

**BOARD OF SELECTMEN
MINUTES OF MEETING
June 27, 2022**

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

The quote was read by Ray.

1. Citizens' Forum:

Rosey Gerry, a Lincolnville citizen, came before the Board to express how important it is that all Committees and Boards work together as a body, to accomplish getting things done in town.

The Board thanked Gerry for attending the meeting and expressing his concerns.

Jordan Barnett-Parker, a Lincolnville citizen, also came before the Board to express his concerns with the parking at the beach, the affordable housing task force, and a request which had to do with the Gazebo at Norton's Pond.

Barnett-Parker asked the Board to consider creating a permitting process to allow individuals to play amplified music reasonably at the Gazebo.

Barnett-Parker was also concerned with the dearth of parking at the Lincolnville Beach for those using the beach, those working on Islesboro, and those shopping and he felt it has reached a frustration point with a lot of people and he wanted to bring this to the attention of the Select Board.

The Board thanked Barnett-Parker for attending the meeting.

Luanne Wright, a Lincolnville citizen, came before the Select Board to also express her frustrations with the parking at the Beach.

Wright suggested that the Town of Lincolnville have a discussion regarding adding a paid-per-spot parking meter.

Wright also explained that the MaineDOT double books their parking spaces, which means they charge for each space twice, which does not guarantee anyone a spot even though they have paid for a spot.

Wright suggested that the Town of Lincolnville have a discussion regarding adding a paid-per-spot parking meter.

Wright wanted to bring this issue to the attention of the Select Board in hopes that it will be put on a future agenda for a discussion.

The Board thanked Wright for attending the meeting.

2. Administrator's Report:

David Kinney, the Town Administrator, noted:

Solar Array: The annual inspection was currently conducted on the solar array at the fire station and they identified a minor electrical conduit issue, which will be repaired at no cost to the Town of Lincolnville.

Center Post Office: The Center Post Office will be doing some parking lot work during the week of July 5th and will need to use some of the Town's parking spaces during the day.

Roadside mowing: The roadside mowing has commenced as of today.

Audit: Kinney received communication from the audit company today which provided him with the information to write the little management discussion analysis which he will return to them tomorrow.

Laite voiced his frustrations with the fact that this audit took so long. He recommended that the Select Board hold a meeting with the Lincolnville School Board, and the Superintendent with HAL. There are timelines and deadlines for a reason.

American Rescue Plan: The Town of Lincolnville received the second installment of the American Rescue Plan Act funds for \$117,686.96.

Board, Committee, and Commission Appointments: These appointments will be provided to the Select Board at the next Board meeting on July 11th. If anyone is interested in serving, please stop by the Town Office and pick up an application.

3. Meetings & Announcements:

Administrator Kinney read the meetings and announcements.

4. Upcoming Community Events:

There were none.

5. Meeting Minutes:

- **May 23, 2022: Laite made a motion, seconded by Gerritsen, that the Board approves the May 23, 2022 meeting minutes as presented. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Abstained, Dunn – Yes. Motion carried 4-1.**

- June 13, 2022: Laite made an amended motion, seconded by Ray, that the Board approves the June 13, 2022 meeting minutes. Vote: Laite – Yes, Gerritsen – Abstained, Ray – Yes, Hand – Abstained, Dunn – Yes. Motion carried 3-2.
- June 16, 2022: Hand made a motion, seconded by Ray, that the Board approves the June 16, 2022 meeting minutes as presented. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

6. Liquor License Renewal Application – Lincolnville Lobster Pound:

Ray made a motion, seconded by Hand, that the Board approves and sign the liquor license application submitted by Lafayette Lincolnville doing business as the Lincolnville Lobster Pound. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

7. Special Amusement Permit Application – Lincolnville Lobster Pound:

Gerritsen made a motion, seconded by Hand, that the Board open the public hearing concerning the Special Amusement Permit Application filed by the Lobster Pound Restaurant. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

No public comments followed.

Hand made a motion, seconded by Ray, that the Board close the public hearing. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Gerritsen made a motion, seconded by Ray, 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. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

8. Qualified Catering Liquor License – Trillium Caterers @The Edge:

- 07/28/2022 – Penobscot Marine Museum Gala, 9:00 AM to 11:59 PM:

Hand made a motion, seconded by Ray, that the Board approve and sign the Catering Permit as submitted by Trillium Caterers for an event occurring at 24 Stonecoast Road on July 28, 2022, between the hours of 9 AM and 11:59 PM. Vote: Laitek – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

- 08/27/2022 – Wedding, 9:00 AM to 11:59 PM:

Ray made a motion, seconded by Hand that the Board approves and sign the Catering Permit as submitted by Trillium Caterers for an event occurring at 24 Stonecoast Road

on August 27, 2022, between the hours of 9 AM and 11:59 PM. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

9. Beach Fire Station Replacement Update:

Kinney explained that the Town of Lincolnville has been planning to replace the Beach Fire Station. In 2013, the Town purchased a parcel of land on the Beach Road to build the new fire station.

The time has come to seek and prepare proposals from architects and engineering services to do the design of the new facility and move the Town to the next level.

Lincolnville Fire Chief, Don Fullington came before the Board to give the projected space needed which would be a building to store one truck but two bays.

Laite thanked Chief Fullington for attending the meeting.

Ray made a motion, seconded by Gerritsen, that the Board authorize the solicitation of proposals from design professionals to assist in the design of the replacement for the Beach Fire Station. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

10. Security Camera Fire Station:

Policy:

Kinney explained that the Town of Lincolnville does not currently have any security monitoring system or equipment and therefore this policy would set forth who gets notified and how to operate this equipment in the future.

Ray recommended adding some additional wording to the “Video Monitoring Systems Policy” to include or post on “Social Media”.

Gerritsen stated, “I need to be convinced that we need cameras at the Fire Station, but I’m not sure why we need this.”

Gerritsen asked Chief Fullington the following question. “How do you and how do the volunteers feel about security cameras at the fire station?”

Fullington responded, “I feel like it’s good insurance in case someone gets hurt outside for liability reasons and we voted on the camera’s and the amount of cameras at the second to the last meeting and it was almost unanimous that everyone wanted the camera’s there.”

Gerritsen noted this will be four cameras around the exterior of the building.

Chair Dunn explained that the Board needs to adopt a Monitoring Systems Policy to have on the books first. She encouraged the Boards to add in where it says, “adherence to this policy, at least every two years to strike every two years and change that wording to “at a minimum by the third quarter by-annually”

Kinney explained that he will take all the comments made on the social media, the webcam, and the ongoing review and rework the draft and bring it back to a future Board meeting for review.

No motion was made.

Monitoring Agreement:

The Board decided to send this back to Seacoast Security to amend from a 5-year agreement term to a 1-year contract and the Board decided to ask Seacoast if a 1-year contract works for them.

Ray made a motion, seconded by Gerritsen, to have the Town Administrator inform Seacoast Security that the proposed five-year term is beyond the authority of the Board of Selectmen to agree to and that we ask that term be amended to 1 year. Vote: Laite – Abstained, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 4-1.

11. Penobscot Park Update:

Dan Leary, a resident at 2813 Atlantic Highway, abutting neighbors of the Penobscot Park, started by expressing that he and his wife, Christine, are big fans of the park and mentioned what a beautiful piece of property it is.

Although Leary spoke in favor of the park, he also voiced his concerns about the following safety issues:

- Will the gate be open 24 hours a day or opened and closed at a certain time of the day.
- Overflow parking and how to address that issue.
- No current park entrance sign.
- Trash left behind – who will be responsible.
- No privacy in the parking lot from the park and his property. Leary suggested a privacy fence or privacy vegetation, to block out the noise between the two properties.

Leary thanked the Board.

The Board thanked Leary for attending the Board meeting and voicing his concerns.

Peggy Smith, a resident at 2807 Atlantic Highway, wanted to know what the policy will be regarding dogs at the park.

David Roundy, Lincolnville's Public Facility's Director, came before the Board and explained he is very proud of the way the park looks now and he visits the park almost daily to see what has been done and how the landscaping is coming along.

Roundy was pleased to hear that Leary, the abutting neighbor, was in favor of the park being used by the community and felt that it is important that the Town address some of tonight's concerns.

Benches: Ray made a motion, seconded by Gerritsen, that the Board on behalf of the Town of Lincolnville accepts the gift of a bench, with Ralph Waldo Emerson quote from an anonymous donor. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Storage Shed: Gerritsen made a motion, seconded by Laite, to move the sand salt storage shed to the sand/salt building site from town storage. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Picnic Shelters: Gerritsen made a motion, seconded by Ray, that the Town Administrator and Public Facilities Director prepare a cost comparison to repair and replace the picnic shelters. No vote was taken.

Hand made an amended motion, seconded by Ray, that the Town Administrator and Public Facilities Director prepare a cost comparison to repair, replace or remove the picnic shelters. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

The Board recommended a site walk to view the current condition of the shelters.

Water & Electrical System: These are both not functional.

Trash and Recycling: Hand made a motion, seconded by Ray that the Board institute Carry In and Carry Out Policy for the Park. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Kinney explained there will be a sign on the message board regarding the policy.

Domestic Animals: Gerritsen made a motion, seconded by Laite, that the Board allow dogs on leash only but prohibit large domestic animals (horses and pigs). Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Laite recommended if the Board allows for dogs in the park, then doggie bags should be provided there and a receptacle to dispose of waste.

Chair Dunn explained that the Town doesn't have money in the budget for a dog waste bag station.

Gerritsen felt that the Town of Lincolnville should provide a dog bag waste station and trash receptacle in the future.

All-Terrain Vehicles (ATV), Snowmobiles, and similar use: Hand made a motion, seconded by Ray that the Board prohibit the use of ATVs, Snowmobiles, and similar vehicles. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Camping: Ray made a motion, seconded by Hand that the Board prohibits camping per Conservation Easement at the park. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Fire: Hand made an amended motion, seconded by Ray, that the Board remove the campfire pit and only allow BBQ's with charcoal use only. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Fire Chief Fullington recommended charcoal use only.

Volleyball Net & Horse Pits: Gerritsen made a motion, seconded by Laite, to remove the volleyball nets and horseshoe pits and restore them with grass. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Steps to Shore: Gerritsen made a motion, seconded by Laite, to seek the design and permitting assistance for new steps to the shore at Penobscot Park and to install a handrail for the existing access to the shore. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Christine Leary, resident at 2813 Atlantic Highway, recommended handrails be installed on the steps for safety reasons.

Chair Dunn recommended that the Board take a look at the possibility of adding handrails during the Select Board's site walk visit.

Alcoholic Beverages: Hand made a motion, seconded by Gerritsen to prohibit as allowed per Title 17 MRSA 2003-A. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Open Hours: Gerritsen made a motion, seconded by Ray, that the open hours for Penobscot Park be a ½ hour before sunrise to a ½ hour after sunset. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Gate Seasonal Closure: No motion was made.

Gerritsen suggested that the Board approve leaving the gate open seasonally and in the future consider a camera.

Laite was not in favor of leaving the gate open 24 hours a day, 7 days a week.

Kinney recommended searching for someone to be the person in charge of unlocking and locking the gate daily, for a fee and he recommended putting together a job description.

The Board tabled this item until the right person for the job is hired.

The Board agreed to meet at Penobscot Park at 5 PM on July 11, 2022, at the start of the Select Board meeting.

Dan Leary asked the Board how to get his recommendations from tonight's meeting addressed.

Chair Dunn suggested he email a list of recommendations to David Kinney, Town Administrator.

Chair Dunn also invited Leary to join the Select Board members during their site walk on July 11, 2022, at 5 PM at Penobscot Park.

12. Utility Pole Location Permit – Greenacre Road:

Hand made a motion, seconded by Gerritsen, that the Board approve and sign the Location Permit (CMP Work Order #801000273775) for a new pole to be located adjacent to the Greenacre Road. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

13. Discuss Possibility of Livestreaming All Meetings:

Selectman Ray requested that the Board have a conversation about the possibility of improving public participation in municipal government for the Town of Lincolnville.

Ray felt it is necessary for public participation for the citizenry to know what is going on and to make it easier for the public to view the committee meetings and he wanted feedback on ways to make this a reality.

Ray proposed that the Board hold a workshop on this topic and he would be happy to provide written material to review.

Laite agreed with Ray and felt it is important for public participation and recommended finding ways to get the townspeople more involved.

Hand was in favor of a workshop, but felt that the issue is bigger than live-streaming all the meetings, it's more about curating public involvement.

Chair Dunn was also in favor but was concerned with the costs of making this happen.

Ray was aware of the costs and was willing to volunteer to show each committee that is willing to use the live-streaming option.

The Board recommended this be on a future agenda or a future workshop.

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

- **Rules of Procedure – Board of Selectmen:**

Hand 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. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

- **Policy of Treasurer’s Disbursement Warrants for Employee Wages and Benefits:**

Gerritsen made a motion, seconded by Hand, that the Board of Selectmen approves the Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits dated June 27, 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

- **Policy on Treasurer’s Disbursement Warrant of State Fees & Revenues:**

Ray made a motion, seconded by Gerritsen, to approve the Policy on Treasurer’s Disbursement Warrants for Sending Revenue Collected on Behalf of the State to the Appropriate State Agency dated June 27, 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

- **Policy on Treasurer’s Disbursement Warrant for Municipal Education Costs:**

Ray made a motion, seconded by Gerritsen, that the Board approve the Policy on Treasurer’s Disbursement Warrants for Municipal Education Costs dated June 27, 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

15. Appointment of Municipal Officials:

The Town Charter requires that the Board of Selectmen appoint all officials not elected within thirty days to the extent practical of the Annual Town Meeting.

Gerritsen made an amended 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 22, 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

16. Assessors’ Agent FY 23 Contact:

The Board was provided the Assessors' Agent contract for the coming year to review and approve.

Laite made a motion, seconded by Ray, that the Board approve and authorize the Town Administrator to sign the Contract for Assessing Services with Fort Halifax Appraisals for Fiscal Year 2023. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

17. Broadband Update:

Gerritsen updated the Board that the Broadband Committee had a very productive meeting last Tuesday, June 21th, with Mark Ouellette, the President of Axiom, who provided the committee with a draft report and the latest calculation for the municipal build for a fiber system which has gone up to \$6 million, and the committee agreed this is likely out of reach for the Town of Lincolnville.

Gerritsen added the Broadband Committee spent the majority of the meeting talking about having a conversation with Lincolnville Communications, Inc. regarding asking them to partner with the Town of Lincolnville and expand their fiber network, in the hopes that LCI would agree to lower prices.

Gerritsen told the Board that the Broadband Committee would like to send two Lincolnville Broadband Committee members as representatives to have a private meeting with LCI, but as of now, the Broadband Committee has yet to decide who those two people should be.

Gerritsen wanted to know what the rest of the Select Board thought about sending two Broadband Committee members to a private meeting with LCI.

Hand stated that Lincolnville is in a unique position compared to other communities because the Town of Lincolnville is a served community.

Hand explained that the Town of Lincolnville is experiencing high connection fees to obtain access to high-speed internet and these are the issues that the Broadband Committee would like to discuss with LCI in hope of coming up with a solution for all townspeople.

Hand suggested that if the Select Board agrees to send two people to the LCI private meeting, the Board approves sending the two current Select Board members that are already on the Broadband Committee.

Ray disagreed with Hand and was leery of sending two Select Board members to talk to LCI because he would like to see the Broadband Committee decide which two members are chosen to attend the meeting instead of the Lincolnville Select Board.

Kinney explained that it's important that the Board do the following two things:

1. Meet with council before speaking to a private entity

2. Check the charge

Kinney offered to set up a meeting between the Select Board and the Town Attorney, Daggett.

Chair Dunn agreed with Kinney and wanted the Board to hold a meeting with Attorney Daggett before the next Broadband Committee.

Gerritsen told the Board that Arlene Jurewicz-Leighton from the Lincolnville Broadband Committee has put together a flyer to be distributed around town to encourage residents to conduct an Internet Speed Test. If anyone is interested, please visit www.mainebroadbandcaolition.org to take the speed test.

18. Amend & Restated Breakwater Agreement with MaineDOT:

Kinney explained that in 1991, the Town of Lincolnville entered into an agreement with the State of Maine for a portion of the old ferry slip to be use as a wave break and that agreement ended in 2021.

Gerritsen made a motion, seconded by Hand, that the Board authorize the Town Administrator on behalf of the Town to enter into an agreement and sign the Amended and Restated Agreement Between the State of Maine and the Town of Lincolnville for the attachment of a breakwater at the Lincolnville Ferry Terminal. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

19. Possible Closing of Town Office for Server Switch Over – July 7, 2022:

Hand made a motion, seconded by Ray, to facilitate the installation of the new server; I move to close the Town Office front counter to any computer-based transactions on Thursday, July 7, 2022. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

20. Emergency Medical Services Agreement with North East Mobile Health Services:

Gerritsen made a motion, seconded by Ray, that the Board authorize the Town Administrator to sign the three-year Extension of Emergency Medical Services Agreement with North East Mobile Health. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

21. Selectmen Update(s):

No Selectmen updates at this time.

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

Ray made a motion, seconded by Hand, that the Board approves and signs the Treasurers and Payroll warrants. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

23. Executive Session – Title 1 MRSA Section 405 (6)(A) to discuss a personnel matter:

Hand made a motion, seconded by Ray, that the Board enter into executive session pursuant to Title 1 MRSA Section 405(6)(A) to discuss a personnel matter. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

24. Executive Session – Title 1 MRSA Section 405(6)(C) to discuss the possible disposition of real property where premature disclosure of the information would prejudice the competitive bargaining position of the Town:

Hand made a motion, seconded by Ray, that the Board enter into an executive session pursuant to Title 1 MRSA Section 405(6)(C) to discuss the possible disposition of real property where premature disclosure of the information would prejudice the competitive bargaining position of the Town. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

25. Adjourn:

Hand made a motion, seconded by Ray, to adjourn. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Hand – Yes, Dunn – Yes. Motion carried 5-0.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant