

**BOARD OF SELECTMEN
MINUTES OF MEETING
May 11, 2015**

Present: Chair, Ladleah Dunn, Arthur Durity, Rosendel Gerry, Jason Trundy & Cathy Hardy

The meeting was called to order by Chair, Ladleah Dunn at 6pm at the Lincolnville Town Office.

The quote was read by Selectman Hardy.

1. Public Hearing – June Town Meeting Referendum Questions Articles 4-7:

Cindy Gerry a resident of the Lloyd Thomas Road, came forward and said, “I feel that the discontinuance of the roads has been done seemingly, from what I’ve heard, has been done for many different reasons. I don’t understand why my road will remain a public easement and why I have to maintain it. I don’t feel it’s fair that I will have to maintain a public easement for a road that I need to have in a maintained condition in order to get to my house. I don’t know exactly what the appraisals were based on and my understanding was that they were supposed to be done closer to the time of the discontinuance, so that a value would be assessed before discontinuance and immediately after is what it says in the law. I also feel that if this is such an issue with the town, in costing the town so much money, I still haven’t heard exactly how much. The Lloyd Thomas road is considerably shorter than the other roads being discontinued and probably would cost considerably less. I also feel that there has been no willingness to work with the owners that these discontinuances will affect and I noticed that the Budget Committee recommends against it. I don’t know if the citizens of Lincolnville are aware of what has been spent so far. I believe four or five appraisals cost \$20,000, which I find pretty crazy and that’s because nobody would bid it because there are so many possibility for lawsuits, which will be the only recourse, should the town vote to discontinue the roads. In addition to what has already been spent, I don’t know how much has been spent on legal fees, but I imagine it is up around \$10,000. I feel this is a breach of trust between the town and the three land owners, that these roads concern and it’s not a good message to send about our town and how it handles its trust with the citizens. I am extremely disappointed and I bought a house on a publicly maintained road and a driveway that is privately maintained and that was the deal, which I had, when I bought my house and I am extremely disappointed.”

Cathy Hardy stated that there are some things that she wanted the public to understand when they go to the polls to vote on this issue. She explained there was a very detailed

process that had to be followed, by the law, before any town road can be discontinued and the Select Board has to follow these steps.

- The first was to notify effected property owners that the town was evaluating possible road closure.
- Hire a qualified appraiser to review the roads use and determine the damages that should be awarded to property owners impacted by the road discontinuance.
- Review the appraisers final report, discussed legal issues with the town attorney and shared the final report with the affected property owners.
- Hold a public hearing for the affected property owners and other interested parties to discuss the appraisers report.
- The Board then took a vote whether or not to move forward with the road discontinuance or not.
- Decide whether or not to include it as a warrant article, on voting day or as an item to discuss publicly at Town Meeting.

Ms. Hardy explained that she felt that since the people of Lincolnville were paying for the road maintenance on these four roads, the widest number of people should have a say in whether these roads are discontinued or not and this is why she voted to put this on a public ballot. She wanted the people of Lincolnville to understand that the Select Board has followed each of the above steps, to the letter of the law, and that the Board is comfortable with the people of the town making the final decision at the June 9th elections.

Trundy stated he does agree with some of what Ms. Hardy has stated and thinks this Board has followed the proper steps required by statute, to put this road closure forward. He explained that he and Durity were against the Board's decision to put this forward and he felt this was not a good practice for the town to make this decision, affecting the citizens, and he believed the math, about what is going to be saved, is flawed.

Trundy said, "When you start looking at the real numbers associated with these closures compared to the real cost of maintaining these roads, it just does not, to me, make good fiscal sense for this town to do that. Especially, in a town where we talk about dollars and cents all the time and that seems to drive a large portion of our decision making and what makes good fiscal sense. Not only do I think this is a bad decision, because I think we're treating our citizens bad, I think it does not make good fiscal sense to do it and I don't think we'll get the payoff for it."

2. **Citizens' Forum:** There were none.

3. **Administrator's Report:**

David Kinney, Town Administrator, reported:

Absentee Ballots are now available at the Town Office during business hours for articles that will be voted on at the June 9th elections.

Art Durity asked when the crosswalk signs would be coming out around the Lincolnville Beach. Mr. Kinney stated this will happen as soon as the crosswalks are re-stripped, possibly around Memorial Day.

4. Meetings & Announcements:

David Kinney, Town Administrator read the upcoming meetings.

5. Upcoming Community Events:

The Old Timers Luncheon will be held on Monday, May 18th at 11:30am at the Lobster Pound Restaurant.

The Lincolnville Library will feature author Jim Nichols on May 20th at 7pm and the music half of the program will feature Freshly Cut Grass, one of Maine's finest bluegrass bands.

Mr. Gerry reported if it rains on Memorial Day, there will be no parade however; there will be a program in the Walsh Common at the Lincolnville Central School at 1pm.

6. Meeting Minutes:

Jason Trundy made a motion that the Board approve the April 27, 2015 meeting minutes as presented. Art Durity seconded the motion. The motion passed on a 5-0-0 vote.

7. Light Pole Replacement at Route 1 – Ann Mills:

Ann Mills, resident of 2500 Atlantic Highway, came forward to explain that she was not in favor of the light pole replacement. She asked if this light is replaced, can the light wattage be reduced and Mr. Kinney stated he was almost positive that the wattage could be reduced.

Durity asked if these lights could be put on a timer and shut off at a certain time each night.

