

**BOARD OF SELECTMEN
MINUTES OF MEETING
April 10, 2017**

Present: Chair, Ladleah Dunn, Arthur Durity, Keryn Laite, Jr., Rosey Gerry, David Barrows, and Temporary Town Administrator, Jodi Hanson

The quote was read by Selectman Barrows.

1. Executive Session – Poverty/Infirmity Abatement Due to Poverty and/or Disability Pursuant to Title 36 MRSA Section 841 (2)(E):

Gerry made a motion that the Board enter into executive session pursuant to Title 36 MRSA Section 841 (2) (E) to discuss property tax abatement due to Poverty/Disability. Laite seconded the motion. The motion passed on a 5-0-0 vote.

2. Citizens’ Forum:

Paul Crowley, Lincolnville resident, asked that the Board address the road condition on the Tanglewood Road.

Sandy Delano, Lincolnville resident, announced that he is running for a position on the Board of Selectmen. He felt that he would be able to add value to what the Board does and help keep the Town of Lincolnville a wonderful place to live.

3. Administrator’s Report:

- Nomination Papers: All nomination papers are available at the Town Office and due back by May 1st by 5pm.

Board of Selectmen:	2 Positions for 3 year terms
Lincolnville Central School Committee:	2 Positions for 3 year terms
CSD School Committee:	1 Position for a 1 year term
Budget Committee:	3 Positions for 3 year terms
	1 Position for a 1 year term

- Bids: Bid specs are available for the construction of the new aluminum gangway to replace the current storm damaged gangway at the town pier. The bids are due back to the town office by 3pm on Wednesday, April 19th.
- Meetings: The Lincolnville Board of Selectmen will be traveling to Islesboro on Thursday, April 13th for a joint workshop with the Islesboro Select Board.

4. Meetings & Announcements:

Chair, Dunn read the upcoming meetings.

5. Upcoming Community Events:

The Lincolnville Library will host its spring concert on April 19th at 7pm featuring author Barbara Kent Lawrence and singer Annabel Parker.

6. Meeting Minutes:

Durity made a motion that the Board approve the March 27, 2017 meeting minutes as presented. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

Durity made a motion that the Board approve the April 3, 2017 meeting minutes as presented. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

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

Durity made a motion that the Board appoint Gina Sawyer as an alternate member to the Lincolnville Recreation Commission. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

The Board thanked Gina for attending the meeting and for volunteering.

8. Resignation/Appintment(s):

Gerry made a motion that, with deep regret, the Board accept the resignation of Ronald Moran from the Lincolnville Planning Board effective immediately. Laite seconded the motion. The motion passed on a 5-0-0 vote.

The Board thanked Ronald Moran for his service on the Planning Board.

9. Discussion of Items for Possible Inclusion in the Annual Town Meeting Warrant:

- Lincolnville Sewer District Request:

Dunn explained that at the last meeting, the Board had some additional information that was sought from the Sewer District, which they kindly provided the Board with a wide variety of information. At this point, the Board needed to have a conversation with the Sewer District.

Durity explained there were still some questions regarding the revenue strain and its representation on the revenue sheet that did not include the standby fees. He was wondering if there was a restatement of the spreadsheet, so that it captured all the anticipated revenue.

Temple replied, no. However; she did give the answer to that question to Kinney as to why they weren't included.

Jodi Hanson, Temporary Town Administrator, read the email that was provided in the Board's packet from Town Administrator, David Kinney. He stated, "The Standby fee is only collected should the district require it and if so would be available to be assessed no sooner than 12 months after the system is operational.

Dunn wanted to be clear that should the district require it, is that up for debate and she wanted to be clear what direction the district is heading in.

Temple stated that in the Ordinances; it would give the Sewer District permission or make it allowable for the standby fees to be assessed. Our focus is to get as many people to sign on as possible, so if they sign on there doesn't need to be a standby fee.

Durity asked, "What is the anticipated date for the first loan payment?"

Temple replied, "A year after the closing."

Dunn said, "According to your loan paperwork, it appears that would be April or May of 2019, for the first debt payment to come due. I want to be clear where the funds are going. It is confusing if you're asking for money for the debt, but that is essentially two years out."

Dunn noted that the conversation that the Board keeps having is that the need on an annual basis is the \$19,000 but if that is not needed for another two years, we can't commit that to the budget this year.

Temple read the following information to the Board:

Disbursement of Funds: Where loan funds can be borrowed at reasonable interest rates on an interim basis from commercial sources for the construction period, such interim financing will be used to preclude the necessity for multiple advances of Agency loan funds. You must provide the Agency with a copy of the interim loan financing agreement for review prior to bid authorizations. The Agency approval official may make an exception when interim financing is cost prohibitive or unavailable. Grant funds from the Agency will be disbursed by

multiple advances through electronic transfer of funds after loan funds or interim financing is expended.

Temple said they are working right now on the interim loan financing and getting that money to be forwarded from the Maine Municipal Bond Bank.

Temple said that she misspoke earlier. She felt that it did not state that the job has to be done, ready to go, before loan funds could be expended.

Dunn said, "I believe in this project, I feel it is a worthy cause, but I want to be really clear what we are going to go ask other taxpayers for and what is the appropriate mechanism to ask the taxpayers for monies and what those monies are going to be used for. We have to be super clear and there needs to be more work done in order to clarify what the ask is. We also need to clarify when the funds are going to be used, because if the funds are not going to be used this year, then we can't have this conversation, unless it is put in an account to be carried forward, to be deducted at a future date."

Durity asked if the Board has determined when the first loan payment would be due.

Dunn replied it could be within fiscal year one and fall within our next fiscal year.

Gerry felt very positive that the Board is leaning to move forward.

Dunn wanted a general consensus from the Board before moving forward. Does the Board want to move forward with asking the voters to appropriate funds of some amount with some conditions?

The Board's consensus was to move this forward to the voters.

Dunn opened up the conversation to the public.

Sandy Delano, Lincolnville resident, stated that it appears there has been an a lot of working done from the people on the Lincolnville Sewer District. They would not have received approval for the loan or the grant without some serious groundwork being done. He felt the Board should take that into consideration.

Paul Crowley, Lincolnville resident stated, "I think the entire town will benefit from this and we will have the pollution problem solved at the beach. We won't have caution and warning signs posted at the beach because, it will be fit to swim at. The businesses will be able to operate reliably, and hopefully the beach will be able to grow and be a more functional community with this sewer system, which

we all benefit from. I would like to make sure this goes forward and when you're talking \$19,000 it is only about \$5.00 a year, per person."

Dunn stated at this point there needs to be a general consensus of what the Board is going to ask the town attorney to work on for the language and that breaks down to three different options whether to draft up a multi-year contract. The Board will need to decide on the terms, amount, how many years, etc.

The three different options given to the Board by Town Administrator Kinney are the following:

Option 1: Multi-year contract. Town meeting approves a multi-year contract with the Lincolnville Sewer District. The Board will have to decide on the terms (amount, how many years, etc.) to be presented, have a contract drafted and then have the draft available for public inspection prior to the Town Meeting.

Option 2: An annual appropriation. The Sewer District could make an annual request for funding. This request could be reviewed by the Board of Selectmen and Budget Committee prior to inclusion in the Town Meeting Warrant.

Option 3: Raise (tax), take from town savings or a combination/split of the two all of the money this year. Under this option the total funds (\$190,357) could be raised from the property tax payers, this year, or taken from savings or some combination of the two (from taxes and savings). The funds would then be placed designated account and disbursed by whatever means and terms set forth by the article.

Barrows suggested going with \$25,000 for the first year, just so there is a little cushion.

Durity said to establish a Wastewater Capital Fund and fund it this year at \$25,000, with the stipulation of no later than March that the representatives from the Sewer District come and present to the Board.

Gerry asked if this would be ballot or a floor vote.

The consensus of the Board was to put this request on a written ballot.

Durity made a motion to ask the voters to create a wastewater capital fund to be voted on by referendum on Tuesday, June 13, 2017 and we also ask the voters to fund that capital account at \$25,000 this fiscal year. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

- Lincolnville Community Foundation Gift Acceptance

Dunn reported that the Lincolnville Community Foundation is the new name of the Lincolnville Volunteer Fire Department, Inc. They are contemplating making additional financial donations, possibly for the Fire Truck Fund, the Beach Road Building Fund and a yet to be created, Fire Equipment Reserve Fund.

The Board gave the go ahead.

10. Set Public Hearing Date(s) for Referendum Questions(s) and CDBG:

Durity made a motion that the Board hold a public hearing for all June referendum questions on May 8, 2017 at 6:30pm at the Lincolnville Town Office. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

11. Confirmatory Easement Deed to Lafayette Lincolnville, LLC:

Laité made a motion that the Board sign the Confirmatory Easement Deed to Lafayette Lincolnville, LLC. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

12. Discussion of Qualification Based Selection Procedure for Harbor Maintenance RFP:

A recent meeting was held at the Lincolnville Town Office between Board members Dunn and Laité along with Town Administrator Kinney, on April 6th to work through the draft RFP. They all agreed that snow removal should be removed from the RFP and that bids be sought for the upcoming season. They also requested that grass mowing be removed and included in other mowing services. They also recommended, at a future Board meeting, that the Board discuss whether or not to maintain these as grassy areas, to be eliminated for more enhanced parking.

Dunn explained that it occurred to the group that pursuing a qualification based selection might be a better use of everyone's time. It would help the Board select the most qualified firm and then negotiate the scope of the work, the schedule and the fee, and if the Board were unable to negotiate that with any of the qualified respondents, the Board would not be held to anything.

Durity thanked Dunn and Laité for taking the time to pursue this.

Durity made a motion that the committee working on the harbor maintenance RFP prepare for the Board's consideration a Request for Qualifications for harbor maintenance utilizing a qualification based selection process. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

Dunn stated that during the groups discussion, it came up that it would make sense to create an ad hoc committee just for the express purposes for vetting this and whoever these individuals may be, should include a couple of members of the Board of Selectmen, two members of the Harbor Committee, Harbormaster or deputy Harbormaster.

13. Document & Service Fee Policy:

Laité made a motion that the Board approve the Lincolnville Document & Service Fee Policy as presented. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

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

Barrows made a motion that the Board approve and sign the Treasurer's and Payroll warrants. Durity seconded the motion. The motion passed on a 5-0-0 vote.

Gerry made a motion to hold an emergency executive session to have a discussion with the Temporary Town Administrator, pursuant to Title 1 MRSA Section 805 (6) (A). Durity seconded the motion. The motion passed on a 5-0-0 vote.

Laité made a motion that the Board extend the Temporary Town Administrator's compensation for an additional two weeks to end on April 27, 2017. Durity seconded the motion. The motion passed on a 5-0-0 vote.

15. Adjourn:

Durity made a motion to adjourn. Gerry seconded the motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant