

**SPECIAL TOWN COUNCIL MEETING
AGENDA
SEPTEMBER 28, 2015
7:00 PM**

Councilors: Stephen Clay____, Chris Stevens, _____, Curt Ring, _____, Samuel Clay, _____, Dede Trask, _____, Jeff Gifford, _____ and David Whalen _____.

1. **Call to Order**

2. **Open Forum:** *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. The Council Chair may set a time limit per agenda topic depending on the number of residents in attendance who wish to speak.*

3. **Appointment to RSU 67 School Board (0101)**

Note: Sarah Crockett would fill Dolores Phillips' seat, due to resignation, until a new member is elected in November.

Suggested Motion: Move to appoint Sarah M. Crockett to the RSU 67 School Board.

MOTION: _____ SECOND: _____ VOTE: _____

4. **Proclamation of October as Domestic Violence Awareness Month (0100)**

Suggested Motion: Move to proclaim that October be recognized as Domestic Violence Awareness Month and acknowledge that all survivors of domestic violence be honored.

MOTION: _____ SECOND: _____ VOTE: _____

5. **Residency Requirement Waiver – Detective Mark Fucile (0302)**

Suggested Motion: Move to waive the residency requirement of 15 miles for Detective Mark Fucile.

MOTION: _____ SECOND: _____ VOTE: _____

6. **Order Polls to Open November 3, 2015 (0101)**

Suggested Motion: Move to order polls to open from 8:00am through 8:00pm according to Title 21A, MRSA Article II, Section 626 for the November 3, 2015 State and Municipal Election.

MOTION: _____ SECOND: _____ VOTE: _____

7. **Direct Registrar of Voters to sit/deliver voting list for November Election (0101)**

Suggested Motion: Move to direct the Registrar of Voters to sit, register voters and make corrections to the voting list on Wednesday, 10/28/2015 from 5:00-7:00 pm and Thursday, 10/29/2015 through Friday, 10/30/2015 between the hours of 8:00AM and

5:00PM, and also while the polls are open on 11/3/2015 according to Title 21A, MRSA, Section 122, Subsection 6A, and also to instruct the Registrar to deliver a supplemental voting list to the Town Clerk prior to opening the polls.

MOTION: _____ SECOND: _____ VOTE: _____

8a. **Public Hearing – Town Office Lease/Courthouse (0101)**

Suggested Motion: Move to open a public hearing for the purpose of hearing oral and written comments on the proposed Town of Lincoln Order 2015-01 which will result in a Referendum Municipal Election being held on November 3, 2015.

MOTION: _____ SECOND: _____ VOTE: _____

TIME STARTED: _____ CLOSED TIME: _____

8b. **Adoption of Town of Lincoln Order No. 2015-01 (0101)**

Suggested Motion: Move to adopt Town of Lincoln Order No. 2015-01 which will authorize the Town to lease the Courthouse by appropriating up to \$250,000 of unappropriated funds and designated reserve accounts and for the Town to borrow up to \$700,000 to finance improvements.

MOTION: _____ SECOND: _____ VOTE: _____

8c. **Placement of Question on Ballot (0101)**

Suggested Motion: Move to place the following question on the November 3, 2015 Referendum Municipal Ballot:

QUESTION 1: Shall the Order 2015-1 of the Lincoln Town Council, authorizing the Town to lease the Courthouse located at 52 Main Street by appropriating up to \$250,000 of unappropriated fund balance and designated reserve accounts and entering into a ten year lease purchase contract, and calling for the Town to borrow up to \$700,000 to finance improvements to bring the Courthouse into compliance with the Town and State Building Codes and the Americans With Disabilities Act, so that the Courthouse may be used as the Town Office, be approved?

SUMMARY: The Town wishes to acquire the Courthouse for use as a Town Office. To do this, the Town will make a down payment of \$250,000 and enter into a ten-year lease purchase agreement, paying approximately \$2,070 per month, for a total cost of approximately \$500,000. In order to use the Courthouse as a Town Office, the Town will be required to install an elevator to make it accessible to persons with disabilities and to make various repairs and improvements in order to bring it into compliance with the Town and State Building Codes. The cost of the elevator and other required repairs and improvements will be \$700,000. To pay for them, the Town will borrow \$700,000. Upon approval of the Town's Downtown Tax Increment Financing district and this expenditure by the Town and the Maine Department of Economic and Community Development, the Town intends to use TIF revenues to repay the loan over ten years.

MOTION: _____ SECOND: _____ VOTE: _____

9. **Executive Session –Economic Development (0105)**

Suggested Motion: Move to retire into Executive Session pursuant to Title 1 MRSA Section 405(6) (g) for the purpose of airport/economic development.

MOTION: _____ SECOND: _____ VOTE: _____

TIME STARTED: _____ TIME CLOSED: _____

10. **Adjourn**

Suggested Motion: Move to adjourn meeting ____:____pm

MOTION: _____ SECOND: _____ VOTE: _____

Town of Lincoln

Citizen Interest / Committee Participation Form

All appointments are subject to review by the Appointments Committee
and final confirmation of the Lincoln Town Council.

Once appointed, an oath must be administered within the first seventeen days of appointment.
If an oath is not administered, the appointment will be void.

Name: Sarah M. Crockett Date: 9/17/15

Mailing Address: 113 Enfield Rd.

Physical Address: 113 Enfield Rd

Telephone #: 794-8254 Home/Cell _____ Work _____

Employer/Profession: Retired

E-Mail Address: graves22@roadrunner.com

Skills, Education and/or experience that you may offer the committee: I taught at M.A.

for over 30 years and served on RSU 67 Board of Directors
for 16 years. I am currently on Region 111 Cooperative Board

RSU 67 Board of Directors. Sarah Crockett will only like to serve on the board
until someone is elected in November.

Have you previously served on the committee checked above: YES or NO

If so, When: YES How many terms? 30 years

NOTE: This application will remain on file at the Town Clerk's office for one year from the above date.

TOWN COUNCIL
AGENDA REQUEST

*** Please note Public Notices need a 7-14 day advance notice in the paper depending on subject.**

Council Meeting Date: 9-28-2015	Today's Date: 9-22-2015
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Department: Clerk

Department #: 0101

Request:

Oct 7, 2015 Lincoln will hold the 5th Annual Walk to End Abuse. Each year this event grows in numbers and is well-supported. The Town Council, each year, votes a proclamation that October be Domestic Violence Awareness Month (DVAM). This year we are proposing the Council permanently make October DVAM.

Candace Sabol from Spruce Run is requesting this action from the Council and is the driving force behind the walk.

Action Needed From Council: Permanently Proclaim October DVAM

Is This Item Budgeted:
Was This A Bid Process: Lowest Bid:
Is Public Hearing Required:
If So What Dates:

TOWN OF LINCOLN ORDER NO. 2015-1

ORDER OF THE LINCOLN TOWN COUNCIL AUTHORIZING THE APPROPRIATION OF FUNDS NOT TO EXCEED THE AMOUNT OF \$450,000 FOR THE PURPOSE OF PURCHASING THE COURT HOUSE TO SERVE AS A NEW TOWN OFFICE, AND BORROWING AN AMOUNT NOT TO EXCEED \$700,000 TO FINANCE UPGRADES TO BRING IT INTO COMPLIANCE WITH CODE AND THE AMERICANS WITH DISABILITIES ACT.

THE TOTAL PROJECT COST WILL NOT EXCEED \$1,150,000. THE TOWN OF LINCOLN HAS APPROPRIATED THE AMOUNT NOT TO EXCEED \$27,324.00 IN THE FY 2017 ANNUAL BUDGET.

The Town Council of the Town of Lincoln (the "Town") met at the Town Office in Lincoln, Maine, on September 14, 2015, at 7:00 p.m. Present were the following Town Councilors:

being a majority of the Council of the Town, of which there are seven (7), together with Town Clerk Amanda Woodard and Town Manager Ronald Weatherbee. The Chairman presided and the Clerk kept the record.

