

**TOWN OF LINCOLNVILLE
SELECT BOARD MEETING
August 8, 2022**

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

Excused: Chair, Ladleah Dunn & Josh Gerritsen

The quote was read by Ray.

1. Citizens' Forum:

Susan Silverio, a Lincolnville citizen, wanted to know how to stream the live Select Board meetings.

Kinney explained there is a link on the town's website.

2. Administrator's Report:

David Kinney, the Town Administrator, noted:

- **Culvert:** The large culvert on Masalin Road and the small culvert on Heal Road have been replaced since the last Board meeting. The paving should be completed before the next Board meeting.

Maine Department of Transportation will be in Town on August 16th & 17th to do a culvert replacement on Hope Road and traffic will be diverted during working hours and open the road back up during the evening and night time.

- **Winter Sand:** The Town is about 2/3rds of the way done with putting winter sand in storage for the winter.
- **FEMA:** At the last meeting, Kinney reported that FEMA agreed to \$34,739.87 worth of damages from the October 2021 storm and he explained the Town of Lincolnville will be eligible for partial reimbursement, but has since sent a page and half request for additional information, which he is still working on.

3. Meetings & Announcements:

Town Administrator, Kinney, read the meetings and announcements.

4. Upcoming Community Events:

The Lincolnville Improvement Association is having their Blueberry Wingding this Saturday, August 13th from 7-10 AM at McLaughlin's Lobster Shack at Lincolnville Beach.

5. **Meeting Minutes – July 25, 2022:**

Hand made an amended motion, seconded by Ray that the Board approves the July 25, 2022, meeting minutes as presented. The motion passed on a 3-0 vote.

6. **Board, Committee, & Commission Appointment(s):**

Lakes & Ponds Committee:

Kinney told the Board that neither Rosetta Stebbins nor David Stebbins was present at the meeting to speak and answer questions.

Ray made a motion, seconded by Hand, to move to appoint Tony Oppersdorff as a regular member to the Lakes & Ponds Committee with a term expiring June 2023. The motion passed on a 3-0 vote.

Vice-Chair, Laite recommended that the Community Interest Form from David Stebbins be returned to him for completion of the application.

Kinney explained he will wait to hear from Rosetta & David Stebbins before their applications are added to a future agenda for appointment consideration.

Budget Committee:

The Board invited Leda Stoutenburg to attend the meeting and explain why she is interested in serving on the Budget Committee.

Stoutenburg, a Lincolnville resident, explained she moved here from Oregon and has held several positions in the accounting field and has always had a passion for numbers, and would like to give back to her community.

Hand made a motion, seconded by Ray, to appoint Leda Stoutenburg to the Budget Committee as a regular member with a term expiring at the next annual town meeting to be held in June 2023. The motion passed on a 3-0 vote.

The Board thanked Stoutenburg for attending the meeting and volunteering her time to be on the Budget Committee.

7. **Request regarding 2017 Personal Property Tax of James Rutland:**

Holly Rutland, wife of James Rutland, who passed away on January 17, 2021, and was the owner of Crossroads Construction. In 2014, the business processed its final tax return and the business was closed.

On May 11, 2022, Holly Rutland received a bill for personal property for the year 2017. She then emailed the Town Administrator, Kinney to explain the situation and ask for advice on how to deal with this bill.

Rutland came before the Board asking that the Board zero out this debt and put this property tax bill to rest.

Vice-Chair, Laite told the Board, that in their packet it explains that the law does allow municipal officers to allow the tax collector to discharge the tax from the obligation to collect unpaid personal property taxes provided the amount is too small or too burdensome to collect economically and authorize the municipal treasurer to remove those taxes from the municipal books.

Hand made a motion, seconded by Ray, that the board finds the 2017 personal property taxes of James Rutland doing business as Crossroads Construction burdensome to collect economically, discharge that tax collector from the obligation to collect, and authorize the municipal treasurer to remove those taxes from the municipal books. The motion passed on a 3-0 vote.

8. Community Heart & Soul Project Update:

Susan Silverio, a Lincolnville resident and Chair of the Comprehensive Plan Review Committee, explained it was brought to the Board during the last meeting a resolution to support the Community Heart & Soul Project which led to several questions.

Silverio came before the Board to give the following overview and answer questions:

- The Comprehensive Plan Review Committee was appointed last June with a task to update and review the Comp Plan, which hasn't been updated since 2006.
- The Committee has applied for the data from the State of Maine, which can actually update the data and the plan, which was released in June of 2022.
- The Committee will review the take-away from the joint meeting workshop with the Select Board back on May 24, 2022.

Silverio also pointed out the following information from Chapter Two of the Comprehensive Planning manual for Maine communities:

Public Participation –

- To meet the goals contained in Maine's Growth Management Act – goals like preventing development sprawl, promoting affordable housing, and safeguarding prime farmland soils, forests, and access to the coast for marine industries – means confronting difficult issues.
- Citizen participation is the process through which those with a stake in the community have had enough say in the plan that they will support (or at least won't oppose) putting its recommendations into action.

Guideline #1:

- We need to get the right people involved in the actual planning including the official town family that is, members of town boards and departments.

Guideline #2:

- Don't think of public participation as a one-time task to complete like a public hearing or a workshop, but as a continuous process. It's tempting to write a comprehensive plan in a straight line: First inventory and analyze, then identify issues and goals, then propose policies, then get public input, then make final recommendations to municipal officials or town meetings for consideration and adoption.
- There are Cycles of Public Involvement, Stage 1 - Defining the issues and problems, Stage 2 – Set Vision/Goals, Stage 3 – Consider Option/Possibilities, Stage 4 – Choose Options/Policies.

Guideline # 3:

- Approach the public in multiple ways.

Guideline # 4:

- Don't discuss solutions until there is wide agreement on the problems. If the comprehensive plan is worth its salt, it will tackle controversial issues – issues that involve property rights, growth areas with higher densities of development, preserving rural lands and natural resources, and so forth.
- It is not unusual to devote half of the time allotted to a comprehensive plan to gathering and analyzing the information needed to shine a light on issues and to carry out the discussions, including interactions with the public.

Guideline # 5:

- Where do community “visions” and overall community goals come in? Deciding where the town wants to be in 10 or 20 years is central to the comprehensive plan.
- Go to the public and hold a meeting in a local church, restaurant, community school, or other local function room and serve refreshments. People may come to see their neighbors or for dessert.
- Proceeding in a high-involvement fashion requires a commitment of resources and an “upfront” acknowledgment that the process will require a significant investment of time. Most experts agree that the investment of time throughout the process to include the public will pay off in less controversy in the end. In all cases, effective citizen participation requires the governing body of your community and the comprehensive planning committee to invite and allow public influence over the final recommendations of the comprehensive plan.
- Those tools include – visioning sessions and involving children.

State Planning Office – Required Elements:

1. Vision Statement
2. Public Participation Summary

Silverio also provided the Board with three different coaching options which are:

1. Virtual Training
2. Hybrid Training
3. In-Person Training

Silverio stated, “We all agreed that we would like to have the option to contract with Catherine Ingraham, a consultant for CEI Consultants, LLC, as all in-person training which should take five sessions, and we need to learn how to approach people with open-minded questions.”

Silverio noted this budget for all in-person training would be \$16,000 and over two-years, the project coordination is usually around \$10,000, which Silverio volunteered to do as a volunteer to save the town \$10,000.

Silverio told the Board that with all the administration costs, there should be roughly \$2,000 left which could be used for refreshments at an event.

Catherine Ingraham came before the Board to explain the Community Heart and Soul is a process with concrete steps along the way and milestones that each town hopes to meet, which takes about 2 years to go through the four phases.

As a coach, Ingraham helps facilitate the process, where each phase goes through a workshop, and she would work closely with Silverio, as the local person.

Ingraham explained she is available as a consultant and as a resource and is currently working with four other towns in Maine and one in Massachusetts.

Ingraham told the Board that one of the requirements for the \$10,000 is that the Town contract with a coach from Community Heart & Soul, which she explained that she is the only consultant in the State of Maine.

The Board thanked Silverio and Ingraham for attending the meeting.

Kinney explained that the Heart & Soul money can go to three different classifications of applicants which can be a local government, a non-profit, or a citizens group, with a fiscal sponsor and willing to accept that money and disburse the funds when the bills need to be paid.

Kinney also explained the Lincolnville taxpayers have appropriated up to \$10,000 to be dispensed for the comprehensive plan, which the budget was for the Community Heart & Soul project.

Kinney recommended that the Town be the applicant and apply for the grant funds through Community Heart & Soul and have an oversight group to help with the logistics to make sure the public knows when and where the meetings are to be held and the Board needs to agree to apply for the grant funds and a letter of support and appoint a team.

Ray made a motion, seconded by Hand, that the Town Administrator works with the Comprehensive Plan Review Committee to prepare a charge that would create an ad hoc Heart & Soul Committee whose primary purpose would be led the effort to further engage and involve community members in identifying what they love most about our community, what future they want for it, and how to achieve it. Further, I move that Town Administrator and the Comprehensive Plan Review Committee revise the Resolution in Support to reflect this course and that the charge and revised resolution, and the draft grant application be submitted for Board consideration. The motion passed on a 3-0 vote.

9. As Board of Assessors – Property Tax Commitment:

Hand made a motion, seconded by Ray, that we suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. The motion passed on a 3-0 vote.

Hand made a motion, seconded by Ray, move that the Board of Assessors approve and sign the Assessors' Certification of Assessment, the 2022 Municipal Tax Assessment Warrant, the Certificate of Commitment, and the Certificate of Assessment to be Returned to Municipal Treasurer as prepared by the Assessors' Agent establishing the tax rate for fiscal year July 1, 2022, to June 30, 2023, at 0.0157 mils on the dollar and the due dates of October 5, 2022, and April 5, 2023, with interest at 4 percent per annum to be paid on any unpaid portion commencing on October 6, 2022, and April 6, 2023. The motion passed on a 3-0 vote.

Hand made a motion, seconded by Ray, that we adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. The motion passed on a 3-0 vote.

10. Proposed Town Charter Amendments:

Kinney explained that the Board instructed that the Town move to make the Town Charter gender neutral. He presented the Select Board with a copy of the amended Charter of the Town of Lincolnville with the changes.

Kinney noted that the next step in the process would be to hold a public hearing, which would be at the next meeting on August 22, 2022, to order a special town meeting warrant to allow the voters in November to consider the changes.

Ray made a motion, seconded by Hand, that it be ORDERED, that a public hearing on proposed amendments to the Town Charter is hereby set for the Board of Selectmen meeting of August 22, 2022, at 6:30 PM at Lincolnville Town Office, 493 Hope Road,

Lincolnvile and **BE IT FURTHER ORDERED**, that the Town Clerk be and hereby is directed to publish a notice of the hearing, including a summary of the proposed amendments and a brief explanation, in a newspaper having general circulation in the Town of Lincolnvile at least seven (7) days before the public hearing. The motion passed on a 3-0 vote.

11. Property Tax Stabilization for Senior Citizens:

Kinney explained that the State of Maine has instituted a Property Tax Stabilization Program for Senior Citizens and the following qualifications must be met:

1. At least 65 years old
2. A permanent resident of Maine.
3. Have owned a Maine homestead for at least 10 years.
4. Be eligible for a homestead exemption on the property they are placing in the program.
5. The application deadline is December 1, 2022.
6. The program requires an annual application to continue participating.

If anyone is interested in an application, it can be obtained at the Lincolnvile Town Office or on the town's website.

The Board thanked Kinney for his update on this program.

12. EMS Performance Committee Correspondence:

Kinney recommended that the Board wait until Chair Dunn is present since she is one of the two members from Lincolnvile on the EMS Performance Committee.

Kinney also noted that unfortunately the Committee has had to cancel several meetings due to a lack of a quorum.

Vice-Chair, Laite expressed the importance of keeping the lines of communication open with all the participating towns involved but recommended tabling this discussion to when Chair Dunn is present to allow for her input.

Kinney explained that Chair Dunn did not object to moving this along when she reached out to him to say she was unable to attend tonight's meeting.

Hand was in favor of moving this forward.

Hand made a motion, seconded by Ray, that the Board Chair be authorized on behalf of the Lincolnvile Board of Selectmen to reach out to the Towns of Hope, Rockport, and Camden regarding the importance of an ambulance service to the citizens of our communities and the need for member communities to appoint active and engaged members to EMS Performance Committee. The motion passed on a 3-0 vote.

13. Discussion concerning Parking:

Ray made a motion, seconded by Hand that the Board instructs the Town Administrator to obtain parking ordinances and penalties from similar and neighboring municipalities for the Board to compare and contrast with the Town of Lincolnville's ordinance. The motion passed on a 3-0 vote.

Hand made a motion, seconded by Ray, that the Board move that the Board authorizes the Board Chair and the Town Administrator to communicate in writing with the Lincolnville Sewer District Trustees the Town's desire to discuss the possible acquisition of the Lincolnville Sewer District property adjacent to the boat launching ramp at Lincolnville Beach as shown on Tax Map 1 as Lot 87A. The motion passed on a 3-0 vote.

