

**BOARD OF SELECTMEN
MINUTES OF MEETING
August 13, 2018**

Present: Chair, Ladleah Dunn, Keryn Laite, Jr., Jon Fishman, David Barrows, Josh Gerritsen and Town Administrator, David Kinney

The quote was read by Selectman Laite.

1. Citizens' Forum:

There were none.

2. Administrator's Report:

David Kinney, Town Administrator, reported:

- North Cobbtown Road: Work continues on the North Cobbtown Road, and the gravel placement started today.
- Live Streaming: Selectman Gerritsen is working on hooking up the equipment for live streaming.
- Rec Committee Update: Laite and Kinney met with the two members of the Recreation Committee and the folks from the Sports Fields, Inc. The meeting was very productive. The Town is waiting to receive a proposal back for the upkeep and maintenance of that facility.

3. Meetings & Announcements:

Town Administrator, Kinney read the upcoming meetings.

4. Upcoming Community Events:

There were none.

5. Meeting Minutes:

Barrows made a motion to approve the July 23, 2018 meeting minutes as presented. Laite seconded the motion. The motion passed on a 5-0-0 vote.

6. **As Board of Assessors – Property Tax Commitment:**

Laité made a motion that the Board suspend the meeting of the Board of Selectmen and convene as the Board of Assessors. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

Laité made a motion that the Board of Assessors approve and sign the Assessors' Certification of Assessment, the 2018 Municipal Tax Assessment Warrant, the certificate of Commitment and the Certificate of Assessment to be returned to the Municipal Treasurer as prepared by the Assessor's Agent establishing the tax rate for the fiscal year July 1, 2018 to June 30, 2019 at 0.0169 mils on the dollar and the due dates of October 3, 2018 and April 3, 2019 with interest at 8 percent per annum to be paid on an unpaid portion commencing on October 4, 2018 and April 4, 2019. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

Barrows made a motion that the Board adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Fishman seconded the motion. The motion passed on a 5-0-0 vote.

7. **Harbour Pointe Subdivision Roads – Marshall Cary:**

The residents of the Harbour Point Subdivision, Marshall Cary, Kim Ervin Tucker, and Rick Hayes came before the Board with concerns regarding the condition of the road and the drainage.

Marshall started by stating, "I'm asking for the Town's assistance in getting the proposed work on the drainage and the road repaving at the Harbour Pointe inspected and approved using the process and standards in the Lincolnville Subdivision Ordinance, which was never completed by the developers, Jim Munroe and Richard Nightingale."

Marshall further stated that Boyd Snowden from Snowden Consulting Engineers in Oakland, Maine was observed inspecting the road. Rick Jones from Jones Associates in Poland Springs may be the road contractor.

Marshall finished by asking that the Board authorize CEO, Therio to follow the statutes.

Dunn clarified that permits have not been submitted and because of this particular circumstances, the Select Board would not be able to interject.

Laité announced that this request needs to go through the Planning Board stages to approve the engineer's recommendation.

Dunn noted that when a contractor submits an application to the Town with engineering plans, that sets into the process into motion. Then the Planning Board works with the CEO to work through the process.

Gerritsen proposed that an application be submitted to the CEO as soon as possible.

Dunn finished by stating that she recommended that before the entire Board engages in any further conversation, the next step would be to consult with the Town Attorney.

8. MCSWC Update – Owen Casa, MCSWC Board Chair & Jim Guerra, MCSWC Manager:

Jim Guerra, Mid-Coast Solid Waste Corporation (MCSWC) Manager and Owen Casas, MCSWC Board Chair, came before the Board to discuss the necessary changes to the facility and the rules that govern it.

Guerra discussed the following information regarding the Mid-Coast Solid Waste functions and provided the following summary regarding the Interlocal Agreement which defines all the important aspects of the MCSW's responsibilities:

- How the Board is populated by representatives of each member town
- Responsible and timely budgeting
- The apportioning necessary support from the tax base (derived from each town's population and latest valuation)
- Entering into contracts
- Weighted voting
- Borrowing by the Corporation
- Rules also on withdrawal from the agreement

Guerra noted that the Interlocal Agreement basically provides the MCSW Board of Directors the right to operate and set forth any triggers for any approval requirements necessary from the member Select Boards or legislative bodies and a vote of the legislative body to change this document.

By-Laws deal more with the internal workings of the organization. They describe things as the responsibly of the various officers and how committees are organized and populated as well as committee and employee responsibilities.

Guerra told the Board the By-Laws were last amended in 2015 and could use some minor changes to repair some items that may not have worked or to provide some clarification of the following.

- There is no mention of a Facility Manager in the Interlocal Agreement.
- There is some discussion currently about whether the weighted vote system continues to serve the organization.
- There is some language that needs to be cleaned up regarding quorums and where we direct our waste for disposal.

Guerra finished by saying, “This seems to be a time for some housekeeping on both of these documents and I suspect an assignment to a committee is in the offering. It is likely that we will be back to recommend to our Select Boards and legislative bodies to consider some organizational changes for the Interlocal Agreement.”

Guerra also explained that the Board has recently been hit hard by turnovers during the past few years, which impacts the ability to come to a timely conclusion on the bigger issue.

Casas stated that this work might be ready for a June 2019 vote.

The Board thanked both Guerra and Casas for attending the meeting and giving an update.

9. Consideration of Winter Sand Bid Award:

Laité made a motion that the Board award the contract for the supply and stockpile of winter sand to Farley, Inc. of Rockport for the bid amount of \$10.75 per cubic yard. Gerritsen seconded the motion. The motion passes on a 5-0-0 vote.

10. Order to Call for Public Hearing – Town Charter Amendment:

Laité made a motion that the Board approved the Order of the Lincolnville Board of Selectmen setting the date of the public hearing on the proposed amendments to the Town Charter as August 27, 2018 at 6pm. And that the Town Clerk be directed to publish a notice of the hearing including the text of the proposed amendments in the newspaper having general circulation in the Town of Lincolnville. Barrows seconded the motion. The motion passed on a 5-0- vote.

11. Revision to Electrical Permit for Temporary Service:

Gerritsen made a motion that the Board approve the amendment to the Application for Electrical Permit to include an inspection fee for any new Temporary Service. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

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

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

13. Executive Session – Discussion or consideration of the acquisition of real property (Title 1 MRSA §405(6)(C)):

Barrows made a motion that the Board of Selectmen enter into executive session for the purpose of discussion or consideration of the acquisition of real property pursuant to Title 1 MRSA Section 405 (6)(C). Gerritsen seconded the motion. The motion passed on a 5-0-0 vote.

14. Executive Session – Discussion or consideration of the disposition of Publicly Held Properties (Title 1 MRSA §405(6)(C)):

Laite made a motion that the Board of Selectmen enter into executive session for purpose of discussion or consideration of the disposition of publicly held properties pursuant to Title 1 MRSA Section 405 (6)(C). Barrows seconded the motion. The motion passed on a 5-0-0 vote.

15. Adjourn:

Upon returning to open session, Barrows made a motion to adjourn. Laite seconded the motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant