

MINUTES
SELECT BOARD MEETING
DAMARISCOTTA TOWN OFFICE
July 21, 2021 5:30 p.m.
Live and Via Zoom

Members: Daryl Fraser, Chairperson; Louis Abbotoni, Tom Anderson; Mark Hagar, and Josh Pinkham

Members Absent : Louis Abbotoni

Staff Present: Matt Lutkus, Town Manager; Evan Goodkowsky, Town Manager Intern; Robert Faunce, Town Planner; Lynda Letteney, recording secretary

Others Present: George Parker, Waterfront Project Consultant; Haas Tobey, Shari Sage, and Evan Houk, Lincoln County News

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

II. Call to Order

The Select Board's meeting was called to order at 5:32 p.m. by Chairperson Fraser

III. Minutes

On motion (Pinkham/Anderson) to approve the minutes from July 7, 2021 as distributed Vote: 4-0-0

IV. Financial Reports

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| 1. On motion (Pinkham/Hagar) to approve Payroll Warrant #2 | Vote: 4-0-0 |
| 2. On motion (Pinkham/Anderson) to approve Accounts Payable Warrant #76 | Vote: 4-0-0 |
| 3. On motion (Pinkham/Hagar) to approve Accounts Payable Warrant #3 | Vote: 4-0-0 |

V. Presentations: None

VI. Citizens Comments and General Correspondence: None

VII. Town Manager's Items

1. Waterfront Improvement Project Update

Matt Lutkus reported out that EDA/FEMA wants to resolve the flood wall issue: 13.1 feet vs. 11 feet which equals 5' vs. 3' off the ground. Evan, Bob Faunce and Matt went to a meeting in Topsham with 2 people from EDA. FEMA/EDA want a wall 5' above surface but it doesn't have to be in phase 1. The 30% design has been completed. The cost of 13' elevation height wall is a major concern. EDA is agreeable to the Town's bidding the project out with the flood wall being an alternate bid. If the bid prices come back in an amount higher than the amount available for the grant-funded project, the Town may proceed with the award of the bid for the construction of the storm water improvements and pedestrian access improvements. The Town can reapply for the grant funds needed to complete the flood wall and park improvements. They have already started the process.

We will reapply for additional funds for the flood wall. It doesn't need to be a solid wall. It could have a transparent top and/or it could be a removable section that is put in when needed. So far there are no bids on the solid 13' wall, only the 11' wall. **Mark Hagar** asked if we will pay for the walkway with overlay drainage. **Matt** said he will need signatures on the agreement. The EDA money for reimbursement of sewer lines is also needed. **Matt** explained that a Town our size cannot fund \$500,000 indefinitely. They need the reimbursement. **Daryl Fraser** asked if the project had to go back

to the engineers. **Matt** said they would be asking to separate out the wall costs in the bid. **Mark Hagar** said he felt to get good bids it has to be done by early winter (Jan/Feb). **Matt** said he hoped to do it in full. **George Parker** said there is still a lot to do; the 30% drawings were never shared with the committee. Questions remain about drainage, and the wall itself. Will it be solid, transparent, or a section that can “drop down” with some solid and some transparent. **Matt** said he would have a copy of the final agreement for the August 21st meeting. **Mark Hagar** said to make sure it is clear for the bidders. **George** said they needed to decide quickly on the wall design as it affects other areas of the bid. **Matt** said they needed a public hearing.

Robert Faunce offered insight into comments he has heard. EDA is anxious for the wall to be decided. They plan to use this project as a show piece. He feels we are going to live with the result for a long, long time. Whatever it is, it has to be not extravagant, but don't cut corners either. He senses movement in a positive direction. **Haas Tobey** believes they need to involve the community ASAP. **Matt** felt the EDA was of the opinion 5' or none. **Haas** felt a community conversation was needed. **Matt** said they needed more detail from Wright-Pierce before a community meeting. **Haas** reiterated it needs to be SOON. **Tom Anderson** said that preparing for “once in a millennium” shouldn't be the goal; so a retractable wall would satisfy FEMA and keep the permanent wall lower. **Mark Hagar** said that education for the long term should be the goal; they need to educate the public. **Robert Faunce** said FEMA kept reiterating a 5' wall, but they can't force us to do that. The goal is to take the entire downtown out of the flood zone. How do we make it usable and protective?

Matt Lutkus stated that when they first started talking to FEMA (whether in place or automated mechanical device) 3' stays in place and rest manual. This was the operational plan. **Daryl** said there had been a lot of push back on a 5' permanent wall. The 11' wall is only 6" more than the existing guardrail. EDA wants a 5' wall and will provide the money separately. It could be a deployable wall when you get to Main Street in the area in front of Schooner Landing. **Matt** said he would have an agreement to look at by the first meeting in August. **Mark Hagar** asked when we would be looking at a public hearing. **Matt** replied 3rd week of August or 1st week of September. **Haas Tobey** said the Waterfront Committee had discussed this at length and **Matt** said the issues had been vetted repeatedly. They have done due diligence. **Haas** stated that the committee agreed with **Matt**, get it done right the first time. Beginning in 2014 they discussed refortifying downtown. The most recent conclusion was based on this. The 2014 plan is not possible now – raise the parking lot.

Shari Sage felt they needed to confirm and to be transparent about what the tax payer burden will be. She did not feel a transparent section was necessary. The park serves as a place to see the view. If a transparent section is included, it should not be at taxpayer expense. **Matt** said that the maintenance of the wall would come from the Town budget. **Daryl Fraser** said anything added in will increase maintenance costs. He thanked **Shari** for her comments. **Mark Hagar** asked about reserve funds for this. **Matt** said drainage from the parking lot will also require a maintenance budget.

2. Restroom Project Update

Daryl Fraser stated that he had heard many positive comments. Maintenance protocols are in place including weekend issues. **Matt** said there are still “punch list” items to address – permanent partitions, lock system (on order), etc. **Mark Hagar** asked about handicap accessibility. Cables are sagging/ not working. **Matt** said this was Tidewater's responsibility. **Mark** said a spreader bar could be used or take them out altogether. It is a real issue for someone in a wheelchair. **Daryl** said the paper seems to be okay even with a steady stream of users. **Matt** called it green waste.

3. Miles Street

Daryl Fraser said it was unfortunate that this went to bid before the full extent of what was needed was known. **Matt** said we thought that we had \$400,000 to cover this. When the final estimate came in, it was for \$700,000. If we had known this, we would have delayed the bid.

On motion (Pinkham/Fraser) to reject the bid from Hagar enterprises for the Miles Street Reconstruction Project.

Vote: 3-0-1

(Hagar abstaining)

Discussion: **Matt Lutkus** asked **Andrew Betts** for options, asking him to reduce the scope of the project by reinforcing the causeway itself up to the retaining wall. This would mean no sidewalk and a decrease in wall protection. **Andrew** came back with an estimate of \$527,000. The Public Works Committee needs to meet and review the specifications. The estimate for a new waterline is \$150-200K. The Accessibility Committee is very disappointed. **Daryl Fraser** said it was unfortunate it went to bid without our knowledge of the full extent of the cost. **Evan Goodkowsky** said the electric charging stations need signage before they are up and running. This is a reimbursable cost. **Daryl** thanked **Shari** for her comments

4. Upgrade to Board Room Audiovisual Equipment

The amount voted on by the Board has been approved and the specified equipment ordered. **LCTV** asked if it was needed tonight for this meeting and **Matt** said, "No."

5. Maine Municipal Association Ballot

The ballot consists of a slate of officers.

On motion (Pinkham/Fraser) to allow Matt to submit the ballot on behalf of the Board as presented.

Vote: 4-0-0

6. Board of Assessors Meeting- August 4th

Jim Murphy is helping with this meeting. **Josh Pinkham** said there are couple different scenarios. **Matt** said the tentative mil rate of 16 which gives us a \$103,000 overlay thanks to the reduced school budget.

7. Survey Work on Church Street Sidewalk

The issue is the closeness of houses up towards Main Street. The question revolves around a tree and a stone wall and whether to move them; or to move that section of Church Street. Waiting for more information. Otherwise the project is going pretty well.

VIII. Official Action Items

1. Animal Control Services Agreement

This agreement is for a continuation of animal control services for Damariscotta through the Lincoln County Sheriff's office. It is the same agreement we had for FY 2021 with the exception of the dates. Actual cost of services depends on the amount of service provided to Damariscotta. Costs for the previous two years have remained under \$3,500 which is the amount budgeted in FY 2022.

On motion (Pinkham/Hagar) to renew the contract with Lincoln County for animal control services for fiscal year 2022.

Vote: 4-0-0

2. Miles Street Reconstruction Bid – Previously voted on at this meeting

3. Coronavirus State and Local Fiscal Recovery Funds Application

Matt explained there are 2 pots of money tied to this. One is \$6.7 million allocated to the county and one of \$ 227,000 for the Town. Town monies are non-entitlement funds. This is up from \$214,000.

State asked for an extension and by August 4th they will transfer into our bank account part of the money. We don't have to show where it will be spent until later. Action is needed to set a date for a public hearing. **Matt** suggested September 1st with warrant posting for 8/25/21. We don't need a vote on the money, it is already authorized. **Matt** said his bias is for using the money to defray waterfront project costs. His priorities are 1) waterfront; 2) broadband. He also needs to hear from the citizenry regarding any negative impact. **Josh Pinkham** said the wording for the warrant can't be open ended. **Matt** replied that interim rules apply; most importantly we need to make sure whatever we choose is eligible under the funding rules. The State is currently looking for a consultant to sort this out. It will be October before any spending can occur. Priorities: water, sewer storm water, and broadband. **Tom Anderson** asked if we had an idea what we want. **Matt** said we want to provide options, but there are some things for which we don't qualify. For example, \$227,000 won't go far for health care improvements. **Mark Hagar** asked about Miles Street and whether or not it would qualify. The potential water system is privately owned. We need to have a plan (or started on one) by March 3, 2021. **Daryl** said we have two projects already, and we don't have direct contact for this yet. **Josh Pinkham** thought the Schooner culvert and the waterfront should be priorities. **Mark Hagar** asked how long we could sit on the money. **Matt** said 2024 with possible extension to 2026.

On motion (Pinkham/Hagar) to set a Public Hearing for September 1, 2021, for how the \$227,000 should be allocated.

Vote: 4-0-0

IX. Selectmen's Discussion Items

Tom Anderson had nothing specific, but wanted to acknowledge and thank the Public Works Department for fixing the pot hole on School Street.

Mark Hagar commented on how nice it was to see the public bathrooms being used. Challenge is to stay on top of maintenance.

Josh Pinkham said he was good.

Daryl Fraser tabled the goal workshop until the next meeting. He asked **Matt** to draft and send to the Sanitation Department a thank you not on behalf of the Board.

X. Adjournment

On motion (Hagar/Pinkham) to adjourn the Select Board's meeting at 6:45 p.m.

Vote: 4-0-0

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 Select Board meeting on July 21, 2021.



Daryl Fraser, Chairperson

Minutes of 7/21/21 (cont'd):

_____ Absent _____

Louis Abbetoni

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Tom Anderson

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Mark Hagar

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Joshua Pinkham

Town of Damariscotta, Select Board meeting, signed this date: August 18, 2021