

**BOARD OF SELECTMEN
MINUTES OF MEETING
June 27, 2016**

Present: Chair, Ladleah Dunn, Arthur Durity, Cathy Hardy, Keryn Laite, Jr., David Barrows and Town Administrator, David Kinney

The quote was read by Selectman Barrows.

1. Town Pier Site Visit:

In addition to the Board of Selectmen, Harbor Committee Members Laprade, Conover, Cronin and Heal were present along with Mike Hutchings, Harbor Master and Kendall Smith, Deputy Harbor Master.

Harbor Master Hutchings explained that facilities were in summer shape and configuration. Beyond items that might come up from day to day were some minor adjustments to the floats, a ram seal on the hydraulic winch that was leaking (vegetable oil) and the water pump not working.

Town Administrator Kinney explained that the orange dots on the deck was his best estimation of the decking that is need of replacement based on the report provided by Pinnacle Hill Engineering; 81 pieces in all.

Nick Heal asked if a pile structure could be built that would allow for the outermost gangway to be lifted off the outer floats in storm events. It was believed that with appropriate permitting and installation this could be accomplished. It was suggested that the concept be brought up during the upcoming harbor planning sessions.

Shey Conover inquired as to whether a stakeholder's workshop could be held on Islesboro. The offer was extended to Islesboro at a \$400 cost and declined. Islesboro stakeholders are welcome to participate in other stakeholder meetings.

Nick Heal mentioned protection/safe harbor being a major issue. He pointed out that skiff damage is commonplace due to the lack of water at low tide particularly during storm events.

Shane Parade inquired as to whether or not metal barges could be used in place of some floats as access points and wave attenuation.

Cathy Hardy suggested that the summary of harbor rules sign with the Harbor Masters telephone numbers on it be lowered for ease of reading.

2. **Citizens' Forum:**

There were none.

3. **Administrator's Report:**

David Kinney, Town Administrator, reported:

- Election Day: Kinney thanked all the Election Clerks for helping on Election Day.
- Rock Lobster Relay: The 200 mile race from Bar Harbor to Portland went through Lincolnville on Friday, June 24, 2016 with no complaints. The Rock Lobster Relay representative contacted Kinney and wanted to know if he received any comments either positive or negative. It appears that all went off without a hitch, at least in Lincolnville.

4. **Meetings & Announcements:**

David Kinney, Town Administrator read the upcoming meetings.

5. **Upcoming Community Events:**

Rosey Gerry reported the Veterans Park Committee will meet on Thursday, June 30 at 6PM at the Lincolnville Library.

Gerry also reported the Lincolnville Strawberry Festival will be held on July 9 at the United Christian Church/Community Building grounds, starting at 9 am and the parade will start at Drake's at 10am.

6. **Meeting Minutes:**

Durity made a motion that the Board approve the June 6, 2016 meeting minutes. Dunn seconded the motion. The motion passed on a 4-0-1 vote (Barrows abstained).

Durity made a motion that the Board approve the June 16, 2016 meeting minutes. Barrows seconded the motion. The motion passed on a 5-0-0 vote.

7. **Update from Energy Team:**

The Lincolnville Library Energy Committee came to the Board back in February and made a presentation about how they would like to assist the Town of Lincolnville with some energy conservation measures. They have been doing a lot of work since then.

Cindy Dunham explained that the Committee has learned a lot and they feel really good about the community and the conservation opportunities that the group has taken advantage of already. Since the last meeting, the Committee did some basic energy auditing, walk-through in town owned buildings, and looked at the street lights. The group has also collected data from all the town accounts to see how much electricity and heating fuel has been used.

Dunham also noted that David Kinney has been extremely helpful and continues to give useful information.

Dunham also stated the committee has been looking at what it might look like, if there is a possibility for Lincolnville to cover our municipal expenses of electricity with solar panels. The group reviewed the town owned sites that have some potential, and met with Lincolnville Fire Chief, Ben Hazen, because the site that would most likely house the solar panels would be at the Fire Station.

John Williams presented the Board with an energy audit and recommendations that resulted in the audit. The major focus would be the Town Office, Fire Station, Beach Street Lights, Bandstand, Beach Fire Station, Pier Lights and the Sand & Salt Shed. These accounts total approximately 59,000 kilowatt hours per year which generates a bill of approximately \$4,400 per year.

The group decided not to include the Lincolnville Central School at this time because the town is a smaller account and they would leave LCS for another day.

Gary Gulezian, member of the Energy Committee stated, "The first step was to determine the size of installation for all of the town buildings and facilities. To do that we used some of the information that John Williams talked about earlier in terms of usage of electricity at those buildings. It comes out to approximately 60,000 kilowatt hours a year and the equivalent that you would need, in terms of a solar array to supply that much power, would be about 150 panels. The cost for these types of panels would be roughly \$100,000-150,000."

These panels could be put on a roof or put into a ground installation. The group is looking to find a single site in town that would house all of these panels. The group recommended a location at the Lincolnville Fire Department property, on the south side of the building.

The Energy Committee's recommendation to the Board would be to issue a request for proposals for a power purchase agreement that would identify what the terms would be.

Durity made a motion that the Town Administrator prepare a request for proposals seeking proposals from solar installer along with power purchase agreements with the goal of complete installation by December 31, 2016. Hardy seconded the motion. The motion passed on a 5-0-0 vote.

8. Declaration and possible Disposal of Surplus Item – Concession Trailer:

Hardy stated that one of the things that the Board talked about to the Rec Committee was the upcoming work ahead that would need to be done on the fields and painting projects.

Hardy asked Donnie Heald if the Five Town Football Group would be willing to assist as volunteers to assist with some of these projects, as a thank you for the concession stand.

Heald explained that he is the Community Outreach coordinator for the Five Town Football's Board of Directors and since he is in charge of these types of events, he would be glad to volunteer to work on the fields or painting projects.

Hardy made a motion that the Board declare the concession stand trailer as surplus and donate it to the Five Town Football. Laite seconded the motion. The motion passed on a 5-0-0 vote.

9. Discussion concerning MCSWC:

Kinney stated the MCSWC Board of Directors recommended that the four towns authorize the Mid-Coast Board to sign an agreement with ecomaine for disposal of solid waste as of April 1, 2018. The voters of the Town of Lincolnville supported Article 19, but was turned down in Camden, Rockport and Hope. There will be a meeting on Thursday, June 30th to continue discussion on how to move forward with this partnership.

Josh Gerritsen, Lincolnville resident, came forward to thank David Kinney and the Board for a great debate regarding this issue at the town meeting. Gerritsen stated that with Camden, Rockport and Hope voting overwhelmingly no on ecomaine, he felt this is a good time to step back and re-evaluate. He urged all Lincolnville Select Board members to take a second look at MRC/Fiberight, LLC and ask if ecomaine is worth \$80,000 more a year in trucking costs. This is a number that will surely rise with price of diesel and is it worth saying no to \$30,000 to \$120,000 in rebates annually for our four towns. Since the MRC was formed, \$2.2 million dollars have come back to our four towns in the last 25 years, as a result of performance credits with PERC.

Gerritsen also stated, "Fiberight can build the frontend of their facility in seven months, the mechanically separating part that pulls the recyclables out of your yellow bags. We know they can build this in this time period because the CEO of the company, Craig Stewart Paul, has built a much larger version in Virginia. Even if there was issue with building the digester, we have a backup to send our waste to the Crossroads Landfill temporarily. Fiberight decided to come to Maine because we have some of the highest tip fees in the nation. That makes this project viable on the \$70.00 tip fee alone including servicing the debt."

Gerritsen urged the Lincolnville Select Board to give MRC/Fiberight a second look and said if we go with ecomaine, we would be asking our citizens to pay a lot more for trash.

Durity explained that the Camden Select Board doesn't think their voters rejected ecomaine, Camden thinks their voters voted no because they wanted more information. It is their intention to provide more information.

Durity said that on Thursday, June 30th there will be a Waste Facility Board and the Select Board members from each have been invited to attend. Hopefully there will be some good dialog to try to reach some kind of agreement that then can be carried forward and voters will approve.

Durity said that everyone involved realizes it's better to stay together and he would expect that there will be some movement in one direction or the other. The goal for the Chair of the Mid-Coast Solid Waste is to keep everybody together, whatever that takes.

Kinney said that the Mid-Coast Solid Waste Board made a recommendation to the Lincolnville Select Board to put this proposal forward, which the Lincolnville residents did and the voters approved it. The other three towns have yet to agree with the Mid-Coast Board or have yet to agree to anything else.

Dunn discussed that the Town of Lincolnville, at the town meeting, voted in support of ecomaine.

Dunn wanted a confirmation that as town representatives on the Board that Art Durity and Cynthia Gerry would support the will of the town.

Durity explained that there was a strong majority of people that voted to go with ecomaine and he would continue with the position of supporting the recommendation to go with ecomaine.

Cynthia Gerry asked if there was a place to represent the minority that was at the town meeting.

Dunn noted that was not the position that Gerry was appointed to be in, she was to represent the majority of the body, which is what a representative does.

Dunn asked Gerry if she would represent the people of Lincolnville.

Gerry agreed and stated she would represent the people of Lincolnville.

Dunn then asked Gerry if she was willing to go and support ecomaine as the Town of Lincolnville has supported.

Gerry asked, "What if new facts come to light that show Fiberight is the better option. I feel that those people voted without having all the information. "

Dunn stated she was still not clear on Gerry's position.

Gerry stated she supported Fiberight.

Dunn stated that was her concern and as a representative of a majority on a board, which is intended to represent the people as a town. There is a distinct difference between voting as an individual and voting as a representative of the people.

Dunn wanted Gerry to clarify whether or not she was willing to do that.

Gerry stated, "No, I don't feel that is the best choice and I don't think all the people had all the information and people should have a Fiberight person to answer questions, so unappoint me if you have to."

Hardy stated, "When you're on a Board, you have to do what the will of the people is. If you have a disagreeing opinion, you can't do it as a committee member."

Dunn said that the significant majority of the Mid-Coast Solid Waste Board supported ecomaine. As well as the majority of the Select Board's followed suit and supported ecomaine. She also felt that if the townspeople had engaged in the dialog, at the open portion of town meeting, other towns would have also voted for ecomaine.

Dunn noted that she would like Gerry to consider whether or not she is willing and able to represent the people of Lincolnville.

Gerry said she will consider it and think about it.

The MCSWC Board will be meeting on Thursday, June 30th to continue its discussion regarding this matter and all Select Board members are encouraged to attend the meeting.

Durity needed to leave the meeting and he excused himself.

10. Grant Agreement with Maine Department of Environmental Protection:

Hardy made a motion that the Board authorize the Town Administrator to sign the grant agreement with the Maine Department of Environmental Protection as soon as paragraphs 8 and 9 of Rider B are satisfactory to the Town Attorney. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

11. Appointments of Municipal Officials:

Kinney explained that the Town Charter requires that the Board appoint all boards, committee, commissions and officials not elected within thirty days to the extent practical of the Annual Town Meeting.

Rosey Gerry has applied for the appointment as a Parking Officer at the Lincolnville Beach area.

Gerry did say that if any person from the Town of Lincolnville becomes interested in the position, he would be willing to give up his position as parking officer.

Gerry stated that this is a job that requires two parking officers, instead of one.

Hardy made a motion that the Board appoint all the names and positions nominated for various town appointments contained in exhibit number 11. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

12. Septage Disposal Agreement:

Hardy made a motion that the Board approve and sign the septage disposal agreement with Moore's Septic of Swanville, Maine. Laite seconded the motion. The motion passed on a 4-0-0 vote.

Hardy thanked Moore's Septic of Swanville, Maine for keeping their rates low.

13. Adopt, Renew, Amend or Rescind Board Policies

Hardy made a motion that the Board of Selectmen approve the Rules of Procedure – Lincolnville Board of Selectmen. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

Hardy made a motion that the Board of Selectmen approve the Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits dated June 27, 2016. Laite seconded the motion. The motion passed on a 4-0-0 vote.

Hardy made a motion that the Board of Selectmen approve the Policy on Treasurer's Disbursement Warrants for Sending Revenue Collected on Behalf of the State to the Appropriate State Agency dated June 27, 2016. Laite seconded the motion. The motion passed on a 4-0-0 vote.

14. Engagement of Auditor:

Barrows made a motion that the Board authorized Ladleah Dunn as Chair of the Board to sign the engagement letter with William H. Brewer to conduct the annual audit with suggested amendments with the amendments. Hardy seconded the motion. The motion passed on a 4-0-0.

15. Assessors' Agent Contact:

Hardy made a motion that the Board approve the Treasurer's and Pay Payroll warrants. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

16. Treasurer's and Payroll Warrant(s) – Approve and 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.

17. Executive Session:

Hardy made a motion that the Board of Selectmen enter into executive session pursuant to Title 1 M.R.S.A. Section 405(6)(E) with the Town Attorney for consultation regarding the Amended Interlocal Agreement to Establish a Joint Solid Waste Facility. Laité seconded the meeting. The motion passed on a 4-0-0 vote.

Hardy made a motion to authorize the Select Board Chair to speak with the Mid Coast Solid Waste representative Cindy Gerry to support the townspeople's vote for ecomaine as voted at the June 16th town meeting and the unanimous Selectmen vote and if not to ask for her immediate resignation from the Mid Coast Solid Waste Board. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

Laité made a motion that the Board authorize the Select Board Chair to write a letter to the Mid Coast Solid Waste Board concerning the Lincolnville Town meeting vote, seek concurrence of other towns with Lincolnville's vote and offer educational assistance in this affect. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

18. Adjourn:

Hardy made a motion to adjourn. Laité seconded the motion. The motion passed on a 4-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant