

**Board of Selectmen
Meeting Minutes
March 23, 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 McLaughlin, to enter into executive session pursuant to Title 1 MRSA Section 405(6)(A) to discuss the performance of the Town Administrator with respect to the Administrative Assistant position vacancy. **Vote: 5-0.**

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

1. Citizen's/Selectmen's Forum:

Ron Pinkham questioned the Board on their authority to issue a Special Amusement Permit to the Cellar Door Winery particularly as it relates to hours of operation. Mr. Pinkham was advised that if he believed an action was inappropriate or in violation of a Town ordinance that he should put his concern in writing and that any issue set forth in writing would be explored. Mr. Pinkham indicated that he would do so.

Will Brown of the Conservation Commission gave an update of the CMP tree trimming project and the most recent challenges with the project (such as the tree at the California house and property damage at the Cummons' Belfast Road property). Brown is still trying to arrange for another meeting with CMP.

2. 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.
- The Town Office door locks, alarm code, vault combination and safe combination have been changed.
- That MDOT representatives planned to be onsite at the intersection of the Hope Road and Moody Mountain Road in late April to discuss the sight distances. MDOT indicated that they would provide ample notice so that word could be distributed to the public.

3. Meetings & Announcements:

Kinney read the meetings and announcements from the agenda.

4. Upcoming Community Events:

Old Time Radio Show to be held on Saturday, March 28th at 7PM at the American Legion Hall in Camden.

5. Meeting Minutes:

Motion by Plausse, second by McLaughlin, to approve the meeting minutes of March 9, 2009 as written. **Vote: 3-0-2 (Hardy and Brown abstained).**

6. MCSWC Proposed Fee Structure Changes

Jim Guerra the Manager of the MCSWC explained the necessity for the proposed fee increase (primarily due to the decrease in recycling revenue). The per bag/per ton has not changed since it was established in 2002.

McLaughlin stated that this was a large increase in any one year. He then questioned what the increases in the Town shares would be if the change were not enacted. Guerra stated that Camden's share would increase \$101,000, Hope \$20,000, Rockport \$71,000 and Lincolnville's share would increase \$40,000. Kinney stated that this would increase the mill by approximately 8.6 cents per thousand dollars of valuation.

Guerra stated that the recycling rate for the four towns is very low (32%). The Corporation is hoping for more recycling.

Plausse asked if the other three towns have approved the increase. Guerra responded yes. Plausse stated that he would be concerned about adding \$40,000 back to the budget.

In response to a question Guerra stated that the Tri-County facility currently charges \$1.25 per bag, Brunswick \$2.50 and Belfast \$3.

Motion by Plausse, second by Brown, to approve the Mid Coast Solid Waste Corporation proposed fee increase from \$1.00 per bag to \$1.50 per bag and increase the per ton tipping fee from \$80 to \$120 effective April 1, 2009 provided it is approved by all four member municipalities. **Vote: 5-0.**

7. Water and Wastewater System(s) Discussion

Steve Levy, Executive Director of the Maine Rural Water Association made a presentation about how MRWA assists communities in establishing governance structures for water and wastewater systems and how to fund such systems. According to Levy everyone is looking for grant money which is very limited. Levy stated that the Town of Lincolnville is more on the affluent side than the poor side which adds to the challenge. He stated that there are 4 doors to money:

1. USDA Rural Development – a lot of funds and are looking for projects. Loans and grants are available. Programs based on Median Household Income (the lower the better) which will be a challenge for Lincolnville. USDA RD can offer up to 40 year loans.
2. Clean Water State Revolving Loan Fund – Historically a loan program that may offer grants in the future due to possible federal stimulus funds. Loan rates are typically 2% less than market rates.
3. Community Development Block Grants – grant funds up to \$500,000, very competitive and tough to get. Strictly income based. Requires at least 51% of population served to be of Low to Moderate Income. Lincolnville as a whole

does not qualify. Sometimes project areas can be tailored to meet this requirement.

4. State and Local Assistance Grants (aka Pork).

A fifth option through the Economic Development Agency is available but it is all about new jobs. If jobs are not created funds must be paid back immediately. Avoid this option unless new jobs are actually to be created.

Gerry inquired about fees for service. Levy responded STAG fees are low, Block grant approximately \$4,500 for USDA RD start with an organizational meeting before fee can be determined.

Organizational options include municipal system, quasi-municipal, non-profit, sanitary district, or private business. Most new systems are now quasi-municipal established through Private and Special Legislation. The prime advantage to this setup is that it is a government entity that can access all funding sources. Sanitary Districts not used since late 1970's. Non-profit can do business with USDA RD but private entities can not.

McLaughlin asked about appropriate time line. Levy stated next year but start gearing up now for next year. The more users the better. Pipe costs approximately \$100 per foot up from \$1 per foot in 1900. Levy offered to come back later in the year to assist the town. Lincolnville's disadvantage is that it is fairly affluent but it has the advantage of being on the coast. Levy suggested setting up a water/wastewater committee to pull together people and consultants. The more people the better the story. Hire MRWA at \$139 per hour with a not to exceed amount to create a game plan to find the money. A step by step game plan should cost about \$2,500 to prepare. Approximately \$3,000 for water and/or sewer district set up. A planning grant through DECD is a possibility.

Tracy Colby inquired if census data was useable for this purpose. Levy stated no, census data for small areas don't work.

Levy stated that USDA loans amount to approximately \$65 per 1000 over 40 years. The statewide average sewer charge is \$400 per year. In Winterport the charge is \$800/year for sewer and \$400/year for water.

In Levy's opinion the Town should get a committee going. He offered that it is too early to write letters seeking funding as a plan should be in place.

8. Personnel Matters:

Motion by Plausse, second by Brown to accept the resignation of Kimberly Leonard.

Vote: 5-0.

Motion by Hardy, second by Brown to adopt the changes to the Personnel Policy as recommended by the Wage & Personnel Policy Board. **Vote: 5-0.**

Motion by Plausse, second by Brown to approve the job descriptions recommended by the Wage & Personnel Policy Board for the Office Coordinator, Administrative Assistant and Receptionist. **Vote: 4-1 (McLaughlin opposed).**

Motion by Plausse, second by Brown to amend the pay scale as recommended by the Wage & Personnel Policy Board (adjusting the Administrative Assistant pay scale to that of the Receptionist). **Vote: 4-1 (McLaughlin opposed).**

9. Liquor License Renewal Applications:

Motion by Plausse, second by Hardy to approve the liquor license renewal application for McLaughlin's Restaurant. **Vote: 4-0-1 (McLaughlin abstained).**

Motion by Hardy, second by Plausse to approve the liquor license renewal application for the Lobster Pound Restaurant. **Vote: 4-0-1 (McLaughlin abstained).**

10. As Board of Assessors/Selectmen:

Motion by Plausse, second by Hardy that in addition to our capacity as the Board of Selectmen that we convene as Board of Assessors. **Vote: 5-0.**

Motion by Plausse, second by McLaughlin to grant a property tax abatement to GE Commercial Equipment Holding, LLC in the amount of \$244.65 plus interest for a total of \$259.37 per the Assessors' Agent recommendation. **Vote: 5-0.**

Motion by Plausse, second by Brown to authorize the Chairman of the Board to sign on our behalf a letter to the Margaret S. Mulchay Living Trust as prepared by the Assessors' Agent which states in part that the abatement application was not submitted within the 185-day deadline and therefore the Board voted to take no action. **Vote: 5-0.**

Motion by Plausse, second by Brown to authorize the Chairman of the Board to sign on our behalf a letter to the Thomas Griffith as prepared by the Assessors' Agent which states in part that the abatement application was not submitted within the 185-day deadline and therefore the Board voted to take no action. **Vote: 5-0.**

Motion by Plausse, second by Hardy that as the Board of Assessors we grant a property tax abatement 2008-19 to Alan R. Koski in the amount of \$1,228.50 per the Assessors' Agent recommendation. **Vote: 5-0.**

Motion by Plausse, second by Hardy that as the Board of Selectmen we grant Alan R. Koski property tax abatements in the amounts of \$1,103.50 and \$360.96 for fiscal year 2007 and 2006 respectively per the Assessors' Agent recommendation. **Vote: 5-0.**

Motion by Plausse, second by Hardy to adjourn the meeting of the Board of Assessors and continue our meeting as the Board of Selectmen. **Vote: 5-0.**

11. Municipal Warrant for Prosecuting Unlicensed Dog Owners-Keepers:

Motion by Plausse, second by Brown to approve and sign the Municipal Warrant for Prosecuting Unlicensed Dog Owners-Keepers. **Vote: 5-0.**

12. Set Hearing Date for Poverty and/or Disability Abatement Requests:

By consensus the Board agreed to meet at 5:45 PM, April 2, 2009 at the Town Office.

13. Treasurer's Warrant:

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

17. Adjourn:

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

Respectfully submitted,

David B. Kinney
Town Clerk