2012

2012 Town of Lincolnville Board of Selectmen Meeting Minutes

Lincolnville (Me.). Town Select Board

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Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, David Barrows, and Julia Libby

Excused Absence: Stacey Parra

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School. The quote was read by Selectman Barrows.

1. **Citizen’s Forum:**
   Paul Crowley, resident of Tanglewood Road, briefly addressed the Board saying now that the Town has established an adequate right-of-way on Tanglewood Road, he hopes the ditching work will be done this spring.

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Dog licenses were due by December 31st; a $25 late fee will be charged if dogs are not licensed by February 1, 2012. Dog licenses can also be renewed on-line.
   - Foreclosure notices for 2009 tax liens were mailed this week; the foreclosure date is early February.
   - The real estate closing for the former Center Fire Station took place on December 30, 2011; the Town Administrator congratulated the Lincolnville Boat Club as the new owners of the property.
   - The new police cruiser is in and is being outfitted.
   - Due to some contract wording changes, the fire truck order is pending.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:** None

5. **Meeting Minutes:**
   Motion by Gerry, second by Barrows, to approve the December 12th meeting minutes, as presented. Vote 3-0-1 (Trundy abstained).

   Motion by Libby, second by Barrows, to approve the December 27th meeting minutes, as presented. Vote 4-0.
6. **Correspondence from Tracy Colby: Municipal Employees’ Salaries and Benefits:**

Tracy Colby, resident of Moody Mountain Road, addressed the Board about the letter she had written regarding Lincolnville employees’ wages and benefits compared to wages and benefits of other towns listed in the Maine Municipal Association’s Salary Survey. Some points offered by Ms. Colby during the lengthy discussion of Item 6 included:

- the Code Enforcement Officer’s wage was “off the chart” for the number of hours he works; the Survey shows many CEO positions paid on a per diem or per hour basis;
- former Town Administrator Skip Day recommended in 2000 that a consultant be hired to look at salaries, benefits, and services, and she felt that recommendation should be followed, whatever the cost, before expanding the Town Office;
- the wealth of Lincolnville’s citizens should be a factor in determining wages and benefits; if they have health insurance at all, many residents have a high ($15,000) deductible; current levels of vacation benefits and holidays, when computed for six employees, equals six months of paid time off;
- the affect MBNA once had on the local workforce is no longer an issue;
- the Budget Committee should be made aware of the MMA Survey and should be encouraged to use it;
- perhaps citizens need to be polled to determine what they want or expect for services.

Some points offered by Paul Crowley during the discussion included:

- although reluctant to write a check for a consultant, the information gained may prove valuable and a reasonable part of the Board’s due diligence, but also said “experts” can be found to say whatever you want them to say;
- although the current CEO is very competent, the position is overstaffed; eight hours a week would be plenty; perhaps costs could be reduced by raising the land use permit threshold (currently $500);
- some towns have a separate plumbing inspector who works for the plumbing fees; it’s important to always have someone available for septic inspections;
- when current employees retire, perhaps that’s the time to consider cutting hours or avoid hiring a replacement.

Some points offered by Jay Foster during the discussion included:

- he didn’t understand why we would hire a consultant when we have a Town Administrator; he trusts our Town Administrator and Town Office staff, saying we’ve got quality people;
- he worked in an industry where time studies were done all the time and they don’t necessarily reflect the reality of the situation.

Some points offered by individual Board members:

- perhaps other towns in the MMA survey are understaffed; private business data should be included in comparisons, not just municipal data;
- decent pay and benefits are needed in order to retain good employees and to avoid having Lincolnville become a “training ground,” only to have those trained employees leave for better opportunities in other locations;
• the current level of staffing has had input from many sources, including the Wage and Personnel Policy Board, the Town Administrator, the Board of Selectmen, and voters; service versus staffing is a constant, ongoing evaluation process;
• a ballpark estimate for consulting services could be useful information; there are different ways of looking at the same thing and a consultant’s viewpoint might prove to be helpful;
• issues raised in Ms. Colby’s letter can be brought up by Board members during the upcoming budget process and addressed by the Wage and Personnel Policy Board;
• there is much more to this issue than just numbers on a page when determining wage and benefits; when less is offered, it could attract less qualified employees, which could cost the Town more in the long run to remedy subpar job performance actions/decisions.

Points offered by Town Administrator Kinney:
• when the CEO position was last advertised, the Town wanted certified applicants; Frank Therio was most qualified, but was only available on a part-time basis, not full-time, so the Board increased his hourly wage to compensate for no benefits;
• the MMA Survey is available on disk form at the Town Office;
• funding sources to pay for a consultant would include going to the voters for an appropriation at Town Meeting or utilizing contingency fund monies;
• Knox County recently received three bids for consulting services; as a result of the final compensation and organizational study, the custodial positions are now subcontracted and the EMA position received a 40% salary increase;
• in the past eight and a half years, core office staffing increased by two person hours a week, Town Office hours increased substantially, services offered to the public increased, all with no increases in staff; as employers, training and retention of staff is very important; employees’ workloads constantly shuffle and change, but core duties stay the same.
• a senior staff member has told him she will be retiring in February, 2013;
• he has had complaints that the CEO is not full-time; we strive to meet the balance between services offered and what citizens are willing to pay for those services; as Town Administrator, monitoring staffing and service levels is part of his job, but it is everyone’s responsibility.

Motion was made by Libby to continue with the current process and keep the status quo. The motion failed for lack of a second.

Motion by Libby, second by Gerry, to refer Ms. Colby’s letter to the Wage and Personnel Policy Board for consideration and to have them consider the CEO position and hours for him. Vote 4-0.

7. Liquor License Renewal – Youngtown Inn & Restaurant:
Motion by Gerry, second by Libby, to approve and sign the liquor license application submitted by the L’Auberge, Inc., doing business as the Youngtown Inn and Restaurant. Vote 4-0.
8. **Review Draft Special Town Meeting Warrant:**
   Town Administrator Kinney advised the Board that some of the boards and committees listed under the draft articles have not yet met to discuss and make recommendations, even though this draft warrant indicates recommendations have been made. Article 4 needs the Board’s recommendation tonight because the Budget Committee is meeting tomorrow night to discuss the article. Jay Foster also mentioned the Municipal Building Committee is in the process of setting a meeting date to discuss Article 4.

Selectman Barrows said the previous owner of the South Cobbtown Road property (Article 6) had spoken to him in the past about reclaiming ownership of the property, and Selectman Barrows initially supported the owner in that effort. But he then said that since their initial conversation, Selectman Barrows hasn’t heard anything more from the owner and if it were his property, he would have stayed much more vocal about reclaiming it. Chairman Trundy felt the Board should be consistent in dealing with Town-owned property; once a precedent is set, others will want to follow.

Selectman Gerry asked why funds from the School budget couldn’t be kicked into Article 4. Town Administrator Kinney explained in this case, there is no distinction between the Town and the School; it is money belonging to the Inhabitants of the Town of Lincolnville. Selectman Gerry then asked if the Municipal Building Committee comes up with a significant plan change, could those funds be used for that change; Town Administrator Kinney said as long as the Municipal Building Committee convinces the Board of the significant plan change, the money could be used for it.

_Motion by Gerry, second by Libby, that the Board recommends the Warrant as written. Vote 4-0._

9. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
   _Motion by Libby, second by Gerry, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 4-0._

10. **Adjourn:**
    _Motion by Libby, second by Barrows, to adjourn the meeting (7:25 p.m.). Vote 4-0._

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: Jason Trundy, Chairman; Rosendel Gerry, Vice-Chairman; Stacey Parra; David Barrows; and Julia Libby

Immediately following the Planning Board Public Hearing, which started at 6 p.m. and adjourned at 6:10 p.m., the Board of Selectmen meeting was called to order by Chairman Trundy at 6:12 p.m. at Lincolnville Central School. The quote was read by Selectman Gerry.

1. **Citizen’s Forum:**
   Jay Foster, member of the Land Use Committee and Planning Board, briefly commented to the Board that the process used to develop the ordinance discussed at the preceding public hearing worked well; the Town Attorney wrote the initial ordinance, the Land Use Committee worked to tailor the ordinance to Lincolnville’s needs, and the Town Attorney reviewed it again. This process resulted in timely results.

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - There were approximately a dozen applications submitted for the camera operator’s position; Town Administrator Kinney asked what hiring process the Board preferred. The consensus of Board members was to have the Town Administrator (with a staff member’s help if the Town Administrator wished) review the submitted applications, interview the most qualified candidates, and bring a final recommendation to the Board.
   - There is a larger-sized Town Report format available and Town Administrator Kinney asked for input from the Board and Lincolnville citizens prior to the Board’s next meeting about changing to the larger format. There shouldn’t be a cost difference since there would be fewer pages in the bigger format.
   - The new Fire truck has been ordered now that the contract wording has been resolved.
   - Dog licenses were due by December 31st; a $25 late fee will be charged if dogs are not licensed by February 1, 2012; there are still 109 unlicensed dogs. Dog licenses can also be renewed on-line.
   - He had a meeting with Maine Department of Transportation representatives about renewing discussions about upgrading sections of Route One that haven’t been done yet. The MDOT reps will come back with dates/times to meet with the Board of Selectmen and the Route One Advisory Committee; in the meantime, Town Administrator Kinney will contact the co-chairs of the Route One Advisory Committee.
   - It is unsafe and against the law for homeowners and snowplowers to deposit snow in public roadways; he also cautioned against piling snow over culverts near driveways, which could result in flooding/washout issues.

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January 23, 2012
Board of Selectmen Minutes
APPROVED
3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings. Diane O’Brien will be alerted about the meeting schedule.

4. **Upcoming Community Events:**
   Selectman Gerry announced there is a Souper Supper event this Saturday, January 28th, 5 p.m. at the Appleton School to benefit the Appleton Library.

5. **Meeting Minutes:**
   Motion by Gerry, second by Barrows, to approve the January 9th meeting minutes, as presented. Vote 4-0-1 (Parra abstained).

6. **Report of the Financial Advisory Committee:** was discussed out of order, later in the meeting.

7. **Report of the Capital Needs Committee:**
   Steve Young, Chairman of the Capital Needs Committee, gave an overview of the Committee’s report for Fiscal Year 2013, a copy of which was included in the Board packets. Projects that were given a Priority 1 status by the Committee included: $50,000 for the Town Office Building Reserve; $20,000 for the Fire Truck Reserve; $6,500 for the Police Cruiser Fund; and $210,000 for the Road Paving Program; these are ongoing maintenance-type funds that the Committee usually recommends each year. The Committee recommended a Priority 2 status for the Harbor Wavescreen Phase II Project in the amount of $25,000.

   Mr. Young encouraged all committees and townspeople to seek grant money, which is basically “free” money, as potential funding sources to benefit the Town.

   The Board thanked Steve Young and the Capital Needs Committee for their work.

8. **Utility Pole Location Application – Stan Cilley Road:**
   Motion by Gerry, second by Libby, to approve the location permit as submitted by the Central Maine Power Company for Work Order #1080422930. Vote 5-0.

9. **Resignations:**
   - **Part-Time Patrol Officer McFadden:**
     Motion by Parra, second by Gerry, to accept the resignation of Michael McFadden. Vote 5-0.
   - **Recreation Commission Member Troy Curtis:**
     Motion by Parra, second by Gerry, to accept the resignation of Troy Curtis from the Recreation Commission. Vote 5-0.

   With the resignation of part-time Patrol Officer McFadden and previous resignation of Officer Cartier, the Town Administrator and Police Chief recommend they start the hiring process for another part-time patrol officer; currently, there are not enough officers to staff the level of patrol hours approved by voters.
Motion by Parra, second by Barrows, to follow the same hiring procedure as last time and have the Town Administrator bring their recommendations for a part-time patrol officer to the Board. Vote 4 – 1 (Gerry opposed).

10. Designation of Surplus – Snow Tires:
Motion by Parra, second by Barrows, to sell the tires that came off the Chevy police cruiser for $150 on a first-come, first-served basis during the normal Town Office business hours. Vote 5-0.

6. Report of the Financial Advisory Committee: (discussed out of order)
Linwood Downs, Chairman of the Financial Advisory Committee, gave the Board an overview of the Town’s investments status. The purpose of the Committee was to create a policy of emergency fund levels for Lincolnville and to monitor the investment of those funds. The Board-approved level of emergency funds is three months of operating expenses, which currently equals about $2,000,000. Lincolnville has 2.8 million in assigned and unassigned reserve funds. Mr. Downs explained the Town is not legally obligated to spend funds earmarked for particular “assigned” projects in a real emergency; therefore, the Town’s reserve levels are fair, appropriate, and fall well within the three-month level of operating expenses.

The Financial Advisory Committee also reviews the management performance of the professional investment manager. Lincolnville’s investment policy over the past several years has been to have 75% of the Town’s portfolio in fixed income/bond funds and 25% in equity funds. Because of turmoil in the markets, the Financial Advisory Committee directed the investment manager to adjust the portfolio to increase the fixed income/bond funds to 82% and decrease the equity funds to 18%. The Town’s return this year has been a 1.34% return on investments, as opposed to last year’s 7.4% return. Although the return is down quite a bit, it is still a positive return. The Committee’s recommendation is to retain the current investment manager and to keep investment allocation at the 82%/18% level, keeping a more cautious approach because shaky markets are anticipated for six to nine months.

Board members thanked Mr. Downs and the Financial Advisory Committee for their work on the Town’s behalf.

11. Request to Alter Terms of Consent Agreement – Rutland:
Motion by Parra, second by Gerry, to table this item until the Board’s next meeting, in executive session. Vote 5-0.

12. Special Town Meeting Warrant for February 13, 2012 – Approve and Sign:
Motion by Parra, second by Gerry, to approve and sign the Special Town Meeting Warrant, with one change on the last page (Officer’s Return) that “Monday, February 13, 2012, at 6 p.m.” be added in the first paragraph to match the wording in the Warrant. Vote 5-0.
13. **Budget/Election Meeting Schedule:**
Selectwoman Parra stated she would not be in Town to attend the Tuesday, March 20th, meeting. No other comments/concerns were made by Board members.

14. **Treasurer’s and Payroll Warrants – Approve and Sign:**
Motion by Parra, second by Barrows, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 5-0.

15. **Executive Session – Discussing the Potential Acquisition of Real Property for Town Office Purposes: Persons to be Included are the Selectmen, Town Administrator, and Chairman of the Municipal Building Committee (Title 1 MRSA § 405(6)(C)):**
Motion by Parra, second by Gerry, that the Board of Selectmen enter into executive session to discuss the potential acquisition of real property for Town Office purposes; persons to be included are the Selectmen, Town Administrator, and Chairman of the Municipal Building Committee, pursuant to Title 1 MRSA § 405(6)(C). Vote 5-0.

16. **Executive Session – Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(@)(E)):**
Motion by Parra, second by Gerry, that the Board of Selectmen enter into executive session for the purpose of considering a property tax abatement due to poverty and/or disability, pursuant to Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(@)(E). Vote 5-0.

Motion by Parra, second by Barrows, to come out of executive session and reconvene in regular session. Vote 5-0.

17. **Adjourn:**
Motion by Barrows, second by Parra, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
BOARD OF SELECTMEN
MINUTES OF MEETING
FEBRUARY 13, 2012

Selectmen present: Rosendel Gerry, Vice-Chairman, David Barrows, Stacey Parra, and Julia Libby

Excused Absence: Jason Trundy, Chairman

The meeting was called to order by Vice-Chairman Gerry at 7:10 p.m. at Lincolnville Central School (Room B-5), following the Special Town Meeting that was held at 6 p.m. in Walsh Common. The quote was read by Selectwoman Libby.

Vice-Chairman Gerry reported that voters approved all the articles at the Special Town Meeting. He also reported Chairman Trundy was having more knee surgery and could not attend tonight’s meeting.

1. Citizen’s Forum: None

2. Administrator’s Report:
   David Kinney, Town Administrator, reported:
   • Winter road maintenance has gone out to bid.
   • Progress is being made on upgrading the Town’s website; it is currently in the design phase.
   • The budget process continues with the Board meeting Tuesday and Wednesday nights this week; both meetings will be televised.

3. Meetings & Announcements:
   Town Administrator Kinney read the upcoming meetings, adding there is a Municipal Building Committee meeting on Thursday, February 16th, at 4:30 p.m. at the Town Office.

4. Upcoming Community Events: None

5. Meeting Minutes:
   Motion by Parra, second by Barrows, to approve the January 23rd meeting minutes, as presented. Vote 4-0.

   Items 6 and 7 will be discussed out of order.

8. Municipal Building Committee Charge:
   Motion by Parra, second by Libby, to approve the Municipal Building Committee charge dated February 13, 2012. Vote 4-0.
9. **Resignation(s):**
   - Comprehensive Plan Review Committee
   - Lakes & Ponds Committee
Motion by Parra, second by Libby, to accept the resignation of Briar Lyons from the Comprehensive Plan Review Committee and the Lakes & Ponds Committee, with regret. Vote 4-0.

10. **Spirit of America Nomination:**
    Town Administrator Kinney explained the Spirit of America Foundation is seeking nominations for their 2012 Spirit of America Foundation tribute for outstanding community service; it was suggested Board members privately relay nominees to Selectwoman Parra, who would privately relay the nominee to Town Administrator Kinney, so nominees would be surprised if chosen.

11. **Authority to Post Roads for Seasonal Weight Limits:**
    Motion by Parra, second by Libby, to authorize the Road Commissioner to post the roads for weight limits as he deems to be in the best interest of the Town and further that the Board authorizes the use of our signature stamps on these postings. Vote 4-0.

12. **Treasurer’s and Payroll Warrants – Approve and Sign:**
    Motion by Parra, second by Barrows, to approve the Treasurer’s Warrant, the Payroll Warrant, and Coombs Griffin Trust Warrants. Vote 4-0.

7. **Recreation Commission Update:** (discussed out of order)
    Dotty Lanphear, Chairwoman of the Recreation Commission, updated the Board on the Commission’s activities, explaining they have reorganized and redefined roles. Commission Co-Chair Mike Kremin will coordinate projects with Lincolnville Central School, Donny Heald will head up Breezemere Park projects, and Steve Nystrom will coordinate boat-related projects. Anticipated upcoming projects include repairing the floats at Norton Pond, with possible volunteer help from the Industrial Arts Department, extending the boat ramp at Norton Pond, repairing the cross country track at LCS, and exploring the possibility of a skating rink.

    One of the main accomplishments of the reorganization effort over the last three months was finalizing a *Town of Lincolnville Recreation Areas Oversight* document (included in the Board’s packet), which defines recreation areas in the Town and addresses the maintenance responsibilities associated with those areas, including Maine’s School Integrated Pest Management Program (IPM). Paul Russo is the IPM Coordinator at LCS; the School was involved in the preparation of this document and both parties (Town and School) will be asked to approve it.

    Motion by Parra, second by Libby, that the Board approve the *Town of Lincolnville Recreation Areas Oversight* document and thanked the Commission for working on this. Vote 4-0.
The Recreation Commission still has one vacancy.

Recreation Commission Chairwoman Lanphear asked if the Commission can move forward on projects now; Town Administrator Kinney responded that the Commission should always let the Town Office know what they are working on, and could consult with him or Finance Director Jodi Hanson about available funds for projects.

6. **(7:30 PM)-Public Hearing: Special Amusement Permit – Cellardoor Winery:**

Motion by Parra, second by Libby, to open the public hearing concerning the Special Amusement Permit Application filed by the Cellardoor Winery. Vote 4-0.

No comments were offered by the public.

Motion by Parra, second by Barrows, to close the public hearing. Vote 4-0.

Motion by Parra, second by Barrows, that after having held a public hearing, that the Board finds that the application submitted by the Cellardoor Winery complies with the standards set forth in the Ordinance Governing the Issuance, Suspension and Revocation of Special Amusement Permits for the Town of Lincolnville and the permit be granted. Vote 4-0.

13. **Adjourn:**

Motion by Barrows, second by Libby, to adjourn the meeting (7:35 p.m.). Vote 4-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: Jason Trundy, Chairman; Rosendel Gerry, Vice-Chairman; Stacey Parra; David Barrows; and Julia Libby

The meeting was called to order by Chairman Trundy at 5:45 p.m. at Lincolnville Central School.

Executive Session: Consultation with Town Attorney regarding the legal rights and duties of the Board of Selectmen concerning the Winter Road Maintenance Contract(s) pursuant to Title 1 MRSA § 405(6)(E).

Motion by Gerry, second by Barrows, that the Board finds the need for the proposed executive session arose after the posting of the agenda and the items requires immediate action by the Board of Selectmen. Vote 4-0 (Parra absent).

Motion by Gerry, second by Barrows, to go into executive session, pursuant to Title 1 MRSA § 405(6)(E). Vote 4-0 (Parra absent).

Motion by Gerry, second by Barrows, to come out of executive session and convene in regular session. Vote 4-0-1 (Parra abstained).

Chairman Trundy announced that the meeting would not be televised for reasons unknown and apparently beyond our control.

The quote was read by Selectman Parra.

1. Citizen’s Forum:
R.J. Botley extended a thank you to Selectman Gerry on behalf of the Maine Coast Skaters Association, the Camden Hills Regional High School, and the Ice Cats hockey program. Over the last 7 years Selectman Gerry has assisted these groups in raising in excess of $200,000. For these efforts the groups have offered to provide 3 hours of “hard labor” to Selectmen Gerry or the cause of his choosing. Selectman Gerry thanked RJ for the recognition and also thanked all of his helpers.

2. Administrator’s Report:
David Kinney, Town Administrator, made no report.

3. Meetings & Announcements:
Town Administrator Kinney read the upcoming meetings.
4. **Upcoming Community Events:**

   None

5. **Meeting Minutes:**

   Motion by Gerry, second by Libby, to approve the February 13th meeting minutes, as presented. Vote 4-0-1 (Trundy abstained).

6. **Memorial Day – Ron Rainfrette:**

   Mr. Rainfrette explained that although the membership of the American Legion numbers were up volunteer participation was down. Therefore the American Legion will be “stepping down” from organizing the Memorial Day observance (parade, ceremony, and food for the bands) in Lincolnville. Rainfrette provided a list of food and outlined several of the contacts. Ray Lewis stated that for the last two years the Masons in Rockport have helped with the lunch. Parra inquired if this help might continue. Rainfrette stated that he got two years from the Masons after a one year commitment was offered, so he wasn’t certain if the Masons would assist again. Gerry asked if the events in Rockport and Camden would also be dropped by the American Legion. Rainfrette responded “no” only Lincolnville. Trundy requested that the Town Administrator explore insurance requirements if this event was to become a town sponsored function and for the item to appear on a future agenda for further discussion.

7. **Cardin-Cochran Amendment Letter of Support – Will Brown:**

   Will Brown stated that although Gateway 1 went away a number of people are still working on independent regional transportation planning. He requested that the Board of Selectmen write a letter of support to our US Senators in support of the Cardin-Cochran amendment. The amendment would move a portion of the “say” from Federal to the State level and then take a small percentage from the State to the Local level.

   Motion by Parra, second by Barrows, that the Town Administrator write a letter of support for the Cardin-Cochran amendment to Senators Collins and Snowe and that the Chairman of the Board sign the letters on behalf of the Lincolnville Board of Selectmen. Vote 5-0.

8. **Disposition of South Cobbtown Road Property:**

   Town Administrator Kinney reported that the voters at the Special Town Meeting had approved the article authorizing the Board of Selectmen to dispose of the lien acquired property located on South Cobbtown Road. Kinney noted that the former property owner was present and desired to address the Board.

   Merv Taylor explained that he would be interested in re-acquiring the property. He explained how his wife was very ill at the time of the revaluation and that they were living in Rockport at the time with the goal of moving back to Lincolnville. He reported that his wife
is better now; they sought and received an abatement several years ago (before the lien matured) and that they have now moved back to Lincolnville.

Selectman Trundy expressed concerns of setting precedence; where what is done for one should be done for all. His understanding is that the lien process is lengthy but that Mr. Taylor did have unique family circumstances.

Selectman Libby stated her preference for Options B or C (resale to the former owner or seeking a real estate agent to list the property). She stated that everyone from time to time finds themselves in financial circumstances that support Option B. She wondered how long the property might need to be listed under Option C to find a buyer.

Selectman Barrows asked how much the Town was owed. Kinney responded that he was unsure but estimated $3,000. Barrows then stated that if the Town sought to quiet the title the Town would have $6,000 into the property.

Selectman Gerry asked if Mr. Taylor had previously tried to sell the property and the asking price. Mr. Taylor said that yes he has tried to sell the property and that quite few people expressed interest until they got a look at the road.

Motion by Gerry to have the Town Administrator look into the market value of the property, to meet with Mr. Taylor to discuss possible repurchase, and report to the Board, second by Barrows. Vote 5-0.

9. Liquor License Renewal – Beachfront, Inc., d/b/a McLaughlin’s Lobster Shack:
Motion by Parra, second by Gerry, to approve and sign the liquor license application submitted by the Beachfront, Inc., doing business as McLaughlin’s Lobster Shack. Vote 5-0.

10. FY 13 Budget Deliberations:
The Board reviewed the draft FY13 Municipal Budget and made the following comments and revisions.
- Administration: Publications – reduce to $200
- Protection: Police Department: Part-time Wages – Leave the amount as is but prepare a charge to the Wage & Personnel Policy Board to review the step system for the Part-time Police Officers.
- Protection: Police Department: Outside Professional Services – reduce to $350
- Protection: Fire Department: Heating Fuel – leave as is, is $3.75 per gallon enough?
- Protection: Other: Insurances – reduce to $33,500, if the deductible is necessary fund from Contingency
- Town Office Building: Heating Fuel – leave as is, is $3.75 per gallon enough?
- Contingency – increase to $10,000 to cover any heating fuel overage and any insurance deductible
• Code Enforcement – Selectman Gerry questioned the hours necessary, no change made.
• Assessing – The Board expressed appreciation to the Assessors’ Agent for the proposed no change in the contract amount
• Public Works: Highways and Bridges: Winter Road Maintenance – Town Administrator Kinney presented the Board with a revised request ($281,478) based on the proposals received.
• Public Works: Other: Breezemere Park Maintenance – Increase porta-potties to $1000 and provide a porta-potty for ice fishing season as well as the regular schedule.
• Public Works: Beach Maintenance – Does the beach cleaning contractor include cleanup around the porta-potty enclosure?
• Boards and Committees: Planning Board – The hours worked by the Planning Board Secretary seem excessive in comparison to the work product. Time for change.
• Municipal Support: PB Chamber of Commerce – The Town can be a member for $100 why are we donating $1,000? Kinney responded tradition and to show support for business community, promotion of the area, employment, etc. - Decrease to $100
• Municipal Support: Tanglewood Camp – Decrease to $0
• Capital Improvement Program: Harbor Improvements – How long until the wave screen needs to be fixed? Unknown, outer third which was replaced with grant and Town funds was in the worse condition. Middle third next in line. – Decrease to $0
• Capital Investment Program: Capital Investment Reserve – Decrease to $30,000, same as last year, will reduce the amount necessary to borrow or enough for first bond re-payment
• Request to move Fire Department Building Fund to Capital Investment Reserve on next town meeting warrant
• Discussion on Revenue/Budget Offsets – no changes made

A revised draft budget will be presented for review and approval at the next meeting.

11. Treasurer’s and Payroll Warrants – Approve and Sign:
Motion by Parra, second by Libby, to approve the Treasurer’s Warrant, Coombs-Griffin warrant and the Payroll Warrant. Vote 5-0.

12. Adjourn:
Motion by Gerry, second by Barrows, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

David B. Kinney
Town Administrator/Town Clerk
Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School. The quote was read by Selectman Barrows.

1. **Citizen’s Forum:**
Diane O’Brien announced the beginning of a fundraising event this weekend called, “Let’s Move It Lincolnville.” Apple, blueberry, and chocolate cream pies can be ordered for $12; funds raised will go toward moving the old Schoolhouse to the Town-owned Dean & Eugley lot.

Diane O’Brien also announced that since Village Soup is no longer in business, there is a new website gearing up called Penbaytoday.com which will include Lincolnville news/announcements. There is also a “towns of Waldo County” site that will have local news and activities.

2. **Administrator’s Report:**
David Kinney, Town Administrator, reported:

- Nomination papers for Board of Selectmen, LCS Committee, the Five Town CSD Board, and Budget Committee will be available on March 19th at the Town Office and are due back by close of business on April 30th.
- Anyone interested in serving on the Midcoast Economic Alliance and/or the Midcoast Economic Development District should contact the Town Administrator or County Commissioner Betty Johnson; meetings are usually on Fridays.
- Village Soup is no longer in business, including the Village Gazette and Village Journal. Since some of our ordinances, policies, and Charter require notification in a paid circulation publication, a future discussion will be necessary about this situation. Advertising in the Bangor Daily News is much more expensive than our local paper.
- Local roads have been posted.
- There were cable difficulties that prevented the Board’s last meeting from being televised; the Town Administrator Kinney apologized.

County Commissioner Betty Johnson said the Village Soup situation was also a concern for the County and they might be looking to Legislature to change laws dealing with publishing notices. She also reiterated the announcement about interested citizens coming forward to serve on the Midcoast Economic Alliance and/or the Midcoast Economic Development District.
3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings, adding the Municipal Building Committee will be meeting on Thursday, March 15th, 4:30 p.m., at the Town Office.

4. **Upcoming Community Events:** None

5. **Meeting Minutes:**
   Motion by Gerry, second by Barrows, to approve the February 27th meeting minutes, as presented. Vote 5-0.

6. **Lincolnville Historical Society – Land Lease Request:**
   Town Administrator Kinney explained he had received an email from Diane O’Brien regarding the land lease of the Dean & Eugley lot for the old Schoolhouse; a copy of the email was included in the Board’s packet.

   Lincolnville Historical Society (LHS) President Diane O’Brien briefly addressed the Board, explaining LHS’s initial concept of moving the old Schoolhouse across the street. She passed out a very preliminary sketch which showed the possible location of the Schoolhouse on the Dean & Eugley lot, a possible war memorial location, and possible open air museum locations. LHS hopes to landscape the site with native shrubs. Ms. O’Brien stated they understand the steps involved with this project and know everything is subject to DEP approval.

   Motion by Parra, second by Barrows, to meet in executive session at its next meeting to discuss the terms of the lease to be offered the Lincolnville Historical Society. Vote 5-0.

