

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
February 25, 2019**

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

**Excused:** Jon Fishman

The quote was read by Selectman Barrows.

**1. Citizens' Forum:**

There were none.

**2. Administrator's Report:**

David Kinney, Town Administrator, reported:

- Winter Sand: Additional sand has been delivered to the sand shed.
- Gravel: The Town is stockpiling additional gravel before the roads are posted.
- Plumbing: Last week, the Town Office had some plumbing/septic issues that needed attention, and Moore's Septic arrived that day and the septic issue was resolved.

**3. Meetings & Announcements:**

Town Administrator, Kinney read the upcoming meetings.

**4. Upcoming Community Events:**

There were none.

**5. Meeting Minutes:**

**Laite made a motion to approve the February 11, 2019 meeting minutes with the minor corrections. Barrows seconded the motion. The motion passed on a 4-0-0 vote.**

6. **Board, Committee and Commission Appointment(s):**

Cheryl Nevius, Lincolnville resident, came before the Board and explained that now that she is a full-time resident, she wanted to volunteer her time.

- **Board of Assessment Review:**

Laite made a motion that the Board appoint Cheryl Nevius to the Board of Assessment Review with a term ending June 2020. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

- **Lakes & Ponds Committee:**

Gerritsen made a motion that the Board appoint Cheryl Nevius to the Lakes & Ponds Committee with a term ending in June 2019. Laite seconded the motion. The motion passed on a 4-0-0 vote.

- **Recreation Commission:**

Barrows made a motion that the Board appoint Cheryl Nevius to the Recreation Commission with a term ending June 2020. Laite seconded the motion. The motion passed on a 4-0-0 vote.

The Board thanked Nevius for volunteering her time to serve on all three committees.

7. **Consideration of Permit for Vehicle Weight – Cellardoor Winery:**

At the last Select Board meeting, the Board authorized Bernard Young, Road Commissioner to post roads for seasonal weight limits. A representative of the Cellardoor Winery spoke with Administrator Kinney regarding several upcoming deliveries and wanted to request a permit. Kinney stated that Board issued permits are allowable in the ordinance under certain conditions.

Kinney stated that Road Commissioner Young did not have issues with the requests that were made from the Cellardoor Winery.

Laite made a motion that as no other route is reasonably available to the applicant and it is a matter of economic necessity and not mere convenience that the applicant use the road, that the Town Administrator be authorized to issue a permit to the Cellardoor Winery for up to three round trips across the Youngtown

**Road during the time period that the road is posted. Barrows seconded the motion. The motion passed on a 4-0-0 vote.**

The Board thanked Wyatt Philbrook, Vineyard Manager for attending the meeting.

**8. Planned Improvements to Megunticook Lake East and West Dams – David Bolstridge:**

David Bolstridge, Camden's Dam Agent came before the Board to discuss some surprise issues pertaining to the East and West Dams. On the West Dam, the damage was to the gate, in which a steel side plate was loosened. Boldstridge noted that he is looking to change it out, which may require bringing in a crane.

Bolstridge noted that the cost to repair the West Dam would be approximately \$290,000 and the plan would be to do the work in FY 2020, but would not include the fish pass.

The Town of Camden is proposing to finance the project over a 10 year period using reserve funds which the Town will pay themselves back at an interest rate of 1.2%, but will still need the approval at Town Meeting in June.

Bolstridge also discussed the East Dam upstream wall cold joints in the concrete and that over time there have been joint erosion issues. However, Bolstridge was hoping to hold off on the repairs until FY2022.

Dunn asked Kinney to give a brief history of East & West Dam.

Kinney discussed that back in the early 80's, the Town of Camden acquired the East & West Dams. Shortly thereafter a committee was formed which consisted of both Camden appointees and Lincolnville appointees. By mutually adopted Board of Selectmen policies, the two towns then took on sharing the cost to the maintenance and upkeep of the two Dams with Camden paying 2/3 of the cost and Lincolnville 1/3.

Kinney noted the Town of Lincolnville started participating in the financial cost of the dams back in 1984. As of today, the Lincolnville's Megunticook Dam Reserve Fund has a current balance of \$27,000.

Dunn suggested that Kinney revisit this agenda item again at a future Select Board meeting when all could be present to consider developing a more formal approach moving forward.

9. **Consideration of Supplemental Charge to Lakes & Ponds Committee:**

Chair Dunn invited Gary Gulezian, Chair of the Lakes & Ponds Committee, to come before the Board because now is the time to capture property owners who own waterfront property that may have floats.

Dunn wanted the Boards thoughts on providing a supplemental charge to the Lakes & Ponds Committee regarding developing some type of educational outreach. Dunn proposed that Gulezian go back to the Lakes & Ponds Committee to brainstorm some ideas and jointly come up with a plan.

Laite spoke in favor of educating the public, but wanted to know how the Lakes & Ponds Committee would be able to accomplish this task.

Gulezian told the Board that the Lakes & Ponds Committee was thinking of having some type of direct mailing, which could come from the Town of Lincolnville regarding why it would be important to use the encapsulated polystyrene floatation. The Committee also felt that it was important to include ways to achieve this task, why it would be important and information on how to contact someone from the Lake Association to obtain more information.

Gulezian suggested taking action sooner, rather than later, on this direct mailing.

Dunn stated, "If the Board is in agreement to task the Lakes & Ponds Committee, then we should have a draft supplemental charge, at the next Select Board meeting, to charge the Lakes & Ponds Committee with."

Dunn asked if Kinney needed a motion.

Kinney added that no motion was needed.

Kinney provided the Board with a copy of the Original Approved Charge to the Lakes & Ponds Committee which was revised on November 27, 2006. He highlighted the following:

**Charge:**

- (3.) Develop a plan to prevent the degradation of the lakes and ponds by invasive plant species or other harmful constituents/pollutants (such as failing septic systems, erosion, etc.) or activities (such as the introduction of non-native fish species).

- (8.) Promote responsible actions through education and information.

Kinney noted as long as Gulezian and the Committee are ready to go, then they could move forward to create a plan and determine if the Town Office Staff could help out in any way.

Gulezian felt that the existing Charge which is in place is sufficient, especially with the support from the Board.

Dunn suggested that the Lakes & Ponds Committee submit some draft material to submit to the Board at the next Board meeting, and then the Board could finalize the draft, without mentioning the ordinance.

The Board thanked Gulezian for attending the meeting.

**10. Ecomaine tour presentation/findings:**

Dunn reported that both Board members, Gerritsen and Barrows had recently attended a tour of ecomaine, the facility that Mid-Coast Solid Waste Corporation has contracted with to accept our municipal waste.

Gerritsen presented the Board and the public with an informative slideshow of how the facility operates.

The Board thanked them both for attending and touring the facility and for Gerritsen's presentation.

**11. Discussion regarding a possible Food Sovereignty Ordinance:**

The Board had a discussion regarding the possibility of having a food sovereignty ordinance for the Town of Lincolnville.

The State of Maine passed and signed into law a Maine Food Sovereignty Act (LD725) on November 1, 2017, which would allow municipalities to regulate local food systems, including production, consumption and direct producer to consumer exchange.

The LD725 would only apply to the towns that have declared food sovereignty and would only apply to food that is produced and sold in a food sovereign town.

Gerritsen noted that there are currently 47 other Maine communities that have passed a Food Sovereignty Ordinance and in a lot of ways, this basically decriminalizes selling baked goods to a neighbor.

Several Lincolnville citizens spoke in favor of the Town of Lincolnville adopting a Food Sovereignty Ordinance.

Dunn suggested having a future discussion regarding this topic at a future Select Board meeting and she suggested Kinney have a conversation with the Attorney Daggett, regarding their input on the matter.

**12. LD 290- An Act to Prohibit Motor Vehicle Use in the Intertidal Zone: Follow-up Discussion:**

Gerritsen recently testified in Augusta in support of LD 290, which is An Act to Prohibit Motor Vehicle Use in the Intertidal Zone, along with our local Representative Stanley Paige Zeigler, followed by several people that were opposed to LD 290.

