

**MINUTES**  
**BOARD OF SELECTMENT MEETING**  
**December 19, 2018**  
**5:30 pm at the Town Office**

**Members:** Roberta Mayer, Chairperson; Ronn Orenstein, Vice-Chairperson; Amy Leshure; and Louis Abbotoni.

**Members Absent:** Mark Hagar

**Staff Present:** Matt Lutkus, Town Manager; Jason Warlick, Police Chief; Michelle Cameron, Town Clerk; Karen O'Bryan, Video Recorder; Lynda Letteney, Recording Secretary

**Others Present:** Haas Tobey, Ann Jackson, Penn Way, Dick Meyer, Quinn Martin, Jane Hartley, Anthony Kilburn, Bob Nee, Diane & Ron Raines, Charlie Utter, Lorraine Faherty, (Moderator for Special Town Meeting); Jessica Picard, Lincoln County News;

- I. **Pledge of Allegiance:** Meeting began at 5:35 p.m. with the reciting of the Pledge.
- II. **Call to Order:** Public Hearing was called to order at 5:37 p.m. by Chairperson Mayer. Chairperson Mayer asked for speakers on the Warrant to appropriate an additional \$90,000 from the Town's unappropriated surplus to complete the public restroom project. Order of speakers: Town residents, town business owners, general public.

**Matt Lutkus** gave a brief overview of the project and where it stands at present. The need for a public restroom in the downtown area was first brought up in 1994. From an economic development point of view, it is a plus for businesses. Costs for the project were elevated by 90K with the buying of the barbershop property, closing costs, design compatible with flood zone, substandard soil in area, utilitarian structure that could accommodate 200+ users per hour in summer, and an increase in design costs to complement downtown structures architecturally. Funding has come from \$385,000 in private donations, \$60,000 from 2016 Bond Issue, \$17,300 from a Maine Small Harbors Improvement Grant, and \$11,000 from Capital Project Fund. Total \$563,500.

First speaker was **Jane Hartley** who stated she was aware of a great need for this project and a NO vote was absurd. "It is a very necessary project." **Tony Kilburn**, business owner, found in the winter, he had to tell customers 10X/week that there was no public bathroom; in the summer this increased to 10X/day. This meant that for most people wanting to spend all day shopping in downtown Damariscotta, it was next to impossible without restroom facilities.

**Quinn Martin** stated that he believed the town to be in fiscal crisis; that "we pretend to be a city, but we are not!" He didn't believe that in good conscience we should be spending taxpayers' money in this way. **Dick Mayer** stated that a vibrant downtown needed people. If we are in economic crisis then we need to ways to keep people downtown. The Bookstore and Library are overburdened as it is. He reminded the audience and Select Board that we were the beneficiary of a very large community donation and the taxpayer burden was minimal. He was wholeheartedly in favor of the additional 90K.

**Penn Way** spoke as a business owner. While he is concerned about the growing budget for the project, he asked about heat for the facility. **Matt** explained that the initial project is an April to October plan,

however, the capacity to upgrade to year round is built-in to the design. There is hot water only for now. Penn supports year round availability.

**Matt Lutkus** also stated the facility was handicapped accessible with a switchback ramp on the side. Full architectural views are available on the website. It is ADA compliant. **Robin Mayer** clarified that the increase will not result in increased taxes; the extra money needed is available in the tax budget surplus. This money has been derived from cost saving measures the board has put in place over the years. i.e. changing banks so as to get a better interest rate on all monies held; revenue sharing at the state will help recoup what is spent now from that surplus.

**Haas Tobey** has been for this since 2010 when he first became active in town business. Since 2011 the Planning Board/Committee has had "a vision of making the back parking lot a jewel rather than a mess." The hundreds of extra gallons of water being absorbed by the bookstore is unfair. This is a convenience for residents and visitors alike, and will make the parking lot customer friendly. **Penn Way** asked if any grants were available for secondary donations. **Bob Nee** reiterated his support and added that he was in favor of year round access. He also asked about protection for cost overruns.

**Matt** replied that the contract as written states "not to exceed" including \$16,000 in contingency. EPA has allowed some tweaks to be made to the foundation which will result in cost savings. **Penn Way** asked if the police chief had any concerns. **Chief Warlick** said that his office would patrol; he only felt the police needed a key in order to have access in case of an emergency. **Matt** added that nighttime surveillance would be by computer and/or manual checks.

**Jane Hartley** stated she felt this project would increase business and delaying would only increase the price in the future. **Dick Mayer** asked about roof style. A hip roof is on the plan, but it could be converted to a step roof with additional savings. **Penn Way** asked about target date for completion. Estimate is late June before Fourth of July influx. With no other speakers, **Chairperson Mayer** closed the Open Session at 5:55p.m.

### **III. Special Town Meeting**

Meeting was called to order at 5:56 p.m. and Lorraine Faherty was elected moderator. She explained she would use the Maine Moderator's Guide to resolve any questions should they arise. Warrant Article II was read and on motion (Penn Way/ D. Mayer) to approve Warrant Articles II as presented.

**Article II passed as submitted.**

### **IV. Call to Order of Regularly scheduled Board of Selectmen at 6:05 p.m.**

**V. Minutes- On motion (Abbotoni/Orenstein) minutes from the November 28, 2018, meeting were unanimously approved without correction as distributed.**

**Vote: 4-0-0**

Minutes from December 5, 2018, were not yet available.

### **VI. Financial Reports**

- 1. On motion (Mayer/Abbotoni) to approve Payroll Warrant #31** **Vote: 4-0-0**
- 2. On motion (Mayer/Abbotoni) to approve Accounts Payable Warrant #32** **Vote: 4-0-0**

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| 3. On motion (Abbotoni/Leshure) to approve as presented Warrant #33 | Vote: 4-0-0 |
| 4. On motion (Abbotoni/Leshure) to approve as presented Warrant #34 | Vote: 4-0-0 |

**VII. Presentations: None**

**VIII. Citizen Comments and General Correspondence: None**

**Matt Lutkus** stated that he had received several comments via e-mail regarding taxes in general, local sales taxes, and subjects related to these. He encourages all concerned parties to contact him with their views. **REMINDER: Anyone holding town issued checks, please deposit or cash before end of year.** This will help with the transfer to a new bank.

**IX. Town Manager Items**

**1. Keypad Voting Information** - Michelle presented an update on keypad voting. She presented a comparison spreadsheet among six companies, looking at cost, software inclusion, yearly fees, shipping costs, and unique properties if any. Dynamic Services Int. seemed to fit the Town's needs the best; it is the same company used by Newcastle and they are very pleased with it. Bob Nee can get a screen (50 X 67) and projector for use with this system at a cost of \$669.63. **Robin Mayer** asked if we needed 200 or would 100 be sufficient? **Ronn Orenstein** asked if the school district wanted to use this during budget meetings, would there be a charge. **Matt Lutkus** felt there would not be as they are a government agency within Damariscotta. **Ronn** also asked about anonymity of voters. **Michelle** stated this was possible as well as being able to I.D. voters depending on program used and for what purpose. **Louis Abbotoni and Ronn Orenstein** volunteered to spearhead a committee to do research and see how the software works. Decision should be made by mid- May in order to be available for budget calendar.

**2. Community Conversation on Adult-Use and Medical Marijuana Ordinances** – Reminder that the public hearing will be held January 2, 2019, at 5:30 p.m.

**3. FY 2020 Budget Preparation/Review Calendar** – The tentative schedule for development and discussion of the town budget was distributed. First Joint meeting of the Board of Selectmen and the Budget Committee is slated for January 16, 2019, at 4:30 pm. at the municipal building.

**4. Report on December 19 Service Center Coalition Meeting** - Postponed

**5. Reminder of Town Hall Office Hours on Christmas Eve and New Year's Eve** – Offices will be closing at noon on both days.

**6. The Shellfish Conservation Committee**- wants to apply for a grant (which will have final approval at the state level). More information to come.

**7. Results of the TV views of the sanitary lines** – Mapping was showing the location and depth of sewer lines, including a map of the parking lot. Points where there is excess grease as well as points where clay pipes and others converge were shown. Mapping was done 1/17/18. Report to follow.

**8. Police Chief Warlick reported on an electrical fire at 2:00 am this morning.** Chase Point residential establishment which houses approximately 30 patients/residents, reported an electrical fire to the LC Fire Department with a request for ambulance assistance. By the time the Police Chief arrived, the scene was under control and all residents had been safely evacuated. Chief Warlick reported there were no visible flames, but it was an electrical episode. He commended all emergency staff for their coordinated, efficient response. He was especially pleased with coordinated effort provided by Sgt.

