

**TOWN OF LINCOLNVILLE  
SELECT BOARD MEETING  
May 28, 2024**

**Present:** Chair, Ladleah Dunn, Vice-Chair Keryn Laite Jr., Mike Ray, Stephen Hand, Robyn Tarantino, and Town Administrator, David Kinney

The quote was read by Select Person Ray.

1. **Citizens' Forum:**

There were none.

2. **Administrator's Report:**

David Kinney, the Town Administrator, noted:

- **Ballots:** Absentee Ballots are now available for the June 11<sup>th</sup> election. All absentee ballots are due back by 8 PM on Tuesday, June 11<sup>th</sup>.
- **Calderwood Lane Reconstruction:** Vegetation removal is for the most part completed. Next phase is somewhat delayed due to material supply.
- **Request to add an item to the agenda:** Kinney requested that an item be added to the agenda. The issue arose over the weekend, time is of the essence and the item should not wait until the next regular Board meeting.

**Laite moved, second by Hand, that at the request of the Town Administrator that an item regarding the possible acquisition or disposition of real property be found to have arisen after the agenda was posted and should not wait until the next Board meeting but rather be added to the Board's May 28<sup>th</sup> agenda. The motion passed on a 5-0-0 vote.**

3. **Meetings & Announcements:**

Administrator Kinney read the meetings and announcements.

4. **Upcoming Community Events:**

There were none.

5. **Meeting Minutes – May 13, 2024 and May 20, 2024:**

- **May 13, 2024:**

Hand made a motion, seconded by Laite, that the Board approve the May 13, 2024, meeting minutes as presented. The motion passed on a 5-0-0 vote.

- May 20, 2024:

Laite made a motion, seconded by Ray, that the Board approve the May 20, 2024 meeting minutes as presented. The motion passed on a 5-0-0 vote.

6. Heart & Soul Team Update:

Cindy Dunham, Chair of the Heart & Soul Team, reviewed the final Lincolnville Community Heart & Soul Statements. Dunham said that the Team would love to see a Board adopted resolution in support of the statements. Ray described how to get that on an agenda. Dunn inquired if the resolution should be done now or at the end of the project. Dunham stated that either would be acceptable. Heart & Soul Team to submit a draft resolution along with an agenda request.

Dunham briefly touched on the nine planned community conversations to be held at various locations throughout town. The gatherings are posted on the town's web site calendar, on the Heart & Soul Team page of the web site, and under the announcements section. Dunham stated that the effort is now moving on to Phase 3: Plan. When Phase 3 is complete the grant funded work will be wrapped up. Phase 4: Act may be town sponsored but may also be a community led effort.

Ray stated that he would not be seeking re-appointment to the Heart & Soul Team. And suggested that another Board member take a turn.

7. Conservation Commission Update:

Paul Sampson, Christine Parrish, and Rich Smith provided an overview of the effort thus far with the Ducktrap property and their meeting with Doug Beck from the Department of Conservation. The next steps in exploring improvements there will be to speak with MaineDOT about a possible driveway entrance permit and the Coastal Mountains Land Trust about possible trail opportunities between the two parcels.

Dunn suggested that this be added to the priorities workshop. Sampson suggested that more information be gathered to make a more informed choice (whether it could be a project or not). By consensus the Board agreed to have the conservation Commission to do a little more digging into the concept.

The Conservation Commission also provided a brief update of their efforts regarding a tree inventory along Route 1.

8. Review Possible Land Use Ordinance Amendments:

Kinney explained that the Board had previously tasked the Town Attorney, code Enforcement Officer and Town Administrator to prepare Land Use Ordinance Amendments that would incorporate the latest shoreland zoning amendments. Kinney presented the amendments along with a possible timeline for adoption.

**Hand moved, second by Laite, that the proposed 2024 Amendments to the Town of Lincolnville Land Use Ordinance be forwarded to the Planning Board for purpose of conducting the statutorily required public hearing. The motion passed on a 5-0-0 vote.**

9. **Public Facilities Status Update:**

Kinney reported that Deputy Harbor Master had prepared an updated Lincolnville Fish Pier and Float Usage Plan. The plan has been updated to show what is required by the ordinance along with the current usage regarding float tie-ups, etc. and the 21 bait box spaces approved last year by the Select Board. Per the Harbor Ordinance, the Select Board is to review, revise if necessary, and approve the plan by July 1<sup>st</sup>. **Motion by Laite, second by Ray ,that the Select Board approve the May 23, 2024 Lincolnville Fish Pier and Float Usage Plan. The motion passed on a 5-0-0 vote.**

Kinney also noted that the Town is in the process of replacing the mooring buoys on the three town guest moorings with the Coast Guard standard mooring buoys (white with a blue horizontal band). The guest moorings will also be labeled as Town of Lincolnville guest moorings along with other pertinent information.

Ideally for public safety and continuity with other harbors, all mooring buoys will meet the Coast Guard standard. Lincolnville harbor currently has a hodge podge of mooring buoys. When new mooring assignments are made, the new harbor users are instructed to install mooring buoys meeting the Coast Guard standard. Unfortunately, at the current rate it will be a long time before all mooring buoys are standard.

In addition to the mooring buoys being non-standard, many of the buoys are not labelled with harbor user numbers as required by the harbor ordinance with several appearing abandoned and several appearing refreshed but not labeled or labeled in a way is indiscernible. The harbor Master and Deputy Harbor Master plan to send a reminder letter to all mooring holders of the labelling and inspection requirements. Also, inform mooring holders that if their buoy is not labelled per the ordinance by the July 1<sup>st</sup> inspection deadline that their mooring will be considered abandoned and will be removed or mooring buoy removed and the chain dropped to the bottom pursuant to Title 38 § 4 and Article V Section 7 of the Town's Harbor Ordinance. As the owners of several moorings are not known to us, a notice to the public will also be published in a local newspaper and posted on the Town web site.

To facilitate a safe harbor the Harbor Master recommended that all mooring buoys be constructed to the Coast Guard standard (white with a horizontal blue band). While the Harbor Ordinance sets forth that a mooring "shall conform to any additional standards reasonably specified by the Harbor Master" this language could be construed as a bit nebulous and is problematic to enforce. The Harbor Master therefore requests that an amendment to the Harbor Ordinance be presented

to the voters at the next available Town Meeting (including the possible July 22<sup>nd</sup> Special Town Meeting). Three options for amendments were presented with the third option of “Do Nothing Option” and allow the status quo to remain.

Option A (the option that gets the mooring buoys into compliance with the Coast Guard standard sooner) – Insert after the first paragraph of Section 2.E. Mooring Standards and Inspection

*As of July 1, 2025, all mooring buoys shall be white in color with a blue horizontal band, be at least 18 inches in diameter, and always show 2/3 above the water. The mooring buoy will be permanently marked with the owner’s name and harbor use number clearly visible and of adequate size to be easily readable to the Harbor Master.*

Option B (the option that gets the mooring buoys into compliance with the Coast Guard standard albeit over a much longer period) – Insert after the first paragraph of Section 2.E Mooring Standards and Inspection.

*For all new or replacement mooring buoys as of the effective date of this amendment mooring buoys shall be white in color with a blue horizontal band, be at least 18 inches in diameter, and always show 2/3 above the water. The mooring buoy will be permanently marked with the owner’s name and harbor use number clearly visible and of adequate size to be easily readable to the Harbor Master.*

The Harbor Master’s citing public safety as his primary concern recommended that Option A be presented to the voters for consideration.

**Dunn moved with a second by Hand that the Select Board instruct the Town Administrator and Town Attorney to prepare for Board consideration an amendment to Harbor Ordinance for Option A and that the amendment be included in the next town meeting warrant for Select Board consideration. The motion passed on a 5-0-0 vote.**

**10. Joint Correspondence with Northport Select Board:**

**Laité moved with a second by Hand that the Board approve and sign the joint letter to Douglas Coombs, MDOT Senior Project Manager, along with the Northport Select Board members regarding the preliminary engineering for safety and spot improvements on Route 1 in Northport and Lincolnville. The motion passed on a 5-0-0 vote.**

**11. Nominations:**

- MMA Policy Committee:

**Ray moved with a second by Latie that the Select Board nominate James Kossuth of the municipality of Northport and that Chair Dunn, be authorized to sign the Nomination Form on our behalf.**

- Waldo County Budget Committee:

Tarantino expressed an interest in continuing to serve on the County Budget Committee and will plan to attend the caucus.

12. **Reschedule Priorities Workshop:**

By consensus the Board agreed to reschedule the priorities workshop to Monday, July 15, 2024 at 5:00pm.

13. **Selectperson Update(s):**

Laite: No update at this time.

Ray: There will be an MCOG meeting on meeting on Thursday.

Hand: No updates at this time.

Tarantino: No updates at this time.

Dunn: No updates at this time.

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

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

**New added agenda item (see Administrator's Report above).**

**Hand moved with a second by Tarantino that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(C) regarding the possible acquisition or disposition of real property.**

15. **Adjourn:**

Upon returning to public session, **Ray made a motion, seconded by Tarantino, to adjourn. The motion passed on a 5-0-0 vote.**

Respectfully submitted,

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David B. Kinney  
Town Clerk