

**REGULAR TOWN COUNCIL MEETING  
AGENDA  
OCTOBER 19, 2009  
7:00 PM**

---

www.lincolmaine.org

**1. Call to Order.**

2. Approval of Minutes of August 24, 2009 and September 14, 2009. If no objections are registered, Council Chair shall approve the same as written.

**3. Approval of Warrant.**

SUGGESTED MOTION: Move to approve and sign Warrants # 17 through #23 in the amount of \$ \_\_\_\_\_.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**4. Chairman's Comments.**

**5. Monthly Reports.**

6. **Open Forum.** *Open Forum Etiquette: This is the portion of the agenda where the public can speak to any items on the agenda that do not have a public hearing. Please stand and state your name before stating the nature of your business.*

7. **Special Acknowledgements:** None

8. **CONSENT AGENDA:** All items marked with an asterisk (\*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

**\*13. Tax Abatement Request-  
Susan and Charles Dwelley**

**\*14. Acceptance of Donation  
for Stroller Program**

**\*15. Acceptance of Donation  
for Football Jerseys**

**\*15. Acceptance of Donation  
for Football Jerseys**

**\*16. Appointments to the 2010  
Homecoming Committee**

**\*17. Award Financing Bid – Dozer**

SUGGESTED MOTION: Move to approve Consent Agenda items #13 to #17 as presented.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**9a. Public Hearing - Issuance of a Class 1 Special Amusement Permit-James and Linda Arnold dba Timberhouse. (0101)**

SUGGESTED MOTION: Move to open a public hearing for the purpose of hearing oral and written comments for the proposed issuance of a Class 1 Special Amusement Permit to James and Linda Arnold dba Timberhouse.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**9b. Issuance of a Class 1 Special Amusement Permit to James and Linda Arnold dba Timberhouse. (0101)**

NOTE: The Chief of Police has no concerns about the issuance of this permit.

SUGGESTED MOTION: Move to issue a Class 1 Special Amusement Permit to James and Linda Arnold dba Timberhouse.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**10a. Public Hearing – Amendment Municipal Code, Appendix, General Assistance Ordinance Appendices A-F. (0104)**

SUGGESTED MOTION: Move to open a public hearing to hear oral and written comments on the proposed amendment Municipal Code, Appendix, General Assistance Ordinance Appendices A-F as attached.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**10b. Updates to the Municipal Code, Apendix General Assistance Ordinance Appendices A-F. (0104)**

SUGGESTED MOTION: Move to update the Municipal Code, Apendix General Assistance Ordinance Appendices A–F as attached.

**EMERGENCY PREAMBLE.**

WHEREAS, Ordinances of the Town Council do not become effective until 30 days after passage, unless enacted as emergencies; and

WHEREAS, the purpose of this is to change the general assistance maximums in order to meet the state guidelines, therefore, this needs to be done immediately; and

WHEREAS, in the judgment of the Town Council, these facts create an emergency within the meaning of Article II, Section 212 of the Town Charter and requires the amendment of the Municipal Code, Appendix, General Assistance Maximums as immediately necessary for the preservation of public peace, health and safety.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**11a. Public Hearing – Issuance of Renewal Junkyard Licenses to Danny Downs dba**

**Elwood Downs, Inc. and to Eugene Graham dba E. H. Graham & Son. (0106)**

SUGGESTED MOTION: Move to open a public hearing for the purpose of hearing oral and written comments on the issuance of a renewal Junkyard License to Danny Downs, dba Elwood Downs, Inc. and Eugene Graham, dba E. H. Graham, & Son.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**11b. Issuance of Renewal Junkyard License to Danny Downs dba Elwood Downs, Inc. (0106)**

NOTE: The Code Enforcement Officer has inspected this site and has no concerns.

SUGGESTED MOTION: Move to issue a renewal Junkyard License to Danny Downs, dba Elwood Downs Inc.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**11c. Issuance of Renewal Junkyard License to Eugene Graham dba E H Graham & Son. (0106)**

NOTE: The Code Enforcement Officer has inspected this site and has no concerns.

SUGGESTED MOTION: Move to issue a renewal Junkyard License to Eugene Graham, dba E. H. Graham & Son.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**12a. Public Hearing – Amendment to Municipal Code, addition of Public Road Construction Ordinance, Section 1606. (0406)**

SUGGESTED MOTION: Move to open a public hearing for the purpose of hearing oral and written comments on the proposed Amendment to Municipal Code, enactment of Public Road Construction Ordinance, Section 1606.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**12b. Amendment to Municipal Code, Public Road Construction Ordinance, Section 1606. (0406)**

NOTE: The Roadway Committee has reviewed and approves this change.

SUGGESTED MOTION: Move to amend the Municipal Code by enacting the Public Road Construction Ordinance, Section 1606.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**\*13. Tax Abatement Request – Susan and Charles Dwelley. (0105)**

SUGGESTED MOTION: Move to abate the taxes on account #D1830R Susan and Charles Dwelley in the amount of \$23,650.86 for the FY2010 tax year to correct an error made by the assessor. Money to come from undesignated fund balance.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**\*14. Acceptance of Donation for Stroller Program. (0601)**

SUGGESTED MOTION: Move to accept the donation of resistance bands valued at \$63.94 from Kelly Nason to be used for Recreation Department Stroller Program.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**\*15. Acceptance of Donations for Football Jerseys. (0601)**

SUGGESTED MOTION: Move to accept the following donations and authorize the purchase of football jerseys for the 3<sup>rd</sup> and 4<sup>th</sup> grade football program:

<b>Donor</b>	<b>Amount</b>
John & Lorelei Sutherland	5.00
Gatherings for the Home	20.00
Mike's Auto Repair	50.00
Lincoln House Motel	25.00
Clay Funeral Home	25.00
Access Auto	100.00
Lincoln House of Pizza	50.00
Steaks & Stuff	50.00
Smart's Hardware	100.00
Cole-Whitney Ford	100.00
<b>TOTAL</b>	<b>\$525.00</b>

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**\*16. Appointments to 2010 Homecoming Committee. (0103)**

SUGGESTED MOTION: Move to appoint Karen Lane, Christian Wilfert, Jennifer Rider, and Candice Osborne to the 2010 Homecoming Committee.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**\*17. Award Financing Bid – Dozer. (0104)**

SUGGESTED MOTION: Move to award the financing bid of the 2009 John Deere Model 450 J Dozer to Gorham Leasing Group of Portland, Maine for a term of six years at the rate of 4.15% and to authorize the Treasurer to sign all financing documents.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**18. Establish Ballard Hill Community Center Events Ad Hoc Committee. (0602)**

SUGGESTED MOTION: Move to establish the Ballard Hill Community Center Events Ad Hoc Committee.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**19. Establish Skateboard Park Ad Hoc Committee. (0601)**

SUGGESTED MOTION: Move to establish the Skateboard Park Ad Hoc Committee.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**20. Appointment to Ballard Hill Community Center Events Ad Hoc Committee. (0602)**

SUGGESTED MOTION: Move to appoint Kathleen Britton to the Ballard Hill Community Center Events Ad Hoc Committee.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**21. Sale of former Lake Mall/Ayer Properties to Lakeview Senior Housing Associates Limited Partnership. (0105)**

NOTE: No closing documents will be signed until the Economic Development Infrastructure Grant is satisfied.

SUGGESTED MOTION: Move to authorize the Town Manager to sign all necessary closing documents for the sale of the former Lake Mall/Ayer Properties identified as Map 137 Lot 42.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**22. Grant Agreement With Penquis C.A.P. (0105)**

SUGGESTED MOTION: Move to authorize the Town Manager to enter into an agreement with Penquis C.A.P. outlining the administrative responsibilities for the Community Development Block Grant Elderly Housing Grant.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**23. Parking Lease with Lakeview Senior Housing Associates Limited Partnership. (0105)**

SUGGESTED MOTION: Move to authorize the Town Manager to enter into a lease agreement with Lakeview Senior Housing Associates Limited Partnership for parking spaces at the St. Peter's municipal parking lot. Map 137, Portion of Lots 138, 139 and 140.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**24. Residency Ordinance. (0100)**

SUGGESTED MOTION: Move to direct the Town Manager to either:

- a) Prepare and advertise for the repeal of the Residency Ordinance; or
- b) Prepare and advertise for the amendment to the residency ordinance changing the mileage requirement to \_\_\_\_\_ miles; or
- c) Keep Residency Ordinance as currently written.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**25. Public Works Feasibility and Economic Evaluation Study. (0406)**

SUGGESTED MOTION: Move to authorize the Town Manager to enter into an Agreement with Applebee Engineering to conduct a feasibility and economic evaluation Study of the Public Works Garage.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**26. Discussion – Update on Recreation Center. (0601)**

**27. Discussion – Update on Children's Pond. (0105)**

**28. Executive Session – Personnel Issues. (0100)**

SUGGESTED MOTION: Move to retire into Executive Session pursuant to Title 1 MRSA 405(6)(a) for the purpose of discussing Personnel Issues.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**29. Executive Session – Legal Issues. (0100)**

SUGGESTED MOTION: Move to retire into Executive Session pursuant to Title 1 MRSA Section 405(6)(e) for the purpose of discussing legal issues.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_

**30. Future Agenda Items.**

**31. Adjourn.**