

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
MAY 12, 2014**

Selectmen present: Rosendel Gerry, Jason Trundy and David Barrows. (Ladleah Dunn and Julia Libby excused absence)

The meeting was called to order by Jason Trundy 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:

- Absentee Ballots are now available at the Town Office for the June 10<sup>th</sup> Election.
- We are finishing up the Town Report to send off to the printers.

3. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**

**Lincolnville Grange is holding a Supper Saturday, May 17th at 5:00 p.m. Proceeds to benefit the Lincolnville Grange.**

**Lincolnville Community Library program is completely sold out, but the public can call Rosey Gerry and he will put them on a waiting list.**

**Lincolnville Memorial Day Parade will start at 1:00 p.m. and there will be a service and a program at 2:00 p.m. at Frohock Brook in Lincolnville Beach.**

**Searsmont Memorial Day and Bicentennial Parade will be Monday, May 26<sup>th</sup>. They are holding a series of Bicentennial summer events.**

5. **Meeting Minutes - April 28, 2014:**

**Motion by Gerry, second by Barrows, that the Board approve the April 28, 2014 meeting minutes as presented. Vote: 3-0.**

6. **Five Town CSD Budget Presentation:**

Elaine Nutter, Superintendent for Five Town CSD, along with Maria Libby, Assistant Superintendent, thanked the Select Board for the opportunity to share information about the budget development process and the outcome as they attempt to control expenditures and increase revenues. They put together the budget in the middle of April and then

received word the Friday before April vacation that a new minimum local mill rate had been determined by the State. The minimum local mill rate is now 8.1 compare to 8.07, a reduction in our subsidy of \$16,996. They redid those numbers and reissued the warrants. She said the key drivers for the distribution of the general purpose aid are the enrollment and property valuations. The enrollment at the Camden Hills Regional High School is actually going up. There is close to 700 students. This year's enrollment increased by 30 students over the course of the summer. One difference this year is that the property valuation is working its way into a rolling average, before it had been based on one year. This year it will be based on the 2012 and 2013 property valuations. The next year it will be a three-year average. She said the purpose for that is to even out the spikes that occur.

Nutter said the Five Town Budget Meeting is May 27<sup>th</sup> and the referendum is June 10<sup>th</sup>. She said starting last year in July they undertook some studies to see what could be done to reduce expenditures. In July they formed a committee to look at outsourcing custodian services. They put out an RFP and two companies were interviewed. For the CSD where we might have anticipated there would be some cost savings from outsourcing it became apparent there would not be. In the fall, we started a comparison of similar districts, not only demographics but also student achievement results. Five school districts were selected across the state. A comparison was made of their per student cost for things like operations, maintenance, instruction and administration--all of the cost centers that we build our budget on. She said we continue to look at areas to see if we are higher and why. The Chair of the Board, Gretchen Richards, Facilities and Operations Director, Keith Rhodes, and Cathy Murphy went to visit Falmouth and asked questions about why their operations and maintenance appears to be lower than CSD. She said their wages are lower and they also have some energy savings that they achieve through a wood pellet boiler. On the revenue side the district has a decrease in appropriations from the State and the result is local taxpayers pick up that difference. The increase in CSD budget for the expenditures side is 3.12%, which is above the target that they would like to have achieved. They were hoping for a lower amount, but could not do that without cutting into programs. She said because of the decrease on the revenue side the actual increase to taxpayers is 5.69%.

Nutter said they have worked hard to become more energy efficient. She said it's been a three phase plan. The first phase, which they already completed, was to convert oil to propane and this budget includes funds for an engineering study for a heat recovery system. The third phase, once they see what the difference is in terms of energy usage with a heat recovery system, would be to look at the possibility of a wood pellet boiler or some other alternative fuel. She said we have also done a great deal with LED lighting and the wind turbine. She said the students are working on some possibilities for solar energy.

Nutter said another possibility to increase revenue is to increase the amount of tuition the school receives. Some of this budget is offset by tuition that comes from our international students who are studying here under an F1 Visa. She said in a public school these students can only stay one year, but if we could keep them for four years that revenue would be even greater. Nutter said the district was approached by the Education Committee of St. George asking if they would be interested in developing a tuition contract with students from St. George should they successfully withdraw from RSU 13. She said in anticipation of them withdrawing our Board has agreed that they would accept St. George students under a

tuition contract. St. George would pay the state average tuition that is set every December by the State, transportation costs, a portion of the CSD debt service and any special education cost. There will be a minimum number of students that would kick in after the first two years. The minimum would be fifteen students and the maximum would be thirty. The contract with St. George would be for ten years if approved and the Board would review the contract after two years. Nutter said because this is a contract it requires voter approval. Because they are a CSD that vote would be taken at their budget meeting rather than at the polls. In the School Board approved budget are the distributions for the Towns. Lincolnville's increase from last year to this year is \$62,220, which is a 4% increase.

Cathy Hardy asked Nutter to address the Vocational Education Line in the budget.

Nutter said they are part of Region 8, which is the Mid-Coast School of Technology by statute. They will remain part of Region 8 until either the statute changes or unless the CSD withdraws from Region 8 and provides a different way of educating career and technical education students. She said the member districts that are defined by statute have what is called a cooperative agreement. The agreement has a costing-sharing formula. CSD's share of the Mid-Coast budget is based on the percent of juniors and seniors. This year those costs went up over \$100,000. She said the Board representatives to Mid-Coast School of Technology have worked to change that cost-sharing formula. That requires first the approval of the Mid-Coast School of Technology Board; then the proposed changes go to each of the sending schools for approval, which would require a majority of the sending schools to make the change happen. The change that would be helpful to CSD would be to base the cost share on the entire high school population of grades nine through twelve rather than just on juniors and seniors. She said they were unsuccessful in having a part of their share determined by the number of students who use Mid-Coast School of Technology. That was not supported by the other superintendents in the Mid-Coast area or the Mid-Coast Board. She said they have convened an Advisory Committee to work through a set of questions and issues looking at every aspect to see if there are barriers for students who want to attend, how the cost is distributed and if it would be different if Mid-Coast Technology were a center instead of a region. She said it's hard to make changes because they have to convince other people. She said it's really how you cut up the pie. If CSD's share is smaller than somebody else's is going to be bigger.

Hardy's response was the whole system is really flawed the way it's structured because the other districts have no incentive to vote for this change if Camden Hills is paying a more than a fair share of the cost.

Nutter said it is difficult, but she is somewhat optimistic they have made some progress. The other option for them is to see if there is another way to provide career and technical education for students. That is on the list of questions that we are working our way through as an Advisory Committee.

Tracy Colby asked how many Lincolnville students attended CSD. What is the cost per student? What is Lincolnville's dollar amount of the budget?

Nutter did not have the number of Lincolnville students attending CSD. She said they spent \$14,155.90 per student. The Lincolnville dollar amount is \$1,619,597 in this year's budget.

## **7. Recreation Commission Update:**

Lesley Devoe, Co-Chair of the Recreation Commission, said she wanted to talk about the budget process because the Commission heard there had been some monies taken from their budget. She was concerned about one committee taking funds from another committee.

Hardy said she had a conversation with Mike Kremin and explained the Budget Committee's thought process to him. The budget that was presented for consideration under Public Works: Other (\$23,505) included the following: Breezemere Park Maintenance - \$2,600, Lincolnville Beach Maintenance - \$7,280, Septage Disposal Contract - \$2,875 and the Athletic Fields - \$10,750. The Selectmen saw there was money in the carryover. The Athletic Field carryover from last year is \$25,780, Beaches Improvements is \$8,994 and Breezemere Park Maintenance is \$13,823. Those three figures added together from carryover amount to \$48,597. The Selectmen decided to keep the \$7,280 for the Beach Maintenance and the \$2,875 for Septage Disposal Contract in the budget for a total of \$10,155. They decided that there is enough money to carry over for the Athletic Fields and the Breezemere Park Maintenance, so they took out the \$10,750 and the \$2,600. She said when the Budget Committee discussed this we looked at the Athletic Fields as a separate line with the \$25,780. Mike sent out a memo about the projects the Recreation Commission had identified. The cost of the improvements amounts to \$23,100. The Budget Committee seeing \$25,780 already in that line decided that there is no need for additional money. The Beaches Improvements line has \$8,994 and for the Beach Maintenance line they are only asking \$2,875, but there is almost \$9,000 to cover that. Hardy said they asked Kinney at the Budget Committee meeting why not just use \$2,875 of those monies to pay the Septage Disposal Contract. The answer we got was I don't know any reason. So based on that information we voted to strike the \$10,155 looking at the fact that you have almost \$4,806 in that line.

Devoe said you actually didn't give it to another group you just removed it from the budget line.

Hardy said they are recommending that the \$10,155 not be in the budget.

Donald Heald said the Recreation Commission is looking into replacing the two ramp floats and to better enhance public access to the boat launching site. He said they plan to purchase an additional float for the swimming area, which will be attached to the land with the other new float that was purchased a year ago. Heald presented a quote for the three new docks for \$10,000. They have the funds to cover that in a separate account.

Kinney said he wanted to apologize to the Budget Committee if he didn't understand the question that was asked of him at their meeting. He thought the question that was asked was whether it was legally permissible to expend this money and he believes it is, but he also thinks it was said at the meeting that whether or not it's permissible doesn't make it

necessarily the right thing to do. He said what is being recommended by the Budget Committee is in essence a radical change from the way that the Town has for the last ten years done budgeting. Kinney didn't think that it is right to tell the people that we are going to appropriate a certain amount of money for recreational purposes and then expend the money for something that isn't recreational. He said part of the concern is just because something is allowable doesn't mean it's necessarily the right thing to do. If we don't want to carry forward recreation money then somebody, when we get to the carry forward article, should offer an amendment not to carry that money forward and instead budget the money where the money is going to be spent. He said that is the prudent way to budget monies. That way it is clear and concise for people before they raise their hand to appropriate money.

Hardy asked Kinney if he was saying that the Septage Disposal Contract for \$2,875 is not designated specifically under the carryover fund down below like the Beaches Improvements.

Kinney said no, the Beaches Improvements monies were raised at Town Meeting for the sidewalks, street lights, the decorative plantings and signage.

Devoe mentioned the older docks have dry rot and asked Kinney about the purchasing new ones.

Kinney asked the Board to delegate the authority to him to assist the Recreation Commission in purchasing the new docks.

**Motion by Gerry, second by Barrows, to authorize the Town Administrator to assist the Recreation commission in purchasing the new docks. Vote: 3-0.**

Devoe said Megunticook Watershed Association has agreed to give us a speed buoy, so that when people come in with their boats they will slow down. She said they would like to put swim markers around the swim area or at least a couple of buoys for safety. She said Heald would like to take the beach dock that's on the land where swimmers go and shift it to the left a little bit to make it ADA accessible and also add another dock there as well.

Trundy asked if there were guidelines that had to be met.

Kinney said certainly navigational aids can be used and the State regulates what they look like and how they are colored and striped. He said for the swim area a permit is required.

Devoe said the lake warden is going to place the buoys for them.

Gerry said he would like to see the Boat Club involved with this decision.

Trundy said he would like the Recreation Commission to reach out to some of the neighbors and inform them of their plans.

Devoe said she already had a call into Gary from the Boat Club and they also plan on talking to the neighbors.

Devoe said on the land side of things they are progressing on the ball fields and have already opened the hot dog shack. She said the school is fine with them having electricity come from their system. They have started the senior soft ball league and could use donations of equipment and coaches. She said there was harmony on both water and land.

**8. Lincolnvile Community Alliance – Crosswalk and Signage, Lincolnvile Center:**

Jim Dunham said the Boat Club was in agreement with putting in the crosswalk from the Library over to the Boat Club property. He said they still need to design a landing on the Boat Club side because right now it's an open parking area. David Allen, from DOT, said they need to just make sure the landings are set forth as described in the DOT crosswalk policy. Allen also said as far as signage warning motorist that would be something the Town would take care of. Dunham asked Kinney the time line if they were to get it done this year. He said he understood the Town had a crew coming in to paint lines down at the beach.

Kinney said they were a phone call away and would come back.

Dunham said when the Committee develops the proper landing at the Boat Club do we call Kinney at that point and say they are ready for the crosswalk paint to go down or does he have to come back before the Board.

Trundy said if signage is required it probably should be done at the same time.

Kinney asked Dunham if his group agreed to pay for this or did the Town. Kinney said if the Town agreed to pay we have the posts and he would order the signs.

Gerry asked the cost to stripe and put up the signs and if it could come out of contingency.

Kinney said the cost would be a couple of hundred dollars. He said the Town has money for signage and striping in the budget.

Trundy said the Board has always been in favor of moving this forward. He asked if Kinney needed a motion.

Kinney said it was not necessary.

Dunham said the Committee asked a professional sign maker to do a mockup for them and they voted for a design. Dunham shared the design with the Board. There are four signs that say "Entering Lincolnvile Center" and they will be placed in four locations. Dunham displayed a map to the Board showing the four different locations. The Lincolnvile Community Alliance is prepared to pay for these signs however they don't know what it takes to put them up. He asked if that was something the Town would be willing to do. Dunham said they will need to get permission from a couple of private property owners.

Kinney said the Selectmen can give permission for the sign on the Town property. He said they need to physically locate where each one of those yellow marks are on the map out there in the field and determine whether it's in the right of way or private property.

The Board was in agreement to putting up the four signs.

**9. Concept for Veterans' Memorial:**

Gerry, member of the Memorial Day Committee, presented a concept for a Veterans' Memorial. He said he would like to thank Julie Turkevich for her help in putting this sketch together. We are looking at a corner piece of the Millington property, which is owned by the Town. He said this is at no cost to the Town and will be funded by private contributions. Gerry would like to talk with the Recreation Commission, Boat Club, Conservation Commission and any other committee in Town that might have an interest for that piece of land. Gerry would like to form a committee with a representative from the Recreation Commission, Conservation Commission, Boat Club and the Library Committee so that they are kept inform. Diane O'Brien from the Historical Society would also be involved in this project. Gerry said they would like to move the existing memorials on the same piece of property. He said he would like to have it nicely landscaped.

