

**Town of Damariscotta, Maine
Board of Selectmen's Meeting
Minutes
Wednesday, December 21, 2005**

I. Pledge of Allegiance

1. Moment of Silence for William Earle.

The Board and audience remained standing and observed a moment of silence for Selectman William Earle.

II. Call To Order

The Board of Selectmen met at the Municipal Facility on Wednesday, December 21, 2005 to conduct town affairs. Chairman Richard McLean called the meeting to order at 6:30 p.m. Members present were Richard McLean, Walter Hilton, and Joshua Pinkham. Absent was Scott Gove. Staff present was Town Manager William Post, Police Chief Steve Drake, and Assessors' Agent Gary Robbins. Others present were Peter Drum, Brent Hallowell, Pat McLean Chris Roberts, and Karen O'Bryan (LCTV).

III. Public Hearings

1. Liquor License Application Renewal for Dimitrios Mihos d/b/a Romeo's Pizza Damariscotta, 436 Main Street.

McLean opened the public hearing at 6:30 p.m.

The Police Department reports the only problems were business alarm calls within the previous year.

There were no public comments for or against the application renewal. McLean closed the public hearing at 6:32 p.m.

2. Liquor License Application Renewal for MikeGord Inc d/b/a Reunion Station Restaurant, 21 Center Street.

McLean opened the public hearing at 6:32 p.m.

The Police Department reports no problems within the previous year.

There were no public comments for or against the application renewal. McLean closed the public hearing at 6:33 p.m.

On motion of Hilton/Pinkham, the Board VOTED: To approve the Liquor License Renewal Applications for Dimitrios Mihos d/b/a Romeo's Pizza Damariscotta and MikeGord Inc d/b/a Reunion Station Restaurant (Vote: 3 – 0).

IV. Old Business – None

V. Communications

1. Mrs. McLean's 4th Grade Class, re: Celebrating Halloween on last Saturday of October.

McLean stated that the fourth grade class at Great Salt Bay School has written letters to the Board, the Police Department, the Chamber of Commerce and the library, as well as to the editor of the

local papers. The subject of the letters is a request that the celebration of Halloween be done on the last Saturday of October instead of October 31st. The letters cite many reasons for this.

Hilton stated that he compliments the class for their penmanship and writing skills, as the letters are very well written.

McLean suggested that the other organizations and agencies be approached to determine if this request is possible.

Hilton stated that he is concerned that there would be two celebrations of Halloween instead of one.

Pinkham asked if the Town of Newcastle received a letter. Pat McLean stated that they have not yet, but if Damariscotta supported the change, the other towns that send students to the school would be asked to change the date as well.

Pinkham asked how many other towns have done this. Pat McLean stated that there are some in New Hampshire and in the southern states, but is unsure if there are any in Maine.

Richard McLean asked the Police Chief if there would be a staffing problem, Drake answered that there would not be a problem and there generally has not been problems with the Halloween celebration.

Hilton volunteered to discuss the request with the other agencies and organizations.

VI. Official Action

1. Act on Acceptance of Biscay Beach Property from Carolyn D. Reny.

Post stated that the property has been surveyed, with iron pins set at the boundaries and the deed is expected to be recorded soon transferring the property to the Town. The Board needs to formally accept the land donation, as authorized by the June Town Meeting approval.

On motion of Hilton/Pinkham, the Board VOTED: To accept the donation of the Biscay Beach land as outlined in the survey and described in the deed from Carolyn D. Reny with gratitude (Vote: 3 – 0).

2. Act on Bid Specifications for Police Cruiser.

Post stated that the bid specifications to purchase a police vehicle are to be acted on by the Board. It is time to replace the 2001 Ford that is currently in use as a second vehicle. Previously, there was only one make for a rear-wheel drive police vehicle, however, now Dodge makes a police model that is rear-wheel drive. Chevrolet still only makes the front-wheel drive model. Post stated that the Police Chief has checked on transferring the equipment from the Ford to a Dodge, and the only issue is the cage, which is a plexi-glass sheet.

Drake stated that the cage is in need of a replacement anyway, since it has become scarred and visibility through it is an issue.

Pinkham asked if the light bar would fit on a Dodge. Drake stated that he expects to equip the new cruiser as a low-profile vehicle with internal lights and magnetic decals that can be removed when officers are performing surveillance.

McLean asked if a low-profile vehicle compromises the safety of the officers. Drake stated that the level of the third brake light is the level that the blue lights would be mounted. That level has been

shown in studies to be where motorists look first as that is eye-level for most motorists. Safety should not be an issue.

Pinkham asked if this is the first model year for the Dodge. Drake stated that 2005 is the first year, 2006 would be the second year.

On motion of Hilton/McLean, the Board VOTED: To approve the bid specifications for the police cruiser as submitted (Vote: 3 – 0).

3. Act on Speed Limit Reduction Request for a Portion of Route 1.

Police Chief Drake stated that a citizen approached him with the idea of petitioning the state to reduce the speed limit on the section of Route 1 from where it increases to 55mph after Pine View Restaurant (heading south) and continues through the Belvedere Road intersection. Speed is one of the largest factors in the accidents that occur at that intersection. Currently there are 45 mph advisory signs through that area, but those are not enforceable.

On motion of Hilton/Pinkham, the Board VOTED: To petition the Maine Department of Transportation to reduce the speed limit on Route 1 from 55 mph to 45 mph in that section with 45 mph advisory signs (Vote: 3 – 0).

4. Act on Special Election to fill Board of Selectmen Vacancy.

Post stated that there is just enough time to hold the election on March 21st. There are state laws governing when petition papers must be made available and returned for a proper nominating process.

McLean stated that there is no law forcing a special election, but the Charter states that the vacancy must be filled if it occurs more than four months before the next annual election. William Earle passed away on December 9, so it is more than four months until the next regular election.

On motion of Hilton/McLean, the Board VOTED: To fill the vacancy on the Board of Selectmen by a special election to be held on March 21, 2006 (Vote: 3 – 0).

VII. Town Manager's Discussion

1. Community Impact Analysis.

Post stated that Planning Decisions from South Portland has prepared a proposal for the community impact analysis. Two other consultants that were contacted either could not do the study in the timeframe outlined or were too busy to take on the project. Post stated that he would like authorization from the Board to proceed with the study pending the availability of funding.

Peter Drum asked if Planning Decisions does mostly municipal work or is hired by developers as well. Post stated that they are hired by several different types of consultants, but work closely with municipalities. The firm was highly recommended by Bill Dale, the Town's land use attorney, as well as Even Rechiert, former State Planning office director and Bob Faunce, Lincoln County Planner.

Chris Roberts asked what the cost was and when the analysis would be completed. Post stated that the cost is \$23,000 and the project is expected to be done by March 1st.

VIII. Consent Calendar

1. Regular Meeting Minutes of December 7, 2005.

On motion of Hilton/McLean, the Board VOTED: To approve the minutes of December 7, 2005 as submitted (Vote: 3 – 0).

2. Financial Reports:

- a. Payroll Warrant #29 General Fund Warrant #30.

On motion of Hilton/McLean, the Board VOTED: To approve Payroll Warrant #29 and General Fund Warrant #30 as submitted (Vote: 3 – 0).

- b. November Expenditure Report.

On motion of Hilton/McLean, the Board VOTED: To accept the November Expenditure Report as submitted (Vote: 3 – 0).

IX. Other Business

1. Pinkham asked about the progress in selling the 27 Church Street property. Post stated that it continues to be shown, but no offers have been made yet.
2. Pinkham asked about the Main Street Project. Post stated that the project was not included on the deferred project list by MDOT and just received approval from the Federal Highway Administration. MDOT is currently working on right-of-way negotiations. A spring start for construction is still expected.
3. Pinkham stated that Brent Hallowell approached him with a concern about interest that had accumulated on his tax account. Post stated that any complaint such as that should be addressed to the Town Manager by the taxpayer. He then asked Robbins to speak with the Treasurer about the account.
4. McLean stated that there is a vacancy on the Board of Appeals and Peter Drum has volunteered for that position. In addition the Board should be thinking about alternatives for the Board of Appeals.

On motion of Hilton/McLean, the Board VOTED: To appoint Peter Drum to the Board of Appeals to fill the vacancy created by Mal Briggs resignation (Vote: 3 – 0).

5. McLean stated that the Land Use Committee needs an alternate and Fred Sewall has volunteered for the position.

On motion of Hilton/Pinkham, the Board VOTED: To appoint Fred Sewall to the Land Use Committee as an alternate (Vote: 3 – 0).

6. Pinkham asked for a status report on the actions of the Land Use Committee. McLean stated that the committee met and agreed to divide a stack of ordinance samples from other towns and review a few each. Each member will review the ordinances and highlight areas that may be put into an ordinance for Damariscotta. The major focus is on design standards.

X. Executive Session - None

XI. Adjournment.

On motion of Hilton/McLean, the Board VOTED: To adjourn at 7:15 p.m. (Vote: 3 – 0).

Respectfully Submitted:

William S. Post, Town Manager