

**Board of Selectmen
Meeting Minutes
April 13, 2009**

Selectmen Present were: Rosendel Gerry, Chairman, Richard M. McLaughlin, H. Bob Plausse, Cathy Hardy and E. Earle Brown

Executive Session:

Motion by Plausse, second by Hardy, to enter into executive session pursuant to Title 1 MRSA Section 405(6)(E) to discuss the legal rights and duties of the Board of Selectmen regarding a potentially dangerous building. **Vote: 5-0.**

Motion by Plausse, second by Brown, to enter into executive session pursuant to Title 1 MRSA Section 405(6)(F) and Title 30-A Section 2702 to review and discuss personnel records. **Vote: 5-0.**

Upon returning to open session, **Motion** by Plausse, second by Hardy, to adjourn the executive session. **Vote: 5-0.**

Motion by Plausse, second by Brown, to authorize the Town Administrator to contract for the removal and disposal the solid waste accumulated on the Donald Symington property on the Hope Road and to invoice Mr. Symington for the costs of the service. **Vote: 5-0.**

Motion by Plausse, second by Brown, to authorize the hiring of an independent 3rd party building inspector to work with the Health Officer to conduct a building assessment of the Donald Symington rental property on the Hope Road. **Vote: 5-0.**

Chairman Gerry announced the passing of Barbara Tarantino and asked for a moment of silence to recognize her life and her dedication to the Town of Lincolnville.

3. Citizen's/Selectmen's Forum:

Jason Trundy introduced himself and announced his candidacy for the Board of Selectmen.

4. Administrator's Report:

Kinney reported:

- That nomination papers are available for seats on the Board of Selectmen, School Committee, 5 Town CSD Board and Budget Committee.
- Briefed the community on the storm damage and the repairs made to date. He suggested that people help themselves and the community by keeping driveway culvert ends clean particularly when heavy rain events are predicted.
- That the furnace at the Beach Fire Station may need to be replaced.
- That the MDOT agreed to remove the construction signs from Routes 1 and 173 which were put in place for the ferry slip project.

- That the second half of property taxes were due April 8th and that taxes must be paid in full by April 30th to avoid being reported in the Town Report (per State Statute).
- That the State Circuit Breaker program applications are still available at the Town Office. The program is designed to assist resident homeowners and renters with their property taxes or rent.
- That people are raking debris in the roadways should be cleaning up rather than leaving it in the road.

5. Meetings & Announcements:

Kinney read the meetings and announcements from the agenda.

6. Upcoming Community Events:

Cemetery Clean-up weekends are being performed between now and Memorial Day. Interested volunteers should contact Cecil Dennison.

Barbara Tarantino's service is scheduled for Saturday, April 25th at 3PM.

7. Meeting Minutes:

Motion by McLaughlin, second by Plausse, to approve the meeting minutes of March 23, 2009 as written. **Vote: 5-0.**

Motion by Plausse, second by Brown, to approve the meeting minutes of April 2, 2009 as written. **Vote: 5-0.**

8. Public Hearing – General Assistance Ordinance Amendment(s):

Motion by Plausse, second by Brown to open the public hearing. **Vote: 5-0.**

No public comment was offered.

Motion by McLaughlin, second by Brown to close the public hearing. **Vote: 5-0.**

Motion by Plausse, second by Brown to adopt the revised Appendix B- Food maximums for General Assistance. **Vote: 5-0.**

9. Section 319 Non-point Source Pollution Grant – Coleman Pond Association:

Shawn Biello and Whitney Oppersdorf on behalf of the Coleman Pond Association made a brief presentation concerning the Coleman Pond Watershed Survey performed two years ago and then asked if the Town would be willing to sponsor/be a grant recipient for a Section 319 grant. The funds from this grant (if awarded) would be used to correct deficiencies identified in the survey. It would be a voluntary program partnering with property owners to seek mitigation measures. The National Resource Conservation Service would provide any necessary engineering. The Town would act as the fiscal agent for the project and Ms. Biello would be the project consultant.

Ms. Gage a resident of Coleman Pond gave her personal perspective, a history of the work to date and voiced her support.

