

TOWN COUNCIL

YR: 18 MO: 6 ITEM # 9

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: June 8, 2018
Department: Town Manager/Finance	
Department #: 0100/0104	

<p><b>Request:</b> FY17 Audit presentation by Maine Municipal Audit Services</p>
Action Needed From Council: None

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

TOWN COUNCIL

YR: 18 MO: 6 ITEM # 11

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: May 31, 2018
Department: Town Office	
Department #: 0101	

**Request:**  
As part of the yearly commitment process, authorize enrollment in the FY 2019 Tax Club.

Action Needed From Council: Authorize enrollment in FY 2019 Tax Club

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

TOWN COUNCIL

YR: 18 MO: 6 ITEM # 12

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018

Today's Date: May 31, 2018

Department: Town Office

Department #: 0101

**Request:**

As part of the yearly commitment process, authorize prepayment of FY 2020 taxes.

Action Needed From Council: Authorize acceptance of FY 2020 taxes.

Is This Item Budgeted:

Was This A Bid Process:

Lowest Bid:

Is Public Hearing Required:

If So What Dates:

TOWN COUNCIL

YR: 18 MO: 6 ITEM # 13

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: May 31, 2018
Department: Town Office	
Department #: 0101	

**Request:**

As part of the yearly commitment process, to set the interest rate on delinquent FY 2019 taxes at 8%. Maximum that can be charged on taxes assessed in 2018 is 8%, per the attached maximum rate from the Maine Office of the Treasurer.

Action Needed From Council: Set the interest on delinquent FY 2019 taxes at 8%

Is This Item Budgeted:

Was This A Bid Process:

Lowest Bid:

Is Public Hearing Required:

If So What Dates:

## Maine Office of the Treasurer

Home → Revenue Sharing → Delinquent Tax Rates

# Delinquent Tax Rates

Municipalities may, by vote, determine the rate of interest that shall apply to taxes that become delinquent during a particular taxable year until those taxes are paid in full. The maximum rate of interest that can be charged per Title 36, M.R.S.A. Section 505.4 is as follows:

<b>Taxable Year</b>	<b>Maximum Rate</b>
2018	8.00%
2017	7.00%
2016	7.00%
2015	7.00%
2014	7.00%
2013	7.00%
2012	7.00%
2011	7.00%
2010	7.00%
2009	7.00% up to 9.00%
2008	11.00%
2007	12.00%
2006	11.00%
2005	7.75%
2004	6.50%
2003	7.00%
2002	6.75% up to 8.75%
2001	11.50%
2000	10.75%
1999	10.00%
1998	10.75%
1997	10.50%
1996	10.75%
1995	10.75%
1994	10.00%
1993	10.00%
1992	10.00%
1991	12.00%

*Fy 19 tax year 7/1/18 - 6/30/19  
Assessment date 4/1/18*

If you have any questions about this information, please feel free to contact my Office.

### Credits

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TOWN COUNCIL

YR: 18 MO: 6 ITEM # 14

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: May 31, 2018
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Department: Town Office

Department #: 0101

**Request:**

As part of the yearly commitment process, to set the interest rate on overpayment (credit toward 2020) taxes at 4%, which is the rate the Town receives from the bank. This interest rate cannot be less than 4% lower than the interest rate charged on delinquent taxes

Action Needed From Council: Set the interest on overpayment of 2020 taxes at 4%

Is This Item Budgeted:

Was This A Bid Process:

Lowest Bid:

Is Public Hearing Required:

If So What Dates:

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: June 7, 2018
Department: Town Clerk	
Department #: 0101	

**Request:**  
Appoint Lee Haskell to the Water District Board of Trustees for a 3-year term.

Action Needed From Council: Appoint

Is This Item Budgeted:	
Was This A Bid Process:	Lowest Bid:
Is Public Hearing Required: No	
If So What Dates:	

# 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: Lee Haskell Date: 6-4-18

Mailing Address: 445 Main St Lincoln Me

Physical Address: \_\_\_\_\_

Telephone #: 290-4993 Home/Cell \_\_\_\_\_ Work \_\_\_\_\_

Employer/Profession: Parker Lumber

E-Mail Address: \_\_\_\_\_

Skills, Education and/or experience that you may offer the committee: \_\_\_\_\_

**Please check which committee you are applying to be a member of:**

- |   |  |
|---|--|
| <input type="checkbox"/> Airport Advisory Committee (3 YR.) | <input type="checkbox"/> Events and Tourism Committee                      |
| <input type="checkbox"/> Appeals Board (3 YR.)              | <input type="checkbox"/> Library Advisory Committee                        |
| <input type="checkbox"/> Budget Committee (Annual)          | <input type="checkbox"/> Planning Board (3 YR.)                            |
| <input type="checkbox"/> Cemetery Committee (Lifetime)      | <input type="checkbox"/> Recreation Committee (3 YR.)                      |
| <input type="checkbox"/> Conservation Committee (3 YR.)     | <input type="checkbox"/> TIF Committee                                     |
| <input type="checkbox"/> Other                              | <input checked="" type="checkbox"/> Other<br><u>Lincoln Water District</u> |

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

If so, When: currently How many terms? 10 yrs

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



AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: 05/31/2018
Department: Community Events	
Department #: 0105	

**Request:**  
 Closures for Loon Festival July 19<sup>st</sup>-22<sup>nd</sup>. Veterans Memorial Square from July 19<sup>th</sup> -22<sup>rd</sup>. July 19<sup>th</sup>: Lake Street 5:00 pm to 11:30 pm. July 20<sup>st</sup>: Lake Street 5:00 pm to 11:30 pm. July 21<sup>st</sup> Libby Street, Main and part of West Broadway for the Parade 9:30 am to 2:00 pm, Lincoln Street, 1:00 pm to 11:00 pm and Prince Thomas Park for the Red Neck Regatta from 1:00 pm to 4:00 pm.

Action Needed From Council: Approve closures

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

TOWN COUNCIL

YR: 18 MO: 10 ITEM # 17

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: June 8, 2018
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Department: Cemetery, Parks & Recreation
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Department #: 0601
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<p><b>Request:</b>          Appoint Shannon Jordan to the Recreation Committee.</p>
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Action Needed From Council: Appoint
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Is This Item Budgeted:
Was This A Bid Process: <span style="float: right;">Lowest Bid:</span>
Is Public Hearing Required: No
If So What Dates:

# 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: Shannon Jordan Date: 5/17/18  
Mailing Address: 34 Highland Ave, Lincoln  
Physical Address: Same  
Telephone #: 794-4560 Home/Cell 794-6131 Work  
Employer/Profession: Gateway Title  
E-Mail Address: shannon@gatewaytitleme.com

Skills, Education and/or experience that you may offer the committee: many volunteer hours helping with coaching (husband coaches) and familiar with public in Lincoln, their

- Please check which committee you are applying to be a member of:
- |   |  |
|---|--|
| <input type="checkbox"/> Airport Advisory Committee (3 YR.) | <input type="checkbox"/> Events and Tourism Committee            |
| <input type="checkbox"/> Appeals Board (3 YR.)              | <input type="checkbox"/> Library Advisory Committee              |
| <input type="checkbox"/> Budget Committee (Annual)          | <input type="checkbox"/> Planning Board (3 YR.)                  |
| <input type="checkbox"/> Cemetery Committee (Lifetime)      | <input checked="" type="checkbox"/> Recreation Committee (3 YR.) |
| <input type="checkbox"/> Conservation Committee (3 YR.)     | <input type="checkbox"/> TIF Committee                           |
| <input type="checkbox"/> Other                              | <input type="checkbox"/> Other                                   |
- Opinion's and what is important for our town*

Have you previously served on the committee checked above: YES or **NO**  
If so, When: \_\_\_\_\_ How many terms? \_\_\_\_\_

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

## AGENDA REQUEST

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

Council Meeting Date: 06/18/2018	Today's Date: 05/31/2018
Department: Code Enforcement	
Department #: 0106	

**Request:**

To approve the application for a septic sludge disposal area located at 1378 Main Street on the Winn-Lincoln Town line owned by Calvin Ireland dba Cals Septic Service Inc.

