

**BOARD OF SELECTMEN
MINUTES OF MEETING
June 14, 2021**

Present: Chair, Ladleah Dunn, Vice-Chair, Keryn Laite, Jr., Josh Gerritsen, Mike Ray, and Town Administrator, David Kinney

Excused: Jordan Barnett-Parker

Selectman Ray read the quote.

1. Citizens' Forum:

There were none.

2. Administrator's Report:

David Kinney, the Town Administrator, noted:

- Elections: Thanked all the ballot clerks who worked the election on June 8, 2021.
- 8th Grade Graduation: Congratulations to the Lincolnville 8th Graders as they graduate on June 15, 2021.

3. Meetings & Announcements:

Chair Dunn read the meetings and announcements.

4. Upcoming Community Events:

There were none.

5. Meeting Minutes – May 24, 2021, & June 9, 2021:

Laite made an amended motion, seconded by Gerritsen, that the Board approves the May 24, 2021 meeting minutes as presented. The motion passed on a 4-0-0 vote.

Laite made a motion, seconded by Ray, to approve the June 9, 2021 meeting minutes as presented. The motion passed on a 4-0-0 vote.

6. (6:30 PM) – Public Hearing Special Amusement Permit Application – Lobster Pound:

Ray made a motion, seconded by Gerritsen, to open the public hearing concerning the Special Amusement Permit Application filed by the Lobster Pound Restaurant. The motion passed on a 4-0-0 vote.

There were no representatives present from the Lobster Pound Restaurant.

No public input was offered.

Laite made a motion, seconded by Gerritsen, that the Board close the public hearing. The motion passed on a 4-0-0 vote.

Laite spoke in favor of having a representative from each organization, requesting a permit, be present to answer questions.

Ray made a motion, seconded by Gerritsen, that after having held a public hearing, that the Board finds that the application submitted by the Lobster Pound Restaurant complies with the standards set forth in the Ordinance Governing the Issuance, Suspension, and Revocation of Special Amusement Permits for the Town of Lincolnville and the permit be granted. The motion passed on a 4-0-0 vote.

7. Application for Catering Permit – Dandelion Catering, July 17, 2021, @ 2773 Atlantic Highway:

Ray made a motion, seconded by Gerritsen, that the Board approves and sign the Catering Permit as submitted by Dandelion Catering for an event occurring at 2773 Atlantic Highway on July 17, 2021, between the hours of 4:30 PM and 8 PM. The motion passed on a 4-0-0 vote.

8. Qualified Catering Organization Application for Catered Function – June 26, 2021, @ The Edge:

Laite made a motion, seconded by Gerritsen, that the Board approves and sign the Qualified Catering Organization Application for Catered Function as submitted by Seacoast Catering for an event occurring at The Edge on June 26, 2021, between the hours of 4 PM and 10 PM. The motion passed on a 4-0-0 vote.

9. Center Sidewalks – Town Only effort:

Ray requested that the Board have another discussion regarding constructing a sidewalk in the Center and discuss what those options might be.

Ray also explained that he was contacted by Rory Seliger, a Lincolnville resident, asking if the Town of Lincolnville would be interested in obtaining private funds and hiring a private contractor to do the sidewalk project from the Lincolnville Central School to Petunia Pump.

Ray reminded the Board that it would cost substantially more if the Town of Lincolnville were to do the project alone versus in partnership with the Maine Department of Transportation.

Gerritsen noted that the estimate for the sidewalk project was \$900,000 and he was not in support of the Town paying for this when the Maine DOT would pay 80% of the project and the Town would pay 20%.

Gerritsen explained that the Board sticks with the original plan of inviting Patrick Adams, Maine's DOT Active Transportation Planner to come back and conduct a site walk to see what the challenges and dangers are and get some advice and go from there.

Laité recommended that the Nature Trail be considered as a possibility, which is already at the back of the school and ends at the Lincolnville Library, which he felt was a much safer option.

Dunn was also in favor of inviting Adams back to conduct the site walk and at that time she felt it would be a great opportunity to explore the Nature Trail, especially since it already exists.

10. Proposed Amendment to Harbor Ridge Subdivision Escrow Agreement – Steve Case:

Steve Case, a Lincolnville resident, explained that the original plan was to have pavement on this project at the Harbor Ridge Subdivision last fall. However, since the deadline was missed by a week, Case is now requesting that this project be started in October because of the activity this summer and the integrity of the new asphalt.

Laité made a motion, seconded by Gerritsen, that the Board instruct the Town Attorney to draft, at Steve and Margaret Case's expense, an amended Escrow Agreement by, between and among Steven and Margaret Case and the Town altering the completion date of the base course of pavement to October 31, 2021, and requiring an additional \$10,000 in escrow funds. The motion passed on a 4-0-0 vote.

The Board thanked Case for attending the meeting.

11. Broadband Update:

Mid-Coast Internet Development Coalition:

Gerritsen invited Debra Hall and Matt Siegel of the Mid-Coast Internet Development Coalition to join their meeting to discuss the Axiom Feasibility Study regarding what it is about, what the study covers, and how the Board can be involved.

Debra Hall, Chair of the Mid-Coast Internet Coalition, which is a group of towns that have come together for the advancement of Broadband. Recently the Mid-Coast Internet Development Corporation (MIDC) interlocal agreement passed in the towns of Camden, Rockport, and Thomaston for the formation of the Mid-Coast Internet Development Corporation.

Hall stated, "What we plan is to have a Phase I build, and we can't make any commitments on which the Phase I build includes since this is the purpose of doing the feasibility study. I know that Lincolnville has expressed interest in perhaps joining in on the feasibility study and that's

what we are here to talk to the Board about. We are interested in having a dialogue with the Select Board in terms of what you expect to see out of a feasibility study and what you want to see it do for you and engage in a discussion.”

Hall introduced Mark Ouellette, President, and CEO of Axiom was present at the Select Board meeting. Axiom is the entity that has been chosen to conduct the feasibility study for MIDC.

The study will be done for the three towns, which are part of the interlocal agreement.

Ray asked Ouellette to characterize what the study would include.

Ouellette also explained that this study would have three basic things: Characterize what they have, meaning if we build fiber optics into Lincolnville, what does that cost, how many people would get hooked up, and then he would put together a 5-year proforma/spreadsheet that shows what we would project as revenues and expenses around that fiber build.

Gerritsen asked how much the feasibility study would cost.

Ouellette told the Board that the feasibility study would cost \$15,000.

Kinney noted that the Town of Lincolnville Town Charter requires a bid process for anything over \$8,000.

Ouellette announced that they do not build anywhere where they do not serve 100% of the homes and he stressed that would be every single home, generally speaking, it costs about \$1,000 per drop to connect to the home.

Laite wanted this feasibility study to also include the worst-case scenario and what would it cost for every house in this town to have a drop.

After a lengthy discussion, the Board decided to have a more in-depth conversation at a future Select Board meeting and what it all means for the Town of Lincolnville.

The Board thanked everyone for their time and all the details provided at the meeting.

Proposed communication with Waldo County Commissioners:

Laite made a motion, seconded by Gerritsen, that the Board approves and sign the letter to the Waldo County Commissioners regarding the use of the American Rescue Plan Act funds to be received by Waldo County. The motion passed on a 4-0-0 vote.

Broadband Committee:

Ray explained that the Broadband Committee is going well and he reminded the Board that the second part of the Board’s mission charge is to do specific tasks that the Board feels they need.

The next Broadband Committee meeting will be held on June 24, 2021.

Gerritsen reported that members of the Mid-Coast Internet Coalition gave an in-depth comprehensive presentation to the Knox County Commissioners, giving different points about why mid-coast internet is important and why they think the County Commissioners should give a portion of their funds to the utility.

Gerritsen also reported that unfortunately, the reception from the Commissioners was not great and they felt there wasn't a rush and they felt that broadband is least important in how the funding should be spent.

Gerritsen told the Board that this presentation can be viewed on www.townhallstreams.com.

12. Discussion concerning possible creation of a Noise Ordinance:

Dunn explained that Selectman Barnett-Parker requested that the Board discuss the possibility of creating a Noise Ordinance which was prompted by an incident of people using explosives after the hours of 9:30 PM.

Barnett-Parker, who was excused from the meeting, forwarded the following to the Board:

There have been several instances over the past two months of explosions occurring late at night that were loud and powerful enough to shake houses (mine as well) As well as be heard from as far away as Hope. I was personally contacted by several concerned citizens who had a scared child, grandparents, and pets. There is a Facebook thread on the Lincolnville group where almost 30 comments describe different Lincolnville residents' feelings and reactions to these explosions. I have become aware that these explosions are coming from by the Grange Hall, and that the source is a gun powder-driven cannon. Many residents expressed the same concern to me, which was after contacting the police and the code enforcement officer that there is no way to enforce a noise ordinance that isn't there. While I am not a fan of creating new ordinances and regulations, I believe that this is an important standard to establish to maintain the smallest amount of peace and quiet in the late hours of the night.

After a brief discussion, the Board decided not to create a Noise Ordinance, since the State of Maine has a Disorderly Conduct statute, which covers loud and unreasonable noises.

Gerritsen recommended if residents have concerns in the future, to call the Waldo County Sheriff's office.

The Board agreed that if Selectman Barnett-Parker wanted to discuss the matter further that the item could appear on a future agenda.

13. Appointment of Municipal Officials:

Gerritsen made a motion, seconded by Laite, that the Board appoint the individuals listed to the positions shown on the sheet entitled **Town Official Appointment Papers** and dated June 14, 2021, with all terms being one year. The motion passed on a 4-0-0 vote.

14. Board, Committee, and Commission Appointment(s):

Laite made a motion, seconded by Gerritsen, that the Board appoints the Committee members requesting re-appointment to the positions and terms set forth on the **Expiring Committee Terms** list dated 6/10/21 and included within our meeting packet. The motion passed on a 4-0-0 vote.

15. Consideration of Surplus Equipment Bids:

Laite made a motion, seconded by Ray, that the Board accept the \$10,505 from Roland Ray for the purchase of the John Deere lawn tractor. The motion passed on a 4-0-0 vote.

Ray made a motion, seconded by Laite, that the Board accept the \$1,500 offer from Dallas Fields for the purchase of the Mako air compressor. The motion passed on a 4-0-0 vote.

Laite made a motion, seconded by Gerritsen, that the Board accept the \$160 offer from Dan Ford for the purchase of the skid tank. The motion passed on a 4-0-0 vote.

No offers were received on the floats. Kinney offered to reach out to Curt at Dark Harbor to see if he might be aware of anyone who may be interested in purchasing the floats.

16. Adopt, Renew, Amend or Rescind Board Policies:

Rules of Procedure – Lincolnville Board of Selectmen:

Laite made a motion, seconded by Ray, that the Board of Selectmen utilizes the current **Rules of Procedure – Lincolnville Board of Selectmen** for the coming fiscal year. The motion passed on a 4-0-0 vote.

Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits:

Laite made a motion, seconded by Ray that the Board of Selectmen approves the **Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits** dated June 14, 2021. The motion passed on a 4-0-0 vote.

Policy on Treasurer’s Disbursement Warrants of State Fees & Revenues:

Gerritsen made a motion, seconded by Laite, that the Board approves the Policy on Treasurer's Disbursement Warrants for Sending Revenue Collected on Behalf of the State to the Appropriate State Agency dated June 14, 2021. The motion passed on a 4-0-0 vote.

Policy on Treasurer's Disbursement Warrant for Municipal Education Costs:

Laite made a motion, seconded by Ray, that the Board approve the Policy on Treasurer's Disbursement Warrants for Municipal Education Costs dated June 14, 2021. The motion passed on a 4-0-0 vote.

17. Assessors' Agent FY 22 Contract:

Laite made a motion, seconded by Gerritsen, that the Board approve and authorize the Town Administrator to sign the contract for Assessing Services with Fort Halifax Appraisals for Fiscal Year 2022. The motion passed on a 4-0-0 vote.

18. Septic Waste Disposal Facility Agreement:

Laite made a motion, seconded by Ray, that the Board approve and sign the Septic Waste Disposal Facility Agreement with Interstate Septic Systems, Inc. in the amount of \$2,300 for the Fiscal Year 2022. The motion passed on a 4-0-0 vote.

19. Possible Reconsideration of or an amendment to the May 24, 2021, Phased Reopening Plan:

Gerritsen requested that the Board have a conversation regarding the reopening plan. He felt that it would be important to continue allowing remote access for those who may be unable to attend a Select Board meeting but would still like the option to remote in.

Gerritsen discussed how this could potentially work by purchasing an owl cam and a laptop.

Dunn was not in favor of this request. She felt that knowing the added burden that the Zoom component adds to Town Administrator's duties.

Dunn spoke in favor of returning to the way it used to be and she looked forward to the open floor town meeting, allowing those with a voice to show up.

Laite agreed with Dunn and understood where Gerritsen was coming from, but he wanted everyone to show up in person.

The Board decided not to include the option of allowing the public to attend via Zoom but agreed to be able to revisit this request in the future if the Board finds the need to add the option at a later date.

20. Selectmen Update(s):

Laite: No updates at this time.

Gerritsen: The Mid-Coast Solid Waste facility will hold its annual Household Hazardous Waste Collection Day on June 19, 2021, from 12:30 PM to 3 PM

Ray: No updates at this time.

Dunn: No updates at this time.

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

Laite made a motion, seconded by Ray, that the Board approves the Treasurer's and Payroll warrants. The motion passed on a 4-0-0 vote.

22. Adjourn:

Ray made a motion, seconded by Gerritsen, to adjourn. The motion passed on a 4-0-0 vote.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant