

MINUTES
BOARD OF SELECTMEN MEETING
Great Salt Bay School Gym
September 16, 2020 5:30 p.m.
In Person and Via Zoom

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

Members Absent : None

Staff Present: Matt Lutkus, Town Manager; Chris Roberts, Fire Chief; Lynda Letteney, recording secretary

Others Present: Haas Tobey (Zoom); Ann Pinkham; Lorraine Faraday; George Parker; Larry Sidelinger, LCTV; Evan Houk, Lincoln County News

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

II. Public Hearing Regarding Loan for Street Light Purchase and LED Conversion

Chairperson Mayer called the Public Hearing to order at 5:31 p.m. and asked for comments and/or questions. Hearing none, she closed the Public Hearing at 5:32 p.m.

III. Special Town Meeting Regarding Approval of Loan for Street Light Purchase and LED Conversion

Article 1: The first order of business was to elect a moderator. Lorraine Faraday was nominated.

On motion (Fraser/Hagar) to have Lorraine Faraday serve as moderator for this meeting. Vote: 5-0-0
Mrs. Faraday was sworn in by Becky Bartolotta.

Article II: Shall the Town vote to appropriate the sum of \$10,749.72, previously budgeted for street light rental as the first of five annual payments for the purchase of all Town-provided Central Maine Power street lights in Damariscotta and the conversion of those lights to LED fixtures, and to authorize the Board of Selectmen to enter into an agreement with the First National Bank for a loan with the estimated payments shown below with the balance to be repaid over a period of no longer than five(5) years? Maximum interest rate @ 1.8%

Cost of purchase of street lights from CMP:	\$10,370.25
Cost of purchase and installation of LED fixtures and associated fees and equipment:	\$40,994.00
Subtotal:	\$51,364.25
Interest computed at 1.8% for five year term:	\$ 2,384.35
Total to be paid over five annual installments:	\$53,748.60

On motion (Fraser/Abbotoni) to authorize the Town Manager to execute an agreement with First National Bank for a \$53,364.25 loan for a period of five (5) years at a loan rate of 1.8% for the purchase of street lights and the conversion of those lights to LED fixtures **Vote: 5-0-0**

On motion (Abbotoni/Fraser) to adjourn the Special Town Meeting at 5:38 p.m.

IV. Call to Order:

The Board of Selectmen's Meeting was called to order at 5:40 p.m. by Chairperson Mayer.

V. Minutes

On motion (Mayer//Abbotoni) to accept the minutes of the August 26, 2020, special meeting on the Board **Vote: 5-0-0**

On motion (Mayer/Abbotoni) to accept the minutes of the September 2, 2020 meeting **Vote: 5-0-0**

VI. Financial Reports

1. On motion (Fraser/Abbotoni) to approve Payroll Warrants #14 **Vote: 5-0-0**
2. On motion (Pinkham/Abbotoni) to approve Accounts Payable Warrants #15 **Vote: 4-0-1**

(Hagar abstaining)

4. On motion (Pinkham/Fraser) to approve Accounts Payable Warrants #16 **Vote: 5-0-0**

VII. Presentation- Fire Chief Chris Roberts

The Board had voted to postpone the 4th of July Fireworks until later in the year due to Covid-19 and the gathering orders from the governor. The emergency orders issued to end September 30th-October 1st have been extended for 30 more days. Central Maine Pyrotechnics is willing to do whatever the Board wants (they have only done 30 of 300 booked events because of Covid-19). Chris is recommending postponing indefinitely with some possible dates-New Year's Eve or the tree decorating ceremonies or sometime in the spring. Josh Pinkham stated he preferred the indefinite postponement until the governor declares gatherings of more than 100 okay.

On motion (Pinkham/Fraser) to postpone the Town fireworks indefinitely. **Vote: 5-0-0**

VIII. Citizens Comments and General Correspondence – None

IX. Town Manager Items – Included in Action Items (X)

X. Official Action Items

1. Location of Future Board of Selectmen's meetings

Chairperson Mayer said that the GSB School gym would no longer be available as they need the space for classrooms. The Town Hall has a limit of 15 people. Discussion included using the Town library, which was ruled out as too small to socially distance. The YMCA gym – too much work for them to sanitizer before and after meetings and be ready for the next day's activities. Josh suggested going back to the Town Office, but broadcast via Zoom for those who wish to listen in, and continue recording for LCTV broadcast. Robin Mayer agreed that the Town Office was easier, especially for voice projection. **On motion (Pinkham/Mayer) to resume meeting at the Town Office beginning with the October 7th meeting. **Vote: 5-0-0****

2. Payment in Lieu of Taxes from Ledgewood Court- In August the new owner of Ledgewood Court Midcoast Community Action applied for and was given property tax exempt status by the Board of Assessors. Where the agency has rental properties, MCCA volunteered to pay an annual payment in lieu of taxes (PILOT) in an amount equal to 2% of its gross rental income. The payments are to be made following its final audit for the previous year. The Town received a check for \$4,079.06 for its first PILOT. **On motion (Pinkham/Mayer) to accept a payment in lieu of taxes in the amount of \$4,079.06 from Ledgewood Court. **Vote: 5-0-0****

Josh Pinkham went on record thanking Ledgewood Court for this donation.

3. Grant from the Island Institute

In August, the Board authorized staff to submit a grant application to the Island Institute under the Institute's "Shore-Up program." The grant would provide for a conceptual engineering design and analysis that will be needed for possible grant funding of further engineering work and ultimately the replacement of the culvert on Church Street over Castner Brook. Yesterday the Town received word

that they have been awarded a grant for \$9,910 (the amount requested) from the Island Institute. The Town has \$15K in reserve for this project; the grant needs a \$4100 match which we can take from that reserve allowing for an analysis of the situation as well as an assessment of the hydrology of the area.

On motion (Mayer/Pinkham) to accept the awarded grant from the Island Institute for the preliminary design work for a replacement culvert for Castner Brook under Church Street. Vote: 5-0-0

4. Acadia Engineering Contract

The Town has been in discussion with Joseph McLean of Acadia Engineering regarding the redesign of the Castner Brook culvert at Church Street. Mr. McLean's specialty is hydrology and in his previous employment with Wright-Pierce, he was involved in the sizing and design of the Egypt Road culvert. He has also been involved in the Bristol Dam reconstruction project. Given his expertise in this area, Town staff has used Mr. McLean's proposal as the basis for the Town's narrative for the Island Institute grant application. Because of the specialized nature of the engineering work and his familiarity with the project, staff recommends that the Town contract with Joseph McLean, dba Acadia Engineering, for this project. The cost of Acadia's services will be covered by the \$9,910 Island Institute Grant plus \$4190 in Town funds allocated in the FY 2021 Capital Reserve budget for the Castner Brook culvert replacement.

On motion (Mayer/Pinkham) to waive Town Charter Bid Guidelines and authorize the Town Manager to execute a contract with Acadia Engineering for design work related to the design of a replacement culvert on Church Street at the Castner Brook crossing for a contract amount not to exceed \$14,100.

Vote: 5-0-0

Discussion: Chris Roberts asked if anyone remembered when this was last rebuilt. He guessed 20-30 years ago. Josh Pinkham said some work was done between 2005 and 2007. Matt Lutkus responded that was for some guardrail work and a 6' culvert under the sewer line. Haas Tobey (via Zoom) asked about the wildlife "corridor" that runs through there. Matt Lutkus replied that it had been taken into account.

5. Contract for Downtown Restroom Project (tentative)

Item was tabled until next meeting (October 7th). Bids were opened Tuesday, September 15th, by the Public Works Committee and the project engineer. There were 6 bids and references need to be checked before the Board can vote. Matt said he will need to call a special meeting of the Board next week. He will email a couple possible dates and times to members. Last time bids ranged from \$500K-\$750K. This time bids were \$535K-\$740K. Applications were very impressive. The Town has monies set aside for this, plus the EDA Grant. Mark Hagar commented that we need to make sure the contractor can be bonded. Robin Mayer said it was "nice to have a choice."

6. Contract for Waterfront Improvement Project Design

George Parker, Robin Mayer and the Committee reviewed the last RFP and its requisite qualifications. They decided to split the project into two RFP's: Phase I and Phase II. Phase I is 30% of the contract and phase II is 70%. Town staff is currently working with Wright-Pierce on the Phase I contract. Based on the results of that work, Phase II will be developed for bid on the construction itself.

On motion (Pinkham/Mayer) to approve a contract with Wright-Pierce for Phase I of the project.

Vote: 5-0-0

XI. Selectmen's Discussion Items

Josh Pinkham – Josh wanted to thank Mark Hagar and the Great Salt Bay staff for the use of their gym over the last couple months. He also thanked LCTV for all their efforts to broadcast from the gym. On a different note, he asked if there was case law regarding the Historic Preservation Ordinance and the “build it back as it was” clause. “Are we opening ourselves up to legal recourse mandating someone rebuild as it was?” “Do we want to go down this road?” **Matt Lutkus** said there is some latitude in the ordinance for the Commission to hear individual issues and adjust accordingly. He said the ordinance was drafted with the assistance of the Maine Preservation Commission. **Josh** asked if we were guinea pigs in this area.

Daryl Fraser – Daryl stated that he had the same issues as Josh and hoped the Board would revisit this section soon.

Lou Abbotoni – nothing

Mark Hagar – is the workshop October 7th as well? It may be time to look at various bond issues as rates are very low right now.

Robin Mayer- Robin has had some concerns brought to her about the signage on the medical marijuana establishment on Route 1-B. She received several complaints about the sign that advertises the availability of obtaining a medical marijuana car for \$49.00, and wondered if that was against the State's marijuana laws. She was also concerned that the business's sign specifying that it was a medical marijuana store is about 2" wide and two feet long, nailed to the front of the sign post. It is almost impossible to read from the sidewalk, and the sign ordinance is being flaunted. She recommended the sign ordinance be amended to include a provision that medical marijuana businesses shall display a 2' X 2' green cross saying that the store is a medical marijuana store rather than a recreational use store.

Matt said he would get Stan Waltz to check it out. **Chairperson Mayer** also wanted to thank everyone who helped keep everything as “normal” as possible during all of this.

XII. Adjournment

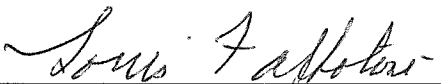
On motion (Pinkham/Mayer) to adjourn the Board of Selectmen's meeting at 6:05 p.m. Vote: 5-0-0

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 September 16, 2020.

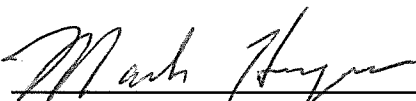
Roberta Mayer, Chairperson



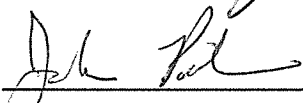
Louis Abbotoni



Daryl Fraser



Mark Hagar



Joshua Pinkham

Town of Damariscotta, Board of Selectmen, signed this date: 10-14-2020