Halpin.

**X. Official Action Items**

**1. Donation from Penn Way for Bullet-Proof Vest Plates** – Penn Way explained that his family had a long tradition of finding a need in the community and helping to solve the problem. In talking with Sgt. Halpin he learned that the current vests could use an upgrade in the vest plate. He is offering to donate the \$500 to upgrade the 5 full-time officers' department vests to start. The family looks at this as a multi-phase project. The current costs of vests are between \$800-\$1500 dollars each, with each reserve officer paying for their own. This donation will provide more protective plates for the regular police staff. There is no impact on the warranty on the existing vests. Current vests were purchased with a 50% DOJ Grant. All officers have vests with 5 year warranties; these are replacement plates from Armor Express. The need to stay on top of new technologies regarding officer safety is imperative.

**On motion (Abbotoni/Orenstein) to accept the \$500 gift from Mr. Way for upgraded vest plates.**

**Vote: 4-0-0**

**2. Donation to the Police Department for Holiday Dinner** - Chief Warlick reported that he had accepted \$350 in donations from 2 businesses and one resident to help cover the cost of the annual appreciation dinner for the Department and its families.

**On motion (Abbotoni/Orenstein) to accept the donations for this purpose.**

**Vote: 4-0-0**

**2A. Police Budget Savings from Reimbursement of Storage Fees on Stolen Items**

When stolen items are recovered, there is often a lag time between recovery and items being returned to owners, especially those who are seasonal residents. In the meantime, items are stored in a rented storage unit. According to **Chief Warlick**, this year the police recovered \$3520.00 in rental fees. Out of this money to be carried forward in the department budget, they plan to supplement the security system donation from the Oyster Festival for the public dock area and to add security cameras for the new bathrooms. **Louis Abbotoni** commended the excellent job the police have done as well as the manner in which they have conducted themselves in achieving public safety and enforcement of the law.

**No Action needed**

**3. Cemetery Deed and Perpetual Care Agreement for Ronald H. Ramsey** - The cemetery deed and perpetual care agreements were received for Ronald H. Ramsay. **Approval of both was done by consensus.**

**4. Shellfish Warden Services Contract** – As a review, Damariscotta currently serves as the “administrative town” for the Shellfish Conservation Ordinance while Newcastle provides this function for the Harbor Management Ordinance. In both cases, the two towns work together to administer the same rules and regulations through their Shellfish Committee and Harbor Committee. The expenses for the Shellfish Committee including the compensation for warden services are paid out of a joint account that is funded by the sale of shellfish permits.

Beginning in 2016, the two towns contracted with the Lincoln County Sheriff's Office to provide this service. The agreement calls for the Sheriff's Department to provide up to 205 hours of warden service totaling up to \$5,000 per year for both towns. With the exception of some date changes this proposed 2019 contract is identical to the current one.

On motion (Abbotoni/Mayer) to accept the agreement with the Lincoln County Sheriff's Office to provide shellfish warden services in accordance with the Damariscotta and Newcastle Shellfish Conservation Ordinances

Vote: 4-0-0

**XI. Selectmen's Discussion Items**

Louis Abbotoni brought up an issue with his e-mail, as it is not coming through on the computer. He was hoping either the office staff or an IT guy could be available before the next regular meeting to give some assistance. Others joined in with either phone or computer issues. Robin will coordinate with Matt to get some assistance. He wished everyone a Merry Christmas and a Happy New Year. Robin Mayer stated that Cheryl and Michelle will be working on the Facebook page for the town. Anyone who has information for the Town Municipal Meeting Program should get that info to her.

**XII. Adjournment**

On motion (Mayer/Abbotoni) the meeting adjourned at 7:02 p.m.

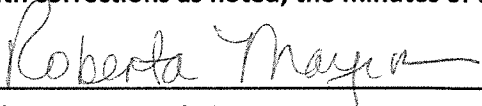
Vote: 4-0-0

Respectfully submitted,

Lynda L. Letteney

Recording Secretary

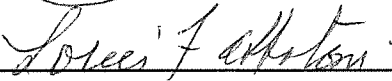
We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Board of Selectmen meeting.

  
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Roberta Mayer, Chairperson

  
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Ronn Orenstein, Vice-Chairperson

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Mark Hagar

  
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Amy Leshure

  
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Louis F. Abbotoni

Town of Damariscotta, Board of Selectmen, signed this date: 1/2/2019

