

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
FEBRUARY 10, 2014**

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 that staff has been diligently working on the budget, which will be reviewed with the Board starting tomorrow.

3. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**

Sheila Polson announced the Lincolnville Community Library will be open regular hours this week: Tuesday from 5:00 p.m. to 8:00 p.m.; Wednesday from 2:00 p.m. to 7:00 p.m.; and Friday and Saturday from 9:00 a.m. to noon.

Wednesday afternoon on February 12<sup>th</sup> Trudi will read and share fun and unusual facts about America's presidents for grades one through five. At 7:00 p.m. Jay Foster is going to give a talk about "Camden, Lincolnville and the Statue of Liberty." His grandfather in the 1930s worked with the Civilian Conservation Corps crew and helped build the buildings at Camp Tanglewood and in Camden Hills State Park. They also worked on the Statue of Liberty.

Lincolnville Community Library is holding their monthly show on Wednesday, February 19<sup>th</sup> with Diane O'Brien as guest speaker and music by the Icebreakers.

5. **Meeting Minutes:**

**Motion by Libby, second by Barrows, that the Board approve the January 27, 2014 meeting minutes as presented. Vote: 5-0.**

6. **Searsport Harbor Dredging – Archibald Gillies, Chairman Islesboro Board of Selectmen:**

Archibald Gillies, Chairman of the Islesboro Board of Selectmen, and Steve Miller, Executive Director of Islesboro Island Trust, thanked the Board for having them. Gillies

said last April a finding by the U.S. Army Corps of Engineers in their Environmental Assessment stated that they had a plan with the Maine Department of Transportation to dredge and expand Searsport Harbor producing nearly a million cubic yards of dredge material. Their Environmental Assessment proposed that the dredge material would be dumped either between Islesboro and Belfast or between Rockland and North Haven. With Islesboro Island Trust's help the Board of Selectmen responded quickly to request more information about the pros and cons of the environmental and economic impacts. He said that's the basis for our request tonight to the Lincolnville Board of Selectmen.

Gillies said the law provides for a more comprehensive review than an Environmental Assessment, it's called an Environmental Impact Statement (EIS). The Islesboro Selectmen wrote to the Army Corps of Engineers district office in Massachusetts saying this is a major proposal for Penobscot Bay and will have profound effect on Islesboro's economy. They respectfully requested that the Army Corps of Engineers prepare an Environmental Impact Statement, which will allow all parties to have a chance to present their views regarding the science and economics of the project. He said the Corps was very receptive to receiving the letter. The Select Board encouraged Gillies, with Miller's help, to talk with other Board of Selectmen in the region close to the affected areas and also to the State Legislature. He said they talked with other organizations that would be directly impacted. The Lobster Councils both Zones C & D have also written letters to the Corps in opposition. There have been 31 State Legislators who have written along with seven other towns. Gillies said all the letters state that the size and dimension of this proposed development is so big that it really should have a full Environmental Impact Statement review. He said his hope is that Lincolnville and other towns will join in this effort to urge the Corps to undertake the longer, more complicated and thorough EIS review. He said they have been told by the Corps and by the congregational delegation that these letters urging an EIS has particular effect and are important. Gillies said Miller knows the chapter and verse of the history, the science and background of this.

Steve Miller said they had a lot of questions concerning the elements of the assessment the Corps had done. One concern has to do with the impacts on lobstering in Penobscot Bay. He said every lobsterman he has spoken with is very concerned about a million cubic yards of dredge material being hauled from Mack Point and dumped somewhere in the bay. He said that's the largest amount for any single dredge project in Penobscot Bay history. The affects from past dredge material deposition off Rockland was not good. It pretty much wipes out the lobstering at least for awhile and maybe long term. He said Michael Dawson, Chairman of his own Zone D area, is very concerned and wrote a second letter on behalf of the lobstermen to the Army Corps of Engineers in November. Miller was also talking with a lobsterman Dennis Warren who is extremely concern about the impact this could have on their livelihoods. Miller said that is reason enough to do a better analysis of the impacts this project would have by going through an EIS process.

Miller said a second concern is the economic analysis done for the Environmental Assessment is flawed and incomplete. They used old data from 2008 in terms of the amount of material going through Mack Point. They drew conclusions based on five

years from 2003 to 2008 without looking at what has happened since then. He said in the Corps own economic analysis they maintained that the current level of boat traffic at Mack Point doesn't require more dredging. Miller said it makes you question if there really is a need for this. Miller said Portland Harbor, in Casco Bay, is now involved in a maintenance dredging project down to thirty five feet. The proposal here is to go down to forty feet and expand the entry way by a third. Miller said it's hard to imagine what the economic need is for that extent of work. The Environmental Impact Statement could address these questions and concerns.

Miller said there is urgency involved in their request that the Lincolnville Board of Selectmen send a letter. In April, the Army Corps of Engineers office, located in Concord, will be sending a recommendation to a review committee in Washington D.C. In May the review committee will decide whether this project goes further or not. Miller said they have been told that public opinion and particularly the concerns of municipalities and State Legislatures in the area are critical to the review process in Washington D.C.

Gerry asked when the dredging proposal dates back to.

Kinney said July of 2000 when the House Committee on Transportation and Infrastructure first discussed the proposal.

Miller said the report was not given to the public until April 2013.

Gerry asked Miller if he read the study done by the Army Corps of Engineers.

Miller said he did, but that it doesn't answer a lot of questions, some of them he shared with the Board tonight.

Gerry asked Miller if he contacted anyone concerning the reason why they want to dredge down an extra five feet and expand the width of the harbor.

Miller said they have been asking that question of the Corps and he had a brief conversation today with John Henshaw, Executive Director of the Maine Port Authority. The reason given by the Port Authority differs from the reason in the Environmental Assessment. The Port Authority said it's necessary to be able to continue to conduct business there. Whereas the Environmental Assessment states that currently business comes and goes and is doing ok, but it would maximize the bottom line for Sprague and Irving. It would improve their efficiencies and they could make more profit.

Trundy said he supports sending a letter to the Army Corps of Engineers to undertake a comprehensive Environmental Impact Statement.

Gerry asked if there was any estimate on what an environmental study would cost and the time frame to do one.

Miller said he was familiar with the EIS that was done for the cargo port proposal and that took a couple of years.

Trundy would like to put the Army Corps of Engineers through their paces to make them justify why something needs to be done rather than to simply allow them to move forward and then five years from now find out it has decimated our lobster industry.

Dunn said there are a lot of compelling arguments to add the Board's names to a letter. Page two of the Environmental Assessment states the habitat will be removed. She said it was a cute way of saying they were going to decimate the bottom. This would be a significant impact to the bottom structure. Dunn would like to know if the additional five feet, deepening from thirty five to forty feet, is actually worth it or not.

**Motion by Trundy, second by Barrows, that the Board instruct the Town Administrator to prepare a letter to the U.S. Army Corps of Engineers requesting they conduct a comprehensive Environmental Impact Statement for the proposed improvement dredging of the Federal Navigation Project of Searsport Harbor and that the Chairman of the Board of Selectmen be authorized to sign the letter on behalf of the Town. Vote: 5-0.**

**7. Lincolnville Sewer District – Update & Maine Community Foundation Grant:**

Paul Lippman, Trustee of the Lincolnville Sewer District, presented an update to the Board of their work to date. He said they are trying to raise \$35,000 to do a preliminary engineering review. He said they have a couple of funding sources that they are receiving part of it from. The District would like the Town to apply for a grant from the Maine Community Foundation (MCF) for \$7,850. MCF can't grant the money to the Lincolnville Sewer District because they are a quasi-municipal organization. They can only grant it to the Town of Lincolnville. Lippman requested the Town accept the money and then pass it through to the District.

Kinney said there are a number of grants out there similar to this where they want the recipient to be a municipality versus a district. He said he just got the first draft of the application this afternoon and it's very clear that the Town is a pass through.

Trundy ask if the Town applies for the grant and we receive the money does it have to go through voter approval.

Kinney said the voters gave the Board the authority at Town Meeting to apply for and accept grants and to expend the money on the purpose that you apply for as long as it didn't require you to appropriate any additional Town funds.

**Motion by Trundy, second by Libby, that the Board authorizes the Town Administrator to apply for a Maine Community Foundation Community Building Grant on behalf of the Town for the benefit of the Lincolnville Sewer District. Vote: 5-0.**

8. **Lincolntonville Community Alliance – Crosswalk, Streetlight and Welcome Sign Requests:**

Jim Dunham, representing the Lincolntonville Community Alliance, informed the Board that the library got the water test lab results back from the water company and it passed. The water is now considered potable. They will have to treat the water because there is iron and manganese in it, but the test proves that the water is safe to drink. Dunham said the next step is with the Maine Department of Environmental Protection because they require that the water be tested in another month and then quarterly during the year. He said this particular test cost them \$700. He hopes Kinney and Cindy Dunham can have a conversation with DEP concerning next steps and whether or not they would have to comply with what DEP recommended made back in 2004. He knows they will have to spend something each year because the library is a public facility.

Kinney said the whole concept behind the water monitoring is public safety. He said water underneath the ground is constantly moving in different directions and what the concern is as you start to draw down a well it brings water in from the area that surrounds it and these wells haven't been used for a considerable period of time. The Town signed on to the Voluntary Response Action Program (VRAP) and then required our tenants to participate to ensure the public safety of whoever is drinking the water. He said they can certainly ask DEP to review that section of our VRAP to negotiate the terms.

Dunham said now that the library is open they want to provide safe public access to it. They would like to put in a crosswalk to benefit people going to the library; it would also benefit the boat club. Dunham along with David Kinney, Sheila Polson, Cindy Dunham and some others met with the DOT concerning the location for the crosswalk. In concept, the crosswalk would start at the new telephone pole and end at the corner of the boat club parking lot. He said they would be meeting with the boat club on Thursday to talk with them about the crosswalk. The boat club would have to designate a landing area on their side. He said on the library side the landing is in front of the front door and there will be a footpath there that will eventually go to Norton Pond. He envisions, especially in the summer when the boat club is using it, a bright orange pedestal in the middle of the road so that people coming into Town will see there is a crosswalk and slow down.

Gerry asked Kinney if DOT discussed a raised pedestal in the meeting.

Kinney said not that he recalls, what DOT wants is to have a safe landing zone so that a pedestrian knows once they begin crossing the street they are in an area that is safe.

Dunham hopes that by spring they will have a crosswalk in place.

Gerry asked Kinney who pays for maintaining the crosswalks in the beach area and if the Town was responsible for the signs that say 'crosswalk'.

Kinney said that was part of the agreement with DOT when Route 1 was reconstructed that the Town would restripe and maintain them. He said if the crosswalks are placed in the village area one of the things in the State's crosswalk policy is that there will be installed per the Manual of Uniform Traffic Control Devices. Kinney said he is not a fan of putting something in the middle of the road.

Dunham's other request is to have a street light put on the new telephone pole that would benefit both the boat club and the library. He is a big proponent of a minimum amount of lighting, but it would light the crosswalk where people would be coming and leaving at night. He asks what they need to do to apply for a street light for that part of Town.

Dunn asked if there is some situational lighting that can be turned on for library events instead of a street light illuminating the entire street.

Dunham said they have outside lights and probably will be installing other lights for their area, but he said a street light will let people see they are coming up to a crosswalk. He said he didn't know how the Town determines where a street light goes.

Kinney said it's a matter of the Board agreeing to the street light and the voters being willing to fund it. Kinney said they are required to lease the street light for seven years from Central Maine Power, but there is a buyout provision.

Dunn asked Kinney if a street light could be funded by a private group.

Kinney said he thinks that's the case. He said Central Maine Power has a light that they will sell or lease.

Dunn asked what the cost is for putting in a street light.

Kinney said there is a base cost and then the electricity cost of around twenty dollars a month.

Trundy said with the massive amount of volunteer time and work the Community Alliance and citizens in Town have made to bring this library together twenty dollars a month for a street light is a minimal investment. Trundy suggested the group may want to talk with the neighbors to get their thoughts on having a street light.

The Board encouraged Dunham to submit an amount to the Board for the budget process for this year.

Dunham said the other issue is signage saying 'Entering Lincolnville Center'. There would be four signs. He said the Lincolnville Community Alliance is interested in taking the lead on this and raising the funds. He said he knows there is a sign ordinance.

Kinney said first they should review the sign ordinance and second decide where they intend to locate the signs and on whose property. He suggested Dunham come back with a sketch to show the Board.

Whitney Oppersdorff suggested solar lighting.

Dunham said he thinks that's a great idea. They hope the library will be net zero, which means they won't be buying any power from Central Maine Power and they could power the street light by solar means. He said they have solar lights in their pathway.

Scott Browning asked Dunham if they could get together to discuss the street light. He and his wife are not big fans of more lighting at their end of town. He said they are big fans of the library and the events there, but want to make sure there is not more light twenty-four seven every night.

Dunham ask Kinney if they were making budget decisions this week.

Kinney said in the next two nights the first draft of the budget will be presented to the Selectmen to review. At some point after those two meetings the Selectmen will start adding or subtracting to that budget. The Selectmen's budget, by Town Charter, has to be approved in March and then goes to the Budget Committee, so time is of the essence for requesting funds.

Dunham thanked the Board for their input and will get back to them.

**9. Report of the Financial Advisory Committee – Linwood Downs, Chair:**

Linwood Downs, Chairman of the Financial Advisory Committee, said serving on the committee with him are Mary Ann Mercier, Steven Kemple, David Kinney and Jodi Hanson. There are two purposes to the committee the first is to establish what would be an appropriate level of reserves for a Town of our size. The committee compared what other towns did for their reserve fund balance. The second charge from the Select Board was to invest any surplus funds in a financially prudent way to earn a rate of return higher than what they had been receiving at that time. The committee has been doing this process since 2001. He said we came up with an investment policy that the Select Board approved in 2003 or 2004. We then started investing money at that time. Based on our research back then we thought that a prudent town reserve for a town our size would be about twenty five percent of its annual expenditures. The recommendation is to have on hand money to cover three months of expenses, which out of a \$7,000,000 budget is about \$1,800,000. That was the committee's goal at the beginning; we have continued to reinforce that throughout the last several years.

Downs reported that the Town has 3.1 million dollars in reserves according to the annual audit report. Some of that amount is encumbered or otherwise committed to various projects whether it's the Coombs Trust money or Capital funding. The 3.1 million dollar reserve is broken into two parts, there's an unencumbered part, which is an emergency

fund or rainy day fund that amount is 1.4 million dollars. The remaining 1.7 million dollars has already been committed to various projects including the fire trucks and various school projects.

Downs said the money the Town has available in their checking account has been invested with First Advisors, who manage our portfolio. We take the excess funds that are not needed for the general operation of the Town and send it to First Advisors and they invest the money according to an allocation policy that the Financial Advisory Committee adopted that would be prudent for the Town. The Financial Advisory Committee instructed First Advisors to have the Town's excess reserves allocated in such a way that seventy-five percent is invested in very conservative investments such as bonds, bond funds or cash equivalents. Twenty-five percent is invested in equity or stock based investments, specifically mutual funds that have a broad diversification, so that we can get a little higher rate of return than we otherwise would if we just kept it strictly to a very conservative investment. These are the guidelines that First Advisors have used to put together a portfolio for the Town.

Downs said as of the end of the calendar year we had earned about 4.4% on that investment after paying the 0.55% fee to First Advisors. At the end of the year we had 1.93 million in reserves invested with First Advisors, some of it is committed money and a little bit of it is non-committed. He said we lost 1.1% of the bond portion of our portfolio, but the stock market had a good year last year so the stock portion went up 31%, that's why we diversified. Downs reported that the Town had a positive return on their investment. He said for the year they had \$39,000 in income from those investments, so they received cash dividends. We had capital appreciation of about \$54,000, so the overall increase in value for the year was about \$93,000. Downs said First Advisors have done a good job for the Town. He recommends that we retain them for another year.

Kinney said there are a couple of key factors in the policy developed by the Financial Advisory Committee. One of them is to monitor the investments so as to not lose the principal. Because of this type of concern State statute limits what towns are eligible to invest in. He said the Financial Advisory Committee's work has been invaluable.

The Board thanked Downs for his presentation and the committee for their work.

#### **10. Recreation Commission Update:**

Lesley Devoe presented an update on the following activities and made a request from the Recreation Commission:

- Request for a skating rink on Norton Pond.
- Ball Field Maintenance: Mowing, fence repair, regular fertilizer, grass seeding and trail maintenance. Bob Hills, school custodian, attended a seminar on athletic field care and maintenance. Aluminum bleachers were assembled. Sports Field brought in material to edge/level both of the infields. The 2<sup>nd</sup> installment of this project is to be completed in the fall.

- A new concession building at the baseball infield will be opened this season by the Little League program. Other groups could operate the snack shack as well. The Recreation Commission recommends that a maintenance account be established at the Town Office and a small percentage of the snack shack sales be used for painting and repairs etc.
- Future projects the Recreation Commission is seeking approval for include improving the drainage in the ditch between the small baseball and soccer fields to remove standing water. The quote for this is on Sports Field's 2014 Maintenance Proposal. The school could handle the over seeding part, but that adding/leveling the loam should be performed by Sports Field or others.
- In addition to LCS school team usage, the YMCA runs a fall soccer program here and has requested use of the soccer field to accommodate a growing lacrosse program. Little League baseball and an adult co-ed softball league round out current users.
- Weed Removal on Norton Pond. Request to DEP to do weed removal.
- Bold Signage:
  1. Softball game today
  2. Skating on Norton Pond
  3. Please join us in protecting our lakes from invasive plants
  4. Please stop and inspect your boat for invasive plants
  5. A clean boat and trailer have no vegetation attached
  6. Please be prepared for a courtesy boat inspection
  7. Please help stop the illegal stocking of fish. 1-800 ALERT-US (Operation Game Thief)

Devoe said when the Recreation Commission is sure they have the Board's permission and support for this they would like to do some publicity to increase public participation. They will also need some volunteers to help them with these projects.

#### **11. Consumer Fireworks Use Ordinance Follow-up:**

Kinney said at the last Selectmen's meeting the Board asked that he explore the enforcement and penalty aspects of the proposed Consumer Fireworks Use Ordinance to create more clarity. He said the intent was to mirror what is in State statute for the penalties unfortunately the wrong penalty section from the State fireworks statute was incorporated into the first draft. The section that had been inserted in the ordinance came from the penalties for illegal sale of fireworks not for their use. He said towns have the ability to have penalties that match or exceed the State in their ordinances, but can't go lower than what is in State statute.

On the enforcement end of it, the way the ordinance was written was intentionally broad to give the Board the maximum opportunity for enforcement alternatives. Local ordinances are not enforced by State Police or the Sheriff's Office without a contract. Sheriff Story from the Waldo County Sheriff's Office informed Kinney they have no desire to contract to enforce local ordinances. As of today Kinney did not receive a formal response from the State Police.

The language in the ordinance authorizes the Board to determine who and how the ordinance is enforced.

Gerry said if something is going on around the ponds and Justin Twitchell is on duty you are all set. Gerry said he would not want to call him at 1:30 a.m. in the morning. He said that the Lakes and Pond Associations have been meeting to deal with this situation and talking with the people who have rentals. Gerry said he thinks a lot of the problems are with rentals. Gerry is not in favor of appointing somebody to enforce the ordinance.

Libby said if it's after ten o'clock at night that would be considered disturbing the peace.

Trundy said ten o'clock is the threshold with law enforcement in general and the Sheriff's Office or State Police will then take enforcement action.

Kinney said there are specific laws in State statute that the Sheriff's Office or Maine State Police can enforce.

Dunn said she feels it's a little bit like chicken or the egg in regarding Section 6 and Section 7 of the penalties and enforcement. She said she is nervous about the vague theme of this that any Select Board can nominate anyone to be the constable and enforcer of the ordinance.

Kinney said no one wants to charge somebody with a penalty, but what we find in our other ordinance enforcement is the lack of knowledge about what exist for rules and regulations that have been adopted by the Towns people. We are all about voluntary compliance, but if people don't comply then sometimes you have to go the next step if that's what the people have adopted for their ordinances.

Trundy said he likes the ordinance it was well done and reasonable. He had concerns from the very first conversation concerning enforcement. He said he views this ordinance like the Towns other ordinances. If it came down to enforcement being a big problem how and who would we choose to enforce it. Trundy said we haven't even put this in front of the voters to see if they even like the concept of the ordinance. He said between what the associations are already doing with the rental agreements, voluntary compliance and education about the ordinance those things may alleviate the lion share of the problem. Trundy said he doesn't want to throw out a very good ordinance just because we haven't answered or worked out all the issues concerning the enforcement portion of the ordinance.

**Motion by Libby, second by Trundy, that the draft Consumer Fireworks Use Ordinance as prepared by the committee be presented to the voters for their consideration via referendum ballot as part of the annual Town Meeting in June. Vote: 4-1 (Gerry opposed).**

**12. Junkyard Enforcement – Authorization to pursue court action:**

Kinney said the Code Enforcement Officer received a complaint from a neighbor on Heal Road concerning a number of unlicensed, unregistered vehicles. The Code Officer inspected the property and found the number of vehicles exceeded what was allowable by State statute. The CEO talked with the land owner about complying with State statute and the land owner assured the CEO he would. The owner did not follow through on his promise and the CEO then issued a notice of violation. Kinney encouraged the Board to pass the suggested motion.

Dunn asks if the Board passes the motion are they obligated to act on it.

Kinney said if the Boards passes the motion and corrective measures aren't resolved then the Town would take the necessary action to enforce the State statute.

Gerry asks when the last time the CEO inspected the property was and what was the allowable number of unregistered vehicles.

Kinney said the CEO inspected the property on Thursday of last week. The number of unregistered vehicles allowed is two. He said he spoke with the property owner on Friday to alert him the issue was coming before the Board. The owner gave Kinney an indication the situation would be resolved this weekend, but it's been ongoing since the first of December.

Barrows ask if it would be out of line to pass this article over until the next meeting. He understands there have been warnings sent, but he has been on the other side of the fence also and one thing happens or another. Barrows said movement of some of the vehicles has taken place.

Dunn said when it comes right down to it the unregistered vehicles are the only enforceable complaint that was submitted and included other items.

Kinney said the other items are allowable. Kinney said he would encourage the Board not to put on their CEO hat and attempt to micro manage the issue or table the article. We have an obligation to enforce the ordinance in the State statute that the Board took an oath to uphold. The CEO took the Lincolnville approach back in the first part of December and spoke with the land owner who made a promise to the CEO, but did not follow through. The CEO then issued a notice of violation, which was not followed through by the land owner. Kinney said either we have ordinances or we don't and you charge the CEO with enforcing them or you don't. We have an obligation when somebody comes in to complain about what potentially could be a public health hazard to explore it and the CEO did that.

Dunn ask what the potential cost might be following this through.

Kinney said if the Board passes this article, if the situation is not already resolved, there is more of a potential cost benefit for somebody to dispose of the vehicles.

Gerry said Kinney makes a good point, it's an ordinance and was voted in by the people, but we are trying to live and survive in a rural community. He said Barrows suggestion of a little more time would be good. He said Kinney's suggestion and recommendation is highly respected, but we are trying to work and live in a community and get along with our neighbors.

**Motion by Libby, second by Trundy, be it ordered that the Town Attorney is authorized and directed to take any and all action, including, without limitation, the filing of suit in state court, that is necessary and appropriate to enforce the State junkyard/automobile graveyard statute, 30-A M.R.S.A. §§ 3751-3760, and the Town of Lincolnville's Land Use Ordinance with respect to property located at 214 Heal Road (Tax Map 21, Lot 103). Vote: 4-1 (Gerry opposed).**

**13. Small Harbor Improvement Program Grant & Agreement – Wave Screen:**

The Town applied for and received \$106,000 Small Harbor Improvement Grant from the Maine Department of Transportation for the rehabilitation of the inner two sections of the wooden wave screen in Lincolnville harbor. We have before the Board tonight the Small Harbor Improvement Program agreement between the State of Maine and the Town of Lincolnville.

**Motion by Libby, second by Barrows, that the Board authorize the Town Administrator on behalf of the Town to sign the grant agreement with the Maine DOT for the rehabilitation of the inner two sections of the wooden wave screen in Lincolnville harbor. Vote: 5-0.**

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

**Motion by Libby, second by Trundy, that the Board approve the Treasurer's, Capital Campaign and payroll warrants. Vote: 5-0.**

Barrows asked Paul Russo if the job for the Domestic Water Booster Pump System went out to bid.

Paul Russo, Principal of Lincolnville Community School, said they became aware of the situation three week ago at the school; they had lost water pressure and completely lost water. They had some people come in and temporary fix the problem. The engineers told them that they were in an emergency situation and they needed to fix the problem right away. He said the way the system was designed there are two pumps that run at one speed 60 hertz and a pressure tank behind that. So the water comes in the pressure tank and when the system needs water the pumps kick on. He said they have already replaced the barriers on one of the pumps and the barriers are gone in another pump. The pressure tank that keeps pressure on the system needs to be replaced because the bladder is gone.

The engineers offered two solutions one is to put in the same system that has already failed twice and the other is to replace the two pumps with variable speed pumps. He said with the variable speed pumps they build up the pressure at a slower rate and that they will be longer lasting and save energy over time. Russo said the superintendent talked to the School Committee, there is provisions that states if it's an emergency and it seems to be in the best interest of the project and the school that you don't need to go out to bid. That is what the School Committee decided because of the nature of the emergency. The engineers told them they were on borrowed time and they wanted to avoid closing the school and having to use bottle water and porta potties.

Dunn asked if the amount in the Capital Campaign represented the deposit.

Russo said it's a \$34,000 job and they need a deposit of \$11,000.

**15. Executive Session: Disposition of Publicly Held Properties – Title 1 MRSA Section 405 (6)(C):**

**Motion by Dunn, second by Trundy, that the Board enter executive session to discuss the disposition of publicly held properties pursuant to Title 1 MRSA Section 405 (6)(C). Vote: 5-0.**

Upon returning to open session, **Motion by Dunn, second by Libby, that the Board approve and sign the Second Extension of Time for Performance with the State of Maine for the sale of the Sprague-Hasting and Thomas lots establishing the time for performance by no later than April 18, 2014. Vote: 5-0.**

**Motion by Dunn, second by Libby, to authorize and direct the Town Administrator to execute and deliver the quitclaim deed and to execute any necessary paperwork reasonably incident to the sale of the properties known as the Sprague-Hastings Lot (WCRD Book 653, Page 280) and the Thomas Lot (WCRD Book 712, Page 805) to the State of Maine consistent with the June 2013 Town Meeting authorization. Vote: 5-0.**

**Motion by Dunn, second by Libby, to authorize the Town Administrator to prepare a draft Special Town Meeting warrant to deauthorize the borrowing of \$220,000 for the Town Office project and authorize the appropriation of \$220,000 from undesignated/unassigned fund balance. Vote: 5-0.**

**16. Adjourn:**

**Motion by Dunn, second by Gerry, to adjourn. Vote: 5-0.**

Respectfully submitted,  
Cheryl Ten Broeck  
Administrative Assistant