

MINUTES
BOARD OF SELECTMEN MEETING
DAMARISCOTTA TOWN OFFICE
November 17, 2021 5:30 p.m.
Live and Via YouTube

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

Staff Present: Matt Lutkus, Town Manager; Commerce; Lynda Letteney, recording secretary

Others Present: Audrey Hufnagel; Dennis Emidy, Maine DOT; Jeff Pulver, Maine DOT; Geoff Keochakian, LCTV; and Nate Pool, Lincoln County News

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

II. Public Hearing – General Assistance Ordinance Amendments

Periodically the Board must formally adopt changes to ordinances required by the State Legislature, as a result of program changes enacted by the previous legislative session. Cheryl Pinkham is the Town's General Assistance Administrator. She is available to answer any questions at tonight's Board Meeting. This is one of three exceptions that can be passed without voter approval. Hearing no other comments, **Chairperson Fraser** closed the Public Hearing at 5:33 P.M.

III. Call to Order

The Select Board's meeting was called to order at 5: 34 p.m. **by Chairperson Fraser**

IV. Action on Public Hearing

On motion (Pinkham/Abbotoni) to approve A-H of the State Ordinance changes regarding General Assistance. **Vote: 5-0-0**

V. Minutes

On motion (Pinkham/Anderson) to accept the minutes from November 3, 2021 **Vote: 5-0-0**

Mark Hagar suggested that changes be highlighted in final copy.

VI. Financial Reports

1. On motion (Pinkham/Abbotoni) to approve Payroll Warrant #23 **Vote: 5-0-0**

2. On motion (Fraser/Abbotoni) to approve Accounts Payable Warrant #24 (Pinkham in the negative; Hagar abstaining) **Vote: 3-1-1**

3. On motion (Fraser/Andrews) to approve Accounts Payable Warrant #25 (Pinkham abstaining) **Vote: 4-0-1**

VII. Citizens Comments and General Correspondence - Audrey Hufnagel

Audrey Hufnagel is a sophomore at Lincoln Academy and a Damariscotta Resident. She is here to present and advocate for a proposal Senator Chloe Maxim is presenting to the State legislature. If this passes, lakes, rivers, hiking, boating etc. would all be protected. This proposal would be to amend the State Constitution Re: The Right to Clean Air, Clean Water, and a Healthy Environment. This would be an attraction for tourists and a boost for businesses. The State is accountable for these: Montana already has similar legislation. Towns such as Camden and Brunswick have endorsed such legislation. By endorsing this proposal as a Town, it would send a clear message to the legislature where the Town stands on these issues, signaling local support. **Daryl Fraser** thanked Audrey for her presentation, but reiterated that the local government (Board of Selectmen) tended to shy away from State and Federal issues. They support your passion. **Lou Abbotoni** appreciated you bringing the issue to the Board's attention. He asked her what she thought the future held for her. She replied that she would be interested to run for representative and/or governor.

VIII. Presentations

1. Maine DOT- Dennis Emidy and Jeff Pulver

Matt began by saying that recently he, selectmen Hagar and Anderson, and the Chief of Police Jason Warlick met with MDOT staff from the Traffic Safety Division to discuss several areas of concern, primarily the intersection of Belvedere Rd. and extension with U.S. Route 1 bypass. The number and severity of accidents at this intersection have been of a growing concern. Although some intermediary steps have been taken to address safety concerns, this remains one of the worst rural intersections in the State. During this meeting the MDOT staff reviewed a number of alternatives and their plans for a solution. Included in the third year of their 3 year plan is the construction of a \$3.1 million dollar round-about at the intersection. Department analysis showed there would be significant reduction in the number of accidents with this improvement, with minimal impact on what the analysis referred to as the mobility factor.

Two other intersections the Town has asked to be reviewed- the intersection at School St. and Main St. (US Rt. 1-B) and School St. and Bristol Road were planned to be discussed tonight. The PowerPoint presented at the October 26 presentation was attached for review. At the Board's request during the November 3rd meeting, **Mr. Emidy and Mr. Pulver** were asked to present to the whole Board for clarification and questions.

As background, as **Matt** stated, several things had been suggested and/or tried in the interim to improve safety in this area: round-about north bound on Rt.1; narrowing stamp pavement beacons; delineators in both directions; stop sign E-W, etc. Sight lines are adequate in both directions. Current assessment of vehicles: 9600 S-N; 1650 N-S; and 700 E-W. They also calculated turning use for 12 hours/peak hours. West bound traffic on Belvedere, 97% turn left or go straight across. (Left 450' 32% straight across) Crashes here represent 63% with injuries- State average is 36% with injuries. 2016-2020 showed 19 crashes; 2011-2020 was 29 – 5 crashes in 2016 and 5 in 2020). The highest month for accidents here was October. As far as crash designations, angled crashes are the most prevalent. On the map blue arrows indicate

traffic going straight or left from Belvedere; red indicates Route 1 going left into Belvedere. Angle crashes representing critical and/or severe injuries and show increases with every 5 mph of speed. This intersection is tied for first of all 55 mph intersections in the State. Additionally it has the most in the State at 55 mph. 17 incidents here; a drop to 11 elsewhere.

Issues:

High Speed

Angle crashes

Turning vehicles have obstructed view

Misjudging speed

People get “antsy” and take unacceptable chances

Cars lost in shadows (not a prime factor)

It would be harder here with a stop despite double stop signs east and west.

Alternatives: (Compiled jointly with DOT and Safety Office)

This is a partial analysis. Safety benefits are calculated over 10-20 years use. Also mobility benefits are calculated into the formula. Another factor is cost of the project. Federal requirements include a cost: benefit ratio of 1:1. This is a standard methodology.

1. Traffic signal – tied before

2. Median with jug handle –massive distance - needs 1700’ on Rt. 1.

3. Jug Handle -This requires a right going in and a right out. Simpler, keeps the flow going, but is costly.

4. Round-a-bout- keeps traffic flowing reduced speed to 20 mph from 55 mph going in=in both directions. Needs overhead lighting. School St. has 95% of the traffic turning right. Caribou is an example of a single lane vs. double lane. (Belvedere turning left onto Rt. 1) To accommodate trucks turning left, needs a spread curve. 2) Chicanes need 200’-250’

Lou Abbotoni asked how many round-a-bouts there were in the State. He was familiar with Windham and Boothbay and it seems they have met with good success. **Response:** Modern single lane round-a-bouts are 27 in the state.

Round-a-bouts have the highest safety benefits.

Jug Handles have an environmental impact plus a greater cost. Jug handles also have a decreased safety benefit.

Pros and Cons:

Signal Concerns

Net benefit with a Round-a-Bout:

Crashes decrease 70% aggregate of all round-a-bouts in Maine

In 2020 N. Carolina reported a 40% decrease in crashes.

Another study showed a high decrease in crashes and a high decrease in injuries.

Tom Anderson asked about the addition of lights. What is the percentage of accidents at Belvedere after dark? Flashers are there. **Lou Abbotoni** said they had seen more crashes S to N than N to S.

Mr. Pulver responded:

They need to slow down before the vertical access;

The radius of the curve makes it hard to speed (chicanes present);

Both directions have to slow down (level A or B approach);

Better flow and less waiting time, but the round-a-bout is the highest cost;

Decrease in fatal and severe injuries.

Reminder this intersection is #1 for injuries and high speed.

Lou Abbotoni believes it is our duty to protect our citizens. This is a data driven process using an incremental approach. Lots has already been done previously to maintain flow. **Daryl Fraser** asked rhetorically how far back this has been an issue. We are not close to Wiscasset, with people crossing the road. Here there is no pedestrian traffic; no sidewalk. In the meantime, what do we do? Decreasing speed limit has not worked. We've cut down posts from 42" to 30". We've enabled northbound right turns. What is the timeframe? Response: 2024 for the work plan. However, we could be a "candidate" to start design. Funds are not available until 2024 for construction; project is fast tracked. There is less environmental impact for this compared to others? **Mark Hagar** said Belvedere is a dead end street; "Why not move round-a-bout in front of Hunt's?" When mentioned earlier, the increase in user cost and needing a 2 lane round-a-bout were cited as barriers to this. **Mr. Emidy** said there is a high volume of traffic turning left (N to S) which conflicts with Route 1 traffic going north. In the long term this will have growth and decrease safety. This creates more conflict at the intersection and decreases safety. Cost is more expensive by \$3-4M. **Mark Hagar** said we will be waiting 3-4 years. Considering the number of accidents, what do we do? Response: Unfortunately funds aren't available until 2024. It is a long design process. Suggestion: Stop right turns as much as possible. Truck movement rules out other things. A speed feedback sign might help. **Josh Pinkham** asked if dropping speed limit would decrease severity of injuries. Can we check three years before and three years afterwards? **Mr. Emidy** said they already do this. Calculated as year 1 vs, year 2 and year 2 vs, year3 etc. Josh also asked about bicycle use and 18 wheelers. **Mr. Emidy** said there may have to be some design changes. **Josh** also asked about traffic flow if there were an accident. Currently it is 2 lane and can use one. How does flow happen in a round-a-bout. **Matt Lutkus** responded to Josh saying the red area is concrete so there is extra room for getting through. **Mr. Emidy** did not recommend this. **Daryl Fraser** thanked Mr. Emidy and Mr. Pulver for their presentation and explanations. At 7:10 they were asked if they wanted to come back on the School St intersections on US Rt1B and Bristol Rd, (RTS. 129/130 (or not). They responded that they wished to continue.

The Safety and Accessibility Committee recommend a 30 mph from downtown to Great Salt Bay School. The number of driveways, side roads, makes 30 mph reasonable. There is reduced severe injury at lower speeds. Affecting cost is a 150' culvert and guard rail. It would need widening of the road; extending what has already been done, but would increase to box XXX or the bridge.

Regarding the difficulty seeing at the intersection of RTS. 129/130 and School Street, MDOT had several suggestions.

Alternatives:

Square of the intersection to 90 degrees

Put in a round-a-bout

Create a 3 lane road with a left turn only going south

Widening road to culvert

Retaining wall

Left lane turn only (S on 129) Right turn not an issue

Question length needed to have a signal.

A round-a-bout would need 110' diameter with an estimate of \$150K. That makes it too close to the houses. It is also too tight a radius for trucks, which also leads to pedestrian safety concerns. There would need to be flashing lights. Also a sidewalk needs to be back 25 feet. Traffic pattern would have to be right in/right out.

Turning restriction-removing left turns would not be possible until 2025. **Matt** said this might be good, but "no left turn" signs are ignored. Estimated cost \$100's of thousands vs. \$ millions. He felt we could try the right turn only sooner and get a safety/benefit analysis.

Tom Anderson said the numbers support this. The Board could send a letter of request saying the Board supports the concept. In the interim we could do more striping; make the right turn about 100' earlier

3. Request from Town

The October 22 meeting discussed Rt. 129-S, Rt. 129-N and School St. In 2017 striping was done. A 90 degree angle was proposed. Data collection needs to be done spring and summer. Request a 30-35 mph limit. 10 accidents 2016-2021 (1-rear end; 1-Off road; and 8 -angle crashes.) There is a skew at the intersection. Square up to 90 degrees. Offset the right intersection. Make it one-way/ leaving and entering. More striping. Right turn approximately 100' earlier for better site distance. Do we need a signal- it would mean acquiring property and rights of way.

Mark Hagar addressed South on Rt. 129 to School St., saying it should not be pushed to High St. Also, Bristol Rd. to hospital is too fast. **Tom Anderson** agreed saying "don't brake" on hill by hospital-it is treacherous in the winter. **Josh Pinkham** added concern about headlights if squared. Perhaps changing the angle is better. **Tom Anderson** said seeing both sides is key; perhaps having the intersection down further would provide a longer view. The other end of

School St. and US Rt. 1-B with restricted turn from School St. will be discussed next meeting. **Matt** asked to have the proposed plan sent to him.

On behalf of the Board, **Daryl Fraser** thanked Mr. Emidy and Mr. Pulver for their time, expertise, and suggestions. (Copy of MDOT PowerPoint attached)

2. Further Review of Waterfront Improvement Project 60% Design Drawings- Wright Pierce and SLR Construction **Jan and Mike** will cover questions from last time and any additional questions. (Via Zoom)

- A. Treatment filters in the catch basins - There are two in each. They are “pull out” designed, back washed annually, and replaced every 4 years. At 2 per basin, 10 filters.
- B. Driveway to Water St. - They were able to do it on the other side on Town owned land.
- C. Misery Gulch - Permanent wall with 40’ opening \$25,000 and you still have a view.
- D. Asphalt depth in Parking Lot - Originally 3” depth was proposed. Because of heavy truck use, 4.5” is recommended. \$108,000 additional. This will be more durable. \$216,000 to \$340,000 for paving.
- E. Sewer line video - **Bob Faunce** forwarded it to Matt Lutkus who will post to YouTube.
- F. Hold back pavement – Where the wall will go; cost reduction as they will do base pavement initially and finish in Phase II.
- G. Jason Williams, Landscape Architect – works with low tide (15’), uses marine tolerant vegetation in low tide; uses material tolerant to salt; will address seating areas beneath tables and benches.

Tom Anderson said the community has been raising concerns about the park. There doesn’t seem to be a lot of plants, dog use, etc. They are not in favor of paved walkways. Crushed oyster shells instead of paved with pavers at entry way is preferred. In the curved wall area to the tidal area, crushed shells are preferred. **Tom** asked if the width of the park would be extended. **Matt Lutkus** replied he met a couple of days ago with Wright-Pierce and there is a major cost involved to extend rip-wrap, as well as a question as to whether or not it is allowed. They planned “bump outs” with living shoreline. Aesthetically this is a plus. Permitting is an issue with boulders building up the area vertically. The inside area is marine species. The rip-wrap is used to build (up and/or down) the differential above ground, on a slope boulders act as a retaining wall. As it is now, park is level. As to why they need a retaining wall, **Mike** said plants on the living shoreline need stable ground. **Tom** said the blow up shows 3 sections. **Mike** said a cross section was done. **Mark Hagar** asked if the design was ADA compliant. Response was that crushed shells stabilize so they harden the ground. **Jan** asked if there were any last questions. **Josh Pinkham** asked if there were any other composites for the wall. **Mike** replied in the affirmative saying they were very expensive. Concrete is easily specified for salt environments. It holds up well. It can be reapplied; no concerns with concrete. Lower cost and can be made to be aesthetically appealing, makes it the best alternative. **Josh** asked if the test pits would be done before building. Response: They are already done. **Josh** asked about storm test pits. Response: borings in area of where tanks will be. **Josh** asked about the stop log panel illustration. At the boat launch aluminum 10’ long and 30’ wide; 2 intermediate entrances 20’ wide - all aluminum. Each flapper bill needs inspection annually. This can be

done by training staff or you can have a company come in. It is an examination of the duckbill valves. They also need to check the storage system, especially for excessive sediment.

Hearing no other questions, the Board wanted more information on the park, and moved to approve the 60% design with the exception of the park. Consensus- **Lou Abbotoni** stated the park was a flexible item. **Matt Lutkus** said it was in Phase II. **Tom Anderson** wanted more detail on the park, but it could be done later. **Daryl Fraser** said they were looking to move things along. **Mike** said they expect some kind of curbing in the park. However, the vertical of the wall may play into that.

On motion (Abbotoni/Pinkham) to approve the 60% design plan, and move on to 95%

Vote: 5-0-0

IX. Town Manager Items

1. Note on Contract for Assessing Services

Matt would like the Board to approve the assessor's contract, the same as the previous one, with compensation changed from monthly to *per diem*.

2. Note on Main St. Sidewalk Project- tabled

3. Possible Cooperative Agreement with Boothbay Harbor for Planning Services

Bob Faunce is planning on retiring. **Matt** met with Boothbay Harbor for planning services. Could we share a full-time planner? The compensation plan needed to be worked out. Damariscotta would pay \$41,000 for salary and mileage; Boothbay would pay \$50-55K. Damariscotta would be the employer. Damariscotta would pay for a certain number of days while the planner would continue working for Boothbay. **Lou Abbotoni** said it was definitely a good idea. Consensus was to proceed.

X. Official Action Items

1. Waterfront Improvement Project 60% Design Plans

Previously voted on in Section XIII Item 2

Vote: 5-0-0

2. Contract for Fuel Oil and Propane

On motion (Pinkham/Hagar) to waive Town Charter bid guidelines and authorize the Town Manager to execute the contract with Colby and Gale for the purchase of #2 fuel oil and propane for the period extending through September 30, 2022.

Vote: 4-0-1

(Fraser abstaining)

3. Acceptance of Grant for Police Department

The Police Department previously approved the Police Department's application for a grant to replace five bullet proof vests. The Department recently received notification that it had received a grant for \$3,199 which is half the cost of the new vests. Originally Chief Warlick had asked for \$2500 for 5 vests. Receiving \$3,199 made him able to get 7 vests at 50% match.

On motion (Fraser/Anderson) to accept the grant and approve the expenditure of

Department of Justice grant funds for the purchase of 7 bullet-proof vests for the Department.

Vote: 5-0-0

XI. Selectmen's Discussion Items

Tom Anderson would like a focus group formed to discuss art work or other design for the waterfront. He would like to see a focus on shipbuilding (at the site of the wall). **Lou Abbotoni** suggested talking with Calvin Dodge who is an expert in this area.

Lou Abbotoni had nothing to add.

Mark Hagar mentioned one of the bridge lights was still out. Also, Main Street seems dim; he is concerned about safety. **Matt** will check it out.

Josh Pinkham is concerned that moving on, we need a clerk of the works. We need to set up an interview process. Is the money for this in the budget? **Matt** replied that it was.

XII. Adjournment

On motion (**Abbotoni/Pinkham**) to adjourn the Board of Selectmen's meeting at 8:42 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 Select Board meeting on November 17, 2021.


Daryl Fraser, Chairperson


Louis Abbotoni


Tom Anderson

Board of Selectmen Minutes of November 17, 2021 (Cont'd)



Mark Hagar



Joshua Pinkham

Town of Damariscotta, Select Board meeting, November 17, 2021, signed this
date: 12-15-2021