Motion by Plausse, second by Brown to have the Town apply for and be the fiscal agent for the Section 319 Non-point source pollution grant. **Vote: 5-0.**

10. CMP Request for a Permit to Operate Vehicles on Town Ways in Excess of Posted Weight Limits:

Chairman Gerry informed the Board that the representative of CMP notified the Town Administrator that they would not be present at the meeting.

Motion by McLaughlin, second by Brown to reaffirm the decision made at the Board's April 2nd meeting and not to grant an exemption. **Vote: 5-0.**

11. Follow up on Beach Water Supply & Wastewater Disposal Discussions:

Kinney explained that if the Town is to move forward he sees four issues that should be addressed.

- a) Form a committee or have the Board take the lead.
- b) Whether the Board is willing to authorize the expenditure of the remaining Water Resources Committee funds on this endeavor.
- c) Create a "game plan" with Maine Rural Water Association (MRWA)
- d) Write letters to elected representatives seeking funding

Hardy stated that she had no problem with the Board authorizing the expenditure of remaining committee funds as this seems like a logical next step. She wondered where any make up monies might come from. McLaughlin thought that interested parties might be able to kick in some funds and that the MRWA might be able to secure some planning grant funds.

Rob Newcombe suggested that a number of interested people have served on previous committees but to no avail. In his opinion, Mr. Levy from MRWA is the "miner" to go for the gold. Newcombe suggested notifying political representatives now. Hardy thought it premature to write letters and thought that a committee of interested parties should be formed. A draft committee charge should be prepared for the Board to consider.

Motion by Hardy, second by Plausse to expend p to \$2463 (the remaining balance in the Water Resources Committee account) at contract with Maine Rural Water Association to create funding game plan. **Vote: 5-0.**

12. Maine Healthy Beaches Program Agreement:

Motion by Hardy, second by McLaughlin, to authorize the Chairman of the Board of Selectmen on behalf of the Town to sign the Town/State Park Agreement Form with the Maine Healthy Beaches Program. **Vote: 5-0.**

13. Review Capital Campaign Fund Letter:

Motion by McLaughlin, second by Brown, to send the letter prepared by Sally Daggett after deleting the next to the last paragraph. **Vote: 5-0.**

14. Request for Personnel Policy Waiver:

Kinney explained that a due to operating short staffed a Town Office staff member has not requested to utilize all of her earned vacation time. She has requested that the deadline to utilize the earned time off until be extended on a one time basis until the end of June (our fiscal year).

Motion by Plausse, second by Hardy, that for the remainder of the current fiscal year that the Board waive the Personnel Policy requirement that all employee earned time be used or forfeited by the employee's anniversary hiring date and that the date to by which to use the earned time off or it be forfeited be June 30, 2009. **Vote: 5-0.**

The Board expressed its appreciation to the Town Office staff members for their service.

15. Land Use Fees Annual Review:

Motion by Hardy, second by Plausse, to approve the fee schedule as recommended by the Planning Board. **Vote: 5-0.**

16. As Board of Assessors – Abatements to correct errors in the record:

Motion by Plausse, second by Brown, to suspend the Board of Selectmen's meeting and convene as the Board of Assessors. **Vote: 5-0.**

Motion by Plausse, second by Brown, to grant abatements numbered (2008-21 to 2008-23) to: Virginia Thomas (\$218.79), Wayne Heal (\$278.46) and Michael Collemer (\$388.44) per the Assessors' Agent recommendations. **Vote: 5-0.**

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

17. Countersign Warrant and Notice of Election – Five Town CSD Budget Validation Referendum:

Motion by Plausse, second by Brown, to countersign the Five Town CSD warrant and notice of election. **Vote: 5-0.**

18. Treasurer's Warrant:

Motion by McLaughlin, second by Brown, to approve and sign the Treasurer's Warrant. **Vote: 5-0.**

19. Adjourn:

Motion by McLaughlin, second by Hardy to adjourn. **Vote 5-0.**

Respectfully submitted,

David B. Kinney
Town Clerk