

**TOWN OF LINCOLNVILLE  
SELECT BOARD MEETING  
April 22, 2024**

**Present:** Chair, Ladleah Dunn, Vice-Chair, Keryn Laite, Jr., Mike Ray, Stephen Hand, and Town Administrator, David Kinney

**Excused:** Robyn Tarantino

The quote was read by Ray.

1. **Citizens' Forum:**

Susan Silverio, a Lincolnville resident, and Heart & Soul Project Coordinator directed everyone to pages 176 & 177, of the Heart & Soul Statement, which was the results of an entire year of interviews, surveys, stories and presented at the Summit on February 11, 2024, followed by a 30-day vetting period.

Silverio reported she was pleased with the results and happy to present these statements and now starting on Phase III.

The Board thanked Silverio for her update.

2. **Administrator's Report:**

David Kinney, the Town Administrator, noted:

- **Moody Mountain Road:** This road will be closed to through traffic on Thursday, April 25, 2024, for a replacement of a culvert.
- **Road Commissioner Report:** Spring clean-up has commenced, and taken down a couple of dangerous trees in front of the Town Office, Road grading is ongoing, roofing project at the Beach Fire Station, and the incline is back in service on the eastern end and should be back in service as soon as possible.
- **Sea Wall & Sidewalk:** The sea wall and sidewalk repairs commenced today at the beach.
- **Beach Bathrooms:** The roof has been put back together but still waiting on the siding.
- **Ballots:** Diligently working on the ballots for June with the ballot printer and programmer.
- **Calderwood Lane:** Last week there was a pre-construction conference regarding Calderwood Lane, which is scheduled to start in May and be completed by June.
- **Floats:** The floats are in at Breezemere Park.

- **FEMA**: Working with FEMA on the December storm declaration.
- **American Rescue Plan Act**: By the end of this month, the Town needs to have our American Rescue Plan Act reporting of use of funds submitted.
- **Culvert**: The culvert at Howe Pointe Road has been cleaned out.

3. **Meetings & Announcements:**

Administrator Kinney read the meetings and announcements.

4. **Upcoming Community Events:**

There were none.

5. **Meeting Minutes – April 8, 2024:**

Laite made a motion, seconded by Ray, that the Board approve the April 8, 2024, meeting minutes as presented. The motion passed on a 4-0-0 vote.

6. **Consideration of Appointment(s):**

**Recreation Commission:**

Laite made a motion, seconded by Hand, to appoint Brianna Rossiter to the Recreation Commission as a regular member with a term expiring June 2026. The motion passed on a 4-0-0 vote.

**Town Attorney:**

Hand made a motion, seconded by Laite, to appoint Mark Bower as the Town Attorney with a term ending June 2024. The motion passed on a 4-0-0 vote.

**Election Clerks:**

Ray made a motion, seconded by Hand, that the Board appoints for a 2-year term all the Election Clerks provided to us on the lists dated April 22, 2024. The motion passed on a 4-0-0 vote.

7. **Liquor License Renewal Application – Ruff, Inc. (D/B/A Inn at Sunrise Point):**

Laite made a motion, seconded by Hand, that the Board approve and sign the liquor license application submitted by Ruff, Inc. doing business as the Inn at Sunrise Point. The motion passed on a 4-0-0 vote.

8. **Lincolntonville Historical Society – Proposed Lincolntonville Beach Sign Supplement:**

Diane O'Brien and Cheryl Wienges from the Lincolntonville Historical Society came before the Select Board seeking permission to gift and install a new sign attached to the current "Welcome to Lincolntonville Beach" sign, which would be placed on the Town parking lot on Route 1. This new addition sign would say, "MAG-WIN-TE-GWAK, Penobscot for Choppy Seas"

Dunn asked O'Brien & Wienges if they were able to contact the Penobscot Nation themselves for name verification.

Wieniges explained that the name came from a published map and made endless calls to Mr. Francis along with handing him a letter, with no response.

Laite suggested another attempt at contacting Mr. Francis before making a final decision or motion.

Dunn suggested that O'Brien & Wienges reach out to Mr. Francis one more time to obtain either an email or letter with a concurrence with approval that this is the appropriate and respectful name to adopt.

O'Brien and Wienges concurred and will report back at the May 13<sup>th</sup> Select Board meeting.

The Board thanked O'Brien and Wienges for starting this conversation.

9. **(6:30 PM) Public Hearings:**

**Dunn made a motion, seconded by Laite, that the Board open the Public Hearing concerning the extension of the Major Non-Residential Development Project Moratorium Ordinance. The motion passed on a 4-0-0 vote.**

• **Consideration of Extension of Major Non-Residential Development Project Moratorium Ordinance:**

Kinney offered the following information:

On December 11, 2023, a moratorium on major non-residential development was enacted by Town Meeting, and without Select Board action, the moratorium is scheduled to expire on May 11, 2024. The applicable law allows after notice and hearing, the moratorium to be extended by the Select Board for an additional 180-day period under certain circumstances and the Board must determine the following:

1. The problem giving rise to the need for the moratorium still exists
2. Reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

Kinney also explained that since the ordinance was adopted the Select Board has:

- Prepared a charge to the Land Use Committee (LUC). The Land Use Committee per our town charter is the committee that writes rewrites and/or amends the land use ordinance in collaboration with the Planning Board.
- Found and appointed individuals to serve on the Land Use Committee
- Prepared a request for qualifications for an outside consultant to assist the Land Use Committee in its work.
- Enter into agreement with the Midcoast Council of Governments for facilitation services.

The Land Use Committee has met multiple times and several times with the facilitator. After their March 11<sup>th</sup> meeting reported “great progress” but recognized that their work was far from complete and that nothing would be ready for consideration by the voters before the expiration of the moratorium ordinance and therefore voted to seek the extension.

The Board opened the floor for public comments:

Susan Silverio, a Lincolnville resident, suggested that all meetings should be posted on the Town’s website calendar, but the Land Use Committee’s meeting today, April 22, 2024, was not published.

**Ray made a motion, seconded by Hand, to close the Public Hearing. The motion passed on a 4-0-0 vote.**

**Hand made a motion, seconded by Laite, to move that the Select Board find that the problems giving rise to the need for the moratorium still exist and reasonable progress is being made to alleviate the problems., that all of the provisions of the Town of Lincolnville Major Non-Residential Development Project Moratorium Ordinance are hereby extended for an additional one hundred and eighty days. The motion passed on a 4-0-0 vote.**

Ray asked to hear from someone who attended the Land Use Committee meeting, which was held just before this Select Board meeting.

Adi Philson gave the following update from today’s Land Use Committee meeting:

- The first meeting was an introduction which talked about the goals of the process.
- The focus was talking about some of the tools that other towns and cities have used and pursuing some of those tools.
- The emphasis will be on a justification for anything that the Committee is proposing.

The Board thanked Philson for her updates.

- **Special Amusement Permit Celladoor Winery:**

**Hand made a motion, seconded by Laite, to open the public hearing concerning the Special Amusement Permit Application filed by the Cellardoor Winery. The motion passed on a 4-0-0 vote.**

No public input.

**Ray made a motion, seconded by Hand, that the Board closed the public hearing. The motion passed on a 4-0-0 vote.**

No Board deliberations.

**Laite made a motion, seconded by Ray, that after having a public hearing, that the Board finds that the application submitted by the Cellardoor Winery complies with the standards set forth in the Ordinance Governing the Issuance, Suspension, and Revocation of Special Amusement Permits for the Town of Lincolnville and the permit be granted. The motion passed on a 4-0-0 vote.**

10. **Application(s) for Extension of Liquor License – Cellardoor Winery:**

**Laite made a motion, seconded by Hand, that the Board approve and sign the requests for extension of license privileges as submitted by the Cellardoor Winery. The motion passed on a 4-0-0 vote.**

11. **Maine DOT Update – Ferry Terminal Parking Project:**

Kinney explained that last year the Maine Department of Transportation commenced with a parking study for the Lincolnville Ferry Terminal. Shortly after the study commenced, the former McLaughlin's Lobster Shack property was listed for sale, which the State of Maine acquired a Purchase and Sale Agreement in November and closed on the property in March of 2024.

The Lincolnville Select Board invited Aurele Gorneau, the MaineDOT Project Manager to attend the meeting, which he did via Zoom.

Dunn reminded everyone that this agenda item will only focus on the ferry project parking lot area.

Gorneau explained he was tasked with this project last year, to hire a design firm to identify what the needs were for parking for the ferry terminal and what those options in the area might be.

Gorneau noted that Gorrill Plamer out of South Portland, Maine was hired to conduct a parking study of the existing conditions. Before the completion of the study, the McLaughlin's parcel went on the market and the State of Maine determined this parcel was worth purchasing.

Marie Irrera, a Lincolnville resident, asked if MaineDOT would take into consideration adding just enough parking spaces for what is needed and leaving the Town with enough green space for Frisbee throwing and a space for a food truck.

David McLean, a Lincolnville resident, suggested that MaineDOT make this area an attractive place so people will want to come to this area.

Brooks Temple, a Lincolnville resident and neighbor of Lincolnville Beach, suggested that MaineDOT install charging stations when constructing the new parking lot and he is looking forward to seeing what is proposed.

Catherine Lippman, a Lincolnville resident, wanted to know if MaineDOT has thought about what type of lighting will be installed in the parking lot area and suggested using the minimal amount of lighting necessary for that area.

Gomeauii explained that the MaineDOT does not have a sense of what that looks like at this time.

Lippman also suggested that MaineDOT be creative with their landscaping design to minimize the amount of blacktop.

Gary Neville, a Lincolnville resident, wanted to know if the MaineDOT would be interested in talking to the Department of Conservation regarding moving and building a new boat ramp as part of this project.

Neville suggested that both State agencies have one or two meetings to talk about a joint project with a master plan, by possibly purchasing the Lincolnville Sewer District property.

Hand added to what Neville recommended, regarding the boat ramp, and the use of the fishing pier, boat ramp and a lack of parking for boaters, which is a big concern for many in town and he recommended working together to improve the overall situation, not just the parking.

