

**BOARD OF SELECTMEN
MINUTES OF MEETING
June 2, 2014**

Selectmen present: Ladleah Dunn, Chair, Julia Libby, Vice Chair, Rosendel Gerry and David Barrows. (Jason Trundy excused absence and Rosendel Gerry was excused at 6:30 p.m.)

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

1. **Citizens' Forum:** None

2. **Administrator's Report:**

David Kinney, Town Administrator, reported:

- Absentee Ballots are available at the Town Office during normal business hours for the June 10th Election.
- Committee appointments expire soon after Town Meeting. There are a number of vacancies available and anyone interested can fill out a community interest form from the Town's web site or at the Town Office.
- The Town had a closing on the South Cobbtown Road parcel.
- Kinney met with the folks from the Lincolnville Community Alliance concerning the 'Welcome to Lincolnville Center' signs and have an agreement on where the four signs will be located
- Kinney reported this was the last official Selectmen meeting for Julie Libby and David Barrows as members of the Board of Selectmen and wanted to thank them for their three years of service on the Board. He said it's been a pleasure and their hearts were in the right place on every decision they made.

3. **Meetings & Announcements:**

Town Administrator Kinney read the upcoming meetings.

4. **Upcoming Community Events:**

Randy Fein's new studio "ARTS AT THE CENTER" Opening Celebration on Saturday, June 7, from 1:00 p.m. to 5:00 p.m. in the heart of Lincolnville Center.

5. **Meeting Minutes:**

Motion by Gerry, second by Barrows, that the Board approve the May 12, 2014 meeting minutes as presented. Vote: 4-0.

6. **Proposed Veteran's Memorial:**

Kinney received an email from the Conservation Commission Chair, who said the committee had no objection to the proposed concept plan for the site.

Gerry said the Memorial Day Committee would like to move forward with the plan as soon as possible. Gerry said he doesn't think they will be able to find any records showing ownership of the memorials in Town. He said there are funds used for the maintenance and upkeep of the memorials. The gentleman that headed that up was John Pottle. Nobody seems to know who is responsible for the memorials. Gerry said the Town needs to consider taking over the responsibility of the memorials. He said because the memorials are proposed to be put on Town property it would also be good to have the Town be the overseer. Gerry said he would like to seek other funds for the memorials and move forward with the project with permission from the Town.

Kinney said the Memorial Day Committee should develop a final plan. Kinney asked Gerry if the sketch was the final plan for the Memorial.

Gerry said no it was just a preliminary design, but the committee will need to sit down and develop a final plan and present it to the Select Board for approval. Gerry asked if the people on the committee should be appointed.

Kinney said interested parties should fill out a community interest form and be appointed by the Select Board to make it official.

Motion by Dunn, second by Libby, that the Board form a Memorial Committee for the purpose of developing a plan for the proposed Veteran's Memorial to be presented and approved by the Board of Selectmen. Vote: 3-0-1 (Gerry abstained).

7. In-Street Pedestrian Crossing Signs for US Route 1– Nanette Gionfriddo:

Nanette Gionfriddo did not attend the meeting and the Board decided to table this article.

8. Lincolntown Sewer District – Ducktrap Property:

Paul Lippman, Chair for Board of Trustees for the Lincolntown Sewer District, sought the Board's opinion concerning the Lincolntown Sewer District using the land near Ducktrap that the Town is leasing from the State of Maine for a weeping bed and a small structure to house the pumping station for the sewer plant.

Kinney said if the Board is acceptable to the plan they could authorize the Sewer District to do their preliminary explorations as long as they restore the property back to its natural state. If the Sewer District wants to proceed the Town would have to relinquish its lease for the portion of land that the Sewer District is interested in. The Sewer District could then lease or buy the land from the State.

Dunn asked Lippman about the reactions of the citizens concerning the plan.

Lippman said there are citizens who are dead set against having a sewer system down at the beach, but there are also citizens who are wholeheartedly behind the idea. He said they are moving forward and are at the point now where hopefully they will be getting some grant money in the next couple of days. The money is earmarked to pay the design team of Woodard & Curran to develop a Preliminary Engineering Report and an Environmental Report. He said once this is in place, they can apply to the various agencies for funding. Lippman said they are seeking \$35,000 for the Preliminary Engineering Report.

Lippman said a geologist was hired to take soil samples from various locations both inside and outside the District boundaries. He said they need about one acre of good soils for the subsurface system. He said they did not have a piece a land that would perk inside the District. They did find great soils up on Munroe's field across from Viking Lumber and on the field just before the Ducktrap River on the ocean side. Jim Murray's former property, which is across right next to the park land, had fantastic soils. The land now belongs to Coastal Mountain Land Trust. Lippman was in contact with CMLT and received confirmation today that the land could not be disturbed, but there was a piece of property adjacent and there might be an acre of cleared land. Part of funding the entire project is the ability to find people to pay to use the system. The Trustees of the Lincolnville Sewer District would like to request that the Selectmen allow the LSD to explore the use of the State land for the purposes of building a Waste Water Treatment facility.

