

**BOARD OF SELECTMEN
MINUTES OF MEETING
August 22, 2016**

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

Excused: Art Durity

The quote was read by Hardy.

1. 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 concerning the legal rights and duties of the Board of Selectmen regarding land sale or purchase. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

2. Citizens' Forum:

Randolph Carpentier came before the Board and explained that his neighbor Richard Rosenberg has recently passed away. Rosenberg had five lots, four of which are now owned by the Town of Lincolnville, two of those lots border the Carpentier family's land.

Carpentier offer to clean up the Rosenberg property at 17 Rosenberg Road since the property is trashed. He is asking that the Town of Lincolnville give the Carpentier family lots #29 & #31 and in exchange for the land Carpentier would be willing to pay for the expense of cleaning up the land including taking the buildings down and removing the debris on the ground as well as the legal costs to transfer.

Dunn stated that since Mr. Rosenberg just recently passed away, there needs to be a massive conversation regarding all of the parcels and the dust needs to settle before a conversation can happen.

Kinney discussed the Town of Lincolnville has the maintenance and upkeep and disposition for lien acquired property, an ordinance that was adopted by the town long ago, which dictates what the Board can do in terms of disposing tax acquired property. This would require that the Town of Lincolnville put this out to bid which would give the previous owner the ability to redeem the property. The only option around that would be to go to a town meeting to as to do something different, which has been done before on a number of properties. The issue here is that these properties, although they

are small and separate, they're interconnected and owned by one person that used them as he saw fit. There are different judgments on different properties for different things and there are a lot of loose ends that will take a fair amount of time to unwind.

Hardy thanked Mr. Carpentier for his interest and explained that the Board will keep this in mind as the Town of Lincolnville gets more clarification.

Dunn commented that as soon as the legal dust settles around the estate, and figuring out where the town is with all these parcels, the Board is looking forward to finding resolution both for the neighbors and the for the town.

3. Administrator's Report:

There were none.

4. Meetings & Announcements:

David Kinney, Town Administrator read the upcoming meetings.

5. Upcoming Community Events:

There were none.

6. Meeting Minutes:

Hardy made a motion that the Board approve the August 8, 2016 meeting minutes. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

7. Committee Chair and Department Head Update(s):

Will Brown, Lincolnville Conservation Commission Chair, came before the Board and discussed the following information:

- Our February 8th meeting was held with members of the Lincolnville Energy Team where we learned about their hope to have solar panels installed next to the fire station that would help with energy savings for the town. We've been asked to act as liaison between the town and the team.

Our April 11th and June 13th meetings were actually work sessions at the town trail, in the lowland between the LCS soccer field and the Town Library. We worked during parts of both days, as well as others during the spring and early summer.

I will make sure, in future, to file a copy of the minutes with the Town Office. Our next meeting is scheduled for October 17th at 4PM at the Lincolnville Town Office.

- In addition to supporting the Energy Team's efforts we have been chipping away at the trail project. The DEP permit we filed allowed for no artificial cloth underlayment of the trail footprint and there is seasonal cutting that needs to occur, especially at the boat yard parking entrance. The wild rice there need's regular attention as it grows up in the tread way.

In the spring I spent a day moving most of the remaining wood chips, piled at the trail head, in to a spot near the well casing. From there we've been moving chips with wheelbarrows and spreading them on the trail.

There are still chips there and we'll be taking them in as work days permit. The trail is usable though and its west end comes up the slope at the east end of the soccer field.

Mike Ray has been the LCC point to talk with Lincolnville Central School principle, Paul Russo about engaging some students to help spread wood chips but, as of yet, no firm date has been set.

Richard Glock has been the LCC liaison to the Committee that has worked on the new Town Veteran's Park project.

Rich Smith has agreed to be the LCC liaison with the Energy Team and assist in communications between the Energy Team and the Town.

John Calerdwood and Bob Bateman both own and operate full time landscaping businesses and help us with tools and their efforts whenever they can.

- I continue to act as Tree Steward for the town and act as liaison between the town with both CMP and Tidewater. The town's last scheduled trim was in winter/spring 2014 (the big snow year), which required a fair amount of time monitoring and assisting the Lucas crews. Every year there are also a couple of "hazard tree" sessions with CMP which also require site visits, both to see the work needed or in response to landowner queries.

