

**BOARD OF SELECTMEN
MINUTES OF MEETING
DECEMBER 9, 2013**

Selectmen present: Ladleah Dunn, Chair, Julia Libby, Vice-Chair, Rosendel Gerry, Jason Trundy and David Barrows.

The meeting was called to order by Chair Dunn at 6:00 p.m. at Lincolnville Town Office. The quote was read by Selectman Barrows.

1. **Citizens' Forum:** None

2. **Administrator's Report:**

David Kinney, Town Administrator, reported:

- We are still making adjustments at the new Town Office, but it is coming together nicely. We have fixed half the heating problem, but still have too much heat in one room because the valve apparently won't shut off.
- Dog Licenses are due by the end of the month. The public can register their dogs online through the Town's web site or at the Town Office during normal business hours. The office staff made telephone calls to remind people that they have dog license that are due.
- He wants to remind the public that if they are plowing snow from their driveway and happen to push it across the road, please do a good job and clean it up by pushing it through the bank on the other side and don't plug your culvert ends. If you are hiring someone to plow for you make sure they do the same.
- The Town has sent out eight requests for proposals for appraisal services for the possible discontinuous of roads. The deadline for proposals is January 7, 2014.

3. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

Gerry asked if all these meetings could be posted on the Lincolnville Google website.

Kinney said it is possible. Kinney asked Gerry if he was suggesting posting the meetings individual on the day they occur or a week to two months in advance.

Dunn suggested the Board discuss the issue later in the meeting.

4. **Upcoming Community Events:**

The Lincolnville Community Library, formerly Grandpa Hall's, will be hosting their Christmas program with stories, music and refreshments on Wednesday, December 18th at 7:00 p.m. The program is open to the public free of charge.

5. **Meeting Minutes:**

Motion by Libby, second by Barrows, that the Board approve the November 25, 2013 meeting minutes as presented. Vote: 5-0.

6. **Request for a Street Light – Youngtown and Beach Road Intersection:**

Kinney said the Board received a request from the owners of the Youngtown Inn for a street light at the intersection of Youngtown Road and the Beach Road. He said apparently people coming from the beach area are missing the intersection. The Town currently leases twelve street lights from Central Maine Power Company at a cost of \$9.81 per month for each one plus electricity, which is about \$200 per year. The Town is required to sign a fifteen year contract, but there is a “buyout” that’s allowed.

Dunn asked what the “buyout” was.

Kinney said it depends on when the Town wants out of the lease. The shorter the time the more expensive, the longer the time that has passed the less expensive.

Dunn said the owners of the Inn, MaryAnn and Manuel Mercier, couldn’t attend the meeting tonight. She asked if the Board wanted to table the article to a time when they could attend or have a discussion on the article tonight.

Gerry said the Town is paying about \$2,400 a year for what it’s leasing, so we would be looking at \$2,600. He said at least it’s at an intersection with no other houses around and there is a parking lot there. He doesn’t see this as a major issue at \$200 a year and they could take this up at budget time. He has no problem with it.

Libby said she thought it would be nice to have the parking lot lit up.

Gerry asked Kinney what he thought are the pros and cons.

Kinney said on the pro side it would enhance the ability to find the intersection if someone is not familiar with the area. He said on the con side they may get comments about light pollution, expense, and the fact that we did not budget for it. He said it may open up comments by other people who want lights at other intersections.

Mike Hutchings said since there’s activity at the State Park and people are down there at all hours it wouldn’t be bad to have that intersection lit.

Libby asked if Central Maine Power can install a pole this time of year. Kinney said they would put it on an existing pole and overhang the street as best they could. The intersection would have more light and if someone thought it was a hazard coming down the hill on Youngtown Road the Town could put up a sign that says ‘Stop Sign Ahead’.

Motion by Gerry, second by Barrows, that the Board authorize the Town Administrator on behalf of the Town to enter into a contract with Central Maine Power Company to provide a street light at the intersection of the Youngtown Road and the Beach Road.

Trundy said he was under the impression when he first read the email that they wanted a light at the intersection where their Inn was, but it's at the other end because customers are missing their sign. Kinney said they are missing the intersection. Trundy said they are missing the intersection because they said they have a sign there, but they don't see it until it's too late, then they get lost. Trundy said we live in rural Maine; there are a million dark intersections. Trundy said if there needs to be more warning about the 'Stop' sign that could be better addressed by a sign back a little bit saying 'Stop Sign Ahead' or painting it on the road. He said he has seen, where across the road, at some intersections there's a big reflective barrier to let people know there's an intersection there. He said he has a hard time paying for a light in an intersection just because somebody's missing their business sign, although they are a great business in Town. His concern would be if we were to put a light there for that specific purpose there could be arguments made to have a lot of lights put up in a lot of intersections.

Gerry said in thinking about driving down the hill, and if you're not familiar and it's dark, there's not a whole lot to tell you to take a left onto Youngtown Road. If there was a light it would alert you that there's something going on over there. A light would help to illuminate the parking lot and so benefit them, but it would also serve as an access to the whole town. He also thinks they should consider putting a sign warning there's a stop sign ahead.

Libby said having been there for incidents for EMS at night that parking lot is very dark.

Vote: 4-0-1. (Trundy opposed)

7. Report of the Harbor Master – Guest Mooring Usage, etc.:

Mike Hutchings said they had three guest moorings, but are down to two because he took one out of service. He said two are sufficient because the guest moorings don't get as much use as they use too. The one that's out of service is a blank stone because the staple that holds the chain is gone and the bottom chain is also gone.

Hutchings said the floats are in good shape for now. Cianbro hoisted them up on the pier and did a lot of repair work to them. He said they will have to start planning for their replacement. He said they have three aluminum incline walkways and two of them need some work. He is going to take one out of service next week and transport it to Rockport Steel to get some bushings put in it and whatever else it needs.

The launching ramp was repaved about two years ago, but it has had a lot of use from landing craft, which did some damage. He said they have \$10,000 in an escrow fund to cover the damage. The money was given to them by the owner of the house being built on Seal Island. He said the landing craft use has slowed down dramatically this year and he thinks this is probably the end of most of it except for an occasional use. He said if we fix the ramp and we had another project in mind he thinks the gentleman, that provided the escrow fund, probably would let us use the remainder of the money. He seems pretty community orientated.

The decking on the pier is getting worn. He said there has been a decrease in use over the last two years because the projects on the Island have slowed down. Next year Hutchings will put some new pieces on the deck where needed to get us by for awhile. He said the pier is over twenty years old and eventually will need new decking.

He said they have done phase one of three phases for the wave screen. A Small Harbor Improvement Program grant (SHIP) is available if the Town can come up with a match. The project is important because it protects the harbor, the boats in the harbor and the Town facilities. If the wave screen falls down the Town is responsible to remove it. We need to maintain the wave screen to protect the old Ferry docks because we have an obligation to the State to do so. There is little less usage on the pier this year because construction is down on Seal Island. They are still working over there, but we don't expect to see the large number of users we had to deal with the year before. There are nine lobster boats working down there, two passenger carrying vessels, two cruise boats and the general boating public.

Dunn asked Hutchings what his time frame was for the pier to be re-decked.

Hutchings said they have several areas where the vehicles turn around that get the most wear. He said there are six to eight short planks that should be cut up and some new pieces dropped in this spring. He said it depends a lot on usage. Total replacement may be five to ten years out. He said the substructure is in good shape. It is way over built and shows no deterioration except for the pressure treated southern pine pilings. The marine growth gets into them and it's like the pilings are shedding off skin resulting in separation of pieces from the piling.

8. Discussion of Small Harbor Improvement Grant Application for Wave Screen:

Kinney said the Town is in the process of applying for a Small Harbor Improvement Program grant (SHIP) for the remainder of the wooden wave screen at Lincolnville Harbor. In 2009, they got the first grant and constructed the outer most section of the three sections in 2010. He said that was an unqualified success. The two inner sections are challenged to say the least and need rehabilitation. We have been planning for this by saving money in the harbor savings account with the hope that we could fund it ourselves or alternatively find a grant opportunity to take care of the bulk of it. The first step now with DOT and the Small Community Program was to file a letter of intent, which we did. The Town applied for the grant to do the middle section of the wave screen due to limited local funds. The program has changed, so it's now a 50/50 grant. Kinney said he, Gerry and Barrows were able to meet with Dan Stewart, Project Manager for the SHIP Program from DOT, during a site visit to show him the project. Stewart was very encouraging, thought it was a good project for the program, and he encouraged us to try to find enough money to do both sections at once. One of the primary reasons is there's a large cost to mobilization. When the Town did the first project it cost about \$20,000 to get the barge and crane there and setup; so why pay that startup cost twice. Kinney said both sections are in desperate need of attention. Kinney

reached out to the three contractors who bid on the project the first time. Their best estimate of construction costs for the remaining two sections averages \$200,000. He also reached out to the engineering firm that put together our plans and specifications, oversaw bidding, and environmental permitting and also provide limited construction oversight. They estimated those costs to be about \$12,000; therefore the total project cost is \$212,000. Kinney said if the Town did a 50/50 split with DOT on the funding through the Small Harbor Improvement Program our local match would be \$106,000. Currently the Town has approximately \$80,000 in dedicated harbor funds available for this project thus leaving a shortfall of approximately \$26,000. Kinney asked if we want to try to fund that \$26,000 shortfall through other Public Works funds or partially from our Contingency or does the Board want the Town to apply for money to rehabilitate only one of the two remaining sections; a 'pay as we go' approach and in the future try to apply for funding for the third section.

Dunn asked if the Harbor Committee would recommend another appropriation from the Towns people.

Kinney said when the budget comes forward to the Board for the upcoming year it will certainly include monies for a future capital improvement project at the pier.

Hutchings said that could be added to the harbor account, which collects a considerable amount of interest each year.

Kinney said the challenge is we do not have the 50% match for both sections dedicated to the harbor. However, we have monies that could be available to us because we have a couple of Public Works projects this year for which we are not going to expend all the funds raised at Town meeting. Since the harbor falls under Public Works the Board could chose to repurpose this money for the harbor wave screen. He said Highway and Bridges, Parks and the Harbor are all items lumped under Public Works and the money in that budget line is available to the Board to expend for those purposes.

Libby said it makes more sense to do both projects at the same time than have to spend another \$25,000 to do the second project later.

Trundy ask Kinney to explain the time line on how this works.

Kinney said the Town needs to have the match in hand to apply for the grant and state so in the application. He said in the letter of intent we applied for only half of it because the Town did not have the whole of it available at that time. Mr. Stewart clearly encouraged us to find the extra funds to do both sections. What the DOT hopes to do as this program moves forward is to have a lineup of projects--for example Lincolnville has money in hand to fund a wave screen, Rockport has money in hand to do a float project, and so on, so whenever a bond issue passes they can pick those on the list that meet their program qualifications. With a list in hand they can go to the legislature and say we have five

million dollars worth of marine projects ready to go and there is two and half million dollars of local money ready to match two and half million dollars in a bond issue.

Trundy asked when the grant application is due. He also asked when they have to have the matching funds, do they expect those funds to be put in some specific designated account. He said we have \$80,000, but does the Board have to physically pull that money from other accounts.

Kinney said the grant application is due later this week. He said the Board does not have to put the money in a designated account, but we need to be able to say to them we have the funds in hand and if you fund us up to \$106,000 we will have the match.

Trundy ask when we would get an answer as to whether we are approved.

Kinney said it sounded like they have enough money to fund all the Towns that applied. They are looking to release their money early next year, so that these projects can be constructed.

Trundy asked Kinney how much money in the Public Works account, which would not end up being spent this year, could be rerouted to this project. He also wanted to know how much might be required to come out of 'contingency'.

Kinney said the Town completed the paving program this fall with \$28,571.37 still remaining in that account. He said we might have some culverts come spring that has rotted out requiring some of the paving money to replace them. We also put the winter sand out to bid and we didn't spend as much as we estimated, so we have several thousand dollars left in the sand account. He presumes that we won't use any of the money in the 'contingency' account.

Hutchings said this past year the Town collected close to \$9,000 in harbor fees. These fees will be due again in April 2014 and with the fee increase it could bump that figure up to \$10,000. There is also the excise tax from boat registrations. He said every other year they receive \$5,000 from Islesboro.

Barrows said the Town can financially match the grant they should do the project and other Board members agreed.

9. Set 2014 Harbor Fees:

Kinney said, per the Harbor Ordinance, the Harbor Committee is required to meet in November to make their recommendations to the Board of Selectmen as to the harbor fees for the upcoming year. In December the Board establishes the fee schedule.

Shane Laprade, Chairman of the Lincolnville Harbor Committee, personally extended thanks to Kinney for all the work he's done chasing down the grant opportunities for the replacement of the wave screen. He also thanked Hutchings for doing such a good job

watching the harbor all these years. Laprade said the Harbor Committee, which is a relatively new committee with new members within the last year, met to discuss the wave screen, the decking on the pier and other maintenance issues. The committee agreed on a 20% increase to the Mooring Fees, which have not been increased since 2006.

Hutchings said most of the moorings are for residents. He suggested a 10% increase across the board on all fees would be a softer increase and still generate a little more money. Most of the harbor's high ticket items are the result of non-resident users such as the tour boats and passenger boats. He would like to lessen the burden on the taxpayers and spread more of the burden to people that are non-residents because they are only paying fees to use the facility.

Laprade said without the input and direct knowledge of how the pier and the facilities are used the committee only focused on the simple aspect of the harbor's income generating potential and in consideration of when the fees were last raised. Laprade said with Hutchings insight in those regards the Board may want to consider his recommendation when making their decision.

Trundy said 10% across the board is certainly a reasonable increase considering how long it's been since there was one. He said he would like the committee to find a handful of other similar communities to ourselves and see where we are fee wise in comparison and come back next year to make some recommendations.

Dunn asked Laprade if he felt comfortable with these fee increases.

Laprade said the committee discussed several harbors in our area where committee members have had moorings. The fee in Belfast for a resident mooring is \$60 for the permit with the dinghy at the dock fee of \$175. Rockport is about the same for a non-resident around \$275, but both are bigger harbors than ours. Laprade said Hutchings suggested we look at Bayside, which has a much less protected harbor than Lincolnville. Laprade said our rate for a resident mooring is \$50, but there is no charge for a dinghy at the dock.

Hutchings said the reason there is no dinghy charge is because they had people that wanted to buy just dinghy space. We have barely enough dock space to accommodate the moorings that have a dinghy. So, we didn't do a dinghy or skiff charge because it would open it up to have a bunch of skiff tied up without moorings, which is fine if you have lots of room, but we don't. He said what drove the mooring list was the number of parking spaces at the dock for skiffs and the number of parking spaces on land for vehicles. Hutchings said we have limited space down there especially at low tide.

Trundy asked Hutchings if they could limit the number of permits issued.

Hutchings said every boat in Lincolnville has a skiff that goes with it and we just barely have enough space to accommodate what we have for skiffs there now.

Trundy said what he meant was they could tie the number of dinghies that are allowed there to the number of moorings.

Hutchings said they don't offer it so it's not an issue. You get the privilege to tie the skiff up along with the mooring use. Other harbors will let you rent space to tie a skiff.

Laprade said the committee should look at a more in depth offering for all these different things and get more solid numbers for the Board to compare.

