

**Board of Selectmen
Meeting Minutes
April 27, 2009**

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

1. Executive Session:

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.**

Motion by McLaughlin, second by Brown, to come out of executive session. **Vote: 5-0.**

Motion by Plausse, second by Hardy, to hire Diane Bacon as Administrative Assistant at Step 1 on the pay scale and with the standard six month probationary period. **Vote: 5-0.**

Motion by Plausse, second by Hardy, to approve the addition of Section 19.5 Health Insurance Incentive Plan to the Personnel Policies and Procedures Manual as recommended by the Town Administrator and to forward a copy to the Wage and Personnel Policy Board. **Vote: 5-0.**

2. Citizen's/Selectmen's Forum:

Tom Nolan requested that the Board meet with the Lincolnville Boat Club and Recreation Commission to discuss the location of the boat club float (as the past location interfered with the view from his property) and to be considerate of the neighbors. Nolan suggested having the float set closer to the large culvert that crosses under Rt. 52. He states that 7 to 9 feet of water is available there. McLaughlin stated that relocating the float seemed to be a reasonable request.

Motion by McLaughlin, second by Plausse, to arrange for a meeting with the Lincolnville Boat Club and Recreation Commission. **Vote: 5-0.**

Nolan thanked the Board and left.

After Nolan left Tracy Colby stated her understanding that no motions were to be made in Citizen's Forum. After brief Board discussion, McLaughlin suggested that in lieu of oversight that the motion be withdrawn and the parties be invited to the May 11th Board meeting.

2. Administrator's Report:

Kinney reported:

- That the nomination period has closed.
- The trash at the exterior of the Symington property on the Hope Road has been removed. The interior inspection has been conducted and the written report of findings is pending.

- That a second opinion of the Beach fire Station furnace has been obtained and the furnace found satisfactory.

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4. Meetings & Announcements:

Kinney read the meetings and announcements from the agenda.

5. Upcoming Community Events:

Women's Club Scholarship Breakfast to be held on Saturday, May 2nd from 7AM to 10AM at the LIA Building.

6. Meeting Minutes:

Motion by Plausse, second by Brown, to approve the meeting minutes of April 13, 2009 as written. **Vote: 5-0.**

7. Discussion of Possible Road Discontinuance(s): (discussion taken out of order)

Kinney explained that last year the Board had discussed with property owners who lived on town owned roads with just one dwelling the possibility of the town discontinuing the road. Kinney stated that the concept meet with some resistance from property owners except for two roads; Faxon Farm Road and Deantown Road. At the request of the Board Chair Kinney invited the owners along each of these roads to attend tonight's meeting to discuss concerns. Kinney also provided the Board with other details concerning road discontinuance.

Alleson Bixler of the Faxon Farm Road stated that she is willing to consider discontinuance and might be willing to waive damages.

Motion by Plausse, second by Brown, to contact legal counsel concerning the possible discontinuance of the Faxon Farm Road. **Vote: 5-0.**

Information needs to be prepared concerning the savings, the cost and the tax implications of discontinuance.

The Philoon's (Deantown Road property owners) were not in attendance.

Motion by McLaughlin, second by Hardy, to authorize the Board Chair on behalf of the Board to contact the Philoon's. **Vote: 5-0.**

8. Public Hearing Special Amusement Permit Application – Whales Tooth Pub:

Motion by McLaughlin, second by Hardy to open the public hearing for the special amusement permit application for the Whales Tooth Pub. **Vote: 5-0.**

No public comment was offered.

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

Motion by McLaughlin, second by Brown to grant the special amusement permit application for the Whales Tooth Pub. **Vote: 5-0.**

9. Follow up Discussion from Meeting with MDOT – Moody Mountain and Hope Road Intersection:

Kinney explained that two representatives of MDOT meet on Friday, April 24th on site with concerned parties. The MDOT officials were defensive of their design and stated that the design and construction met the criteria as set forth in their agreement with the Town. They did offer to have their Division traffic engineer look at the intersection to see if low cost and low maintenance improvements could be made to better define the appropriate travel paths for vehicles.

Tracy Colby brought up an issue of erosion in the ditch at the intersection. Kinney to inform the MDOT of the issue and seek to have it corrected as part of the final cleanup.

10. Storm Damage Update:

Kinney informed the Board that the April 7th storm event caused approximately \$45,000 of damage to the local road network and that this amount did not include pavement replacement. By postponing some of the planned spring road work a special town meeting could be avoided or the Board could seek a special town meeting to transfer the funds for repair. The Board agreed by consensus not to hold a special town meeting unless absolutely necessary.

A concern was raised about the damage and repairs to the State maintained road network with a focus on the ditch/drainage along Route 52 from Youngtown Corner to the Camden Town Line. The Board discussed how this area appeared to be an ongoing problem area and that a more permanent solution ought to be sought rather than repeated repairs. This item is to be on the next agenda with Kinney to contact stakeholders (Megunticook Watershed Association, Lakes & Ponds Committee, neighbors, etc.) for their support.

11. Draft Water Resources Committee Charge:

Motion by Hardy, second by McLaughlin, to add item #8 (Review the Woodard & Curran Study and other Committee work) and to accept the remaining charge as written.

McLaughlin suggested that the Committee also work with the Town Administrator to draft letter(s) seeking funding.

Vote: 5-0.

12. Committee Appointment(s):

Motion by Hardy, second by Brown to appoint Thomas Egan to the Lakes & Ponds Committee. **Vote: 5-0.**

13. Review Draft Town Meeting Warrant Articles:

Kinney explained that at the next Board meeting the final version of the annual Town Meeting warrant should be approved and signed. If any changes are necessary now would be the time, particularly since the Public Hearing on the proposed budget will be held Tuesday (tomorrow) evening.

Hardy asked when the last changes could be made. Kinney stated that revisions are possible until the warrant is signed and posted but that the Budget Committee will be making its recommendations at a meeting after the public hearing and that they should have the Board's recommendations to act on.

No changes were made to the draft.

14. Application for Pole Location – Thurlow Road:

Kinney explained that CMP has applied for a permit to install a pole adjacent tot Thurlow Road. The application was forwarded to Will Brown of the Conservation Commission and in his opinion the location is acceptable.

Motion by Brown, second by McLaughlin, to approve and sign the application for pole location as submitted by the Central Maine Power Company. **Vote: 5-0.**

15. May and June Meeting Schedule:

The Board is to meet on Tuesday, May 26th at 6PM rather than Monday, May 25th due to the Memorial Day observance. If necessary the Board will suspend its meeting for the Special Town Meeting and reconvene after.

Due to voting day the Board decided to meet on June 8th to approve the Treasurer's and Payroll warrants only at 5PM at the Town Office.

16. Appointment of Election Warden for June 9, 2009:

Motion by Plausse, second by McLaughlin, to appoint David Kinney as Election Warden for the June 9, 2009 Election. **Vote: 5-0.**

17. Treasurer's Warrant:

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

18. Adjourn:

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

Respectfully submitted,

David B. Kinney
Town Clerk