

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
APRIL 26, 2010**

Selectmen present: Rosendel Gerry, Chairman, Stacey Parra, Vice-Chair, H. Bob Plausse, Cathy Hardy, and Jason Trundy

The meeting was called to order by Chairman Gerry at 6:00 p.m. The quote of the day was read by Selectwoman Hardy.

**1. Citizen's Forum:**

Dick McLaughlin advised the Board that the sign that says "Fire Lane – No Parking" has rusted and needs to be changed.

**2. Administrator's Report:**

David Kinney, Town Administrator, reported:

- The Fire Station project had an official notice to proceed today and is scheduled to be completed by October 23, 2010, providing there are no change orders.
- The wave screen is substantially complete, although CPM Constructors will replace some fender piles before they leave.
- Today at 5 p.m. was the deadline for returning nomination papers. Rosendel Gerry returned papers for the Board of Selectmen, and Cecil Dennison, Dorothy Lanphear, and David Barrows are running for Budget Committee. There are still vacancies on the Budget Committee, LCS School Committee, and CSD School Committee if anyone wants to run as a write-in candidate.

**3. Meetings & Announcements:**

Town Administrator Kinney read the meetings and announcements from the agenda, adding that the Regional School Consolidation Committee will meet tomorrow, April 27<sup>th</sup>, 5 p.m., at the Bus Barn in Camden. He also said the School budget will be addressed before the Municipal budget at tomorrow night's Budget Committee public hearing.

**4. Upcoming Community Events:**

Marion Swanson announced the Lincolnville Women's Club will hold its May Day Breakfast on May 1, from 7 – 10 a.m., at the LIA Building; the cost is \$5.00.

Selectwoman Hardy announced that Big Brothers-Big Sisters of Midcoast Maine will be holding their Bowl for Kids Event, starting in early May through May 16<sup>th</sup>. Several Board of Selectmen members have agreed to bowl on Cathy's team and will gladly accept any pledges/donations in support of Big Brothers-Big Sisters.

**5. Meeting Minutes:**

**Motion by Plausse, second by Trundy, to approve the minutes of April 12, 2010, as written. Vote 4-0-1 (Parra abstained).**

**6. Gateway 1 Start-Up Period Extension:**

**Motion by Hardy, second by Plausse, that the Board authorize the Chairman of the Board to sign on behalf of the Board of Selectmen the proposed Amendment #1 of the Start-Up Agreement for the Implementation of the Gateway 1 Corridor Action Plan in the Route 1 Corridor from Brunswick to Stockton Springs. Vote 5-0.**

**7. Appointment of Election Warden for June 8, 2010:**

**Motion by Parra, second by Plausse, to appoint David Kinney as Election Warden for the June 8, 2010 Election. Vote 5-0.**

**8. Review Draft Town Meeting Warrant Articles:**

Town Administrator Kinney stated Article 4 is required to be on the Warrant to vote on the LCS School budget validation question; he just received the language to insert into the Warrant today.

Selectwoman Parra asked how the interest rate on Article 25 was determined. Town Administrator Kinney explained that the State Treasurer sets the maximum interest rate that can be charged, and the law allows a reduction of the maximum percentage up to four percentage points.

Dick McLaughlin asked if the Sewer District is on the Warrant. Town Administrator Kinney explained that only residents of the Sewer District will vote to create the District, not the entire Town.

Town Administrator Kinney also informed Board members that the Land Use Committee also has a change of use amendment to be included in the Warrant.

**9. Countersign Warrant & Notice of Election – Five Town CSD Budget Validation Referendum:**

**Motion by Plausse, second by Parra, that the Board countersign the Warrant and Notice of Election Calling Five Town Community School District Budget Validation Referendum as prepared by the Board of the Five Town Community School District. Vote 5-0.**

**10. As Board of Assessors:**

**• Ratio Declaration & Homestead Reimbursement Application**

**Motion by Parra, second by Plausse, to suspend their meeting as Board of Selectmen and convene as Board of Assessors. Vote 5-0.**

Town Administrator Kinney explained that the Homestead Exemption Program has some changes this year. The State has reduced the exemption from \$13,000 to \$10,000, and the State's schedule for reimbursement will be 75% in the current fiscal year, and the remaining 25% will be reimbursed in the next fiscal year.

Selectmen Plausse stated he felt the next fiscal year will be worse than this current fiscal year; Selectwoman Hardy said the same thing is happening with the CSD.

**Motion by Parra, second by Plausse, that the Board approve and sign the Ratio Declaration & Reimbursement Application as prepared by the Assessors' Agent. Vote 5-0.**

**Motion by Parra, second by Plausse, to adjourn as Board of Assessors and reconvene as Board of Selectmen. Vote 5-0.**

**11. Request for Reconsideration - Rosenberg:**

Town Administrator Kinney explained that Richard Rosenberg is requesting that the Board reconsider its past decision to not sell the tax acquired property, located at 13 Rosenberg Road, back to him until he pays his land use case judgment. He would pay all outstanding taxes and costs now, but would continue to pay the installments on the land use judgment. The property became tax-acquired in mid-February, so the Town of Lincolnville was the owner of record as of April 1, 2010. The Town is entitled to recoup unassessed taxes, as well as back taxes, in addition to lien costs, interest, filing costs, legal fees, and insurance costs, as the letter sent to Mr. Rosenberg, dated March 23, 2010, states. The letter also states that once the land use case judgment is paid in full, the Board will consider the sale of the property back to him.

**Motion by Hardy, second by Trundy, that the Board deny Mr. Rosenberg's request for reconsideration of this matter and that the Town's response, as set forth in the March 23<sup>rd</sup> letter, stand. Vote 4-0-1 (Parra abstains).**

**12. Tanglewood Road Survey – Review Process:**

Town Administrator Kinney received seven timely responses to the Request for Proposals for surveying services for a portion of Tanglewood Road, and is recommending interviewing two firms before making a final recommendation to the Board.

**Motion by Parra, second by Plausse, that the Town Administrator conduct interviews with the surveying firms of Professional Surveying and with Gartley & Dorsky, and report a recommendation back to the full Board. Vote 5-0.**

**Motion by Parra, second by Hardy, that pursuant to the Town Charter, Chairman Gerry be delegated to assist the Town Administrator with conducting the interviews of prospective surveyors. Vote 4-0-1 (Gerry abstained).**

**14. Liquor License Renewal Application – McLaughlin's Restaurant: *(taken out of order)***

**Motion by Parra, second by Plausse, that the Board approve the Liquor License Renewal Application for McLaughlin's Restaurant. Vote 5-0.**

15. **Treasurer's Warrant(s) – Approve and Sign:** *(taken out of order)*  
**Motion by Parra, second by Hardy, to approve the Treasurer's Warrant, the Payroll Warrant, and the Fire Station Warrant, as presented. Vote 5-0.**

*Agenda Item 13 was the only remaining item, but since the time was only 6:30 p.m. and the public hearing was scheduled for 7 p.m., Selectwoman Parra read two letters from Willard Harris, Director of the Maine Bureau of Parks and Lands, regarding concerns of the Lincolnville Conservation Commission and the multi-use trails at Camden Hills State Park. A meeting will be scheduled for May 4<sup>th</sup> or 5<sup>th</sup> with the interested parties.*

*The meeting was recessed until 7 p.m.*

13. **7:00 PM: Public Hearing – Liquor License Application: Dip Net Seafood:**  
**Motion by Plausse, second by Parra, to open the public hearing on the application for a liquor license for Dip Net Seafood. Vote 5-0.**

No public comment was offered.

**Motion by Parra, second by Plausse, to close the public hearing. Vote 5-0.**

**Motion by Plausse, second by Hardy, to approve the liquor license application filed by Port Clyde Seafood, doing business as Dip Net Seafood. Vote 5-0.**

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

Respectfully submitted,

Diane Bacon  
Administrative Assistant