Kinney clarified the property is the former Millington property, owned by the Town, that exists between Norton Pond Road, Breezemere Park and the Library. It is not on the portion of property that the Town leases to the Historical Society for the Library. Kinney said the Town has a Voluntary Response Action Program (VRAP) with the State of Maine and a no further action insurance letter. He said as long as we meet with certain parameters the State won't require us to do any more environmental clean up to that site.

**10. Liquor License Renewal – Inn at Sunrise Point:**

**Motion by Gerry, second by Barrows, that the Board approve and sign the liquor license application submitted by the Inn at Sunrise Point, LLC. Vote: 3-0.**

**11. Approve Special Town Meeting Warrant for May 20, 2014:**

**Motion by Gerry, second by Barrows, that the Board approve and sign the Special Town Meeting Warrant for May 20, 2014. Vote: 3-0.**

**12. Approve Annual Town Meeting Warrant for June 10/12, 2014:**

**Motion by Barrows, second by Gerry, that the Board approve and sign the annual Town Meeting Warrant for June 10/12, 2014. Vote: 3-0.**

**13. MaineDOT One Day Beach Road Detour onto Youngtown Road Request:**

Kinney said the Maine Department of Transportation is planning a culvert replacement on Rte. 173 Beach Road early to late June. DOT would like to detour traffic onto Youngtown Road for 1 day with the Town's permission.

**Motion by Gerry, second by Barrows, that the Board authorize the Maine Department of Transportation detour of State Route 173 traffic onto the Youngtown Road for one day between June 22<sup>nd</sup> and August 29, 2014 or on a day prior to June 22<sup>nd</sup> if the Route 173 work can be open to traffic until 8:30AM and then be re-opened to traffic by 3PM. Vote: 3-0.**

**14. Draft Building Use Policy:**

Kinney said a month ago we had a request from the Lincolnville Sewer District to utilize space in the Town Office. The Board asked Kinney to research the issue. Kinney said the Board could limit outside use to governmental type agencies, but if the use is available to outside entities it has to be available to all.

Gerry asked if Kinney needed a motion.

Kinney said the Board could have discussion on the policy or approve the draft as it's written.

Trundy said number five, under c. section, states "The proposed use of the meeting room or the conference room will not last for more than three hours". His concern is if there is a legitimate use he is not sure we should limit the time of the meeting or workshop.

Kinney said the Board could strike that from the draft. He said we have not been overwhelmed by requests.

**Motion by Gerry, second by Barrows, to approve the Draft Building Use Policy govern use of Lincolnville Town Office building by governmental entities and others with number five stricken. Vote: 3-0.**

**15. Authorization to sell South Cobbtown Road parcel:**

**Motion by Gerry, second by Barrows, that the Board authorize and direct the Town Administrator to execute any necessary paperwork reasonably incident to the sale of the property known as the Ducktrap Resources lot (Tax Map 29, Lot 25) to Wesley and Emily Dean consistent with the January 2012 Town Meeting authorization. Vote: 3-0.**

**16. Upcoming Board of Selectmen Meeting Schedule:**

Kinney said the next Board meeting was scheduled for Tuesday, May 27<sup>th</sup>. In his capacity as Town Clerk he will be at the Five Town CSD budget meeting on the 27<sup>th</sup>. The Board could meet without Kinney if it chooses. Wednesday, May 28<sup>th</sup> is the Planning Board Meeting. Kinney suggested that the meeting be postponed until Monday, June 2<sup>nd</sup> because the following week, which is the Board's regularly scheduled June meeting, is the night before Elections and he will be at the school setting up the polls.

The Board agreed to hold their next meeting on June 2<sup>nd</sup>. The regular Board schedule would resume on June 23<sup>rd</sup>.

17. **Approve Public Hearing Notice – Proposed Consumer Fireworks Ordinance:**

Motion by Gerry, second by Barrows, that the Board approve a Public Hearing Notice on the proposed Consumer Fireworks Ordinance for Thursday, May 22, 2014, at 6:30 p.m. at the Town Office. Vote: 3-0.

18. **As Board of Assessors – 2014 Ratio Declaration & Homestead Reimbursement Form:**

Motion by Gerry, second by Barrows, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: 3-0.

Motion by Gerry, second by Barrows, that the Board approve and sign the 2014 Ratio Declaration and Reimbursement Application. Vote: 3-0.

Motion by Gerry, second by Barrows, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote: 3-0.

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

Motion by Gerry, second by Barrows, that the Board approve the Treasurer's and Payroll warrants. Vote: 3-0.

20. **Adjourn:**

Motion by Barrows, second by Trundy, to adjourn. Vote: 3-0.

Respectfully Submitted,  
Cheryl Ten Broeck  
Administrative Assistant