

**BOARD OF SELECTMEN
MINUTES OF MEETING
JULY 14, 2014**

Selectmen present: Ladleah Dunn, Chair, Jason Trundy, Vice-Chairman, Rosendel Gerry, Cathy Hardy and Arthur Durity.

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

1. **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 Durity, that the Board of Selectmen enter into executive session for 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 Trundy, to deny the abatement request. Vote: 5-0.**

2. **Citizens' Forum:** None

3. **Administrator's Report:**

- Kinney extended a thank you to Cheryl Ten Broeck and said this is her last Selectmen's meeting with them. He said the Town is fortunate to have her another week in the Town Office and wished her well in retirement.
- The Town is out to bid for paving, winter sand and culvert replacement at the Spring Brook crossing on Slab City Road. Bids are due by 2:00 p.m., Tuesday, July 22, 2014.
- Vern Ziegler, Assessors' Agent, request the Board consider holding a Board of Assessors meeting with him to discuss sales in the last year and possible adjustments to assessments. He would like to meet with the Board between now and when the Town is going to do the tax commitment on August 11th. Kinney said Ziegler suggested Wednesday, July 30th, Thursday, 31st or the following week on August 5th, 6th or 7th. Kinney to survey members for convenient meeting date.
- Kinney said the Town had a request to allow Public Witnessing, which is handing out religious literature at various public places in Town. Kinney said this is considered protected free speech.

4. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

5. **Upcoming Community Events:**

The Lincolnville Community Library will hold their annual Picnic Supper and Auction on Sunday, July 27th from 5:00 p.m. to 7:00 p.m. The event will be held at the Lincolnville Boat Club.

6. Meeting Minutes:

Cathy Hardy had a correction for the June 23rd minutes under meetings and announcements. She said in the paragraph for the plaque presentation the word “goal” should be changed to “Bowl” for Kids Sake Event.

Durity referring to Article 8 asked Kinney if he really said that anything we do in terms of the pedestrian signs “must comply” or “should comply” with the Manual on Uniform Traffic Control Devices.

Kinney said he used the word must. He said particularly in respect to Route One.

Motion by Gerry, second by Durity, that the Board approve the June 23, 2014 meeting minutes as amended. Vote: 4-0-1 (Trundy abstained).

Hardy said on page 7 of the June 30th meeting minutes there seems to be a missing transition sentence at the top of the page between the first and second paragraph. She said it goes from the Harbor Master to her comment that two people had volunteered for the parking attendant position and that wasn't clear. Hardy said with that change she would move that we approve the minutes of June 30th.

Motion by Hardy, second by Durity, that the Board approve the June 30, 2014 meeting minutes as amended. Vote: 5-0.

7. In-Street Pedestrian Crossing Sign Follow-up:

Kinney said at the Board's last meeting they received a request for the Board to consider purchasing In-Street Pedestrian Crossing Signs. The Board asked the Town Administrator to research what other options might be available. Kinney said Ann Mills called him today and said she was interested in addressing the Board concerning this situation if the Board hadn't made any final determination on this subject.

Ann Mills said she has lived at Lincolnville Beach for the past 47 years. She said she is very concerned about the traffic down at the beach area. She stated that the demographics at the beach have changed over the last few years. We have some young families with kids who have moved into the beach area and traffic is moving at an all time fast pace. She said the traffic sign says thirty miles an hour, but she thought it used to be twenty five going through the beach area. She said the traffic is coming past Dot's at around fifty miles an hour. Mills said when the traffic reaches the crest of the hill, which is by Dot's and the French cemetery; it's a very short distance from there down a steep grade to the intersection where Rt. 173 and Ferry Road meet Rt. 1. She said a big car or a huge truck will have trouble stopping when they see there is congestion at the beach area. Mills said the Town needs to have warning signals.

