#### **MINUTES**

# BOARD OF SELECTMEN MEETING

## **DAMARISCOTTA TOWN OFFICE**

# October 21, 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 : Roberta Mayer

Staff Present: Matt Lutkus, Town Manager; Stan Waltz, Code Enforcement Officer; Lynda Letteney,

recording secretary

Others Present: Emily(via Zoom); Haas Tobey and Evan Houk, Lincoln County News

I. Pledge of Allegiance: Vice-Chairperson Hagar led the Pledge of Allegiance at 5:32 p.m.

#### II. Call to Order

The Board of Selectmen's Meeting was called to order at 5:33 p.m. by Vice-Chairperson Hagar.

#### III. Minutes

On motion (Pinkham/Abbotoni) to approve the minutes from 9/16/20 Vote: 4-0-0
 On motion (Pinkham/Abbotoni) to approve the minutes from 10/7/20 Vote: 4-0-0

# IV. Financial Reports

#### V. Presentations: Marijuana Licensing-Stan Waltz, Code Enforcement Officer

**Stan Waltz** addressed the Board with an update on the marijuana businesses in town. There are two medical marijuana establishments both of which need green cross signage. The Main Street business needs a horizontal sign as well. The establishment across from Hannaford's was doing a promotion with jars placed in Town where one jar contained a "golden ticket" which could be exchanged for product sold in their store. Parental concerns about it looking like Willie Wonka, thus targeting kids, prompted the ending of the promotion. They have signage on the door and windows, but need the visible green cross. Adult Use Establishments: Dave's store opens November 1<sup>st</sup>. The second adult use establishment, "up the road," has needed some guidance from Stan about various codes and what's allowed. A new application for adult use at 639 Main Street is in the pre-application stage and will be reviewed at the November meeting. They have also applied for a Tier 1 grow permit (already have a state permit) and have inquired about a manufacturing permit. Josh Pinkham commented that he appreciated Stan staying on top of these new establishments. There was a general consensus "thank you" from the entire Board.

## VI. Citizen's Comments and General Correspondence

Haas Tobey made a brief presentation about an idea that came from a LUAC meeting. The idea is to create a "museum on the street." The Land Use Advisory Committee (LUAC) has completed its historic preservation Ordinance work and is looking to protect "views" within Town. At the meeting, **Bob**Faunce referenced Wiscasset, which has done a similar thing. With appropriate informational signage, walking/driving self-directed tours can be created which emphasize historical points of interest. The

Town in essence becomes the museum. LUAC began looking at this as it relates to the Historic District, but sees an opportunity for it to expands throughout the Town and adjacent peninsular. This could be a great project to tie in with the increased interest from the Chamber (i.e." rehabbing" the Information Center). There could be various different walking/driving tours. For example, a tour devoted to boatbuilding heritage; the Red Cloak Ladies, supernatural tour; etc.) There is a lot to tell about Damariscotta and Newcastle, and LUAC envisions a 5 year project, getting the right people involved. However, as much as they are willing to do a lot of the work, they feel that this needs to be a Town project, approved by and endorsed by the Board of Selectmen. LUAC suggests forming a Committee to explore the idea and present a workable plan. They'll need photographers, writers, historians, sign makers/art designers, etc. to be part of the development and implementation stages. This would also tie into the Comprehensive Plan for 2023. Initial consensus was very positive from the Board members.

Haas related that Bob Faunce has been taking photographs for a while now – example the end of Branch Road and the adjacent farm land/houses. Lou Abbotoni reminded everyone about the Red Cloak Ladies and how they do tours in the summer revolving around supernatural occurrences and how that could fit in. Haas repeated a quote. "Untold is unsold" and felt this might be great for economic development and might fit into the EDA's overall scheme.

# VII. Town Manager's Items

## 1. Audio/Visual Upgrades in Board Room

As a result of the October 7<sup>th</sup> meeting, **Matt** contacted EES, the Town's IT consultant, to address issues residence on Church Street outlining the project and timeline. **Matt** wants no surprises down the road. The RFP will outline the engineering project in two phases: 1) 3600 feet and 2) an alternative 1800ft Main Street to the culvert. \$76,000 is 8% of total cost which is average for the scope of the entire project. This can/will be reviewed at the next meeting.

# 3. Municipal Parking Lot Update

Matt has held a pre-construction meeting with Chase Construction (sewer lines) and Phi Designers (restrooms). Chase expects to be done by November; Phi Designers plan to have exterior construction done by January so they work inside during the rest of the winter. Both companies are motivated and committed to quality-quickly-communication. There are planned weekly updates to all concerned as well as the Board. Daryl Fraser was pleased to hear the commitment to communication.

Regarding the larger picture on the waterfront, Matt will meet today with Wright-Pierce to discuss among other things "parkway finding signs." George, Bob and Matt focused on the big picture with Wright-Pierce. Matt felt it was a good meeting. Matt will send the Board the link to the Waterfront Committee. Matt has scheduled a meeting in early January for the Board and Waterfront Committee to meet via Zoom with a project update. By late January Matt feels Wright-Pierce will have more info on the 30% design portion of the project. Matt also commented that Daryl did a great job with the Channel 13 story on the EPA grant. It was a great video and gave the Town positive exposure.

#### 4. Town Policy Regarding Earned Time Hours

Matt explained to the Board that we are now entering the second phase of the pandemic and the staff is bracing for closures. Those on full salary have "earned time" which can accumulate to 120 hours. It is a "use it or lose it" clause. Which expires at the end of each fiscal year. Because of the situation with the pandemic, they can rarely take their "earned time" and are in jeopardy of losing the time acquired. He would like Board approval to extend the earned time in terms of hours accumulated and in terms of

keeping that time beyond the current fiscal year. Matt felt personnel rules need to be extended and he recommends "no limits" for now. Josh Pinkham suggested a category of "pandemic earned time". Lou Abbotoni was concerned that staff would not be paid for pandemic earned hours. Josh said he was thinking of it as a "pandemic bank", which would bypass the July 1st deadline each year. On motion (Pinkham/Abbotoni) to establish a subsection regarding "pandemic earned time" to address this issue.

Vote: 4-0-0

5. Date for Public Meeting on Historic Preservation Ordinance Amendments-Discussion Josh Pinkham suggested the first meeting in December. By consensus the Board agreed to hold the public meeting on this date (December 2, 2020).

## 6. Provider Agencies being on the Warrant

Matt had a call today regarding petition signatures for provider agencies for Town funds to be on the Town warrants. With Covid-19, soliciting signatures is very difficult. Usually they collect most on Election Day, but with social distancing and limited space, this seems daunting. Matt would like to put on hold temporarily, the normal process for getting provider agencies on the ballot. He suggests that since the Board can put an agency on the warrant, they do so for all agencies that were funded last year at the same level of support. New agencies requesting funds, or an agency that seeks an increase, would require a petition. Lou Abbotoni would like to see written requests from every agency requesting funds since there would be no petition. Josh Pinkham would like to see an effort to get as many signatures as possible, with no minimum requirement. Mark Hagar said the CDC guidelines suggest minimal contact with others; gathering petition signatures goes against this. He suggests going with last year's requests.

On motion (Abbotoni/Hagar) to not require petitions from agencies requesting Town funds, if they have previously received Town funds. They can be funded this year up to last year's limit; new requests from agencies, or increased amounts in funding from previous recipient agencies, will still need petition signatures (as much as they can get). All requests need a letter to the Board requesting funds.

Vote: 4-0-0

## VIII. Official Action Items

## 1. Purchase of Street Lights from Central Maine Power

Matt reminded the Board that the RFP/purchase agreement have already been done for this project. The \$10,370 cost for the fixtures was calculated by CMP based on a formula set by the PUC. CMP has been provided with all the documentation needed to transfer ownership and we are currently awaiting the sale/purchase documents from the company. Funds to purchase the light fixtures were approved at a Special Town Meeting September 16<sup>th</sup>. Timeline for completion: About one week. Mark Hagar asked about the ability to dim lights. Matt said each individual light is programmable. Lou Abbotoni said we need to err on the side of safety if two citizens have widely differing preferences for a single light (one wants it dim; the other very bright.)

<u>Question via Zoom</u>: **Emily** asked about color and wattage. **Matt** said it duplicates the lighting that is there now. It is the technology that has changed. The lights are no longer bright blue, but rather a pale yellow. They are very similar to what is there now, just less expensive. Falmouth was one of the first towns to do this conversion, and they told Matt hardly anyone noticed. Research has shown no negative impact; wattage of the new lights is on the spreadsheet. **Mark Hagar** reinforced Lou's

comment about safety. **Daryl Fraser** asked about options for shielding if specific lights are too bright. **Matt** said although they took \$3000 out of contingency for this project, the total cost includes shielding (shades) in the final pricing.

On motion (Fraser/Pinkham) to authorize the Town Manager to execute all documents necessary for the purchase of street lights from Central Maine Power and approve the expenditure of \$10,370.00 for these fixtures.

# 2. RealTerm Energy Investment Grade Audit

Matt reported that the agreed upon Investment Grade Audit has been completed. He is asking the Board to approve having RealTerm complete the LED conversion.

On motion (Fraser/Pinkham) to authorize the Town Manager to approve the Investment Grade Audit Report from RealTerm Energy and approve the additional payment of \$41,476 for the conversion of the Town's streetlight fixtures to LED.

Vote: 4-0-0

## 3. Donation from Marjorie C. Bailey Charitable Foundation

Matt reported to the Board that the Town had received quite a delightful surprise in the manner of a \$75,000 check from the Marjorie Bailey Charitable Foundation from a trustee of said fund, Attorney Rob Gregory. Funds are designated to be used for survey work and engineering design for the extension of the sidewalk on Church Street, from Pleasant Street east to Main Street.

On motion (Fraser/Pinkham) to accept a \$75,000 donation from the Marjorie C. Bailey Charitable Foundation to be used towards the cost of design and construction of the extension of the Church Street sidewalk.

Mark Hagar suggested a thank you letter on behalf of the Town and the Board of Selectmen be sent to Attorney Gregory. All agreed.

#### IX. Selectmen's Discussion Items

Josh Pinkham - Josh asked how the audit was coming. They have been promised that it would be ready in December. They were in the office Monday and Tuesday. Mark Hagar reminded the Board they were promised it would go smoother this year. Matt Lutkus said they were well aware of the concerns. Tax lien deadlines were extended, but the Town has not received any funds yet. Matt will get an update from Cheryl. Lastly, Josh encouraged everyone to vote safely by November 3<sup>rd</sup>.

Daryl Fraser - Daryl said he didn't have much to add. He is excited to see the waterfront project begin.

Lou Abbotoni - Lou asked about the annual "cruise the roads" for the Board. Would next Thursday p.m. work for everyone? Also, any word from the State regarding the Chamber of Commerce's request for the land transfer. Matt said he had a zoom meeting with Maine DOT and the State land commission. Initially they were not inclined to want to transfer the land to Damariscotta. State reps said they would have to go back to their supervisors. Late last week Matt sent a message to them and he hasn't heard back yet. The Chamber can't move on it until they get a "statement of intent" from the State.

Mark Hagar said he felt that after the election, they should go for it. Matt Lutkus said the plan was to go to the higher ups. Daryl Fraser asked Matt if he had any reservations. Matt said the traffic on Vine Street might be an issue. Lou said, clarifying, "I thought they wanted to sell to us, not the Chamber."

Matt replied, "Yes." Also, another area of concern was the intersection of Vine and Church Streets. Matt felt if we owned the property, we could then lease it to the Chamber for 99 years for \$1.

Mark Hagar - Mark was concerned about the traffic light at McDonald's and flashing yellow being on all the time as the default kicks in. Matt Lutkus said they have to call AD Electric and they set the priorities as far as repair. Josh Pinkham asked if there wasn't a local electrician who wouldn't want the job- in order to have "our own guy." "Can we approach someone?" Lou Abbotoni was concerned about liability if something should happen.

## X. Adjournment

On motion (Pinkham/Abbotoni) to adjourn at 6:30 p.m.

The Board had scheduled to go immediately into a workshop on the goals and implementation plan for the next 5 years. However, due to Robin Mayer's absence, they elected to postpone the workshop until directly after the November 4th meeting.

Ride the Roads details: Discussion about whether or not they should use a bus for social distancing as well as visibility from a higher vantage point. Josh said they could borrow a hay wagon. Daryl asked "What is this?" Matt explained the Board annually (before snow flies) drive all the roads and update the work plan for the current year and the future. Mark Hagar said they needed to look at culverts before paving. Lou wanted Matt to look into a bus; Matt said they could use cars with 3 to a car.

Board of Assessors meeting will take place November 4th as well.

Respectfully submitted,	
Lynda L. Letteney Recording Secretary	
We, the undersigned, do hereby approve as written, above-designated Board of Selectmen meeting, Octo	
	Roberta Mayer, Chairperson  Louis & Alfoloni
	Louis Abbotoni
	Daryl Fraser
	Mark Hagar
	Joshua Pinkham
Town of Damariscotta, Board of Selectmen, signed the	