7. **Crosswalk Request – Lincolnville Boat Club:**
   Town Administrator Kinney explained the Lincolnville Boat Club is requesting to have a crosswalk installed by their Main Street property (recently purchased from the Town). After contacting the State and doing some preliminary research regarding guidelines for crosswalks, Town Administrator Kinney said it appears they may not meet the guidelines for a safe landing zone (sidewalk on each side of the street).

   Most Board members felt the request was “getting ahead of things,” was too early to be discussing this in light of on-going proposals on both sides of the street, and felt they would pass on this for now.

   *Items 8 and 9 were discussed later in the meeting, out of order.*

10. **Board, Committee, & Commission Appointment(s):**
    - **Municipal Building Committee**
      Motion by Gerry, second by Parra, to appoint John Ianelli to the Municipal Building Committee as a regular member, with a term expiring June, 2012. Vote 5-0.
• Harbor Committee
  Motion by Gerry, second by Libby, to appoint Ben Whilhelm to the Harbor Committee as a regular member, with a term expiring June, 2014. Vote 3-2 (Parra & Trundy opposed).

11. MDOT Correspondence – 2014-2015 Capital Work Plan:
  Town Administrator Kinney briefly explained the Maine Department of Transportation requests local input every two years regarding State transportation projects. He continued by saying with the new Commissioner and new Governor, the State has changed its priority system; projects will be rated 1 through 6 in priority; most of the State money will go do categories 1 and 2 levels; Route One is the only category 1 or 2 in Lincolnville. Categories 3 through 6 might get a light capital paving.

  Selectman Gerry thought the blinking yellow caution light at the Route 52, Slab City Road, and Greenacre Road intersection should be put on the list again; Selectwoman Parra felt with the revitalization projects going on at Lincolnville Center, it would be good if the State considered doing work there; Town Administrator Kinney commented that every State road in Lincolnville is challenging, and also said commented that the State has again talked about the unfinished sections of Route One at the Beach. Selectwoman Libby commented that Route 173 should be rebuilt. Selectman Barrows asked if a project gets put on the list more than once, does the priority eventually increase? Town Administrator Kinney responded it never hurts to keep projects on the list; priorities, administrations, and bond priorities could change and if it isn’t seen, there’s no chance of it getting done. He will add these suggestions to the existing list.

12. Winter Road Maintenance Contracts:
  Motion by Gerry, second by Barrows, that the Board award to and sign a three-year contract for snowplowing one-half of the Town’s public roads with Larry Thomas at the first-year price of $1,851.85 per mile and for a total first year contract price of $49,999.95. Vote 4-1 (Trundy opposed).

  Motion by Gerry, second by Barrows, that the Board award to and sign a three-year contract for snowplowing one-half of the Town’s public roads with Bernard and Todd Young at the first-year price of $1,851.85 per mile and for a total first year contract price of $49,999.95. Vote 3-1-1 (Trundy opposed; Parra abstained).

  Motion by Gerry, second by Barrows, that the Board award to and sign a three-year contract for the sanding and salting of the Town’s public roads with Bernard and Todd Young at the first-year price of $1,416.26 per mile and for a total first year contract price of $76,478.04. Vote 3-1-1 (Trundy opposed; Parra abstained).

  Chairman Trundy explained he opposed all three motions, definitely not as a negative reflection of the work done by Larry Thomas, Bernard and Todd Young; he knows these contractors will do a fine job. His vote is a reflection of his views on where the risks should be associated in that kind of a contract.
9. **LPD Commendation:**
Police Chief Young presented a Certificate of Commendation to Officer Lunt for his actions on November 3, 2011, in Belfast, on Lincolnville Police Department business, in assisting to subdue a suicidal individual armed with a knife. The Board congratulated and thanked Officer Lunt.

13. **Wage & Personnel Policy Board Charge – Part-Time Police Officer Wages:**
Selectwoman Parra said the Wage & Personnel Policy Board work should define the number of hours, when they work for Lincolnville.

   Motion by Parra, second by Gerry, to approve and sign a supplemental charge to the Wage & Personnel Policy Board concerning part-time Police Officer compensation. Vote 5-0.

14. **Memorial Day Parade Follow-Up Discussion:**
After the Board’s last meeting, Town Administrator Kinney contacted the Town’s insurance carrier and was told the Town could take over the Memorial Day parade as a Town event with no extra insurance costs.

Selectman Gerry said although things are pretty well organized, he suggested a three to five member ad hoc Memorial Day Committee be established to oversee the event on the Town’s behalf, to make sure the work involved with organizing bands, etc., gets done. Establishing a Town committee would also provide a means for any donated monies for the event to be run through Town books. Anyone interested in serving on the Memorial Day Committee should fill out a Community Interest form.

   Motion by Parra, second by Barrows, to form a Memorial Day Parade Committee with five members. Vote 5-0.

15. **Ballot/Election Clerk Appointments:**
   Motion by Parra, second by Libby, to appoint the following as Ballot/Election Clerks with terms expiring February, 2014: Vote 5-0.
   
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<td>Christine Burstein</td>
<td>Margaret Miller</td>
<td>Jan Lyle</td>
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<td>Lesley Devoe</td>
<td>Terry Moulton</td>
<td>Sheila McFarland</td>
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<td>Karen Federle</td>
<td>Diane O’Brien</td>
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<td>Ruth Felton</td>
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<td>Richard Glock</td>
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<td>Richard Grant</td>
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<td>Jeanne Hollingsworth</td>
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<td>Elaine Huber-Neville</td>
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8. **As Board of Assessors’ – Abatement Requests:**
   Motion by Parra, second by Barrows, to suspend the meeting as Board of Selectmen and convene as Board of Assessors. Vote 5-0.

   - **Downeast Hospitality Partners I, LLC/Glenmoor by the Sea, Map 13, Lot 85**
     Assessors’ Agent Vern Ziegler addressed the Board of Assessors saying Dana Rowan and Tom Dolan, Partners of Downeast Hospitality Partners I, L.L.C., informed him tonight they have additional information regarding the abatement request that they had not yet submitted to the Town. Therefore, they are requesting an extension of tonight’s hearing so they can provide the additional material to the Town, which would give the Board time to review prior to the hearing.

     Motion by Parra, second by Barrows, to grant an extension to Downeast Hospitality Partners I, LLC, for 60 days and to authorize the Chair of the Board to actually sign the agreement between the Board and Downeast Hospitality Partners I, LLC to an additional 60-day extension beyond the expiration date. Vote 5-0.

   - **Salt Pond Group, LP – Map 1, Lot 45**
     Assessors’ Agent Ziegler then explained after a recent inspection of the Salt Pond Group, LP (Map 1, Lot 45) property, he made several corrections/adjustments to the property card information; the corrections totaled an abatement of $1,108.48, which was satisfactory with Mr. Lippman, owner of Salt Pond Group LP.

     Motion by Parra, second by Gerry, to grant an abatement (2011-10) to Salt Pond Group LP, Account 23, in an amount of $1,108.48, as recommended by the Assessors’ Agent. Vote 5-0.

     Motion by Gerry, second by Barrows, to adjourn as Board of Assessors and reconvene as Board of Selectmen. Vote 5-0.

16. **FY 13 Budget Recommendations:**
   Town Administrator Kinney explained the separate notebooks delivered to the Board reflected the FY 13 Municipal Budget, including the Board’s revisions made at their February 27th meeting and the Budget Committee’s recommendations regarding provider agencies. In response to Selectwoman Parra’s question, Town Administrator Kinney explained Penobscot Bay Chamber of Commerce submitted a $1,000 request in provider agency funding, but they had not met the provider agency deadline because they evidently had used an outdated form. Selectwoman Parra stated her $100 recommendation for Penobscot Bay Chamber of Commerce stands.

   Motion by Parra, second by Libby, to approve the Town of Lincolnville FY 13 Municipal Budget as dated February 27, 2012. Vote 5-0.
17. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
   Motion by Parra, second by Barrows, to approve the Treasurer’s Warrant, the Coombs Griffin Trust Warrant, and the Payroll Warrant. Vote 5-0.

18. **Annual Performance Evaluation of the Town Administrator – Possible Executive Session – Personnel Matter – Title 1 MRSA Section 405(6)(A):**
   Motion by Parra, second by Gerry, to enter into executive session for the purpose of conducting the annual performance evaluation of the Town Administrator, pursuant to Title 1 MRSA, Section 405(6)(A). Vote 5-0.

   Motion by Parra, second by Barrows, to come out of executive session. Vote 5-0.

   Motion by Parra, second by Libby, that for the Fiscal Year 2013 we do not increase the Town Administrator’s salary nor do we provide him with a COLA (cost of living adjustment) as other employees are receiving this year but that we amend his contract to state that he receives 100% family health insurance and dental paid by the Town. Vote 5-0.

19. **Adjourn:**
   Motion by Gerry, second by Barrows, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School (Room B-5). At the request of Vice-Chairman Gerry, a moment of silence was observed for long-time Lincolnville residents Ada Calderwood and Polly Moody.

The quote was read by Vice-Chairman Gerry.

1. **Citizen’s Forum:**
   Ladleah Dunn, resident of Tanglewood Road, announced she is running for the Board of Selectmen. She and her husband have lived in Lincolnville for five years and own a boat restoration and maintenance business; she encouraged residents to contact her.

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Nomination papers are available at the Town Office; the deadline for returning papers is April 30\textsuperscript{th}.
   - The second half of the 2011 real estate tax bills are due on April 12\textsuperscript{th}; interest starts April 13\textsuperscript{th}.
   - The Road Commissioner and Town Administrator checked Moody Mountain Road for cracks, recently brought to the attention of a Selectman by a Moody Mountain resident. The situation was also reviewed with the paving contractor. The cracks appear to be “reflective” cracks (matching up to the cracks underneath them) and not due to the faulty work of the paving contractor. If the budget is approved, crack sealant can be applied. Vice-Chairman Gerry requested the Town Administrator send a follow-up letter to the Moody Mountain resident.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings, also announcing that the Waldo County Selectmen’s Association is meeting Wednesday evening, 6:30 p.m., at the Waldo Town Office to discuss the animal control situation.

4. **Upcoming Community Events:**
   Selectwoman Libby announced she is dancing in the April 27\textsuperscript{th} event “Dancing with the Local Stars”; proceeds will benefit the Community School.

5. **Meeting Minutes:**
   Motion by Gerry, second by Barrows, to approve the March 12\textsuperscript{th} meeting minutes, as presented. Vote 5-0.
6. **Correspondence Concerning Proctor Road:**
   Town Administrator Kinney explained he received a letter from Proctor Road residents requesting that the Town consider paving the gravel portion of their road.

   Matt Silverio, a Proctor Road resident, addressed the Board, saying the gravel portion of Proctor Road becomes muddy once the road starts being plowed, perhaps due to the salt treatment. There are two businesses at the end of the Road, one of which has 18 cars traveling the road twice a day. He hoped the Board would consider paving the gravel portion.

   Town Administrator Kinney said he and Road Commissioner Bernard Young inspected Proctor Road and did find it challenging at that point in time. They had drainage concerns and also recommended a gravel base be added. Town Administrator Kinney questioned the priority status of all the gravel roads in Lincolnville, explaining the first four at the top of the list had been paved, but there were several others, including Proctor Road, North Cobbtown Road, and Tanglewood Road, that still need work. He estimated the paving cost (only) for Proctor Road to be approximately $60,000; gravel would cost $15 per yard.

   Discussion ensued. In response to various questions by Board members, Town Administrator Kinney offered the following information: the current status of Tanglewood Road regarding the overhead power lines to Tanglewood Camp; $86,000 is budgeted yearly to repay the 15-year bond approved in 2008 by voters; Road Commissioner Young could update the existing road paving list and prioritization status.

   Board members agreed with the suggestion that Road Commissioner Young could update the list. Selectwoman Parra and Selectman Gerry recollected the bond was to be paid off before another large road appropriation is sought; just yearly low-cost maintenance would be done.

   Matt Silverio stated the residents’ request is not a complaint about how Proctor Road is being maintained; they wanted to make sure Proctor Road is still being considered for paving.

7. **Municipal Building Committee Update:**
   Dorothy Lanphear, Vice-Chairwoman of the Municipal Building Committee, explained the Committee is seeking input from the Selectmen on two items; the first deals with space needs listed in Appendix C of the Request for Proposals for Architectural/Engineering Services for the Town Office, and the second is the overall Request for Proposal (RFP) for Architectural/Engineering Services which should be sent out as soon as possible. The RFP seeks a proposal for a new structure and a proposal for an addition to the existing Town Office. The Committee was very conscious of the storage area, the needs to be ADA compliant; the designs would service the Town for the next 40 years, and she felt the designs are user friendly, as well as nice looking.

   Motion by Parra, second by Libby, to approve the Request for Proposals and that the Board confirms A, B, C, as listed (in the March 22 Newsletter). Vote 5-0.
10. **Board, Committee, and Commission Appoint(s):**  
Motion by Parra, second by Barrows to appoint Rosendel Gerry and Karen Secotte to the Memorial Day Committee, term to expire June, 2012. Vote 4-0-1 (Gerry abstained.)

11. **Liquor License Renewal Application – True North Hospitality Partners, LLC (d/b/a: The Inn at Ocean’s Edge):**  
Motion by Gerry, second by Libby, to approve and sign the liquor license application submitted by True North Hospitality Partners, LLC, doing business as The Inn at Ocean’s Edge. Vote 5-0.

*Item 13 was discussed out of order.*

13. **Treasurer’s and Payroll Warrants – Approve and Sign:**  
Motion by Gerry, second by Libby, to approve the Treasurer’s Warrant, Coombs Griffin Trust Warrant, and Payroll Warrant. Vote 5-0.

10. **Possible Executive Session – Personnel Matter – Title 1 MRSA, Section 405(6)(A): Consideration of Employment Part-Time Police Officer(s):**  
Board members did not need to discuss Item 10 in executive session.

Motion by Parra, second by Barrows, to appoint Cody Laite as a part-time reserve police officer at Pay Step H, with a probationary period of six months. Vote 5-0.

Selectwoman Parra expressed her pleasure at hiring a Lincolnville resident and homeowner.

11. **Executive Session – (Title 1 MRSA § 405(6)(C)) – Discussion of the Use of Real Publicly Held Property Contemplated for Lease (Former Dean & Eugley Property):**  
Motion by Parra, second by Gerry, to go into executive session, pursuant to Title 1 MRSA § 405(6)(C) to discuss the use of the former Dean & Eugley property being contemplated for lease. Vote 5-0.

12. **Executive Session – (Title 1 MRSA § 405(6)(C)) – Discussion of the Use of Real Publicly Held Property Contemplated for Sale:**  
Motion by Parra, second by Libby, to enter into executive session, pursuant to Title 1 MRSA § 405(6)(C) to discuss the use of real publicly held property (Map 29, Lot 25) contemplated for sale. Vote: 5-0.

Motion by Gerry, second by Parra, to come out of executive session and reconvene in regular session. Vote 5-0.

13. **Adjourn:**  
Motion by Gerry, second by Parra, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

David B. Kinney  
Town Clerk
Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, David Barrows, and Julia Libby

Excused absence: Stacey Parra

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School (Room B-5). The quote was read by Selectman Barrows.

At the request of Selectwoman Libby, a moment of silence was observed for longtime Lincolnville resident Margaret Robbins. It was later announced that her funeral will be held Thursday, 2 p.m., at United Christian Church in Lincolnville Center.

1. **Citizens’ Forum:** None

2. **Administrator’s Report:**
   Town Administrator David Kinney reported:
   - Harbor mooring and wait list fees are due by Friday, April 13th; non-payment will result in loss of privileges.
   - Nomination papers for Selectmen, School Committee, and Budget Committee are available at the Town Office; deadline for returning nomination papers is by close of business on April 30th.
   - There is SHIP Grant money available; the Harbor Committee/Town Administrator will be submitting a letter of intent and application for the wave screen project.
   - A workers compensation audit was performed, resulting in the Town receiving a $631 refund.
   - Second half real estate payments are due by April 12th; interest starts on April 13th.
   - We did not receive payment from Merv Taylor of Ducktrap Resources today, so the Town Administrator will put this item on the Board’s next agenda.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**
   Selectwoman Libby announced she will be participating in the Dancing with the Local Stars event on April 27th at the Camden Opera House; proceeds will benefit the Community School.

5. **Meeting Minutes**
   Motion by Gerry, second by Barrows, to approve the March 26th meeting minutes, as presented. Vote 4-0.

   Chairman Trundy announced Selectwoman Parra has an excused absence from tonight’s meeting.
6. **Shellfish Ordinance – Andy Young:**  
Andy Young addressed the Board about Lincolnville creating a shellfish committee and shellfish ordinance in Lincolnville. He, and several other people, are interested in exploring the possibility of digging shellfish at the mouth of Ducktrap River once again, as was done a couple decades ago. There is a process involved, which was explained to him in his initial research with the Department of Marine Resources (DMR); one of the steps is having a shellfish ordinance in place, showing the Town meets DMR’s minimum standards. DMR is the testing authority for shellfish areas, but their funds are limited. Mr. Young is curious why pollution readings at Ducktrap have been so bad in recent years.

A DMR representative is willing to attend a Board meeting to explain the process and answer questions. It was the consensus of Board members that they would like to hear from a DMR representative. Andy Young will ask DMR to contact Town Administrator Kinney to confirm they could attend the Board’s April 30th meeting; all interested citizenry is invited to attend as well.

7. **Liquor License Renewal(s):**
   - **Lobster Pound Restaurant**  
     Motion by Gerry, second by Libby, to approve and sign the liquor license application submitted by the Lobster Pound Restaurant, Inc. Vote 4-0.
   - **Inn at Sunrise Point**  
     Motion by Gerry, second by Libby, to approve and sign the liquor license application submitted by the Inn at Sunrise Point, LLC. Vote 4-0.

8. **Gravel Roads Follow-up:**  
After discussing gravel roads at the Board’s last meeting, Town Administrator Kinney explained he and Road Commissioner Young updated the Town’s Gravel Road List. Lincolnville has 9.36 miles of gravel roads; currently the two top-priority gravel roads are North Cobbtown and Tanglewood Roads. Town voters approved spending about $535,000 a mile through a bond issue (in 2008) to rebuild and pave four gravel roads, resulting in an $85,000 annual bond payment for fifteen years. Should the Town “pay as we go” for improving additional gravel roads, perhaps by yearly budgeting money in reserve funds, or borrow?

In response to questions by Board members, Town Administrator Kinney explained the column on the Gravel Road List illustrates the density of residents on the roads; a higher structure number means a higher density on the road; it was noted that some gravel roads have only one structure. Town Administrator Kinney also explained depending on weather and use, gravel road yearly maintenance includes grading two or three times.

Motion by Gerry, second by Barrows, that the Board instruct the Town Administrator to prepare for, the Board’s next meeting, a presentation concerning the process, costs, and timeline that the Town must follow in order to discontinue a Town road. Vote 4-0.

9. **Board, Committee, and Commissions: Appointment(s) & Resignation(s)**
Motion by Libby, second by Barrows, to appoint Cecil Dennison to the Memorial Day Committee as a regular member, with a term expiring in June, 2012. Vote 4-0.
Motion by Libby, second by Barrows, to appoint James Greeley to the Memorial Day Committee as a regular member, with a term expiring in June, 2012. Vote 4-0.

Motion by Gerry, second by Barrows, to accept Jeanne Hollingsworth’s resignation from the Land Use Committee, and that the Town Administrator send her a letter expressing the Board thanks for her many years of dedicated service. Vote 4-0.

10. **Review Draft of Annual Town Meeting Warrant:**
   Town Administrator Kinney pointed out the draft article numbers jumped from 18 to 20. Board members had no comments regarding the draft Warrant.

11. **MCEDD General Assembly Nominations:**
    Motion by Libby, second by Barrows, to appoint Rosendel Gerry and David Kinney to the Mid-Coast Economic Development General Assembly, with terms expiring in June, 2013. Vote 3-0-1 (Gerry abstained).

    Town Administrator Kinney also pointed out there were vacancies for citizen participation on the Mid-Coast Economic Development District.

12. **Rapid Renewal – Credit Card Acceptance:**
    Town Administrator Kinney explained currently the Town offers online re-registrations for motor vehicles and boats via electronic checks only because credit card transaction fees would have been too costly for the Town to absorb. Due to a recent law change, credit card convenience fees can now be charged to customers.

    Motion by Gerry, second by Barrows, to authorize the Town Administrator to sign on behalf of the Town the Schedule A agreement with InforME, allowing the users of Rapid Renewal Service and Boat Registration Renewal Service to pay by credit card if they so choose. Vote 4-0.

13. **Consideration of Deputy Inland Harbor Master Position:**
    Town Administrator Kinney explained that due to current health issues, Inland Harbor Master Ken Bailey is recommending that Justin Twitchell of the Knox County Sheriff’s Office be appointed Deputy Inland Harbor Master for Lincolnville.

    Board members expressed some concern that there might be differences between Knox and Waldo County procedures; also none of the Board members knew Justin Twitchell and wanted to meet him before their next round of appointments in June. Town Administrator Kinney explained the Town pays Ken Bailey a $1,204 stipend, which has been budgeted. No funds were budgeted for a Deputy Inland Harbor Master, so the Board should determine what, if any, stipend amount should be paid to a Deputy and designate where the funds should be taken. When questioned, Town Administrator Kinney did not anticipate all the funds would be used from the Police Department part-time officers account.

    Motion by Libby, second by Barrows, to appoint Justin Twitchell as Deputy Inland Harbor Master, for a term expiring June 30, 2012, and that he be paid a stipend of $250 from the Police Department’s part-time officers account. Vote 4-0.
14. **Disposition of Lien Acquired Property – (Map 34, Lot 150)**

   Town Administrator Kinney explained that the 1.27-acre Morton Road property that is Town lien-acquired property currently has a mobile home and garage on the site; the mobile home has significant water damage at one end. Regarding disposition of the lien-acquired property, Selectmen have the option to maintain it for municipal purposes, dispose of it according to the *Ordinance for the Maintenance, Administration, and Disposition of Municipal Lien Acquired Property*, or seek voter approval at a special or annual Town Meeting for alternative disposition options.

   Bridget Kimball briefly addressed the Board, expressing an interest in the mobile home and moving it off the property; she is not interested in the lot.

   Selectman Gerry suggested a tour of the property might be helpful to Board members in deciding if the property should be broken up or kept together. He wanted to avoid another unsafe building situation, and also suggested a special town meeting might speed the process along in light of the fact that there was an interested party in moving the trailer.

   The consensus of Board members was that removal of the trailer might make the property more appealing to potential buyers, since the lot would have sewer, water, a cement slab, and a garage that was in decent condition. Given the notification timeline requirements for a special town meeting, the June Annual Town Meeting would suffice in seeking voter input; Town Administrator Kinney will draft an article. He is also very willing to take any Board member to the property for a tour, if interested.

15. **Fee Schedule(s)**

   - **Public Access, Inspection and Copying Policy**

   Town Administrator Kinney explained Lincolnville Telephone Company use to provide fax services at its Lincolnville Center location, but since that office is now closed, people have asked to send faxes out from the Town office. He continued to explain that he has had a couple requests for Lincolnville’s tax maps in PDF format; our vendor would charge us $150 for PDF maps. Rockport charges $50 and Camden $100 for PDF tax maps, and they also have the maps on their websites to download for free. Town Administrator Kinney said having the maps on our website would relieve foot traffic in the Town Office; this information is available for free at the Town Office, except for copy charges.

   Motion by Gerry, second by Libby, that the fees for the Land Use and Development Schedule for the upcoming year be set at the same amount as the current year. **Vote 4-0.** *(Before the vote, it was pointed out that this wasn’t the item currently being discussed; Selectman Gerry withdrew this motion, then withdrew the withdrawal, so the initial motion was voted on.)*

   Motion by Gerry, second by Barrows, to amend the Public Access, Inspection, and Copying Policy to include the fees of $1 per page for an outgoing fax from a customer; $150 for a set of full size maps; and $150 for a PDF file of the set of tax maps.
Discussion:
Chairman Trundy agreed that having the maps on the website would save people from coming into the Town Office. However, as someone who utilizes PDF files in his work, he felt $150 was high and thought $50 seemed fairer; Selectman Gerry suggested splitting the difference to $75. In response to Selectman Gerry’s question, Town Administrator Kinney pointed out that the Board can change fees at any time in the future.

Selectman Gerry withdrew his motion; Selectman Barrows withdrew his second.

Motion by Gerry, second by Barrows, to amend the Public Access, Inspection, and Copying Policy to include the fees of $1 per page for an outgoing fax from a customer; $150 for a set of full size maps; and $75 for a PDF file of the set of tax maps. Vote 4-0.

16. **Town Administrator Contract Amendment**
Motion by Gerry, second by Barrows, to approve and sign the Third Amendment to Employment Agreement between the Town of Lincolnville and David Kinney, the Town Administrator, as prepared by the Town Attorney. Vote 4-0.

17. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
Motion by Gerry, second by Libby, to approve the Treasurer’s Payroll Warrant. Vote 4-0.

Town Administrator Kinney announced the Waldo County Selectmens’ Association meeting (on the animal control situation) announced at the last meeting had been cancelled and has been rescheduled for Wednesday, April 11th, 6:30 p.m., at the Waldo Town Office.

Town Administrator Kinney also announced that Five Town CSD Superintendent Shuttleworth will be attending the Board’s April 30th meeting to answer questions regarding their upcoming proposed budget.

18. **Adjourn:**
Motion by Gerry, second by Barrows, to adjourn the meeting (7:11 p.m.). Vote 4-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

Excused Absence: Jason Trundy, Chairman

The meeting was called to order by Vice-Chairman Gerry, 6 p.m., at Lincolnville Central School (Room B-5). The quote was read by Selectwoman Libby.

1. **Citizen’s Forum:** None

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - The deadline for filing nomination papers was 5 p.m. and the following people returned papers with the required number of signatures:
     Board of Selectmen, 3-year terms (two positions): Ladleah Dunn and Jason Trundy;
     LCS School Committee, 3-year terms (two positions): Dorothy-Ann Lanphear, Betsy Maguire, and Christine Stevens;
     LCS School Committee, 2-year term (one position): Rebecca Stephens;
     LCS School Committee, 1-year term (one position): no candidates
     CSD School Committee, 3-year term (one position): no candidates
     Budget Committee, 3-year terms (three positions): Daina Hill and Reed Mathews;
     Budget Committee, 1-year term (two positions): none

   Anyone interested in running who did not take out nomination papers should call Town Administrator Kinney to learn about the write-in process.

   - Lincolnville survived the rainstorm with no issues.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**
   Town Administrator Kinney announced the Lincolnville Women’s Club will be holding the annual Mothers’ Day Breakfast at the LIA Building, but wasn’t sure of the date. He suggested interested people contact members of the Club.

5. **Meeting Minutes:**
   Motion by Libby, second by Barrows, to approve the April 9th meeting minutes, as presented. Vote 3-0-1 (Parra abstained).
Items were discussed out of order to comply with the 6:30 p.m. public hearing time and to wait for anticipated speakers.

8. Five Town CSD Budget Meeting and Validation Referendum Warrants:
   Motion by Parra, second by Barrows, to approve and countersign the Warrant and Notice of Election Calling Five Town Community School District Budget Validation Referendum. Vote 4-0.

   The CSD budget meeting will be held on May 29th, 7 p.m., at Strom Auditorium at the Camden Hill Regional High School.

9. Recreation Commission Update:
   Recreation Commission member Donald Heald (IV) explained the Recreation Commission voted to address the Board tonight about safety issues with the boat usage at Norton Pond’s Breezemere Park, saying this dovetails with an issue he spoke to the Board about last year as a private citizen. He distributed documents to Board members which illustrated the Breezemere Park area before any improvements were made, compared to how it looks now with the boat ramp and parking area.

   He continued by saying the Rec Commission feels conflicting spacial issues, such as waders in the boat launch area and boaters near swimmers, need to be addressed. Additional signage as a possible aid has been one consideration discussed by the Commission; and tonight they are requesting that the Board contact the Boat Club to ask that they shift things around to create more of a segregation between the swimming area and boating area, keeping the punt on the far side of the boat ramp, in a way not affecting property owner views. Roping the swimming area off would evoke issues, such as the need for lifeguards. Tim Thurston of the Department of Conservation explained to him that moorings are limit to 200 feet offshore. Don suggested now would be the time to address these issues before floats are moored for the upcoming season. The Rec Commission just wants to see the Park work for everyone by creating a better, safer flow.

   Some Board members had also witnessed the safety concerns mentioned tonight. Town Administrator Kinney will contact the Boat Club.

11. Quiet Title Action: South Cobbtown Road (Tax Map 29, Lot 25):
   Motion by Parra, second by Barrows, that the Town Attorney be, and hereby is, authorized and directed to take any and all action, including, without limitation, the filing of suit in State court, that is necessary and appropriate to quiet the title to the tax-acquired property formerly owned by Ducktrap Resources, Inc., and located on the South Cobbtown Road (Tax Map 29, Lot 25).

   Discussion: Town Administrator Kinney reported he had expected to be contacted by a representative of Ducktrap Resources over the last couple weeks, but just received a telephone call today. The representative told him his lawyer was still looking at this. When Town Administrator Kinney advised him the item was on tonight’s agenda, the representative said he didn’t dare attend for what he might say to the Board.

   Vote. 4-0.
13. **Boston Post Cane:**
   Town Administrator Kinney said Margaret Robbins, holder of the Boston Post Cane, recently passed away. If anyone knows of a Lincolnville resident who would qualify as the oldest resident, please contact him.

14. **Resignations(s):**
   Motion by Parra, second by Libby, to accept Ryan Nickerson’s resignation and ask that the Town Administrator send him a letter of appreciation for his service. Vote 4-0.

   Selectwoman Parra commented that the new part-time officer seems to be working a lot of hours, which is good; perhaps a replacement for Officer Nickerson won’t be needed. Town Administrator Kinney said although new hires are usually enthusiastic, they have to be careful not to burn out officers.

15. **Review of Draft Social Media Policy:**
   Vice-Chairman Gerry suggested tabling this item until the next meeting; Board members agreed.

17. **Treasurer’s and Payroll Warrants – Approve and Sign:**
   Motion by Parra, second by Libby, to approve the Treasurer’s Warrant, Coombs Griffin Trust Warrant, and Payroll Warrant. Vote 4-0.

