

**BOARD OF SELECTMEN
MINUTES OF MEETING
October 13, 2020**

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

Chair Dunn read portions of the opening of the agenda regarding the provision for remote meetings during the current state of emergency, including how the public could view and participate in the meeting and that all votes taken during the public proceeding would be taken by roll call.

Selectman Laite read the quote.

1. **Executive Session** – Consultation with Town Attorney pursuant to Title 1 MRSA Section 405(6)(E) regarding the legal rights and duties of the Board of Selectman:

Laite made a motion, second by Ray, that the Board enter executive session pursuant to Title 1 MRSA Section 405(6)(E) for consultation with the Town Attorney concerning the Board's legal rights and duties with respect to a real estate matter. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

2. **Citizens' Forum** (6 PM +/-, televised and public Zoom session starts):

There were none submitted via email or on the chat.

3. **Administrator's Report:**

David Kinney, the Town Administrator, noted:

- **Absentee Ballots:** Election Day is November 3, 2020, at the Lincolnville Central School gymnasium from 8 AM to 8 PM. Absentee ballots are available at the Town Office during regular business hours. As of today, we have 842 ballots that have been requested, and 331 returned ballots. All ballots need to be returned on or before 8PM, November 3rd.
- **Dog Tags:** Dog tags will be available starting October 15th. All dog licenses expire at the end of December. Renewals can be processed online through the Town's website or at the Town Office during regular business hours.
- **Harbor Committee:** The Harbor Committee met last week on the pier and was able to review their responsibilities outlined in the Harbor Ordinance, along with the charge from the Select Board regarding the qualified mooring inspectors.
- **Broadband Survey:** The survey was recently taken to the Lincolnville Central School to be distributed to the children to be taken home to the parents and completed and

returned. Kinney picked up several of the surveys and added to the pile already returned to the Town Office. The Every Door Direct Mail (EDDM) version has been taken to the Post Office for delivery.

- Nomination Papers: The following nomination papers are available at the Town Office for the following the vacant position on the Board of Selectmen. Nomination papers must have at least 25 signatures but no more than 100 signatures and must be returned to the Lincolnville Town Office by 5 PM on November 5th.
- Potential Park at 2817 Atlantic Highway: After elections, the Board recommended holding a workshop to pick back up on some of the points that were raised during the September 28, 2020 listening session and to discuss the in-person survey of our infrastructure. This would allow the Board an opportunity to discuss the efficiency and policy development for our public facilities.
- Paving: We may need to postpone paving for this year due to the weather/temperature.

4. Meetings & Announcements:

Town Administrator Kinney read the meetings and announcements.

5. Upcoming Community Events:

There were none.

6. Meeting Minutes:

Laite made a motion, second by Ray, that the Board approve the September 28, 2020 meeting minutes as presented. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

7. Possible Disposition of Town-owned property at 33 Beach Road:

The Lincolnville Historical Society recently provided the Select Board with a letter of intent to purchase the Lincolnville Improvement Association building at 33 Beach Road.

Dunn asked the Board if they had any questions for anyone on the Historical Society.

Gerritsen asked if any of the members from the Historical Society would like to expand on their request.

Diane O'Brien, Lincolnville resident and member of the Lincolnville Historical Society, stated, "I do not have any questions at this time, the letter that was submitted says everything up to date and now we're waiting for a commitment from the Select Board to move forward."

Ray didn't have any questions at this time, but wished Diane O'Brien & Rosendel Gerry the best of luck.

Gerritsen made a motion, seconded by Laite, that the Board authorize the sale of the LIA building to the Lincolnville Historical Society for \$1.00 and subject to the existing lease and to have the Town Attorney draft a purchase and sale agreement for consideration at our next meeting. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

Dunn spoke in favor of the Board's decision and felt that this was the right move for the Town of Lincolnville to make.

The Board thanked Diane O'Brien and explained that the Board will meet with her again at the next Select Board meeting on October 26, 2020.

8. Tree Removal adjacent to Breezemere Park :

Kinney explained he was approached by Bantam Property Management Tree Service and then by the Pierce's, owner of 188 Main Street, which is adjacent to Breezemere Park. The Pierce's have four dead poplar trees and they are seeking permission from the Town of Lincolnville for Bantam Property Management Tree Service to traverse Town-owned property to remove or drop said trees on the lawn at Breezemere Park and then remove. Kinney was assured that they will clean up any and all debris and repair any damage.

Laite was concerned with the potential damage to the lawn or the bandstand.

Dunn suggested that the Town contact Bantam Property Management Tree Service and request that the location be cordoned the area off, to prevent any risk or danger to the public.

Laite spoke in favor of the request as long as the appropriate liability insurance documentation is in place.

Laite made a motion, seconded by Gerritsen to move that Bantam Property Management be allowed the necessary access to and through Breezemere Park for the removal of four trees at the Pierce residence provided the Town Administrator is given two days advance notice and that for any reason the Town Administrator be empowered to cancel or postpone the work, the Town is provided with a certificate of insurance naming the Town as additionally insured, that any damage done to the park as solely determined by the Town be restored by either Bantam Property Management or the Pierce's and that the work be done before November 30, 2020. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

9. Establish Town Email addresses for members of the Board of Selectmen:

Dunn explained that Selectman Ray requested that the Board discuss the possible creation of individual town email addresses for each Board member.

Ray noted that he wasn't trying to sell anything. However; he attended a Zoom Maine Municipal Association meeting in which the communications director recommended that municipalities establish their individual email accounts for all officials on the municipality's email server.

Ray explained this is a privacy matter, should something happen, he would rather they not go through his wife's email account.

Ray had a conversation with Kinney, who explained that the Town of Lincolnville can set up an individual town email address through the town.

Gerritsen agreed and explained this is the proper way to serve as elected officials and it would be worth it in terms of transparency.

Dunn was not in favor of this request at this time and explained that the reason why we have the policies and procedures for how the Board communicates should be sufficient in and of themselves, to govern how the Board communicates electronically.

Laite told the Board that he couldn't get behind this request because it would not be convenient for him, at this time.

The Board discussed that it could always be an option and they could revisit it again in the future.

Dunn also noted that she was not in favor of needing to task the Town Administrator with taking on an additional project at this time.

No motion was taken.

10. Follow-up Discussion Waldo County Woodshed:

Kinney reported that he and Selectman Ray met with Bob MacGregor from the Waldo County Woodshed at the sand/salt building location to discuss the location of the woodshed distribution point.

After a brief meeting, they felt that the best location would be to place the 12 x 16 shed next to the public sand/salt lean-to building.

Kinney presented the Board with a copy of a revocable license agreement that the Town of Northport has with the Waldo County Woodshed for their agreement.

Kinney told the Board that he also had a conversation with Road Commissioner, Bernard Young, who was ok with the placement of the woodshed.

The Town of Lincolnville would be hosts to this program that is basically self-directed or self-managed.

Ray made a motion, seconded by Gerritsen that the Board authorizes the use of town-owned property by the Waldo County Woodshed near the sand/salt storage building providing that a revocable license agreement or similar agreement prepared or reviewed by the Town Attorney is executed between the Town of Lincolnville and the Waldo County Woodshed and that the Chair of the Board is authorized to sign the agreement on behalf of the Board. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

The Board thanked the Waldo County Woodshed for such a fabulous program.

11. Escrow Agreement – Rocky Top Terrace:

Kinney told the Board that the Planning Board recently approved a subdivision off of Route 1 called the Rocky Top Terrace and the developers, Steven & Margaret Case, have asked that they be allowed to sell lots in the subdivision, only after the binder course of payment is provided. They set aside monies with the Town of Lincolnville, in an escrow account to guarantee that they come back and put the surface course on within the next four years.

The ordinance allows this and the escrow agreement was drafted by an attorney representing the Cases' and reviewed by the Town Attorney and presented to the Select Board for review.

Gerritsen made a motion, seconded by Laite that the Board authorizes Ladleah Dunn, as Chair of the Board of Selectmen to sign the escrow agreement between Steven Case, Margaret Case, and the Inhabitants of the Town of Lincolnville for the placement of the surface course of pavement and that the Town Administrator is authorized as the Escrow Agent. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

12. As Board of Assessors – Supplemental Tax Warrant:

Laite made a motion, seconded by Ray to suspend our meeting as the Board of Selectmen and that we convene as the Board of Assessors. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

Laite made a motion, seconded by Ray that the Board approves and sign the Supplemental Tax Warrant regarding Account #1416 owned by Laurie K. Lewis in the tax amount of \$361.90. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

Laite made a motion, seconded by Gerritsen that the Board adjourn our meeting as the Board of Assessors and reconvene as the Board of Selectmen. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

13. Launching Ramp Repair – Breezemere Park:

Kinney told the Board that during this summer's drought conditions at Norton Pond, it has exposed the deterioration of the launching ramp at Breezemere Park, and the Recreation Commission felt this was the ideal time to make the appropriate repairs.

Kinney consulted Gary Neville, from the Boat Club, and current members of the Recreation Commission recommended taking action to install silt barrier, remove the damage pre-cast planks, grade the subsurface materials, cast a concrete slab, armor the sides of the ramp, and remove the silt barrier.

Kinney explained the Town can use some of the funds from the Public Works Miscellaneous account to do this work before the water level rises.

Laite made a motion, seconded by Gerritsen that the Board authorizes the repairs at the Breezemere Park launching ramp with the funds to come from the public works miscellaneous budget line. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

14. Confirm of Town Clerk's Appointment of Election Warden:

Laite made a motion, seconded by Ray that the Board approves the Town Clerk's appointment of David Kinney as Election Warden for the November 3, 2020 Election. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

15. Selectmen Update(s):

Laite: There will be a Mid-Coast Solid Waste Board of Directors meeting on October 29th. He is still waiting to hear back on a date for the next Personnel Committee Meeting, which Laite will attend to represent the Town of Lincolnville.

Ray: No updates at this time.

Dunn: No updates at this time.

Gerritsen: The Broadband Committee met last week. They had a member of the Belfast Broadband Committee attend to speak and provide some information on their journey and what they learned. The next meeting will be October 29th and within the next couple of weeks, the Committee will start breaking down the survey results.

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

Laite made a motion, seconded by Gerritsen, that the Board approves the Treasurer's and Payroll warrants. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

17. **Adjourn:**

Laite made a motion, seconded by Ray, to adjourn. Vote: Laite – Yes, Gerritsen – Yes, Ray – Yes, Dunn – Yes. Motion carried 4-0.

Respectfully submitted,

Melissa A. Geary
Administrative Assistant