Hardy stated she would recommend talking to all business owners at the beach to get their input on the issue of turning them off completely.

Ms. Mills stated her recommendation would be to not replace the one in front of her house on the corner because it was originally intended to go within inches of her porch and there are three bedrooms that would be adversely impacted. She explained that they are incredibly invasive and this could also be a savings to the Town of Lincolnville if this light pole was not replaced and she thanked the Board for their time and consideration.

Gerry explained that Ms. Mills presents a valid request and he would like to have a little more input on more of the pros and cons.

Dunn recommended getting a constructive poll from the business owners at the beach and also an inventory of the lights and their radius effect. She stated if the Board does decide to replace the light post, could there be a way to prevent the light flowing towards the Mills property and she recommended that this item be placed on a future agenda.

8. Liquor License Renewal – Inn at Sunrise Point:

The Board thanked owner Daina Hill for attending the meeting and coming forward to help answer any questions the Board may have for her, regarding their liquor license renewal.

Rosey Gerry made a motion that the Board approve and sign the liquor license application for the Inn at Sunrise Point. Jason Trundy seconded the motion. The motion passed on a 5-0-0 vote.

9. Assignment of Lease – Lincolnville Historical Society to Lincolnville Community Library:

Cathy Hardy made a motion that the Board approve of the lease assignment from the Lincolnville Historical Society to the Lincolnville Community Library and the Board sign the assignment. Art Durity seconded the motion. The motion passed on a 4-0-1 vote. (Gerry abstained)

Hardy commended the work party that worked on the new fence at the Library, which really adds to the property and will be great when the garden is in.

10. Resignations:

Cathy Hardy made a motion that the Board accept the resignation of Briar Lyons from the Lincolnville Central School Committee. Jason Trundy seconded the motion. The motion passed on a 5-0-0 vote.

Jason Trundy made a motion that the Board accept the resignation of John Burstein from the Five Town CSD Board. Art Durity seconded the motion. The motion passed on a 5-0-0 vote.

11. Discussion of Possible Grants Committee Formation:

Cathy Hardy explained there is some interest from several Lincolnville residents that are interested in forming an ad hoc committee and there is a great opportunity to get a group of committed individuals who have some grant writing experience, in town, to use their talents to try to get additional grants for various things like the harbor, library or wherever funding is needed.

Hardy stated that she has spoken to several interested individuals and she herself stated she would be interested in serving as a Select Board Liaison or possibly doing some of the grant writing. She also recommended opening this up to the public to see if there would be interested applicants with grant writing abilities and recommended forming a committee of 6-8 members.

Kinney stated that any interested parties could come in to the town office and fill out a committee interested form.

Jason Trundy made a motion that the Board assign Cathy Hardy the task of working with David Kinney to put together the next charge and approve it at the next meeting and get some volunteers to move forward. Rosey Gerry seconded the motion. The motion passed on a 5-0-0 vote.

12. Discussion of Gravel Roads Improvement :

Kinney stated that someone asked that this item be placed on an agenda for discussion so that if funds are approved at the Town Meeting, and transfer an appropriation so that the Town could get something done to the gravel roads before next winter and he wanted the Boards direction on how to move forward and where to move forward.

Hardy stated the Board asked for a list of the priority gravel roads in Lincolnville, from the Road Commissioner that was on the priority list. Mr. Kinney was able to obtain a copy for the Board.

Gerry stated he would be in favor of a bidding process on the gravel roads. He explained that David Kinney is a licensed Engineer and he recommended that Mr. Kinney put together the specification for what Mr. Kinney felt these roads need to meet and come up with a bid proposal and put it out to bid.

Kinney stated that he recommended that the Board determine or set a priority for the gravel roads in Lincolnville.

Trundy recommended that the Board set the priority for the top three roads in town and have a discussion about what level the roads should be repaired and how much can be done to the roads with the funds that are available.

Kinney recommended that the Board have another road tour with the Road Commissioner and pick the top three roads.

Trundy stated he would recommend waiting to fix one of the top three once there are enough funds available to fix the road the right way, possibly with asphalt, instead of spending it in small clumps.

Trundy said, "This Board should consider the public's input because if we suggest bringing up some of these roads or even putting asphalt on them, there is a good potential there might be a considerable amount of resistance on certain roads and not on others. There are many things that need to be considered in order for this Board or any future Board's to really be able to decide what the priority list should look like and exactly what should be done to each one of these roads. This is going to be a monumental task to go through all the data and really make a good decision about how the Board should allocate the money."

Kinney to work with the Road Commissioner to put together more information for the "new" Board after Town Meeting.

13. Approve Special Town Meeting Warrant for May 19, 2015:

Jason Trundy made a motion that the Board approve and sign the Special Town Meeting Warrant for May 19, 2015. Cathy Hardy seconded the motion. The motion passed on a 5-0-0 vote.

14. Approve Annual Town Meeting Warrant for June 9/11, 2015:

Cathy Hardy made a motion that the Board approve and sign the annual Town Meeting Warrant for June 9/11, 2015. Rosey Gerry seconded the motion. The motion passed on a 5-0-0 vote.

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

Jason Trundy made a motion that the Board approve the Treasurer's, Payroll and Coombs-Griffin Education warrants. Art Durity seconded the motion. The motion passed on a 5-0-0 vote.

16. Adjourn:

Jason Trundy made a motion to adjourn. Cathy Hardy seconded the motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant