

**Board of Selectmen
Meeting Minutes
September 22, 2008**

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

1. Citizen's/Selectmen's Forum:

There was no comment from the audience.

2. Administrator's Report:

Kinney told the Board that Tucker Brook Road was paved last Friday and the contractors will be doing the shoulder work and cleanup this week.

Kinney told the Board that last week several of the employees at the Town Office attended mandatory election training. Also, the absentee ballots will be available no later than October 6th for anyone who would like to vote absentee.

Kinney told the Board that he received a request today, from a Norton Pond resident who is having a septic system problem. They would like permission to place a new leach field on the town owned property located adjacent to their property. Kinney stated that this has been done before by 4 or 5 other people and if the Board has no objection to the request he will move forward with the paperwork so they will be able to sign it at a future meeting.

3. Meetings & Announcements:

Kinney read the Meeting Announcements.

4. Upcoming Community Events:

Kinney read the upcoming Community Events.

5. Meeting Minutes – Selectmen Approval:

Hardy stated that she would like the cost figures for the school consolidation added to the minutes.

Motion by McLaughlin, second by Gerry to approve the meeting minutes of September 8, 2008 as amended. **Vote 3-0-2, Plausse and Brown abstained.**

6. Review of Draft Special Town Meeting Warrant:

Town Office Renovation/Expansion:

Bob Fenney presented the Town Office Renovation/Expansion plans. Fenney stated that the estimated cost of construction for the Renovation/Expansion is \$552,000.

Hardy stated that the estimated maintenance cost for the proposed renovation expansion is \$5,353.00.

Kinney reviewed that funding options available.

Brown asked if the Town could get some funding back from the school.

Kinney stated that the School Committee was very hesitant about giving the Town back any money. They had consulted with legal counsel who told them that the money can only be used for school needs.

Reed Mathews asked if the \$300,000 that was originally given to the School was from donations or tax money.

Plausse stated that the money was taken from the Capital Investment Fund which was being saved for the purpose of the Town Office renovation. Plausse also told the Board that he had promised to not raise taxes and he can't see this article going on the November ballot without the funds from the School Committee.

Millard Eugley asked if there is an article that can be placed on the ballot that would allow the voters to make the school give the money back to the Town.

Cheryl Roberts asked if the Board had made a formal request to the School Committee for the money because that way the Board would get a formal response in return so they would know where the Committee stands on the issue.

Gerry told her that no formal request was made. Some of the Board went to the last School Committee meeting to request the money.

Peg Miller told the Board that she would like to speak for the senior citizen's of Lincolnville in support of the Town Office renovation with the meeting room attached.

Jay Foster stated that the decision of the School Committee is an awful thing but we will never have a chance to do this renovation like we do now and he feel that the Town should do it now.

Mike Ray agreed that the Town should go back to the School Committee and force the issue.

Paul Crowley stated that he thinks it is a bad time to move forward with this plan due to the economic problems of the country. He does not feel that the town should burden the tax payers any more then they already have.

Jeanne Hollingsworth stated that she is in opposition to this proposal and would like to see some different plans presented to give the voters a choice.

Jim Sinclair agreed with Crowley that this is not a good time to presenting this proposed project to the voters due to the economic stated of the country.

Lois Lyman stated that at the last meeting she spoke in favor of the meeting room but if keeping the meeting room would mean the renovation would not go through then she would favor eliminating the meeting room.

Hardy stated that she agrees with the comments made and feels that perhaps if everyone had a chance to go through the plan and eliminated what is not needed and cut the costs then perhaps it would pass.

Gerry thanked the Building Committee and everyone else who had so diligently worked on the project. Gerry stated that he is in favor of the building as shown in the plan but we need the funding.

Motion by Plausse, second by Brown that we do not place the proposed Town Office renovation and expansion on the November ballot and that the Board continue to work with the Municipal Building Committee, the Capital Needs Committee and Budget Committee on a method to pay for the needed improvements. Further, I move that this Board express its thanks to the Municipal Building Committee for the fine work done to date. **Vote 5-0.**

Fire Station Land:

Kinney stated that this article was approved at the last meeting for inclusion on the warrant and no additional action is needed.

Fire Station Building:

Kinney stated that this article was approved at the last meeting for inclusion on the warrant and no additional action is needed.

Bob Fenney reviewed the plans and estimated cost of construction for everyone.

Mike Ray asked Fenney to consider not using oil and perhaps look into a different heating source.

Don Hewitt stated that perhaps the size of the building is more than what the town really needs and maybe the Fire Department should reconsider the size.

Sale of the Center Fire Station:

Kinney stated that this article seeks voter approval to sell the current Center Fire Station should the voters approve the new station.

McLaughlin stated that he would like to see the proceeds from the sale go into the Town Office building fund if possible.

Motion by McLaughlin, second by Brown to have the proceeds from the sale of the Center Fire Station go to the Town Office building fund if possible. **Vote 5-0.**

Millard Eugley stated that he is in favor of the sale of the property because 25% of the property in Lincolnville is either State or Town owned which means that they are tax exempt and he would like to see some more property enter into the tax base.

Harbor Ordinance Amendments:

Gerry explained that the Board received comments from a few different people regarding the proposed Harbor Ordinance amendments. Gerry stated that Gary Neville sat down with him and the Town Administrator to discuss some possible revision for the ordinance and those revisions were submitted to the Town for review.

Plausse asked if there were any legal problems with the suggested revisions offered by Neville.

Kinney told the Board that the revisions have not yet been reviewed by the Town Attorney.

Hardy thanked Neville for sitting down with Gerry & Kinney and encouraged the Board to consider adding Neville changes to the proposed amendments.

McLaughlin asked Neville to explain the changes he made to the draft.

Neville explained that he was asked to look at the Harbor Ordinance draft in the aspect of constructability and safety and proceeded to review his suggestions for changes.

Mike Hutchings, Harbor Master, told the Board that the Harbor Committee new nothing about these proposed changes and they need time to review them because they are major changes.

Jay Foster told the Board that there is a problem with the wording in Section 2 if the draft is changed.

Jeanne Hollingsworth told the Board that she feels that the Town should move forward with the revision made by Gary Neville.

Cheryl Roberts asked why wouldn't the Board take the suggestions of an expert, we need to do it right.

Paul Crowley agreed with Hollingsworth to go forward with Neville's suggestions.

McLaughlin told the Board that the Harbor Committee has not had a chance to review the suggestions and he thinks it would only be fair to let them review them.

Plausse stated that he thinks these changes make it safer and that the Board should go ahead and incorporate Neville's changes into the draft ordinance.

Motion by Plausse second by Hardy that we present to the voters on November 4, 2008 the Amendments to Article IV, Section 1 and 2 of the Lincolnville Harbor Ordinance including the revisions presented in the packet by Gary Neville provided the amendments are legally sufficient and any item deemed legally insufficient by the Town Attorney be stricken.

McLaughlin told the Board that the Harbor Committee worked hard on this ordinance and if the Board proceeds with this then you are basically telling all Boards and Committees that it doesn't matter what you do the Selectmen can override your decision.

Gerry told the Harbor Committee that they did a great job but they had 5 years to hire an outside consultant to help with the ordinance and failed to do it.

Vote 4-1, McLaughlin opposed.

Board of Appeals Authority:

Motion by Hardy, second by Plausse to place Article 7, which authorizes the Board of Appeals to first hear appeals of a Planning Board decision concerning the construction of a pier, on the warrant. **Vote 5-0.**

District Change:

Motion by Brown, second by Hardy to place Article 8, regarding a District change on McKay Road, on the warrant. **Vote 4-0-1, McLaughlin abstained.**

Parking Lot Placement:

Motion by Plausse, second by Brown to place Article 9, regarding an amendment to the Land Use Ordinance clarifying the standards of parking lot placement, on the warrant. **Vote 5-0.**

7. Set Public Hearing for November Referendum:

Motion Hardy, second by Plausse to set the November Referendum Public Hearing for October 14th at 6PM. **Vote 5-0.**

8. Set Public Hearing for Winter Road Closing(s):

Motion by Brown, second by Hardy to set the Winter Road Closing(s) Public Hearing for October 14th at 6PM. **Vote 5-0.**

9. Boards/Committees/Commissions – Resignation(s) and Appointment(s):

Motion Hardy, second by Hardy to appoint Marion Swanson and Corelynn Senn to the Cable TV Franchise Agreement Advisory Committee. **Vote 5-0.**

10. Appointment of Election Warden for November 4, 2008:

Motion by Plausse, second by Brown to appoint David Kinney as Election Warden for the November 4, 2008 election. **Vote 5-0.**

11. As Board of Assessors – Abatement Requests:

Motion by Plausse, second by Hardy to suspend the Board of Selectmen’s meeting and convene as Board of Assessors. **Vote 5-0.**

Motion by Plausse, second by Hardy to approve the two abatements as recommended by the Assessors’ Agent. **Vote 5-0.**

Motion by Plausse, second by Brown to adjourn the Board of Assessor’s meeting and reconvene as Board of Selectmen. **Vote 5-0.**

12. November & December Meeting Schedule:

Motion by Hardy, second by Plausse to hold the regularly scheduled meetings for November. **Vote 5-0.**

Motion by Plausse, second by Brown to hold a meeting on December 8th to sign the Treasurer’s Warrant. **Vote 5-0.**

Motion by McLaughlin, second by Brown to cancel the Selectmen’s meeting of December 22, 2008. **Vote 5-0.**

13. Treasurer’s Warrant – Selectmen Approve & Sign:

Motion by Plausse, second by Brown to approve & sign the Treasurer’s warrant. **Vote 5-0.**

Paul Crowley Thanked the Board for taking action on the Harbor Ordinance tonight.

14. Adjourn:

Motion by Plausse, second by Hardy to adjourn the meeting at 8:50PM. **Vote 5-0.**

Respectfully submitted,

Kimberly Leonard
Administrative Assistant