This application comes before the Town Council every 5 years. This is a routine notice and approval by the Town submitted to the Department of Environmental Protection as part of their licensing review of this facility. By approving this the Town gives notice to the DEP that they are aware of the sludge field and acknowledge that Mr. Ireland is seeking licensing with the DEP.

Public Notice to abutters and the public as required is attached. As well as the signed notification for the DEP.

Action Needed From Council: to approve septic sludge area

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

38 MRSA §1305(6) states that: "... any person may provide a site for disposal of septage. In addition to making application to the Department of Environmental Protection for approval of any site, that person shall have written approval for the site location from the municipality in which it is located, unless the site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulatory Commission. A municipality may determine whether approval of the site must be obtained first from the department or the municipality. The municipal officers shall approve, after hearing, any such private site if they find that the site complies with municipal ordinances and with local zoning and land use controls. In the absence of applicable municipal ordinances and local zoning and land use controls, the municipality shall base its approval of the site on compliance with the siting and design standards in the department's rules relating to septage management. For the purposes of this subsection, a "municipality" means a city, town, or plantation."

The above statute requires the municipal officers, in the municipality which the proposed site is located, to determine whether the site location must be approved before the department issues a license or after the department issues a license. This requirement applies to septage license renewals. The following must be completed by an authorized municipal official:

The municipal officers of the municipality of Lincoln (municipality) have been provided with a copy of an application for approval of a Septage Land Application Site. The application has been submitted by Calvin Ireland dba Cals Septic Service Inc. (applicant), and is for approval of a site located at 1378 Main Street (location). Pursuant to 38 MRSA §1305(6), the municipality has determined that municipal approval of the site must (check only one of the following):

- be obtained from the municipality prior to issuance of a Department Order
- be obtained from the municipality after issuance of a Department Order

\_\_\_\_\_  
*Printed Name and Title of Authorized Municipal Official*

\_\_\_\_\_  
*Signature of Authorized Municipal Official and Date Signed*

\*\*\*\*\*

**If municipal approval is required prior to approval by the department, the following must be completed:**

The municipal officers of the municipality of Lincoln (municipality), after a hearing on 6/18/2018 (date), have determined that the proposed septage site described in this application complies with municipal ordinances, and with local zoning and land use controls, or, because of the absence of municipal ordinances, and local zoning and land use controls, have determined that the proposed site complies with the siting and design standards in the department's rules relating to septage management. THEREFORE, the municipality APPROVES the site location described in the application of Calvin Ireland dba Cals Septic Service Inc. (applicant).

\_\_\_\_\_  
*Printed Name and Title of Authorized Municipal Official*

\_\_\_\_\_  
*Signature of Authorized Municipal Official and Date Signed*

**Assessor**

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**From:** Assessor  
**Sent:** Thursday, May 31, 2018 12:42 PM  
**To:** 'news@lincolnnews.com'  
**Subject:** Public Notice  
**Attachments:** Public Notice Cals Septic System.pdf

Good Morning,

I am forwarding you a copy of a public notice for Calvin Ireland to be published in the June 7<sup>th</sup> addition of the Lincoln News. Mr. Ireland has requested this public notice be charged to his account.

Thank you

Ruth E Birtz

**Form A**

THIS FORM IS FOR USE IN NOTIFYING ABUTTING OWNERS, THE MUNICIPALITY AND PUBLISHING THE NOTICE IN THE NEWSPAPER.

**PUBLIC NOTICE OF INTENT TO FILE**

Please take notice that Cals Septic Ser inc  
900 main st  
Lincoln me

(name, address and telephone number of applicant)

is intending to file an application with the Maine Department of Environmental Protection (DEP) on

\_\_\_\_\_ pursuant to the provisions of 38 M.R.S.A., Section 1301 et. seq.  
(submittal date)

and 06-096 CMR Chapter 420.

The application is for Septic Sludge disposal area

at 1378 main st (summary of project)

owned by Calvin Ireland and operated by Calvin Ireland  
(landowner) (site operator if different)

According to Department regulations, interested parties must be publicly notified, written comments invited, and if justified, an opportunity for public hearing given. A written request for a public hearing, or that the Board of Environmental Protection assume jurisdiction of the application, must be received by the Department no later than 20 days after the application is accepted by the Department as complete for processing.

The application and supporting documentation are available for review at the Bureau of Remediation and Waste Management (BRWM) at the appropriate DEP regional office during normal working hours. A copy of the application and supporting documentation may also be seen at the municipal office in Lincoln, Maine.  
(town)

Send all correspondence to: Attn: Residuals Utilization Unit, BRWM, Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017 (207-287-2651 or 1-800-452-1942).

TOWN COUNCIL

YR: 18 MO: 10 ITEM # 19a+b

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: June 4, 2018
Department: Town Clerk	
Department #: 0101	

**Request:**

Approve a Victualer's license for Talk of the Town, a new café to open on Fleming St. The owners are Penny Haynes and Rita Worster.

Action Needed From Council: Approve license

Is This Item Budgeted:	
Was This A Bid Process:	Lowest Bid:
Is Public Hearing Required: Yes	
If So What Dates:	Week of June 4th



Date: 6-4-2018 Type of Business: Restaurant  
Name of Business: Talk of the Town  
Recorded Owner: Penny Haynes + Rita Worster  
If Incorporated, Registered Agent: \_\_\_\_\_  
Registered Agent's Address: \_\_\_\_\_  
Location of Business: 8 Fleming Street - Lincoln  
Mailing Address: same as above  
Contact Person: Penny Haynes Telephone # 794-4667  
Seating Capacity: 24

Has applicant(s) /or manager ever been convicted of a violation of the law, *other than a minor traffic violation /or misdemeanor*, of any state within the United States, during the past five years?

Yes  No

If the answer to the above question is Yes, then complete the following:

Name \_\_\_\_\_ Offense \_\_\_\_\_  
Disposition \_\_\_\_\_  
Date of Conviction \_\_\_\_\_ Location \_\_\_\_\_

**Prior to Council approval of this application, the State of Maine must have inspected your premises for the preparation and sale of food. Applicants shall completely fill out all information in order to be considered. Leaving information blank will result in a denial and there will be no refunds.**

**\*\*Please include a copy of your latest State Inspection\*\***

**First Time Application Fees \$25.00**      *This covers Application and Ad Fees*  
**Renewal Fee \$20.00**

Rita worster  
Penny Haynes  
\_\_\_\_\_  
**Authorized Applicant Signature**

TOWN COUNCIL

YR: 18 MO: 6 ITEM # 20

AGENDA REQUEST

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

Council Meeting Date: June 18, 2018	Today's Date: June 8, 2018
Department: Cemetery, Parks & Recreation	
Department #: 0601	

**Request:**  
Renew lease agreement with Lakeville Shores, Inc for the Long Pond Boat launch, located at 2 Long Pond Road. Lease agreement is attached.

Action Needed From Council: Approve lease

Is This Item Budgeted: Yes	
Was This A Bid Process: Yes	Lowest Bid: No
Is Public Hearing Required: No	
If So What Dates:	



**TOWN OF LINCOLN**  
**Long Pond Boat Landing**  
**LEASE AGREEMENT**

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This indenture of Lease made on June 18, 2018 by and between the **Inhabitants of the Town of Lincoln, Penobscot County, State of Maine**, hereinafter called “Lessee”, and Lakeville Shores, Inc., of the State of Maine, hereinafter called “Lessor”.

**WITNESSETH:**

**ARTICLE I**

**Premises**

Lakeville Shores, Inc. hereby leases, demises and lets unto the **Inhabitants of the Town of Lincoln, Penobscot County, State of Maine**, property listed as a boat landing 100 (FF) by 260’ along with right of way to said landing. Lessee hereby leases and takes from Lessor for the term and upon the terms and conditions set forth in this Lease:

*Boat Launch area situated on Long Pond and part of Book 10567 – page 229 dated August 1<sup>st</sup>, 2006 by Penobscot Registry of Deeds.*

**ARTICLE II**

**Term**

To have and to hold the same for a term of five (5) years commencing July 1, 2018 and ending June 30, 2023. In addition, if no breach or default exists in any of the terms and

## **Long Pond Boat Landing**

conditions of the Lease, either party shall reserve the right and option to review the Lease and terms at least forty-five (45) days prior to the annual anniversary of July 1<sup>st</sup>. The purpose of said Lease shall be for the benefit of Lessee herein, in common with others, to use for small boating purposes.

## **ARTICLE III**

### **Rent**

The rent for this term of Lease is no payment (\$0.00) with the assessed taxes due to the Town of Lincoln, as determined by the Tax Assessor, to be paid each calendar year by the Lessee. Any improvements and / or maintenance shall be paid by the Lessee or benefactor, and notification shall be sent to the Lessor fifteen (15) days in advance of work. Lessor shall allow Lessee to control hours of access to the public. Property insurance shall be retained by the Lessee and the Lessor shall be listed as a secondary insured.

## **ARTICLE IV**

### **Possession**

Lessor agrees to deliver to the Lessee physical possession of demised premises upon the commencement of the term hereof, free and clear of any and all encumbrances, attachments, liens, or other interests, claims or rights of possession, excepting however, those of record and any mortgage which may have been given by the Lessor; Lessor also represents that it has good and marketable title to the same in its own name and has full and absolute right to Lease and demise the same to Lessee.

Lessee agrees that it shall make and deliver to Lessor physical possession of the property upon the termination hereof or any renewal thereof in as good condition as the same were at the beginning of the term. Lessee shall keep the premises free from trash, litter and / or debris.

## **Long Pond Boat Landing**

Lessee may not assign this Lease to another party or subject any premises without the written consent of the Lessor. Lessee hereby will agree to hold the Lessor harmless from damage claims from persons claiming damage claims, personal injury, or property loss arising out of use of said boat land and grounds.

## **ARTICLE V**

### **Modifications**

No modifications of this Lease shall be binding unless in writing executed and acknowledged in due form for recording with both parties signature.

## **ARTICLE VI**

### **Captions**

The captions of this Lease are for convenience only and are not a part of this lease and do not in any way limit or amplify the terms and provisions of this Lease, nor shall they be considered in the interpretation of any of the provisions hereof.

## **ARTICLE VII**

### **Termination**

It is mutually agreed that if Lessee shall be in default in performing any of the terms or provisions of this Lease, the Lessor shall provide notice in writing of such default within thirty (30) days of occurrence. This agreement may also be terminated by either party with written notification provided sixty (60) days in advance and listed as a public notice. At the end of the sixty (60) days, a proration of taxes will be assessed and billed out accordingly and Lease will terminate.

If the land shall be so damaged by fire, the elements, casualty, war, insurrection, riot, public disorder, acts authorized on the part of any governmental authority, or any cause of

**Long Pond Boat Landing**

happening so as to be substantially destroyed, the Lessor may, at its sole option, either restore the demised premises to their previous condition or terminate the Lease.

**IN WITNESS WHEREOF**, the said **Town of Lincoln** has caused this instrument to be executed and its seal to be affixed by its duly authorized agent according to this discipline and government of the **Town of Lincoln**, Maine this **1<sup>st</sup> day of July, 2018**. **SIGNED, SEALED**

**AND DELIVERED IN PRESENCE OF:**

**TOWN OF LINCOLN:**

**BY:** \_\_\_\_\_ **Title:** \_\_\_\_\_  
Duly Authorized  
**State of Maine** **Date:** \_\_\_\_\_  
Penobscot \_\_\_\_\_ ss.

Personally appeared \_\_\_\_\_ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name  
Commission Expires: \_\_\_\_\_

**FOR LAKEVILLE SHORES, INC.**

**BY:** \_\_\_\_\_ **Title:** \_\_\_\_\_  
Duly Authorized  
**State of Maine** **Date:** \_\_\_\_\_  
Penobscot \_\_\_\_\_ ss.

Personally appeared \_\_\_\_\_ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name  
Commission Expires: \_\_\_\_\_