Gerritsen stated that he learned a lot which actually made him rethink how he feels about this issue, since it poses a threat to shellfish harvesters.

Laité was disappointed that this was met with such opposition, since the first alert came from a law enforcement officer and the Board was not trying to stop anyone from making a living.

Kinney felt that it was unfortunate, because there were competing interests and the concern from the Lincolnville Board had to do with the environmental impact. The Board could ask Representative Zeigler to withdraw the request.

Dunn spoke in favor of supporting the letter of request for LD 290.

By consensus the Board decided to let the legislative process run its course.

**13. Release Deed regarding 1968 tax lien – 505 Camden Road:**

Kinney provided an update on a 1967 tax lien for a parcel of land that has since been incorporated into a larger parcel of land. Back in 1968 a tax lien was recorded by the Town of Lincolnville, the taxes were apparently paid, but the lien was never discharged. Recently a title search was conducted and found that the lien was never discharged. The title attorney provided the Town of Lincolnville with a proposed release deed, which was sent to the Town Attorney to review and amend, if necessary.

Laité made a motion that the Board approve and sign the Release Deed prepared by the Town Attorney to release to Kimberly Prior and Scott Guidi any interest the Town of Lincolnville may have acquired in a portion of the property located at 505 Camden Road by virtue of unpaid 1967 taxes and the 1968 tax lien certificate. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

**14. Lincolnville Sewer District Correspondence – LIA Building:**

Dunn announced that the Town of Lincolnville recently received a letter from Project Engineer, Julianne Page, with Woodard & Curran seeking a temporary easement and a permanent easement over the town's property at 33 Beach Road, which is the Lincolnville Improvement Association building site, for the purpose of installing a wastewater pump station and all associated equipment.

Kinney stated, "When we were initially thinking of the sewer district project, we planned on installing a pump station down by the LIA Building and pumping up to the line they were going to put in the road. If they're going to ask to put in a pump station, at the Lincolnville Improvement Association lot, and if they're going to put in a pump station, the Town should ask them to put the station down where it should go, so that we only have to have one. However; if they do that, they'll install it, pay the installation costs and they'll pay to maintain it and keep it in working order, which is a win for the Town."

In order for this to take place, the Lincolnville Sewer District would need to obtain a perpetual easement across the Town's property, where the pump station would go.

Dunn proposed that the Board give Kinney permission to have a conversation with the engineers to review an alternate site, especially because this LIA location does not work, without encumbering us into the future.

No motion was required.

**15. Engineering Services Proposal – Pinnacle Hill Engineering:**

Kinney told the Board that Stephen Ruell, from Pinnacle Hill Engineering conducted a pier inspection and report in 2016, which gave some general guidelines regarding the deck, which also seems to be an ongoing issue as to when we need to start, should we start the project and is it ready to go now.

Kinney asked Ruell to give him a definitive plan, map it out, and give some written recommendations for repairs to submit to a contractor to get a bid.

Also discussed with Ruell was re-working the boat launching ramp for two reasons. One would be to make the launching ramp itself more usable and the other reason may create more parking opportunities along the shore.

Kinney noted that the Town has the funds in the harbor savings account, to do this work.

**Gerritsen made a motion that the Board approve the proposal of Pinnacle Hill Engineering to conduct Items #1 & Items #2 of their February 18<sup>th</sup> proposal and that the funds for the work come from the harbor savings account. Laite seconded the motion. The motion passed on a 4-0-0 vote.**

**16. Public Input – Draft FY 20 Municipal Budget:**

There were no public comments.

**17. Board Deliberations – FY 20 Budget Deliberations & Recommendations:**

**Administration and Finance:** No Board changes proposed

**Animal Control:** Dunn suggested having a future conversation regarding a policy change to a back-up Animal Control Officer, who would be paid out of a portion of the existing Animal Control Officer funds.

**Parking Enforcement:** Suggestion was made to consider having parking enforcement involved with potentially moving the speed sign around. Dunn felt it may make sense to expand this position to include some additional pointed tasks needed to be down in town, for next year.

Kinney noted that since there is still money in the budget from last year, he felt it was important to start advertising earlier.

**Fire Department:** Gerritsen suggested raising the amount of pay from \$11.00 a call to \$15.00 a call. The rest of the Board decided to keep the change from \$11.00 to \$12.00.

Concern expressed about the long term repair costs of keeping a fifth fire truck.

**Protection - Other:** Question was asked on the breakdown of costs between street lights and sidewalk lights. Kinney estimated 2/3 street lights and 1/3 sidewalk lights.

**Town Office Building:** Kinney explained there was Board discussion at the budget presentations regarding an annual “test and inspect” of the security and alarm system. The annual fee would be \$300.

The Board recommended adding an additional \$300 to test and inspect the system at the Town Office building.

**Contingency, CEO, Assessing and Public Works Highways & Bridges, Transfer Station and Harbor:**

No Board changes proposed

**Public Works: Other:**

- Megunticook Dams: The recommendation was to set aside \$8000 into this account. The Board was in agreement.
- Breezemere Park Maintenance:
  - Paint Tables: The Board recommended increasing this line from \$100 to \$250.
  - Ice Rescue Ladder: The Board recommended decreasing this line from \$300 to \$0.
  - Kayak/Canoe Storage Supplies: The recommended decreasing this line from \$200 to \$0.
  - Purchase Weed Whacker: The Board recommended decreasing this line from \$170 to 0.
  - Dog Bags: As the Town has ample bags in inventory, the Board recommended decreasing this line from \$67 to \$0.
- Athletic Fields:
  - Contracted Maintenance: The Board was unable to make a decision and requested more information to make a choice on the Ballfield/Green Application. Kinney recommended taking the entire “Athletic Fields” discussion and come back with a defined scope and detail.
  - Pickle Ball: Dunn suggested changing this item line from Pickle Ball to Recreation Athletic Infrastructure Maintenance Other. The Board was not in favor of the request for \$10,000 but recommended

obtaining a quote to do the lines on the Pickle Ball court. The Board requested more information on painting and general assessment.

**Board & Committees:**

For transparency and clarity, the Board requested that the \$100 be put back in the budget for the Board of Appeals, the Budget Committee and the Planning Board supplies and that the Administration supplies line be reduced by the same amount.

No other Board changes proposed

**Municipal Support:**

The Board asked if additional information regarding the Library financials could be provided.

No Board changes proposed

**Provider Agencies:**

No Board changes proposed

**Capital Improvement Program:**

- Harbor Improvements: Kinney mentioned that he decreased the Harbor Improvements line by \$5000 because there was not a definitive plan, besides the float.
- Building Repair Fund: Kinney noted that funds are being set aside for major building repairs to the LIA building.
- Solar Array Purchase: Kinney followed the recommendation from the Solar Array Purchase Committee regarding setting it aside over a three year timeframe instead of financing it.

No Board changes proposed

**Debt Service:**

No Board changes proposed

**Revenue/Budget Offsets:**

No Board changes proposed

**Non-Agenda Discussion:**

Don Fullington, III appeared before the Board to inform the Board about the ambulance service discussion that would take place Tuesday evening at the Camden Selectboard. The concept of a municipal service may be explored by the Town of Camden and the City of Rockland pending Camden Selectboard consideration. Fullington has attended one Fire Chief's meeting on the subject. The Board thanked Fullington for the update but took no action taken.

**18. Board Discussion concerning Use Policy and Procedures for Town Owned Property:**

Dunn suggested that the Board have a conversation to potentially create an application process where a committee member or citizens can go to a committee and that application process would have a timeframe by which if the deadline had passed, then the request would not make it into that budget season. Dunn suggested that perhaps on a less heavy agenda that the Board could discuss this again.

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

**Laité made a motion that the Board approve the Treasurer's and Payroll Warrants. Barrows seconded the motion. The motion passed on a 4-0-0 vote.**

**20. Adjourn:**

**Barrows made a motion to adjourn. Gerritsen seconded the motion. The motion passed on a 4-0-0 vote.**

Respectfully submitted,

---

Melissa A. Geary  
Administrative Assistant