

**BOARD OF SELECTMEN
MINUTES OF MEETING
MAY 11, 2009**

Selectmen present: Rosendel Gerry, Chairman, Richard M. McLaughlin, Vice-Chairman, H. Bob Plausse, Cathy Hardy, and E. Earle Brown

The meeting was called to order by Chairman Gerry at 6:02 p.m.

1. Citizen's/Selectmen's Forum:

Jay Philoon would like to take over ownership of Deantown Road if the Town surrenders its right-of-way, making it a private road. Town Administrator Kinney will get legal counsel to get the paperwork together to put the process in motion; this eventually will require a Town vote.

2. Administrator's Report:

David Kinney, Town Administrator, reported:

- Absentee ballots are available for the June 9th election.
- On May 20, 2009, in Augusta, Police Chief Ronald Young will receive a commendation from Governor Baldacci for his participation in a hostage incident at Stockton Springs; Board members are invited to attend.
- Healthy Maine Beaches needs a backup volunteer on Tuesday mornings, 8 a.m., to take samples.
- Town of Lincolnville's Police Department received a laptop for the cruiser, via a grant, which will be installed soon.
- The Police Department received a "Click It or Ticket It" Grant in the amount of \$2,000 to check for seatbelt compliance during May 18 through May 31.
- The Police Department also received an "Obey the Sign or Pay the Fine" Grant in the amount of \$5,000 for designated roads, starting May 10 through the summer.

3. Meetings & Announcements:

Town Administrator Kinney read the meetings and announcements from the agenda.

Marion Swanson also advised the Board of the upcoming Maine Home Design Show, on May 30 and 31; the Lincolnville Business Group will have a booth at the Show. Ms. Swanson also advised that the first meeting of the Lincolnville Improvement Association will be held on May 21st, and the Old Timer's Luncheon will be held on June 1, 11:30 a.m., at the Lobster Pound (interested parties can contact Peg Miller.)

4. Upcoming Community Events:

Town Administrator Kinney announced that Cecil Dennison needs volunteers for the cemetery cleanups. Also, the Memorial Day Parade will be held on Monday, May 25, at 1:30 p.m., from the Center Fire Station, through Lincolnville Center, to the Lincolnville Central School.

Chairman Gerry announced a benefit auction will be held on May 16 at the Oddfellow's Hall in Warren; the Montessori School will hold an auction at the Camden Snow Bowl on May 22.

5. Meeting Minutes:

Motion by Plausse, second by Brown, to approve the meeting minutes of April 27, 2009, as written. **Vote 5-0.**

Motion by Plausse, second by McLaughlin, to approve the meeting minutes of April 30, 2009, as written. **Vote 3-0-2 (Brown and Hardy abstained.)**

6. Clarification/Correction of Information stated at 5/6/09 Budget Committee Meeting:

Selectman McLaughlin corrected some misstatements made by others at the May 6th Budget Committee meeting.

- There was a statement made that there was an increase in the County Budget, when, in fact, the County budget is basically flat this year compared to last. However, Lincolnville will actually be paying \$53,000 more in County taxes this year due to a higher valuation.
- A Budget Committee member stated that the State and County had implemented a wage freeze, when, in fact, the County union and non-union employees are slated to receive a 4% pay increase. The Lincolnville School Union negotiated a 3% increase for bargaining employees, and non-bargaining employees are also slated to receive the same increase. The Board of Selectmen initially felt this would be a good year to try to keep Municipal wages "flat", but also felt that Municipal employees should not be treated differently than other government employees, so they ultimately voted for a 3% increase with a 3-2 vote.
- The majority of the Budget Committee agreed with the recommendations of the Board of Selectmen on the Municipal budget, with the exception of raises for employees, but that same group was unanimous on the School budget, which, as Selectman McLaughlin just pointed out, has an increase for non-bargaining employees.
- Capital reserve funds were cut back; if anyone feels those funds should be reinstated, they can voice their opinion at Town Meeting.

Selectman Plausse stated he believes treating everyone equally is the best way to go; part-time Town employees (Road Commissioner, Fire Chief, Firefighters, part-time Patrol Officers, Harbor Master) are not receiving an increase, and he feels that is not treating everyone equally.

Selectwoman Hardy disagrees, feeling the contract situation with School employees is different than Municipal employees, and although it would have been nice to give raises, she voted against any Municipal employee increases due to the hard economic times.

7. Five Town CSD Budget Presentation:

CSD Board Member Paul Sampson first announced there is still one vacancy for the CSD Board if anyone would like to be a write-in candidate. The public hearing on the CSD budget will be held May 28th at 8 p.m.

Mr. Sampson then gave an overview of the CSD budget, referring to a handout distributed to the Board of Selectmen by Pat Hopkins prior to tonight's meeting. Mr. Sampson cited many decreases in CSD staffing, supplies, and course development, as well as listing some increases for the laptop initiative, postage, transportation, etc., resulting in an overall budget decrease of \$43,689, or -0.53%. This decrease translates into a -3.81% decrease in Lincolnville's share from last year. Chairman Gerry thanked Mr. Sampson for his presentation.

8. Former Center Schoolhouse/Fire Station Annex – Lincolnville Historical Society:

Diane O'Brien addressed the Board regarding the former Center Schoolhouse, which is currently slated to be disposed of when the new fire station is constructed. Ms. O'Brien shared a brief history of the building, saying it was built about 1910-1915 and was used as a schoolhouse until 1947, until the Lincolnville Central School was built. Due to its historic significance, she asked the Selectmen to give thought about its disposition and to try to determine if there is any community interest in moving, renovating, etc., and, if there is an interest in preserving the building, then perhaps a committee should be formed to investigate the possibilities.

Town Administrator Kinney stated the earliest projected timeline for the building disposition is spring, 2010.

Chairman Gerry felt it is not too early to get the word out and asked Ms. O'Brien if she would find interested volunteers for a committee; she said she would. Gary Neville, of the Lincolnville Boat Club, said he would be interested in serving on a committee. Selectman Plausse said he would also be willing to serve.

9. Beach Memorials – Diane O'Brien:

Diane O'Brien was approached by a woman who is interested in doing a memorial in honor of a deceased parent. There are currently 15 small flower beds and 12 whiskey barrels with flowers along the Beach that are maintained/funded from leftover Beach enhancement funds. Ms. O'Brien suggested that an "adopt a garden" program might be considered so other families, groups, etc., could care for one of the existing gardens, or even benches, in memory of a loved one. She asked if the Town Office could keep track of names of interested parties.

Town Administrator Kinney said the Town Office would keep track of interested parties. However, he also pointed out that the Town does not own the property the gardens are on, and if the State decided to tear things up there, the Town could not stop them.

Selectman McLaughlin asked Diane O'Brien to write something in her newspaper column about the memorial gardens and about a proposed schoolhouse committee; she agreed. He

also suggested to Scoutmaster Earle Brown that the bench/garden project might be of interest to some of his Eagle Scouts.

10. Norton Pond Float Location(s):

Town Administrator Kinney explained that at their last Selectmen's meeting, Tom Nolan asked the Board to discuss the location of the Boat Club float at Norton's Pond with the Recreation Committee and the Lincolnville Boat Club, so the Board placed it on tonight's agenda.

Mr. Nolan stated he feels the Recreation Committee and Boat Club are trying to do too much in a small space, which results in his view being blocked.

Gary Neville of the Lincolnville Boat Club and Recreation (Rec) Committee addressed the Board, giving a history (starting from 1996), of the Rec Committee's involvement with Breezemere Park. At that time, the Board of Selectmen asked the Rec Committee to make a safer area, with more public access. Mr. Neville listed the various improvements made to the area, including moving an electric pole sticking out of ledge, building a swimming ramp from donated money, helping with the bandstand, installing a drainage system, grading terraces for view enhancement, and adding additional parking area at the Millington property. Future projects include relocating the swimming area due to current leech/muck problem, installing deep catch basin to catch sediment, and reduce phosphates. The Boat Club has an active sailing program, combining efforts with Camp Tanglewood, to provide children with sailing opportunities. Due to Mr. Nolan's concerns last year, the swimming float was attached to the regular float, rather than having another float out in the Pond. The Boat Club does not have a problem with their float being used as a swimming float.

Lesley Devoe, an abutter to Tom Nolan, has watched children swimming to that float and has been very concerned about tired swimmers not making the distance. She has also seen children "fooling around" on the floats and was concerned about damage to rudders, etc. Ms. Devoe also stated Boat Club activities have a very positive influence on the community, and that she has always been a big supporter of public access; she hopes this issue can be worked out.

Tom Nolan reiterated that he feels his riparian rights are being infringed upon and that the Rec Committee and Boat Club are trying to do too much in a small space. He also felt the "no swimming on ramp" signs were being ignored, and if they were enforced, that would help the situation.

Gary Neville said he could try tightening the chains on the float to keep it from swinging to see if that helps the situation. He also said the boat float could be the swim float. Neville also stated that Boat Club instructors offered some adult supervision at the Park.

Ms. Devoe asked if the floats could be put in earlier; Gary Neville said the floats should be in the water by Memorial Day.

Chairman Roselyn Gerry briefly left the meeting; Vice-Chair McLaughlin chaired the meeting.

11. MDOT Correspondence:

- Route One Catch Basins – Winter Maintenance

Chairman Gerry explained that the Maine Department of Transportation still wants the Town of Lincolnville to take over the snow removal from the catch basins along Route One. It was the consensus of the Board that the Town not take on that responsibility, and instructed Town Administrator Kinney to send a letter to the MDOT advising them of the Board's decision.

Motion by Plausse, second by McLaughlin, that the State take care of the catch basins on Route One. **Vote 5-0.**

- Route 52 Drainage (Youngtown to Town Line)

Town Administrator Kinney explained that the Town is seeking the State to construct a more permanent fix to the drainage/ditch problem along Route 52 from the Youngtown Corner to the Camden town line. The Megunticook Watershed Association, the Lincolnville Lakes & Ponds Association, the Coastal Mountains Land Trust, and several neighbors are in support of the Town's request to the State for a more permanent fix. To that end, David Kinney has drafted a letter for the Board's review.

Motion by Hardy, second by Plausse, to move forward with the plan to send the letter to the State, also sending a copy of the letter to the Commissioner of the Maine Department of Environmental Protection. **Vote: 4-0 (Gerry absent.)**

12. Approve Town Meeting Warrants:

- Special Town Meeting – LCS School Budget, May 26, 2009 (7PM)
- Annual Town Meeting – June 9/13, 2009

Chairman Gerry returned to the meeting.

Motion by Plausse, second by Brown, to approve and sign the Annual and Special Town Meeting Warrants. **Vote 5-0.**

Selectwoman Hardy asked that Item 17 be addressed out of order since the owner was in attendance; Board members agreed.

17. Liquor License Renewal – Inn at Sunrise Point:

Motion by Plausse, second by Hardy, to approve the liquor license renewal application for the Inn at Sunrise Point. **Vote 5-0.**

13. Symington Property Building Inspection Report:

Town Administrator Kinney explained that Home and Building Inspector, Stephen Thomas, working with the Health Officer, had submitted a building inspection report on the Symington Property, located at 763 Hope Road. The property needs substantial repairs and is currently not fit to live in. Town Administrator Kinney recommends sending a notice to the owner with a specific timeline for response, stating the building must be fixed or

removed, or the Town will initiate the legal process, pursuant to Title 17, MSRA Section 2851-2859, as a dangerous building.

Motion by Plausse, second by McLaughlin, that the Town Administrator notify the owner, sending him a copy of the report, and giving him a specific timeline (10-14 days) to respond. **Vote 5-0.**

14. Land Use and Development Fee Schedule – Annual Review:

Motion by Plausse, second by Brown, that the Land Use and Development Fee Schedule remain as is (no new categories), with no increases. **Vote 5-0.**

15. Cash Receiving Policy Review:

Town Administrator Kinney explained that a Cash Receiving Policy has been written, per the recommendation of the auditor.

Motion by Hardy, second by Plausse, to accept and put into effect the Cash Receiving Policy. **Vote 5-0.**

16. As Board of Assessors – Ratio Declaration & Homestead Reimbursement Application:

Motion by Plausse, second by Hardy, to convene as Board of Assessors. **Vote 5-0.**

Town Administrator Kinney advised the Board of Assessors that the Ratio Declaration & Homestead Reimbursement Application must be filed with Maine Revenue Services in order to get reimbursed. Assessors' Agent, Vern Ziegler, advised the Board of Assessors, by letter dated May 5, 2009, that the 2009 Ratio Declaration & Reimbursement Application was ready for their review and signature. Assessor's Agent Ziegler had determined the Town's sales ratio to be 95%, within 10% of the State's determination.

Motion by Hardy, second by Brown, to sign the Ratio Declaration & Reimbursement Application. **Vote 5-0.**

Motion by McLaughlin, second by Plausse, to adjourn as Board of Assessors and reopen the meeting as Board of Selectmen. **Vote 5-0.**

18. Treasurer's Warrant (s) – Selectmen Approve & Sign:

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

On a past agenda item regarding the letter on the Capital Campaign, Chairman Gerry wanted to make sure Board members had read it; Selectman McLaughlin again reiterated that nothing was taken out of Capital Reserve.

19. Adjourn:

Motion by Plausse, second by Brown, to adjourn the meeting (7:59 p.m.). **Vote 5-0.**

Respectfully submitted,

Diane Bacon
Administrative Assistant