Mills said she decided to study the effect blinking lights had on traffic. She said every time she went through Winterport she looked to see what the reaction was when people saw those blinking lights when coming into the village from either end. She said everyone puts their brake lights on. Mills said as we all have responsibilities as home owners so does the Town of Lincolnville to its community. She said the Town needs to consider this urgent situation that exists in Lincolnville Beach. Mills asked for individual signs like they have in every single community from Rockland to Thomaston and down to the peninsular to Port Clyde. She said these blinking yellow lights might break through the driver's consciousness to the extent they will know to slow down. Mills asked to what extent are the people of Lincolnville responsible in the event an accident does happen. She suggested the speed limit is too fast for the beach area and more signage would be helpful. Mills offered to volunteer her services to whatever she could do to help implement this project.

Hardy said she heard two different things from Mills. Hardy mentioned the markers in the middle of the street and asked Mills if she was thinking of having the blinking yellow lights above or on the side of the road.

Mills said the Town of Winterport has the alternating blinking yellow lights that are elevated on a pole on the right side of the road and are located away from the congestion. The lights are a warning to people from away that they are entering a possibly congested area because it's a village.

Hardy said the Board discussed the In-Street Pedestrian road signs at a previous meeting and their feelings were that the signs are sometimes more of a hazard than a warning. Hardy said she would be more in favor of looking at something like the yellow blinking lights.

Mills said while traveling down to Port Clyde their In-Street Pedestrian Crossing Signs did slow her down. She said she understands they are \$300 a piece and she would be glad to try and raise money to help the Town pay for a couple of them.

Hardy asked Kinney if he found out why Camden discontinued their In-Street Pedestrian Crossing Signs.

Kinney said he called Rick Seibel, Camden's Public Works Director, but he hadn't returned his call.

Dunn said there are a couple of communities in Southern Maine, Wells and Ogunquit, that have similar pedestrian signs with flashing lights and a LED box that reads your speed as you enter the village.

Gerry asked Kinney and Trundy if the blinking lights were on a radar type system that comes on when traffic approaches or are they blinking "24-7".

Kinney said he believes the majority of them are "24-7". He said they have wired ones that are hooked into Central Maine Power and solar powdered units that have a collected panel up above. The radar signs that flash the speed limit are activated by traffic flow.

Durity said the sign by the Rockland Golf Course is activated by some sensor, electric loops in the road, which detects oncoming traffic. He said there was some discussion by neighbors concerning blinking lights at night.

Gerry said if the Board did consider the blinking lights they need to have some kind of compromise.

Durity said if the Select Board continues to consider these options the Lincolnville Business Group has unofficially said they would contribute money towards any purchase of signage or lights. They see the value of this for the businesses on Lincolnville Beach.

Dunn said she remains concern about the In-Street Pedestrian Crossing Sign because Lincolnville is a through way to other coastal towns, such as Bar Harbor. She said the signs will probably get hit and the Town will end up replacing them. Dunn agreed the traffic down at the beach area is far too fast.

Durity asked if the State had done any study of the traffic patterns on that section of road in recent years.

Kinney said not recently. He said typically when DOT goes through the reconstruction stage they will do some traffic analysis.

Gerry asked, concerning the blinking lights, if that was something the Town would petition the State or is the Town responsible for that.

Kinney said having never been involved in putting those lights up he was not sure. Kinney said he suspects based on State policies they will work with the Town to site the lights, but it will be the Town's responsibility to purchase them.

Gerry asked if the Board would consider having the Town Administrator look into this issue.

Hardy agreed, but added if the Town is going to do something to be effective for the summer the Board needed to act now. She asked if the Board agrees that the lights are a good way to go, especially on the Camden side, what would be the most expedient way to move forward.

Trundy said he agrees the blinking lights on the outside of the congested area work to slow down traffic. He said if the Board is serious about going with any of those options he suggests they have the Town Administrator get some quotes. Trundy said the lights with the radar could be as much as \$5,000 to \$8,000. He said he has no objection to the In-Street Pedestrian Signs.

Hardy said she thinks people are too focused on avoiding these In-Street signs and that they don't see the pedestrians entering the crosswalks.

Dunn said she would like to look into a more dramatic solution. Dunn requested the Town Administrator to research the prices for the different blinking lights.

Durity said he looked through the catalogue of the code compliance signs and there are a huge number of options including some overhead signs. He said if the consensus is not to go with the In-Street signs there are other options that can make a dramatic statement.

Dunn said as much as she is opposed to these In-Street signs, is there any other alternative to slow traffic down in the immediate future.

Kinney said we could call Sheriff Story and ask if he could spare somebody periodically to curse up and down Rt. 1.

Trundy said he has a problem asking his officers to periodically run radar down at the beach area. He said when the congestion is at its worse down there it becomes difficult to find a place to park the car, effectively run radar and actually get out into traffic to safely stop someone and not create more of a hazard than you are trying to prevent. He said it's a very short term solution to a long term problem.

Dunn asked if the Town purchased a couple of these In-Street signs how we then decide where they go so they are the most effective.

Kinney said the Town needs to comply with the Manual on Uniform Traffic Control Devices. He said they go in the center of the road, but not in the crosswalk themselves. They have to go in close proximity to the crosswalk because they're another thing to identify the crosswalk itself.

Hardy would like to pursue the blinking yellow lights south of the Town somewhere near Dot's and the French Cemetery and get a cost for that.

Kinney said he will find out what one cost.

Durity said that's more of a long term solution because with installation it's going to be at least six weeks out. He asked if there was a short term option that anybody would consider. Dunn said the business group is unofficially, but eager to participate financially to make those signs available.

Motion by Trundy, second by Durity, that the Board purchase three of the In-Street Pedestrian Crossing Signs and to authorize the Town Administrator to seek financial support from the Lincolnville Business Group. Vote 3-2 (Gerry and Hardy opposed).

Hardy asked if the Board could still move forward on getting prices for the yellow blinking lights.

Kinney said he would report back to the Board with all options and the cost.

The Board was in agreement to move forward.

8. Resignation(s) and Appointment(s):

Motion by Gerry, second by Trundy, to appoint Fred Heald to the Breezemere Park Bandstand Trustees as an alternate member representing the Lincolnville Band with a term expiring June 2015. Vote: 5-0.

Motion by Hardy, second by Trundy, to appoint Karen Secotte to the Memorial Day Parade Committee as a regular member with a term expiring June 2015. Vote: 5-0.

Kinney announced vacancies for the following committees:

- Board of Appeals
- Board of Assessment Review
- Breezemere Park Bandstand Trustees
- Cemetery Trustees
- Comprehensive Plan Review Committee
- Conservation Commission
- Land Use Committee
- Planning Board
- Recreation Commission

Kinney said if anyone is interested in any of these positions to contact the Town Office for further information.

9. Sale of Surplus Floats:

Motion by Gerry, second by Hardy, that the Town accept the bid of Alex Cohen in the amount of \$225 for the sale of the surplus 7' x 25' float. Vote: 5-0.

There were no bids received for the 6' x 25' float.

Dunn asked if there was a motion for the other float.

Motion by Durity, second by Hardy, that the Town Administrator be authorized to accept any offer deemed to be in the best interest of the Town or to dispose of the surplus 6' x 25' float. Vote: 5-0.

Kinney said if anybody is interested in a float it is located in the overflow parking lot on the boat stands. Please contact the Town Administrator at the Town Office.

10. Liquor License - Application for Catered Function, Cellardoor Winery (7/24/14):

Motion by Trundy, second by Durity, that the Board approve the Application for Catered Function By Qualified Catering Organization as submitted by Mainely Bartenders for an event to be held on July 24, 2014 at the Cellardoor Winery. Vote: 5-0.

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

Motion by Hardy, second by Trundy, that the Board approve the Treasurer's and Payroll warrants. Vote: 5-0.

12. **Adjourn:**

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

Respectfully Submitted,
Cheryl Ten Broeck
Administrative Assistant