

**BOARD OF SELECTMEN
MINUTES OF MEETING
MARCH 14, 2011**

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

Excused Absence: Cathy Hardy

The meeting was called to order by Chairman Gerry at 6:00 p.m.

The quote of the day was read by Selectman Trundy.

1. Citizen's Forum:

Tracy Colby, resident of Moody Mountain Road, asked if those members of the Board whose terms are expiring are running for reelection. Selectman Plausse said he is thinking about it; Selectwoman Hardy was not in attendance. Ms. Colby encouraged residents who may know of someone willing and able to run for the Board to "plant the seed" by calling them.

2. Administrator's Report:

David Kinney, Town Administrator, reported:

- Nomination papers will be available on March 21st at the Town Office. There are two 3-year term positions on the Board of Selectmen; two 3-year term and one 2-year term positions on the Lincolnville Central School Committee; and three 3-year term positions and one 1-year term positions (depending on the Board's action tonight on a submitted resignation) on the Budget Committee.
- The Camden First Aid Association donated an AED (automated external defibrillator) to the Lincolnville Fire Department. Town Administrator Kinney thanked the Association for that generous equipment donation.
- There was some storm damage from last week's storm; some of the bills are in this week's warrant. He asked that residents let the Town Office know if their gravel roads become challenging as the frost comes out of the ground.
- If harbor fees are not paid by April 8th, you will lose your harbor privileges.
- The second half of 2010 property taxes are due by April 8th.
- The State's Circuitbreaker Program deadline is May 31st.
- Town Administrator Kinney read the qualifications for Homestead Exemptions; applications are available at the Town Office.
- The Megunticook Watershed Association is in the process of hiring a consultant to monitor Norton Pond water quality; the working group will be meeting a week from Thursday, and the Town Administrator will keep the Board updated.

Selectwoman Parra stated that Number 12 of the Town Administrator's Newsletter should read, "...the Wage and Personnel Policy Board to examine health insurance plan options that might lower the cost of health insurance without shifting the burden to the employee."

Town Administrator Kinney pointed out that Number 11 of his Newsletter also should be changed to read Preapplications should be changed to \$15 rather than zero, but he would address that later in the agenda.

3. Meetings & Announcements:

Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:

Selectwoman Parra wished Chairman Gerry a happy birthday.

5. Meeting Minutes:

Motion by Plausse, second by Trundy, to approve the February 23, 2011, minutes as written. Vote 4-0.

Motion by Plausse, second by Parra, to approve the February 28, 2011, minutes as written. Vote 4-0.

6. Liquor License Renewal Applications:

Motion by Plausse, second by Trundy, to approve and sign the liquor license application submitted by McLaughlin's Restaurant. Vote 4-0.

Motion by Plausse, second by Trundy, to approve and sign the liquor license application submitted by The Inn at Ocean's Edge. Vote 4-0.

7. Maine DOT Correspondence:

Motion by Plausse, second by Parra, to approve and sign the letter to Maine DOT Commissioner Bernhardt concerning the Moody Mountain Road and Hope Road intersection. Vote 4-0.

At the request of Tracy Colby, Town Administrator Kinney read the letter he drafted to Maine Department of Transportation Commissioner Bernhardt. She also commented that the guardrail is missing at the intersection. Town Administrator Kinney thought it had gone to the recycling bin and it was probably on MDOT's "to do" list in the spring.

Chris Osgood commented many of the Route One project improvements made by MDOT were made because they were in our Comprehensive Plan; MDOT cannot overlook something if it's in the Comprehensive Plan and suggested that intersection safety issue be addressed specifically in Lincolnville's Comprehensive Plan.

8. Resignation Budget Committee & Board of Assessment Review:

Motion by Plausse, second by Parra, to accept with regret Marion Swanson's resignation from the Budget Committee and the Board of Assessment Review, effective June 1, 2011. Vote 4-0.

9. Modification #2 to Cooperative Agreement – Harbor Breakwater:

Motion by Parra, second by Plausse, to authorize the Chairman of the Board to sign, on behalf of the Town, a Modification to Cooperative Agreement for the wooden breakwater at the Lincolnville Ferry Terminal. Vote 4-0.

10. Gateway 1 Planning Grant Status:

Town Administrator Kinney explained the State suspended the Gateway 1 Project on March 1st. In an email dated March 8th from Christopher Mann of MDOT/Gateway 1 Project Manager, Mr. Mann explained that towns would be reimbursed for grant contract expenses incurred through March 1st. Mr. Mann also wrote in his email that “we will be reviewing the scopes of each consultant contract to determine its independent utility to MaineDOT outside of the Gateway 1 planning process. That review will occur in the next two days. Based on that review, MaineDOT may authorize some (or all) existing consultant contracts to proceed beyond the March 1 suspension date.” Town Administrator Kinney stated to date, he has not received any decision from MDOT, so we are in “limbo land” regarding the “What’s down the road in Lincolnville?” workshop scheduled for March 24th.

Will Brown, Lincolnville’s representative on the Gateway Implementation Steering Committee (ISC), offered to give his copy of the Gateway Action Plan to Town Administrator Kinney, but Mr. Kinney suggested he keep it as the Town Office has several copies. Will Brown said the ISC is also waiting to hear from Christopher Mann/MDOT, and it was the consensus of the ISC to continue to meet as an informal group. He said it was unclear how the 30-day cancellation clause in the grant contract comes into play with the upcoming meeting.

Chris Osgood suggested, from his experience working many years on MDOT projects, that MDOT will not pull money back from contracts once they have allotted the money and “it’s in the chute” for a project. He suggested the Town should proceed as if we have the money and move forward, while possibly having the Town Attorney review our grant contracts. He felt the Action Plan would serve the Town well, but there is still a need to sort out fact from fiction. He felt towns should regroup and continue to have occasional meetings because he feels Gateway, sooner or later, will start up again and it would be best to stay ahead of it.

11. Land Use and Development Fee Schedule: *(discussed later-out of order)*

12. Supplemental Charge to Wage and Personnel Policy Board:

Motion by Plausse, second by Parra, that the Board approve the supplemental charge to the Wage and Personnel Policy Board concerning health insurance plan options. Vote 4-0.

13. As Board of Assessors – Assesors’ Initiative Abatement:

Motion by Parra, second by Plausse, to suspend their meeting as Board of Selectmen and convene as Board of Assessors. Vote 4-0.

Town Administrator Kinney explained James Rutland had been double taxed for property in Mullins Bog that had been combined with other lots.

Motion by Parra, second by Plausse, to approve Abatement #2010-13 for Account #900 with the value abated to \$511,200 and the tax amount abated to be \$6,338.88, per the Assessors' Agent's recommendation. Vote 4-0.

Motion by Parra, second by Plausse, to adjourn the meeting as Board of Assessors and reconvene as Board of Selectmen. Vote 4-0.

14. FY 12 Municipal Budget:

Motion by Plausse, second by Parra, to approve and recommend a Fiscal Year 2012 Municipal Budget to be dated March 14, 2011, and include the amounts as set forth in the February 23, 2011 draft plus an additional \$9,014 for the provider agency recommendations; said draft to be presented to the Budget Committee at a joint meeting of the Budget Committee and Board of Selectmen to be held on March 22nd.

Discussion: Chairman Gerry asked for clarification regarding pay increases. Town Administrator Kinney explained the budget contains a wage scale increase of two percent. Those employees not on the wage scale would also get a two percent adjustment, with the exception of the three deputy fire chiefs; they would each get \$500 per year. Parra sought clarification regarding step increases; employees eligible for step increases would get them.

Chairman Gerry said Selectwoman Hardy requested of him that this vote not be taken until she gets back, thinking the increase was 2.8%. Since the increase is actually 2%, not 2.8%, Chairman Gerry felt it would be okay to proceed.

Vote 4-0.

15. Discharge of Tax Collector regarding Personal Property Taxes:

Town Administrator Kinney explained the Court-approved settlement for James Rutland and the settlement for Mary Lynch did not allow for tax collection of the 2002, 2003, or 2004 personal property tax.

Motion by Plausse, second by Trundy, that pursuant to Title 36 MRSA, Section 760-A, the Board approve the discharge of personal property accounts PP41 and PP70 for the years 2002, 2003, and 2004, in the total amount of \$1,868.28. Vote 4-0.

16. (7PM) Smart Meter Installation Program – Steve Daniels, CMP:

Steve Daniels of Central Maine Power Company addressed the Board about the Smart Meter Installation Program. He distributed a folder to Board members which contained several informational sheets. Mr. Daniels explained that CMP received a \$96 million dollar Smart Grid Upgrade Grant from the Federal government. CMP is using that grant money to replace the current 620,000 mechanical meters with the newer technology of digital meters, which allows radio frequency communication to and from the meters; CMP feels this newer technology will enable them to improve service to customers. He went on to explain the

network management system. He also said smart meters are safe, explaining the radio frequency emitted from smart meters is much less than signals emitted from devices used in most homes today, such as microwave ovens, cell phones, and television remote controls.

VSI Meter Services, a Pennsylvania company, hires local people to install the meters; installations will begin in April and finish in June. Mr. Daniels outlined the procedure each installer will follow when arriving on a property. Currently customers can opt out of the smart meter program until the Public Utilities Commission rules on that issue, or they can arrange for a specific installation appointment time.

Mr. Daniels also explained that CMP is working with the unions, giving meter readers the option of moving up within the Company, retiring, or taking a severance package.

Town Administrator Kinney asked if people with health issues, perhaps requiring an oxygen pump, would be notified in advance of the power loss due to the meter installation. He also asked if the meters would identify the cause of the very brief outages, which only last long enough to make clocks start to blink. Mr. Daniels responded if customers have notified CMP of their health issues (referred to as lifeline customers), they would be notified in advance. He also said meters would identify where these “reclosure” outages were happening, not why.

Selectman Plausse liked the informational packet and was glad to hear meter readers have options to stay employed, but asked what improving service with this installation program actually means; what’s new here? Mr. Daniels explained that by having the capability of monitoring their real time usage, it will give customers options to save electricity. Outage restoration response time will also be quicker. When questioned by Selectwoman Parra, Mr. Daniels explained “real time” means up to midnight the night before.

Will Brown asked about opting out on-line and about the line-of-sight needed for the radio frequency and how that would affect the tree canopy. Mr. Daniels said opting out cannot be done on-line; customers could call a CMP customer service representative, tell the installer when they knock on your door, or send an email saying you want to opt out, but there is no “opt out” button that customers can click on the website. Mr. Daniels felt the current canopy dimensions should be sufficient to allow successful frequency transmission. *(Discussion was temporarily stopped to act on Item #11.)*

11. Land Use and Development Fee Schedule: *(taken out of order)*

Town Administrator Kinney and Planning Board Chair Lois Lyman explained the Planning Board’s recommendation to keep fees the same, even though the Planning Board initially recommended changing the Subdivision fee from \$125 to \$15. Lois Lyman explained when the Planning Board made that initial Subdivision fee recommendation, it was prior to remembering the Ordinance requires the Town, not the applicant, to send abutter notices by certified mail, return receipt requested; mailing fees are about \$6 per abutter.

Motion by Plausse, second by Parra, that the fees for the Land Use and Development Schedule for the upcoming year be set at the same amount as the current year.

Discussion: Chairman Gerry expressed his view that the fee was too high; he thinks the Town should be sending the message that Lincolnville is “open for business”, making the business environment friendlier to encourage employment opportunities within Lincolnville. Selectwoman Parra respectfully disagreed with him, saying taxpayers shouldn’t have to pay for developers wanting to create a subdivision. She felt when compared to surrounding towns, Lincolnville’s fees are no more costly than others.

Lois Lyman suggested this may be a case for the Land Use Committee to consider changing the Land Use Ordinance to have the Subdivision Ordinance match the Commercial Site Plan Ordinance, where the applicant is required to mail notices, not the Town.

Vote 3-1 (Gerry opposed).

16. (7PM) Smart Meter Installation Program – Steve Daniels, CMP (continued)

Chairman Gerry reiterated Will Brown’s question about line-of-sight requirements for the radio frequency; might that create the need for trimming the tree canopy? Mr. Daniels said the frequency should be able to go through the canopy, depending on density, as long as they have the same clearance as the current standards. He said CMP continues to work with towns regarding pole locations/permits.

Mr. Daniels said Brenda Hendrickson is the Customer Service Advisor for CMP. She will keep the Town updated, as will Bernstein Shur Government Solution. Bernstein Shur Government Solution will notify town offices ahead of time of meter installation. Selectman Trundy suggested that notification be put on the Town’s website.

Selectman Plausse relayed his knowledge of a resident who currently has a smart meter; she said the process was easy and she feels her bill as been about \$10 less each month. Mr. Daniels explained as the old mechanical meters broke, they were replaced with the newer smart meters, even if all the necessary transmitting equipment was not yet in place to relay signals.

Mr. Daniels encouraged the Board to contact CMP if they have any additional questions.

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

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

18. Adjourn:

Motion by Plausse, second by Parra, to adjourn the meeting (7:05 p.m.). Vote 4-0.

Respectfully submitted,

Diane Bacon
Administrative Assistant