Ray also suggested that the MaineDOT consider what Neville mentioned about the boat ramp, where it is, and where the ramp could be and he was concerned with the lighting as well.

Ray wanted to make sure that the new parking lot would not interfere with the existing harbor user-permitted parking passes for mooring holders.

Gomeauii reassured the Board that those parking spaces could be moved, but not lost.

Dunn recommended that the MaineDOT work with the Harbor Committee, Select Board, and other relevant groups in town, to collaborate on or negotiate in terms of maintaining or improving access to our harbor facilities.

Gomeauii told the Board that there will be a two-week period where plans will be posted online, which will show the concept and a page where individuals can post comments and questions.

The Board thanked Gomeau for taking the time to attend the meeting.

**12. Meeting with School Committee – Financials & Audit:**

Kinney explained that about a month ago the Select Board received a correspondence from the Town of Hope regarding their concerns or desires to not hold a town meeting on the school budget until the FY23 audit has been completed.

The Town of Hope wanted to know what the Town of Lincolnville was doing and Kinney suggested that the Select Board discuss with the School Committee.

Dunn asked, “Where we are now with the issues with the audit not being completed and what steps are being made to move forward to rectify the situation.”

Kate Clark, Superintendent, explained that they have been struggling over the last several years to keep up with staffing and keeping up with all the money that came through in the grants, which require a lot of extra work.

Clark also explained we are on a better trajectory this year to complete the audits. In late January, the auditors were not willing to meet until all of the grants for 2023 were invoiced and approved by the state and federal government, with a deadline of fall of 2024.

Clark stated, “Once we get over the hurdle of these grants, with the new staffing structure, our goal is to be ready with the 2024 audit in August so it will be done by December 30, which is an achievable goal.”

Dunn offered Town Office staff resources to help and make this happen so that we as a Town have the numbers and the audit to avoid defaulting on our loans and she suggested keeping the lines of communication open going forward.

The Board thanked Clark and the School Committee for attending the meeting.

**13. Consideration of Special Town Meeting Warrant for May 16, 2024 – LCS Budget Meeting:**

**Ray made a motion, seconded by Laite, that the Board approve and sign the Special Town Meeting Warrant for May 16, 2024. The motion passed on a 4-0-0 vote.**

**14. Consideration of Annual Town Meeting Warrant – June 11/13, 2024:**

**Laite made a motion, seconded by Hand, that the Board approve and sign the Annual Town Meeting Warrant for June 11<sup>th</sup> and June 13, 2024. The motion passed on a 4-0-0 vote.**

**15. Countersign:**

- **Warrant and Notice of Election Calling Five Town CSD Budget Validation Referendum:**

Kinney reported the following:

The Five Town CSD Board is also proposing to construct and equip a new 1,800-square-foot special education classroom building on the Camden Hills Regional High School campus. The School Board is seeking voter approval to expend up to \$750,000 from the District's Capital Reserve Fund for this purpose.

**Hand made a motion, seconded by Laite, to move that the Board approve and countersign the Warrant and Notice of Election Calling the Five Town Community School District Budget Validation Referendum to be conducted on June 11, 2024. The motion passed on a 4-0-0 vote.**

- **Warrant and Notice of Election Calling Five Town CSD Referendum (Building Project):**

**Laite made a motion, seconded by Hand, that the Board approve and countersign the Warrant and Notice of Election to Call Five Town Community School District Referendum to be conducted on June 11, 2024. The motion passed on a 4-0-0 vote.**

16. **Possible Meeting with Northport Select Board:**

Kinney recently talked to James Kossuth, Town Administrator for the Town of Northport, regarding a possible joint meeting between the Lincolnville Select Board and the Northport Select Board.

After a brief discussion, the Board suggested a joint Select Board meeting on May 20, 2024, at 6 PM.

17. **Establish Workshop Date with Recreation Commission:**

The Board decided to hold a workshop with the Recreation Commission on June 3, 2024 at 6 PM.

18. **MMA Guidance on Public Comment at Board Meetings:**

Kinney recently received new guidance from the Maine Municipal Association Legal Services regarding guidance on public comments at Board meetings.

Kinney recommended the Board add this to a future agenda in June to adopt any changes necessary, but suggested this be considered after the annual town meeting date.

19. **Selectperson Update(s):**

Laite: There will be a Mid-Coast Solid Waste Board of Directors meeting on Wednesday, April 24, 2024, at 6:30 PM at the John French Conference Room at the Camden Town Office.

Ray: The nominations for the Executive Committee for the Maine Municipal Association are due in a few days.

Hand: No updates at this time.

Dunn: No updates at this time.

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

**Laite made a motion, seconded by Hand, that the Board approve and sign the Treasurers and Payroll warrants. The motion passed on a 4-0-0 vote.**

21. **Adjourn:**

**Laite made a motion, seconded by Hand, to adjourn. The motion passed on a 4-0-0 vote.**

Respectfully submitted,

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Melissa A. Geary  
Administrative Assistant