

**BOARD OF SELECTMEN
MINUTES OF MEETING
MAY 9, 2011**

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

1. Citizen's Forum:

No public comment was offered.

2. Administrator's Report:

David Kinney, Town Administrator, reported that absentee ballots will be available by Monday, May 16, 2011.

3. Meetings & Announcements:

Town Administrator Kinney read the upcoming meetings. Chairman Gerry added that the Board would be holding a planning workshop on Saturday, May 21, 2011 at 9 a.m.

4. Upcoming Community Events:

Town Administrator Kinney read the upcoming community events. Selectman Plausse added that the first LIA meeting of the year will be Thursday, May 19th at 5:30 p.m. Marion Swanson stated that the next Lincolnville Women's Club meeting at the LIA will be May 17th at noon. All women are encouraged to attend.

5. Meeting Minutes:

Motion by Plausse, second by Parra, to approve the April 25, 2011, minutes, as written. Vote 4-0-1 (Hardy abstained).

6. Pease Consent Agreement:

Motion by Parra, second by Plausse, to approve the proposed Consent Agreement with Floyd, Lena, and Stephen Pease, authorize the Code Enforcement Officer to sign on behalf of the Town and set the civil penalty at \$0 and the Attorney's fees at \$131.25.

Parra stated that she recommended one half of the Attorney cost as she believed that the Town had some responsibility in the situation. No civil penalty was recommended as all believed that this was an honest mistake and no penalty was appropriate in this case.

Vote: 5-0.

10. Bid Awards (taken out of order):

- **Paving**

Motion by Parra, second by Hardy, to award the paving contract to Marriners, Inc. for the unit prices submitted and per the bid specifications.

Plausse stated that he was disappointed in the lack of communication and lack of performance last year. He hoped that the same wouldn't occur again.

Trundy stated that last fall that the entire Board was not happy. For \$3,000 he would like the peace of mind that work would be done right and timely and he preferred Lane.

Hardy stated that she is opposed to expending more dollars than necessary.

Gerry stated that the Town has been let down three times. The message he received was that "you (the Town) aren't important" and "I'll get to you when I'm ready."

Vote: 3-2 (Trundy and Gerry opposed).

- **Beach Bathroom**

Motion by Parra, second by Plausse, to award the beach bathroom enclosure project to Aaron Newcomb Building Construction, Inc. of Holden, Maine in the amount of \$ 2,350.

Parra expressed surprise and disappointment that the Town received no local bids.

Vote: 5-0.

- **Storage Building Roof Replacement**

Motion by Parra, second by Plausse, to award the storage building roof replacement project to Northeast Facilities Management of Bangor, Maine in the amount of \$ 2,950. Vote: 5-0.

- **Roadside Tree and Bush Removal**

Parra asked if the any Board member thought she should not participate in the discussion and voting on this item as her husband is employed by one of the bidders. No objection was registered.

Motion by Parra, second by Plausse, to award the roadside tree and brush removal project to Farley & Son, Inc. of Rockport, Maine in the amount of \$13,950.

Hardy expressed that it was too bad that the adjustment requested by Green's Tree Service came in after bid opening.

Vote: 5-0.

8. Lincolnvile Community Alliance – Former Center Fire Station (taken out of order):

Jim Dunham reported that the former citizen's group interested in leasing the former Center Fire Station is now a newly formed non-profit called the Lincolnvile Community Alliance (LCA). The purpose of the LCA is to support and enhance the community of Lincolnvile through charitable and educational endeavors.

The LCA is offering to rent the buildings for 6 months for \$1,713 (an amount equal to one-half of the annual budgeted expenses of these buildings).

Plausse asked that if the lease works out is it the LCA intent to purchase the buildings. Dunham responded yes that hopefully it will work.

Parra stated that she thinks the idea is great but is worried that this might become another Dean & Eugley situation. Her hope last fall when groups were given until spring was that the buildings would be sold.

Hardy stated that it would be great to have a sales agreement in hand and that the proposal has merit.

Parra stated that property might be hard to market in the fall or winter.

Trundy said that the group has done what the Board asked it to do and that six months is not too much to offer. The potential benefits outweigh the wait.

Cindy Dunham asked if the lease could be worked out before Town Meeting. Town Administrator Kinney stated that if the Board wanted to expend legal fees before Town Meeting approval of the article it could but that voter approval to sign the lease was necessary. Chairman Gerry questioned about the group paying the legal fees.

Parra left the meeting to attend a work related event.

Jim Dunham asked about holding events prior to the lease. Town Administrator Kinney responded that depending on the event that this might be possible contingent upon insurance and what the event entailed.

