

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
April 12, 2021**

**Present (remotely):** Chair, Ladleah Dunn, Vice-Chair, Keryn Laite, Jr., Josh Gerritsen, Mike Ray, Jordan Barnett-Parker, and Town Administrator, David Kinney

Chair Dunn read portions of the opening of the agenda regarding the provision for remote meetings during the current state of emergency, including how the public could view and participate in the meeting and that all votes taken during the public proceeding would be taken by roll call.

Selectman Laite read the quote.

**1. Citizens' Forum (6:30 PM +/-, televised and public Zoom session starts):**

There were none submitted via email or on the chat.

**2. Administrator's Report:**

David Kinney, the Town Administrator, noted:

- Nomination Papers: Nomination papers were due back by April 9, 2021, by 4:30 PM.

The Town received four nomination papers for the Lincolnville Central School Committee and two nomination papers for the Board of Selectmen.

The Town did not receive nomination papers for the CSD School Committee or the Budget Committee; therefore, those positions will still be included on the ballot in June and will be eligible for write-in candidates.

- Dog Licenses: If you have not registered your dog, please do so as soon as possible, at the Town Office, during regular business hours.

**3. Meetings & Announcements:**

Chair Dunn read the meetings and announcements.

**4. Upcoming Community Events:**

There were none.

**5. Meeting Minutes – March 8, 2021:**

Laité made an amended motion, seconded by Gerritsen, that the Board approves the March 22, 2021 meeting minutes as presented. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

Laité made a motion, seconded by Ray, that the Board approves the March 30, 2021 meeting minutes as presented. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

**6. Liquor Licenses Renewal Application – Lobster Pound Restaurant:**

Laité made a motion, seconded by Gerritsen, that the Board approve and sign the liquor license application submitted by Lafayette Lincolnville, LLC doing business as The Lobster Pound Restaurant. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

**7. 6:30 PM – Liquor License Public Hearings:**

**The Lincolnville Motel – 4 Sea View Drive:**

Laité made a motion, seconded by Gerritsen, that the Board opens a public hearing concerning the liquor license application being sought by The Lincolnville Motel. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

No public comment was offered.

Laité made a motion, seconded by Gerritsen, that the Board closes the public hearing. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

Barnett-Parker welcomed Amory to the area and was excited to see what she is going to do with the business.

Alice Amory, owner of the Lincolnville Motel, felt this would help move her business forward and help support a food program this year.

Dunn asked the Board to stop by the Town Office and sign the Liquor License application in the next couple of days.

Laité made a motion, seconded by Gerritsen, that after having held a public hearing that the Board grant the liquor license request by The Lincolnville Motel. Vote: Laité – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

The Board thanked Amory for attending the meeting.

**Pine Grove Maine – 2076 Atlantic Highway:**

**Ray made a motion, seconded by Laite, that the Board opens a public hearing concerning the liquor license application being sought by Pine Grove Maine. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

No public comment was offered.

**Laite made a motion, seconded by Ray, that the Board close the public hearing. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

Barnett-Parker asked the applicant if this was the first time handling a liquor license for this kind of business.

Bryan & Rebekah Hinds, owners of Pine Grove Maine, explained that this was their first liquor license, and both were very excited to support other small businesses in the area.

**Laite made a motion, seconded by Barnett-Parker, that after having held a public hearing that the Board grant the liquor license request by Pine Grove Maine. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

The Board thanked Bryan & Rebekah for attending the meeting and wished them great success with their new business.

**8. Committee Chair and Department Head Update(s):**

**Inland Waterways Mooring Committee Update – Jay Foster:**

Jay Foster came before the Board to give an update on all the work done by the Inland Waterways Mooring Committee and now, they want to know how to proceed and move forward on this issue.

The Board was presented with a draft of the Inland Fresh Water Mooring Ordinance and a copy of a conversation between Foster and the Harbor Master of Harrison, Maine. The Inland Waterways Mooring Committee chose to model the Town of Lincolnville's ordinance after the Harrison, Maine ordinance, because of the size of the town.

Foster explained that before the committee moves forward to finalizes the draft, they want to know how to include administration into the ordinance.

Foster stated, "We have been told by the Town attorney that you can't say nobody can have a mooring anywhere because people are entitled to that because it's the State of Maine's water, so we are trying to accommodate that but not create an over-regulation. If you read the draft submitted by the Town attorney, it's a straight forward regulated, permitted, fee-driven,

administrative ordinance that requires an annual renewal, data collection, it requires follow-up, filing, fee collection, and enforcement. Therefore, the choice, as far as we are concerned, is that we do something, since the Town requested us to do that and the choice that we are leaving for everybody is whether or not we go with regulation for moorings and giving the authority to the inland harbor master to regulate and have authority over those moorings, or we go with a full-blown ordinance allowing the Town to administering all the administrative responsibility that goes along with having that type of ordinance.”

Foster explained that Justin Twitchell, Inland Harbor Master, is looking for a complaint-driven enforcement authority.

Dunn wanted to know the workload impact to the Town office staff and the Inland Harbor Master.

Kinney told the Board that the increased workload burden would be in the initial set-up for the record keeping.

Kinney recommended requiring that all individuals owning a mooring be required to be permitted and registered with the Town.

Dunn asked if the Board wants to continue to pursue an ordinance.

Barnett-Parker felt that it was important to take care of this issue now before there is a problem and allow the Inland Harbor Master to use his discretion and go after a complaint- driven system. He felt it was important to have a system in place to follow, even if the Town doesn't have to use it.

Ray concurred with Barnett-Parker and he felt it was important to create an ordinance to present to the voters for final approval.

Gerritsen was in favor of creating an ordinance as long as it can be done in a way that is not overly burdensome.

Dunn recommended moving forward with a version of the draft ordinance to present to the voters, which would be in the best interest of the Town.

Kinney told the Board that it is too late to put this before the voters in June, but he could work on creating a draft that would be presented to voters in November for a Public Hearing. He recommended starting the communication process with people who are mooring holders now, to help work with the Town to become educated on the new potential ordinance.

The Board concurred.

The Board thanked Foster for attending the meeting and to the Inland Waterways Mooring Committee for all the work that went into this task.

**9. Consideration of Tanglewood Road – Mike O’Neil:**

Michael O’Neil, a Lincolnville resident, came before the Select Board regarding the condition of the Tanglewood Road and voiced his concerns with the safety of the numerous pedestrians that walk and bike on this dirt road.

O’Neil asked if the Town would be willing to conduct a study on ways to improve the condition of the dirt road, whether it’s by using better gravel, better drainage, or reshaping the road.

O’Neil was in favor of paving the road, but had some reservations because of the potential increase of vehicle speed.

O’Neil encouraged the Board to read all the emails which were submitted by other residents on the Tanglewood Road, also voicing their opinion regarding the condition of the road.

The Board thanked O’Neil for attending the meeting and participating.

Richard Bouchard, a Facilities Coordinator at Tanglewood 4-H Camp & Learning, stated, “I feel that the State Park should be included in this conversation, because of the heightened use and therefore the road needs to be engineered to handle this use. If collectively we all want a dirt road, then we should engineer the road to handle the mean highest use of that road, during the summertime and springtime mud season, so that the neighbors on the road have a safe passage.”

The Board thanked Bouchard for attending and explained this will be an ongoing topic.

**10. Board Discussion regarding how to move forward with road improvements:**

After the Board discussed different options, the final discussion was to take a more holistic approach. They felt that this was a great opportunity for the Board to become educated on the condition of all the gravel roads in town and take a comprehensive view on both the structural status and the use of how each road is utilized.

The Board decided to hold a workshop or a listening session, which would be advertised to encourage anyone living on a gravel road to participate and conduct another tour of infrastructure and then have a conversation on which direction the Select Board will take and how the Town can afford it all.

Laite noted that there is a process and he felt it was important for the Select Board to take a road trip to visit all the gravel roads and he agreed that the Town needs to spend some money and take care of them one at a time.

Laite also spoke about maintaining the paved roads as well.

Gerritsen spoke in favor of all the Board members conducting a field trip and he wanted a list of all the dirt roads in Lincolnville and discussing whether or not to pave them and what that long timeline looks like and what it will cost.

Ray spoke in favor of the Board taking a road trip to visit all the dirt roads and he suggested looking at all the possible players such as State Park or other agencies that could take some of the weight, such as Tanglewood Road.

Barnett-Parker felt it was important, in the meantime, to keep the current dirt roads functional.

Dunn suggested that going forward, the Board review opportunities to act on all the suggestions from tonight's meeting.

Dunn thanked everyone who participated in tonight's discussion.

**11. Request for Resolve supporting LCI/Tidewater ConnectME Infrastructure Grant Application:**

Alan Hinsey, Director of Marketing, Sales & Communications with LCI/Tidewater, attended the meeting seeking support from the Lincolnville Select Board as they prepare to submit a ConnectME Round 1 Proposal Grant to extend fiber-optic broadband availability in Lincolnville, Hope, and Appleton.

Hinsey told the Board that they are not asking for any financial contribution from the Town for the potential Round 1 grant application, just seeking support for their application from the Town Select Board and the Broadband Committee.

Josh Gerritsen read the following letter which he wrote:

I have thought long and hard about LCI's proposal to jointly apply for a ConnectME Grant, but I have decided that working with LCI is not in the best interest of Lincolnville.

Their least expensive fiber option in Lincolnville, 50 down and 10 up, is \$90 a month. This includes a phone line that they require subscribers to have. They also require that residents sign a three-year contract. I do not know of any other fiber internet option in the country that is this slow and this expensive or requires such a long contract.

There is an unprecedented amount of federal and state money flowing into broadband expansion projects, and I don't think it's right that these funds go to expanding fiber networks that are monopolies. LCI is the internet monopoly in our town. Every tax dollar that goes to expanding networks should be for open access networks, where multiple service providers can offer internet service. Not monopolies.

So what should Lincolnville do instead? We should continue to work with the Midcoast Internet Coalition, a group of eight municipalities and counting in the Midcoast, to form a regional internet utility that would build an open-access fiber-optic network in our community. Midcoast Internet would run fiber to every home and no one would get left behind. The minimum speed would be 100/100 while offering 1 gig service for those who want it, and the network would be open so multiple service providers could offer internet service. Who doesn't love competition?

This is a once-in-a-generation opportunity to build a network like this. The massive amounts of federal and state money for broadband can help jumpstart the project, and the rest can be funded through revenue bonds that would not increase taxes on anyone.

It is also important to note that if we join LCI on this ConnectME grant application, we are shutting the door to working with the coalition, as we will be actively working against building an open-access network in our town. We would be choosing a short-term fix versus a long-term solution.

I invite everyone in our community: from Lincolnville, Hope, Northport, Camden, Rockport, Rockland, Thomaston, South Thomaston, and others, to join our coalition to build an open-access network that serves everyone. We will be more successful if we work together.

Barnett-Parker stated, "I don't think this is a good option for Lincolnville. We would be remised if we helped a private, for-profit company acquire public tax money intended for the freeing of and creating of equity for underserved municipalities, as far as broadband, and us helping you do that, I don't see that furthers our goal of 100% coverage for houses in Lincolnville and I don't think this is good for the Town of Lincolnville."

Hinsey thanked the Board for all the work that the Board has done with the Midcoast Broadband Coalition.

Hinsey told the Board that they reserve the right to go ahead and apply for the grant with or without the support from the Town of Lincolnville.

The Town of Appleton, Bristol, and Waldoboro has given their support to move forward with the ConnectME grant, and Hinsey is meeting with the Town of Hope tomorrow night to seek their support.

No action was taken.

Hinsey thanked the Board for their time.

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

### Midcoast Internet Coalition:

**Barnett-Parker made a motion, seconded by Gerritsen, that the Board appoints Steven Koltai to the Midcoast Internet Coalition as a regular member with a term expiring June 2021. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

### Broadband Committee:

**Laite made a motion, seconded by Ray that the Board appoints Gina Sawyer to the Broadband Committee as a regular member with a term expiring June 2021.**

**Laite made a motion, seconded by Gerritsen, that the Board appoints Steven Koltai to the Broadband Committee as a regular member with a term expiring June 2021. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

Comprehensive Plan Review Committee:

**Ray made a motion, seconded by Gerritsen, that the Board appoints Cheryl Nevius to the Comprehensive Plan Review Committee as a regular member with a term expiring June 2021. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**Laite made a motion, seconded by Gerritsen, that the Board appoints Lys McLaughlin-Pike to the Comprehensive Plan Review Committee as a regular member with a term expiring June 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**Barnett-Parker made a motion, seconded by Ray, that the Board appoints Drew Strout to the Comprehensive Plan Review Committee as a regular member with a term expiring June 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**Gerritsen made a motion, seconded by Laite, that the Board appoints Patricia Shannon to the Comprehensive Plan Review Committee as a regular member with a term expiring June 2023. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

The Board thanked everyone for volunteering their time to be involved.

**13. As Board of Assessors – Abatement #2020-06, Epperson 17 Lanning Lane:**

**Gerritsen made a motion, seconded by Laite, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

Kinney explained that a property owner (Matthew & Molly Epperson) purchased a portion of land at 17 Lanning Lane with only some buildings, the town had they assessed for the entire property, therefore this reduced their total valuation by \$29,500 resulting in abatement of \$454.30.

**Gerritsen made a motion, seconded by Laite, that the Board grant abatement #2020-06 to Matthew and Molly Epperson, Account # 1370 in the tax amount of \$454.30 to correct an error in the record regarding the valuation of the land and buildings. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**



**Laite made a motion, seconded by Barnett-Parker, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**14. Consideration of Special Town Meeting Warrant LCS Budget for June 8, 2021:**

Kinney presented the Board with a copy of the Annual Town Meeting Warrant for the Board to review, approve, and sign.

**Laite made a motion, seconded by Gerritsen, that the Board of Selectmen approves and sign the annual town meeting warrant for June 8, 2021. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**15. Consideration of Special Town Meeting Warrant LCS Budget for June 8, 2021:**

Kinney also presented the Board with a draft copy of the Special Town Meeting Warrant for the Lincolnville Central School Budget, which will be considered by a separate referendum ballot on Tuesday, June 8, 2021. The absentee ballots will be available 30 days before the election, or one may vote in person at the Lincolnville Central School Gymnasium on Election Day from 8 AM to 8 PM.

**Laite made a motion, seconded by Ray, that the Board approves and sign the Special Town Meeting warrant for June 8, 2021, for the consideration of the Lincolnville Central School budget. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**16. Countersign Warrant and Notice of Election Calling Five Town Community School District Budget Referendum for June 8, 2021:**

**Gerritsen made a motion, seconded by Laite, that the Board approves and countersign the Warrant and Notice of Election Calling Five Town Community School District Budget Referendum to be conducted on June 8, 2021. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**17. Fire Dept Surplus Equipment:**

Don Fullington, Fire Chief, explained that recent upgrades have been made to the self-contained breathing apparatus (SCBA) and the department is seeking permission to donate the old SCBA equipment but not the compressor and they recommended donating them to the Matinicus Fire Department.

Kinney explained that if the compressor or any other equipment is worth more than \$5,000 then the Board does not have the authority to dispose of the item, and it would need to go before the voters.

Kinney had a conversation with Paul Russo, Lincolnville Central School Principal, regarding using the outdoor space to hold a socially distanced Town Meeting to seek voter approval. Dunn suggested that it would be more efficient to package the air compressor and the John Deere tractor together in a special town meeting, then those funds could go specifically back to the Lincolnville Fire Department.

**Gerritsen made a motion, seconded by Laite, that the Board declare the SCBA bottles and air packs as recommended by the Fire Chief as surplus with a value of less than \$5,000 and to authorize the Chief to donate those to a fire department in need. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

Gerritsen recommended holding a special town meeting, as soon as possible, to seek permission from the voters to sell or seek bids.

Kinney recommended that the Board seek voter approval for the Board to have the authority to dispose of the air compressor system and the John Deere tractor on terms the Board deems in the best interest of the Town and with the proceeds from any sale to go to the Firetruck fund. Then a warrant could be prepared, for the next Select Board meeting to be signed and posted and citizens could attend.

The Board thanked Chief Fullington for joining the meeting.

#### **18. Discussion regarding Life Insurance for Firefighters:**

Selectman Barnett-Parker requested that the Board have a conversation regarding providing the town firefighters with term life insurance with a coverage amount between \$50,000 and \$100,000.

Barnett-Parker requested that more information be provided on whether or not Maine Municipal Association provides this type of coverage. If not, he would like to look into the cost to cover at least a minimum of \$50,000 to \$100,000 worth of term life insurance.

Ray felt this was a great idea to pass this suggestion on to the Wage & Personnel Board to see what they can find out.

Don Fullington, Lincolnville's Fire Chief, felt that this was an excellent idea to be able to offer this coverage for the family.

The Board was in favor of creating a supplemental charge for the Wage and Personnel Policy Board to do the leg work.

**Barnett-Parker made a motion, seconded by Gerritsen, to have the Town Administrator prepare a supplemental charge to the Wage and Personnel Policy Board concerning a possible life insurance benefit for the town's firefighters for the Board's consideration.**

**Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.**

**19. Community Project Funding:**

Kinney explained that the House Appropriations Committee is considering adding earmarks to the budget, which would fund various improvements on projects on a specific basis and community engagement and support is crucial to determine which projects are worthy.

Unfortunately, Kinney told the Board that it's hard to engage the community when the deadline to apply for this is in two days and due on April 14, 2021.

After the Board had a brief discussion, they decided they could all think of tons of great projects, but unfortunately, there is not enough time to submit a request for the Community Project Funding.

**20. Selectmen Update(s):**

Laite: The next Mid-Coast Solid Waste Board of Directors will meet the first week of May.

Gerritsen: The Mid-Coast Broadband Coalition has held several meetings and trying to learn as much as possible about all that is happening on the national front with ConnctME. The next meeting will be held on April 14, 2021.

Camden and Rockport are trying to get something on the ballot for June to have an inter-local agreement between the two towns and once there is an inter-local agreement, the Regional Broadband Utility will be formed and grants can be applied for and funding can be received.

Ray: He was recently contacted by email from someone regarding concerns with sidewalks in the center and they requested to be on the next Select Board agenda.

Barnett-Parker: No updates at this time.

Dunn: No updates at this time.

**21. Treasurer's and Payroll Warrant(s)-Approve & Sign:**

**Laite made a motion, seconded by Ray, that the Board approves the Treasurer's and Payroll warrants. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker, Yes, Dunn – Yes. Motion carried 5-0.**

**22. Executive Session – Title 1 MRSA Section:**

**Laite made a motion, seconded by Barnett-Parker, that the Board enter into executive session pursuant to Title 1 MRSA Section 405(6)(C) to discuss the possible disposition of real property where premature disclosure of the information would prejudice the**

competitive bargaining position of the Town. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker-Yes, Dunn – Yes. Motion carried 5-0.

**23. Adjourn:**

Barnett-Parker made a motion, seconded by Ray, to adjourn. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Barnett-Parker - Yes, Dunn – Yes. Motion carried 5-0.

Respectfully submitted,

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Melissa A. Geary  
Administrative Assistant