

MINUTES
BOARD OF SELECTMEN MEETING
December 18, 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; Jason Warlick, Police Chief; Max Johnstone, Economic Development; Hugh Priebe, Road Commissioner; Karen O'Bryan, video recorder; Lynda Letteney, recording secretary

Others Present: Seth Hagar, Hagar Enterprises; Haas Tobey; Jenny Begin; Cynthia Sherman; Darcy Austin; and Evan Houk, Lincoln County News

I. Pledge of Allegiance: The Pledge was recited 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) the minutes from 12/4/2019 were approved as distributed.

Vote: 4-0-0

IV. Financial Reports

1. On motion (Abbotoni/Hagar) to approve Payroll Warrant #35 **Vote: 4-0-0**

2. On motion (Pinkham/Mayer) to approve Accounts payable Warrant #36 **Vote: 3-0-1**

{Hagar abstaining}

3. On motion (Pinkham/Abbotoni) to approve accounts Payable Warrant # 37 **Vote: 4-0-0**

V. Presentations: Use of Rock Salt on Town Roads, Sidewalks, and Parking Lots-Seth Hagar and Hugh Priebe presenters

Matt Lutkus began the discussion by stating his office gets frequent questions about the amount of salt spread and the frequency. The basic approach is outlined in the service contract and it seems appropriate. The current plan is more expensive initially, but well worth it in the long run. **Seth Hagar** spoke saying that as the Town's contractor, he asked what the Town wanted, followed state protocols, and a plan was developed. He commented that new technology over the last ten years has been both a time saver and allowed for increased protection from ice. **Hugh Priebe** reinforced his comments saying that technology has allowed for ground speed controls for application of salt/sand. **Josh Pinkham** asked why people were sweeping salt off the sidewalks? **Mr. Priebe** said the exactness of delivery was hard to judge. Years of experience contribute to the general guide. **Robin Mayer** asked why salt piles end up in the middle of the sidewalks. **Hugh** responded that it had to do with the chute on the spreader and the thickness needed. They have to wait for the snow from the street plow. **Josh Pinkham** commented the Pleasant and Church Streets are not a pre-treatment priority. **Hugh** said a "grab & protect" machine is needed. **Matt Lutkus** said they need to create a brine, so there is no bonding. **Josh** responded that there is not so much foot traffic there, so they shouldn't need brine, dependent upon the type of storm.

Seth Hagar said downtown becomes a matter of cost vs. efficiency. Previously it took 3 yards of salt to spread by hand. Not wanting to disturb the water table is a huge concern; new equipment cut the salt use by 80% (¾ yd. downtown). Work on distribution has gone pretty well over the last year or so. **Jenny Begin**, a resident near the Pleasant/Church Streets area, asked how much salt was used on Pleasant St. **Seth** stated about 1/3 yard. **Jenny** commented that she can't walk her dog on the sidewalk because the salt is so thick. **Hugh Priebe** stated that they used to salt that area the morning of a storm; now they do it just before the storm. **Jenny** went on to say the residents have hand dug wells, there is a pond on Church St., and they are concerned about the ground water; once it is contaminated with salt, it is too late. There are three residences at the end of Pleasant St. with 2 dug wells.

Cynthia Sherman asked if they could reduce the salt on Pleasant St. It is a dead end; the plow salts on the way down, turns around and salts back up, so they get a double load. She asked if they could please reduce the amount or use a smaller piece of equipment, or just use sand. **Hugh Priebe** responded that the Town doesn't have just sand as it freezes. **Robin Mayer** asked if the sand/salt mix could be turned off? **Seth Hagar** replied that the contract specifies sand/salt on all roads. He is aware of the wells and knows it is a sensitive issue in this area. However, the contract dictates the procedure. Also, even the small, one-ton trucks use the same material. There is actually more control with the bigger trucks as they are equipped with ground speed control. Everyone is treated the same; and, although he is sympathetic to the issues, they don't have the product being asked for.

Matt Lutkus clarified that the Town would need to change the contract, if they didn't plow or treat this area. It was very likely a liability issue. **Hugh Priebe** expressed concern with the business at the end of the road. **Jenny Begin** stated that the owner was a year round resident, but only did business seasonally, not in winter. **Josh Pinkham** expressed concern from a public safety point of view. He would not recommend leaving the road untreated. **Hugh Priebe** said that at some point in the future, the road will need to be resurfaced. At that time, they can slope drainage away from the wells. **Robin Mayer** said it was a difficult situation to meet the terms of the contract and state regulations while understanding some residents' concerns. **Cynthia Sherman** asked if they could "dial down" the amount of salt and sand. **Seth Hagar** replied, "Yes, but others will complain." **Mrs. Mayer** also said the other end of the road gets a lot of ice. **Ms. Sherman** asked if they couldn't use smaller equipment. **Seth Hagar** said they could, but the material is the same; and they can't control the flow as exactly as they can with the larger trucks.

Darcy Austin asked if the salt/sand stops when the truck stops. **Seth** replied that the faster the vehicle goes the faster the output. **Cynthia Sherman** asked if they could drop sand only on the way in. **Seth** replied that they could try that. **Lou Abbotoni** stated that he felt they were doing the job the way it should be done; as far as black ice, they do a fantastic job. **Jenny Begin** asked how much salt was used a year. **Seth Hagar** explained that temperature was the biggest factor. When temps are less than 18-20 degree F, material increases. It varies year to year depending on density of snow and duration of storms. The satisfaction goal is "black & wet." Currently, 800-1600 tons of salt per year (roads, sidewalks, parking lots) is estimated; DEP regulates this. Areas that have no sand, just salt, are also regulated. There is a small window of time when dumping in the river is allowed.

Hearing no other questions, **Robin Mayer** thanked the presenters for their work, and coming in, as they had been dealing with the most recent storm all night and day.

VI. Citizen Comments and General Correspondence: None

VII. Town Manager's Items

1. Town Administrative Offices- Matt reminded everyone the offices would close at noon on Christmas Eve and New Year's Eve.

2. Change in Board Meeting Date – Because of the January 1st holiday, Board of Selectmen will meet **Wednesday January 8, 2020**.

3. Waterfront Improvement Committee - The committee will meet **Thursday, December 19, 2019, with the engineers at 2 p.m.** There is a potential of grant monies by changing some of the specifications. **Matt Lutkus** stated that Max Johnstone has a gift for grant writing and feels working on waterfront resiliency could get the money needed. Tomorrow's meeting will focus on what needs to be done. Most of the work is already completed.

4. Solar Array Update – They are currently putting up the panels. They received an extension from the 12/31/19 deadline, and **Danny Piper** feels it will be done by the end of January.

5. LCTVV – An article of the front page of the Lincoln County News outlines what is happening. **Matt Lutkus** met with their Board and basically, it's a name change, going back to Lincoln County T.V. **Matt** will do a "What's Up" article on the waterfront and TIF.

6. Bristol Road – Work starts 12/20/2019, with catch basins; and they will begin work in earnest in the spring.

7. MMA Survey Regarding Annual Conference - The MMA rep stopped by and had a survey for **Matt** to complete. Basically, the rep was asking members how to increase participation. The conference is usually the first Wednesday in October. Since that date conflicts with the Board of Selectmen's meeting, **Matt** recommended a date change. He felt it was a good conference and had a lot of relative information for the Town. MMA will send feedback to **Matt**.

8. Historic Preservation Ordinance Public Hearing – Meeting is set for **January 6, at 6 pm with the Planning Board**. The draft of the ordinance is on line.

VIII. Official Action Items

1. Miles Street Improvements – **Matt** said this was tabled at a prior meeting. Two bid requests were received, but only one was returned. It was almost \$100,000 more than the engineering proposal projected. He recommends rejecting the single bid received. **Chairperson Mayer** asked "if we reject, will it be more next year?" **Matt** responded that they don't have the money to do anything now. There are really only two options: 1.) emergency repairs will go out to bid in a couple of months; or 2.) wait until we have the money for the full project and avoid two mobilizations of equipment. At this point, he said we are in a holding pattern. It is not ideal, but not unreasonable. **Lou Abbotoni** asked what the feedback was from Lincoln Health. **Matt** said they are in favor of doing the engineering this year, and phase 2 over next 3 years. **Robin Mayer** asked what happens if the road fails, and DOT says it can't be rebuilt. **Matt** said that although that scenario is pretty far-fetched, it is possible as the causeway was built in 1928. **Mark Hagar** asked if the engineering report was done; and, if so, and the causeway fails, would we be eligible for disaster relief funds?

On motion (Pinkham/Abbotoni) to reject the bid the Town received from Hagar Enterprises for interim repairs to Miles Street. **Vote: 3-0-1 (Hagar abstaining)**

2. Appointment to Land Use Advisory Committee – Damariscotta resident and real estate agent, Muffy Myles indicated she would be very interested in being a member of the Land Use Advisory Committee. She has 30+ years of experience in real estate and is “keenly aware of the importance of preserving historic areas yet moving forward with the times in an appropriate manner.” **Lou Abbotoni** raised the question as to whether or not there might be a conflict of interest. Both **Matt and Mark Hagar** felt there was no conflict, giving examples of insurance company agents serving on such committees. **Matt** said if an issue got specific, she would need to recuse herself.

On motion (Mayer/Pinkham) to appoint Muffy Myles to the Land Use Advisory Committee

Vote: 4-0-0

3. Warrant for February 19 Special Town Meeting – Warrant is for the formation of a TIF district of 33.1 acres comprised of the 435 Main LLC/Camden Bank Plaza Development and two parcels owned by Damariscotta Midtown.

On motion (Abbotoni/Pinkham) to approve the warrant for Special Town Meeting February 19, 2020.

Vote: 4-0-0

4. Wright-Pierce Task Order for Waterfront Improvement – This still needs considerable work and **Matt** would like to table this item until the January 8, 2020 meeting **Josh Pinkham** asked if this still works with the timeline? **Matt** responded that there could be a special town meeting if necessary.

On motion (Pinkham/Abbotoni) to waive the Charter guidelines and approve a contract with Wright-Pierce for additional design and engineering work associated with the Town’s Waterfront Improvement and Downtown Restroom Projects.

Vote: 4-0-0

5. Police Department Justice Assistance Grant Application – **Chief Warlick** presented for approval of a grant application through Justice Assistance Grant (JAG). Awards are based on felony crimes committed in a municipality. He is requesting \$1628 in the grant for 1 body worn camera; 2 new tourniquets and a new quick clot wound treatment kit. If there is money left over, he plans to purchase the new marijuana training kit for school presentations. Also discussed was the need for a separate “cloud” for departmental storage. **Mrs. Mayer** asked if they could work with county and area departments, as well as county communications. **Chief Warlick** said that each department needed its own and the cost was \$7-8K. **Mark Hagar** asked if the Chief was frustrated with the number of cases being dropped? **Chief Warlick** responded that they were trying to rebuild a broken system, and if the DA chooses to drop; we still have to do what’s best for our citizens.

On motion (Mayer/Abbotoni) to approve a grant application for \$1628 from JAG for the Police Department.

Vote: 4-0-0

6. Efficiency Maine/Nature Conservancy Grants – Previously submitted grant proposal for converting Town Hall and Police Department lighting to LED was accepted for conversion of the Police Department. The Town Hall did not meet the minimum consumption requirement. Net cost to town will be \$2372.25. Payback is approximately 1.2 years. Efficiency Maine and Nature Conservancy contributed \$2100 to the project.

On motion (Mayer/Pinkham) to accept approximately \$2100 in grant funding from Efficiency Maine and the Nature Conservancy toward the conversion to LED lighting in the Police Department.

Vote: 4-0-0

7. Change of meeting date for Board of Selectmen January 2020 – Because of the New Year holiday, the Board is asked to change first meeting of the Board of Selectmen to **January 8, 2020, at 5:30 p.m. at the Town Hall.**

On motion (Abbotoni/Pinkham) to change the first meeting of the Board of Selectmen for the Month of January to January 8, 2020. **Vote: 4-0-0**

IX. Selectmen's Discussion Items

Lou Abbotoni and Josh Pinkham wished everyone Happy Holidays.

Chairperson Mayer reminded everyone dog licensing is due by 12/31/19. She also told everyone that the process for obtaining an Adult Use Marijuana license is in the process of developing a flow chart.

X. Adjournment On motion (Pinkham/Hagar) to adjourn at 7:15 p.m.

Respectfully submitted,

Lynda L. Letteney
Recording Secretary

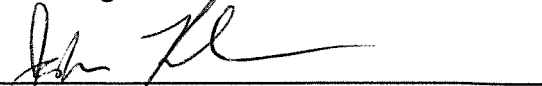
We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Board of Selectmen meeting.



Roberta Mayer, Chairperson



Louis Abbotoni

Mark Hagar


Joshua Pinkham

Town of Damariscotta, Board of Selectmen, signed this date: 1/8/2020