Motion by Hardy, second by Plausse, that the Board includes an article on the annual Town Meeting Warrant seeking the authority to lease the former Center Fire Station and/or Annex buildings. Vote: 4-0.

7. Five Town CSD Budget Overview:

Wayne Dorr the Superintendent of Schools for the Five Town CSD and Cathy Murphy the Business Manager reviewed the proposed Five Town CSD Budget for FY12. The overall

proposed increase is 1.34%. Due to state valuation changes and the school funding formula the Town of Lincolnville's share is increasing 9.44%.

Hardy expressed her appreciation for the work and attention that went into the budget preparation and items trimmed. She still believes that Administration and Operation & Maintenance are excessive.

Plausse inquired as to how many students attending the Five Town CSD are from the Town of Lincolnville. This question could not be answered by those present.

9. Municipal Building Committee Update:

Bob Fenney the architect working with the Municipal Building Committee viewed with the Board the accessibility issues, the costs associated with renovation/expansion of the existing building, building new, and the site analysis. The costs not included on the spreadsheet included any MDPE permitting under the Site Location law (\$20-30k), wetlands mitigation (\$15-20k), the cost of new site, and the sale value of the existing Town Office.

Plausse thought the discussions have been going on for years and the time to move is now. The difference between the funds we have available and the overall project costs are bondable.

Hardy stated that the side by side comparisons are very helpful. The Town needs to move ahead with selling unneeded town property and have the sales proceeds towards this project. Funding sources will be important.

Trundy stated that the people of town are split on the needs. Personally he sees a need. Some things are in the town's favor right now. It is inevitable that something is going to need to be done.

Fenney stated that the next steps would be site inspections of several preferred sites, funding analysis, and landowner discussions. The ADA issue is 16 years past due. Continued action would be a mitigating factor but the Town is exposed.

Motion by Plausse, second by Trundy, to move forward with site plan review on several sites and the Committee and Town Administrator report back to us the findings. Vote: 4-0.

11. Release Deeds – Vinal & Nuesse:

Motion by Plausse, second by Trundy, that the Board approve and sign the Release Deeds for William Vinal for real estate located at Moody Mountain Road and for Linda Nuesse for real estate located at Heal Road. Vote: 4-0.

12. Special Town Meeting Warrant for May 24, 2011:

Motion by Plausse, second by Trundy, that the Board approve and sign the Special Town Meeting Warrant for May 24, 2011. Vote: 4-0.

13. Annual Town Meeting Warrant for June 14/18, 2011:

Chairman Gerry inquired whether or not the warrant included a change regarding building permit exemptions. Town Administrator Kinney responded no. Gerry asked if it was too late. Kinney stated that it isn't too late until the warrant is signed but in reality it was too late. The wording is not available as the Land Use Committee who is charged by the Town Charter with drafting Land Use Ordinance amendments hasn't acted on this item. In addition depending on how it is presented to the voters a public hearing may be necessary.

Motion by Plausse, second by Trundy that the Board approves and sign the Town Meeting Warrant for June 14/18, 2011. Vote: 4-0.

14. Ordinance Certification for Annual Town Meeting:

Motion by Plausse, second by Trundy, that the Board certify the proposed Town of Lincolnville Moratorium Ordinance on Methadone Clinics, the Town of Lincolnville Moratorium Ordinance on Medical Marijuana Dispensaries and Cultivation Facilities, and the Town of Lincolnville Property Assessed Clean Energy Ordinance. Vote: 4-0.

15. 2011 Hazard Mitigation Plan for Waldo County, Maine:

Motion by Plausse, second by Trundy, that the Board adopt the 2011 Hazard Mitigation Plan for Waldo County, Maine as prepared by the Waldo County Emergency Management Agency. Vote: 4-0.

16. Board of Selectmen's June Meeting Schedule:

Town Administrator Kinney requested that due to election setup that the Board holds only an abbreviated meeting on June 13th. A discussion of the Symington property demolition recommendation might need to be held that evening.

Motion by Plausse, second by Trundy, that the Board meeting on June 13, 2011 be limited to the approval of the Treasurer's and Payroll warrant and anything else of pressing need. Vote: 4-0.

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

Motion by Plausse, second by Hardy, to approve the Treasurer's Warrant and the Payroll Warrant. Vote 4-0.

18. Adjourn:

Motion by Trundy, second by Hardy, to adjourn the meeting (8:30 p.m.). Vote 4-0.

Respectfully submitted,

David B. Kinney
Town Clerk