The Councilors discussed the matter of financing the acquisition of the Courthouse, bringing it up to code and into compliance with the Americans With Disabilities Act, and using it as the Town Office. The meeting was open to the public, which was notified of the meeting by notice posted at least seven days in advance of the meeting in public and conspicuous places in the Town. Upon motions made and duly seconded, the following votes were unanimously adopted:

Now therefore be it ORDERED by the Town of Lincoln as follows:

Section 1: That under the Constitution and laws of the State of Maine and pursuant to the Charter of the Town, the Town of Lincoln is hereby authorized to enter into a lease purchase contract or other similar arrangement (the "Lease") with Haskell Lumber Inc. to acquire the courthouse located at 52 Main Street (the "Courthouse") for use as a Town Office.

Section 2: That the Town shall appropriate from unappropriated fund balance and reserves an amount not to exceed \$250,000, the proceeds of said appropriation to be used to enter into the Lease. The said expenditure will be voted upon by the Town Council after a successful referendum vote.

Section 3: That the Town shall make payments under the Lease of an amount of approximately \$2,070 per month for ten years.

Section 4: That under the Constitution and the laws of the State of Maine and pursuant to Section 5772 of Title 30-A, M.R.S.A., and the Charter of the Town, the Town of Lincoln is hereby authorized to borrow from the Maine Municipal Bond Bank or another lending

institution approved by the Town Treasurer and a majority of the Town Council a principal amount not to exceed seven hundred thousand dollars (\$700,000), said amount to be borrowed at an interest rate and subject to other terms and conditions as may be approved by the Town Treasurer and a majority at least of the Town Council, with principal and interest to be payable annually at least, the proceeds of such loan to be used to finance improvements to the Courthouse in order to bring it into compliance with the terms of the Americans With Disabilities Act and the Town and State Building Codes (the "Project"), said loan to be evidenced by a 2016 General Obligation Bond (the "Bond") of the Town, which shall be executed and delivered on behalf of the Town by the Treasurer and counter-signed by a majority at least of the members of the Town Council, and that the proceeds of the Bond be and hereby are appropriated for purposes of accomplishing the Project.

Section 5: That in anticipation of the issuance of the Bond and pursuant to the authority cited in Section 4, the Treasurer and a majority at least of the Town Councilors are hereby authorized to execute and deliver a General Obligation Bond Anticipation Note (the "Note") of the Town in a principal amount not to exceed seven hundred thousand dollars (\$700,000), for a period not to exceed three years and to bear interest at an interest rate and subject to other terms and conditions as may be approved by the Town Treasurer and a majority at least of the Town Council, the proceeds to be used for the Project; said Note to be subject to such further terms and conditions as the Treasurer and a majority at least of the members of the Town Council.

Section 6: That payments on the Bond or the Notes shall be made from revenues from the Town's Downtown Tax Increment Financing District to the extent feasible, upon approval of the Downtown Tax Increment Financing District and this expenditure by the Town of Lincoln and the Maine Department of Economic and Community Development.

Section 7: That the Town Clerk shall distribute a copy of this order to each Council member and to the Town Manager, and shall file a reasonable number of copies of this order in the office of the Town Clerk and shall post a copy of this order together with a Notice of Public Hearing at the following public places:

The Lincoln Town Office, 63 Main Street, Lincoln, Maine

The Lincoln Memorial Library, 21 West Broadway, Lincoln, Maine

as well as such other public and conspicuous places as may be directed by the Interim Town Manager.

Section 8: That a public hearing be held at 7:00 p.m. in the Town Council Chambers at 63 Main Street, in Lincoln Maine on September 28, 2015 for the purpose of taking testimony and comments from the public with respect to whether the Town shall enter into the Lease and undertake the Project, and that notice of the public hearing be given by the Town Clerk by publishing a summary of this order in the local newspaper on or before September 21, 2015, together with a notice setting forth the time and place for the public hearing.

Section 9: That all actions heretofore taken by the Town of Lincoln relating to the Lease and the Project be and they hereby are ratified, approved and confirmed.

Section 10: That the municipal officers and the Town Manager are hereby authorized to execute all documents and certificates, and to take all actions as may be necessary or convenient to carry out the full intent of and authorizations in the foregoing sections.

Section 11: That pursuant to Article VIII, Section 802 of the Charter of the Town of Lincoln, the foregoing order shall go into effect only upon approval by the voters of the Town of Lincoln at a referendum election to be held on Tuesday, November 3, 2015. Be it further ordered that, pursuant to Article VIII, Section 802, of the Charter of the Town of Lincoln the referendum election of the Town of Lincoln is to be held on the ballot question as substantially set forth below:.

THE TOWN OF LINCOLN BALLOT QUESTION NO. 1

QUESTION 1: Shall the Order 2015-1 of the Lincoln Town Council, authorizing the Town to lease the Courthouse located at 52 Main Street by appropriating up to \$250,000 of unappropriated fund balance and designated reserve accounts and entering into a ten year lease purchase contract, and calling for the Town to borrow up to \$700,000 to finance improvements to bring the Courthouse into compliance with the Town and State Building Codes and the Americans With Disabilities Act, so that the Courthouse may be used as the Town Office, be approved?

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Section 12: That prior to the public hearing on September 28, 2015, the Treasurer shall prepare a financial statement in substantially the form set forth below, which financial statement shall be posted with all notices relating to the public hearing and shall be posted at all polling stations on the day of the municipal referendum election, in the form set forth below:

Treasurer's Financial Statement Accompanying Question 1

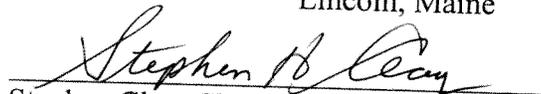
Town of Lincoln, Maine

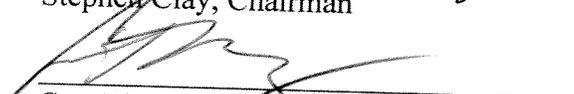
A. Total amount of the bonds of Lincoln outstanding and unpaid: \$2,045,662.58
Total amount of bonds of the Town of Lincoln authorized but unissued: \$0
Total amount of the bonds to be issued under this Question [#] \$700,000

Total of all bonds of the Town authorized upon passage of Question 1: \$2,745,662.58

- B. Estimate of costs involved in the borrowing called for by Question 1: Assuming an interest rate varying from 1.3% in year one to 2.5% in year ten and a term of 10 years, the total amount of payments over the term of the loan would be approximately \$784,000, consisting of interest payments of approximately \$84,000 and principal payments of \$700,000.
- C. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimate made in paragraph B, above. If the actual amount of the total debt service for the bond issue varies from this estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

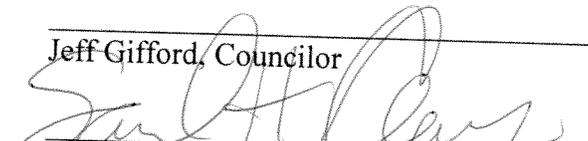

Treasurer
Lincoln, Maine


Stephen Clay, Chairman


Curt Ring, Vice Chair

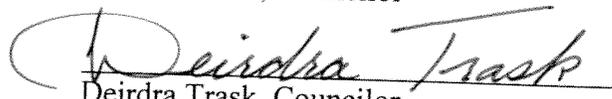
(SEAL)

Jeff Gifford, Councilor


Samuel Clay, Councilor


David Whalen, Councilor

Chris Stevens, Councilor


Deirdra Trask, Councilor

I certify that I am the duly qualified Town Clerk of the Town of Lincoln, Maine, and that the foregoing order was adopted by the Town Council of the Town at meeting of said Town Council duly called and legally held in accordance with the laws of Maine and the Charter and governing ordinances of the Town on September 14, 2015, and that the meeting was open to the public and that adequate and proper notice thereof was given in accordance with the laws of Maine and the Town, and that such order has been entered into and become a part of the permanent records of the Town and remains in full force and effect and has not been rescinded or amended.

(SEAL)

TOWN OF LINCOLN


Amanda Woodard, Town Clerk

Dated: Sept 17, 2015