

**BOARD OF SELECTMEN
MINUTES OF MEETING
DECEMBER 30, 2013**

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

The meeting was called to order by Chair Dunn at 6:00 p.m. at Lincolnville Town Office. The quote was read by Selectman Gerry.

1. Citizens' Forum:

None

2. Administrator's Report:

David Kinney, Town Administrator, reported:

- He received a poverty abatement application today. Because the next Selectmen's meeting occurs after the foreclosure date, Kinney requested at the conclusion of the agenda that the Selectmen hold a brief Executive Session to look at the application to see if they want to set up a special meeting between now and the foreclosure date.
- He extended his thanks to everyone for their assistance during the storm. We had a number of people who volunteered to help other people and called to see if they could check on their neighbors. He also thanked the Lincolnville Fire Department for helping to cut trees and assist the people we had on the payroll to clear the roads.
- He said as far as Town infrastructure is concerned we came through the storm fairly unscathed. We did have a challenge with the generator at the Town Office. It kicked on fine when the power first went out, turned off when the power came back on, but when the power went off again the generator wouldn't start. The control panel was not functioning properly, so we have a new control panel coming under warranty.
- He said we are making adjustments in the Town Office and getting closer to finishing. We still have one issue that eludes the heating control people who are working diligently to resolve it.
- The utility poles have been installed on Tanglewood Road. The overhead wire will be run by Central Maine Power at some point, but they will not be making the connection until some thaw occurs because they have to utilize some of the wire that's buried in the ground and they don't want to damage it by trying to dig it up from frozen ground.

3. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**

None

5. **Meeting Minutes:**

Motion by Trundy, second by Barrows, that the Board approve the December 9, 2013 meeting minutes as presented. Vote: 5-0.

6. **Beach Sidewalk and Parking Snow Removal Request:**

Kinney said he received a call from Dwight Wass, business owner at Lincolnville Beach, expressing concerns about when the Town will remove snow from the sidewalks and parking spaces. Kinney gave Wass a brief history of the past efforts to do that and suggested he come meet with the Board. There is also a letter from a number of business owners from the Beach area that share Wass's concerns. Kinney also received an email from Thomas and Mary Stevens, who own a business and reside at the Beach. Dorothy Newcomb called to express her support as well as Sandy Carey.

Dwight Wass said he is a new business owner at Lincolnville Beach although he has been in business in Lincolnville for over forty-five years. He noticed this year there's more snow and ice. He said the Beach area is growing. There are ten year round businesses and eight year round residents living in those buildings. People are struggling to get out of their properties and climbing over snow banks to get to their cars. It doesn't look like the Beach is open for business when the public drives by the area. Wass said everything on the building side is plugged with snow. There is one volunteer that uses his personal snow blower to blow a trail from the Whale's Tooth Pub to the Post Office. He thinks the snow is a hazard and should be removed to create a safer situation. Removing the snow will also create a more welcoming situation for people to the Beach. As it is now, the snow demeans the ability of existing businesses to do business. He said there are lots of people who come by foot from the Islesboro Ferry and there are no sidewalks for them to access the Post Office, the Beach Store or to walk up to Dr. Sloan's for dental appointments. Wass said the Town should look at the possibility of removing the snow and plowing the sidewalks so that the area looks like it's open for business.

Gerry asked if Wass or any of the business group had done a projected cost of removing the snow.

Wass said the Beach Store pays to have three parking spaces plowed for her customers in front of the store and yet there is still snow between the parking spaces and the little trail on the sidewalk. People are still walking in the road to get in and out of her store as

well as other stores. He said they have not done any compilation as to what it would cost or what equipment would be needed. He thinks the snow in the parking spots in front of the six buildings at the beach would have to be remove and taken away. He said the rest of the sidewalks could be cleared with a snow blower or plowed with a proper sidewalk machine.

Libby said she would like to see a projected cost because there is no money in the budget for this it would have to be appropriated in next year's budget.

Wass said the Lobster Pound Restaurant has sold part of their interest to Andrews Brewing and are planning to open a Brew Pub there year round. The Beach area is growing and more people will be coming into the area, so if the area looks like it's open for business and has a safe environment for people to stop and patronize the local businesses they would like to plan for snow removal.

Gerry asked Kinney if the Town was allowed to put snow in the river.

Kinney said he didn't know if they could dump the snow into Frohock Brook, but we can put it somewhere. He said the State went from having no regulations regarding snow dumps into water bodies to having some, to having a lot, to rolling it back. He said he doesn't know the current status because we don't do it here. Kinney said the Town did look at this issue back when the sidewalks were first constructed, but it didn't get approval through the budgetary process. The issue was then raised four or five years ago and again the Town hadn't planned or budgeted for it. Kinney said he could obtain some pricing to do this if the Town knows the limits of what the business owners want done and include some budgetary number in the first round of the budget.

Gerry suggested the business group should come up with a plan of what they would like for snow removal and from what locations.

Dunn said it's good to get the conversation started and get a presentation of some quotes then there may be a better chance it might happen for next season.

Thomas Wilhelm asked Kinney what other communities expect from businesses and who owns the sidewalks. He said he lived in Portland for a number of years and was treasurer of a condo association. They were required by the City (Portland) to clean the sidewalk of snow in front of their building. He also asked if there was any danger to the sidewalks if they aren't maintain during winter.

Kinney said it varies greatly by community. Lincolnville doesn't do any winter maintenance to the sidewalks. Camden and Wiscasset do everything from scraping the sidewalks to putting the salt on them. Rockland has an ordinance that says the business owners are responsible for clearing the sidewalks for the width of their property out into the street and the city comes along and removes all the snow. In terms of damage to the sidewalks no matter what you use to remove snow from a sidewalk it's bound to do

some damage. If you put winter sand on the sidewalk and you don't take it off you end up with sidewalks that are buried like some of the old ones Lincolnville has. Kinney said it comes down to community desires and expectations like everything they do.

Wilhelm asked if Wass and the others should come back to the Board with an idea of what they would like to see done.

Kinney's suggestion to the Board would be that he work with Wass and the others that signed the letter to try define the expectations and the limits of those expectations and then get some prices together for the upcoming budget year.

Wilhelm asks if the State owns the parking lots down by the Beach and if the Town owns part of the parking lot where the Lobster Pound is.

Kinney said all of the improvements at the beach in terms of sidewalks; the parallel and the diagonal parking are within the State's right-of-way. They do not plow parking areas. Kinney said it goes back to their initial agreement with the State when they did the project as to what they were and weren't going to do and what they would pay for and wouldn't pay for. Kinney said the Town owns about two thirds of the parking lot adjacent to the Lobster Pound Restaurant. He said the Town's contract with their plowing contractor is to keep part of the parking lot plowed.

Wass said he would get together with the members of the business group and draft a proposal that makes sense with some prices.

Kinney said he doesn't really need prices; the group can inform the Board of their expectations. Kinney said if the business group wants him to sit down with them in their discussion he is happy to do so.

7. Discussion concerning E-Notices:

Kinney said as a follow-up to the Board's last meeting the Town has explored the E-Notices and bulk mail capabilities of the Town web site program. We have also conversed about the matter with our IT consultant, Jim Arsenault. Kinney said he put a copy of what the Town can currently offer via the web site in the Selectmen's packet. Kinney ask the Selectmen to follow along as he explained how the "E-Notices" system works and to see if this was something that meets their expectations.

Gerry thought the system was great and looked really good. He asks Kinney how the Town was going to alert the public that this program is available.

Kinney said any way they can inform the public they would.

Dunn said Kinney indicated that not all of these options are a hundred percent up and running.

Kinney said this was one of those things that Diane Bacon was actually generating before she left. Kim Jackson now has the system ninety-five percent ready to go and they could add more options.

Gerry suggested they send something out to the Lincolnville Bulletin Board and put something on Cable.

Kinney agreed and would also put an announcement on the web site home page.

Gerry ask if they had agreed at the last Board meeting that the Town was going to add a notice informing the public of the change in date for Town meeting on the tax card.

Kinney said Jodi Hansen, our Finance Director, is in charge of the postcards, which go out in February and will add a notice at the bottom as a reminder. The postcards remind people that the second half of their property tax is due in April.

Dunn said the E-Notices system is great and comprehensive along with all the other postings the Town does.

8. Liquor License Renewal – Youngtown Inn:

Motion by Gerry, second by Trundy, that the Board approve and sign the liquor license application submitted by the Youngtown Inn. Vote: 5-0.

9. Town Administrator Employment Agreement:

Motion by Gerry, second by Libby, that the Board Approve and sign the Town Administrator’s employment agreement as prepared by the Town Attorney. Vote: 5-0.

10. As Board of Assessors:

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

Motion by Libby, second by Trundy, that the Board grant Property Tax Abatement #2013-08 as recommended by the Assessors’ Agent for James O. Williams in the tax amount of \$6.80. Vote: 5-0.

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

11. Treasurer’s and Payroll Warrant(s) – Approve and Sign:

Motion by Trundy, second by Libby, that the Board approve the Treasurer’s and payroll warrants. Vote: 5-0.

Motion by Libby, second by Barrows, that the Board approve the Treasurer's, Coombs-Griffin Trust Education warrant. Vote: 5-0.

12. Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E)):

Motion by Gerry, second by Libby, that the Board of Selectmen enter into executive session for the purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841 (2)(E). Vote: 5-0.

13. Adjourn:

Motion by Gerry, second by Trundy, to adjourn the meeting. Vote: 5-0.

Respectfully submitted,
Cheryl Ten Broeck
Administrative Assistant