Dunn asked if they had an idea of what the maximum number of users would be for this system and what size the structure would have to be.

Lippman said the Preliminary Engineering Report will answer those questions. He said the system would be design larger to allow for expansion. The structure would be shed-size. Architecturally the building could be any design that fits into the landscape.

Dunn asked what a weeping bed was.

Lippman said it's a leach field. They are trying to have a subsurface system rather than an overboard discharge system that is now being used at the Beach.

Motion by Libby, second by Barrows, that the Board authorize the Lincolnville Sewer District to explore the town leased land for a possible wastewater treatment system location provided that the land be restored to its pre-exploration condition upon completion of the exploration. Vote: 3-0.

9. Holding Tank Request – Nelle Crowley, 2490 Atlantic Highway:

Motion by Libby, second by Barrows, that the Board sign the Application/Agreement for Holding Tank Installation as submitted by Nelle Crowley for the property located at 2490 Atlantic Highway. Vote: 3-0.

10. Review Proposal Concerning Right-of-Way Appraisal:

Kinney said the Town has finally obtained a proposal for 'damages' related to road discontinuances. Unfortunately, the cost exceeds the amount requested in the budget. Kinney asked the Board how they wish to proceed. There are four options:

- a) Reject the proposal and search for another appraiser
- b) Reject the proposal and abandon the concept
- c) Seek to alter the budget request at Town Meeting
- d) Negotiate with the proposer to limit the scope of the proposed work to funds available (assuming that Town Meeting approves some funds).

Dunn said her option would be to negotiate to limit the scope of the proposed work to funds available.

Gerry agreed with Dunn and hoped that next year the Board would appropriate the rest of the funds to move the project forward.

Cathy Hardy said there was around \$9,000 left in the contingency fund for this year. She said if we took the money that's left in contingency and add it to the \$20,000 budgeted that would give us almost \$29,000 of the \$34,000 fee for appraisals. Hardy said the Town should go back to the appraiser and ask if he could do better on his price and reduce the fee by \$5,000 from his proposal.

Kinney said Hardy is mixing things together. He said even if we had the whole \$10,000 in contingency, which we don't, that's going to end on June 30th. He said we have not asked the voters to carry those monies forward to the coming year and those funds are going to roll back into the undesignated fund balance. We are only going to have the budgeted \$20,000 unless we change it at Town Meeting for the coming year that starts July 1st.

Hardy ask if it could be used within this month as a down payment for this work.

Kinney said the Town doesn't typically pay for work that hasn't been done. Kinney said we should amend what's in the budget at Town Meeting, so the people have an understanding of where the money is being spent and why. Typically you use contingency for something unforeseen that comes up in the course of a year verses something that's foreseen and known.

Hardy said, as a taxpayer, knowing that money is there and hasn't been spent and knowing how important this work is she would like to see the contingency money rolled over and added to the budgeted \$20,000.

Libby said her concern is that we have that contingency money for next year and if something happens we may need it.

Kinney explained that Hardy wants to tap into this year's contingency and then get an appropriation for next year's contingency. Kinney said annually at Town Meeting the Selectmen request an appropriation for contingency for unforeseen items that may come up. The last couple of years the Town's people have appropriated \$10,000, this year we have spent about \$1,000 to \$1,500 out of contingency. At the end of our budget year on

June 30th anything that is not specifically designated by the voters to carry forward rolls into unassigned fund balance and then we appropriate from that to reduce property taxes.

Gerry made the comment that someone could stand up and make a motion that we take the unexpended contingency money and roll that forward into next year's contingency. Then we would only need to add the difference of what we are actually asking for in contingency (for FY15).

Kinney said you could, but he would not suggest the Board carry forward contingency money. He said contingency is just what it says it's for, the unplanned and unforeseen things that might happen. When the Town has an upcoming expense for something that is obviously predictable the appropriate thing to do is make an amendment to the article, where those funds are going to be expended from, to appropriate the extra money needed. That way it is clear to the voters what the Town is using that money for. Kinney said he doesn't like raising contingency and using the money someplace else. Kinney said the Board did not have to make a decision tonight, but he wanted to present the proposal to the Board particularly because it was higher than the budgeted amount.

Gerry said he would like to move forward with this proposal.

The Board choose option c. (seek to alter the budget request at Town Meeting).

11. Confirmation of Town Clerk's Appointment of Election Warden:

Motion by Libby, second by Barrows, that the Board approve the Town Clerk's appointment of David Kinney as Election Warden for the June 10, 2014 Election. Vote: 3-0.

12. 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: 3-0.

13. Adjourn:

Motion by Libby, second by Barrows, to adjourn. Vote: 3-0.

Respectfully Submitted,
Cheryl Ten Broeck
Administrative Assistant