

**BOARD OF SELECTMEN
MINUTES OF MEETING
OCTOBER 22, 2012**

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 Libby.

1. **Citizens' Forum:** None

2. **Administrator's Report:**

David Kinney, Town Administrator, reported:

- Absentee Ballots are now available at the Town Office during normal business hours. The public can call to request one or come into the Town Office and vote in person or you can go on line and request one. An absentee ballot request must be received by the Municipal Clerk by the close of business on Thursday, November 1, 2012, unless special circumstances exist. To request an absentee ballot after that date there is a special circumstances application.
- Dog Licenses expire at the end of the year and can be renewed at the Town Office or on line thru the Town's web site.
- Tax information is available on the Town's web site.
- Kinney stated that there was a little bit of damage over the weekend with some washes over the shoulders of gravel and paved roads that we are in the process of fixing. Kinney reminded that it would be a good idea for the public to clean out their driveway culvert of leaves and debris.

Gerry asked Kinney about the Tanglewood Road.

Kinney stated that all of our gravel roads have been graded and hopes they will maintain their shape thru the frost and get frozen. Tanglewood road has challenges in terms of drainage. Kinney went with Bernard Young to look at the situation. Some of the problems came from leaves that had deposited themselves on the road before we got around to grading the road. We had a crew out cleaning up, a lot of that has washed off now.

Gerry asked about the power line on Tanglewood Road.

Kinney said the uphill side of the road still has the power line that goes to Tanglewood which inhibits our ability to adequately drain the water away from the road. Kinney said he met with Richard Bouchard, maintenance person from Tanglewood, and they would like to get the power line out of the ditch. They would like to create an overall plan so it would not remain the maintenance headache it is.

Gerry mentioned the Tanglewood Board of Directors and asked if they were working on this.

Kinney said the issue was brought up at the Tanglewood Board of Directors meeting and there is some interest to replace the line, but CMP only wanted to replace the line that's underground all the way into the camp with an over head line at a cost of about \$68,000. CMP wanted to do it in one fell swoop or nothing, apparently their softening a little bit on their stance to allow it to be removed along our road portion go overhead and then go back underground with the same wire. The challenge is that they have to expose the wire and lift it up without breaking it.

3. Meetings & Announcements:

Town Administrator Kinney read the upcoming meetings.

4. Upcoming Community Events:

Gerry announced Move It on Saturday, Oct. 27, at 9:00 a.m. to move the Schoolhouse across the street to its new location. Gerry said that if you want to pass thru the center of Lincolnville you should be on the right side of the fence because a portion of Route 52 will be closed off to the public. Tomorrow they will build a track to help pull the Schoolhouse across. Anyone interested in helping to pull the Schoolhouse across please contact Diane O'Brien. (LHS)

5. Meeting Minutes:

Motion by Trundy, second by Dunn, to approve the October 9, 2012 meeting minutes as presented. Vote: 4-0-1 (Libby abstained).

6. (6:30PM) Public Hearing: General Assistance Ordinance:

Motion by Libby, second by Dunn, that the Board open the public hearing concerning proposed amendments to the General Assistance Ordinance. Vote: 5-0.

No comments were made by the public.

Motion by Libby, second by Dunn, to close the public hearing. Vote: 5-0.

Motion by Libby, second by Dunn that the Lincolnville Board of Selectmen adopt the MMA Model General Assistance Ordinance and Appendices C for the period of October 1, 2012 through September 30, 2013. Vote: 5-0.

7. (6:30PM) Public Hearing: November 6, 2012 Referendum Question, Town Office:

David Barrows, Board Chairman, explained the format of the public hearing.

Motion by Libby, second by Dunn, that the Board open the public hearing concerning the article which will be subject to a referendum vote on November 6, 2012. Vote: 5-0.

Jay Foster, Chairman, for the Municipal Building Committee thanked the committee members, Amanda Austin from 2A Architects and Gartley & Dorsky for all their hard work and time spent on this project. Jay said that the Town Office has served us well for 25 years, years and we got our money's worth out of it. Jay said that the current floor plan shows that we have a very crowded work space and something needs to be done. We've outgrown it and the list of deficiencies is long. He said that the committee put the deficiencies all together and came up with a plan to correct them. Currently, there is a lack of efficiency and privacy. It's hard to do business because there is only one space at the counter. We are not now ADA compliant, and to correct these deficiencies would take 25% to 30% of the space out of the current building. The plan is reasonable and efficient and the new building will serve for 30 to 40 years. The committee worked to get the cost below \$500,000. The consultants did an excellent job of helping us. There is no better time than right now to do this because of the low interest rates. The plan also benefits local contractors with work. Jay said that Amanda and Brian Austin of 2A Architects are here tonight.

Amanda Austin presented deficiencies of the existing building. Overall they felt that the building is in fairly good condition given its age except the roof and siding needs attention. The building also needs to be ADA compliant and needs a public meeting room where people can gather. These aren't new issues. There are also problems with water infiltration and unevenness in the distribution of heat by the heating system. Regarding ADA the vehicle parking is non-compliant as is the entrance, the counter and the bathroom. Also, needed are handrails by the stairs. The new project takes account of these needs by providing professional and practical space to serve the public. The architects met with the selectmen and staff to develop the new design. Amanda explained the site plan and that the expansion of the current building will be toward the south. The site plan adds more parking to accommodate more people who will be coming to the building. The total building space when completed will be approximately 3,743 square feet. It was decided to reuse the current building to the maximum extent possible. New functions include conference room space, assembly space, a dedicated map room, all staff in one area, ADA accessibility and a fire safe storage space. The design also includes a break room for staff. The assembly space will accommodate the vast majority of committee and selectmen's meetings. The new building will have clapboard siding with a slab on grade foundation for new addition. She thanked people for taking part in this process.

Barrows said he wanted to backup so that he could read the full article that will be voted on at the November 6, 2012 Election. Barrows said that the Board of Selectmen and the budget committee recommend a "Yes" vote. The meeting was then opened up to the public to make comments and ask questions.

Tracy Colby said she has a lot of questions. She is curious as to why the roof and siding deteriorated to the point where they need to be replacement. David Kinney said that typically you wait to re-roof only when it needs it and it was decided to wait to see if the project failed on November 6th and, if it does, we have the money and will re-roof it next summer. Colby said that she did not see interest on the bond included in the pamphlet. Kinney stated that if you add the interest set forth on the ballot to the debt service of \$222,000 you end up with \$789,958.40. Borrowing could be through a bond or a conventional bank so the selectmen can have leeway. Colby said that the pamphlet did not provide good disclosure. Kinney stated it is in the pamphlet in the middle of how it would be paid for. Tracy said it says \$470,000 cost for the building leaving \$220,000 for a total of \$690,000. When it explains the annual debt payment it is estimated to be \$15,998. She said that you have to do your math. She said the annual cost is close to \$100,000 as reported in the paper. She says that she can understand why the selectmen didn't catch it but does not understand why the budget committee missed it. Tracy asked in the \$690,000 does that include the \$95,000 that was included in the building committee's power to spend. Kinney stated that the \$95,000 is not included. What is being asked for in the article is above and beyond what has been appropriated for the last 15 years for this project. Colby said so when we take \$789,000 and add the \$95,000, we're getting up to a million dollars. Tracy asked what the \$38,000 that has already been spent used for. David said for the wetlands evaluation and Amanda and Brian's work with 2A, surveying and permitting work, and paying Bob Fenney prior to hiring Amanda and Brian to work on this project. Kinney said that he did this from memory as he didn't bring a breakdown with him. Tracy said that now that we are getting closer to a million dollars how can it be that the Town of Hope can spend \$299,000 on renovating their old building and make it ADA compliant. Tracy referring to the Town Administrator said that you said that this was not correct but she said that she read it in the newspaper. She said that she contacted the bookkeeper at the Hope town office and she said that the renovation cost was \$299,000 plus \$7,500 for moving and storage costs during the renovation process. Tracy said that she visited the building and that they already had an existing wheelchair ramp and made improvements to it, they added ADA compliant doors and when you walk into the town office there is plenty of newly renovated space and a new counter. They remodeled two bathrooms, but they said they had two bathrooms anyway since it used to be a schoolhouse. The administrator's office is right off the main room. They also got a \$15,000 library grant and used to add all new windows. Tracy asked how they kept the costs low. They said that the selectmen were in total control of the project and worked with a local builder and also visited other town offices to get ideas. They worked with a close budget and kept the citizens needs in mind and saved all of the money and did not borrow. Hope has a population of 1600 people and 3 employees only one is full time, that's the administrator who is also the code officer and the plumbing inspector. The other two employees are part time. Colby further stated that the Town of Hope did not use an architect for their town office project.

Jim Sinclair said that he wanted to go back to the roofing issue because he said that it was clearly discussed and wanted to know why the roof had not been done. He said that the meeting room has always been a contention and wanted to know why we can't use this room for meetings. So why are we now putting the meeting room back into the design when this room was intended for meetings.

Gerry said that this room was never designed for what we are using it for now, it was supposed to be a cafeteria for the school. The original plan was that there was to be a meeting room in the school, but it never happened. Referring to the meeting room they are in he said we have a room that you cannot easily hear in unless you speak loud. There is no good sound system for the room. We have had multiple problems with the camera and the PA system in this room so they moved these upstairs. The Town Administrator often has to come over and setup the meeting space for the Selectmen's meetings. The same is often true for the Planning Board meetings.

Jim Sinclair asked if that justifies a couple of hundred thousand dollars for a new meeting room.

Trundy said that we have had numerous meetings discussing what is needed for the future. We need to address them in some sort of reasonable way to address the needs for 30 to 40 years. There are people who want the building and some who don't. This public hearing will probably not change people's minds. In many meetings we tried to find a reasonable and responsible solution to the needs. It was decided that we should have a space that could accommodate a reasonable number of people that we would expect at most meetings that we have on a regular basis. It will be set up for routine use. We will still have to use this large meeting room in the school for annual town meetings.

Jim Sinclair asked what will be the interest rate on the bonds.

Kinney said that it will depend on when the financing is obtained and when the bonds or loans are due.

Sinclair said that his concern is the cost and that the plan is too grand for the number of residents in the town and in his view the taxes are too high. He said that we need sacrifice rather than a grand plan for a town that can't afford it.

Amanda Austin stood to address a misstatement made previously that the Town of Hope did not use an architect. She stated that she was the licensed architect for the Hope Town Office project. They worked on the project from the building study phase through the construction phase. A few things about the project differ: they have a smaller staff which is reflected in the plan; there was not much site work needed; there was no new space in the Hope plan; they also added a conference room space and they already had the library to accommodate meetings. Amanda said that regarding the counter top, Hope now wishes that they had a little different design for their counter top space which our

architects have taken into account for the Lincolnville town office. The architects worked with the contractor to keep the costs down over the 6 month construction. Kinney said that the Town of Hope with the expanded office displaced a tenant out of the building, so the Town lost the rental income but now have the space.

Dunn said that it is easy to throw around the million dollar figure, but that is likely the worst case scenario as is the interest rate. The million dollar figure is the highest end of what it could potentially be but we won't know until we lock in the terms.

Jay said that there have been a number of figures casually thrown around like \$200,000 for a meeting room and in his view it is costing less than \$100,000. He said that he talked with Jon Duke in Hope about their building. That's all they had was a building on a foundation and they reconfigured the space added handicapped access and used original furnace and it cost \$300,000. We are redoing a building with an addition giving us everything we need including a meeting room for \$470,000. I don't think that that is unreasonable. The numbers we are using have to be estimates but they are conservative. We can make a reasonable assumption that we will get good bids on this building given the economy as it is. It is unfair to be throwing numbers around because of the variables. The number 1 priority by everyone working on the plan has been to do the best we can for the town and save money wherever we can.

Jim Sinclair asked how big the meeting room is and the answer by Amanda was 600 square feet. Jim also asked how much additional parking is needed because of the meeting room. Amanda said that it amounted to 2 to 3 more parking spaces. It was calculated by comparing with other towns.

Jay said that the meeting room needs an advocate. He said he served on the Planning Board and the meetings were in the old town office but that space was needed for town government. He said that they were even meeting in another town but finally got room in the school. He said that it is time that the 20 plus boards and committees meet in the town office. If the selectmen want to have a meeting they can go into the new conference room. It will be possible to have two meetings going on at the same time. When we have meetings now it has to be carried by people to the school and we don't have access to copy machines and we don't have access to records. We need all of this under one roof.

Gerry said if you haven't participated in a town committee you need to come on board and see how things function. He said that it will be so much smoother if we are all in one location. Watch how things work in the town office, just look at David's office! Vern the Assessors' Agent is in a little closet. He does not even have room to move his chair around. We are asking town employees to do things that are absolutely ridiculous. We are spoiled because we had a fire station given to us and a school practically given to us. We are far ahead of other towns in this regard. The Town is continually growing and moving forward. There is no better time to do this. We can put a band aid on the building, but we will never catch up. Now is the time to move forward.

Jim Dunham said he has some questions, like what will be the operating cost and how will we manage the energy costs? What is being designed for insulation and what kind of energy are we going to use to heat the space. He said that he didn't see solar incorporated. He said that he wants to know if people have thought about affordable alternative energy sources. Amanda Austin stated that we are looking to meet the new state energy code and possibly exceed it. Right now energy costs are low for the current building. Solar has not been included, but could be an option, we need to wait and see what the bids are before adding something like solar energy such as PV or solar thermal.

Dunham said that he is also a proponent for citizens being able to walk on sidewalks and to bike. It would be nice to promote walking and biking. We need a place for a bike rack so people could bike to the town office to do their business.

Karin Womer said that she is speaking as a tax payer, as every member of the board of selectman is, and we all pay taxes, so she is concerned that we get good value for what we will be spending. She thinks that we will get good value for what we are planning to do. She says that she is on the Comprehensive Plan Review Committee and has to come to the school when she would rather be meeting in the town office. She thinks that the Town Administrator has better things to do than lug boxes to meetings at the school and crawl around setting up for meetings. She feels that an efficient conference room and town office will be a good expenditure of taxpayer's money. She feels it is time to provide a facility that will keep us going for three decades.

Arlene Day wanted to say that when we first got our new building 26 years ago we were excited but the town has grown and she is embarrassed to come into the town office. As a health care professional she is concerned that we would be in deep trouble if we get an ADA violation. So far we have been lucky. For people coming into the town office and wanting to do some business in privacy it is not possible. Sometimes customers have to wait in the hallway before they can see Jodi. It is terrible for people standing at the maps with a line of people going out the door. Hopefully the building will last another 25 to 30 years. She is in favor of this new building because the town needs it.

Cathy Hardy said that she is the Cathy come lately to the committee and while on the Board of Selectmen she was frugal. She came on the committee because she was concerned about the past proposals and cost for previous municipal building designs. She came on the committee because she did not want to see a strike three this time. The proposal failed in the past because they were too extravagant. It was like herding cats on this committee and ended up being a compromise position. She wishes that the cost could still be lower but she is confident that all has been done to keep the cost down. With value engineering working with the architects she feels that we can stay below the \$220,000 borrowing. She will support the building this time. She thinks that we can get a cost below what we are asking for the bond issue.

Jay said that he thinks the point has been well made that this is a good plan and we should go forward. There is a cost. We spend money on a lot of things and sometimes

we have to step forward and make an investment. The school is an investment and the fire station is too. The town office is the same thing and it is now time to invest in the new town office. If not now, then when? The cost will only go up if we don't act now. This design works and answers all our needs for a long time going forward. Hopefully the costs will end up being less.

Sharon Sampson said the town office needs more space and asked if this current plan is cast in stone. Amanda said it is not, but that the programmatic needs are solved by this plan and that they the architects will seek every opportunity to bring costs down as the project moves forward. Sharon said that she wanted to make sure the plan can still evolve to save money.

Libby said that she is not interested in making the building any smaller. Why change it? Gerry asked David if the interest of \$99,000 is correct. Kinney stated that based on the estimate it is.

Gerry asked that if the cost to build comes in lower will we only borrow what we need. Kinney said that was correct. With the funds on hand if the project was to be approved he would anticipate that we would expend from monies in hand first and that as we got closer to the end of the project we can better estimate what we will need to finish. Gerry asked if there is a fine for paying off a bond early. David said that it depends on the terms of the bond or loan. He said that we can write the rules and the conditions surrounding the terms because banks will be competing to loan the town money. Gerry stated that these are projected cost and not set in stone. Kinney stated that we are using reasonable estimates and if we use say 4% interest rate we are being conservative, so that's what we did. Knox County just borrowed funds at approximately 2% for their project.

Cathy Hardy said that she was involved in the Quarry Hill project and that tens of thousands of dollars were cut in talking with the builder. She feels that we can do the same value engineering for this project.

Jay said that no spade has been turned or nail driven, so we can make changes, but he is sure we won't add anything because of cost. We won't spend more than we are asking for. It is an open process so any money spent will be done in an open forum. And money spent or saved will be known.

Tracy asked how the architects get paid, is it on a per square foot basis? Kinney responded that with any project like the fire station it is a negotiated fee upfront, a lump sum not based on a percentage of the construction cost. Further the Town paid 2A a lump sum fee to get through this phase up to the November 6th vote. We asked them to evaluate a couple of different options including a new building and a renovation and addition. 2A did a couple of iterations with cost estimating and presented those to the select board and they chose the renovation and expansion alternative. Then it was refined down to what we have today. As of November 6th that contractual agreement

will be completed. Assuming that the voters approve the funds, we will then need additional architectural services to get to a proposal that we can send out for bids. The services would continue through construction to ensure that we get what we are paying for. Phase 1 gets us through November and the next phase gets us to final design with a set of detailed plans that a contractor needs to give us a price. The architects then monitor payment to the contractors and document what goes on during construction.

Colby wanted a ball park figure on the amount spent to date. Amanda said that their fees so far are around \$20,000. She said that they will put together costs going forward. Colby wanted to know what the architects are going to cost us. She would like the figures broken down.

Dunn said that she does not want to see us spend more chunks of money just to keep talking about the project. We have done a really extensive job of trying to come up with a program that is as conservative and comprehensive so that the roof will get fixed and the ADA issues addressed.

Jay Foster said that there are associated costs with ADA compliance and so those kinds of costs are associated with a municipal building unlike say a gas station.

Motion by Libby, second by Gerry, that having heard from all members of the public wishing to speak concerning the article which will be subject to a referendum vote on November 6, 2012 that the Board close the public hearing. Vote: 5-0.

8. Board, Committee and Commission Appointment(s):

Motion by Trundy, second by Gerry, that the Board appoint Corelyn Senn as a Cemetery Trustee Alternate with 1 year term expiring June 2013. Vote: 5-0.

9. Disposition of Engine 3:

Kinney said the new fire truck is soon to be delivered and Engine 3 will become “surplus” to the Department’s needs. We are seeking guidance on its disposition of Engine 3 and Fire Chief Peasley is here tonight. The truck is a 1981 Ford F800 with a 1,000 gallon tank and 500 gallon per minutes pump. The truck served the town well for thirty one years.

Jason Peasley said we as Board of Directors and the Fire Department would like to sell the truck for \$100 or donate to an island town or deep woods town in need. Once we take everything off Engine 3 that will go onto the new truck the value on it will be very little. The fire truck is in need of repair.

Motion by Libby, second by Trundy, that upon successful delivery of the new fire truck, the Board declares the 1981 Ford F800 fire truck to be surplus, with a value

as a fire truck of less than \$1,000, and that the Fire Chief and Town Administrator be authorized to dispose of the fire truck by sale for \$1 to another fire department preferably in our area and if not in our area in the State of Maine; and if no fire department is willing to purchase the vehicle that the matter be brought back to the Board for additional direction. Vote: 5-0.

10. **Liquor License Renewal – Whales Tooth Pub:**

Motion by Libby, second by Gerry, that the Board approve and sign the liquor license application submitted by the Whales Tooth Pub. Vote 5-0.

11. **As Board of Assessors: Municipal Valuation Return:**

Motion by Libby, second by Trundy, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: 5-0.

Motion by Trundy, second by Libby, that we approve and sign the 2012 Municipal Valuation Return as prepared by the Assessors' Agent. Vote: 5-0.

Motion by Trundy, second by Gerry, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote: 5-0.

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

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

Gerry asked David is there any red flags that the Board should be aware of.

Kinney said we did pay the provider agencies in this warrant. We typically wait until after the first half taxes are due.

13. **Adjourn:**

Motion by Gerry, second by Trundy, to adjourn the meeting. (8:10 p.m.) Vote: 5-0.

Respectfully submitted,

Cheryl Ten Broeck
Administrative Assistant