

**Town of Damariscotta  
Board of Selectmen  
Meeting Minutes  
January 4, 2017 5:30 p.m.  
Damariscotta Town Hall**

The Board of Selectmen met on Wednesday, January 4, 2017. Members present were Robin Mayer, George Parker, James Cosgrove, Mark Hagar, and Ronn Orenstein. Staff present were: Matt Lutkus-Town Manager, Michelle Cameron-Town Clerk, and Hugh Priebe-Road Commissioner. Also present was Karen O'Bryan for LCTV, Kent Boucher from The Penalty Box II, Meredith King from Van Lloyd's Bistro, Gina Hamilton from the Wiscasset Newspaper.

- I. Pledge of Allegiance**
- II. Public Hearings:** R. Mayer opened the hearing at 5:31 p.m.
  - 1. Liquor & Entertainment License for the Penalty Box II:** There were no public comments.
  - 2. Liquor License for Van Lloyd's Bistro:** There were no public commentsR. Mayer closed the hearing at 5:32 p.m.
- III. Call to Order:** R. Mayer opened the meeting at 5:32 p.m.
- IV. Action on Public Hearing Agenda Items:**
  - 1. Liquor & Entertainment License for The Penalty Box II:** On motion Cosgrove/Parker moved to approve the liquor & entertainment license for The Penalty Box II. **Vote 5-0**
  - 2. Liquor License for Van Lloyd's Bistro:** On motion Cosgrove/Parker moved to approve the liquor license for Van Lloyd's Bistro. **Vote 5-0**
- V. Minutes:**
  - 1. December 21, 2016: Tabled**
- VI. Financial:**
  - 1. Payroll Warrant # 32: On motion Mayer/Orenstein moved to approve PY Warrant # 32. Vote 5-0**
  - 2. Accounts Payable Warrant # 33: On motion Mayer/Orenstein moved to approve AP Warrant # 33. Vote 5-0**
- VII. Presentations: NONE**
- VIII. Citizen Comments and General Correspondence: NONE**
- IX. Town Manager Items:**
  - 1. Solid Waste Ordinance:** Lutkus said that because the Solid Waste Ordinance had become out dated when the town started to contract with the Nobleboro/Jefferson Transfer Station, he would like town voters to consider rescinding or modified in a major way it at the next Annual Town Meeting. Lutkus said that there may be items that the Board may want in an ordinance, for example, recycling requirements and fees for solid waste collection operators. Lutkus stated that our fees for the Transfer Station are based on strictly on the 2010 census population results.  
Hagar mentioned that the idea behind charging commercial people, which is listed in the Solid Waste Ordinance, was so that it would help with the fees being charged and that it would be based on population just like everyone else.  
Board agreed that the contract with the Transfer Station works very well for the town and that the pricing is good.
  - 2. ASK Grant Status:** Lutkus stated that the town was awarded a \$2000 grant through the Lincoln County Planning Commission. The purpose of the grant, which the town applied for jointly with the Twin Village Alliance, was to work on the development of a business improvement district. Many of the businesses downtown were opposed with the idea. The monies could have been used for things like, holiday lighting and signage but not to deduct town taxes. The value for the town is that we would have an association and a point of contact for the downtown area. The town cannot impose a district or association on the businesses, but the businesses could initiate it if they chose to. Lutkus explained that he has had several conversations with Mary Kate Reny and Mary Ellen Barnes from the County about putting the idea of a bid on the shelf but look at applying for funds again in 2017 if we can come up with a plan for more

business outreach. It may be a possibility to work with the Chamber of Commerce on a committee that focuses on just on the village for both Newcastle and Damariscotta and gives the town a point of contact when such changes as "Pay for Parking" are being discussed. Lutkus would like more feedback from downtown businesses. The grant funds availability expired at the end of last year so the town did not receive any of the funds.

3. **Update on US 1 Bypass Safety Audit:** Lutkus said that after speaking with the MDOT Traffic Engineer, it was agreed that the scope of the safety audit should be expanded to include the US 1 Bypass and Main Street (US 1 B) intersection. Lutkus said that there have been a couple of volunteers that have come forward for the safety audit committee.  
Mayer and Parker have volunteered to serve on that committee as well. Lutkus said that he would like to have some of the businesses on Belvedere Road participate.
4. **Update on meeting with Legislative Representatives:** Lutkus emailed both Representatives inviting them to attend the January Board meeting. Lutkus had not heard back from them so will follow up with a phone call as well.

#### X. Official Action Items:

1. **Engineering Services & Project Administration for Elm Street Project:** Lutkus stated that in November, bond funding for expanded sidewalk and drainage project was approved at a Special Town Meeting. He has asked Wright-Pierce to provide a revised proposal/contract to include the increased engineering for the project with a scope that now extends to Main Street and includes Theater Street. He also asked the firm to include in the proposal, bid administration (\$3,500) and onsite project management (\$20,000-\$25,000). The engineering itself will increase from \$14,400 to \$23,400. Lutkus did not have the new proposal because Wright-Pierce has been out of the office. Lutkus said that he will get the proposal soon. Lutkus would like the Board to waive its normal bid procedures for expenditures over \$5000 if they decided to enter into this contract. **On motion Parker/Orenstein moved to waive Town Charter bid procedures and authorize the Town Manager to execute a contract with Wright Pierce for engineering, bid administration and onsite construction management service services for the Elm Street project and approve an expenditure amount not to exceed \$51,900 for these services. Vote 5-0**
2. **Requests for Proposals-Road & Parking Lot Paving:** Lutkus asked that agenda item #6 under Official Action Items be considered second because the Road Commissioner, Hugh Priebe, had been awake since the wee hours of the morning. Lutkus explained that the base portion of the contract is straight from the Maine DOT local roads assistance site. Lutkus added the projects and H. Priebe came up with the descriptions that were fine-tuned by the Public Works Committee.  
Hagar mentioned that he had some suggested changes for the RFP.  
Lutkus expressed concern about showing any conflict of interest for Hagar because Hagar Enterprises, Inc. usually bids on town projects.  
Cosgrove interjected that he felt Hagar was talking about technical language and that would not be a conflict for him.  
Priebe answered questions about the scope of the project and about some of the wording in the RFP.  
Lutkus asked Hagar to meet with Hugh and himself later during the week to discuss the suggested changes.  
Mayer mentioned that she found a few discrepancies within the document that should be fixed as well. She quickly listed those for Lutkus to correct.  
**On motion Cosgrove/Mayer moved to approve the RPF for Roads & Parking Lot Paving pending any changes of a technical nature and review by the Public Works Committee. Vote 4-20, Hagar abstained**
3. **FY 2018 Budget Preparation Calendar:** Lutkus mentioned that the Budget Committee will meet soon and decide whether they want to meet separately or meet with the Board of Selectmen. Originally the Budget Committee had said they would like to meet separately, but a few of them expressed to Lutkus that they would like to meet with the Board as well.  
Parker stated that he thought joint meetings went very well.

Cosgrove thought that the two should meet separately in order to be more productive in discussing the budget.

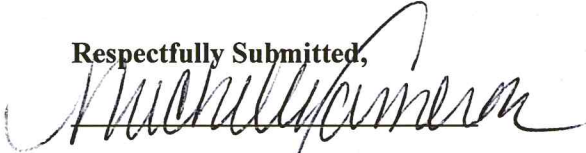
Lutkus said that the January 18<sup>th</sup> meeting will be a joint meeting and that everyone can decide at the meeting which way they would like to meet.

- On motion Mayer/Orenstein moved to approve the 2018 Budget Preparation Calendar. Vote 5-0**
4. **Nobleboro/Jefferson Transfer Station Contract and Contribution for 2017:** Mayer stated that the town transfer Station fees have gone down. Hagar said that they have a great outreach for their recycling program which includes a school demonstration. Lutkus said that when he attended Transfer Station meeting it was stated that the more people recycle the less it's going to cost to transport the solid waste burning station. Hagar asked if the price is based on population. Lutkus affirmed that yes it's based on the 2010 census population numbers. **On motion Mayer/Hagar moved to authorize the Town Manager to execute a contract with the Nobleboro/Jefferson Transfer Station that includes the Town's 2017 contribution of \$115,744. Vote 5-0**
  5. **Contract for Shellfish Conservation Management Services-Shellfish Warden Contract:** Lutkus confirmed that the contract is a three way contract between Damariscotta, Newcastle and the Lincoln County Sheriff's Office for the Sheriff's Office to provide the Shellfish Warden services for our joint Shellfish Conservation Program. Lutkus said that this would be the second full year of contracting with LC Sheriff's Office. **On motion Cosgrove/Parker moved to authorize Chairwomen Mayer to sign an agreement with the Lincoln County Sheriff's to provide shellfish warden services in accordance with the Damariscotta and Newcastle Shellfish Conservation Ordinances. Vote 5-0**
  6. **Sale/Release of Foreclosure Properties:** Lutkus explained that the people who had their properties foreclosed on did not realize the deadline had passed on taxes owed. He said that the owners have all been contacted and that they are all ready to come in and pay their tax bills. **On motion Mayer/Hagar moved to authorize the sale and release of the foreclosed properties back to the property owners for the total amount of all taxes currently owed. Vote 5-0**
  7. **Appointment of a General Assistance Fair Hearing Authority:** Lutkus informed the Board that Michelle Cameron, the General Assistance Administrator, had realized that the General Assistance Ordinance requires the Board to appoint a Fair Hearing Authority (FHA). The FHA hears and decides on any appeals that may come in regard to General Assistance eligibility questions. Lutkus said that this appointment will be added to the appointment list for the Board's July meeting. **On motion Mayer/Hagar moved to appoint John Duke from Newcastle as our Fair Hearing Authority for General Assistance. Vote 5-0**

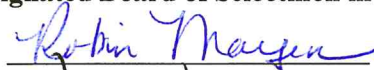
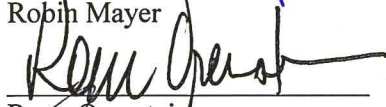
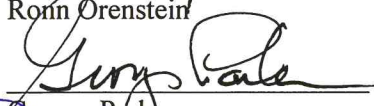
**XI. Selectmen's Discussion Items: NONE**

**XII. Adjournment: On motion Cosgrove/Parker moved to adjourn at 6:30 pm. Vote 5-0**

Respectfully Submitted,

  
Michelle Cameron, Town Clerk

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

  
Robin Mayer  
Ronn Orenstein  
George Parker  
James Cosgrove  
Mark Hagar

**Town of Damariscotta, Board of Selectmen**

Signed this date 2-1-2017