14. Penobscot Park Update:

Kinney reported that the new handrail on the steps to the beach has been installed.

Kinney told the Board that there are pricing figures in their packets regarding roofing materials on the picnic shelter structure.

Kinney recommended that the Board not go with the metal roof option, as suggested by Viking Lumber due to the salt-water environment.

Laite was pleased with the three estimates provided to the Board for asphalt shingles (\$1,450), cedar shingles (\$2,200), or metal roofing (\$2,300). He was also glad to see that the Town is making progress at the park and suggested that the Board move forward.

Ray made a motion, seconded by Hand to move that the Town proceeds with the re-roofing of the picnic shelters at Penobscot Park with asphalt shingles. The motion passed on a 3-0 vote.

Kinney asked how the Board wanted to proceed with opening and closing the gate at the park, which he explained is still a challenge and he suggested opening the park and securing it open, like all the other parks in town and public spaces and post the hours.

Ray suggested moving forward that the Board approve leaving the gate open.

Hand concurred with Ray.

Dan Leary, a resident at 2813 Atlantic Highway and an abutting neighbor to the park, came before the Board with concerns about leaving the gate open 24/7 and felt it was a bad idea.

Leary recommended starting with the gate being closed in the evening and finding someone to open and close the gate at designated times and if that becomes an issue then the Town could leave the gate open.

Leary also explained if the gate is closed during specific hours, he suggested the town add signage that explains no parking in front of the gate as a safety measure.

Leary thanked the Board for allowing him to express his concerns and noted that he and his wife are huge fans of having a great park.

Peggy Smith, a resident at 2807 Atlantic Highway, told the Board she was surprised when she heard that the Board was doing this seasonally and thought it was already decided that the park would be closed during certain times of the year.

Smith volunteered to be the person to open and close the park with the following requests:

1. The Town creates a certain time to open (7 AM) and close (7 PM) and explained if someone is still parked inside the park after 7 PM, she would leave the gate unlocked that evening.
2. If she is unavailable, the Town finds someone to replace her during that time.
3. If the Board decides to keep the gates open 24/7, she wanted guidance as a neighbor if people are camping or playing loud music after certain hours.

The Board thanked Smith for offering to volunteer to be the one to open and close the gate each day.

Ray recommended the Board start with Leary's recommendation to close the park during specific times and recommended the Board obtain rules in writing for the volunteer, so the liability is covered, and then he would be in favor of closing the gate from 7 PM to 7 AM each day and posting a sign that explains the rules.

Laite suggested input from Chair Dunn and Select Board member Gerritsen and requested this agenda item be tabled and added to the next Select Board agenda on August 22, 2022.

Leary requested a list of the 14 or 15 items that needed to be taken care of at the park.

Kinney explained that the list of those items to be taken care of is in the minutes, but has not yet been posted online.

Ray suggested Leary stop by the office and pick up a copy of those minutes.

Leary wanted to discuss adding a privacy fence to brainstorm how to take care of this topic.

15. Confirm Town Clerk's Appointment of Election Warden for November 8, 2022:

Ray made a motion, seconded by Hand, that the Board approve the Town Clerk's appointment of David Kinney as Election Warden for the November 8, 2022 Election. The motion passed on a 3-0 vote.

16. Bryne Memorial Justice Assistance Grant (JAG) Program:

Kinney received a call from the Waldo County Sheriff's Office regarding the 2023 Bryne Justice Assistance Grant Program to see if the Town of Lincolnville has any eligible expenses, the town could receive up to \$871 from said grant.

If the Town of Lincolnville does not wish to use these funds, the Board can decline the funds which will be reassigned to the Waldo County Sheriff's Office to be used for another participating agency.

Hand made a motion, seconded by Ray, to have the Town Administrator forward a letter stating the Town of Lincolnville does not wish to utilize the funds and request that the funds be reassigned to the Waldo County Sheriff's Office. The motion passed on a 3-0 vote.

17. Broadband Update:

No Broadband updates at this time.

18. Selectmen Update(s):

No Select Board updates.

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

Ray made a motion, seconded by Hand, that the Board approves the Treasurers and Payroll warrants. The motion passed on a 3-0 vote.

20. Adjourn:

Hand made a motion, seconded by Ray, to adjourn. The motion passed on a 3-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant