

MINUTES
BOARD OF SELECTMEN MEETING
November 20, 2019 5:30 pm
at the Damariscotta Town Hall

Members: Roberta Mayer, Chairperson; Louis Abbotoni, Mark Hagar, and Josh Pinkham

Members Absent : None

Staff Present: Matt Lutkus, Town Manager; Stan Waltz, Code Enforcement Officer; Karen O'Bryan, video recorder; Lynda Letteney, recording secretary

Others Present: Jim Murphy, Jr., Matt Murphy, Buzz Pinkham and Evan Houk, Lincoln County News

I. **Pledge of Allegiance:** Chairperson Mayer led the pledge at 5:30 p.m.

II. **Call to Order:** Meeting was called to order at 5:31 p.m. by Chairperson Mayer

III. **Minutes:**

On motion (Pinkham/Abbotoni) to approve the minutes from 11 /6 /2019 as distributed.

Vote: 4-0-0

IV. **Financial Reports**

1. On motion (Abbotoni/Pinkham)) to approve Payroll Warrant #30 **Vote: 4-0-0**

2. On motion (Pinkham/Abbotoni) to approve Accounts payable Warrant #31 **Vote: 4-0-0**

3. On motion (Pinkham/Abbotoni) to approve warrant #32 **Vote: 3-0-1**

(Hagar abstaining)

V. **Presentations: None**

VI. **Citizen Comments and General Correspondence: None**

VII. **Town Manager's Items**

1. November 19th Heart and Soul/Comprehensive Plan Anniversary Celebration

Matt Lutkus reported out that 91 people were in attendance. The event was held at the YMCA and hosted by them. A \$1000 grant from the Orton Family Foundation funded a supper and cake as well as all printing and supplies. Presentations from various community organizations were made including the Y, The Conservancy, Habitat Committee, Land Use/Historic Preservation, and Public Safety. Round table questions included: What do we like? Where are we going? And Where to put a public walkway? The food was delicious and there was excellent interest and input. Several citizens signed up for committees for the first time. **Chairperson Mayer and Matt Lutkus** thanked all who made the event possible and all that came to participate.

2. Request for Speed Limit Review

Matt has requested from the DOT a speed limit signs indicating a change on the upper end of Church Street from 35 mph to 25 mph, presently it is handwritten. Also he has requested that the original request from Inn Along the Way (from 40 mph to 25 mph) include all of Business Route 1 into town.

3. Asphalt Repairs Matt has two areas that need attention immediately: a.) Hodgdon Street

sidewalk curbing and b.) Miles St. erosion on the east side, adjacent to Day's Cove. The permits have been approved 11/19/19. The Board needs to move quickly due to impending weather. Gartley and Dorsky are getting two quotes for the next meeting.

**On motion (Mayer/Abbotoni) to approve a waiver of the bid guidelines
(Hagar abstaining)**

Vote: 3-0-1

Josh Pinkham asked for clarification of the Lincoln Health commitment to set money aside for the Miles Street project. **Matt** said they had a Memorandum of Understanding with Lincoln Health for a 50/50 split on the cost, and that initial work would tap into their share first. This is not a temporary fix, but rather part of a multiphase project including causeway, sidewalk, retaining walls, and landscape. In other words there will be no repeat work except that due to mobilization by the contractor.

VIII. Official Action Items

1. Tax Increment Financing (TIF) Development Proposal

Matt Lutkus summarized the Board's informal approval to proceed with the drafting of a development program for a TIF district that encompasses the 11.3 acres of the 435 Main LLC/Camden Bank Plaza Development. The plan will provide partial funding for the construction of a sidewalk and possible bike path on Main Street. This is a public safety project necessitated by the development of the proposed district as a major retail, restaurant or office center. The public infrastructure project will also boost the economic development potential of the upper Main St. corridor.

On motion (Abbotoni/Mayer) to direct Town staff and legal counsel to prepare the development plan and take other steps required to prepare for Town Meeting consideration of a Tax Increment Financing proposal to be submitted to the Maine Department of Economic and Community Development.

Discussion: **Chairperson Mayer** asked if the Board can add or amend the motion to specifically include sidewalk construction and a possible bike path on Main St. **Josh Pinkham** suggested that addition might be too limiting. He also asked what the legal fees would be to draft a TIF. **Matt** said the fees were a lot less because his time is not included. He also stated the assessors need to be involved. **Josh Pinkham** asked what the cost/benefit ratio would be at 2.25% increase. **Robin Mayer** said that spending the money up front for a 30 year plan had advantages other than just a cost/benefit analysis. **Matt Lutkus** added that with changes in Board membership over 30 years, this guaranteed the project development. He felt there was a serious safety concern that needed to be addressed, especially from the school to McDonald's.

Josh Pinkham stated that funding within the budget was a 2.5 mil tax increment. **Lou Abbotoni** asked, "What if the Town turns down the budget in 3 years?" **Josh** replied he still wasn't sure of the benefit versus borrowing the money. **Mark Hagar** said they needed to consider the new tax revenue from new businesses if there was a sidewalk. **Josh** added that someone had to manage the TIF—"what will be the cost and who audits the district? "Is it worth it? **Matt** suggested that he identify upfront costs with a more defined plan. Developer will contribute 60K/year & \$36,000 is a low conservative estimate. There will be three buildings of 30,000sq.ft. **Buzz Pinkham**, a resident of 431 Biscay Road, adjacent to the district, commented that the TIF district is 2% of the land area in town. **Matt** added that all TIF's

combined can be no more than 5%, the current plan is only 11.5 acres. Many surrounding areas have TIF's. Usually these benefit the developer, hence a bad rep, but in our case, it eliminates the developer benefit. **Buzz** felt it could be a model for subsequent TIF's.

Josh Pinkham suggested that they go back to the original motion without the addition of specifically mentioning sidewalks and bike paths. **Vote: 4-0-0**

On motion (Abbotoni/Mayer) to direct Town staff and legal counsel to prepare the development plan and take other steps required to prepare for Town Meeting consideration of a Tax Increment Financing proposal to be submitted to the Maine Department of Economic and Community Development. **Vote: 4-0-0**

2. Update of Fee and Fine Schedule to include Marijuana Establishment Licensing

The citizenry approved the ordinances regarding growing and sale of marijuana on November 5th. The Board must set the license fee schedule for the various types of licenses that will be issued after the first of the year. The process through the State's licensing involvement is different for recreational and medical licenses. In adult use establishments a conditional permit from the State is required before there can be consideration of a municipal application. Medical licensing requires only that the applicant be a State-registered caregiver, no other application process is required at the State level. **Matt** handed out a proposed schedule for Damariscotta based on six towns currently having adult use ordinances as well as medical. The six towns include Auburn, Bangor, Brunswick, Farmington, South Portland, and Waterville. **Matt** believes there may be as many as 30 towns in the process of developing these guidelines. **Chairperson Mayer** asked if there were any "small" towns with schedules. **Matt** said he had a list and could contact them to get a better range. **Lou Abbotoni** felt the fees as listed for Damariscotta were okay. **Matt** stated there might be ongoing costs related to this of which they are unaware. They grandfathered the medical fees and had no problem. Possible incurred fee expenses are police, fire, code enforcement, town staff time, ambulance, and associated costs dealing with forms. **Robin Mayer** suggested they talk with other states on how much this will cost. **Josh Pinkham** suggested they start with the Auburn schedule. **Robin Mayer** said some may be overlapping and that could get very expensive. A public hearing on the fee schedule will be scheduled for the next meeting. The Board is in favor of the top line of the print out; **Matt** suggested the recommendation on the bottom line for Damariscotta. **Stan Waltz** has recommended a \$300 application fee rather than the \$150 listed.

On motion (Pinkham/Abbotoni) to mimic Auburn's fee schedule. **Vote: 4-0-0**

Matt said this is a suggestion for the public hearing, reminding the Board that fees can only reflect actual costs; the Town cannot make money on this.

3. Grant from the Orton Family Foundation

This foundation has provided a considerable amount of support to the volunteers and staff who have been working on the Heart & Soul Comprehensive Plan Anniversary celebration. Through their contract consultant Jane LaFleur, staff support was invaluable. The Foundation also donated \$1000 to the Town for the light dinner Tuesday (11/19) evening and for workshop supplies.

On motion (Mayer/Pinkham) to accept a \$1000 donation from the Orton Family Foundation to be used for the cost of food and supplies for the November 19th Heart & Soul/Comprehensive Plan Anniversary Event. Vote: 4-0-0

4. Shellfish Warden Services Contract Services

Since 2016 Newcastle and Damariscotta have worked collaboratively contracting with the Lincoln County's Sheriff's Department to provide up to 205 hours of warden services totaling up to \$5000 per year for the two towns. With the exception of date changes, the proposed contract for 2020 is exactly the same as the current contract.

On motion (Pinkham/Hagar) to authorize Chairperson Mayer to sign an agreement with Lincoln County Sheriff's Office to provide shellfish warden services in accordance with the Damariscotta/Newcastle Shellfish Conservation Ordinances. Vote: 4-0-0

IX. Selectmen's Discussion Items: None

X. Adjournment On motion (Pinkham/Abbotoni) meeting adjourned at 6:35 p.m.

Respectfully submitted,

Lynda L. Letteney
Recording Secretary

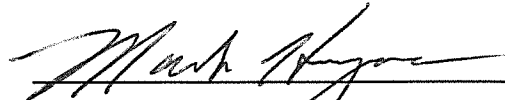
We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Board of Selectmen meeting.




Roberta Mayer, Chairperson



Louis Abbotoni



Mark Hagar



Joshua Pinkham

Town of Damariscotta, Board of Selectmen, signed this date: 12/4/19