Motion by Trundy, second by Libby, that the Board of Selectmen approve the 10% Across the Board Fee Increase as Recommended by the Harbor Master for the 2014 Harbor Fee Schedule. Vote: 5-0.

10. Review of Budget/Town Meeting Schedule:

Kinney said the Town is geared up to prepare the budget for the upcoming fiscal year that starts July 1st. Enclosed in the Selectmen's packet is the first draft of the Town Meeting schedule, so that we can get the dates firmed up. The key date is the Local Election which we typically piggyback on the State Election day, so we don't have to conduct voting twice. State Elections are always held on the 2nd Tuesday in June, which in 2014 is June 10th. Kinney said if the Selectmen are good with that date to conduct our Local Election for Selectmen, School Committee, Budget Committee and everything else then the Selectmen can move on with the rest of the discussion.

The Board was good with the date of June 10th.

Kinney said by Town Charter the open portion of Town Meeting occurs within seven days after the Local Election. That can be any day between June 11th and June 17th at the discretion of the Board.

Motion by Gerry, second by Libby, that the Board of Selectmen change Town Meeting as set forth by the Town Charter from Saturday, June 14, 2014 10:00 a.m. to Thursday, June 12, 2014 at 6:00 p.m.

Trundy commented that this issue has been discussed as long as he has been a Selectman as to whether the meeting should be on Saturday or during the week. He said as a Board we even put this issue out to the voters and it was a 50/50 split, with those for Saturday leading by one vote. Trundy said if they change it to a Thursday evening his concern would be that the Selectmen need to develop a very aggressive way of making sure that everybody is well aware that Town Meeting day has been changed because it has been on a Saturday for a long time.

Gerry suggested that in the notices that go out in February to remind the public that the half year taxes are due the Town could insert a card informing the public that the Town Meeting has been changed to Thursday evening, June 12th.

Kinney said he could add an extra line on the tax notice with that information.

Trundy said he wants everybody to know this ahead of time so somebody doesn't come in and say they never received notice of the change.

Gerry said there is no agenda as to why we are changing Town Meeting to Thursday Evening other than it's been requested.

Dunn said she has heard from a lot of people "that's good it will be on a week night" because that means it will free up their Saturday. Personally for Dunn she makes her living taking care of gardens and Saturday is a time when she could work on her client's gardens and make some money.

Trundy said it's not a change that will please everybody.

Barrows said he thought it was a good idea and something they should try.

Libby ask Kinney if the Town could post this on the Town's web site and around at the stores.

Kinney said he is sure information will get around quickly. The Town will find many avenues to inform the voters including the Town report that will have this information as well as the warrants that will be posted. He said we can remind people on Election Day of the new date for Town Meeting.

Vote: 5-0.

The Board was in agreement with the two dates of February 11th and 12th planned for budget presentations by Committee Chairs and Department Heads.

11. Appraiser Recommendation from MDIFW: Sprague-Hastings Lot and Thomas Lot:

Motion by Trundy, second by Barrows, that the Board of Selectmen concur with the Maine Department of Inland Fisheries and Wildlife recommendation of contracting with the Maine Valuation Company for the appraisal of the so called Sprague-Hastings Lot and Thomas Lot. Vote: 5-0.

12. Discussion concerning the Dissemination of Public Information:

Gerry suggested posting Town information on the Lincolnville Google site for Town Meetings.

Dunn asked if someone from the office staff could cut and paste Town information into an email to the Google Group.

Kinney said it is not a difficult administrative task, but the question is how often do you want it done and how far in advance.

Barrows suggested that when the packets are put together on Friday for the Selectmen to also email the information to the Google site and then the public receives the same amount of notice for the upcoming meeting.

Trundy said one of their last conversations on this topic it was mentioned that the Town was working on an email alert system. He said because we enter the lion share of information onto our web site we could then create subsets for the different topics that people could then elect to be notified. If we had a system where it automatically generated an email that sent out the notification to anybody that wanted it, then we would have a one stop shop for our staff to enter the information. He said the good thing about an email notification is you can add a Google Group into that notification list on anything you want and it would automatically notify the Google list of whatever you wanted to update to. It would be nice if we could streamline that notification process so that it's eating up as little time of our staff at the Town Office, but getting the information out to as large an audience as possible.

Dunn said it would be incumbent on an individual to go to the web site and request to be notified of specific information they wished to receive.

Trundy said the benefit of any of those groups is once its set up you can widely advertise it. You pay the cost one time of educating people and once you have done that the benefit is it gives an incredible amount of flexibility to the citizen to choose what they want and don't want to be notified about.

Dunn asks Kinney how far away the Town was on their email notification system

Kinney said they were really close when the Town had the previous web administrator working for them. The current one is making leaps and bounds in terms of updating our site. He said for the E-Notices there are between six to eight different check boxes citizens can be notified about. Kinney said they haven't been very effective in setting up the mailing to go out to people.

Dunn asked if there was a way of automating the program.

Kinney said not that he was aware of with the web program. When the Town gets an email request from an individual who wants to be notified of certain information then someone copies their address and puts it in a group.

Trundy said there are numerous web based applications designed to manage that for a fee. He said maybe at some point the Town should look into what it's costing the Town in staff time to enter the information. For some of the maintenance we could look at the cost of hiring a company that has software that manages those types of mailing lists. He said it may be cheaper in the long run to pay them a small fee a year to put in the information.

Dunn said she knows the information is readily accessible for individuals who want to go find it, but concerning the notification of meetings she asked if there is a time frame with the E-Notices system.

Kinney said this is manageable if there's a routine that every Friday certain information is going out. Then all he has to do is figure out who's the best staff person to send this information out and to which individuals thru the Google Group. Kinney said he needs the Board to tell him what information they want to send and at what times.

Trundy said the Town should spend the money to sit down with someone, like J & B Diversified Associates, Inc. who knows what they are talking about and tell them the Town wants to create this system and provide them with a list of all the different things we want the system to do. Then the information could be brought back to the Board to decide the appropriate subsets and the options available as far as Town staff managing the system. The Board could then also consider if it makes more sense to have a company involved in managing the system and the pros and cons of that. He said there will be some cost associated with creating and maintaining that system and the Board will need to know that up front. The Board can then make a decision whether the Town wants to manage the whole system themselves or hire a company.

Dunn said they need to figure out non online information posting also because of the feedback they received from the public on the traditional places that the Town posts information. These are not necessarily places where people go to look for Town information.

Libby said it's the public's responsibility to seek out this information.

Dunn and Trundy see the Internet as an addition to what the Town is already doing.

Dunn said she thinks Kinney has the ideas of what the Board is looking for and so this could be addressed on the next agenda.

Kinney said this was helpful in terms of what they could put on the subset list of E-notices beyond just committee meetings.

- 13. Treasurer's and Payroll Warrant(s) – Approve and Sign:
Motion by Libby, second by Barrows, that the Board approve the Treasurer's and payroll warrants. Vote: 5-0.**

14. **Executive Session - Application(s) for Property Tax Abatement Due to Poverty and/or Disability (Title 1 MRSA § 405(6)(F) & Title 36 MRSA § 841(2)(E)):**
Motion by Gerry, second by Libby, that the Board of Selectmen enter into executive session for the purpose of hearing an application for property tax abatement due to poverty and/or disability pursuant to Title 1 MRSA Section 405(6)(F) and Title 36 Section 841 (2)(E). Vote: 5-0.

Upon returning to open session, Motion by Gerry, second by Barrows, to deny the abatement request. Vote: 5-0.

15. **Adjourn:**
Motion by Gerry, second by Trundy, to adjourn the meeting. Vote: 5-0.

Respectfully submitted,
Cheryl Ten Broeck
Administrative Assistant