

**Town of Damariscotta, Maine
Board of Selectmen's Meeting
Minutes
Wednesday, August 16, 2006**

I. Pledge of Allegiance

II. Call To Order

The Board of Selectmen met at the Municipal Building on Wednesday, August 16, 2006 to conduct town affairs. Chairman Richard McLean called the meeting to order at 6:30 p.m. Members present were Richard McLean, Scott Gove, Walter Hilton, Vicki Pinkham and Dave Wilbur. Staff present were Town Manager Greg Zinser, Janice L. Miller and Terry Sutherburg, Road Commissioner, Others present were, Kathleen King (candidate for State Senate), Mary Bowers (GSB Sanitary District) Julie (LCTV)

III. Public Hearings – None

Prior to continuing with meeting – Kathleen King introduced herself, the party she is running for, and her objective issues.

IV. Old Business –

1. Fire Dept. Surplus Vehicles: On the subject of liability involved in the gift of or selling of Fire Dept. surplus vehicles, Zinser reported the MMA's advice. As long as there is signed documentation of being sold or given "as is, where is" and disclosure of any known problems – there is no liability on the Town whatsoever. Discussion followed on the fact that the Rescue Truck should be donated as it was donated to the Town. The ladder truck should be placed out for bid/sale. Zinser and Gove will work together on this.

V. Communications -

1. Appell Hearing: Zinser reported that the County Commissioners have issued a decision on the Appell abatement request. They have found that the Town's reval is good and therefore no abatement was granted. The Appell's could still take it to the State court system for review should they decide to do so.

2. Cohen Hearing: Zinser reported that Mr. Cohen withdrew his abatement appeal to the County Commissioners. This prohibits him from any further action in regards to this abatement request.

3. Time Warner / Adelphia: Zinser informed the Selectmen of a request that had been received from Time Warner in regards to the signing off on Adelphia's bond and signing of their bond. The Board has referred this to the Cable Committee and to the town's atty. For legal advice.

4. **Economic Development Forum:** Zinser reviewed an invitation to attend a labor market forum on 09/16/06 at 6 pm at GSB School. McLean explained that the State is divided into labor market areas that do not follow county lines.
5. **Aquaculture Lease:** Zinser apprised the Board of the State's intent to renew the current aquaculture lease in the Damariscotta River.

VI. Official Action

1. **GSB Water District:** Mary Bowers from the Water District was present to inform the Board of a rate increase that will be effective this November. Bill Post (prior Town Manager) had been informed of the proposed rate increase last Feb/Mar. It was his understanding that an additional \$2500 should cover it. The actual increase is \$ 32,273.65 for the period of Nov. 06 thru Nov. 07. According to Bowers, the PUC requires that 30% of the operating budget come from the Town. The rate increase is allocated under the PUC title of Fire Protection Charges. Thus far, the total allocation has been divided between Newcastle and Damariscotta on a per hydrant basis. With Newcastle having 16 hydrants and Damariscotta 49. McLean questioned the verbage on the PUC rule – is it must or may? Gove further referenced that the “tax exempt” Little Pond (water source) is located within the Town of Damariscotta and that by default we are subsidizing the costs already. Bowers stated that PUC filing is imminent and there will be a public hearing following later in September. McLean asked that the formula be readdressed. Bowers suggested a committee be formed between the three entities to look at that for next fiscal year. Bowers stated that DHS regulates the water quality and that new regulations are pushing them to have a \$2 million filtration system installed. To date they have been able to defer that new facility. However the threat of it being mandated is hanging over their heads daily. Pinkham asked if grants are being sought? A copy of the filing will be given to Zinser. McLean asked how we would proceed with challenging this increase. Bowers suggested the MMA. Non-profits while tax exempt are currently billed for water & sewage usage. Gove requested clarification to Zinser of year and actual budget that the increase is based on. McLean suggested that this issue be wound up for now. Zinser will email the Board with more info as he acquires it.
2. **Bathgate & Sons** – McLean referenced a letter that had been received from Peter Bathgate. Bathgate is requesting that we accept his subcontracting out of the plowing this year. He stated a conflict with the Town as his reason. He is requesting that Wayne Brown be the subcontractor. By contract, subcontracting is permissible. Gove stated that Brown currently plows N.Nobleboro. McLean suggested that we deal with Bathgate only instead of as requested, dealing with Bathgate & Brown. Gove questioned if we have invested any money into Bathgate's equipment? Sutherburg stated that we have not and that as far as he knows, Brown is not equipped for the use of calcium chloride. There is a further question of available manpower. Zinser propped a meeting with Brown. The general feeling is that it is too late to go out to bid for the same \$ amount. The Board would like to meet with Brown. Sutherburg has spoke to another local

contractor who has done work on town roads. They are willing to help. Bathgate and Brown will need to meet with Sutherburg & Zinser

VII. Town Manager Discussion

1. **Hannaford/Damariscotta Hardware** – Zinser reported that after investigation, all notification requirements had been met by Hannaford's. That the breakdown came between property owners and tenants. Zinser suggested a notification form be added to the required documentation, and that it include not just abutters but the impact area of a project. Gove feels that some responsibility goes on the individual. McLean agrees that there was a communication issue and that timing was very poor. The Planning Board needs to have a way of knowing what and when DOT impact will be.
2. **Downtown Project** - Zinser reported that Heath Cowan – DOT project manager for downtown has left. We will be getting a new project manager. Zinser will be meeting with the DOT Utilities Coordinator and CMP on Thursday am @ 9. The project has still not gone out to bid; but is scheduled to on Sept. 6, 2006. Due to safety issues, CMP will not be doing the line/pole work at night. It is anticipated to be done between Columbus Day and Thanksgiving Day . Hilton questions the extent of the Main Street closure for this portion of the project. Zinser reported that a definitive traffic plan will be determined at a meeting. The work will start at the bridge and work 4 parking spaces at a time. In general, businesses will be able to have front door traffic. A weekly schedule from CMP should be requested. Zinser further reported that CMP is holding their end up pending a letter of premature investment from the MDOT. DOT is refusing to issue at this time.
3. **URIP Grant** – Zinser reported that he had received notification from MDOT that the Town of Damariscotta is eligible for up to \$600,000 in funding assistance for road work on State Aid Roads. These are Biscay, Aportion of School and a portion of Center Streets. This would require a 33% match. Gove stated that his concern is that the State follow through with actual work. The Board agreed to have Zinser move forward with getting the \$ amount needed along with the total scope of the project.
4. **Assessing Update** – Zinser stated that Assessing Agent Robbins is confident that by the end of next week he should have the figures ready for the Board to utilize in setting the mil rate. When ready, Zinser will call an emergency meeting of the Board.
5. **Lincoln County Budget Committee** - Annual meeting has been set. McLean will attend and encourages the other Board members to do the same.
6. **Shared Town Landing** – Zinser reports that he has had a meeting with Newcastle's

Administrative Assistant Sandra Blake. They would both like to see the two Boards of Selectmen meet. There is a question immediately regarding the shared town landing and the enforcement problem with the boats. McLean stated that he would like Zinser to pursue setting up a meeting. Miller & Gove both stated that Newcastle has not contributed to the upkeep of the town landing for several years.

7. **Grant Application** – Zinser brought up a grant that could be applied for that would fund delivery of services as joint municipal project, between Damariscotta and Newcastle. The Board asked him to pursue this.
8. **Personnel request** – Zinser stated that in the absence of a Town Manager Dept. Heads had brought decisions to the Board for confirmation or consideration. He would appreciate it if any staff or dept. head were to come to the Board that they be sent back to him. Zinser, in turn will bring anything necessary to the Board. The Board was in agreement with this.

VIII. Consent Calendar

1. Regular Meeting Minutes of July 19, 2006;

On motion of Gove/Hilton, the Board VOTED: To approve the minutes of July 19, 2006 as submitted (Vote: 5 – 0).

2. Assessor's Meeting Minutes –

On motion of Gove/McLean, the Board VOTED to approve the assessors meeting minutes of July 19, 2006 as submitted. (Vote 5-0)

3. Financial Reports:

- a. Payroll Warrant #06 & General Fund Warrant #7

On motion of Gove/Hilton, the Board VOTED: To approve General Fund Warrant #07 & Payroll Fund Warrant #06 as submitted (Vote: 5 – 0).

IX. Other Business

1. Hurricane Preparedness Workshop – Will be held in Boothbay on 09/06/2006.

McLean will attend as that is a Selectmen's Meeting night. Wilbur will be out of Town and Gove, Hilton, & Pinkham will attend the Selectmen's meeting.

2. Employee Appreciation – Zinser reviewed a suggestion for showing appreciation to office staff for work done without a Town Manager for 4.5 months. This is to include additional paid 2.5 days off over Thanksgiving, an additional 2 paid days off at Christmas. An additional weeks pay to be included. Pinkham questioned if the new clerk would receive the time off also. Decision was made to include in paid timeoff but not in additional pay.

On motion of Mclean/Gove the Board VOTED: To approve the employee appreciation as outlined. (Vote 5-0)

- 3. Hillside Mowing** – Hilton brought up complaints of poor mowing and grounds upkeep in the town cemeteries. Zinser was asked to handle this issue with the contractor.

X. Executive Session – None

XI. Adjournment.

**On motion of McLean/Hilton, the Board VOTED: To adjourn at 8:50 p.m
(Vote: 5 – 0).**

Respectfully Submitted:

Janice L. Miller -