

**Town of Damariscotta, Maine  
Board of Selectmen's Meeting  
Wednesday, July 2, 2008, 6:30 p.m.**

Present were: Selectmen: Dick McLean, Josh Pinkham, Vicki Pinkham, Town Manager, Greg Zinser, Deputy Clerk, Jurate Barnes. Also present were Chris Roberts and Ed Stelzer.

**I. Pledge of Allegiance**

**II. Public Hearings**

**III. Call to Order**—Vice Chair J. Pinkham opened the board of Selectmen's meeting at 6:30 pm.

McLean: for the record—compliments to the Fire Department for saving the Church St structure.

J. Pinkham: the ladder truck made a tremendous difference; it save three structures.

**IV. Communications**

1. DMR—public hearing on 8/21/08

Zinser: on Thursday, August 21, 2008 at 6pm a public hearing regarding an application from the Norumbega Oyster Co. for an aquaculture lease; clambers are upset about the number of acres under consideration.

2. MDOT—annual roadside spraying

Zinser: on Monday, July 7, the MDOT will be spraying, letter with purpose of spraying, map, spray routes, nothing in Damariscotta.

McLean: to keep the growth down

J. Pinkham: use herbicide; no issues.

**V. Town Manager Discussion**

1. FEMA update—Zinser: regarding the 17/55 May day flood [check w/ Greg], didn't meet the threshold on labor costs, have received funding for the damaged roadways. Standpipe Rd. and Belvedere Rd. are taken care of. Branch Rd./ Patriot's Day storm received more money.

McLean: any mitigation?

Zinser: \$300 for mitigation on Branch Rd.; add landscape fabric, suggestion to replace entire length of road.

2. Discussion of Town Clock—J. Pinkham: quote is pretty high; let's invite him to answer questions.

McLean: looked at the detail; can do the wall for a lot less. Engineer is trying to restore structure

J. Pinkham: need to establish what is our responsibility

McLean: few years back in order to get the clock repaired, it was clarified that the municipality owned the clock, with no responsibility for structural components of the church; precedent is already set.

3. Discussion of energy concerns/conservation—Zinser: have information on geothermal energy; coming to the town office next week to give a quote; need to analyze cost benefit; anticipate \$8,700/year heating cost, what is payback period. More information to come.
4. Discussion of grants—J. Pinkham: give Greg the authority to sign letter of intent. McLean motion to move forward with letter of intent authorizing Zinser to sign; V. Pinkham second. Motion approved 4-0.
5. Harbor committee—Zinser: back in May requested with Ron Grenier formation of Harbor Committee. Framework for the committee as follows: a citizen boater, a waterfront resident, business owner, member of the DRA. Individuals fitting these categories have been contacted and have agreed to serve: Citizen boater: Ed Stelzer, waterfront resident: Bob Kiley, business owner, Alan McKinnon, DRA. First meeting middle/end of July.  
J. Pinkham: keep up the good work.

## **VI. Official Action**

1. Personnel Policy Revisions—policy was updated to standardize police/emergency personnel to an 80-hour pay period rather than a 40-hour pay period. Reference changes on page 22 and page 23; page 27 regarding floating holidays. Police and fire if they work a holiday will get paid, if not scheduled won't get paid. Double time and one-half if scheduled and working.  
Wilbur: what if not scheduled, but called in to work holiday.  
Zinser: double time and a half. Floating holidays are a nightmare to manage, reference page 29 and page 30.  
McLean: has this been discussed with the PD?  
Zinser: yes, asking the Board to accept revisions.  
McLean: move to accept revised personnel policy as presented; V. Pinkham second. Motion approved 4-0.
2. RFP-09-01: Zinser: last part of FEMA work on Patriot's Day storm—paving for portion of back parking lot—straight fund project; pre-bid meeting to clarify.  
McLean: what happens if after the pre-bid meeting you and Terry have changes.  
Zinser: if changes are substantive, then we go to the Board again.  
McLean: what if a bidder not at the meeting?  
Zinser: can get an addendum. We no longer solicit directly; publish in the paper.  
J. Pinkham: some contractors have asked to have meetings earlier in the day.  
Zinser: fine, we can do 8 am.  
V. Pinkham: is this just the portion along the waterfront?  
Zinser: cleaning/filling pot holes, a band-aid. Have to spend the money, any other suggestions?

McLean: move to approve RFP with changes that pre-bid meeting at 8am;  
Wilbur second. Motion approved 4-0.

3. Snow removal agreement: Zinser: prepared a working agreement with contractor. Could not come to agreement—current packet has two pages reflecting areas in question. Section 7 is of concern  
J. Pinkham: didn't we already decide?  
Zinser: we are already outside of scope in time and materials basis; when RFP went out to contractor they gave example of moving snow if roads are clear, i.e., due to structure fire, water in road, called to salt/sand road. Scope says ice must come out of the sky, not ice created by situation outside of scope.  
J. Pinkham: totally disagree; it has always been the same way; they knew going into it; we need to stay firm.  
Wilbur: you have insurance companies for this, town needs to charge for those services; bill the insurance company and the contractor gets reimbursed.  
J. Pinkham: understand, but bid is as it was all towns are the same way: help emergency services out if needed. Need to hold strong.  
V. Pinkham: how many times was Brown called out for accidents.  
Zinser: none  
J. Pinkham: always been there  
McLean: ask the question: what did the bidder think they were bidding on.  
J. Pinkham: it was in the RFP  
Zinser: #8, state of emergency/relief funds at center of issue may versus shall.  
Zinser: on page 6, section 26, the issue of use of the grader—on camera said it would be for free.  
McLean: putting it in writing what contractor said he would do. Know about changes to section 26. Up to the discretion of the contractor whether to use the grader.  
J. Pinkham: think the road commissioner has some say  
V. Pinkham; discretion of road commissioner and/or contractor  
Wilbur: agreement, not discretion.  
McLean: still allows contractor to nix it; requires them to talk about it  
Zinser: needs to be reviewed by contractor; will let them know.
4. Sign warrant for Special Town Meeting  
Election on July 15  
McLean: we have already moved to do so  
Zinser: cannot post until papers are in.
5. LPC nomination  
McLean: move William Post and John Anderson for MMA LPC; J.  
Pinkham second. Motion approved 4-0.

6. Yearly appointments  
Read list of ballot clerks.  
McLean: can we do one motion where there is no alternative nomination?  
McLean: move the following people...recited names; Wilbur second.  
Motion approved 4-0.

McLean: move the following appointments: Harbor Committee; Planning Board, Budget Committee, Board of Appeals, one vacant position. V. Pinkham second. Motion approved 4-0.

McLean move to appoint Gregory Zinser, Town Manager, GA administrator; E-911 addressor, tax collector and treasurer. V. Pinkham second. Motion approved 4-0.

V. Pinkham: motion to nominate the ballot clerks—read list of names.  
J. Pinkham: second. Motion approved 4-0.

7. Establish meeting schedule—Board decided to wait until full Board present; deferred to the July 16<sup>th</sup> meeting.
8. Wright-Pierce contract: Zinser: another public hearing scheduled for August 6<sup>th</sup> at 6 pm, before the regular Board of Selectmen meeting. Hearing time/date not set in stone. Anticipate receiving documents for review, need approval to move to this next phase.

McLean: move to contract amendment #2 with Wright Pierce. Wilbur second. Motion approved 4-0.

## **VII. Old Business**

1. Meeting reminder, Board Workshop, July 14<sup>th</sup> 6:30 pm—Site Review Ordinance McLean: Tony has notes from last workshop; Land use committee will also join the workshop. Everyone is all set.
2. J. Pinkham: what about the traffic light???

## **VIII. Consent calendar**

Regular meeting minutes of June 18<sup>th</sup> 2008. V. Pinkham moved approval of June 18, 2008 minutes, McLean second, with change to Mid Coast Energy bid figure from \$300 to \$600. V. Pinkham moved approval as amended; McLean second. Motion approved 4-0

1. General Fund Warrant #68, 71, 1 On motion of V. Pinkham/Wilbur Motion approved 4-0.
2. Payroll Warrant #69, 70 McLean moved to accept/ V. Pinkham second. V. Pinkham: why was there another warrant. Zinser: a single payroll was not included in the first warrant. Motion approved 4-0.

## IX. Other Business

1. Sidewalk/drainage public hearing on August 6, 2008 at 6:00 pm
2. Tax commitment—on schedule to commit July 16<sup>th</sup> J. Pinkham: thank you for getting this done. Zinser: credit goes to Gary (Robbins) and to Jurate (Barnes), who is now certified.

V. Pinkham: any way to limit truck traffic through town to only specific hours/ only for delivery?

McLean: have given it a lot of thought, especially where those trucks are going, how to work the signs.

Zinser: perhaps we should begin looking at a truck ordinance.

McLean: DOT did traffic reports two or three years ago; heavy truck make 300 or trips daily through town; it is against the law to stop a driver and ask where he is going.

Zinser: what type of ordinance are we looking at

J. Pinkham: I don't agree with that.

McLean: that would put a whole new burden on the Belvedere Rd intersection. Can we limit GVW

J. Pinkham: it's state highway

McLean: Emily, note we are open to brilliant ideas from the community.

J. Pinkham: any information on not blocking Church ST.

Zinser: need the letters

Wilbur: "keep clear"

Zinser: will work on it

McLean: the intersection seems to be working well; impressed this afternoon even though traffic was backed up, people accommodated those turning off Church St

J. Pinkham: just like when there was no traffic light

Stelzer: any groups putting flags up for July 4<sup>th</sup> on monuments

Zinser: on Memorial day only

V. Pinkham: fireworks scheduled for July 4<sup>th</sup>

Chris Roberts: appreciate the town's contribution. The group has full match of the town's dollars; landowners have given "okay"; more contribution are promised; July 5<sup>th</sup> is the rain date.

McLean: since we cannot restrict use of the parking lot for parking, is there a way to delay traffic 10 minutes to get the pedestrians out of the lot.

V. Pinkham: block off some exits?

Wilbur: quick point, regarding flag from veterans organizations: some towns have matched funds and purchased flags and flag holders which line the street for Memorial day and keep them up all summer.

Stelzer: request permission to put flags at the town monument.

McLean: ask business association to maintain flags, they should be unfurled.

V. Pinkham: what about things on the sidewalk, like sandwich boards.

Zinser: boards are a problem.

J. Pinkham: we have never lifted the order of November 1; say it is becoming an issue.

Zinser: I am on vacation July 3 back on July 9; if needed can call me on my cell phone or call Cheryl or Steve.

V. Pinkham: any idea on dates for budget meetings.

Zinser: probably same schedule as last year. Another workshop in the near future to discuss finances in general, explain how everything works; wait until we have the final board member.

On motion Wilbur/McLean vote to adjourn, 4,0. Meeting adjourned at 7:38pm