16. **May Meeting Schedule:**
   Town Administrator Kinney explained the Board’s next regularly scheduled meeting falls on Memorial Day. The following day is the Five Town CSD budget meeting and he has to attend in his capacity as Town Clerk/Deputy Registrar of Voters. The Board’s first meeting in June is the night before Election Day.

   Board members agreed to meet on Monday, June 4th, at 6 p.m., in lieu of their last meeting in May and first meeting in June.

6. **6:30 PM Public Hearing – Special Amusement Permit Application: Lobster Pound Restaurant:**
   Motion by Parra, second by Barrows, to open the public hearing concerning the Special Amusement Permit application filed by the Lobster Pound Restaurant. Vote 4-0.

   Town Administrator Kinney reported there have been no problems or challenges with the Applicant. There were no comments from the public.

   Motion by Parra, second by Barrows, to close the public hearing. Vote 4-0.

   Motion by Parra, second by Libby, that after holding a public hearing, that the Board finds that the application submitted by the Lobster Pound Restaurant complies with the standards set forth in the Ordinance Governing the Issuance, Suspension, and Revocation of Special Amusement Permits for the Town of Lincolnville and the permit be granted. Vote 4-0.
7. **Five Town CSD Budget Presentation – Superintendent William Shuttleworth:**
   CSD Superintendent William Shuttleworth addressed the Board about the proposed CSD budget and offered to answer any questions Board members may have. He explained the CSD lost approximately $250,000 in subsidies, which caused them to tighten belts by bidding things out, not filling positions, reducing the Special Education budget by 12%, and by the insurance premium coming in 4% less than budgeted. As a result, Lincolnville’s share of the proposed budget is $16,000 less than last year. Superintendent Shuttleworth praised Business Manager Cathy Murphy (in the audience) for her assistance and expertise in the budget process.

Board members were glad to see Lincolnville was one of two towns in the District with a reduced share; they thanked Superintendent Shuttleworth for his presentation.

10. **Waldo County Municipal Association – Animal Control Officer Follow-Up:**
    Selectman Barrows reported he attended the meeting in Waldo regarding a Waldo County Animal Control Officer position. He said he met some very nice people and found it very interesting to get their take on the situation. If all Waldo County towns pooled budgeted animal control funds, there would probably be enough money to support a County Animal Control Officer. Although there was interest in the concept, he explained attendees were leery that once it got started, it might snowball to become more costly. Other concerns included the physical distance from one end of Waldo County to the other, and there is no facility within Waldo County to take animals. But Selectman Barrows felt it is probably something County Commissioners should look into, even if it doesn’t materialize in the immediate future.

    **Motion by Parra, seconded by Barrows, to have Town Administrator Kinney send the letter he has written to the Waldo County Commissioners and Waldo County communities. Vote 4-0.**

12. **Road Issues Correspondence (cracking, weight limits, etc.):**
    Town Administrator Kinney explained a Moody Mountain Road resident sent an email to three Selectmen with questions about cracks and wear and tear on Moody Mountain Road; the email was forwarded to him. Town Administrator Kinney attempted to answer each question posed in the email. He said the engineer in him questioned if a failure existed and he felt it did not; the road is not impassable and is the same elevation.

    Selectwoman Parra questioned if the sender requested this item be put on tonight’s agenda. Town Administrator Kinney explained the last time this resident sent an email to him, he addressed the issue in the Administrator’s report; the citizen told him it should have been an item on the agenda. Selectwoman Parra recommends that the email answering the sender’s questions be sent to the sender, and feels a citizen should be present if they want an item on the agenda.
18. Executive Session – Consultation with Town Attorney Regarding the Legal Rights and Duties of the Board of Selectmen Concerning Possible Road Discontinuance (Title 1 MRSA, Section 405(6)(E)):
Motion by Parra, second by Barrows, to enter into executive session to discuss with the Town Attorney the legal rights and duties of the Board of Selectmen concerning possible road discontinuance, pursuant to Title 1 MRSA, Section 405(6)(E). Vote 4-0.

The Board would not be returning to televise the remainder of the meeting after the executive session.

Motion by Parra, second by Barrows, to come out of executive session. Vote 4-0.

19. Adjourn:
Motion by Parra, second by Libby, to adjourn the meeting. Vote 4-0.

Respectfully submitted,

Diane Bacon  
Administrative Assistant
Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School (Room B-5). The quote was read by Selectman Barrows.

1. **Citizen’s Forum:** None

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Absentee ballots for the June 12th election are available at the Town Office during normal business hours.
   - Congratulations to Diane O’Brien for being the recipient of the Heritage Preservation Award and to Sara Montgomery for receiving the Community Person of the Year Award from the Penobscot Bay Regional Chamber of Commerce.
   - We still need a camera operator; anyone interested should contact Town Administrator Kinney.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings, also announcing there is a Municipal Building Committee meeting on Thursday May 24th, 4 p.m., at Lincolnville Central School. Also, the Memorial Day Parade will start at 1 p.m. on Monday, May 28th; anyone interested in serving on the Memorial Day Committee should contact Selectman Gerry.

4. **Upcoming Community Events:**
   There is a Fiddlers’ Pig Roast at the Searsmont Community Building on Saturday, May 26th, which will benefit their Historical Society; tickets should be purchased in advance.

5. **Meeting Minutes:**
   Motion by Libby, second by Parra, to approve the April 30th meeting minutes, as presented. Vote 4-0-1 (Trundy abstained).

6. **Maine DOT U.S. Route 1 Future Projects(s) – Introductions, Scoping Process, and Match Policy:**
   Nate Howard, Planner with the Maine Department of Transportation (MDOT), Bureau of Planning, and Daryl Belz, Engineer in the Safety & Scoping Section at MDOT, were present to address the Board about the planning process for Route One improvements north (Windsor Chairmakers to Northport) and south (Route 173 to Camden) of Lincolnville Beach. Nate Howard’s PowerPoint presentation illustrated the various steps involved in this initial planning stage, which included goals, project scoping process, typical project timeline, and
MDOT’s local cost sharing policy. He explained most of the initial design element for the two areas was done when the Route One reconstruction project at Lincolnville Beach was done several years ago. MDOT worked with Lincolnville’s Route One Advisory Committee on that last project, and looks forward to working with them again, Board members, and the community to obtain input.

Mr. Howard explained several projects would be competing for limited State funding, but hoped Federal funds might also available since it involved Route One. Legislature would have to approve the work plan; if budgeted, construction would be in 2016-2017. He explained the State pays 100% of the construction, ditch to ditch, including highway drainage, 50% of limited elements (such as lighting), and Lincolnville’s 20% share would include the walkable areas (sidewalks), and drainage, right-of-ways, and maintenance involved with those walkable areas.

Board members asked: is there current available funding, what is MDOT’s vision for Route One, how will the project affect abutting property owners and how will they be educated about the process, and is this Phase 2? Mr. Howard responded there is currently a small budget for this planning phase, but the State now only yearly reconstructs about 15 miles of road instead of the 90 miles it did earlier in the decade. The vision for Route One would now follow the Practical Design for Roads instead of Federal Design Standards. Right-of-way issues definitely affect project costs; abutters would be notified/educated through mailings before surveyors start work, possibly with an open house like Northport was having tonight, and are welcomed to attend all meetings. Basically, this is Phase 2 of the Camden to Northport Route One project. Having a cooperative agreement between Lincolnville and the State, specifying what each entity would be responsible for financially, would be an end goal of this initial planning phase.

7. **Route 1 Advisory Committee Overview and Brief History, Process, and Successes:**
Diane O’Brien and Chris Osgood, Co-Chairs of the Route One Advisory Committee, followed MDOT’s presentation. Diane O’Brien gave an historical overview of the Committee’s work the last couple decades, explaining the Committee’s involvement in the initial Route One project. The Committee served as liaison between the State and the Town, listening to public input, working on grants, and collaborating with the State to achieve very positive end results. The Route One Advisory Committee has been the one constant over the years, while the State and Town have had many personnel changes.

It was the consensus of the Board that the Route One Advisory Committee should schedule meetings with MDOT to refamiliarize everyone with the design (scope), have public meetings with notice, and try to work out a financial agreement. Board member could attend those meetings, but preferred they not be held during their two regular monthly Selectmen meetings. Town Administrator Kinney will work with the Route One Advisory Committee and Nate Howard of MDOT on scheduling Committee and public meetings. After the Committee/State’s first meeting, Town Administrator Kinney suggested the Board revisit the Route One Advisory Committee’s charge to update it.

8. **Board of Assessors:**
Motion by Gerry, second by Barrows, to suspend their meeting as Board of Selectmen and convene as Board of Assessors. Vote 5-0.
• **Glenmoor by the Sea (Map 13, Lot 85):**
  Assessors’ Agent Vern Ziegler explained on March 12, 2012, the Board of Assessors agreed to an additional 60-day extension of the abatement application submitted by Downeast Hospitality Partners, owners of Glenmoor by the Sea; tonight’s meeting falls within the 60-day extension.

  Tom Dolan of HVS addressed the Board on behalf of the Downeast Hospitality Partners, explaining his company does hospitality consulting and appraising. They feel Lincolnville’s assessment of 2.7 million on Glenmoor by the Sea is significantly higher than the purchase price of 1.3 million, and are requesting an abatement in assessed value of $1,496,000. In support of this abatement request, Mr. Dolan took an income capitalization approach, the end result of his analysis was a market value of $1,394,426. When asked by Chairman Trundy if what he did is considered an actual appraisal, Mr. Dolan responded it would not be considered an actual appraisal; it would be what a buyer would do before purchasing a property. He said this foreclosed property had been on the market a year at an asking price of 1.8 million. Cathy Beveridge, one of the owners of the property, corrected him by stating the property had been on the market two years, not one.

  Chairman Trundy voiced his opinion that the Board needed an appraisal; this income capitalization approach sounded more like speculation of what a property could earn in the future.

  Assessors’ Agent Ziegler next addressed the Board, reminding Board members that market price is not market value. The burden falls on abatement applicants to prove the assessment is manifestly wrong and is not equitable, compared to similar properties within Lincolnville. Glenmoor by the Sea is oceanfront property and has been assessed using the same factors as the three other oceanfront hospitality properties in Town: The Inn at Ocean’s Edge, Cedarholm Garden Bay Inn, and The Inn at Sunrise Point. There are additional hospitality properties in Lincolnville, as listed in Mr. Dolan’s analysis, but those do not have oceanfront locations, which is a significant value factor. The four Lincolnville oceanfront hospitality properties have all been assessed using the same land and building schedules. Mr. Dolan’s report is an opinion of value, not an appraisal, and does not address the equity factor. Therefore, Assessors’ Agent Ziegler recommends denial of the application.

  Mr. Dolan responded by saying just because all Lincolnville hospitality properties are overvalued doesn’t make the situation right; what is right is market value--a willing buyer for a motivated seller. He said his firm “wrote the book” on how to value hotels and does education for the State of Maine Assessing Institute. He had been advised by Mr. Ziegler that his clients could not use the appraisal done at the time of purchase (April, 2011) because they did not have permission from the appraiser to use it. Mr. Dolan felt that part of the system is a little broken, the Town shouldn’t throw a dart at a wall and hope it sticks, and later said he would like to see the written rules regarding obtaining appraiser approval.

  Assessors’ Agent Ziegler felt the system is not broken, that Title 36 deals with municipal property taxation and says it shall be assessed “in accordance with just value.” Maine courts have ruled that tax equity trumps value.
Ms. Beveridge explained that in order to purchase the property, an appraisal was required, but since Camden National Bank had to approve the appraiser, they were named on the appraisal; but Ms. Beveridge paid for the appraisal and it was her understanding that they had permission from David Carey of Boston, the appraiser, to use it.

Mr. Ziegler said the verbiage in the appraisal states it cannot be used by other parties, and Mr. Carey was very specific that “unless our prior written consent is obtained, no third party may rely on the appraisal report.” He continued to say that if the owners are able to obtain permission to use the appraisal from Mr. Carey, it would be his recommendation that it be reviewed by an expert who is in that business, which would be at the Town’s expense. Selectwoman Parra didn’t feel that was a cost the Town could take on. Mr. Dolan asked if a review appraiser from his firm reviewed it for its validity at a cost significantly less than $10,000, or perhaps at no cost depending on what it is, would that be acceptable; Selectwoman Parra felt that would be a conflict and they would have to go with an independent review.

Chairman Trundy summarized by saying Ms. Beveridge would need to get written permission from the appraiser before the Board could consider its content, or have another appraisal done. Although they had previously stated an appraisal could cost $10,000, if they can’t get written permission now, it may be worth getting another done for future assessments.

Assessor’s Agent Ziegler explained that the abatement application 60-day extension expires June 2, 2012, and would be deemed denied if the Board does not act on the application by that date. The applicants would then have the option to appeal to the Board of Assessment Review, at which time they can present any and all existing and/or new documentation in support of their abatement request.

Ms. Beveridge and her partner will try to get written permission from the appraiser and then will decide if it’s worth proceeding with the process.

Motion by Parra, second by Barrows, that the Board of Assessors deny the Downeast Hospitality Partners I, LLC, application for an abatement of property taxes for property identified on Tax Map 13 as Lot 85, as the application does not contain support proving that the assessed value was manifestly wrong. Vote 5-0.

- **2012 Ratio Declaration & Homestead Reimbursement:**
  Assessors’ Agent Ziegler explained in order to claim our 50% homestead reimbursement from the State, the Town must file the 2012 Ratio Declaration & Reimbursement Application. Lincolnville is within the allowed 10% of the State’s determination for developed parcel ratio, and recommends we declare our ratio at 100%.

  Motion by Parra, second by Gerry, that the Board approve and sign the Ratio Declaration & Reimbursement Application, as prepared by the Assessor’s Agent. Vote 5-0.

  Motion by Parra, second by Gerry, to adjourn as Board of Assessors and reconvene as Board of Selectmen. Vote 5-0.
9. **Recreation Commission Update:**
Recreation Commission Chairwoman Dorothy Lanphear updated the Board on the Commission’s activities. She reported the ball fields have been treated for grub removal, a new spreader has been purchased, the mowing of the Little League fields has gone very well, an ADA compliant dock/float for Norton Pond has been ordered, a boat float location settlement has been worked out with the Boat Club, the parking configuration will change somewhat at Breezemere, the picnic tables at the Park have been stained, and the YMCA will be utilizing the Park this summer for day camp and will put their canoes in the boating section. She said everyone has been doing assigned tasks and everything is working out nicely.

The Board thanked her for her report and all the Commission’s hard work.

10. **ConnectME Grant-Letter of Support for Lincolnville Networks, Inc.**
Lewis Rector of Lincolnville Networks briefly addressed the Board, explaining they are seeking a grant to improve bandwidth for existing customers.

Motion by Parra, second by Gerry, to approve and sign a letter of support for Lincolnville Network’s efforts to secure a grant to expand high speed broadband to additional rural areas of the Town of Lincolnville. Vote 5-0.

11. **Norton Pond Septic System Evaluation:**
Town Administrator Kinney explained last year the Megunticook Watershed Association hired consulting firm Moody Mountain Environmental in an effort to rectify the water quality issues at Norton Pond. Results indicate the area of concern to be the culvert discharge adjacent to the Park and swim area, which show evidence of human effluent. There are four septic systems in that area, but no obvious signs of system failures. He continued by saying he sought proposals from six consultants to further examine the systems, received two responses, and recommends accepting Gartley & Dorsky’s proposal. Voters approved funds at the last Annual Town Meeting sufficient to cover the cost.

Leonard Williams, of 58 Norton Pond Road, expressed concern about pressure testing lines. Town Administrator Kinney responded there would be no pressure testing in lines up to the leach field.

Motion by Parra, second by Libby, that the Town Administrator be authorized to enter into an agreement with Gartley & Dorsky to conduct further investigation into the causes of the high bacteria count at the culvert near Breezemere Park swim area for a fee not to exceed $3,420. Vote 5-0.

12. **Appointment(s) and Resignation(s):**
- Reserve Police Officer

Motion by Parra, second by Barrows, that Justin Twitchell be appointed as a Reserve Police Officer with the Lincolnville Police Department.
Discussion: Selectman Gerry would like to see people being newly hired by the Town come to Board meetings when they are appointed so Board member can meet them; Board members agreed.

Vote 5-0.

- Municipal Building Committee
  Motion by Parra, second by Libby, to accept Ben Hazen’s resignation from the Municipal Building Committee and instruct the Town Administrator to send Mr. Hazen a letter of thanks for his service. Vote 5-0.

13. Approve and Sign Annual Town Meeting Warrant:
  Motion by Parra, second by Barrows, to approve and sign the Annual Town Meeting Warrant for June 12/16, 2012. Vote 5-0.

Selectwoman Parra corrected a statement she had made at a previous Board meeting regarding the Penobscot Bay Regional Chamber of Commerce’s budget request for $1,000; she had said she supported the $100 amount, but it was actually $200.

14. Approve and Sign Special Town Meeting Warrant for LCS Budget Meeting:
  Motion by Parra, second by Libby, to approve and sign the Special Town Meeting Warrant for May 22, 2012. Vote 5-0.

15. Special Permit For Catering Privileges – Ducktrap Retreat, June 2, 2012 (12:30 P.M. to 10 P.M.):
  Motion by Parra, second by Libby, to approve and sign the application for a Special Permit for Catering Privileges for Millennium Weddings, Inc., for June 2, 2012.

Discussion: Millennium Weddings is just doing this one wedding, not running the entire business. Also, Selectman Gerry thought a police officer should be on duty (Police Chief Young was in the audience and acknowledged it was already scheduled).

16. Fill at Former Millington Site:
  Town Administrator Kinney briefly explained the Lincolnville Historical Society is seeking permission to place fill in a low non-wetland area at the former Dean & Eugley and Millington site. He had consulted with the Maine DEP and with Lincolnville CEO and the request would not violate any conditions or require additional permits.

  Motion by Libby, second by Barrows, that the Lincolnville Historical Society be allowed to place fill on the Town-owned property at the boundary between the former Dean & Eugley site and the former Millington site, provided that no wetland area fill is to occur, that appropriate erosion control measures are implemented, and that the site be neatly graded and seeded as soon as practical. Vote 4-0-1 (Gerry abstained).
17. **Review of Draft Social Media Policy:**
Town Administrator Kinney briefly explained this item had been cancelled at a previous meeting until there was a full Board and to also add oversight language.

Motion by Parra, second by Libby, to approve and sign the Town of Lincolnville Social Media Policy, as presented in the draft dated May 14, 2012. Vote 5-0.

18. **Little League Banner Request:**
Town Administrator Kinney explained Recreation Commission member Mike Marden addressed the Board last year and mentioned banner space being sold to raise money. At that time, the Board didn’t approve or deny the use of banners, but some supporters of the Lincolnville Little League thought permission had been granted and have sold banners for this season. In response to Selectman Gerry’s question, Town Administrator Kinney explained the Inhabitants of the Town of Lincolnville own the fence. Although Chairman Trundy thought the banners seem like a good idea, once you say yes to one, it’s hard to deny another; he suggested a policy for oversight is needed for future use.

Motion by Parra, second by Libby, that the Board approve through July 31, 2012, the temporary installation of the Lincolnville Little League fundraising banners at the Little League baseball field and that the Board instruct the Town Administrator to prepare a draft policy concerning such banners and other similar items on all Town property for the Board to consider, prior to the 2013 Lincolnville Little League season. Vote 5-0.

19. **Treasurer’s and Payroll Warrants – Approve and Sign:**
Motion by Parra, second by Libby, to approve the Treasurer’s Warrant and Payroll Warrant, and table the Coombs Griffin Trust Warrant. Vote 5-0.

20. **Executive Session – (Title 1 MRSA § 405(6)(A)) – Police Chief Performance Evaluation Review:**
Motion by Gerry, second by Libby, to enter into executive session, pursuant to Title 1 MRSA § 405(6)(A) to review the performance evaluation of the Police Chief and to establish specific goals and objectives for the Police Chief for the upcoming review period. Vote 5-0.

Board members will not be taking any votes or continuing the televised meeting once their executive session is over.

Motion by Parra, second by Gerry, to come out of executive session and reconvene in regular session. Vote 5-0.

21. **Adjourn:**
Motion by Parra, second by Gerry, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: Jason Trundy, Chairman, Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

The meeting was called to order by Chairman Trundy at 6 p.m. at Lincolnville Central School. The quote was read by Selectman Gerry.

1. **Citizen’s Forum:**
   Diane O’Brien, of the Lincolnville Historical Society, updated the Board on the “Move It” project. Mike Farmer’s (donated) colored sketch of the proposed site was displayed, which illustrated the memorial section, the Center Schoolhouse, and open air museum on the former Dean & Eugley site. Diane O’Brien reported fundraising efforts to date, including a fundraiser hosted last night by Dick McLaughlin, have been very successful; approximately half the amount needed to move the building across the street has been raised. Future fundraising events by volunteers include a play, a chicken barbeque, and continued pie sales. Diane O’Brien also reported the Historical Society is in the process of becoming incorporated.

   Lincolnville resident Arlene Jurewicz-Leighton next addressed the Board about a letter included in their packet written by the Islesboro Board of Selectmen to the Searsport Planning Board regarding the proposed DCP Midstream LPG Tank and Terminal at Mack Point. A copy of the letter was sent to all Waldo County towns and outlines the Islesboro Board’s concerns and belief that this project not only impacts Searsport, but greatly impacts the entire midcoast region and, therefore, the Planning Board’s review should include participation by Penobscot Bay communities. Ms. Jurewicz-Leighton said this is a regional environmental/security issue that would greatly impact many towns, including Lincolnville, should there be a catastrophic incident at the proposed facility, and encouraged the Lincolnville Board to support the Islesboro Board of Selectmen by sending a letter to the Searsport Planning Board to ask that they look carefully at what they are doing. Chairman Trundy said Board members can ponder the issue and if any of the Lincolnville Board members would like to address this issue, they should ask Town Administrator Kinney to put it on a future agenda.

   Recreation Commission member Donny Heald updated the Board on the Breezemere Park dock situation. He explained the Town docks are in, and the Boat Club mooring for the whalers was moved more to the right, but the Boat Club satellite float location issue still has not been rectified. Although he and Boat Club member Steve Nystrom had worked out a location agreement, which was voted/approved by the Recreation Commission and Board of Selectmen, he feels the Boat Club is now “stonewalling” and is not living up to the agreement. Donny Heald and Recreation Commission Chairwoman Dotty Lanphear both felt the Boat Club should comply with the agreement, moving their satellite float more to the left.
side to make a clearer, safer lane for all Park users and swimmers. Selectwoman Parra suggested a meeting be set up with Town Administrator Kinney, the Boat Club, Chairman Trundy or a member of the Board, and Recreation Commission Chairwoman Lanphear to discuss the situation; Town Administrator Kinney will set up the meeting.

Private citizen David Kinney recognized Selectwoman Parra for her many years of dedicated service on the Board of Selectmen; her term is expiring June 17th, she decided not to run again, so this is her last Board meeting. As Lincolnville Town Administrator, he has worked with Selectwoman Parra during most of his nine-year tenure and applauded her commitment and dedication to the Town of Lincolnville. Board members and audience members gave a round of applause.

2. Administrator’s Report:
   David Kinney, Town Administrator, reported:
   • The Fire Department is having an issue with geese and is working with the State to remedy the situation.
   • Paving and roadside mowing specs will be available soon.
   • The radio license for Public Works has been extended to 2022.
   • Lincolnville is one of 50 communities that filed a letter of intent for a SHIP grant. The application filing deadline has now been extended to August to give the State time to visit each site location.
   • Absentee ballots are available for the upcoming election at the Town Office.
   • Lincolnville survived the rainstorm fairly well.

3. Meetings & Announcements:
   Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:
   Selectman Gerry announced a graveside service will be held tomorrow for David Spear at Mt. View Cemetery, 11 a.m., with a celebration of his life following the service at Spear’s Garage.

5. Meeting Minutes:
   Motion by Parra, second by Gerry, to approve the May 14th meeting minutes, as presented. Vote 5-0.

6. 6:30 P.M.: Public Hearing General Assistance Ordinance:
   Motion by Parra, second by Barrows, to open the public hearing concerning proposed amendments to the General Assistance Ordinance. Vote 5-0.

No comments from the public were offered.

Motion by Parra, second by Libby, to close the public hearing. Vote 5-0.
Motion by Parra, second by Libby, that the Lincolnville Board of Selectmen adopt the MMA Model Ordinance for General Assistance Appendix A and the 2012-2013 Temporary Housing Limit for the period of July 1, 2012, through June 30, 2013, or until otherwise amended. Vote 5-0.

7. Continuing Education Request – Police Chief Young:
Police Chief Young addressed the Board about the upcoming International Association of Chiefs of Police 2012 Conference in San Diego, California, being held in late September/early October. He would like to use the remaining funds in the Police Department training budget to pay for airfare (approximately $400) and the registration fee ($250). Since Chief Young’s in-laws live in San Diego, food and lodging costs would be absorbed by the Chief and his in-laws. Chief Young felt many of the scheduled training classes at the Conference would be beneficial to him and would most likely not be available at State of Maine Police Chiefs’ training classes; the knowledge and mistakes made and shared by larger agencies at the Conference would be beneficial knowledge to him.

Selectmen offered various comments, which included questioning if the State of Maine recognizes California training; wondering how many of the offered classes would be pertinent in a town the size of Lincolnville; felt the issue of bath salts was not foreign to our community and would be useful training; felt the perception to Lincolnville taxpayers was a main concern; and felt this annual conference expense should be addressed through the annual budget process. Paul Crowley expressed his opinion this is not an expense Lincolnville taxpayers should incur, suggesting this was a party “junket” for Chief Young to visit relatives, and was told by another law enforcement official this was ridiculous. He urged the Board not to approve the request.

Motion by Parra, second by Gerry, to deny the request for the Police Chief to attend the Conference in San Diego in September/October and if Chief Young wants to attend the Conference in 2013, that he put it through the budget process. Vote 5-0.

8. Recognitions:
Selectwoman Parra suggested in addition to the annual Town Report recognitions, Lincolnville should have a community event to recognize those citizens who quietly volunteer their time, energy, and money to benefit the Town, like Sally Laite and Joan Richardson who plant flowers at Petunia Pump, others who have mowed areas of Town for free, or those who serve on committees. She suggested residents could nominate deserving Lincolnville volunteers, who the Town could recognize at a community event which might include light refreshments. Board members thought it was a good idea and suggested Selectwoman Parra work with Town Administrator Kinney on it; Selectwoman Parra agreed.

9. Boat Ramp Agreement at Lincolnville Beach:
Town Administrator Kinney explained that David Leuschen is building a house on an island off of Islesboro, which contractors started building last summer. In order for contractors and equipment to access the island, a landing craft/barge was utilized from the Lincolnville Beach ramp, which caused minor damage to the paved surface. Mr. Leuschen, and his representatives, would like to use the ramp again this summer to finish the project and the
Harbor Master voiced concern about potential damage. Mr. Leuschen suggested a solution of putting $10,000 in escrow to cover any damages to the ramp; the Town Attorney has drawn up an Agreement, which Mr. Leuschen has signed.

Motion by Parra, second by Gerry, to approve and sign the Agreement between the Town of Lincolnville and David Leuschen for the use of the Town-owned boat launching ramp at Lincolnville Beach.

Discussion: Selectwoman Parra commented if this had come before the Board first, this would not have been the agreement she would have chosen; this Agreement involved attorney fees for the Town.

Vote 5-0.

10. **Approval of Town Clerk’s Appointment of Election Warden:**
    Motion by Parra, second by Gerry, to approve the Town Clerk’s appointment of David Kinney as Election Warden for the June 12, 2012, Election. Vote 5-0.

    *Discussed out of order.*

13. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
    Motion by Parra, second by Barrows, to approve the Treasurer’s Warrant, the Coombs Griffin Trust Warrant, and the Payroll Warrant. Vote 5-0.

11. **Executive Session – Discussion of the Acquisition or the Use of Real Property for Town Office Purposes; Persons to be Included are the Selectmen, Town Administrator, and Chairman of the Municipal Building Committee (Title 1 MRSA § 405(6)(C)):**
    Motion by Parra, second by Libby, to enter into executive session pursuant to Title 1 MRSA Section 405(6)(C) for the purpose of discussing the acquisition or use of real property for Town Office purposes; persons to be included are the Selectmen, Town Administrator, and Chairman of the Municipal Building Committee. Vote 5-0.

    Motion by Parra, second by Barrows, to come out of executive session and reconvene in regular session.

    Motion by Parra, second by Barrows, that the Board appoint David Kinney, Town Administrator, Jay Foster Municipal Building Committee Chairman, and Rosendel Gerry and Stacey Parra to negotiate a contract with 2A Architects of Rockport, Maine and Gartley & Dorsky to assist the Town with the next phase of the municipal building project and the permitting of the Town Office project, the proposed track around the soccer field, any Board of Selectmen approved redevelopment of the former Dean & Eugley site, and any other Board approved project on this property. Vote: 5-0.

12. **Possible Revision to Municipal Building Committee Charge:**
    No action taken.

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Board of Selectmen Minutes
APPROVED
14. **Adjourn:**
Motion by Parra, second by Barrows, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Present were: Rosendel Gerry, Jason Trundy, Julia Libby, Ladleah Dunn and David Barrows.

The meeting was called to order by David Kinney, Town Clerk immediately following the conclusion of the Annual Town Meeting. The Clerk announced that, in accordance with the Town Charter, Article III Section 3.08, the Board was required to meet within twenty-four hours after the adjournment of the Annual Town Meeting and to the extent possible elect a Board Chairman, Vice-Chairman and Secretary.

The Clerk then opened the floor for nominations of Chairman.

**Motion** by Trundy, second by Libby, to nominate David Barrows as Chairman. No other nominations were made. **Vote: 4-0-1** (Barrows abstained).

The Clerk then opened the floor for nominations of Vice-Chairman.

**Motion** by Barrows, second by Trundy, to nominate Julia Libby as Vice-Chairman. No other nominations were made. **Vote: 4-0-1** (Libby abstained).

The Clerk then opened the floor for nominations of Secretary.

**Motion** by Gerry, second by Barrows, to nominate Ladleah Dunn as Secretary. No other nominations were made. **Vote: 4-0-1** (Dunn abstained).

**Motion** by Gerry, second by Barrows, to adjourn. **Vote: 5-0.**

Respectfully submitted,

David B. Kinney
Town Clerk
Selectmen present:  David Barrows, Chairman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn

Excused Absence:  Julia Libby, Vice-Chairman

The meeting was called to order by Chairman Barrows at 5:30 p.m. at Lincolnville Central School in Walsh Common (the meeting was not televised).

1. **Executive Session – Consultation with Town Attorney regarding the legal rights and duties of the Board of Selectmen concerning Town Meeting action(s) (Title 1 MRSA § 405(6)(E)).**

   Motion by Gerry, second by Trundy, to enter into executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss with the Town Attorney the legal rights and duties of the Board of Selectmen concerning Town Meeting action(s). Vote 5-0.

   Motion by Trundy, second by Gerry, to come out of executive session and reconvene in regular session. Vote 4-0.

2. **Citizen’s Forum (6PM+/-):**

   Cathy Hardy, 21 Hope Road, thanked the people who turned out for the Annual Town Meeting. Contrary to rumors that those in attendance were criminals, drug dealers, and alcoholics, she is none of those and works for Big Brothers Big Sisters, an organization that does very good work.

   The quote was read by Selectman Trundy.

   Jeanne Hollingsworth, of Marriners Drive, requested that the Board revisit changing the Annual Town Meeting to a week night rather than a Saturday. She feels it would be a healing move for Lincolnville and show respect for those many voters who wanted it changed.

   Tracy Colby, of Moody Mountain Road, remembers it as a straw vote that was taken at the polls at a well attended election, but felt many who voted never attend the Annual Town Meeting and didn’t really care one way or the other if it was changed. Those who make the bulk of their income in the summer find it very difficult to give up a day’s income on a Saturday.

   Tracy Colby then had questions regarding private citizens riding in the Police cruiser, asking what is the liability for Lincolnville, what are the confidentiality ramifications, and how are
private citizen rides in the cruiser arranged? Town Administrator Kinney and Police Chief Ron Young responded that any private citizen can request a ride-along through Police Chief Young, who vets each person, and who would be required to sign a liability waiver prior to riding in the cruiser. Regarding confidentiality, the same information people hear on a scanner is what a ride-along might hear. Chief Young encouraged citizens who wanted to learn more about the Police Department; he feels a ride-along is a good educational tool.

Paul Crowley supported the previous three comments, and said he had received calls that Bob Plausse was recently seen riding in the cruiser and is concerned the cruiser is being used for political reasons. Town Administrator Kinney responded by saying someone had brought that same rumor to his attention, he checked with Chief Young, and Mr. Plausse had not been in the cruiser.

3. Administrator’s Report:
David Kinney, Town Administrator, reported:
- The Route One Advisory Committee had recently met with MDOT. Town Administrator Kinney characterized the meeting as successful and positive, saying the State would like to pick up “design-wise” where they had left off.

4. Meetings & Announcements:
Town Administrator Kinney read the upcoming meetings.

5. Upcoming Community Events:
Selectman Gerry announced the Strawberry Festival will be held July 7th, which will include a parade and festivities.

6. Meeting Minutes:
Motion by Trundy, second by Gerry, to approve the June 4, 2012, meeting minutes, as presented. Initial Vote 4-0; Selectwoman Dunn subsequently changed her vote by abstaining since she was not yet on the Board on June 4th (Final Vote: 3-0-1).

Motion by Trundy, second by Gerry, to approve the June 16, 2012, meeting minutes, as presented. Vote 4-0.

7. Proposed DCP Midstream LPG Tank/Terminal at Mack Point/Searsport – Arlene Leighton:
There was a lengthy two-hour discussion concerning the proposed DCP Midstream LPG Tank/Terminal at Mack Point in Searsport, with numerous audience members addressing the Board.

At 6:30 p.m., Chairman Barrows temporarily stopped discussion on Item 7 to discuss Item 8, which was advertised as starting at 6:30 p.m.
8. **6:30PM: Public Hearing Liquor License Down East Hospitality Partners 1, LLC d/b/a Glenmoor by the Sea:**

   Motion by Trundy, second by Gerry, to open the public hearing concerning the liquor license application filed by Downeast Hospitality Partners 1, LLC, doing business as Glenmoor by the Sea. Vote 4-0.

   No comments were offered by the public.

   Motion by Trundy, second by Dunn, to close the public hearing. Vote 4-0.

   Motion by Trundy, second by Gerry, that after having held a public hearing that the Board approve and sign the liquor license application submitted by Downeast Hospitality Partners 1, LLC, doing business as Glenmoor by the Sea. Vote 4-0.

   **7. Discussion on Item 7 resumed.**

   The following Lincolnville residents spoke in favor of the Lincolnville Board of Selectmen writing a letter to the Searsport Planning Board, expressing Lincolnville’s concerns for what those audience members considered to be serious regional issues for all the surrounding communities associated with the proposed DCP Midstream LPG Tank/Terminal at Mack Point, Searsport, and for the need for Lincolnville to have access to information regarding the proposed project: Arlene Leighton, Jeffrey Leighton, Will Brown, Tony Oppersdorff, Whitney Oppersdorff, and Rick McKittrick. Arlene Leighton read a letter signed by her and Jeffrey Leighton and endorsed by 21 Lincolnville residents. She stated Ann McKittrick and Susan Silverio also endorsed the letter and asked that their names be included. Later in the meeting, Rick McKittrick and Reed Mathews also asked that their names be added as endorsing the letter. These Lincolnville residents cited numerous safety concerns on land and sea regarding potential gas explosions, the increased tanker traffic and potential for accidents on Penobscot Bay and tanker truck accidents on Route One, as well as the financial implications to Lincolnville to cover the costs of our mutual aid commitment in the event of an incident. They encouraged the Board to make written communication with Searsport to establish Lincolnville’s standing in this matter.

   Islesboro residents Steve Miller and Kim Tucker also addressed the Board, explaining some of the reasons the Islesboro Board of Selectmen felt it imperative to have input in this process and why they are encouraging surrounding communities to express their concerns and establish standing in this matter. They felt it was not Islesboro getting involved in Searsport’s business, but that Searsport was involving Islesboro (and all surrounding communities) by committing the mutual aid agreement in this process.

   Waldo County Emergency Management Director Dale Rowley also addressed the Board and the audience, explaining he has just started looking into the emergency planning aspect for the DCP Midstream project. The requirement for a safety plan falls under the USEPA Risk Management Program; he did not see a plan requirement in the Searsport ordinance, only a requirement that certain town officials (Fire Chief, for example) be notified. Numerous questions were posed from audience members regarding safety issues on the water and land,
explosion affects on surrounding facilities/structures, power outage ramifications, earthquakes affecting the facility, the exclusion zone, the capability of Waldo County EMA to handle a gas explosion at the facility, etc. He answered those questions within his expertise and referred people to the appropriate agency (Coast Guard and Marine Patrol) for those he was not qualified to answer. He stated 75% of his work is preparedness; in the course of working on the Mutual Aid Agreement, he cited some of the manpower and equipment numbers that currently exist within Waldo County for fire and police; in a severe emergency if the Waldo County Emergency Operations Center was utilized, his agency is pretty well manned with County employees. He will try to obtain the current safety protocols from the existing Tampa, Florida LPG facility.

Some audience members asked questions, but did not voice an opinion. Jay Foster pointed out that the Searsport Planning Board can only review DCP’s application as it meets, or doesn’t meet, the current Searsport Land Use Ordinance requirements, and questioned who determines “standing.” Jeanne Hollingsworth suggested if Lincolnville has standing, we could ask questions at a public hearing; if we miss the public hearing, we’ve missed our chance to ask questions.

Paul Crowley felt the concerns raised tonight should be brought before the appropriate review authorities, i.e., the Searsport Planning Board, the U.S. Coast Guard, etc., and didn’t feel Lincolnville should spend time and resources on this.

Board members had read the materials in their packets and stated many good points were raised tonight, but also questioned if many in the attendance had a “sky is falling” urgency that may not be warranted. They would like clarification from the Town Attorney as to what “standing” means legally and if it could make Lincolnville liable in any future litigation costs. Board members agreed there were many conversations that need to take place and questions that need to be answered, especially in light of the mutual aid involvement, in order to assess what risks and impact this project would realistically have on Lincolnville.

Motion by Trundy, second by Dunn, that the Town Administrator draft a letter summarizing the concerns shared tonight and outlining the discussion, forwarding with it the packet information and the minutes of tonight’s meeting, explaining in the letter the Board of Selectmen is concerned about the impact on Lincolnville and requesting a dialogue with Searsport. Vote 4-0.

9. Conservation Commission – Proposed Trail:
Conservation Commission member Will Brown addressed the Board about the proposed connector footpath from Breezemere Park to behind Lincolnville Central School. He explained there would be no cost to Lincolnville for the work, materials, or maintenance of the 2,400 square foot path. The path would consist of wood chips, which would not make it ADA compliant; the Commission feels it would be high and dry enough to use year-round. The projects falls behind the earmark to require more permitting from the DEP, and the Commission is seeking conceptual approval from the Board so they can start weed whacking to determine the best location; only small bushes may have to be cut, but no trees would be cut.
Motion by Gerry, second by Trundy, to give conceptual approval for the trail. Vote 4-0.

The Conservation Commission will come back to the Board before starting Stage 2 of the project.

10. **Municipal Building Committee Update:**
Town Administrator Kinney reported the “Negotiating Committee,” a subcommittee of the Municipal Building Committee, is recommending the consulting firms of Gartley & Dorsky for the civil/site design and environmental permitting with Phase 1, and the firm of 2A architects, LLC, for the Town Office addition/new construction design portion of Phase 1. Town Administrator Kinney read the figures associated with each agreement.

In response to Tracy Colby’s question about utilizing previous plans that the Town had already paid for, Town Administrator Kinney said 2A architects will have all the previous material to review and utilize, if possible.

**Motion by Trundy, second by Gerry, to authorize the Town Administrator to sign the agreement with Gartley & Dorsky to provide the civil/site engineering services and environmental permitting services, as set forth in the agreement dated June 22, 2012. Vote 4-0.**

**Motion by Trundy, second by Gerry, to authorize the Town Administrator to sign the agreement with 2A architects, LLC, as set forth in an agreement dated June 17, 2012, revised to June 25, 2012. Vote 4-0.**

Amanda Austin of 2A architects and Will Gartley of Gartley & Dorskey were present and introduced themselves, each saying they are looking forward to working with Lincolnville, along with the DEP, to be part of the solution for Town Office needs. Municipal Building Committee Chair Jay Foster was pleased that the Board of Selectmen went along with their recommendation, felt the negotiations were successful, said this would be an open process, and felt these firms would be good partners in moving forward.

Jeanne Hollingsworth again suggested an efficiency study be done to determine staffing needs before buildings needs are established. Paul Crowley said he initially thought consulting an expert was a good idea, but since the Comprehensive Plan Review Committee’s involvement with an expert, which resulted in delayed work product of poor quality, he would not vote for hiring another; he’d rather work with the architect.

11. **Municipal Officials - Appointments:**
**Motion by Trundy, second by Gerry, to appoint the individuals listed to the positions and terms shown on the sheet entitled, Recommended Appointments (6/22/12). Vote 4-0.**

Selectman Trundy stated the list excludes all part-time reserve officers except for those involved as parking officers and inland harbor master.
12. **Board/Committee/Commission Appointments:**

Motion by Gerry, second by Trundy, to appoint David Munson as a regular member on the Conservation Commission for a three-year term. Vote 4-0. This motion was subsequently withdrawn by Selectmen Gerry and Trundy.

Motion by Gerry, second by Trundy, to appoint Stacey Parra as a regular member for a three-year term to the Wage & Personnel Policy Board. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Lesley Devoe as a regular member (neighbor) for a three-year term, Frederick Heald as an alternate member (Lincolnville Band) for a one-year term, Dorothy Lanphear as an alternate (Recreation Commission) for a one-year term, and Thomas Nolan as an alternate member (neighbor) for a one-year term to the Breezemere Park Band Trustees. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Margaret Miller and Dwight Patten as regular members, for three-year terms, and Brett Haining as an alternate member for a one-year term as Cemetery Trustees. Vote 4-0.

Motion by Gerry, second by Trundy, to appoint Richard Glock as a regular member, for a three-year term, and Elizabeth Hand and David Munson as alternate members for one-year terms to the Conservation Commission. Vote 4-0.

Motion by Gerry, second by Trundy, to table the Recreation Commission appointment. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Betty Johnson and Andrew Young as regular members for three-year terms, and James Greeley and Terry Moulton as alternate members for one-year terms to the Board of Appeals. Vote 4-0.

Motion by Trundy, second by Dunn, to appoint Betty Johnson as a regular member for a three-year term to the Board of Assessment Review. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Lois Lyman as a regular member for a three-year term and Jay Foster as an alternate for a one-year term to the Planning Board. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Vicki Eugley and Steven Young as regular members for three-year terms to the Capital Needs Committee. Vote 4-0.

Motion by Trundy, second by Barrows, to appoint Ladleah Dunn and Patricia Shannon as regular members for three-year terms, and Karin Womer as a regular member for the remaining two years of a three-year term on the Comprehensive Plan Review Committee (expires June, 2014). Vote: 3-0-1 Dunn abstained.
Town Administrator Kinney explained that as a Selectwoman, there are some committees Ladleah could not serve on, such as Planning Board. But since the Comprehensive Plan Review Committee is advisory in nature, there is no conflict and she could serve on it.

Motion by Trundy, second by Gerry, to appoint Linwood Downs as a regular member for a three-year term to the Financial Advisory Committee. Vote 4-0.

Motion by Gerry, second by Trundy, to appoint Shane Lydon and Steve Nystrom as regular members for three-year terms to the Harbor Committee. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Jill Glover, Kim Hendrix, Richard Lenfest, Alexander Lyle, Tony Oppersdorff, Whitney Oppersdorff, and Richard Sanderson as regular members for one-year terms to the Lakes & Ponds Committee. Vote 4-0.

Motion by Trundy, second by Gerry, to appoint Paul Crowley and Shane Laprade as regular members for three-year terms to the Land Use Committee. Vote 3-0-1 (Dunn abstained).

Motion by Trundy, second by Gerry, to appoint Matt Lawson as a regular member for a three-year term to the Megunticook Dam Committee. Vote 4-0.

Motion by Trundy, second by Barrows, to appoint Cecil Dennison, Rosendel Gerry, James Greeley, and Karen Secotte as regular members for one-year terms to the Memorial Day Parade Committee. Vote 3-0-1 (Gerry abstained).

Motion by Trundy, second by Dunn, to appoint Paul Crowley, Jay Foster, Rosendel Gerry, John Ianelli, Dorothy Lanphear, Rob Newcombe, and Stacey Parra as regular members for one-year terms to the Municipal Building Committee. Vote: 3-0-1 (Gerry abstained).

Motion by Trundy, second by Barrows, to appoint John Black, Will Brown, Richard M. McLaughlin, Robert Newcombe, Diane O’Brien, Christopher Osgood, and Bradford Payne as regular members for one-year terms to the Route One Advisory Committee. Vote 4-0.

13. Committee Vacancy Announcements:
The following committees have vacancies: Cemetery Trustees, Recreation Commission, Board of Assessment Review, Planning Board, Wage & Personnel Policy Board, Capital Needs Committee, Comprehensive Plan Review Committee, Lakes & Ponds Committee, Land Use Committee, and Memorial Day Parade Committee. Interested citizens should fill out a Community Interest form.
14. **FY 12 Audit Services Engagement Letter:**
   Motion by Trundy, second by Gerry, to authorize the Chairman, on behalf of the Board, to sign the engagement letter with William Brewer, CPA, to conduct the Fiscal Year 2012 audit. Vote 4-0.

15. **FY 13 Assessors’ Agent Contract:**
   Motion by Gerry, second by Dunn, to approve and sign the Contract for Assessing Services with Fort Halifax Appraisals. Vote 4-0.

16. **FY 13 Budget Amendments:**
   Town Administrator Kinney briefly explained at the Annual Town Meeting on June 16th, voters did not approve the funding as recommended by the Board of Selectmen and Budget Committee on three articles.

   Motion by Gerry, second by Trundy, that the Board establishes the budget for Protection: Police Department – Part Time Wages at $0, FICA & Medicare at $3,576, Uniforms/Accessories at $980, Professional Development at $500, Police Cruiser Maintenance at $3,000, and Police Cruiser Gasoline at $4,760. Vote: 4-0.

   Motion by Trundy, second by Gerry, that for Administration and Finance employees the Board of Selectmen adopt the Fiscal Year 2012 pay scale with no change (a zero percent increase) for the upcoming 2013 budget year and that we keep the merit based step system in effect. Vote: 4-0.

   Motion by Trundy, second by Gerry, that the Board establishes the budget for Administration and Finance - Accrued Benefits line at $0, Full Time Wages at $226,549, FICA & Medicare at $17,331, Retirement at $9,062, Insurance at $73,841. Vote 4-0.

   Motion by Trundy, second to Barrows, that the Board set the Budget for Municipal Support: Penobscot Bay Chamber of Commerce at $1,000. Vote: 3-1 (Gerry opposed).

17. **Morton Road Property:**
   Motion by Trundy, second by Gerry, that the Town Attorney be, and hereby is, authorized and directed to take any and all action, including, without limitation, the filing of suit in State court, that is necessary and appropriate to quiet the title to the tax-acquired property formerly owned by John and Rebecca Stephens and located at 7 Morton Road (Tax Map 34, Lot 150). Vote 4-0.

18. **Camera Operator:**
   Board members agreed to table this item to the next meeting.

19. **Adopt, Renew, Amend, or Rescind Board Policies:**
   - **Rules of Procedure – Board of Selectmen**
     Board members agreed to table this item to a future meeting.
• Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits  
  Motion by Trundy, second by Gerry, to approve the Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits, dated June 25, 2012. Vote 4-0.

• Policy on Treasurer’s Disbursement Warrant of State Fees & Revenues  
  Motion by Trundy, second by Gerry, to approve the Policy on Treasurer’s Disbursement Warrants for Sending Revenue Collected on Behalf of the State to the Appropriate State Agency, dated June 25, 2012. Vote 4-0.

20. **Surplus Float:**  
   Motion by Gerry, second by Dunn, to declare the recently replaced float as surplus and instruct the Town Administrator to seek bids for its sale. Vote 4-0.

21. **Treasurer’s, Capital Campaign, and Payroll Warrant(s):**  
   Motion by Trundy, second by Barrows, to approve the Treasurer’s Warrant, the Capital Campaign, and the Payroll Warrants. Vote 4-0.

22. **Adjourn:**  
   Motion by Trundy, second by Gerry, to adjourn the meeting (8:55 p.m.). Vote 4-0.

Respectfully submitted,

Diane Bacon  
Administrative Assistant
Selectmen present: David Barrows, Chairman, Julia Libby, Vice-Chairwoman, Rosendel Gerry, Jason Trundy.

Excused absence: Ladleah Dunn

The meeting was called to order at 6 p.m. by Chairman Barrows at Lincolnville Central School in Room B-5. The quote was read by Selectwoman Libby.

1. **Citizen’s Forum:** None

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - The Salmon Federation of Maine hopes to build a fishway this fall in Black Brook, leading up to Coleman Pond. There was a meeting last week, which he attended, with several regulatory agencies regarding the project; there will be a public meeting late summer or early fall.
   - The LCS ballfields will be treated for weeds on Wednesday; Material Safety Data Sheets will be available at the Town Office.
   - The School bond was refinanced through Maine Municipal Bond Bank, resulting in a savings of $205,595.64. Hopefully the road bond will be refinanced in the future.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**
   Selectman Gerry reported the Strawberry Festival was a success.

5. **Meeting Minutes:**
   Motion by Trundy, second by Gerry, to approve the June 25th meeting minutes with the addition of the word Annual Town “Meeting” on line 35. Vote 3-0-1 (Libby abstained.)

6. **Application for Liquor License – Cellardoor Winery:**
   Motion by Libby, second by Trundy, to approve and sign the liquor license application submitted by the Cellardoor Winery. Vote 3-0-1 (Gerry abstained).

7. **Application for Liquor License for Catering Privileges: Rollie’s Bar & Grill:**
   Motion by Trundy, second by Libby, to approve and sign the application for a Special Permit for Catering Privileges for Rollie’s Bar and Grill for July 14, 2012, for the hours of noon until 11 p.m.
Town Administrator Kinney explained Rollie’s Bar and Grill did not specify the hours of the event on the application; he tried contacting them but did receive a response, so he is suggesting the hours of noon to 11 based on the next application, which did specify hours.

**Vote 4-0.**

**Motion by Trundy, second by Libby, to approve and sign the application for a Special Permit for Catering Privileges for Rollie’s Bar and Grill for September 22, 2012, for the hours of noon until 11 p.m. Vote 4-0.**

8. **Municipal Building Committee Update: Building Condition Report & Programming Assessment:**

Amanda Austin of 2A Architects gave an overview to the Board on Phase I of the work contracted by the Town with 2A Architects on the Town Office project; the Building Condition Report Programming Assessment Report she and her partner (and husband) Brian compiled was included in the Board’s packets. Ms. Austin explained in developing the Report, they used information from the RFP, they verified existing Town Office conditions/measurements, reviewed information gathered in past years, and interviewed Town Office staff for input. From these various informational sources, a list of reoccurring space/building deficiencies were apparent, which she read to the Board. The Report Program Analysis shows the existing building with 4,690 gross square feet, and the proposed building program estimates an additional 2,699 square feet is needed; she briefly gave an overview of the proposed program space. Ms. Austin stated the Report was compiled at current staffing levels; if Board members anticipated staffing levels to change, that information would be important. She asked for the Board’s input/comments regarding their findings, in particular the garage/storage space.

Selectman Gerry pointed out the Town Administrator’s square footage is being reduced and also pointed out the toilet space; Ms. Austin responded that due to ADA requirements, they recommend two toilets: one female and one male. Selectman Gerry questioned the 468 square feet for a garage/storage; at $125 per square foot, that adds $59,000 to the project, which he didn’t agree with. Chairman Barrows questioned how many cruisers are garaged and felt if included, it might be a reason for voters not to approve the project. Selectman Trundy said it’s not uncommon for cruisers to have access to a garage bay, but in light of the divided community feelings about having a police department, he doubted voters would approve of a garage. He did like that the Report was based on current staffing levels so voters will not think additional staff is a goal.

Ms. Austin said there are different ways now to plan for future expansion needs and questioned if the garage/storage space should be included in possible future site planning. Selectman Trundy didn’t have a problem with keeping the garage/storage space in mind as possible future expansion as the process moves forward, but didn’t want to include it on the list in this phase. Town Administrator Kinney could see some advantage to having some storage on the first floor for voting booths and signs, and suggested including a footprint in this planning stage for possible future expansion years down the road might be the way to go.

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Board of Selectmen Minutes
It was the consensus of Board members that due to the divided sentiment in Lincolnville regarding a police department, voters would not approve the Town Office project if a garage was included.

**Motion by Trundy, second by Gerry, that the Board approve the proposed program list, minus the garage space, with the understanding that all of the square footages for the proposed program are estimates and are subject to change, based on the final design and any revisions to the program requirements. Vote 4-0.**

Ms. Austin said in keeping with the project schedule, they will prepare schematic floor plans for the next Board meeting, which is the next step in the process for presenting a final plan to the Board for possible inclusion on the November warrant.

### 9. Discussion of Police Department Ride-Along Program:

Town Administrator Kinney included several forms from various towns that have a ride-along policy; Camden prohibits ride-alongs.

Discussion ensued regarding the pros and cons of ride-alongs in the police cruiser. Questions by Board members included what benefit does Lincolnville gain from ride-alongs, what current procedure/paperwork is required, is a log kept, do liability waivers hold up, and what happens in the case of an emergency.

Police Chief Young explained ride-alongs are a useful educational tool for community members of all ages to experience first-hand the procedures used by the Police Department, allowing them to better understand why law enforcement does what it does. He explained each person requesting a ride-along must sign a waiver, a date and time are scheduled, the cruiser and its capabilities are explained in the parking lot before the ride-along begins, and he lets riders know what to expect during the ride-along. If an emergency developed during a ride-along, he would assess the situation and, if possible, drop the rider off someplace safe so he could proceed to the emergency; if that’s not possible, he would let Waldo County dispatch know he couldn’t respond at that point in time. Currently a log book of cruiser passengers is not kept, but he could start keeping one.

The main concern expressed by some Board members and some audience members was the liability issue for Lincolnville. In addition to a serious liability concern, Cathy Hardy and Richard Rosenberg did not feel giving seniors a ride to an appointment or children a ride to Camp Postcard were wise uses of taxpayer funds and limited police resources and urged the Board to stop this practice.

Town Administrator Kinney explained when Chief Young was hired, Board members encouraged good community relations. Selectman Trundy said law enforcement is a trade “drenched” in liability, and since past and present Boards have expressed a community relations expectation, we should now trust Chief Young’s judgment; if he took a stand-off approach, “he’s damned if he does and damned if he doesn’t.” Although she was not opposed to establishing a log, Selectwoman Libby also felt we needed to trust Chief Young’s judgment, saying the First Aid Association does ride-alongs. Initially against ride-alongs due to the liability issue, Chairman Barrows is feeling better about this, saying the good
outweighs the bad, but said the log is a good idea. Although Selectman Gerry understands interacting with the public is part of the Chief’s job, Selectman Gerry went on record as being opposed to ride-alongs, saying he was tired of being overseer of the police cruiser.

Jay Foster suggested a policy should be established, putting documentation in place stating intent to help avoid negligence. Selectman Gerry suggested Attorney Daggett could be consulted to see what might be done to protect the Town, liability wise.

**Motion by Gerry, second by Libby, to suspend the Ride-Along Program now because of the liability issues involved until a time that a policy may be derived and approved by the Select Board.**

Discussion: When questioned by Selectman Trundy, Selectman Gerry responded that his plan would have been to suspend this practice all together, but in spirit of cooperation, he thinks the Town should get the Town Attorney’s advice and/or develop a policy. Town Administrator Kinney said from an administration perspective, the Town Attorney will look to him for guidance on what the Board would want in a policy, such as age limits, etc.

Karen Secotte suggested the Fire Department should be included in a possible policy since they also participated in the free ride to School event. Selectman Gerry felt when the Fire Department does their thing, it’s a more controlled situation and didn’t foresee the Fire Department taking seniors in the truck.

**Vote 2-2 (Gerry & Libby in favor; Trundy and Barrows opposed) – the motion did not pass.**

According to the Board’s Rules and Procedures, a tie vote can be reconsidered within 30 days of the original decision.

Selectman Trundy suggested putting this item on the next agenda when there is a full Board. In the meantime, the Town Attorney should be consulted about reducing liability and coming up with ideas/options used by other police departments which might help reduce liability. Selectwoman Libby hopes more proponent citizens will attend to express their views in order to hear views from both sides.

10. **Discussion of Possible Future Meeting to Discuss Community Priorities for Local Law Enforcement at Current Staffing Level (Suggested Date: July 23, 2012):**

   Town Administrator Kinney said since the staffing levels of the Police Department have changed since the Town Meeting, a discussion should be held regarding the Board’s expectations of Chief Young, and suggested the discussion take place at their next meeting on July 23rd. Selectmen Trundy suggested people email their thoughts to the Town Office regarding this matter.

   **Motion by Trundy, second by Libby, that at the Board meeting of July 23rd, we allow time for the public to address the Board concerning the community priorities for local law enforcement at currently funded staffing level. Vote 4-0.**
11. Board, Committee, and Commission – Resignation(s) and Appointment(s):
   Motion by Gerry, second by Trundy, to accept with regret the resignation of Barbara Gould from the Comprehensive Plan Review Committee. Vote 4-0.

   Motion by Gerry, second by Trundy, to appoint Cathy Hardy to the Municipal Building Committee, with a term expiring June, 2013. Vote 4-0.

   Motion by Gerry, second by Trundy, to appoint Shane Laprade to the Planning Board, with a term expiring June, 2015. Vote 4-0.

   Motion by Gerry, second by Trundy, to appoint Everett Fizer to the Memorial Day Committee, with a term expiring June, 2013. Vote 4-0.

   Motion by Gerry, second by Trundy, to appoint Michael Cummons, Jr., to the LCS School Committee, with a term expiring June, 2013. Vote 4-0.

   Motion by Gerry, second by Trundy, to appoint Don Heald (IV) for a term as a regular member on the Recreation Commission, if available; if not, then appoint him as an alternate member. Vote 4-0.

   Motion by David Barrows, second by Trundy, to appoint Tracy Colby to the Wage and Personnel Policy Board, with a term expiring June, 2015. Vote 3-1 (Gerry opposed).

12. Roadside Mowing Bid:
   Motion by Trundy, second by Libby, to award the roadside mowing project to J. L. Richards Earthwork at the hourly rate of $45 per hour. Vote 4-0.

13. Winter Sand Bid:
   Motion by Gerry, second by Trundy, to award the contract for the winter sand supply and stockpile to Porter Construction at a price of $8.75 per cubic yard, provided their material is of adequate supply as determined by the Road Commissioner and quality is satisfactory when measured against the specifications, and if material fails in either aspect that the Town Administrator and Road Commissioner be authorized to award the contract to the next low bidder that fully complies with the specifications in terms of quality and quantity. Vote 4-0.

14. Road Salt Bid:
   Motion by Gerry, second by Libby, that the road salt bid for FY 2012-2013 be awarded to Harcros Chemicals, Inc., at the delivered price of $57.67 per ton and the picked up price of $57 per ton and that the Town Administrator is hereby authorized to enter into an agreement with Harcros Chemicals, Inc., under these terms. Vote 4-0.

15. Paving Bid:
   The summary of the paving bids received was included in the Board’s packet. Since the Town Administrator was not familiar with the low bidder, Wellman Paving, he asked for additional information from them, which was received today. References checked out for Wellman in terms of their work, however Wellman is proposing using mix from Ron...
Thibodeau’s plant in Prospect, which is not a State certified plant. Scott Preston was present and explained they prefer to use the Thibodeau plant due to fewer contractors sharing the plant, and since their mix is at State specifications. Wellman Paving has used Thibodeau’s mix for many towns and they have had no issues. Thibodeau has no interest in doing State work, which is a requirement to remain State certified.

Town Administrator Kinney explained he is not concerned in terms of equipment size and quality with Wellman. But there is a comfort level dealing with a State certified plant; the State keeps check on the mix in their certified plants, which is reassuring for a small town like Lincolnville. There is no bonding with this project. Pavement challenges can show up years down the road; there is no failsafe, but using mix from a State certified plant gives him more reassurance.

Mr. Prescott will talk to Lane and possibly Marriners about their mix and will let the Town Administrator know if he can honor his bid using a State certified plant.

Motion by Trundy, second by Gerry, to award the paving contract to Wellman Paving at his bid price if he uses asphalt from a State certified plant; if he cannot honor his bid price using a State certified plant and needs to retract, the contract should be awarded to the next low bidder, Ferraiolo Corporation at their bid price of $76. Vote 4-0.

16. **Camera Operator:**
   Motion by Gerry, second by Trundy, that the Board hire Tim Swenson for the position of camera operator with a six-month probationary period at a rate of pay of $20.82 for the first two hours and $10.41 for each additional hour. Vote 4-0.

17. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
   Motion by Trundy, second by Gerry, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 4-0.

Before the meeting ended, Dorothy Lanphear asked to address the Board. She said due to a recent incident when she was verbally abused by Recreation Commission member Don Heald, she was not comfortable working with him on the Recreation Commission any longer. Since the Board reappointed him to the Recreation Commission tonight, she now submits her verbal resignation from the Commission tonight.

18. **Adjourn:**
   Motion by Gerry, second by Trundy, to adjourn the meeting (8:50 p.m.). Vote 4-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant
Selectmen present: David Barrows, Chairman, Julia Libby, Vice-Chairwoman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn

The meeting was called to order at 6 p.m. by Chairman Barrows at Lincolnville Central School in Room B-5. Chairman Barrows asked for a moment of silence in remembrance of Ken Bailey. The quote was read by Selectman Gerry.

1. Citizen’s Forum:
   Jay Foster reminded individuals of the Planning Board vacancies.

   Rosey Gerry stated that the Let’s Move It! Campaign was successful in raising $5,953.

2. Administrator’s Report:
   David Kinney, Town Administrator, reported:
   - Roadside mowing has commenced.
   - Wellman paving will be purchasing mix from Lane Construction a State certified plant.
   - The switch to the new Town web site is in process but the site is currently down.
   - Selectman Gerry asked about the paving of State Route 173. Kinney responded that the initial plan was to re-surface from Drake Corner to Route 1 but it now appears that in addition the section from the Belfast Road to the Searsmont town line will also be done, although no one from the State has confirmed this for us.

3. Meetings & Announcements:
   Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:
   Selectman Gerry reported the Strawberry Festival was a success.

5. Meeting Minutes:
   Motion by Libby, second by Trundy, to approve the July 9th meeting minutes. Vote 4-0-1 (Dunn abstained.)

6. Lincolnville Fall Festival – Rick Pierson
   Rick Pierson, Organizer, reported:
   - The event date of September 22nd
   - Parade 10AM start, hopeful for up to 150 Model A’s, Shriner’s, puppets, etc.
   - Open 9AM to 3PM
   - Free rides, events
   - Looking to shut down Route 1 about 9:30AM, detour may create a challenge with who to do it (in the past Lincolnville PD)?
Selectman Trundy inquired about parade staging area and parking. Pierson indicated that Model A’s will stage at Point Lookout, others at Bayshore Baptist Church and along the road. Parking signs and shuttle along Route 1.

Selectman Libby asked if Chief Young had been contacted about traffic control and stated that the members of the Lincolnville Fire Department might be able to assist with traffic control. Pierson stated that Chief Young has been contacted and is available to assist as they see fit. Pierson is unaware of who to contact for the LFD. Libby offered to coordinate contact with LFD.

Selectman Gerry suggested that Ocean Falls Lane might be worth pursuing as a staging area.

7. Beach Usage – Richard McLaughlin

McLaughlin expressed his concern for watercraft on Lincolnville Beach. He owns part of the beach, as does the Town and his son Rick also owns a portion. McLaughlin stated that his concerns are: Use of the beach by a landing craft, commercial use of the beach for income purposes, a take off point to Warren Island, the ice cream truck, animals on the beach, and watercraft lessons on the beach.

Town Administrator Kinney explained that the landing craft issue was promptly addressed with the craft owner and operator by Harbor Master Hutchings. Further Kinney explained that the Harbor Master, the Code Enforcement Office, and the Police Chief reviewed the operation of the hand carried watercraft from the beach. No local ordinance or State statute appears to be violated by the activities at the beach. The activities also appear consistent with the deed restrictions.

Amy Leclerc stated that Thorfinn Expeditions has never conducted lessons on the beach and conducts no commercial operation from the beach. The shop is in a perfect location and questioned whether a client could rent a board, run across the street and use the beach. She owns 5 boards and shares with others. Ms. Leclerc stated that she has been approached a half dozen times by a woman named Patty in a white car and she feels harassed by Patty. She would like to know if their activities are breaking the law.

Gerry questioned the hawking and peddling of ice cream. Kinney stated that to the best of his knowledge no ice cream vendor has a hawking and peddling license. After questioning by Gerry, McLaughlin stated that ice cream man is usually at the beach between 4-6PM on Wednesdays.

Tracy Colby questioned safety of ice cream truck operation

Paul Crowley asked where the property lines are and stated that a portion of the beach belonged to the State (McLaughlin stated that the State does not own the beach property). He suggested having the Town Attorney review the deed as commercial use might have
different meaning to lawyers and judges. Also suggested buoys are used to delineate the swim area from boating area.

Dunn asked if Rick McLaughlin felt misused. McLaughlin stated that Rick doesn’t mind use of the beach.

**Motion by Trundy, second by Libby, to ask the Harbor Committee to look at the issue, specifically motorboats & buoys. Vote 5-0.**

Gerry suggested catching up with the ice cream truck.

Dunn asked if Leclerc was okay with current use. Barrows responded yes as long as commercial operations are not being conducted and the current ordinances are followed.

8. **Municipal Building Committee Update**
   Jay Foster gave a brief overview of two remaining options (new or renovation/addition). The designs are not final and the committee is continuing space & size discussions. Project on track for November vote.

   Amanda Austin of 2A Architects stated that the no cost estimates are available but are in the works. The estimates will be prepared for the August 13th meeting. Austin reviewed the plans with the Board. 2A is still working on adjacencies of space, reuse of furniture, etc. Plans will change as the project progresses. Option 1 (new) is larger than Option 2 (renovate/expand) due to vault and storage. Option 2 adds onto one side of existing building. 2A gathering input from committee, staff, and Board for next round of revisions.

   Gerry stated that both options attractive yet still a work in progress. Final project could be larger or smaller.

   Austin stated that Option 1 needs additional evaluation regarding extending parking, road, utilities and reuse of existing Town Office.

   Dunn inquired about the timeframe. Austin stated that the timeline set forth calls for the Selectmen to choose an option on August 13th that would then be further refined for the September 10th meeting of the Board and potentially a November vote.

   Dunn asked about options if Board has sticker shock. Austin stated that there would be options and perhaps a revaluation of space needs.

   Paul Crowley concerned about sticker shock, tripling the building size, and PD space.

   Libby suggested that the Town needs to build something that will meet the Town’s need and last a good long time without the need to revisit in the short term.

   Foster was concerned about the tripling of space comment and noted that if the meeting room was eliminated the space less than doubles in size.
Trundy asked what would or could occur if a movement to change the PD arose. Kinney responded that the warrant for November 6th could be revised. Even after a November vote plan changes can be made.

Gerry suggested that he constructed a garage for 4 employees and that only 1 works there now. No extra space is available, every nook and cranny is filled and encouraged the group to spend the time and find out the needs.

Libby stated that the Camden First Aid was built 10 years ago and although it appeared spacious when they first moved in they could use more room.

Barrows was hopeful that this project would last Town for 35-50 years as 25 years ago Town built too small a space.

Foster hoped that the Town can address PD and stated that the PD status shouldn’t be tied to this project.

Cathy Hardy stated that what may or may not come on PD, the plans presented are good.

9. Community Priorities for Local Law Enforcement at Current Staffing Level
Eryn McCloskey expressed a concern about response time. She related two incidents one where she waited 45 minutes for the Sheriff’s Department and another where she waited less than two minutes for LPD. Her family has lost cats. She suggested spending time out patrolling. The school zone is an important area. She is not comfortable with her younger sister biking to school and she has concerns for her younger brother’s safety as people ignore the 25 MPH speed limit in their neighborhood.

Cathy Hardy stated that she had provided material for the Selectmen’s packet. She suggested that as the summer population doubles or triples that patrol on Friday nights and Saturday evenings would be her preference.

Chief Young reported the statistics from the State Police safety check conducted the previous Saturday evening in Lincolnville Center. 146 vehicles checked, 3 OUIs and a drug arrest. He reiterated that guidance and community input is helpful.

Tracy Colby questioned child safety and how many children actually walked to school. She stated that when she attended school they had crossing guards that were older kids to help the younger kids cross the streets safely. Colby stated that with 40 hours per week the Chief will be spread out.

Gerry asked if the safety checkpoint was LPD initiated or State Police. Chief Young responded that the State Police had a grant to conduct the safety checkpoint and as a courtesy they invited LPD to participate.

Cathy Hardy asked if Lincolnville could apply for grants for Waldo County. Grants are designated to an agency or Department.
Gerry stated that the Chief will be stretched thin however a presence in and around community events was important so that the Chief could be seen and involved. Gerry also stated that he wasn’t going to tell the Chief where and when to be somewhere. Young responded that if organizers could call him with advance notice and specifics of events that would be helpful.

Libby suggested that the Board be careful on micromanaging.

Kristi Hardy-Gilson stated that she voted in favor of reducing the force. The items listed in the newspaper were “icing”. She suggested that public safety and traffic safety were a priority. Further she suggested looking at existing data to examine trends.

10. Ride Along Program
Town Administrator Kinney reported that according to the Town Attorney a properly worded release goes a long ways to reduce or perhaps eliminate any liability with a ride along program.

Cathy Hardy reviewed the material she submitted for the Board’s packet including that the Town of Camden does not allow ride alongs while the communities of Rockport, Rockland, and Belfast do with certain restrictions and releases/waivers. The City of Belfast’s program is most similar to ours. She suggested that with only 40 hours per week that public safety be the priority over ride alongs.

Kristina Barrows stated that for someone attempting to get into law enforcement a ride along program is very helpful as it gives you the opportunity to determine if you really want to get into law enforcement.

Gerry stated that perhaps ride along requests should go through the Town Administrator. He has received a lot of calls about how come the cruiser was here or how come so and so was in the cruiser. 99% of the time he has received a legitimate answer.

Motion by Gerry, second by Libby, to suspend the ride along program effective July 23rd except for town officials. Libby stated her second would allow for discussion.

Dunn questioned what are town officials? Employees?

Libby suggested that perhaps those taking law enforcement classes be allowed.

Trundy stated that in his opinion Gerry’s motion was too limiting. He suggested having Town Administrator, Police Chief, and Town attorney take a look at this issue and come back to the Board.

Gerry suggested that he Chief would use good judgment. The Chief could call AAA or a wrecker for someone if their car was broken down and that person could ride along in the wrecker.
Trundy stated that he has done the job and that giving people rides at times was part of the nature of the job. An officer has to be reasonable and responsible.

Chief Young stated that he understands the concern and that policies are out here and available.

Tracy Colby suggested not delegating this issue to a committee. The Board should be doing this. Any ride along should be for police business.

Paul Crowley stated that of course if it was 20 below zero the Chief should give a person a ride home. He stated that what we want is to avoid joyriding or use for political purposes. He stated that Police should do what police are supposed to do but that the Board should put limits.

Trundy stated that he could not support the motion as presented and would like to see a policy prepared for the Board to consider. Gerry suggested that Trundy could perhaps offer a motion.

Gerry offered to withdraw his motion and Libby her second. **Motion withdrawn.**

Motion by Trundy, second by Gerry to suspend the ride along program unless it is for police business and that the Police Chief and Town Administrator prepare a draft policy for Board review. Vote 5-0.

11. **Board, Committee, and Commission – Resignation(s) and Appointment(s):**

   Motion by Libby, second by Trundy, to accept the resignation of Dorothy Lanphear from the Recreation Commission. Vote 5-0.

   Motion by Gerry, second by Trundy, to accept with regret the resignation of Diane Bacon.

   Gerry stated that Diane was an excellent town employee and he was disappointed to see her leave. She was non-biased, and was a good and honest person. Barrows stated that she was an excellent employee and he was sorry to see her leave.

   Vote 5-0.

   Motion by Gerry, second by Trundy, to appoint Sandra Thomas to the Wage & Personnel Policy Board, with a term expiring June, 2014. Vote 5-0.

   Motion by Gerry, second by Libby, to appoint Justin Twitchell as Inland Harbor Master, with a term expiring June, 2013. Vote 5-0.

12. **Maine Municipal Association Ballots**

   Motion by Trundy, second by Dunn, to cast the MMA Legislative Policy Committee ballot for Joe Brooks and Galen Larrabee. Vote 5-0.
Motion by Trundy, second by Libby, to cast the MMA Vice-President and Executive Committee Ballot for Peter Nielsen, John Butler, Jr., Michael Crooker, and Marianne Moore. Vote 5-0.

13. **Liquor License - Catering Privileges: The Dogfish Company, Inc. @ Ducktrap Retreat**, Motion by Libby, second by Trundy, that the Board approve and sign the application for a Special Permit for Catering Privileges for The Dogfish Cafe for July 28, 2012 for the hours of 4PM until 11PM. Vote 5-0.

14. **Septage Disposal Contract**
   Motion by Gerry, second by Libby, that the Board approve and sign the agreement with Moore’s Septic of Swanville for the disposal of residential septage at an annual cost of $2,875 per year. Vote 5-0.

15. **Rules of Procedures**
   Gerry suggested that the Board pass over this item and Town Administrator provide language that would in effect end all discussion of an item once the Board had voted.

17. **Treasurer’s and Payroll Warrant(s) – Approve and Sign (Taken out of order):**
   Motion by Trundy, second by Libby, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 4-0.

16. **Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E))**
   Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 5-0.

   Upon returning to open session, **Motion by Gerry, second by Libby, to deny the abatement request. Vote: 5-0.**

18. **Adjourn:**
   Motion by Gerry, second by Trundy, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

David Kinney
Town Clerk
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn. Julia Libby, Vice-Chair (joined session in progress).

The meeting was called to order at 6 p.m. by Chairman Barrows at Lincolnville Central School in Room B-5. The quote was read by Selectman Dunn.

1. **Citizen’s Forum:**
   None

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Applications for the State Circuitbreaker program are now available.
   - Roadside mowing is continuing.
   - The culverts on the Heal Road & Martin Corner Road have been replaced in preparation for paving.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**
   Selectman Gerry reported that the Let’s Move IT campaign is hosting the old time radio show “3 weeks and 31 flats” on August 18th and 19th.

   Kinney reported that TRIAD program is sponsoring Senior Day August 16th and a benefit auction on September 14th. Also the Crossroads Baptist Church is sponsoring a free Block Party 4-6PM on August 18th at Breezemere Park.

5. **Meeting Minutes:**
   Motion by Gerry, second by Trundy, to approve the July 23rd meeting minutes. Vote 4-0 (Libby absent).

6. **Raises and Benefits – Greg Boetsch:**
   Boetsch provided a summary of the current state of the economy. He requested that the Board re-look at what is “written in stone” in terms of employee benefits.

   Gerry asked if the Wage & Personnel Policy Board made recommendations for changes annually. Kinney responded that they did.

   Trundy responded that the Board looked at wages and benefits annually as part of the budget process and would continue to.
Boetsch thanked the Board for their time. Chairman Barrows thanked Mr. Boetsch for his comments.

7. **CPRC Scenic Assessment – Karin Womer:**

Ms. Womer reviewed the history of the effort to update the 1989 scenic view map and outlined its reference in the town ordinances. She then ceremoniously presented the Board with the 2011 Scenic Assessment.

Trundy stated that he was very impressed with the finished product.

Womer stated that scenic views are a bit of a moving target as the trend over time has been has been the loss of views. She hoped aloud that the report might prompt owners to restore “lost” views while being informative and inspirational to readers.

Gerry asked rhetorically if the report represented a weekend of work.

Womer replied that the field work was performed last summer and has continued since that time. While the survey is good, it is not a law or regulation.

Dunn stated that this effort was her first foray in the Town. She recognized Karin Womer, Andrea Norfleet and the CPRC members for their efforts and many, many hours.

Jay Foster stated that the current map is subjective. He looks forward to a replacement for the current map.

Womer stated that the report is different and its purpose is not meant to create a replacement for the existing map. She suggested that when reading the report one should be careful not look at individual properties. The question as the Town moves forward will be how much can or should we regulate.

8. **Municipal Building Committee Update:**

Amanda Austin of 2A architects started off by saying that they were trying to create a long lasting, low maintenance structure that would be in keeping with local architecture. She then reviewed the charge and the two options (new and renovate/expand).

Rosey Gerry clarified that Option 1 would be a new building built behind the existing Town Office.

Austin reviewed the project costs. The committee and the architects are seeking direction on the preferred option to refine further and well as the concept of adding a second floor and the cost associated with a future elevator, stairway(s), and floor framing.

Gerry reiterated that the cost presented was the entire project cost and not just the building.

Austin stated the current cost estimates have Option 1 (new) at $1,100,000 and Option 2 (renovate/expand) at $872,000. As the project moves forward the contingencies will be
refined, some entries that may be double counted will be removed, and the unknown items will have a cost assigned to them.

Jay Foster, Municipal Building Committee Chair, stated that the committee was uncomfortable with the numbers. Some of the cost is being driven by the replacement of 25 year old items that will need to be replaced or repaired regardless of any project moving forward such as the roofing, the septic system, the parking lot resurfacing. In addition the building is not functional and not ADA compliant.

Trundy stated that more office space is needed and that the building needs to be ADA compliant. However the price is too high to pass. The meeting space is possibly a luxury and exceeds the need for the typical Board of Selectmen or Planning Board meeting. He suggested removing the meeting room so that the cost would be acceptable to the voters. Planning for a second floor is a waste. His preference is to remove the meeting room and do away with the second floor.

Tracy Colby reviewed the voter history and her recollection of the project. She stated not to expect a full size anything to happen.

Gerry stated that the people of the town are spoiled as the fire station was given to them, a lot of the school was constructed with donations and state funding and the taxpayers have paid a little bit. Lincolnville is the greatest town and we should have a Town Office that is serviceable and proud of. He believes that the Town can come up with a plan to present to a public hearing. Big meetings can be held in the school but he believes a meeting room in the Town Office is essential.

Trundy stated that getting the public to a public meeting is like pulling teeth; the vast majority of the public have lives to live and most are far too busy. We will need to educate the public to the position the Town is in. We have to do something for the Town. He would prefer a project that did not require borrowing $250,000.

Dunn stated that the fund set aside is a bonus but the borrowing appears inevitable.

Gerry wondered aloud what we have for a budget.

Dunn stated that everyone in the Town Office is on top of each other and that certainly ADA compliancy takes up space that doesn’t exist.

Trundy stated that what is available plus a $250,000 borrowing will be an uphill battle. What can we get and not compromise the project. If the cost is too large it is doomed to fail.

At Gerry’s request Kinney explained the financing aspect of the project. The Committee had estimated in November of 2011 that a $250,000 borrowing over twenty years would be substantially less (approximately $12,000) than the $30,000 that has been raised over the last several years towards this project.
Tracy Colby asked if the Town was approaching its borrowing limit. Kinney responded that while he didn’t have the numbers the Town is well below limit. So far that it wasn’t even necessary to calculate.

Foster stated that in an economy such as this we should be going forward as the work needs to be done and contractors, engineers and architects are looking for work.

Gerry stated that at $500,000 the Town is not going to get what it wants or needs. Before we didn’t know the costs, now we know, where to now.

Libby thought a range of $600,000 to $650,000 might be acceptable.

Barrows stated that he had been looking at borrowing of $250,000.

**Motion by Trundy, second by Gerry, to go forward with refining Option 2. Vote 5-0.**

Bill Lane of Gartley & Dorsky explained the unknowns with Site Location of Development Act permit. A full third of the site cost estimate is the work associated with the storm water permit. It is not likely that we will have an answer to the permitting questions before the deadline for the ballot.

Vern Zeigler stated that as the “numbers guy” that at the current appropriation level it costs the $200,000 property owner, which is above the average homestead property owner in Lincolnville, $15 per year. For a $250,000 borrowing the cost would be approximately $9 per year for the same property.

Foster stated that the Town has invested in the Fire Station and the school. The Town Office is where our local government is managed from. The project is expected to be done and should be done.

9. **Kendall Cemetery:**  
Kinney explained the reviewed the letter from Mr. Wilson.

Cecil Dennison, Chair of the Cemetery Trustees, stated that the stones had been laid down and covered with debris. The Trustees thought that perhaps up to eighteen graves existed in Kendall Cemetery.

By consensus it was agreed as a first step to have Kinney write the landowner whose property surrounds the cemetery requesting permission to access the cemetery.

10. **As Board of Assessors – Property Tax Commitment:**  
**Motion by Gerry, second by Libby, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: 5-0.**

Assessors’ Agent Vern Ziegler handed out new paperwork and explained that he made a slight change to the draft (down $440.22). The Board of Assessors recommendations from
their July meeting were made to the valuations. For each dollar raised 12.7% is to fund county services, 18.4% municipal services, and 68.9% for education.

Motion by Libby, second by Gerry, that the Board of Assessors approve and sign the Assessors’ Certification of Assessment, the 2012 Municipal Tax Assessment Warrant, the Certificate of Commitment and the Certificate of Assessment to be Returned to Municipal Treasurer as prepared by the Assessors’ Agent establishing the tax rate for the fiscal year July 1, 2012 to June 30, 2013 at 0.0138 mils on the dollar and the due dates of October 11, 2012 and April 11, 2013 with interest at 7 percent per annum to be paid on any unpaid portion commencing on October 12, 2012 and April 12, 2013 including a special assessments totaling $41,367.26. Vote: 5-0.

Motion by Gerry, second by Libby, to adjourn the meeting of the Board of Assessors and reconvene as the Board of Selectmen. Vote: 5-0.

11. MCSWC Board of Directors Vacancy:
   Kinney explained that the Town currently has a vacancy on the MCSWC Board of Directors and that a Board member or community member should be appointed. No Board member volunteered. An invitation was extended for any interested community member to contact the Town. The Budget Committee members will also be notified.

12. Set Public Hearing Date for Winter Road Closing(s):
    Motion by Gerry, second by Trundy, that the Board conduct a public hearing on closing a portion of the Martin Corner Road to winter maintenance at 6:30PM on September 10, 2012.

13. Board, Committee, and Commission Appointment(s):
    Motion by Gerry, second by Trundy, to expand the Memorial Day Committee from 5 to 7 members. Vote 5-0.

    Motion by Gerry, second by Libby, that the Board appoint Alexander Lyle to the Memorial Day Committee with a term expiring June 2013. Vote: 5-0.

    Motion by Gerry, second by Trundy, that the Board appoint Brian Demers to the Land Use Committee with a term expiring June 2014. Vote: 5-0.

    Motion by Gerry, second by Trundy, that the Board appoint Brian Demers to the Lakes and Ponds Committee with a term expiring June 2013. Vote: 5-0.

14. Public Access Officer Appointment:
    Motion by Gerry, second by Libby, that the Board appoint David Kinney as the Public Access Officer with a term expiring June 2013. Vote: 5-0.

15. Approval of Town Clerk’s Appointment of Election Warden:
    Motion by Gerry, second by Libby, that the Board approve the Town Clerk’s appointment of David Kinney as Election Warden for the November 6, 2012 Election. Vote: 5-0.
16. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
Motion by Gerry, second by Dunn, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 5-0.

17. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
Motion by Gerry, second by Dunn, that the Board of Selectmen enter into executive session for purpose of consideration of employment of an Administrative Assistant pursuant to Title 1 MRSA Section 405(6)(A). Vote 5-0.

18. **Adjourn:**
Motion by Gerry, second by Trundy, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

David B. Kinney  
Town Clerk
Selectmen present:  David Barrows, Chairman, Rosendel Gerry, Julia Libby, and Ladleah Dunn.  Excused: Jason Trundy

The meeting was called to order at 5:45 p.m. by Chairman Barrows at Lincolnville Central School in Room B-5. The quote was read by Selectman Dunn.

1. **Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E))**
   Motion by Gerry, second by Libby, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 4-0.

   Upon returning to open session, Motion by Gerry, second by Libby, to adjourn the Executive Session. Vote: 4-0.

   The quote was read by Selectman Gerry.

2. **Citizen’s Forum:**
   None

3. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - The culverts on the roads to be paved have been replaced and the first course of pavement installed. The main line paving is schedule for Thursday and Friday of this week.
   - That comments on the new web site have been positive. He apologized that the new information wasn’t being posted sooner but with the departure of the Administrative Assistant who had been doing all of the web site development postings had been slowed.

4. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings. He noted that the Planning Board meeting has been cancelled.

5. **Upcoming Community Events:**
   Selectman Gerry reported that the Harvest Hoot will be September 8th at the Camden Snow Bowl.

   Selectman Libby reported that the Windjammer Festival will be this weekend.
   Selectman Dunn reported that the Maine Fare will be September 7th.
6. **Meeting Minutes:**  
   Motion by Libby, second by Dunn, to approve the August 13th meeting minutes as presented. Vote 4-0.

7. **Appointment(s) & Resignation(s):**  
   Chairman Barrows announced the resignation/retirement of Doris Weed and stated he was sorry to see her go.

   Motion by Libby, second by Gerry, that with deep regret and with the Town’s appreciation for many years of tireless service that the Board accept Doris Weed’s resignation effective as of February 2, 2012.

   Motion by Libby, second by Dunn, to appoint Cheryl Ten Broeck as Administrative Assistant at Step H (hire) on the pay scale with a six month probationary period.

   Town Administrator Kinney stated that with Doris Weed’s resignation he would be looking at opportunities to re-organize the front office staff duties and responsibilities.

8. **Liquor License Renewal Application – Swan’s Way Corporation:**  
   Motion by Libby, second by Gerry, to approve and sign the liquor license application submitted by the Swan’s Way Corporation. Vote: 4-0.

9. **Prescott Septic System Easement:**  
   Motion by Gerry, second by Libby, to approve and sign the easement deed to Barbara Prescott as prepared by the Town Attorney allowing for the installation of a wastewater disposal system on town owned property pursuant to the authority granted the Board of Selectmen at a Town Meeting held on November 24, 2008. Vote: 4-0.

10. **As Board of Assessors:**  
    Motion by Gerry, second by Libby, to suspend the meeting of the Board of Selectmen and convene as the Board of Assessors. Vote 4-0.

    Motion by Gerry, second by Libby, to grant Property Tax Abatement #2012-01 as recommended by the Assessors’ Agent to Shirley Rego in the tax amount of $121.44. Vote: 4-0.

    Motion by Gerry, second by Libby, to approve and sign the Supplemental Tax Warrant as recommended by the Assessors’ Agent to Jeffrey Rego as owner in the tax amount of $455.40. Vote: 4-0.

    Motion by Gerry, second by Libby, to adjourn the meeting of the Board of Assessors and reconvene as the Board of Selectmen. Vote 4-0.

11. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**  
    Motion by Gerry, second by Dunn, to approve the Treasurer’s Warrant and the Payroll Warrant. Vote 4-0.
12. **Workshop with Municipal Building Committee:**
   The Board conducted a workshop session with the Municipal Building Committee and representatives of the 2A Architects. No motions or votes taken.

1 (continued). **Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E))**:
   Motion by Gerry, second by Libby, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 4-0.

   Upon returning to open session, Motion by Gerry, second by Libby, to adjourn the Executive Session. Vote: 4-0.

   Motion by Libby, second by Barrows, to grant an abatement in the amount of $1,554.09 pursuant to Title MRSA Section 841(2). Vote: 4-0.

13. **Adjourn:**
   Motion by Gerry, second by Libby, to adjourn the meeting. Vote 4-0.

   Respectfully submitted,

   David B. Kinney
   Town Clerk
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, Julia Libby and Ladleah Dunn.

The meeting was called to order by Chairman Barrows at 6:00 p.m. at Lincolnville Central School (B-5). The quote was read by Selectman Trundy.

1. **Citizen’s Forum:** Arlene Leighton wanted to make sure that the selectmen received Islesboro’s letter dated August 29th about the Good Harbor Assessment, which relates to the DCP Midstream LPG Tank/Terminal at Mack Point in Searsport. She asked for assurance that the selectmen will work with the Good Harbor Consultants. The selectmen said that they agreed they will. Ms. Leighton expressed her concerns and said we need to look at this as a regional issue because things happen that you don’t expect.

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Ducktrap Retreat application for a catering and liquor event for Saturday, Sept. 15th, came in late. In order for the Board to consider it the Board would have to determine it to be an “emergency” item.
   - The contractor has finished paving on Martin Corner Road.
   - Circuit Breaker Program applications, for Property Tax and Rent Refund, are available at the Town Office during normal business hours. Refunds are for up to $1,600. He encouraged people to apply and pointed out that applications can be completed on line or paper copy.
   - Fall and winter are coming and the road crews have done the first mowing of the road sides. David stated that it would be helpful if the citizens could clean out the ends of their driveway culverts so when it rains it doesn’t wash out their driveways.
   - David also introduced Cheryl Ten Broeck to the Board as the new Administrative Assistant.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.
   
   The Cemetery Trustees meeting has been canceled for Thursday, Sept. 13th.

4. **Upcoming Community Events:**
   Waldo County TRIAD is having an auction this Friday, Sept. 14th, at the Belfast Masonic Hall on White Street behind the Shrine Club. The viewing and food starts at 5:00PM and the auction starts at 6:00PM.
   
   Prescription Drug Collection is being held on Saturday, Sept. 29th, 10:00AM to 2:00PM at the Town Office. Please bring any unwanted Prescriptions to drop off for proper disposal.
The Old Timers Luncheon on Monday, Sept. 17th, will be at the Lobster Pound at 11:30AM.

5. Meeting Minutes:
   Motion by Libby, second by Gerry, to approve the August 27th, 2012 meeting minutes as presented. Vote 4-0-1 (Trundy abstained).

6. Waldo County Budget Committee Ballot:
   Motion by Gerry, second by Libby, to vote for David Barrows to serve as District 1 Waldo County Budget Committee Member. Vote 4-0-1 (Barrows abstained).

7. MMA Voting Credential Form:
   The annual Maine Municipal Association Convention will be held in early October at the Augusta Civic Center. David Kinney stated that no one was interested in attending the Convention and the item was not acted on.

8. Liquor License Renewal Application – Chez Michel Restaurant:
   Motion by Gerry, second by Libby, to renew the liquor license filed by Chez-Michel Restaurant. Vote 4-0-1. (Gerry abstained).

9. As Board of Assessors:
   Motion by Gerry, second by Trundy, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote 5-0.

   Motion by Gerry, second by Trundy, that the Board grant Property Tax Abatement #2012-02 as recommended by the Assessors’ Agent to Avis Rainfrette in the tax amount of $64.86. Vote 5-0.

   Motion by Gerry, second by Libby, that the Board approve and sign the Supplemental Tax Warrant as recommended by the Assessors’ Agent to Roger & Rebecca Schaffer as owners in the amount of $64.86. Vote 5-0.

   Motion by Gerry, second by Trundy, that we adjourn our meeting as the Board of Assessors and that we convene as the Board of Selectmen. Vote 5-0.

   Additional Item brought before the Selectmen by David Kinney -- David Kinney received via FedEx an application for a liquor license for a catering function at Ducktrap Retreat in the Dog Fish Café for a wedding reception on Saturday, Sept. 15th, from 5:00PM to 11:00PM. It was noted that there have not been any complaints about noise this year. It was decided that due to timing that this was an emergency item so that the Board could act on it.

   Motion by Trundy, second by Libby, to approve the Liquor License for Dog Fish Café. Vote 5-0.

Gerry asked if anyone found the MMA Town Office Staff Size Survey results interesting. David Kinney summarized the survey for the Board. Maine Municipal Association as part of
their annual salary survey for the last couple of years has asked for staffing changes. They did surveys in 2010, 2011 and 2012 and found that the larger municipalities had higher proportional reduction in staff numbers compared to small municipalities. However, 78% said that staff size has remained the same. The survey is available at the town office.

10. 6:30PM Public Hearing: Special Amusement Permit Amendment – Cellardoor Winery:
Motion by Trundy, second by Libby, to open the public hearing concerning the proposed amendment to the Special Amusement Permit held by the Cellardoor Winery. Vote 5-0.

David mentioned that the Cellardoor Winery will be having music on Sept. 28th, at 6:30PM and would like to amend their existing permit so that the music can play until 11:00PM instead of 10:00PM. They are expecting a good crowd for their event.

No comments were made by the public.

Motion by Libby, was seconded, that the Board close the public hearing. Vote 5-0.

Motion by Trundy, second by Libby, that after having held a public hearing, that the Board finds that the amendment application submitted by the Cellardoor Winery complies with the standards set forth in the Ordinance Governing the Issuance, Suspension and Revocation of Special Amusement Permits for the Town of Lincolnville and the amendment be granted. Vote 4-0-1 (Gerry abstained).

11. 6:30PM Public Hearing: Winter Road Closing – Martin Corner Road (portion of):
Motion by Trundy second by Gerry, to open a public hearing concerning the winter road closing of the Martin Corner Road pursuant to Title 23 Section 2953. Vote 5-0.

No member of the public needed explanation about the proposal and no public comments were made.

Motion by Gerry, second by Libby, to close the public hearing concerning the winter road closing of the Martin Corner Road. Vote 5-0.

Motion by Trundy, second by Gerry, that following a public hearing pursuant to Title 23 MRSA & 2953(2), and due deliberation, it is the opinion of the Municipal Officers of the Town of Lincolnville that the Martin Corner Road from 171 Martin Corner Road to its end at the Moody Mountain Road is so located with reference to population, use and travel thereon, that it is unnecessary to keep it maintained and open for travel during the months of December, January, February, March and April or any part of these months for a period of 1 year.

Motion by Trundy, second by Gerry, to close a portion of Martin Corner Road. Vote 5-0.

12. Consideration for Special Town Meeting Order and Warrant for November 6th, 2012:
Kinney stated that we verbally received good news from DEP that a Site Location of Development Act permit will not be required for the anticipated town projects be it the town office renovation/expansion, the running track or the move of the schoolhouse due to the fact that the site is governed jointly by the school committee and the Selectmen. The DEP decision will save the town approximately $72,000 in costs. Amanda and Brian from 2A Architects working together with Gartley & Dorsky put together a revised memo that brought the project cost, to be voted on in November, down to $703,000. Subtracting out the monies that have previously been appropriated or in reserve results in $220,000 to be borrowed. Amanda and Brian also put together a memo outlining some of the additional things that could be changed within the building, ranging from $285 bulletin boards to $3,000 dollars of insulation in the attic. Kinney mention there were four members of the Building Committee at the meeting.

Cathy Hardy from 21 Hope Road had a question on the $220,000 long term bond issue. One suggestion was made that this could be a one-time payment instead of financing over a long period of time. She asked Kinney if this was a ten-year plan. Kinney said it was for a 20-year borrowing, but could be any term the Board desired. Cathy commended 2A Architects on the work they have already done to scale back the cost. Cathy would like to see the cost more on the range of $100,000 to $150,000. Cathy asked Amanda if they had any idea of job cost. Amanda stated there was really no way to know what the cost would be. Amanda said that the total cost has more to do with competitive bidding and less to do with the economy. Cathy challenged the Budget and Capital Needs Committee put a cap on the cost and cut wherever they can to offset costs.

Kinney said that most of the request that the Capital Needs Committee receives is for an anticipated future long term expense that has been designated (like a fire truck) versus the Capital Investment Reserve which is basically undesignated for purchases. The Capital Needs Committee recommends that requests come from a department head or committee chair. The harbor is another example where they have recommended specific monies be designated versus trying to build up a fund of undesignated capital. This Capital Investment account existed prior to Kinney’s arrival. Kinney’s preference is to have a reserve fund that is designated to a specific purpose so it is clear when the people vote for the fire truck fund where that money is going to go. He also said that if we were to set aside monies for any future capital project we should established a reserve fund for that project.

Trundy ask how much flexibility does the town have on the terms for loans.

Kinney said the article as written leaves it to the Board of Selectmen working with the Treasurer to determine how long they want to borrow the money for. He addressed the Selectmen by saying if you know you want a different term I would encourage you to change the numbers to be as close to what you think you want.

Thomas Wilhelm, Chair of the Budget Committee, mentioned that if the renovation of the town office goes through then the useful life of the building should be twenty years so we wouldn’t need to have much of a capital reserve. We could do a specific capital reserve

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instead of a general one. Tom also asked how much information was out there concerning the building project.

Kinney said it has been on the Board’s agenda every week since June and that the Municipal Building Committee and the Board would be working disseminate information prior to the vote.

Cathy Hardy inquired if there was a chance we could use the Lincolnville Central School as the temporary town office when the renovation starts in the spring instead of using a trailer.

Kinney said that ideally the foundation work would start in April and the project would last at least eight months, but they could explore the idea with the school of using space. However, the logistics of moving communications and data systems will not make this very doable.

Paul Crowley stated that he thought we had a pretty good plan for the new town offices, but his only concern was the cost. He is worried about borrowing so much money. Paul is looking at $92,000 for site work and feels this cost should be around $50,000, but does not include paving in this figure. Paul suggests we should hire local people to bid on doing the site work. He suggested that we should invite people in town to bid on the site work before the project begins. He thinks that this could save $30,000. Paul asked if the $7,000 is the cost of obtaining the performance bond. Amanda from 2A Architects answered yes. Paul asked what the cost of borrowing is.

Kinney said the costs were pretty minimal, he talked to the town attorney and their thinking is it would be less expensive for the town to go to a commercial bank than to try to issue an actual bond.

Paul Crowley says sometimes with bonds you are not allowed to pay them off earlier. He said that local banks will offer good rates. Paul also would like to see the cost down to around $150,000 to be borrowed. He would like to see one more effort to try to get costs down.

Gerry asked about the time line for getting this article to the voters.

Kinney said that if the town chooses to put this forward to the voters on November 6th, which is election day, you have to back up the statutory time period because you must have absentee ballots available thirty days prior to November 6th. Also this requires an order to the Town Clerk within 45 days.

Gerry asked the other Board members and Kinney what are the pros and cons for having this article on November 6th as opposed to a Special Town Meeting say a month later.

Trundy said he feels the Board has been working very hard on this and would like to see this go on the November 6th ballot. He said that we have more public representation at the
November elections and sees this as a “pro”. He also added that he likes the idea of a loan we can pay off early.

Gerry said that if we had a little more time they could find an opportunity to save more on cost, which he sees as an advantage. He mentioned this for discussion purposes.

Dunn said that if we postpone the vote that we may lose on interest rates and we should strike while the iron is hot.

Paul Crowley thinks it should go to the voters on November 6th.

Dunn would like to see a pamphlet go out to voters with information concerning the building project.

Jay Foster would like to see the article on the ballot on November 6th, and thinks there is not much more we can do to get this cost down on the building. He suggested we need to get the community involved in getting the site development cost down. Maybe people could donate their time to do work on the site. Jay would also like to have public hearings and send out a pamphlet to the voters so that they are informed before they go to the polls.

Libby agreed with Jay that they have already reduced the size of the building enough.

Trundy agreed and stated that the floor plan is a common sense design.

Gerry asked Jay if he was thinking of more than one meeting and Jay said yes.

All agreed that it was a good idea to make sure that the voters are well informed.

Amanda Austin listed cost savings that could still be made for materials. These came to around $15,000, but there was a feeling among the selectmen that all the frills have been removed and there is not much room for further cost savings unless we want the structure to look like an FHA house. There was a consensus that the siding on the existing town office is in rough shape and should be replaced.

There was a long discussion about the need for contingencies for the building construction. Kinney gave examples from his own experience as to why contingencies are needed.

Amanda Austin from 2A Architects said that 10% is considered a standard for contingencies. She said that it would be possible to get it down to 8%. Less than 8% would be out of the norm. Amanda reviewed the Aug. 30th memo concerning possible modifications to the building.

The Selectmen expressed that it would be better to have an adequate contingency built into the project rather than to go back to the voters and ask for more money later because unexpected expenses occurred because of unanticipated problems.
In order to ensure adequate public input it was decided to hold a public hearing at least 10 days prior to the referendum vote on November 6th.

Motion by Trundy, second by Libby, I move to approve a Special Town Meeting Order and Warrant for November 6th, 2012 to raise $220,000 for the new town office building. Vote 5-0.

13. Treasurer’s and Payroll Warrant(s) – Approve and Sign:
Motion by Trundy, second by Gerry, to approve and Sign the Treasurer’s and Payroll Warrant(s). Vote 5-0

14. Executive Session – Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA & 405 (6)(F) & Title 36 MRSA & 841 (2)(E):
Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 5-0.

Upon returning to open session, Motion by Gerry, second by Trundy, to adjourn the Executive Session. Vote: 5-0.

Motion by Trundy, second by Gerry, to deny the tax abatement request pursuant to Title MRSA Section 841(2). Vote: 5-0.

15. Adjourn:
Motion by Gerry, second by Libby, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Julia Libby, Vice Chairwoman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn.

The meeting was called to order by Chairman Barrows at 6:00PM at Lincolnville Central School (B-5). The quote was read by Libby

1. **Citizen’s Forum:** None

2. **Administrator’s Report:**
   - David Kinney, Town Administrator, reported:
     - The auditors came to the Town Office last week. David expects the Selectmen will receive the final report in November.
     - Circuit Breaker Program applications for Property Tax and Rent Refund are available at the Town Office during normal business hours. The average refunds are for up to $500. He encouraged people to apply and pointed out that applications can be completed online through the Town’s Website.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**
   There will be a Flu Shot Clinic held on Saturday, Sept. 29th, 9:00AM to 12:00PM at Tranquility Grange Hall.

   Prescription Drug Collection is being held on Saturday, Sept. 29th, 10:00AM to 2:00PM at the Town Office. Please bring any unwanted Prescriptions to drop off for proper disposal.

5. **Meeting Minutes:**
   Motion by Gerry, second by Libby, to approve the September 10, 2012 meeting minutes as presented. Vote 5-0.

6. **Request for Clarification of Duties – Richard Rosenberg:**
   Mr. Rosenberg has been before the Board of Appeals three times and has paid his fees of $75 for each appeal. Mr. Rosenberg said that the Board of Appeals said the duties rest with the Selectmen and he wanted to know if they had the power to act on this decision. He disagrees with the meaning and intend of the Land Use Ordinance. Mr. Rosenberg was told by the town attorney that he could take this issue to the Maine Supreme Court. Mr. Rosenberg said he did not have the time or the money to do this. In his most recent case Mr. Rosenberg stated that he is building a houseboat not a house. He stated that the Board of Selectmen had
the power to seek changes and clarification of the ordinance and he suggested they do so without going to the Town Attorney. He bid the Board farewell and thanked the members for their time. Chairman Barrows thanked him for coming. The Board took no action.

7. **Breezemere Park Bandstand Use – Tom Nolan:**

Tom Nolan, resident of Lincolnville, addressed the Selectmen concerning a sailboat float that is right in front of his property and blocks his view of the lake. Mr. Nolan and his wife have lived on Norton Pond since 1989 and are year round residents. Mr. Nolan has been a very active member of the community and listed some of his contributions to the town over the years. Mr. Nolan was an active member of the Tranquility Grange and received a grant to help with paint and shingles for the Grange, to improve the kitchen and an access ramp. He also worked with the State Historical Society to make the Grange a Historical site on the State and Federal registries. Mr. Nolan was the Grand Master for the Grange; he was seven years on the Budget Committee; five years on the Planning Board; three-year term as the Waldo County Budget Committee Member; one year term as Selectman; and on the Land Use and Comprehensive Plan Review Committees. Mr. Nolan helped raise money for the Breezemere Park Bandstand. The float holds five to six sailboats and sits on the West Side of North Pond. When it was first put there it was right in front of his house blocking their view. Mr. Nolan approached the Selectmen and talked with Gary Neville and Andy Oliver concerning this matter, all agreed it was inappropriately placed and that it should be moved more to the West. They moved it to the other side of the swim area and it stayed there for about two years. Gary Neville said he would meet with Mr. Nolan and discuss the matter, but he never did. Now the float is back in front of his property. Mr. Nolan said the neighbors should at least be addressed. When the bandstand was being considered Don Heald went to the neighbors and discussed what his plans were and where the bandstand was going to be put and there were some objections to the placement and so he moved it back. Some people objected to the size of it and he made it smaller. Tom feels that public feedback is needed. Don Heald IV from the Recreation Committee came out a few days later to meet with Mr. Nolan and said the boat club refuses to move the float even though there are no sailboats in it at this time. Kinney went out and took pictures, but Mr. Nolan didn’t hear anything back. Mr. Nolan feels as a taxpayer, property owner and active member of the community that he and his wife have been treated shabbily. Mr. Nolan said this is costing him money in terms of the value of his property. He had a real estate assessment made and it came in much lower than previously and he believes it’s because of the float.

Mr. Nolan voiced his concerns regarding the graduation party held at Breezemere Park Bandstand on September 1st. Mr. Nolan was disturbed by the noise from the music and fireworks. Mr. Nolan and his wife were invited to come over for food and a glass of wine. He stated that under the guidelines alcoholic beverages are not allowed and amplified music is not permitted except thru a special permit issued by a Bandstand Trustee. He was very concerned about the sparks from the fireworks landing on the side of his house and on top of his roof. Mr. Nolan does not plan to follow up on this, but expressed his concerns that rules and regulations should be observed.

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Gerry asked Kinney if the bandstand guidelines were written before he took office and he said yes. Kinney said that there was no application to fill out. The public contacts the Town Office and Jodi contacts a trustee and there is a $100 fee is collected for the use of the bandstand and also $100 security deposit is made and returned, if no damage occurs, after the event. A trustee can grant amplified music from 6:30PM to 9:30PM. Gerry asked who polices these events. Kinney stated that it is basically an “honor” system.

Tom assumes one of the parents is responsible to make sure no alcoholic beverage is served. Tom said the first meeting concerning the Breezemere Park Bandstand Use was in the year 2000, and there has not been another meeting since then.

Gerry said we should revisit this issue and need an update on the guidelines because things change. Fireworks use to be illegal and now they are allowed and we should address this issue.

Kinney said he went to a Recreation Commission Meeting in July or August and one of the Recreation Commission members had spoken with Mr. Nolan and he came away thinking that the boat club float location, while not perfect, was okay with Mr. Nolan. He also said Mr. Nolan mentioned about moving a dumpster, which was done. Kinney came away thinking that the float was not ideally located, but was not a hot button issue any longer.

Mr. Nolan stated that Kinney came to his house and saw his state of mind.

Kinney said yes and he had spoken with the Recreation Commission member who has been assigned to Breezemere Park and said he spoke with Mr. Nolan and he thought that there still may be an issue with the float. At the next Recreation Commission meeting the chair of the Recreation Commission said that he had spoken with Mr. Nolan and there wasn’t an issue with the float any longer, but there was an issue with the dumpster and also an issue with the trailers banging when coming up the ramp. Kinney came away from that meeting with the assumption that the boat club float was no longer an issue. Kinney apologized to Mr. Nolan because he said his understanding is contrary to what he was telling the Board tonight.

Libby asked Mr. Nolan when the real estate people came out did they say the value had dropped because of the float. Nolan said no. Libby stated they she thought that with the economy and the way the real estate market is would have an effect on the assessed value of the land.

Gerry thanked Mr. Nolan for his time and wanted to thank Tom and his wife for all the things they have done for the Town. Gerry remarks were supported by the rest of the Board.

8. **Board, Committee, and Commission – Appointment(s):**

   Motion by Gerry, second by Trundy, to appoint David Munson to the School Committee with a term expiring June 2013. Vote 5-0
Motion by Gerry, second by Trundy, to Appoint Terry Moulton to the Mid-Coast Solid Waste Corporation Board of Directors with a term expiring June 2015. Vote 5-0

9. Treasurer’s and Payroll Warrant(s) – Approve and Sign:
Motion by Gerry, second by Libby, to Approve and Sign the Treasurer’s and Payroll Warrant(s). Vote 5-0

Additional item brought before the Selectman: Kinney said that before they adjourn unfortunately he dropped the ball; he had put an application in the wrong folder instead of agenda folder so the application Trillium Caterers who had applied to for a catering license for the event at the Cellardoor Winery this weekend was not on the agenda. Kinney stated that he hoped that the Board would not penalize them for his error and approve the applications.
Motion by Gerry, second by Libby, to approve the Catering Event Liquor License for Trillium Caterers. Vote 5-0

10. Adjourn:
Motion by Gerry, second by Libby, to adjourn the meeting (7:05 p.m.). Vote 5-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn. (Julia Libby excused absence).

The meeting was called to order by Chairman Barrows at 6:00 p.m.; at Lincolnville Central School (B-5). The quote was read by Trundy.

1. **Citizens’ Forum:** None

2. **Administrator’s Report:**

   David Kinney, Town Administrator, reported:
   - Kinney requested that if anyone knows of someone who might be a recipient for the Boston Post Cane to notify us. We have a Lincolnville resident who was born in 1912. So if you know of someone who was born in 1912 or earlier please contact us so we can give the cane to the future recipient.
   - Absentee Ballots are now available during normal business hours at the Town Office.
   - The Tax Maps are up on the new web site and the tax commitment data is coming.
   - Dog Licenses expire at the end of the year and as of next week you can license your dog online on the Town’s web site or at the Town Office. There is a late fee charge after the end of the year.
   - Reminder that the Circuit Breaker Program applications for Property Tax and Rent Refund are available at the Town Office during normal business hours and is also available online.
   - The Municipal Building Committee will be holding an open house and tour of the Town Office during our normal business hours from 8:30AM until 7:00PM on Thursday, Oct. 18th.

3. **Meetings & Announcements:**

   Town Administrator Kinney read the upcoming meetings.

   The Planning Board Meeting has been canceled for this week Oct. 10th.

   The Recreation Commission is meeting on Wednesday, Oct. 17th, 6:30 p.m. at the Lincolnville Central School.
4. **Upcoming Community Events:**

Gerry announced that the Lincolnville Community Library is having a concert and speaker Van Reid. The duo team of Castlebay is performing on October 10th at 7:00 p.m. Donation tickets are $10.00 each. This event benefits the Library and the Move It campaign. Van Reid has written several books on early Maine history and humor.

5. **Meeting Minutes:**

Selectmen Gerry questioned the meaning of the paragraph contained on lines 104, 105 and 106 and suggested the paragraph be deleted.

**Motion by Trundy, second by Dunn, to approve the September 24th, 2012 meeting minutes with correction. Vote 4-0.**

6. **Lease Agreement with Lincolnville Historical Society:**

Kinney said the Lincolnville Historical Society has approved, signed and provided us with a Certificate of Insurance to lease the former Dean and Eugley site on Main Street from the town for the future library and home of the Lincolnville Historical Society (LHS).

Diane O’Brien shared with the Board a picture of a design of what the site will look like when the school house is moved to the new location. The School House will be pulled off the foundation tomorrow and the pictures will be on the Face Book Page for the project. The LHS now owns the building. Kinney asked where donations could be sent. Diane said to send them to Lincolnville Historical Society at P.O. Box 204, Lincolnville, ME. Diane said the date they are moving the building across the road is Oct. 27th. It will be pulled across the road with ropes. At 9:00 a.m. the public is invited to come and participate. There will food and places for people to sit and watch. The telephone company is raising the wire onto a fifty foot pole. The cost for this was $4,000. The advantage is that it raises the wire above the site line of the building.

Gerry stated that the project has been very challenging and ask how many people have been involved.

Diane said there have been a lot of people involved. Viking donated some lumber and Rankin’s donated shingles. Bob Bateman and Chris Gardner took down some trees so the LHS will not have to pay for that work. There will be a pie sale on Oct. 20th to raise money for the project. Diane said it has been a good community effort. Diane mention that the building will be called the Lincolnville Community Library and ask if anyone had an idea of what to call the site let them know.

**Motion by Trundy, second by Dunn, that the Board approve and sign the lease agreement with the Lincolnville Historical Society for the property identified on Assessor’s Tax Map 5 as Lot 1. Vote 4-0.**
7. **As Board of Assessors – Abatement Requests:**

   Motion by Gerry, second by Trundy, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote 4-0.

   Motion by Gerry, second by Trundy, that the Board grant Property Tax Abatement #2012-03 as recommended by the Assessors’ Agent to Verizon Credit, Inc. in the tax amount of $4.14. Vote 4-0.

   Motion by Gerry, second by Trundy, that the Board grant Property Tax Abatement #2012-04 as recommended by the Assessors’ Agent to Randy Fein in the tax amount of $6.90. Vote 4-0.

   Motion by Gerry, second by Trundy, that the Board grant Property Tax Abatement #2012-05 as recommended by the Assessors’ Agent to Matthew S. Ballou in the tax amount of $349.14. Vote 4-0.

   Motion by Gerry, second by Trundy, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote 4-0.

8. **CFAA Contract:**

   Kinney stated that the Camden First Aid Association has offered an agreement to the Town to provide EMS services and extrication for the donation the town meeting approved and we already paid them for the term July 1, 2012 to June 2013. This is the same agreement that was offered to the other four towns in their service area. Kinney said that the Town of Camden has approved their agreement.

   Motion by Gerry, second by Trundy, that the Board approve and sign the agreement between the Camden First Aid Association and the Town of Lincolnville. Vote 4-0.

9. **Set General Assistance Ordinance Public Hearing (Suggested: October 22, 2012):**

   Motion Gerry, second Trundy, that the Board conduct a public hearing on Monday, October 22, 2012 at 6:30 p.m. in the Lincolnville Central School to consider amendments to the General Assistance Ordinance including Appendices A thru C. Vote 4-0.

10. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**

    Motion by Gerry, second by Trundy, to Approve and Sign the Treasurer’s and Payroll Warrant(s). Vote 4-0.
11. Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E)):

Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 4-0.

Upon returning to pen session, Motion by Gerry, second by Trundy, to adjourn the executive session. Vote 4-0.

12. Adjourn:

Motion by Gerry, second by Trundy, to adjourn. Vote 4-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, Julia Libby and Ladleah Dunn.

The meeting was called to order by Chairman Barrows at 6:00 p.m.; at Lincolnville Central School (B-5). The quote was read by Libby.

1. **Citizens’ Forum:** None

2. **Administrator’s Report:**

   David Kinney, Town Administrator, reported:
   - Absentee Ballots are now available at the Town Office during normal business hours. The public can call to request one or come into the Town Office and vote in person or you can go on line and request one. An absentee ballot request must be received by the Municipal Clerk by the close of business on Thursday, November 1, 2012, unless special circumstances exist. To request an absentee ballot after that date there is a special circumstances application.
   - Dog Licenses expire at the end of the year and can be renewed at the Town Office or on line thru the Town’s web site.
   - Tax information is available on the Town’s web site.
   - Kinney stated that there was a little bit of damage over the weekend with some washes over the shoulders of gravel and paved roads that we are in the process of fixing. Kinney reminded that it would be a good idea for the public to clean out their driveway culvert of leaves and debris.

   Gerry asked Kinney about the Tanglewood Road.

   Kinney stated that all of our gravel roads have been graded and hopes they will maintain their shape thru the frost and get frozen. Tanglewood road has challenges in terms of drainage. Kinney went with Bernard Young to look at the situation. Some of the problems came from leaves that had deposited themselves on the road before we got around to grading the road. We had a crew out cleaning up, a lot of that has washed off now.

   Gerry asked about the power line on Tanglewood Road.

   Kinney said the uphill side of the road still has the power line that goes to Tanglewood which inhibits our ability to adequately drain the water away from the road. Kinney said he met with Richard Bouchard, maintenance person from Tanglewood, and they would like to get the power line out of the ditch. They would like to create an overall plan so it would not remain the maintenance headache it is.
Gerry mentioned the Tanglewood Board of Directors and asked if they were working on this.

Kinney said the issue was bought up at the Tanglewood Board of Directors meeting and there is some interest to replace the line, but CMP only wanted to replace the line that’s underground all the way into the camp with an overhead line at a cost of about $68,000. CMP wanted to do it in one fell swoop or nothing, apparently their softening a little bit on their stance to allow it to be removed along our road portion go overhead and then go back underground with the same wire. The challenge is that they have to expose the wire and lift it up without breaking it.

3. **Meetings & Announcements:**

   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**

   Gerry announced Move It on Saturday, Oct. 27, at 9:00 a.m. to move the Schoolhouse across the street to its new location. Gerry said that if you want to pass thru the center of Lincolnville you should be on the right side of the fence because a portion of Route 52 will be closed off to the public. Tomorrow they will build a track to help pull the Schoolhouse across. Anyone interested in helping to pull the Schoolhouse across please contact Diane O’Brien. (LHS)

5. **Meeting Minutes:**

   Motion by Trundy, second by Dunn, to approve the October 9, 2012 meeting minutes as presented. Vote: 4-0-1 (Libby abstained).

6. **(6:30PM) Public Hearing: General Assistance Ordinance:**

   Motion by Libby, second by Dunn, that the Board open the public hearing concerning proposed amendments to the General Assistance Ordinance. Vote: 5-0.

   No comments were made by the public.

   Motion by Libby, second by Dunn, to close the public hearing. Vote: 5-0.

   Motion by Libby, second by Dunn that the Lincolnville Board of Selectmen adopt the MMA Model General Assistance Ordinance and Appendices C for the period of October 1, 2012 through September 30, 2013. Vote: 5-0.

7. **(6:30PM) Public Hearing: November 6, 2012 Referendum Question, Town Office:**

   David Barrows, Board Chairman, explained the format of the public hearing.
Motion by Libby, second by Dunn, that the Board open the public hearing concerning the article which will be subject to a referendum vote on November 6, 2012. Vote: 5-0.

Jay Foster, Chairman, for the Municipal Building Committee thanked the committee members, Amanda Austin from 2A Architects and Gartley & Dorsky for all their hard work and time spent on this project. Jay said that the Town Office has served us well for 25 years, years and we got our money’s worth out of it. Jay said that the current floor plan shows that we have a very crowded work space and something needs to be done. We’ve outgrown it and the list of deficiencies is long. He said that the committee put the deficiencies all together and came up with a plan to correct them. Currently, there is a lack of efficiency and privacy. It’s hard to do business because there is only one space at the counter. We are not now ADA compliant, and to correct these deficiencies would take 25% to 30% of the space out of the current building. The plan is reasonable and efficient and the new building will serve for 30 to 40 years. The committee worked to get the cost below $500,000. The consultants did an excellent job of helping us. There is no better time than right now to do this because of the low interest rates. The plan also benefits local contractors with work. Jay said that Amanda and Brian Austin of 2A Architects are here tonight.

Amanda Austin presented deficiencies of the existing building. Overall they felt that the building is in fairly good condition given its age except the roof and siding needs attention. The building also needs to be ADA compliant and needs a public meeting room where people can gather. These aren’t new issues. There are also problems with water infiltration and unevenness in the distribution of heat by the heating system. Regarding ADA the vehicle parking is non-compliant as is the entrance, the counter and the bathroom. Also, needed are handrails by the stairs. The new project takes account of these needs by providing professional and practical space to serve the public. The architects met with the selectmen and staff to develop the new design. Amanda explained the site plan and that the expansion of the current building will be toward the south. The site plan adds more parking to accommodate more people who will be coming to the building. The total building space when completed will be approximately 3,743 square feet. It was decided to reuse the current building to the maximum extent possible. New functions include conference room space, assembly space, a dedicated map room, all staff in one area, ADA accessibility and a fire safe storage space. The design also includes a break room for staff. The assembly space will accommodate the vast majority of committee and selectmen’s meetings. The new building will have clapboard siding with a slab on grade foundation for new addition. She thanked people for taking part in this process.

Barrows said he wanted to backup so that he could read the full article that will be voted on at the November 6, 2012 Election. Barrows said that the Board of Selectmen and the budget committee recommend a “Yes” vote. The meeting was then opened up to the public to make comments and ask questions.
Tracy Colby said she has a lot of questions. She is curious as to why the roof and siding deteriorated to the point where they need to be replacement. David Kinney said that typically you wait to re-roof only when it needs it and it was decided to wait to see if the project failed on November 6th and, if it does, we have the money and will re-roof it next summer. Colby said that she did not see interest on the bond included in the pamphlet. Kinney stated that if you add the interest set forth on the ballot to the debt service of $222,000 you end up with $789,958.40. Borrowing could be through a bond or a conventional bank so the selectmen can have leeway. Colby said that the pamphlet did not provide good disclosure. Kinney stated it is in the pamphlet in the middle of how it would be paid for. Tracy said it says $470,000 cost for the building leaving $220,000 for a total of $690,000. When it explains the annual debt payment it is estimated to be $15,998. She said that you have to do your math. She said the annual cost is close to $100,000 as reported in the paper. She says that she can understand why the selectmen didn’t catch it but does not understand why the budget committee missed it. Tracy asked in the $690,000 does that include the $95,000 that was included in the building committee’s power to spend. Kinney stated that the $95,000 is not included. What is being asked for in the article is above and beyond what has been appropriated for the last 15 years for this project. Colby said so when we take $789,000 and add the $95,000, we’re getting up to a million dollars. Tracy asked what the $38,000 that has already been spent used for. David said for the wetlands evaluation and Amanda and Brian’s work with 2A, surveying and permitting work, and paying Bob Fenney prior to hiring Amanda and Brian to work on this project. Kinney said that he did this from memory as he didn’t bring a breakdown with him. Tracy said that now that we are getting closer to a million dollars how can it be that the Town of Hope can spend $299,000 on renovating their old building and make it ADA compliant. Tracy referring to the Town Administrator said that you said that this was not correct but she said that she read it in the newspaper. She said that she contacted the bookkeeper at the Hope town office and she said that the renovation cost was $299,000 plus $7,500 for moving and storage costs during the renovation process. Tracy said that she visited the building and that they already had an existing wheelchair ramp and made improvements to it, they added ADA compliant doors and when you walk into the town office there is plenty of newly renovated space and a new counter. They remodeled two bathrooms, but they said they had two bathrooms anyway since it used to be a schoolhouse. The administrator’s office is right off the main room. They also got a $15,000 library grant and used to add all new windows. Tracy asked how they kept the costs low. They said that the selectmen were in total control of the project and worked with a local builder and also visited other town offices to get ideas. They worked with a close budget and kept the citizens needs in mind and saved all of the money and did not borrow. Hope has a population of 1600 people and 3 employees only one is full time, that’s the administrator who is also the code officer and the plumbing inspector. The other two employees are part time. Colby further stated that the Town of Hope did not use an architect for their town office project.
Jim Sinclair said that he wanted to go back to the roofing issue because he said that it was clearly discussed and wanted to know why the roof had not been done. He said that the meeting room has always been a contention and wanted to know why we can’t use this room for meetings. So why are we now putting the meeting room back into the design when this room was intended for meetings.

Gerry said that this room was never designed for what we are using it for now, it was supposed to be a cafeteria for the school. The original plan was that there was to be a meeting room in the school, but it never happened. Referring to the meeting room they are in he said we have a room that you cannot easily hear in unless you speak loud. There is no good sound system for the room. We have had multiple problems with the camera and the PA system in this room so they moved these upstairs. The Town Administrator often has to come over and setup the meeting space for the Selectmen’s meetings. The same is often true for the Planning Board meetings.

Jim Sinclair asked if that justifies a couple of hundred thousand dollars for a new meeting room.

Trundy said that we have had numerous meetings discussing what is needed for the future. We need to address them in some sort of reasonable way to address the needs for 30 to 40 years. There are people who want the building and some who don’t. This public hearing will probably not change people’s minds. In many meetings we tried to find a reasonable and responsible solution to the needs. It was decided that we should have a space that could accommodate a reasonable number of people that we would expect at most meetings that we have on a regular basis. It will be set up for routine use. We will still have to use this large meeting room in the school for annual town meetings.

Jim Sinclair asked what will be the interest rate on the bonds.

Kinney said that it will depend on when the financing is obtained and when the bonds or loans are due.

Sinclair said that his concern is the cost and that the plan is too grand for the number of residents in the town and in his view the taxes are too high. He said that we need sacrifice rather than a grand plan for a town that can’t afford it.

Amanda Austin stood to address a misstatement made previously that the Town of Hope did not use an architect. She stated that she was the licensed architect for the Hope Town Office project. They worked on the project from the building study phase through the construction phase. A few things about the project differ: they have a smaller staff which is reflected in the plan; there was not much site work needed; there was no new space in the Hope plan; they also added a conference room space and they already had the library to accommodate meetings. Amanda said that regarding the counter top, Hope now wishes that they had a little different design for their counter top space which our
architects have taken into account for the Lincolnville town office. The architects worked with the contractor to keep the costs down over the 6 month construction. Kinney said that the Town of Hope with the expanded office displaced a tenant out of the building, so the Town lost the rental income but now have the space.

Dunn said that it is easy to throw around the million dollar figure, but that is likely the worst case scenario as is the interest rate. The million dollar figure is the highest end of what it could potentially be but we won’t know until we lock in the terms.

Jay said that there have been a number of figures casually thrown around like $200,000 for a meeting room and in his view it is costing less than $100,000. He said that he talked with Jon Duke in Hope about their building. That’s all they had was a building on a foundation and they reconfigured the space added handicapped access and used original furnace and it cost $300,000. We are redoing a building with an addition giving us everything we need including a meeting room for $470,000. I don’t think that that is unreasonable. The numbers we are using have to be estimates but they are conservative. We can make a reasonable assumption that we will get good bids on this building given the economy as it is. It is unfair to be throwing numbers around because of the variables. The number 1 priority by everyone working on the plan has been to do the best we can for the town and save money wherever we can.

Jim Sinclair asked how big the meeting room is and the answer by Amanda was 600 square feet. Jim also asked how much additional parking is needed because of the meeting room. Amanda said that it amounted to 2 to 3 more parking spaces. It was calculated by comparing with other towns.

Jay said that the meeting room needs an advocate. He said he served on the Planning Board and the meetings were in the old town office but that space was needed for town government. He said that they were even meeting in another town but finally got room in the school. He said that it is time that the 20 plus boards and committees meet in the town office. If the selectmen want to have a meeting they can go into the new conference room. It will be possible to have two meetings going on at the same time. When we have meetings now it has to be carried by people to the school and we don’t have access to copy machines and we don’t have access to records. We need all of this under one roof.

Gerry said if you haven’t participated in a town committee you need to come on board and see how things function. He said that it will be so much smoother if we are all in one location. Watch how things work in the town office, just look at David’s office! Vern the Assessors’ Agent is in a little closet. He does not even have room to move his chair around. We are asking town employees to do things that are absolutely ridiculous. We are spoiled because we had a fire station given to us and a school practically given to us. We are far ahead of other towns in this regard. The Town is continually growing and moving forward. There is no better time to do this. We can put a band aid on the building, but we will never catch up. Now is the time to move forward.
Jim Dunham said he has some questions, like what will be the operating cost and how will we manage the energy costs? What is being designed for insulation and what kind of energy are we going to use to heat the space. He said that he didn’t see solar incorporated. He said that he wants to know if people have thought about affordable alternative energy sources. Amanda Austin stated that we are looking to meet the new state energy code and possibly exceed it. Right now energy costs are low for the current building. Solar has not been included, but could be an option, we need to wait and see what the bids are before adding something like solar energy such as PV or solar thermal.

Dunham said that he is also a proponent for citizens being able to walk on sidewalks and to bike. It would be nice to promote walking and biking. We need a place for a bike rack so people could bike to the town office to do their business.

Karin Womer said that she is speaking as a tax payer, as every member of the board of selectman is, and we all pay taxes, so she is concerned that we get good value for what we will be spending. She thinks that we will get good value for what we are planning to do. She says that she is on the Comprehensive Plan Review Committee and has to come to the school when she would rather be meeting in the town office. She thinks that the Town Administrator has better things to do than lug boxes to meetings at the school and crawl around setting up for meetings. She feels that an efficient conference room and town office will be a good expenditure of taxpayer’s money. She feels it is time to provide a facility that will keep us going for three decades.

Arlene Day wanted to say that when we first got our new building 26 years ago we were excited but the town has grown and she is embarrassed to come into the town office. As a health care professional she is concerned that we would be in deep trouble if we get an ADA violation. So far we have been lucky. For people coming into the town office and wanting to do some business in privacy it is not possible. Sometimes customers have to wait in the hallway before they can see Jodi. It is terrible for people standing at the maps with a line of people going out the door. Hopefully the building will last another 25 to 30 years. She is in favor of this new building because the town needs it.

Cathy Hardy said that she is the Cathy come lately to the committee and while on the Board of Selectmen she was frugal. She came on the committee because she was concerned about the past proposals and cost for previous municipal building designs. She came on the committee because she did not want to see a strike three this time. The proposal failed in the past because they were too extravagant. It was like herding cats on this committee and ended up being a compromise position. She wishes that the cost could still be lower but she is confident that all has been done to keep the cost down. With value engineering working with the architects she feels that we can stay below the $220,000 borrowing. She will support the building this time. She thinks that we can get a cost below what we are asking for the bond issue.

Jay said that he thinks the point has been well made that this is a good plan and we should go forward. There is a cost. We spend money on a lot of things and sometimes
we have to step forward and make an investment. The school is an investment and the
fire station is too. The town office is the same thing and it is now time to invest in the
new town office. If not now, then when? The cost will only go up if we don’t act now.
This design works and answers all our needs for a long time going forward. Hopefully
the costs will end up being less.

Sharon Sampson said the town office needs more space and asked if this current plan is
cast in stone. Amanda said it is not, but that the programmatic needs are solved by this
plan and that they the architects will seek every opportunity to bring costs down as the
project moves forward. Sharon said that she wanted to make sure the plan can still
evolve to save money.

Libby said that she is not interested in making the building any smaller. Why change it?
Gerry asked David if the interest of $99,000 is correct. Kinney stated that based on the
estimate it is.

Gerry asked if the cost to build comes in lower will we only borrow what we need.
Kinney said that was correct. With the funds on hand if the project was to be approved
he would anticipate that we would expend from monies in hand first and that as we got
closer to the end of the project we can better estimate what we will need to finish. Gerry
asked if there is a fine for paying off a bond early. David said that it depends on the
terms of the bond or loan. He said that we can write the rules and the conditions
surrounding the terms because banks will be competing to loan the town money. Gerry
stated that these are projected cost and not set in stone. Kinney stated that we are using
reasonable estimates and if we use say 4% interest rate we are being conservative, so
that’s what we did. Knox County just borrowed funds at approximately 2% for their
project.

Cathy Hardy said that she was involved in the Quarry Hill project and that tens of
thousands of dollars were cut in talking with the builder. She feels that we can do the
same value engineering for this project.

Jay said that no spade has been turned or nail driven, so we can make changes, but he is
sure we won’t add anything because of cost. We won’t spend more than we are asking
for. It is an open process so any money spent will be done in an open forum. And
money spent or saved will be known.

Tracy asked how the architects get paid, is it on a per square foot basis? Kinney
responded that with any project like the fire station it is a negotiated fee upfront, a lump
sum not based on a percentage of the construction cost. Further the Town paid 2A a
lump sum fee to get through this phase up to the November 6th vote. We asked them to
evaluate a couple of different options including a new building and a renovation and
addition. 2A did a couple of iterations with cost estimating and presented those to the
select board and they chose the renovation and expansion alternative. Then it was
refined down to what we have today. As of November 6th that contractual agreement
will be completed. Assuming that the voters approve the funds, we will then need additional architectural services to get to a proposal that we can send out for bids. The services would continue through construction to ensure that we get what we are paying for. Phase 1 gets us through November and the next phase gets us to final design with a set of detailed plans that a contractor needs to give us a price. The architects then monitor payment to the contractors and document what goes on during construction.

Colby wanted a ball park figure on the amount spent to date. Amanda said that their fees so far are around $20,000. She said that they will put together costs going forward. Colby wanted to know what the architects are going to cost us. She would like the figures broken down.

Dunn said that she does not want to see us spend more chunks of money just to keep talking about the project. We have done a really extensive job of trying to come up with a program that is as conservative and comprehensive so that the roof will get fixed and the ADA issues addressed.

Jay Foster said that there are associated costs with ADA compliance and so those kinds of costs are associated with a municipal building unlike say a gas station.

Motion by Libby, second by Gerry, that having heard from all members of the public wishing to speak concerning the article which will be subject to a referendum vote on November 6, 2012 that the Board close the public hearing. Vote: 5-0.

8. Board, Committee and Commission Appointment(s):

Motion by Trundy, second by Gerry, that the Board appoint Corelyn Senn as a Cemetery Trustee Alternate with 1 year term expiring June 2013. Vote: 5-0.

9. Disposition of Engine 3:

Kinney said the new fire truck is soon to be delivered and Engine 3 will become “surplus” to the Department’s needs. We are seeking guidance on its deposition of Engine 3 and Fire Chief Peasley is here tonight. The truck is a 1981 Ford F800 with a 1,000 gallon tank and 500 gallon per minutes pump. The truck served the town well for thirty one years.

Jason Peasley said we as Board of Directors and the Fire Department would like to sell the truck for $100 or donate to an island town or deep woods town in need. Once we take everything off Engine 3 that will go onto the new truck the value on it will be very little. The fire truck is in need of repair.

Motion by Libby, second by Trundy, that upon successful delivery of the new fire truck, the Board declares the 1981 Ford F800 fire truck to be surplus, with a value
as a fire truck of less than $1,000, and that the Fire Chief and Town Administrator be authorized to dispose of the fire truck by sale for $1 to another fire department preferably in our area and if not in our area in the State of Maine; and if no fire department is willing to purchase the vehicle that the matter be brought back to the Board for additional direction. Vote: 5-0.

10. Liquor License Renewal – Whales Tooth Pub:

Motion by Libby, second by Gerry, that the Board approve and sign the liquor license application submitted by the Whales Tooth Pub. Vote 5-0.

11. As Board of Assessors: Municipal Valuation Return:

Motion by Libby, second by Trundy, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: 5-0.

Motion by Trundy, second by Libby, that we approve and sign the 2012 Municipal Valuation Return as prepared by the Assessors’ Agent. Vote: 5-0.

Motion by Trundy, second by Gerry, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote: 5-0.

12. Treasurer’s and Payroll Warrant(s) – Approve and Sign:

Motion by Trundy, second by Libby, that the Board approve and sign the Treasurer’s and Payroll Warrants. Vote: 5-0.

Gerry asked David is there any red flags that the Board should be aware of.

Kinney said we did pay the provider agencies in this warrant. We typically wait until after the first half taxes are due.

13. Adjourn:

Motion by Gerry, second by Trundy, to adjourn the meeting. (8:10 p.m.) Vote: 5-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, Julia Libby and Ladleah Dunn.

The meeting was called to order by Chairman Barrows at 6:00 p.m. at Lincolnville Central School (B-5). The quote was read by Gerry.

1. **Citizens’ Forum:** None

2. **Administrator’s Report:**
   David Kinney, Town Administrator, reported:
   - Kinney wanted to thank you to all the election workers who assisted in the November 6, election. We had over 80% voter participation; 60 new people registered to vote on election day; and in excess of 400 absentee ballots.
   - Kinney thanked Doris Weed for all her help and support in training him over the last eight years concerning election procedures.
   - Dog licenses will expire at the end of the year. The license can be renewed on line or at the Town Office. Circuit breaker program applications are available either on line or at the Town Office. A resident thanked Kinney for the information; they got back $589.00. They didn’t know the program existed until I reminded them of it. The applications are due by May 31st.

3. **Meetings & Announcements:**
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:** None

5. **Meeting Minutes:**
   Motion by Libby, second by Dunn, to approve the October 22, 2012 meeting minutes as presented. Vote 5-0

6. **Kendall Cemetery Recommendation - Cemetery Trustees:**
   Cecil Dennison, Chairman, addressed the Board. He said he took over for Moose Wotton who was very proud of the cemeteries in Lincolnville and did countless hours of volunteer work to upgrade their condition. He said we have tried to keep that up over the years. Dennison said that two years ago they got an award from the State for the condition of the cemeteries in the Town of Lincolnville. The State only gives out three a year, so it is quite a prestigious award. Dennison said they were here to discuss access to the Kendall Cemetery. The ancestors of people buried in that cemetery would like to clean it up. Kinney gave you a packet of paper in which the Town Attorney gave us four options that we can pursue: one of them being to do nothing; to gain access by eminent domain; if the cemetery is “abandoned,” the municipality may acquire it pursuant to a
statutory procedure so that it becomes a “public burying ground”; or bring a lawsuit alleging a nuisance condition exists.

Barrows said after reading it over and thinking about it he recommends that the Board meet with the Town Attorney, Mr. Dennison and other members of the Cemetery Committee to determine the repercussions of all of the above possible actions. Barrows said he would like to see the stones turned back up so that people could see them. He would like an agreement for access by ancestors and other people interested in town history.

Trundy said he would be interested in talking to the attorney about the actual process concerning the options, the time commitment, cost commitment, and pros and cons to each of those options before he makes any decisions.

Corelyn Senn also spoke about the importance of having access to the Kendall Cemetery. Mr. Pattullo in his letter wrote that Harriet Wilson who was buried in 1830 was resting peacefully. When that cemetery was made and the people were buried in it the families put in very beautiful stones so that people could come to see that cemetery and remember those people. Now the cemetery has been desecrated by Mr. Pattullo. By his own admission he tipped over the stones and buried them with leaves and branches. It is really not respectful to the people who buried their family members there or to the descendents. People who live in Lincolnville remember 12 to 14 stones being there. It would be important to find them. Also, I would hope that the Selectmen, on behalf of the Cemetery Trustees, would make it possible for the Cemetery Trustees to do their duty; it is absolutely our obligation to oversee the maintenance of that cemetery, which is not possible without access. The Cemetery Trustees are not in compliance with the law. The cemetery is of great historical significance to that whole area. The mills that were in that area were vitally important to the development of Lincolnville. Cobbtown Road was the first town road and goods went up that road from the cemetery area. We had an archaeologist from the State look at the Cobbtown Road area and he found it of great historical significance. For all these reasons, I would hope that the Board would do what it takes so they we could have access to the cemetery for the town and the Trustees.

Kinney stated that he would attempt to get this on the agenda of the Board’s next meeting and let Cecil and at least two of the Trustees know.

7. **Rt. 1 Advisory Committee Update:**

Chris Osgood Co-Chair of the Rt. 1 Advisory Committee said that Diane O’Brien sends her apology for not being at the meeting tonight; she had a family medical emergency. Chris said they had a presentation for the Board from their consultant Brian Kent.

Brian Kent said he has been working with the Rt. 1 Advisory Committee since 1997. He said that what has been built on Route 1 is remarkable and shows a lot of credit to this committee. Kent said he wanted to take the Board through a chronological order of what the committee has done including: the background prior to 2012; what the committee’s goals were in addressing the cost sharing policy; and what the research and work
process has been. Out of that discussion and research has come a recommendation. Kent gave some background information about the project. The booklet given to the Board has on the last page a long list of meetings and accomplishments. This reflects 17 years of working with DOT. Everything that has been proposed over the years has been approved by DOT. Kent highlighted five landmark events. In 1997 the committee did a T2000 study funded by DOT. It set the timetable and the vision the committee had for improvements to Route 1 from Camden to Northport. With foundation funding, we prepared a diagram that simply said that we are taking steps to improve Route 1 and working in collaboration with DOT. In 1998 and 1999, the committee worked with DOT on the reconstruction of Ducktrap Bridge. The committee asked DOT that it look like the old bridge, have the arches incorporated into it, and be narrower than DOT first designed. In 2002, working with DOT consultants we got complete agreement on the design for improvements to Route 1 from Shag Rock Road to Ducktrap. The engineering design was completed by a DOT consultant. The design work that was 95% complete was ready to build. Unfortunately, the funds were cut short after that and all that got built was a piece through the beach area, but that was built to the committee’s recommendations. At the end of that project from 2003 to 2009 the committee worked with other towns in the Mid-Coast area on the Gateway Project. There were a lot of public meetings, as well as and meetings between DOT and the committee. Kent said the committee made a real difference. DOT listened and a lot of what they learned from working with the committee transferred to improvements in Camden, Thomaston and other towns.

A cost sharing agreement was mentioned in the letter from DOT to Kinney. The Board appointed the committee to work with DOT on that. The goals of the committee were to work with DOT to apply the same high standards of the completed work, to enhance traffic safety, to honor the scenic character and history of the area, to support the local economy and to do this at no cost to the town. DOT promised thru out the years, right up until construction of the beach area, that the only costs to the town would be for street lights and some paving. The assumption was that DOT would make these improvements on their dollar. As to the work process, the work began with a meeting between the planners from DOT and the committee on June 19, of this year. At the outset there was disagreement on the cost sharing formula proposed by DOT. We said to DOT that you made all of these promises, but now you are asking us to chip in. It was a total change. DOT asked the committee what they would like to see improved. We said we would like to see improvements as the drawing showed. They made it very clear to us that they didn’t have the power or the planners to take it any further and if we wanted further discussion we had to go higher up the ladder. They said tell us your recommendations and we will cost it out, and that is what they did. Kent showed the Board a drawing of their recommendations. Between Camden and Viking Lumber the committee proposes 11 foot wide travel lanes, no curves, 5 foot bike lanes, and landscaping ditches beyond that. There are no disagreements about that and there are no cost shares. Between Viking and Route 173 we are asking for restoration of Historic sidewalks with a crosswalk to the other side and curbs as in the beach area. Beyond Craver Lane we are asking for the historic sidewalk to be maintained or rebuilt up to Ducktrap. That’s what the committee recommended to DOT and that’s what they responded to. As DOT worked on their cost
estimates, we researched all documents, looked at plans and old designs, communicated with DOT by sending them extra drawings, looked at old news stories and we reviewed records of meetings with Commissioner Melrose in Rockland. In those meetings, he asked the town to prepare a Land Use Ordinance, Site Plan Review Ordinance and an Access Management Ordinance because that would help DOT and under Gateway would help wavier cost sharing. We found that two reviews see this segment of Route 1 as being its most scenic stretch. We found thru research by Diane O’Brien that there was a fascinating history to the construction of the sidewalks which is documented in the book, including references to the Maine Historic Preservation Commission having an interest in the architecture of the whole village of Ducktrap. We realized that after all of this research, we had a very strong case to present to higher ups at DOT to argue for no cost share or only minimal cost share. We considered the engineering drawings done by DOT as a promise that they would do the work. In a prior contract they said they would do the work, but then they backed off. There was a very strong approval to go with that design. We think it is time to talk to the higher ups. Kent mentioned that he knows David Bernhardt the current DOT Commissioner. Mr. Bernhardt worked on this project many years ago and is familiar with the Lincolnville issues. Kent said he thinks Mr. Bernhardt will give us a fair hearing. We recommend that you look at the letter and the book and vote on whether we should move forward on the next step. Kent said he thinks the pricing of the local cost is way out of line for a small town like Lincolnville. I think your time would be well spent talking to senior management at DOT about how we could work this out. If you look at the cost sharing agreement there are about six places where they open the doors to negotiation and I don’t think we should let that go. Kent said that the book shows why the town and DOT should be very proud of their work, because it’s some of the best traffic engineering in the state. The book showcases the beauty and history, and demonstrates why the towns’ should be proud of what’s been accomplished. It further underscores the reasons to finish the job, as was promised, to the same high standards.

Osgood pointed out that there was a lot of remarkable public input. All of the designs that they are referring to are based on interest and concerns of property and business owners along Route 1 who kept telling us what they wanted. DOT assured us regularly that the entire existing concrete historic sidewalk would be replaced with a new concrete sidewalk at their expense. We did not get written agreements on this from DOT because they refused to give it to us. In 2001, David Bernhardt complained to the Camden Herald we were slowing the project down because we kept asking for approvals of different portions of the project. DOT says yes they will do something and then they come back and say no. The letter that arrived is a little bit scarier and harsher than what we thought. My experience in working with these guys is it was completely intended to shake the Board up. The committee sent a letter to the Historic Preservation Commission asking that the sidewalk and Ducktrap village be recommended to the list of historic places. The Sensible Transportation Act basically says that if a town does this, this and this they can have their matches waved. We have hit every single button in the Sensible Transportation Act. The Gateway plan was an easy fit for Lincolnville. We had already met most of the requirements in the Gateway plan. We have had our ducks lined up for a long time. We now have to struggle with the funding.
Trundy said the request was made for them to wave our part of the contribution and this letter was their response. Trundy asked, am I understanding this correctly?

Osgood said they haven’t made the request yet. We did make a request verbally, but we haven’t done it officially.

Trundy said, so there hasn’t been a formal request.

Osgood said knowing that the letter was coming that’s why we produced the book and had the draft of the letter. We had the book basically done and a draft of the letter to the Commissioner done before their letter arrived because we knew it was coming. Those are our ways of asking to have the match waved.

Kent said they know about the letter and the book we have been very open with them. They said as planners we have to do the letter, but you have to go higher up.

Trundy ask what exactly does the process look like as far as submitting that to DOT. Where does it go? What’s the time table for them to make some kind of a respond to your request? Are you expecting something in a matter of a week or two or will they drag that out? What exactly do you see as the process?

Osgood said Brian Kent knows David Bernhardt from way back. We both would like to go talk to him. We have multiple fall back positions; the big one is Gateway. Even though the Governor said I’m not funding it, Gateway didn’t go away. You had twenty towns agreeing on the most contentious issue in this plan, so it’s not likely to go away because other towns are going to have the same kinds of needs. In time it should rise back up again and we could get our local match for Route 52 and 173.

Kent said there’s no time table, we would like to keep this moving.

Trundy ask if the committee was looking for the Board to give them the go ahead.

Osgood said yes.

Trundy stated when he looks at the $2 million match his opinion is that it’s not going to happen. Trundy suggested the committee go head and give their best possible pitch.

Osgood said we understand it’s not going to happen. In the letter on the third page on the cost sharing agreement it says if the town decides not to go along with the cost sharing agreement the town is responsible for 10% of the project, which is less than half of what DOT is asking us for. The letter is a scare tactic.

Trundy asked about the National Registry.
Kent said it doesn’t have to be declared a historic district, just if it qualifies that will ring DOT’s bell.

Barrows said it all sounds good and I think you should continue on this.

Osgood said the committee is looking for three things, approval of the booklet to send to the DOT, draft letter to the Commissioner and to meet with the Commissioner.

Trundy asked Kinney if he would attend the meeting with the Commissioner.

Kinney said if the Board would like him to attend he would.

Trundy said he would.

**Motion by Trundy, second by Dunn, for the Board to approve Rt. 1 Advisory Committee to send the booklet to DOT and draft letter and to meet with the Commissioner.**

*Vote 5-0.*

Osgood said they had one more item on agenda which is funding. The committee is asking for $5,000. Osgood apologized for ordering the books without the Board’s permission. Osgood said that Kent has more than paid for his time over and over again.

Gerry asked when the committee was looking for the funds and the time frame.

Osgood said if there were no funds available the committee is prepared to do a fund raising effort. The committee felt the town should be pitching in some money.

Gerry asked Kinney if without going through the budget process is there something set aside for this? How would this be addressed so the town had a clear understanding of where that money came from?

Kinney said the only funds available that can be used are contingency. This would be a legitimate expense for these funds since this came up after the budget process. We are going to start next month the budget process for next year. Chris and Diane will get a note asking them to plan expenditures between July 1, of next year and June 30, of the following. You have contingency available or you could have a special town meeting to transfer funds from some other source to cover their expenses.

Gerry asked Kinney if we had to hold a special town meeting to expend those funds.

Kinney said not for contingency.

Gerry asked if the committee was asking for $5,000.
Osgood said the committee did have a little bit of money sent aside, but has used it up. Osgood said if there was any chance they could get a portion to carry them over where they could then make a budget request.

Gerry asked if the committee had a figure on that.

Osgood said that the way he understands it the committee was thinking $5,000 for the rest of the year.

Dunn asked with all this acceleration and no money to fund this where is the fire being lit. Is this just to get your ducks in a row in terms of being first in line for funding from the State?

Osgood said you would have to take a look at what’s being built down there now and say does this look like what it is. First and foremost, it’s a good economic support for the town and it helps to get business going. We need to keep up with the DOT and stay ahead of them or they will roll over you.

Dunn said all of a sudden I am hearing this pressure from you that we need to be paid for things we already spent money on, but if this isn’t a project that is going to happen for two to three years, is this something you really need? Is the DOT going to move on this?

Osgood said they might or might not.

Kinney said his understanding is DOT has prioritized the State roads from priority one through priority six. Route 1 being a priority one road and DOT are looking to invest their monies in priority ones and twos to rebuild. Kinney said DOT does a planning level study on a number of projects state-wide and then throw them all in the hopper. They look to see what projects are more organized and ready to go. They are looking to create this level so when they have monies available they know where they are going to go with these projects. Kinney said Nathan Howard said DOT is only doing ten miles of road a year in the rebuild program.

Osgood said the committee has done most of the work, so if they can get this lined up it can stay close to the top.

Kinney said the other part of their rush is they are trying to get all these projects to the same level so when they do their next bi-annual transportation improvement program they can then prioritize. If you don’t get the planning level work done it never even gets considered for the next design and construction phase.

Trundy said that $5,000 is a good chunk of money the town puts away for contingency every year and he can’t see the Board moving $5,000 out of contingency for this one committee. Trundy asked if the committee is incurring cost as they go along can they come to the Town Office and say they have a particular thing they need to accomplish.
and the Town Administrator could look at whatever cost was associated with it and bring it to the Board on an individual basis.

Kinney said it could be incremental. Chris and Diane or Brian could say we think we are going to need Brian so many hours in the next month or for this next phase rather than a lump sum at a time.

Trundy said the committee has the potential of saving the town tens of thousands of dollars down the road. Trundy thinks it’s worth the investment, but thinks it would be a mistake to take a huge sum of money and just send it over there without there being a specific purpose.

Kent said he thinks that is durable. We have kept Kinney apprised of the ongoing cost. Kent said he feels half that amount would cover past expenses and getting to the point of meeting with the Commissioner.

Kinney said there was a little bit of money left in the Rt. 1 Advisory Committee account, but not enough to cover printing costs for the booklet or the entire bill.

Libby asked how much money is in the contingency fund.

Kinney said town’s people appropriated $10,000 and through the end of October we have expended $65.00.

Motion by Trundy, second by Gerry, to approve payment on the next warrant for the amount requested for the booklet and Brian Kent’s services to come from the contingency account. Vote 5-0.

The selectmen decided that in the future payment should be requested before the work is done. It was also decided to pay for Brian Kent to go to the meeting in Augusta. It was further decided that the booklet could be shared with local legislators and the public since it is now a public document.

8. **Stop Work Order – Richard Rosenberg:**
Richard Rosenberg addressed the Selectmen to discuss the action taken at a recent Board of Appeals meeting.

Barrows let Rosenberg know that they were interested in what he had to say, but they have no jurisdiction. We can’t make any decision on this tonight.

Rosenberg said the town attorney said the Board of Appeals has very little jurisdiction on anything that’s going on in the Appeals because of a foul up or snag in the law. Her answer to me was the Selectmen are the alternate deciders. Rosenberg said he wanted to explain to the Board what he thinks is information they should know before making the decision if it should come to you from the CEO to take me to court. Rosenberg presented to the Board Exhibits A thru G. He received a letter from Frank Therio dated August 27,
2012. Mr. Therio came to Rosenberg’s property with the police chief and delivered hard copies and a verbal description of the following; a Stop Work Order pertaining to additional work that was being done after a previous Stop Work Order and a letter with the description of the details of the Stop Work Order. The other two items in this letter pertain one to a building permit that I requested for a structure being built on a neighbor and lastly a returned permit, that I submitted for a pier and dock, stating that it was not complete. Rosenberg passed out the Stop Work Order to the Board and made a comment that violations of the various listed articles have been found on these premises.

Rosenberg said the CEO couldn’t have found them on his premises because he was never on his property. He took pictures from across the way. On two previous visits to Rosenberg’s property the CEO trespassed on his property while he was in the house. The CEO then came back later with a man from the DEP and they both trespassed on his property. Rosenberg said the Town of Lincolnville’s Ordinance does not allow the CEO on any citizen’s property unless he is there to check upon a permit that has been issued. Rosenberg said the CEO cannot come on a property when no permit has been issued, so since he did not issue me a permit he has no right to be on my land. Rosenberg showed the Board the legal notice of Stop Work. Rosenberg said the CEO was fully aware of what he was doing. He passed around a newspaper article in which he placed an ad on July 19, 2012. It was brought out by the attorney at my appeal on this.

Gerry asks for clarification on who took the ad out.

Rosenberg said he did. Rosenberg read a portion of a letter that informed him he was in violation of the Land Use Ordinance. The following is a list of the specific Land Use violations that require correction. He asked the Board to read the letter and tell him what is his violation, not what section of the ordinance he violated, but what did he do that is in violation.

Trundy said that no member of the Board was going to response to any question that Rosenberg had because they have no jurisdiction.

Rosenberg said according to the lawyer you have jurisdiction regarding whether to take me to court. Rosenberg said he has it on tape and that is why he is here. Rosenberg said when you’re not told what you did wrong it’s awfully difficult to correct it. He said he was not told in the last one that you sued me for. He said he guesses now that it is that he built the barge, because the CEO stated in his testimony at the Appeals Board that all new principal and accessories structures shall be set back at least 100 feet from normal high water mark. Rosenberg said he told the CEO he was not building a house, he was building a house boat and it’s not governed by the Land Use Ordinance. Rosenberg said his whole lot is less than hundred feet from the water, what is he suppose to do. He said he got no answer. He wanted the Board to know that the CEO had knowledge of the barge and knew what Rosenberg was doing. The barge is now upside down in the pond and the work he planned to do on land he will do in the water instead. Rosenberg asked the Board to check with the town attorney who said the Appeals Board had no standing in the matter and that final decision was with the Selectmen. He asked the Board not to sue him. Rosenberg thanked the Board for their time and courtesy.
9. **Town Office Project Update:**
   Kinney stated that the article to approve renovation and expansion of the Town Office was approved by the voters last week and the Board has in their packet a contract for Design Development and Construction Administrator from 2A Architects. There have been a couple of revisions to the contract that were proposed with recommended changes, which are fine with 2A Architects. Kinney suggested the Board make a motion to authorize him to sign the contract.

   Motion by Gerry, second by Libby, that the Board authorize the Town Administrator to execute the contract with 2A Architects to assist the Town with the Design Development through Construction Administration of the Town Office renovation and expansion project. Vote 5-0

   Motion by Gerry, second by Libby, that the Board instruct the Town Administrator to explore alternatives for a temporary Town Office and that he report back to us his findings. Vote 5-0

   Kinney said the architects and Municipal Building Committee believe it would be less expensive to temporarily relocate the Town Office and its functions from the building during renovations and construction. We will search for someplace to go.

10. **MRC Board of Directors Election Ballot:**
    Motion by Gerry, second by Trundy, that the Board cast its vote for Tony Smith for the Municipal Review Committee Board of Directors. Vote 5-0

11. **December Meeting Schedule:**
    Kinney stated that with Christmas Eve being on Monday December 24th it is unlikely that anyone will want to attend a Board of Selectmen’s meeting and traditionally this is a very slow time of year for business. Kinney suggested that a regular Board meeting not be held and that only the payroll warrant and Treasurer’s warrant be approved at some point during the last week of December. Jodi will call one of the Selectman to come into the office to sign the warrants. The Town Office will be closing at noon on the 24th and will be closed all day on the 25th. Normal office hours will resume on Wednesday, December 26th.

12. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
    Motion by Trundy, second by Gerry, that the Board approve and sign the Treasurer’s and Payroll Warrants. Vote 5-0.

13. **Adjourn:**
    Motion by Libby, second by Trundy, to adjourn the meeting. (7:40 p.m.) Vote 5-0.

Respectfully submitted,
Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn. (Julia Libby excused absence).

The meeting was called to order by Chairman Barrows at 6:00 p.m. at Lincolnville Central School (B-5). The quote was read by Dunn.

1. **Citizens’ Forum:**

Arlene Leighton addressed the Board concerning the DCP Midstream LPG Tank/Terminal at Mack Point in Searsport. She said the public hearings are this week starting tonight, Tuesday, Wednesday and Thursday at 6:00 p.m. at the Searsport High School. She said that the June 25th group letter that was signed by thirty people from the Town of Searsport was sent in by the November 19th deadline to request interested party status to express our concerns about regional implications of the project. Leighton said she was requesting from the Board their consideration to attend the November 29th session of the public hearing and to read the July 30th, 2012 letter that Kinney wrote asking for a dialogue with Searsport regarding our concerns. Leighton asked Kinney if any dialogue has happen regarding the largest propane and distribution and storage facility on the East coast that’s going to be on Penobscot Bay.

Kinney said that with the exception of acknowledgement of the letter there had not been.

Leighton said that Thursday’s meeting is a public hearing. She said that on Sept. 10th, she was here asking about the Good Harbor Risk Management Assessment. Leighton asks if they had contacted the Board.

Kinney said they have been in contact with us.

Leighton wanted the Board to know that it was supposed to be done by the hearing and in fact the lawyers for DCP agreed to cooperate, but in the end DCP refused to cooperate with this Risk Management Assessment. The Searsport Planning Board has extended their hearings into January so that they can take this assessment into consideration. Leighton asked if the Board would please stay on top of this because it has regional implications. She said it is about the industrialization of Penobscot Bay. Leighton offered a pamphlet to the Board called the “Community, Environmental Legal Defense Fund”. She went to a presentation in Belfast on this; there is a video out about the presentation on what towns need to do with their ordinances and permits to protect their communities and nature. Leighton thanked the Board for their time.

Elizabeth Hand is a member on the Lincolnville Community Alliance and Lincolnville Conservation Commission. For the last four to five years she has been involved with some of the members on the Board and people in town to revitalize
Lincolnville Center. They have various meetings and projects. She was involved with: the Move It Campaign; the Boat Club, which has had two of their buildings restored; the General Store, which is now under renovation to be open early spring; and the former Grampa Hall’s place, which is now being used as an interim library and as a farmer’s market and holiday market for the month of December.

About a week ago, she was at a meeting in town, Kinney was also there, along with Darcy Whittemore of Safe Routes to School. Whittemore was standing in for Jim Tasse from the Bicycle Coalition of Maine. Both groups received some Federal funding as well as funds from the Maine DOT. They are involved with putting in bike routes, trails and or sidewalks within two miles of schools in Maine communities using various grants for these purposes. Hand said even with funding it would take five to ten years before we could see something like this happening because of the review process with the town and the Select Board. Hand requested some kind of traffic control in the interim for Lincolnville Center to slow down traffic. She sees this situation getting more dangerous in the summer with increased traffic and pedestrians in the center of town. Hand said with the decrease in the police force she has seen an increase in the speed of cars through town.

Hand requested the Board to ask the DOT to do a traffic study in Lincolnville Center and to look into the feasibility of installing a “Stop” sign at the corner of Rt. 52 North and Rt. 173. About a year ago, she was walking with a man, who was an urban planner, and he pointed out something they could do now that would help things in the Center. He suggested that they square off the corner at Rt. 52 and Rt. 173 and put a “Stop” sign there to slow down traffic approaching the Center. She asked if the Board would consider looking into this with DOT. She said several other people at the LCA meeting suggested making this a four-way stop. Hand also suggested asking DOT if they could put another sign down by Norton Pond that says “village area” to alert people they are coming into a residential and commercial area.

Gerry asked if she was talking about a blinking light.

Hand said no she would personally not want a blinking light. She said she would also like to see some kind of sign somewhere above the schoolhouse near Norton Pond that says Welcome to Lincolnville. She also mentioned the rubber orange stanchions could be put down by the old schoolhouse to slow people down.

Trundy asked at which intersection she was thinking about putting the “Stop” sign.

Hand replied, where Rt. 52 peels off north from Rt. 173 by the California House.

Kinney clarified by saying coming down from Searsmont Road into the Center.
Hand said she was thinking about having a three-way “Stop”, but the urban planner suggested a four-way “Stop”, and yes it would be coming down from Searsmont Road.

Kinney said the three-way stop would be coming out from the Center before you turn up Rt. 52.

Hand said yes and you would square off the corner.

Barrows remembered when it used to be a four-way intersection with a “Stop” sign 25 years ago, but doesn’t know why they changed it.

The Board took no action on Hand’s request.

2. **Administrator’s Report:**  
   David Kinney, Town Administrator, reported:
   - Dog licenses will expire at the end of the year. The license can be renewed on line or at the Town Office.
   - Free Rabies Clinic to any Waldo County resident with dogs or cats on Saturday, December 1, from 9:00 a.m. to 11:00 a.m. at the Center Fire Station. Sponsored by the Waldo County Humane Society.
   - Kinney and Barrows had the honor of going down to meet with Alice Carver to present her the Boston Post Cane. She’s going to celebrate her 100th birthday next month. She’s the oldest living resident of Lincolnville; congratulations to her.
   - On Friday November 30th, the Rt. 1 Advisory Committee Members and Kinney are going to meet with the DOT Commissioner if anyone wants to join them.

   Gerry asked Kinney if there was any update on an alternative Town Office location.

   Kinney said no.

3. **Meetings & Announcements:**  
   Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**  
   Gerry said December 12th there will be a Christmas program, the Lincolnville annual Holiday Market, at the Lincolnville Community Library.

   Kinney said there is also Christmas by the Sea with Santa Clause, Christmas tree and bon fire at the Lincolnville beach on Saturday, Dec. 1st.

5. **Meeting Minutes:**  
   Motion by Trundy, second by Dunn, to approve the November 13, 2012 meeting minutes as presented. Vote 4-0.
6. **Designation of Bleachers as Surplus:**
Kinney said the Recreation Committee has obtained a donation of new aluminum bleachers for the ball field and they have a set of old wooden bleachers that they do not have a use for. The Recreation program would like them designated as surplus and have the authority to dispose of them.

Motion by Trundy, second by Gerry, that the Board declare the wooden bleachers at the recreation fields as surplus and authorize the Recreation Commission to dispose of in a manner they deem appropriate. Vote 4-0.

7. **As Board of Assessors – Assessors’ Initiative Abatement (Map 26, Lot 36):**
Motion by Gerry, second by Trundy, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote 4-0.

Kinney said the Assessors’ Agent recommended an abatement to correct an error in the record with a value of $90,100 and tax amount of $1,243.38.

Motion by Trundy, second by Gerry, that the Board of Assessors approve abatement #2012-06 for account #1167 with the value to be abated of $90,100 and a tax abatement amount of $1,243.38 as prepared by the Assessors’ Agent. Vote 4-0.

Motion by Gerry, second by Trundy, that we adjourn our meeting as Board of Assessors and reconvene as the Board of Selectmen. Vote 4-0.

8. **Treasurer’s and Payroll Warrant(s) – Approve and Sign:**
Motion by Trundy, second by Dunn, that the Board approve and sign the Treasurer’s and Payroll Warrants. Vote 4-0.

9. **Executive Session – Consultation with Town Attorney regarding the legal rights and duties of the Board of Selectmen concerning access to Kendall Cemetery (Title 1 MRSA § 405(6)(E)); persons to be included are the Selectmen, Town Administrator and the Cemetery Trustees:**
Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss with the Town Attorney, the Town Administrator and the Cemetery Trustees the legal rights and duties of the Board of Selectmen concerning access to Kendall Cemetery. Vote 4-0.

10. **Executive Session – Consultation with Town Attorney regarding the legal rights and duties of the Board of Selectmen concerning a Land Use Violation (Title 1 MRSA § 405(6)(E)):**
Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss with the
Town Attorney and Town Administrator the legal rights and duties of the Board of Selectmen concerning a land use violation. Vote 4-0.

11. Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E)): Motion by Gerry, second by Trundy, that the Board of Selectmen enter into executive session for purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841(2)(E). Vote 4-0.
Upon returning to open session, Motion by Gerry, second by Dunn to deny the poverty and/or disability abatement request. Vote 4-0.

12. Adjourn:
Motion by Gerry, second by Trundy, to adjourn the meeting. Vote 4-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant
Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, and Ladleah Dunn. (Julia Libby joined the meeting at 6:05 p.m.).

The meeting was called to order by Chairman Barrows at 6:00 p.m. at Lincolnville Central School (B-5). The quote was read by Dunn.

1. Citizens’ Forum:
   Arlene Leighton addressed the Board regarding the DCP Searsport Tank/Terminal. She invited the Board to continue to consider the letter of July 30th to the Town of Searsport and to have an open dialogue with Searsport regarding the DCP LPG storage and distribution center. She said she sent David, and for anyone else interested the links to the hearings from Nov. 26 to Nov. 30th at [http://penobscotbay.blogspot.com](http://penobscotbay.blogspot.com). She said she would especially like people to listen to Harlan McLaughlin’s testimony that comes up on Nov. 30th and is right before the first break. Harlan’s family has lived in Searsport for centuries and he really got to the heart of the matter of how a town can be overwhelmed by a corporation and how a corporation can dictate to the town. He said it really puts the corporation’s needs before those of the town. Leighton said there will be people and businesses in Searsport that will be economically hurt by this tank. In the most recent issue of the Free Press, the owner of the Anglers Restaurant in Searsport felt that his business would be adversely affected. Leighton said she will come before the Board next year with a few other issues, one regarding the Democracy School that is going to be happening in Belfast in March on nature and community based ordinances. If anyone is interested in that she could get them more information. The other issue for our children and grand children is getting the towns ready for climate change. The Tank is interconnected with the rights of communities, nature and what we may be facing in the next ten to thirty years. Leighton thanked the Board for their time and wished them a wonderful holiday.

2. Administrator’s Report:
   David Kinney, Town Administrator, reported:
   - Kinney reported that they were still having technical difficulties with the audio for broadcasting the Selectmen’s meeting, but still have video.

   Gerry asked Kinney if he had a chance to do anything on an alternative town office.

   Kinney reported that he started a check list of desired features and has been contacted by a representative of one location that would like us to consider renting their facility.

3. Meetings & Announcements:
   Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:
Gerry announced there is a Christmas Program at the Lincolnville Library on Wednesday Dec. 12th, at 7:00 p.m. There will be a talent show and refreshments. There is no charge.

5. **Meeting Minutes:**
   Motion by Trundy, second by Dunn, to approve the November 26, 2012 meeting minutes as presented. Vote: 5-0.

6. **Set 2013 Harbor Fees:**
   Kinney said the Harbor Committee met in November as required by the Harbor Ordinance to recommend fees for the upcoming year. They looked at a number of fees from other towns and made the recommendation that the fees remain the same as the current year with the addition of a landing craft launching ramp permit.

Gerry asked what that actually involves.

Kinney said that last year a summer residence was being built on one of the islands off Islesboro and the landing craft was coming to and from the beach loading and unloading and occupying the ramp and creating some challenges there in terms of prop wash under mining the ramp. Kinney said they came to an agreement with the land craft owner to have funds placed in escrow in case they did some long term damage to the ramp. Kinney said he believed they were done with that project.

Mike Hutchings said that project is done, but he found out another project is going to be starting up on Islesboro. It will be about a year and half long project, but they probably won’t be using landing craft on that ramp because they can access through the ferry. Mike said the landing craft fee is so we have some control and the price of it is structured the same as tour boat fees for passenger boats.

Hutchings said this gives us control since there is excessive use on that ramp.

Trundy asked how much we had them put in escrow.

Kinney said $10,000.

Trundy asked if we set this up so they pay the $1,200 a year to use the ramp, would we also ask for something in escrow if someone else had that type of a plan or is this in lieu of that.

Kinney said this was in addition to. If we had someone who was going to use the ramp multiple times a day we would approach them about some sort of damage protection.

Trundy asked if we had something in our ordinance that gives us the ability to do that or do we work it out on a case by case basis.

Kinney said the ordinance does not specifically address it, but when we discussed the matter with the Town Attorney she said you can make all kinds of agreements with
people to use your facilities if there is a fear or cause for concern that there may be
damage.

Trundy asked if it would benefit the town to consider putting something into the
ordinance that required an escrow account for someone who was doing extended use.

Hutchings said he thought that something in the ordinance would be a good idea, but he
also said that if we have a permit we have something we can revoke if it’s misused.

Trundy said he thought it would be good if the Harbor Committee could look at that and
see what some other towns have done.

Kinney said there is a lot of protection in terms of the town; the State statute basically is
the Master of the Harbor.

Hutchings supported Kinney’s statement by pointing out that if a situation gets to a point
where it’s unsafe and a detriment to the facility there are provisions in the State statute
that say you have to stop.

Trundy said he likes the idea of the escrow accounts.

Gerry asked Hutchings when he thought the other project was going to start.

Hutchings said it was in the design phase right now and it might go out to bid this spring
or early summer with a construction start mid or late fall.

Kinney said that this project is actually on the island of Islesboro, so they will be able to
move a lot of the materials by the ferry.

Gerry asked what the fee is right now if someone wants to take their small twelve foot
boat off the ramp. Is there a fee for a Lincolnville resident to launch their watercraft?

Kinney said for the casual user it’s free.

Hutchings said you can get a seasonal pass, which is ten dollars and that allows you to
park adjacent to the launching ramp or State lot.

**Motion by Trundy, second by Gerry, that the Board set the 2013 Harbor Fees the
same as the 2012 Harbor Fees and a new landing craft fee of $1,200 per year be
established for use of the launching ramp by a landing craft and that the Harbor
Committee explore new language for the ordinance to offer additional protection to
the town for those types of incidents. Vote: 5-0.**

7. **Report of the Harbor Master – Guest Mooring Usage, etc.:**
Hutchings said the town moorings get a lot of use by transient traffic and are in good shape. People can only stay four hours, but some people ask if they can stay overnight and the harbor master says they can and that we accept donations. We have received donations over the years. One guy who is a contractor donated $500 because he used the town mooring for a week or so because his mooring was messed up. We have three town guest moorings.

Hutchings said we have projects we need to fund. We have a wave screen that is half finished. We didn’t receive any harbor improvement grant money. The federal government has not handed out any money lately. There were two projects going on, Seal Island and a mansion being constructed on Islesboro. That resulted in six or seven boats making two trips a day. We had to finally designate a pedestrian loading area. There was quite a lot of friction at first. Also, trucks were trying to turn in a limited space. As a result, the deck on the pier has been worn down. The launching ramp needs some work, but we are covered on that one.

Gerry asked how many moorings are in the harbor.

Hutchings said that there are 48 moorings. People keep their sites. You can have a year of dormancy, after that it is “use it or lose it”. Some moorings are multi use moorings and have a different fee schedule. People need to keep their boat on the mooring a certain amount of time during the year. The mooring list is where the friction occurs. There are eight residents that use them commercially. Fishermen use is weather related. From 5:00 AM to 7:00 AM in the morning it can be gridlock. The facility generates a lot of income for the community, so we need to maintain it. It was a half million dollar structure when it was built. We could put aside so much money a year. Up until now we have done a good job with getting fees and grants.

We get overwhelmed with contractors using the facility. Next time we will be able to handle it in a more orderly manner. We don’t have a full time harbor master. We were fortunate that during hurricane Sandy we didn’t have any serious damage.

Trundy said the Board recognizes the need for maintenance and the need to put some money away for maintenance and working with Capital Needs.

Hutchings said the decking replacement could be done relatively cheaply, but the wave screen needs heavy equipment and must to be done by a contractor.

Dunn asked how long the wave screen will hold up.

Hutchings said it could go tomorrow. The longer we let it go the more the safety risk. The wave screen is the top priority. The decking can more easily be done. The permits will run out soon.

Libby asked what the expected the cost will be.

Kinney said that between the inner and outer parts of the wave screen about $150,000.
Hutchings said we have about $52,000 in an account for this, but we can’t generate enough money from fees to cover the rest.

Dunn said that she saw the screen at about 12 knot winds out of the south and on one side it’s chop and on the other side calm. It makes a huge difference.

Hutchings said the town is responsible if the wave screen falls down and gets in the way of the ferry.

There was some discussion about the impact of large tankers transiting the bay for the tank and the effect on other shipping activity. Hutchings said hopefully the Coast Guard will give people who need to operate in the bay clearance to be closer to the large vessels. That would solve a lot of issues. It’s 38 miles from where vessels first meet land. It will disrupt all the traffic. The vessels get a 2 – 3 miles zone around them.

8. **Lincolnville Center Post Office – Post Office Structure Plan (POS Plan):**

   Kinney said that you have all seen the survey sent to your boxes. It is a survey to see how post offices are run in terms of hours. The survey only gives you four options, but does not include leaving the hours of operation alone. The options all refer to reducing hours of operation from a little to a lot. The Board has decided that in their experience surveys just don’t work out and would not do one again.

   Gerry said that he would like the selectmen to send a letter asking them not to close our post office in Center. He would also like to see a letter go to our local representatives and to our US senators saying the same thing. He said the post office at the beach has limited hours because it opens at 9:00 AM, closes at noon, opens at 1:00 PM and closes at 4:00 PM. Each postmaster can set their own hours. The one at the beach is not as user friendly as the one in the town Center.

   Kinney said that one of the options is to close the post office and relocate its service to another nearby post office.

   Dunn said that she thinks that it is really important for people to let their wishes be known about the post office because the surveys will not be that useful. At the meeting that they propose, and don’t advertise, it will require a lot of citizen advocacy.

   Gerry said he thinks a letter needs to go to our US senators stating that we want the Center post office to stay open. He said that this is not the first time, the last time this came up he fought it tooth and nail.

   Trundy said that the Postal Service loses millions of dollars a year. It is like the small schools that were once scattered everywhere. We consolidated and consolidated because it made fiscal sense to do that. He said that the post office is about 20 years behind the schools in doing this. It was neat that there was a one room schoolhouse in Lincolnville Center that kids went to, but it wouldn’t make any fiscal sense in today’s society. He said as he travels around the state he sees small post offices serving a handful of people.
It doesn’t make sense to have a post office in the Center and one six miles away at the beach. He thinks the post office needs to consolidate operations to financially survive in the future.

Gerry said that some people have a post office box in the Center and won’t want to drive to the one at Lincolnville Beach.

Trundy said that you are going to have a hard time convincing me that driving to the post office at the beach is all that far. He said that he understands that some people would be upset to have to drive and if you gave out my phone number I’d get a dozen phone calls about it saying adamantly that you’ve got to keep it open. The post office is going to have to be fiscally responsible by deciding that something has to give. Trundy said that he is not going to vote to send a letter to the senators, but if others want to they can send their own letter or attend one of the hearings to voice their opinion. He doesn’t think it is fair for the taxpayers to spend billions of dollars every year to keep open a massive number of post offices all around the country. Trundy said he is also not interested in spending a buck to mail a letter to make up the billion dollars.

Gerry said that he was listening to Trundy, but the survey is about a service, one of our services from the government. We have politicians who would like to run it as a business, but it was designed to be a service for the citizens of the United States of America. We could argue about spending billions of dollars, but it is a service not a business. We might find if we looked into it that the post office in the Center is making more than the one at the beach. I don’t know that. There is always a lot of foot traffic at the one in the Center. I’m afraid to lose the one in the Center. He wanted to hear from other Board members.

Libby said that she feels they need to be fiscally responsible. If they are not making money across the United States and are billions of dollars in the hole, then if they closed some and cut some service at others then they could be more fiscally responsible.

There was a discussion about how Mid-Coast Solid Waste operates. They try to raise as much funds as possible to cut down on the tax burden on the citizens. Trundy said the postal service needs to try to be fiscally responsible and find ways to maintain the service, even as the need has gone down. That may require closing some facilities. At some point something has to give or we are going to have to absorb the cost in our taxes. He would rather see closures and downsizing.

Dunn said she was in a huge post office in Florida, almost like a mall, and she doesn’t know what they are selling. She worries that the rural post offices are being targeted while the bigger ones have more money and staff. She feels there would be a lot more weight if all of the concerned citizens have their individual voices heard. She is also no fan of the beach post office due to hours and attitude. She is a fan of the small post office in general.

Barrows said that even if you close small post offices how much difference would it make on the 65 billion dollar debt; maybe a half billion. The survey does not mention...
any dollar value that will be saved. He would like to know what will be saved by closing the small post offices. It will not go anywhere deep enough. You will need to look at the efficiency of the large post offices.

Gerry said he is not opposed to looking at privately run post offices. He had a couple of questions for Kinney. He notes that the town has a mail box in front of the town office, but sees one or two town employees going to the post office every day. Why is that?

Kinney said that we try to get mail to the post office rather than put it in the box outside of the town office so there is less delay for people getting mail from the town.

Gerry asked if we would use the beach post office.

Kinney said no because he’s not going to put staff in a car and send them on a 40 minute round trip drive. Kinney said that from a strictly town office perspective we would rather see the Center kept open and the beach post office hours cut because it’s convenient for us. Kinney said as a box holder I don’t want it closed because of the personal convenience. If you read between the lines, we will have the lobby open the same hours, but the counter will have fewer hours. Kinney said that he has additional surveys. He noted they wanted the surveys back by Christmas Day.

Gerry said that his poll of the select board seems to indicate that the majority of the board does not support a letter to the senators.

Libby said that she felt that it will have more impact if done by individuals.

Barrows said that he does not know if you can get enough individuals to do it and we are hired to look out for their interests.

Dunn said she would like to find out more about the financial realities before she jumps on a letter. She would like to find out for example why the Center is being targeted instead of the beach.

Kinney said that part of the reason for the focus on the Center instead of the beach is because the beach does all of the deliveries around town. The Center is a leased facility while the beach is owned by the post office. In their long range plan, their thinking may be that if we try to close the Center we’ll get hammered, so maybe just reduce hours for now. If traffic at the Center is trending downward then the beach becomes more profitable. It becomes a progression towards locking the door. That may be the most prudent thing to do; it’s a matter of debate.

Gerry said that the town has been asked to fill out the survey, so what does the Board want to do with the four choices.

Kinney said that the town was not asked to fill out the survey. The survey was sent to post office box holders. If you don’t have a box you can go to the counter and they will give you one to fill out.
Gerry made a motion that a letter be sent to our US senators that the post office in Lincolnville Center not be closed, or at least they should consider that option. It was seconded by Barrows.

Kinney asked if the motion is not to close or not to alter the hours.

Gerry responded that his motion is not to close.

Kinney said that right now they are not talking about closing it.

Gerry said that then he would like the motion to say not to alter the post office in the Center. It was agreed that it will probably be a long time before action is taken. Gerry said that he was the one that asked that this item be put on the agenda.

Motion by Gerry, second by Barrows, to send a letter to our US senators asking that the post office in the Center not be altered. Vote: 3-2 (Trundy and Libby voting in opposition).

9. **Disposition of South Cobbtown Road property:**
The board felt that the property should be disposed of in a way that makes the most money. Kinney explained that if parties come to the town wanting to buy it before it is listed with a real estate broker, they can get it for the negotiated price with a reduced commission, since they expressed interested before it was listed. There are two parties who have already expressed interest in buying it.

Trundy said it might be better to list it ourselves and sell it and avoid the real estate commission.

Kinney said maybe we should list it in the paper for a month and sell it by owner. He said that we auctioned off property up the road and got $19,600 for an acre lot.

Gerry said that he would like to see the town advertise it first rather than go through a real estate broker. Gerry asked if it can be posted on the town website.

Kinney said yes. He said that you can put whatever price you want on it and I will bring the offers to the Board.

Gerry asked if everyone has seen the property. All said that they had except Dunn.

Dunn said that real estate brokers incur the cost of advertising and can cast a wider net. She would advocate for a realtor at some point.

Kinney said that if we list with a broker that we will need to decide who to list it with.
Trundy said that local people may make an offer upfront to make it worth our while to sell and let an attorney handle the sale. Trundy said try it for 30 days on our own first. They talked about the price and decided on $25,000 given the comps.

Motion by Gerry, second by Trundy, that the town property on South Cobbtown Road be listed with a price of $25,000 on the town website and newspapers. Vote: 5-0.

10. Authorization for Court Action – Land Use Violation(s):
Motion by Gerry, second by Trundy, that the Town Attorney be, and hereby is, authorized and directed to take any and all action – including, without limitations, filing suit in state court for the land use violations recently identified by the CEO and pursuing contempt of court proceedings for land use violations identified by the CEO in 2011 that have not yet been cured – that is necessary and appropriate to enforce the Town of Lincolnville’s Land Use Ordinance with respect to property owned by Richard Rosenberg located at Rosenberg Road, Levenseller Pond, which property is depicted as Map 22, Lots 28, 29, 30, and 31. Vote: 5-0.

11. Appointment of Registrar of Voters:
Motion by Gerry, second by Libby, that the Board appoint Karen Secotte as Registrar of Voters to a two year term commencing on January 1, 2013. Vote: 5-0.

12. Treasurer’s and Payroll Warrant(s) – Approve and Sign:
Motion by Trundy, second by Libby, that the Board approve and sign the Treasurer’s Payroll and the Coombs-Griffin Education Trust Warrants. Vote: 5-0.

13. Adjourn:
Motion by Trundy, second by Gerry, to adjourn the meeting. Vote: 5-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant