

**BOARD OF SELECTMEN
MINUTES OF MEETING
JANUARY 14, 2013**

Selectmen present: David Barrows, Chairman, Rosendel Gerry, Jason Trundy, Julia Libby and Ladleah Dunn.

The meeting was called to order by Chairman Barrows at 6:00 p.m. at Lincolnville Central School (B-5). The quote was read by Trundy.

1. Citizens' Forum:

Arlene Leighton addressed the Board regarding the DCP Searsport Tank/Terminal. She passed out copies of the Overview of Good Harbor hazard analysis findings to the Board. She said Kinney was sent the information this afternoon. She mentioned she had the Overview of Good Harbor hazard analysis findings and a letter from Richard Clark to the Islesboro Island Trust regarding the report and the executive summary. Leighton asked the Board to send a representative to the January 16th meeting to listen to Richard Clark's full assessment and have a better understanding of how it might impact Lincolnville. She said the analysis and findings point to the lack of public safety resources and capacity; and further the lack of risk management planning which makes this a regional issue. Leighton said since the Board wrote a letter on July 30th saying you wanted a dialogue with Searsport that someone from this Board should therefore attend this meeting so they can hear the Good Harbor report.

Barrows said to her that the Board did discuss this after she was at the last meeting. Barrows said he was going to try and make the meeting.

Leighton thanked Mr. Barrows and said she would give anyone a ride to the meeting.

Will Brown agreed with everything Arlene said and would also give anyone a ride to the meeting. He felt this was important.

Trundy said that he would like to put the proposed Governor's budget on the agenda for their next meeting and the impact it could have on Lincolnville if passed. Trundy said he read a newspaper article that outlined some of the Governor's plans. Kinney also shared a few other things that are part of the budget of which Trundy was not aware. Trundy said he has a lot of concerns if the budget is passed the way it is. Trundy said the Town Administrator was planning on putting together an outline of what he thought the impact might be on some of those issues. Trundy would like to have the Town Administrator prepare a memo about the impacts on our citizens and send an invitation to attend our next meeting to our legislators for this district. Trundy would be interested in sharing his and the Board's concerns with them. Trundy said he would like to hear where they stand on a particular issue. Trundy said he realizes it's early in the process, but in his opinion the State is shirking its responsibilities to minimize their own budget by simply pushing the issue onto

municipalities to solve the problem. Trundy said that's pretty poor management. He said if the Board is in agreement he would like to see it happen.

Kinney said that he received a memo from MMA earlier today regarding the Governor's budget impacts on municipalities. The Board has a copy that hits some of the highlights. He used it to start a rough draft on what the impacts would be. Kinney expects it will be a lively legislative session and some of the things probably will go through as proposed and some will probably be changed, but we want to get ahead of the curve rather than be behind it. He said the first draft of our municipal budget for the next fiscal year will come out on the eighth of February. He said the Governor's initial proposal for reduction of funding to the town is in excess of \$100,000. Kinney said he is prepared to move forward with a letter if that's what the Board wishes.

Gerry asked Trundy if he was anticipating public input or just a discussion among the selectmen.

Trundy said that if our local representatives attend the meeting, I can't imagine it wouldn't be open to public input. He said his thought process was largely to convey that he is not pleased with what he is seeing and that we would like to hear from them as to where they stand on this issue.

Gerry said this could take a lot of discussion and asked whether we want to hold the meeting in this room or if we want to schedule that meeting down stairs.

Trundy said he would be surprised if we had a lot of people come just because it's so early in the process.

The discussion switched back to the Searsport tank/terminal. Jeff Leighton said the meeting Richard Clark is holding on Wednesday to present his report to the Searsport Planning Board will not be the last. Mr. Clark will discuss, among other things, the regional impacts the project will have on Waldo County and the Penobscot Bay area. Jeff asked the Board to pay attention to this discussion now as it may raise questions for Lincolnville, as well as Camden, Islesboro and other towns. Searsport is having Richard Clark and another safety panel on Wednesday. Thursday DCP will have a chance to give their side of it and on Friday there will be time for public questions. Searsport will then schedule two days the following week to vote on it.

2. Administrator's Report:

David Kinney, Town Administrator, reported:

- Reminder that dog licenses expired at the end of December and as of February 1st there is a \$25 State mandated late fee. Dogs can be registered on line through the town's web site until the end of the month. After that you have to come to the Town Office.
- The December 10th meeting minutes draft contains an error that Kinney will explain what it is at that time.

- Kinney said he is meeting with the auditor on Tuesday, January 15, 2013 to get a copy of the draft schedules.
- Reminder that the Property Tax Circuit Breaker Program and the Rent Refund Program applications are available to assist the public with their property tax assessed in 2011 or rent paid in 2011. There are some income guidelines that are on the front page of the form. The Circuit Breaker Program is an underutilized program that a number of people could qualify for in Lincolnville. Kinney encouraged the public to go online or come into the Town Office and fill out the form.

Gerry asked if this could help on property taxes.

Kinney said yes that they issue refunds up to \$1,600. Kinney said anyone can apply. The applications aren't due until the end of May.

3. Meetings & Announcements:

Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:

Susan Silverio said that this Wednesday, Jan. 16th and next Wednesday, Jan. 23th they are offering a free showing of a new documentary film called "The Challenge of Rudolf Steiner." He has inspired Waldorf Education, biodynamic farming and renewal of medicine. The program is sponsored by Spindlewood Waldorf kindergarten on Proctor Road. It will be at the newly renovated Community Building in Lincolnville next to the church across from the telephone company. The program starts at 7:00 p.m.

Gerry said also on Wednesday, Jan. 16th at 7:00 p.m., the Lincolnville Community Library will be hosting another one of its concept talk series. They have a local author who will be talking and three ladies coming to play and sing. The \$10 cost goes to the Community Library. The public can call Gerry for tickets. He will put your name on a list and the tickets can be picked up at the door.

5. Meeting Minutes:

Kinney said on the December 10th meeting minutes under items 8 and 9, Cheryl had asked Kinney to correct the votes because but when doing my edits he reversed them. Kinney suggest the Board make an amendment to the votes knowing they need to be switched between the two articles.

Motion by Gerry, second by Libby, that we accept the meeting minutes of December 10, 2012 with corrections. Vote 5-0.

Motion by Gerry, second by Libby, that we accept the meeting minutes as read for January 7, 2013. Vote 5-0.

6. Capital Needs Committee Report:

Steve Young, Chair of the Capital Needs Committee, addressed the Board. The committee consists of himself, Sandra Thomas, Linda Learnard and Vicki Eugley. The report is their recommendations for fiscal year 2014. Steve said that they get information from different committees. David was helpful on the capital needs of the Town. Capital needs cover acquisitions of \$5,000 or more. The committee prioritizes those needs and makes its recommendations to the Selectmen.

The committee has under priority 1 three items: money for the new fire truck reserve fund; money for the police cruiser reserve fund; and road paving. These are high priority annual items. The new fire truck, we just purchased one recently, will have a lot of water capacity for pumping; the Board should look at it. Young said the next new fire truck will be purchased in 2020. The anticipated cost of the fire truck is approximately \$400,000. A portion of the necessary fund will come from the Fire Truck Reserve; the remainder typically comes from a gift to the Town from the Lincolnville Volunteer Fire Department, Inc. Young said for the fire truck, the committee recommends \$25,000 this year to put into that fund.

The police cruiser will be needed by the year 2017, costing approximately \$32,000. The Cruiser Reserve Fund has currently \$2,000. Right now we are using just one police cruiser and the committee recommends \$6,500 be appropriated this year. Road paving is a continuing program. We rotate paving town roads, so that approximately every nine years a road is re-paved. We divide the roads in town into groups; we might do half of a road or a whole road depending on how long it is. The committee is recommending \$287,000 be budgeted for paving this year.

Young said another thing that came up under priority 1 is the wavescreen protecting our dock at Lincolnville Beach. The Harbor Committee has requested funding for the wavescreen that is phase two of a three-phase plan to protect the inner harbor. The first phase has been completed with the assistance of a Small Harbor Improvement Project Grant. The anticipated cost of next phase is \$70,000 to \$80,000 and following phase is \$86,000. The Town has access to \$50,000 from the current harbor savings account and part of this is a commitment we made to the State as far as our updating and maintaining this particular part of the facility. To honor a commitment made in 1991 to the State to maintain the current wavescreen, this committee recommends appropriating \$25,000 this year to spread the cost of this project over five years, with the understanding that both phases would be completed at the same time to save the additional estimated cost of \$25,000 for doing them separately. Young requested that the Board of Selectmen pursue additional funds from the Town of Islesboro. Young said that the Town of Islesboro makes an annual donation to the harbor fund of \$5,000. The committee suggests the Board ask for an additional \$5,000 to \$10,000 to help with its upkeep.

Young said the committee receives a request for paving gravel roads in town. There are 9.3 miles of unpaved town gravel roads. The estimated cost of reconstructing and paving

all of them is \$5,000,000. Young said he just wanted to give this information to the Board. The committee is not asking the Board to take any action.

The Capital Needs Committee members again thanked the heads of the Town departments and committees who took the time to complete Project Sheets outlining their anticipated capital expenses. Planning would not be possible without such input.

Young also thanked David Kinney, Town Administrator, who attends all of their meetings providing valuable information and input.

The committee also appreciates the many departments that take the time to research available grants and solicit gifts to offset costs of providing services to our residents. We continue to ask the people of Lincolnvillle to keep in mind any sources of funding that may become available to meet municipal needs.

Young said the Capital Needs Committee was created 1997. He has been on the committee every year. He said that when the committee was created they had many things looming in front of them. They had the fire station, school, municipal building and sewer district on Route 1. It was created to be an advisory committee for the Selectmen, and the committee is very proud of the work it has been able to do for the Town, but feels it has fulfilled its intended purpose with the large capital items that have been completed in the past few years. The requests that the committee is currently receiving are routine and could easily be managed by the Board of Selectmen in conjunction with the Budget Committee. He said we do not see any large projects in the near future. Therefore, the committee recommends that the Selectmen consider discontinuing the Capital Needs Committee.

Gerry asked if that was the feeling of the entire Committee.

Young said yes it was. They had one committee meeting for the whole year.

Gerry said as he understands it they are an Ad hoc committee and not required by the Charter.

Kinney said correct.

Trundy asked Kinney for his thoughts.

Kinney said it is nice to have another sounding board. He said they have done a tremendous job. When he arrived here ten years ago, in the fall and winter the committee met every other week or at least every month. As Steve said, the number of requests has diminished over time as capital needs have been addressed. Towns will always have capital projects coming up. The committee sees no grand plans from the department heads and it may be time to take a break. We will have to continue to solicit the request from committees and department heads and include them in the budget and have some

discussion. Kinney said that if it got to the point where it was overwhelming and the Selectmen and Budget Committee said they needed help prioritizing requests they could always form another Ad hoc Committee.

Motion by Gerry, second by Libby, to dissolve the Capital Needs Committee effective immediately and to express our thanks to all committee members – past and present – for their service to the Town of Lincolnville. Vote 5-0.

7. Town Office Project - Design Development Review:

Amanda Austin from 2A Architects was present to review the design development documents with the Board for the town office project. She said we are at the end of the design development phase and wanted to give a status update as to where we are heading on certain things, review the drawings and documents the Board received from 2A and the mechanical, civil and structural consultants, as well as a proposed finish list. Design development is the chance to develop the design and greater level of details. She said that the major design elements have been developed and we continue to make small revisions to bring the drawings to completion. She said that she would run through some of the elements you may have not seen.

She said on the civil side (outside the building), 2A came before the Planning Board last week to review the completeness of the application and will continue that process at the end of the month. For the site plan, we are proposing areas for paving, new parking, exterior building lighting and the septic system location. There also has been a request for a bike rack. On the interior architectural side, she said David and her are focused on developing the service counter, so that it will work well for staff.

The next drawing in the packet is the roof plan, which shows the slopes and roof materials. Kinney had passed on some questions he received with respect to the metal roofing we are showing on the entrance as well as the wall shingles that we are showing around the entrance. These are primarily aesthetic choices to draw the visitor to the main entrance with a simple form with appealing materials and neutral colors on the outside.

Building sections are next in the packet. These outline the construction of the building, methods of construction and insulation levels. She said that we are analyzing the energy efficiency against the required software to make sure we are meeting or exceeding the energy requirements in the State of Maine Energy Code.

The reflective ceiling plan shows the proposed lighting. Amanda said we will continue to coordinate that for electrical data as well as incorporate mechanical systems into that. We will be talking with the Lighting Showroom to make sure we are using the most efficient and budget friendly light fixtures. The interior elevations depict the major areas of the building, the lobby, the receptionist desk and so forth. For interior finish, she provided a preliminary list of some of the things being considered. She said we will put together a finished board so you can see the neutral colors. There was a question on

using carpet tile. It is a typical application to use with an insulated slab. There are certain steps you have to take to make sure you are in compliance with the warranty.

She said we were happy to see that the structural engineer's analysis came back without any major upgrades needed to the existing building. They are proposing, based on some of the floor plan changes, to add some 3.5 inch Lally columns in the basement. The new building, as we anticipated, only needs to be a truss frame roof and bearing walls on a slab with frost wall.

The mechanical system, she anticipated, might be the place for the most questions. What you have there is the narrative from John Kilby, our mechanical engineer, that outlines the fixtures and equipment selection. John has been really helpful in looking at various options for the mechanical system. He has been working toward achieving the budget and efficiency goals we are after. Plumbing has been concentrated in one area of the addition. The fixtures he proposes meet standard water efficiency and ADA compliance requirements. A question came up about Pex versus copper piping. John doesn't see why we couldn't go with Pex because it would be easier to install for such a simple plumbing system. There are pros and cons to that, but John feels that it would be fine in this case. Amanda said there was a question about running the domestic hot water off the boiler. The reason for the new boiler is that it would cut down on the wait time for hot water and reduces the piping installation cost needed to run it from the furnace room in the basement. Amanda said they think the on-demand hot water heater hung in the custodial closet would be a great solution for domestic hot water.

For the mechanical system the main priorities are efficiency, ease of maintenance and to resolve some zoning issues that exist in the current building. John is proposing a system that would provide two heating zones in the existing building using heat pumps. In the addition John decided to go with cassettes and slim ducts, with a backup of a heated slab in the new addition. Amanda said those sorts of systems allow for a lot of flexibility. Amanda said the next step would be to get the Board to sign off on the general concept that we proposed and to move into the more detail drawings and go to bid in early March.

Barrows said Amanda had answered all the questions he had.

Jeff Leighton asked if they had radiant floor heating.

Amanda said the radiant floor heating was in the new portion of the building.

Leighton questioned if Amanda had given thought concerning people standing all day on top of carpet tile, and wondered if it could be made softer where they stand.

Trundy suggested putting down matting to add more cushion.

Kinney said he hopes to actually have someone have a work station at the counter to avoid having to get up and walk across the room and then walk back. This would create more efficiency and alleviate anyone having to stand in one place at the counter for an eight hour day. He said he talked to Amanda about having one of those two counter areas be a seated position and the other for standing, so if we have an overflow a second staff person could come up.

Leighton asked if the public would be able to comment on this before the bidding process.

Amanda said yes.

8. Liquor License Renewal - Youngtown Inn and Restaurant:

Motion by Gerry, second by Dunn, that the Board approve and sign the Liquor License application submitted by the Youngtown Inn. Vote 5-0.

9. Coastal Mountains Land Trust Request: Ducktrap Park/Murray Preserve:

Kinney said he was contacted by a representative of Coastal Mountain Land Trust. They have a preserve that abuts Ducktrap Park at the end of Howe Point Road. The Coastal Mountain Land Trust wants to provide for passive use of the Murray Preserve. Kinney said most of the use has been by people along the shore. They asked if they could advertize the Preserve with access through the parking lot at Ducktrap Park for anyone who wanted to go hiking. To do this they would like to maintain the path that exists from the Ducktrap Park parking lot to the edge of the Murray Preserve and place a sign directing visitors down the path to Murray Preserve.

Motion by Trundy, second by Libby, that the Board grant the Coastal Mountains Land Trust permission to place a sign at Ducktrap Park parking area provided it complies with the sign ordinance, allow the Trust to maintain the existing path to the Murray Preserve, promote access to the Murray Preserve with access from the existing parking area at Ducktrap Park, and that this permission be granted until revoked by the Lincolnville Board of Selectmen or when the Town's lease to the Ducktrap Park land ends, whichever comes first. Vote 5-0.

10. Town Office Staff Reorganization:

Kinney said we have a pending retirement of the Office Coordinator. Kinney thought this was a good time to look at staffing and reorganization. Kinney came up with a list of recommendations for consideration. Kinney would like to reclassify the Office Coordinator to Administrative Assistant and reclassify the Receptionist position to Administrative Assistant. A couple of years ago, the pay scale for those were aligned to be the same because the duties are relatively the same. It would simplify office operations if each job had the same job description. Kinney suggested that we rework the Administrative Assistant job description, abandoned the Office Coordinator and Receptionist job descriptions, and replace the Finance Director's job description with the one enclosed in the Board's packet. Kinney said the Finance Director would take on more of a supervisory role for the front office staff. Kinney recommended we amend the

pay scale to reflect the responsibilities of the positions. Kinney's recommendation is that the Administrative Assistant's and Finance Director's pay scale be adjusted upward by \$500 for each step. The Wage and Personnel Committee reviewed all of this last week and agreed with all the changes to the job descriptions, however, they recommended increasing the Finance Director's steps by \$1,500 each because of the supervisory nature of the job.

Trundy asked if the reorganization resulted in a decrease in overall cost to the town.

Kinney said yes, depending on when the new Administrative Assistant starts this year. For the remaining part of this fiscal year, which runs through the end of June, we should have a \$4,000 savings. For a full fiscal year it should exceed \$10,000.

Motion by Gerry, second by Libby, that the Board approve the Finance Director and Administrative Assistant draft job descriptions dated January 14, 2013 and that the Board approve the Revised FY 13 Pay Scale dated January 14, 2013 with an effective date of February 4, 2013 with the Town Administrator's recommendation of \$500. Vote 5-0.

Gerry asked Kinney at what pay scale step the new Administrative Assistant will start.

Kinney said they like to hire people at Step H. The Administrative Assistant position has a range of \$29,417 and after 21 years it's \$34,761. Unless it was an extraordinary circumstance and the Board decided to start someone at a higher step due to experience or special skills.

11. State Wide Timber Harvesting Standards:

Kinney said the Town adopted new timber harvesting standards as part of the shoreland rules and regulations. They are statewide standards, but weren't going to go into effect until 252 towns adopted these standards after which time they will go into effect on the first day of January. This has now occurred. The Maine Forest Service has recommended taking the timber harvesting standards out of our ordinance and instead reference the statewide standards. We should tell people how to get in touch with the Forester if they have questions. Kinney said we have the opportunity to share joint administration and enforcement of the standards or turn over full administration and enforcement to the Maine Forest Service. Kinney has reviewed this with the Town Attorney who put together a suggested article should we want to have the State of Maine Forest Service administer and enforce the statewide timber standards. The other option is that we can have joint enforcement. To do this we need to sign a Memorandum of Agreement. Kinney said if the Board wishes to fully turn over the administration and enforcement to the Forest Service then the suggestion is to take the language that strikes everything out of our ordinance and send it to the Planning Board and the Land Use Committee to review. Following their review, we would send it to the voters in June. If it passes then the Maine Forest Service would have the responsibility for administering and enforcing the standards.

Motion by Gerry, second by Dunn, that the Board authorize the Town Administrator to inform the Maine Forest Service that the Town of Lincolnville wishes to turn over full administrative and enforcement duties of the timber harvesting standards to the Maine Forest Service and that the proposed Land Use Ordinance amendments regarding timber harvesting be shared with the Land Use Committee and Planning Board for their input. Vote 5-0

12. Review of FY 14 Budget and Election Meeting Schedule

Libby said she was going to be gone from February 12th to the 19th and wanted to present her request for funding for the Camden First Aid Association (CFAA).

Kinney said all of the requests are presented those two nights, but no decisions are made. Then at a meeting the Board sets, perhaps February 25th, the Board starts to add and subtract from the budget. Kinney said she could present her request on February 25th.

The Board was in agreement for Tuesday, February 12th and Wednesday, February 13th at 6PM on the schedule and to have the CFAA presentation on the 25th of February.

13. Appointment(s) of Deputy Clerk and Deputy Registrar of Voters:

Kinney said the Deputy Town Clerk is retiring in early February and the State statute allows the Registrar of Voters and Town Clerk to appoint their Deputies. The new Registrar wishes to appoint everybody that was a Deputy before and the Town Clerk wishes to appoint a new Deputy Town Clerk.

Motion by Libby, second by Trundy, to approve the appointment of David Kinney, Jodi Hanson, and Cheryl Ten Broeck as Deputy Registrar of Voters. Vote 5-0.

Motion by Libby, second by Trundy, to approve the appointment of Karen Secotte as Deputy Town Clerk. Vote 5-0.

14. Treasurer's and Payroll Warrant(s) – Approve and Sign:

Motion by Libby, second by Trundy, that the Board approve and sign the Treasurer's and Payroll Warrants. Vote 5-0.

15. Executive Session – Discussion or consideration of the disposition of publicly held property identified on Tax Map 29 as Lot 25 (Title 1 MRSA § 405(6)(C)):

Motion by Gerry, second by Libby, that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(C) to discuss the disposition of publicly held property identified on Tax Map 20 as Lot 25. Vote 5-0.

16. Adjourn:

Upon returning to open session, **Motion by Trundy, second by Gerry, to adjourn the meeting. Vote 5-0.**

Respectfully submitted,
Cheryl Ten Broeck
Administrative Assistant