum the Town will vote to raise and appropriate for capital projects and debt service payments. (*The Selectboard and Budget Committee recommend a total of \$136,125.00 for the following projects*):

- Land Conservation Fund, \$1,000.00
- Fire Department SCBA Cylinder Replacement - \$8,125.00
- Fire Truck Bond Payment \$69,000.00
- Fire Department Emergency Repairs Fund - \$25,000.00
- Community Center Planning \$10,000.00
- Revaluation \$23,000.00

**It was moved and 2<sup>nd</sup> to pass as recommended. Carol Korty made a motion to amend the Land Conservation fund to \$5,000.00 for a total of \$140,125.00. The motion to amend passed by a hand vote. The motion for the amended amount to \$140,125.00 passed on a hand vote.**

20. 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
<b>General Fund</b>		
Interest on Real Estate Taxes	\$9,000.00	
Automobile Excise Taxes	\$400,000.00	
Watercraft Excise Taxes	\$3,000.00	
Administration Fees	\$100.00	
Tax Lien Charges	\$4,000.00	
Agent Fees	\$6,500.00	
General Assistance Reimbursement	\$1,750.00	
Interest on Investments	\$15,000.00	
Rental Income – Cell Phone Tower	\$24,000.00	
Undesignated Fund Balance (Surplus)	\$180,000.00	
		<b>\$643,350.00</b>
<b>Road Fund</b>		
URIP Program (State Funding)	\$20,000.00	<b>\$20,000.00</b>
<b>Code Enforcement Fund</b>		
Code Enforcement Fees	\$8,500.00	
Transfer from Code Enforcement Fund	\$9,000.00	
Plumbing Permit Fees	\$3,500.00	<b>\$21,000.00</b>
<b>Other Funds</b>		
Recreation Fees		<b>\$3,000.00</b>
Local Animal Control Fees		<b>\$1,000.00</b>
Revaluation Fund		<b>\$1,000.00</b>
<b>Total Offsets to Local Property Tax</b>		<b>\$689,350.00</b>

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

**It was moved and 2<sup>nd</sup> to pass as recommended. The motion passed on a hand vote.**

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

Fund Balance Account	Balance June 30, 2021
Code Enforcement Fund	\$90,603.80
Fire Truck Reserve Fund	\$17,109.04
Road Assistance Fund	\$36,418.36
Education Capital Fund	\$10,354.23
Animal Control Fund	\$4,287.94
Revaluation Reserve Fund	\$112,327.55

Insurance Deductible Fund	\$9,877.38
Harbor Fund	\$33,070.99
Cable TV Channel Fund	\$62,964.37
Parks Fund	\$6,769.22
Capital Improvements Fund	\$53,889.88
Land Conservation Fund	\$3,669.05
Veterans Memorial Fund	\$5,645.80
Conservation Commission Fund	\$1,976.14
Flag Display Maintenance Fund	\$2,241.67
Allen & Leurene Hodgkins Fund	\$52,447.79
Recreation Fund	\$27,427.42
Town Hall Renovation Fund	\$103,676.63
Heating Assistance Fund	\$17,661.01
Sesquicentennial Celebration Fund	\$28,445.53
Transfer Station Capital Fund	\$101,617.10
Education Fund (from operations)	\$986,631.00
Education Special Ed Reserve	\$150,000.00
Education Secondary Tuition Reserve	\$35,000.00
Education – Facilities Maintenance Reserve	\$92,884.00
Cemetery Care Fund	\$5,992.84
Whitcomb Woods Maintenance Fund	\$5,000.00
Fire Truck Emergency Repairs Fund (New)	\$0.00

(NOTE) Most funds are part of continuing operations, so the balance of 6/30/21 does not reflect any appropriations, expenditures or revenues for the current fiscal year. At the time the warrant was signed, the audited balances as of June 30, 2021 were not yet available. The balances shown are unaudited and subject to correction.

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

**It was moved and 2<sup>nd</sup> to pass as recommended. It was mentioned that the Community Center fund was not including in the list. There was a motion to amend the motion to transfer the remaining balance of the 150 fund to the Conservation Commission Land Fund. The amended motion failed 28 no 19 yes. Stuart Marckoon made a motion to include the Community Center Fund on the list. It was moved and 2<sup>nd</sup>. The motion to amend passed by a hand vote. The motion passed by a hand vote.**

22. 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 Selectboard, and to authorize the Selectboard 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 2<sup>nd</sup> to pass as written. The motion passed on a hand vote.**

23. 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 Selectboard, and to authorize the Selectboard to set the compensation of the Cable TV Operations Manager and Information Technology Director. 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 2<sup>nd</sup> to pass as written. The motion passed on a hand vote.**

24. To see if the Town will authorize expenditure of funds from the Veterans' Memorial Fund as recommended to and approved by the Selectboard for the purposes of maintaining the memorial, not to exceed the available amount of the fund. **It was moved and 2<sup>nd</sup> to pass as written. The motion passed on a hand vote.**

25. 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 2<sup>nd</sup> to pass as written. The motion passed on a hand vote.**

**There being no further business to transact, Moderator Marshall declared the town meeting adjourned at 6:57PM.**

**Respectfully submitted,**

**Jennifer M. Kovacs-Lord, Town Clerk**