I would note that Lincolnville has fewer power outages than most as a result of both CMP's and the town's cooperative (albeit well tested) relationship that began with the 2000 – 35K line upgrade project through town.

There are also ongoing pole permit applications which I sign off on, after a site visit, before the Select Board gives CMP or Tidewater the OK to go.

Dunn thanked Brown for his thorough report.

8. Discussion concerning possible sale of Gillmor Lot to State of Maine:

Kendall Martin, Assistant Regional Biologist for Inland Fisheries and Wildlife came forward to answer questions from the Board.

Kinney stated that everyone is on board with the concept to move forward with the sale of the Gillmor lot to the State of Maine. The Board's thought was it would be appropriate to have a quiet title action done, so that the Board knows what they are selling.

Dunn stated that we as a town can't sign a purchase and sale agreement on a property that we're not clear if the town actually owns.

Martin stated, "It sounds more appropriate if we had a town vote so that if all the money was spent for the quiet title action and probably to do that there would be some other legal cost, so that we don't spend a set amount of money and then have the town say no we're not interested."

Dunn noted she didn't want the tax payers of Lincolnville to incur the cost of quieting the title, should the town not own it.

Dunn discussed that the Town of Lincolnville can mutually sign a memorandum of understanding to ensure that the Board is interested in doing business with State of Maine and if the Quiet Title is found through the court, then we can start the process.

Scott Dickerson stated the State can't move ahead without a clear title, the Town of Lincolnville doesn't want to expend the money to get a clear title, so the Land Trust stepped in to say they will spend the money; however the Land Trust needs to be reasonably certain that the State of Maine will end up with this piece of property.

Dickerson suggested starting with a memorandum of understanding and that would give enough confidence to all parties to proceed with the project.

Kinney will have the Town Attorney draft a sample of a memorandum of understanding and bring it back to Scott Dickerson to review.

9. Board, Committee and Commission – Resignation(s) and Appointment(s):

Hardy made a motion to accept with regret the resignation of Dorothy Lanphear. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

Hardy made a motion to appoint Alex Kuli to the Budget Committee with a term expiring June 2017. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

Hardy made a motion to appoint Alex Kuli to the EMS Performance Review Committee with a term expiring June 2017. Laite seconded the motion. The motion passed on a 4-0-0 vote.

Hardy made a motion that the Board appoint Ray Swan to the Lakes and Ponds Committee with a term expiring June 2017. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

10. **Engineering Proposals – Slab City Road Culvert:**

Barrows made a motion that the Board hire Gartley & Dorsky Engineering and Surveying of Camden for the Engineering Services associated with the Slab City Road culvert replacement for the price of \$8,350. Laite seconded the motion. The motion passed on a 4-0-0 vote.

11. **Review of LIA Building Lease:**

Kinney gave the Board a draft lease for the Lincolnville Improvement Association with the suggested changes from the Board. The Board suggested forwarding this onto the Lincolnville Improvement Association for their review and if acceptable the LIA will need to sign two copies and send it back for the Board to approve.

12. **Planning Board Secretary Hiring Procedure:**

The Lincolnville Planning Board is currently looking to fill the vacant position of recording secretary for the Planning Board.

Kinney recommended that he interview the prospective candidates and bring his recommendation back to the Select Board. Dunn offered to sit in on the interviewing process.

13. **To consider whether to place an item on the agenda for the Board of Selectmen's next meeting to consider removing a member of the MidCoast Solid Waste Corporation Board of Directors and, if so, to provide advance notice of the removal proceeding to such member.**

Hardy made a motion that we place an item on the agenda for the Board of Selectmen's September 12, 2016 meeting to consider removing a member of the Mid-Coast Solid Waste Corporation Board of Directors, that we provide Cindy Gerry with advance notice of the removal proceeding, and that we cause notice of

such removal proceeding to be published in a newspaper of general circulation at least one week in advance. Barrows seconded the motion. The motion passed on a 4-0-0 vote.

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

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

15. Adjourn:

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

Respectfully submitted,

Melissa A. Geary
Administrative Assistant