

**BOARD OF SELECTMEN
MINUTES OF MEETING
JUNE 27, 2011**

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 5:30 p.m.

1. Executive Session (Title 1 MRSA § 405(6)(E)) – Consultation with Town Attorney concerning the Legal Rights and Duties of the Board regarding the disposition of publicly held property.

Motion by Gerry, second by Parra, to enter into executive session pursuant to Title 1 MRSA § 405(6)(C) and (E) for consultation with the Town Attorney concerning the legal rights and duties of the Board regarding the disposition of properties recently acquired by the Town through the tax lien foreclosure process. Vote 5-0.

2. Executive Session (Title 1 MRSA § 405(6)(E)) – Consultation with the Town Attorney concerning the Legal Rights and Duties of the Board regarding the competitive bid process and procedures.

Motion by Gerry, second by Libby, to enter into executive session pursuant to Title 1 MRSA § 405(6)(E) for consultation with the Town Attorney concerning the legal rights and duties of the Board regarding the competitive bid process and procedures. Vote 5-0.

Upon returning to open session, **motion by Gerry, second by Libby, to come out of executive session. Vote 5-0.**

Chairman Trundy started the open session by asking Selectwoman Libby to read the quote.

3. Citizens' Forum:

Paul Lippman, member and representative of the Lincolnville Boat Club, expressed the Boat Club's interest in entering into a lease agreement, with an option to buy, with the Town for the old Center Fire Station and Schoolhouse. The Boat Club would work in conjunction with the Community Alliance, subleasing the Schoolhouse to them if they can obtain adequate insurance, while the buildings would be covered under the Boat Club's insurance. The Boat Club and Community Alliance would maintain and improve the buildings at no cost to taxpayers. In response to questions from Board members, Mr. Lippman said the Club was thinking about a two-year lease, would probably still be interested in a lease without an option to buy, and thought mowing the lawn would be one of the improvements made.

4. Administrator's Report:

- It has been busy between the Town Election and Annual Town Meeting.
- The FY11 paving is done.
- Culverts on Ducktrap Road have been replaced.
- The FY12 paving will commence soon.

5. Meetings & Announcements:

Town Administrator Kinney read the meetings and announcements. Selectwoman Parra asked be excused from the July 11, 2011, Selectmen's meeting.

6. Upcoming Community Events:

Town Administrator Kinney announced the Strawberry Festival will be held Saturday, July 9th; the parade will start at 10 a.m. at the Center Fire Station. Selectwoman Parra announced items in good condition are sought for the lawn sale, which benefits the Church.

7. Meeting Minutes:

• **June 13, 2011**

Motion by Parra, second by Gerry, to approve the June 13, 2011, minutes as written. Vote 5-0.

• **June 18, 2011**

Motion by Parra, second by Gerry, to approve the June 18, 2011, minutes as written. Vote 5-0.

Selectwoman Parra noted that Jason Trundy was elected Chairman, Rosey Gerry was elected Vice-Chairman, and David Barrows was elected Secretary after the June 18th Annual Town Meeting.

• **Board of Assessors – June 20, 2011**

Motion by Parra, second by Gerry, to approve the June 13, 2011, minutes, correcting the second for the adjournment motion. Vote 5-0.

Selectwoman Parra later asked to revisit this motion as the Board had not convened as Board of Assessors.

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

Motion by Parra, second by Gerry, to correct approval of those minutes as Selectmen, and moved to correct the June 20, 2011, minutes with the correction of the motion second to adjourn, as Board of Assessors. Vote 5-0.

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

8. **6:30 PM – Public Hearing - Liquor License Application: Cellardoor Winery, Inc.:**
Motion by Parra, second by Barrows, to open a public hearing to hear comments concerning the proposing the liquor license for the Cellardoor Winery. Vote 5-0.

No public comments were offered.

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

Motion by Parra, second by Libby, to approve and sign the liquor license application submitted by the Cellardoor Winery. Vote 5-0.

9. **Habitat for Humanity of Waldo County Request – Randy Mailloux and Dan Bennett:**

Randy Mailloux and Dan Bennett, of Habitat for Humanity of Waldo County, addressed the Board about the possibility of Lincolnville donating Town-owned land to their organization. They explained how Habitat for Humanity works, saying they partner with a family (after a screening process), help them build their house with volunteer help, and then sell the house to the family via an interest-free mortgage. If the family defaults on the loan, the house is repossessed by Habitat for Humanity of Waldo County; nationwide, however, there is a less than .2% default rate. They explained the key to success is finding donated land which, once built upon, becomes a tax-producing asset to the town. Habitat for Humanity prefers not to have resident eligibility restrictions on the property, although they do have a parcel with a residency restriction. They service all of Waldo County, and would appreciate any consideration the Board would give to donating available Town-owned land.

Motion by Parra, second by Libby, that the Board instruct the Town Administrator to provide the Board with a list of Town-owned parcels that might be suitable for donation to the Habitat for Humanity of Waldo County and also provide the Board with an outline of steps necessary for donation. Vote 5-0.

10. **Municipal Building Committee Update:**

Architect Robert Fenney addressed the Board about two possible Town Office sites he and Town Administrator Kinney had viewed; the first site is at the corner of Thurlow Road and Route 173 (across from Drake's Corner Store), and the second site is owned by the Telephone Company on the corner of Route 52 and Route 173. Architect Fenney explained the first site is sloped and is quite wet, estimating 19,000 cubic yards of material would have to be moved, adding \$80,000 to \$100,000 to the overall project cost. The second site could house a building quite nicely, has a well issue that he feels could be resolved, making this site less expensive to utilize. The Telephone Company said they would be interested in further discussions if the Board has continued interest in the site.

In response to questions from Board members, Architect Fenney said the old-growth trees on the second site would not be affected, but some young growth trees might be, and he felt that lot was large enough for a 30% to 50% future expansion. He also suggested there would be overflow parking space in the Telephone Company and Church parking lots. The second site was the preferred site by the Municipal Building Committee. Although some Board

members had a difficult time envisioning a building in that corner, other members felt it is centrally located and would be a good location in the Center.

Motion by Parra, second by Barrows, that the Town Administrator pursue discussions with the Telephone Company about the second site, to see if they are willing to sell that piece and at what price, and to have the Municipal Building Committee continue with conceptual plans, keeping future expansion possibilities and lot design possibilities in mind. Vote 5-0.

11. **Recreation Commission (Ball Field Maintenance, Concession Stand Construction, etc.):** Recreation Commission member Mike Marden addressed the Board about plans to build a two-story concession stand, with announcers/scorekeeper space on the second floor, to be located behind the backstop on the Little League field. He said this would not be a Town/Rec Commission project, but would be done by a select group of dedicated volunteers, willing to fundraise, solicit materials, and do the work, so it would not cost the Town money; however, the Rec Commission supports this idea. The Little League Tournament is being held in Lincolnvile on July 22nd, and although project completion probably won't happen for the Tournament, it will hopefully be started before the snow flies.

Town Administrator Kinney explained the Town is not exempt from its own rules, so a building permit would be needed; he would be willing to assist in completing the application since the Code Enforcement Officer cannot. Town Administrator Kinney said if a building is built, it will be insured like all other Town buildings. Dr. Marden read emails from Gary Neville and Andy Young, which he thought might address questions Board members had.

In their packets, Selectmen received drawings of the proposed concession stand, as well as a fundraising letter that had been drafted. Selectwoman Parra noted the fundraising letter states checks should be payable to the Town of Lincolnvile Concession Stand, but thought it should be determined if the Town of Lincolnvile is willing to accept and track donations in order to achieve tax deductible status. She also suggested the letter include "Little League Majors" in the last paragraph of the letter.

Since the concession stand would be on Town property, which will require insurance and will eventually have some maintenance costs, Dr. Marden was asking the Board's approval to move forward with the project.

Motion Parra, second by Barrows, to allow the Recreation Committee to build a concession stand, two-story with announcer/scorekeeper space on the second floor, after the permit has been approved by the CEO, as outlined in an email to David Kinney from Elaine Huber-Neville, and that the Town of Lincolnvile accept donations of checks made payable to the Town of Lincolnvile Concession Stand with the understanding that funds will be reimbursed if fundraising goals are not met, and with the change in wording of the fundraising letter. Vote 5-0.

Dr. Marden said the Rec Commission acknowledges and accepts the concept of banners on fences, which should make fundraising next year easier. He then addressed the next issue regarding maintenance of the fields, explaining “it ain’t getting done” for several reasons. The big equipment used by the School was too heavy for the wet field, making ruts which have had to be filled with sand and, eventually, loam. He had asked the current School custodian maintaining the fields to please call him prior to doing work; no calls were received, so there has been a lack of communication. The former School custodian, Russell Bryant, had field maintenance experience, used his own lighter mower, and always consulted with Dr. Marden before doing work. Teams from other towns complimented them on field conditions when Russell maintained the field.

Town Administrator Kinney was not sure if a “double-dipping” situation existed, with the School paying for field maintenance and the Town paying for maintenance. He explained that providing personnel to maintain the fields was not an issue; it’s use of personal equipment without proper insurance certification that is the issue. He will look into the possibility of leasing equipment from a paid contractor (such as Russell Bryant) as a solution to the problem, as well as check on insurance ramifications when volunteers work on the field with their own equipment. Dr. Marden said his final objective would be to have the maintenance of the field put back in the hands of the Town, giving it more leverage for what is done; Board members thought that would require a change in the current policy to achieve.

Motion by Parra, second by Barrows, until after Tournament, that we allow the Town to employ someone to maintain the ball fields to meet standards to hold the Tournament, and that we look into leasing equipment to be used to do that, and that the Rec Commission members, Town Administrator Kinney, a Selectman, and Paul Russo meet to discuss a future long-term solution so taxpayers are not paying for a double-dipping situation. Vote 5-0. (Selectwoman Parra said she would be willing to be the Board’s representative at that meeting.)

Dr. Marden next reported that grubs have gotten into the soccer field and need to be removed before a fertilizer with pesticides is utilized. It’s possible the whole field will have to be retilled, which means Point Lookout may have to be used for a year.

12. Comprehensive Plan Committee Update:

Andrea Norfleet, Chair of the Comprehensive Plan Review Committee, introduced Committee members Karin Womer and Paul Crowley to the new Board members. She then addressed the Board, saying she had hoped to report on the scenic view assessment proposal tonight. However, the Committee had not yet received the final proposal from DeWan & Associates, so she will address the Board at their next meeting.

Andrea Norfleet then briefly explained that the Lincolnville Community Association is considering applying for grant funds from the Orton Foundation for Lincolnville Center revitalization plans. Ms. Norfleet explained the grant application is due on July 20th, and she is not sure things can be pulled together by then. The Orton Foundation would supply \$100,000, and Lincolnville groups would have to come up with \$25,000 over two years, and

then \$75,000 in-kind donations. This subject will also be addressed more fully at the Board's next meeting.

13. School and Budget Committee Vacancy Announcements:

Town Administrator Kinney announced the School Committee and Budget Committee each have two vacancies, and the Board of Selectmen can make a one-year appointment to fill those vacancies. Selectman Gerry encouraged interested individuals to complete a Community Interest Form while the Board seeks input from the School Committee about possible appointments to the School Committee.

14. Consideration of Dangerous Building Demolition Bid:

Motion by Gerry, second by Parra, to award the contract for the demolition of the dangerous building located at 572 Hope Road to Jake Barbour, Inc., in the amount of \$27,900 and further that the Board authorize the Chairman of the Board to sign the contract on behalf of the Town. Vote 5-0.

15. French-Williams Septic Easement:

Motion by Parra, second by Libby, to approve and sign the easement deed to Susan French and Leonard Williams 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 the Town Meeting held on November 24, 2008. Vote 5-0.

16. Municipal Officials – Appointments:

Motion by Parra, second by Gerry, that the Board approve the Town Officers Appointment List FY 2011-2012. Vote 5-0.

17. Board/Committee/Commission Appointments:

The initial Board of Appeals appointment motion by Gerry, second by Parra, was withdrawn.

Motion by Gerry, second by Parra, to appoint Michael Hutchings and Williams Briggs as regular members to the Board of Appeals for three-year terms, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Terry Moulton and James Greeley as alternate members to the Board of Appeals for a one-year term, expiring 6/2012. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Paul Crowley as a regular member to the Board of Assessment Review for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Donald Heald and Gary Neville as regular members as Breezemere Park Bandstand Trustees for three-year terms, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Frederick Heald and Thomas Nolan as alternate members as Breezemere Park Bandstand Trustees for one-year terms, expiring 6/2012. Vote 5-0. (Selectman Gerry suggested due to health issues, Thomas Nolan be consulted about this appointment.)

Motion by Gerry, second by Parra, to appoint Sandra Thomas as a regular member to the Capital Needs Committee for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Libby, to appoint Cecil Dennison as a regular member to the Cemetery Trustees for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Robert Bateman and Sheila Polson as regular members to the Conservation Commission for three-year terms, expiring 6/2014, and Robert Heald and Elizabeth Hand as alternate members to the Conservation Commission for one-year terms, expiring 6/2012. Vote 5-0.

Motion by Gerry, second by Libby, to appoint Paul Crowley and Terry Moulton as regular members to the Comprehensive Plan Review Committee for three-year terms, expiring 6/2014, and Patricia Shannon and Karin Womer as alternate members for one-year terms, expiring 6/2012. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Mary Ann Mercier as a regular member to the Financial Advisory Committee for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Gerry, second by Barrows, to appoint James Clayton and Shane Laprade as regular members of the Harbor Committee for three-year terms, expiring 6/2014. Vote 4-1 (Parra opposed).

Motion by Gerry, second by Libby, to appoint Scott Crockett to the Land Use Committee for a three-year term, expiring 6/2014, and Paul Crowley and Shane Laprade as alternate members for one-year terms, expiring 6/2012. Vote 5-0.

Selectwoman Parra questioned the number of committees Paul Crowley is on, explaining it's not him personally that she questions, just repeating a similar situation the Board faced six or seven years ago where the same people were on several committees. Paul Crowley said there should be separation with different people on committees, but it's difficult to find people willing to serve. He thought some overlap can be beneficial, but perhaps this is too much.

Motion by Gerry, second by Libby, to appoint Kenneth Bailey, Alexander Lyle, Tony Oppersdorff, Whitney Oppersdorff, Robert Winslow, Richard Lenfest, Jill Glover, and Richard Sanderson as regular members to the Lakes & Ponds Committee, for one-year terms, expiring 6/2012. Vote 5-0.

Motion by Gerry, second by Parra, to appoint Ernest Littlefield as a regular member to the Megunticook Dam Committee for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Parra, second by Barrows, to appoint Julia Libby as a regular member to the Mid-Coast Solid Waste Board of Directors for a three-year term, expiring 6/2014. Vote 4-0-1 (Libby abstained).

Motion by Parra, second by Barrows, to appoint Dorothy Lanphear as a regular member to the Municipal Buildings Committee for a one-year term, expiring 6/2012. Vote 5-0.

Motion by Gerry, second by Libby, to appoint Jay Foster and Ladleah Dunn as alternate members to the Planning Board for one-year terms, expiring 6/2012, and Paul Crowley as a regular member for a three-year term, expiring 6/2014. Vote 3-2 (Parra and Trundy opposed).

The initial motion by Gerry, second by Parra, for appointment to the Recreation Commission was withdrawn.

Motion by Gerry, second by Libby, to appoint Gary Neville and Rob Newcombe as regular members to the Recreation Commission for three-year terms, expiring 6/2014, and Dorothy Lanphear as an alternate member for a one-year term, expiring 6/2012. Vote 5-0.

Motion by Parra, second by Libby, to table the Route One Advisory Committee appointments. Vote 5-0.

Motion by Parra, second by Gerry, to appoint Vicki Eugley as a regular member to the Wage & Personnel Policy Board for a three-year term, expiring 6/2014. Vote 5-0.

Motion by Parra, seconded by Libby, to table appointments to the Water Resources Committee and ask the Committee to come to a future Selectmen's meeting. Vote 5-0.

Town Administrator Kinney said there are still vacancies on the following committees: Board of Assessment Review, Breezemere Park Trustees, Capital Needs Committee, Cemetery Trustees, Lakes & Ponds Committee, Recreation Commission, and Wage & Personnel Policy Board; he will email committee vacancies to Board members, at their request.

18. FY 11 Audit Services Engagement Letter:

Motion by Gerry, second by Parra, to authorize the Chairman, on behalf of the Board, to sign the engagement letter with William Brewer, CPA, to conduct the Fiscal Year 2011 audit. Vote 5-0.

19. FY 12 Assessors' Agent Contract:

Motion by Gerry, seconded by Parra, to approve and sign the Contract for Assessing Services with Fort Halifax Appraisals. Vote 5-0.

20. Adopt, Renew, Amend or Rescind Board Policies:

- Rules of Procedure – Board of Selectmen

Selectman Gerry voiced his opinion that the Saturday work session the Board had with the various committees was very helpful, and suggested time changes be might be considered for Board meetings so committees can regularly meet with the Board either at the beginning or end of specified meetings, rather than on a Saturday. Board members agreed meeting with committees was very beneficial, but various suggestions were made about when to meet. Some members wanted to keep the 6 p.m. start time but favored scheduling some smaller committees at the end of an agenda for an hour, when the agenda is light. The Land Use Committee, Planning Board, and Comprehensive Plan Review Committee would each require longer sessions, perhaps two-hour timeslots, or perhaps a separate evening meeting would be needed. Due to everyone's busy summer schedule, it was suggested waiting until September to start meeting with committees. It was also suggested it would be beneficial for the Board to have its own workshop to prepare for the fall meetings, prioritizing charges, etc., for various committees.

Town Administrator Kinney suggested making a draft list of all committees to develop a rough schedule based on specific requirements of some ordinances/policies, giving the example of the Harbor Ordinance requiring the Harbor Committee to report to the Board in November.

Motion by Parra, second by Barrows, to approve the Rules of Procedure of the Lincolnville Board of Selectmen and that the Town Administrator review information from different municipalities regarding email procedures and notification of Board members of information for possible amendment next month. Vote 5-0.

- Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits
Motion by Parra, second by Gerry, to approve the Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits dated June 27, 2011. Vote 5-0.
- Policy on Treasurer's Disbursement Warrant of State Fees & Revenues
Motion by Gerry, seconded by Libby, 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 27, 2011.
- Electrical Inspector Resolution and Permit
Motion by Gerry, seconded by Libby, to approve the Electrical Inspector Resolution and Permit forms as presented. Vote 5-0.

21. Treasurer's Warrant(s) – Approve and Sign:

Motion by Gerry, seconded by Parra, to approve the Treasurer's Warrant and the Payroll Warrant. Vote 5-0.

22. Executive Session (Title 1 MRSA § 405(6)(C)) – Discussion of the use of real publicly held properties contemplated for lease (LIA Building and former Center Fire Station):

Motion by Gerry, seconded by Parra, that the Board enter into executive session pursuant to Title 1 MRSA §405(6)(C) for the purpose of discussing potential lease terms related to the Town-owned former schoolhouse at 33 Beach Road and the Town-owned former Center Fire Station and Annex property at 209 Main Street. Vote 5-0.

Upon returning to open session, **motion by Parra, seconded by Libby, to come out of executive session. Vote 5-0.**

23. Adjourn:

Motion by Parra, second by Libby, to adjourn the meeting. Vote 5-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant