

**BOARD OF SELECTMEN
MINUTES OF MEETING
AUGUST 24, 2009**

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

- 1. Motion by Parra, second by Plausse, to enter into executive session regarding consultation with Town Attorney (Title 1 MRSA § 405(6)(E)) concerning possible Consent Agreement – Lanning Subdivision. Vote 5-0.**

Motion by Parra, second by Plausse, to discuss the legal rights and duties of the body concerning possible legislation (Title 1 MRSA § 405(6)(E)) . Vote 5-0.

- 2. Motion by Parra, second by Plausse, to come out of Executive Session. Vote 5-0. (6:14 p.m.)**

Motion by Plausse, second by Parra, to approve the consent agreement between the Town of Lincolnville and Wayne Lanning. Vote 4-0-1 (Gerry abstained).

Chairman Gerry thanked Cecil Dennison for attending all of the Selectmen's meeting.

- 3. Citizen's Forum: None**

- 4. Administrator's Report:**

Town Administrator David Kinney reported:

- The State of Maine Ferry Service will be closed to vehicular traffic from September 28th to October 25th. For that period of time, a temporary dock will be constructed south of the existing ferry slip for a temporary passenger service that the Ferry Service has hired, although that passenger service schedule is not yet available.
- The wave screen project should be going out to bid in a couple weeks.
- The paving handwork has been done on Youngtown Road on the culvert replacements, as well as paving at Black Brook on Slab City Road. Hopefully by the next Selectmen's meeting, Marriner will have completed the Youngtown Road resurfacing.
- A poverty and/or infirmity abatement request has just come into the Town Office, so the Board will need to set a hearing date.

Motion by Parra, second by Plausse, to set Monday, September 14, 2009, at 5:35 p.m. as a hearing date on the poverty and infirmity abatement request. Vote 5-0.

- Police Chief Ron Young will not be available for the Octoberfest parade, and is asking if Selectman Jason Trundy could assist as he is very familiar with the traffic control procedures for this event.

Motion by Hardy, second by Parra, to have Jason Trundy fill in for Ron Young during the Octoberfest parade. Vote 4-0-1 (Trundy abstained).

Selectwoman Parra volunteered to drive the cruiser in the parade.

- Breezemere Park at Norton's Pond has had high bacteria counts this summer. One septic system has been replaced, but Health and Human Services representatives attribute the high bacteria count to wildlife. Administrator Kinney stated he is not convinced that wildlife is the cause of the high counts and will continue to "look and search". Administrator Kinney also reported that Ducktrap Park now has high bacteria counts, from the mouth of Ducktrap to the Bridge. The DEP is coming Thursday to work with the Code Officer/Plumbing Inspector to do some inspections. Throughout the rainy wet season of June and July, results were good, but now the results are poor. Town Administrator Kinney urges everyone to be vigilant about questioning suspicious land use practices that may be contributing to the high bacteria count. So far, Lincolnville Beach is all right.
- He had won a free two-day registration to the Maine Municipal Convention in October.
- The current committee vacancies and urges the public to complete a community interest form if interested in serving on a committee.
- The Town had just received the Waldo County Budget Committee ballot for District One, which must be returned to Waldo County by August 31 and, therefore, should be handled as an emergency item.

Motion by Parra, second by Hardy, to vote for Henry Robert Plausse to serve on the Waldo County Budget Committee. Vote 4-0-1 (Plausse abstained).

- Selectwoman Hardy questioned if the DEP or MDOT had responded to the Town's letter concerning the washouts below Youngtown Inn to the Winslow property. David Kinney responded by saying there has been no written response from the State, but MDOT has done some work in that area. Selectwoman Hardy suggested that another letter be sent to determine if the work done so far is the State's response to the Board's initial letter. The Board agreed another letter, signed by the Chairman, should be sent.
- Chairman Gerry asked for the status of paving on Youngtown Road. Town Administrator stated the crew hand-paved over the culverts and the paving contractor knows the road is ready to be resurfaced, which hopefully will be completed before the next Selectmen's meeting.
- Selectman Plausse questioned the parking situation during the ferry project. Town Administrator Kinney said the Ferry Service will have its lot available, as well as the area

where cars usually wait to get on the boat. He said parking has been brought up at every meeting he has attended.

- Town Administrator Kinney said the Beach bathrooms are on the Planning Board's agenda for Wednesday, August 26.

5. Meetings & Announcements:

Town Administrator Kinney read the meetings and announcements from the agenda. Since four Selectmen are planning to attend the Center Schoolhouse Committee meeting tomorrow night at 6 p.m. at the Center Fire Station, an agenda will be posted. (Chairman Gerry is excused from attending that meeting.) Chairman Gerry asked Board members to let David or him know when members are going to attend any meetings so they will comply with Town/State policies about posting any meeting where three or more Selectmen will be in attendance.

6. Upcoming Community Events:

Chairman Gerry said there is a benefit on Thursday, August 27th, at 7 p.m. at Tranquility Grange for a Lincolnville family whose baby was born with a heart condition. Ticket donations are \$5/person or \$20/family.

7. Meeting Minutes:

Motion by Parra, second by Plausse, to approve the meeting minutes of August 10, 2009, as written. Vote 5-0.

8. Water Resources Committee Update:

Paul Lippman, Chairman of the Water Resource Committee, and Vice-Chairman Rob Newcomb addressed the Board about the Committee's recent meeting with Steve Levy of the Maine Rural Water Association. The process of creating a quasi-municipal sewer/water district along Lincolnville Beach, an area which currently houses 36 buildings on 9.7 acres, involves identifying possible funding sources, meeting with funding agencies, seeking legislation to form a sewer/water district, drafting a letter to our Congressional Delegation outlining history and funding needs, and applying for a loan/grant with Maine Municipal Bond Bank.

Board members felt they should review and approve any legislation before it is submitted to the Legislature; they want to know details before giving approval.

Rob Newcomb and David Kinney explained that even though Steve Levy would draft legislation, it would still need public review before being submitted. Town Administrator Kinney also explained it is his understanding that although the focus is on wastewater and the discussion has been calling it the Lincolnville Sewer District, the legislation can be written to include water as well so additional legislation down the road won't have to be written to include water.

Motion by Plausse, second by Hardy, to have Steve Levy draft documents for a facilities loan grant and legislation creating a sewer district for the Board's review, before submitting either. Vote 5-0.

9. Board/Committee/Commission Appointment(s):

Motion by Plausse, second by Parra, to appoint Sandy Carey as an alternate Conservation Commission member for a one-year term. Vote 5-0.

Motion by Plausse, second by Hardy, to appoint Sandy Carey as a regular member of the Lakes & Ponds Committee for a one-year term. Vote 5-0.

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

Town Administrator Kinney explained that Assessor's Agent Vern Zeigler found that a parcel of Town-acquired property had erroneously been taxed \$303.03, which was included in the 2009-2010 Commitment.

Motion by Hardy, second by Parra, to approve Assessor Initiative Abatement 2009-01 for \$303.03, as recommended 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.

Marion Swanson announced that Norma Schmitt is in the hospital and knows she would love to receive cards. Mail can be sent to her home at 2433 Atlantic Highway.

11. Treasurer's Warrant – Approve and Sign:

Motion by Parra, second by Plausse, to approve the Treasurer's Warrant. Vote 5-0.

12. Adjourn:

Motion by Plausse, second by Parra, to adjourn the meeting (6:55 p.m.). Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant