

**APPROVED  
BOARD OF SELECTMEN  
MINUTES OF MEETING  
APRIL 30, 2012**

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Selectmen present: Rosendel Gerry, Vice-Chairman, Stacey Parra, David Barrows, and Julia Libby

Excused Absence: Jason Trundy, Chairman

The meeting was called to order by Vice-Chairman Gerry, 6 p.m., at Lincolnville Central School (Room B-5). The quote was read by Selectwoman Libby.

**1. Citizen's Forum: None**

**2. Administrator's Report:**

David Kinney, Town Administrator, reported:

- The deadline for filing nomination papers was 5 p.m. and the following people returned papers with the required number of signatures:  
Board of Selectmen, 3-year terms (two positions): Ladleah Dunn and Jason Trundy;  
LCS School Committee, 3-year terms (two positions): Dorothy-Ann Lanphear, Betsy Maguire, and Christine Stevens;  
LCS School Committee, 2-year term (one position): Rebecca Stephens;  
LCS School Committee, 1-year term (one position): no candidates  
CSD School Committee, 3-year term (one position): no candidates  
Budget Committee, 3-year terms (three positions): Daina Hill and Reed Mathews;  
Budget Committee, 1-year term (two positions): none

Anyone interested in running who did not take out nomination papers should call Town Administrator Kinney to learn about the write-in process.

- Lincolnville survived the rainstorm with no issues.

**3. Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

**4. Upcoming Community Events:**

Town Administrator Kinney announced the Lincolnville Women's Club will be holding the annual Mothers' Day Breakfast at the LIA Building, but wasn't sure of the date. He suggested interested people contact members of the Club.

**5. Meeting Minutes:**

**Motion by Libby, second by Barrows, to approve the April 9<sup>th</sup> meeting minutes, as presented. Vote 3-0-1 (Parra abstained).**

*Items were discussed out of order to comply with the 6:30 p.m. public hearing time and to wait for anticipated speakers.*

**8. Five Town CSD Budget Meeting and Validation Referendum Warrants:**

**Motion by Parra, second by Barrows, to approve and countersign the Warrant and Notice of Election Calling Five Town Community School District Budget Validation Referendum. Vote 4-0.**

The CSD budget meeting will be held on May 29<sup>th</sup>, 7 p.m., at Strom Auditorium at the Camden Hill Regional High School.

**9. Recreation Commission Update:**

Recreation Commission member Donald Heald (IV) explained the Recreation Commission voted to address the Board tonight about safety issues with the boat usage at Norton Pond's Breezemere Park, saying this dovetails with an issue he spoke to the Board about last year as a private citizen. He distributed documents to Board members which illustrated the Breezemere Park area before any improvements were made, compared to how it looks now with the boat ramp and parking area.

He continued by saying the Rec Commission feels conflicting spacial issues, such as waders in the boat launch area and boaters near swimmers, need to be addressed. Additional signage as a possible aid has been one consideration discussed by the Commission; and tonight they are requesting that the Board contact the Boat Club to ask that they shift things around to create more of a segregation between the swimming area and boating area, keeping the punt on the far side of the boat ramp, in a way not affecting property owner views. Roping the swimming area off would evoke issues, such as the need for lifeguards. Tim Thurston of the Department of Conservation explained to him that moorings are limit to 200 feet offshore. Don suggested now would be the time to address these issues before floats are moored for the upcoming season. The Rec Commission just wants to see the Park work for everyone by creating a better, safer flow.

Some Board members had also witnessed the safety concerns mentioned tonight. Town Administrator Kinney will contact the Boat Club.

**11. Quiet Title Action: South Cobbtown Road (Tax Map 29, Lot 25):**

**Motion by Parra, second by Barrows, that the Town Attorney be, and hereby is, authorized and directed to take any and all action, including, without limitation, the filing of suit in State court, that is necessary and appropriate to quiet the title to the tax-acquired property formerly owned by Ducktrap Resources, Inc., and located on the South Cobbtown Road (Tax Map 29, Lot 25).**

Discussion: Town Administrator Kinney reported he had expected to be contacted by a representative of Ducktrap Resources over the last couple weeks, but just received a telephone call today. The representative told him his lawyer was still looking at this. When Town Administrator Kinney advised him the item was on tonight's agenda, the representative said he didn't dare attend for what he might say to the Board.

**Vote. 4-0.**

13. **Boston Post Cane:**

Town Administrator Kinney said Margaret Robbins, holder of the Boston Post Cane, recently passed away. If anyone knows of a Lincolnville resident who would qualify as the oldest resident, please contact him.

14. **Resignations(s):**

**Motion by Parra, second by Libby, to accept Ryan Nickerson's resignation and ask that the Town Administrator send him a letter of appreciation for his service. Vote 4-0.**

Selectwoman Parra commented that the new part-time officer seems to be working a lot of hours, which is good; perhaps a replacement for Officer Nickerson won't be needed. Town Administrator Kinney said although new hires are usually enthusiastic, they have to be careful not to burn out officers.

15. **Review of Draft Social Media Policy:**

Vice-Chairman Gerry suggested tabling this item until the next meeting; Board members agreed.

17. **Treasurer's and Payroll Warrants – Approve and Sign:**

**Motion by Parra, second by Libby, to approve the Treasurer's Warrant, Coombs Griffin Trust Warrant, and Payroll Warrant. Vote 4-0.**

16. **May Meeting Schedule:**

Town Administrator Kinney explained the Board's next regularly scheduled meeting falls on Memorial Day. The following day is the Five Town CSD budget meeting and he has to attend in his capacity as Town Clerk/Deputy Registrar of Voters. The Board's first meeting in June is the night before Election Day.

Board members agreed to meet on Monday, June 4<sup>th</sup>, at 6 p.m., in lieu of their last meeting in May and first meeting in June.

6. **6:30 PM Public Hearing – Special Amusement Permit Application: Lobster Pound Restaurant:**

**Motion by Parra, second by Barrows, to open the public hearing concerning the Special Amusement Permit application filed by the Lobster Pound Restaurant. Vote 4-0.**

Town Administrator Kinney reported there have been no problems or challenges with the Applicant. There were no comments from the public.

**Motion by Parra, second by Barrows, to close the public hearing. Vote 4-0.**

**Motion by Parra, second by Libby, that after holding a public hearing, that the Board finds that the application submitted by the Lobster Pound Restaurant complies with the standards set forth in the Ordinance Governing the Issuance, Suspension, and Revocation of Special Amusement Permits for the Town of Lincolnville and the permit be granted. Vote 4-0.**

**7. Five Town CSD Budget Presentation – Superintendent William Shuttleworth:**

CSD Superintendent William Shuttleworth addressed the Board about the proposed CSD budget and offered to answer any questions Board members may have. He explained the CSD lost approximately \$250,000 in subsidies, which caused them to tighten belts by bidding things out, not filling positions, reducing the Special Education budget by 12%, and by the insurance premium coming in 4% less than budgeted. As a result, Lincolnville's share of the proposed budget is \$16,000 less than last year. Superintendent Shuttleworth praised Business Manager Cathy Murphy (in the audience) for her assistance and expertise in the budget process.

Board members were glad to see Lincolnville was one of two towns in the District with a reduced share; they thanked Superintendent Shuttleworth for his presentation.

**10. Waldo County Municipal Association – Animal Control Officer Follow-Up:**

Selectman Barrows reported he attended the meeting in Waldo regarding a Waldo County Animal Control Officer position. He said he met some very nice people and found it very interesting to get their take on the situation. If all Waldo County towns pooled budgeted animal control funds, there would probably be enough money to support a County Animal Control Officer. Although there was interest in the concept, he explained attendees were leery that once it got started, it might snowball to become more costly. Other concerns included the physical distance from one end of Waldo County to the other, and there is no facility within Waldo County to take animals. But Selectman Barrows felt it is probably something County Commissioners should look into, even if it doesn't materialize in the immediate future.

**Motion by Parra, seconded by Barrows, to have Town Administrator Kinney send the letter he has written to the Waldo County Commissioners and Waldo County communities. Vote 4-0.**

**12. Road Issues Correspondence (cracking, weight limits, etc.):**

Town Administrator Kinney explained a Moody Mountain Road resident sent an email to three Selectmen with questions about cracks and wear and tear on Moody Mountain Road; the email was forwarded to him. Town Administrator Kinney attempted to answer each question posed in the email. He said the engineer in him questioned if a failure existed and he felt it did not; the road is not impassable and is the same elevation.

Selectwoman Parra questioned if the sender requested this item be put on tonight's agenda. Town Administrator Kinney explained the last time this resident sent an email to him, he addressed the issue in the Administrator's report; the citizen told him it should have been an item on the agenda. Selectwoman Parra recommends that the email answering the sender's questions be sent to the sender, and feels a citizen should be present if they want an item on the agenda.

18. **Executive Session – Consultation with Town Attorney Regarding the Legal Rights and Duties of the Board of Selectmen Concerning Possible Road Discontinuance (Title 1 MRSA, Section 405(6)(E)):**

**Motion by Parra, second by Barrows, to enter into executive session to discuss with the Town Attorney the legal rights and duties of the Board of Selectmen concerning possible road discontinuance, pursuant to Title 1 MRSA, Section 405(6)(E). Vote 4-0.**

The Board would not be returning to televise the remainder of the meeting after the executive session.

**Motion by Parra, second by Barrows, to come out of executive session. Vote 4-0.**

19. **Adjourn:**

**Motion by Parra, second by Libby, to adjourn the meeting. Vote 4-0.**

Respectfully submitted,

Diane Bacon  
Administrative Assistant