

**MINUTES**  
**BOARD OF SELECTMEN MEETING**  
**September 2, 2020 5:30 pm**  
**Great Salt Bay School**

**In Person and Via Zoom**

**Members:** Roberta Mayer, Chairperson; Louis Abbotoni, Mark Hagar, Daryl Fraser and Josh Pinkham

**Members Absent :** None

**Staff Present:** Matt Lutkus, Town Manager; Eric Hall, Intern; Lynda Letteney, recording secretary

**Others Present:** Haas Tobey (Zoom); Mark Carter, Real Term; Carl Nord ; Evan Houk, Lincoln County News; Ann Pinkham, Lincoln County TV; Cameraman, LCTV

**I. Pledge of Allegiance:**

Pledge was led by **Chairperson Mayer** at 5:30 p.m.

**II. Call to Order:**

The Board of Selectmen's Meeting was called to order at 5:31 p.m. by **Chairperson Mayer**.

**III. Minutes**

**On motion (Pinkham/Abbotoni) to accept the minutes of the August 12, 2020, Board of Selectmen's Special Meeting as distributed** **Vote: 5-0-0**

**On motion (Pinkham/Abbotoni) to accept the minutes of August 19, 2020 Board of Selectmen's meeting as distributed** **Vote: 5-0-0**

**Chairperson Mayer** commented that she appreciated the detail in the previous minutes, especially given the public comment nature of that meeting.

**IV. Financial Reports**

1. **On motion (Pinkham/Abbotoni) to approve Payroll Warrants #11** **Vote: 5-0-0**

2. **On motion (Pinkham/Abbotoni) to approve Accounts Payable Warrants #4** **Vote: 5-0-0**

4. **On motion (Pinkham/Abbotoni) to approve Accounts Payable Warrants #13** **Vote: 5-0-0**

**V. 1. Presentations –Review of LED Street Light Conversion Project**

**Mark Carter**, representing RealTerm Energy, was present to give an overview of where the project is at, at this point in time. **Matt Lutkus** introduced Mr. Carter, who will discuss the project details. **Matt** gave background information stating that this had been an eight year process, since the prospect of buying back energy was first discussed. Forty municipalities in Maine have signed on with a realization of 75-80% savings after 5 years. There is also a decrease in maintenance costs as projection is for 22 years as far as bulb replacement. **Mr. Carter** stated that since 2014, 300 municipalities from Texas to Ontario to Maine have done this conversion. They have "clusters" of participants- north-east-south and west. He outlined a 5 step process to conversion:

1.) audit – a check of inventory/locations/wattage/mast arms/height. This audit goes to the designers – each light has a different way of projecting down;

- 2.) Investment grade audit – assesses financial capabilities;
- 3.) Procurement – line up contractors for installation who are CMP certified. Currently there are 8-10 companies available in Maine who are certified. Process is competitive bid;
- 4.) Transition from CMP; and
- 5.) Re-check savings.

The process is the same as it was for Rockland, Thomaston, Waldoboro and Bristol. **Mr. Carter** addressed “how yellow does the light show?” These are designed to limit light pollution. They are more yellow with a color temperature of 3000 versus the turnpike which is more bluish with a temp of 5000. **Chairperson Mayer** asked, “If these are good for 100,000 hours, what is the shield made of? Plastic?” **Mr. Carter** said, “No, they are made of aluminum. Standard lighting is dusk to dawn with photo cells. They are not individually controlled. However, with smart controls, done remotely, individual lights can be brightened or dimmed, one time or permanently. Smart controls work over the cellular network with GPS chips. Therefore, the control knows where the lights are. An example would be cutting off lighting in a parking area for a fireworks display-rest of Town can be lit. In the long term the smart control is a good option. He reminded the Board that they would not see any financial benefit today-CMP bills for maximum wattage output. In the future the Town should see cost relief.

**Mark Hagar** asked if they can do individual lights in a certain area. **Mr. Carter** said aside from dimming, there are shielding options (i.e. trespass shields) which can dim it down using reflector shields. (i.e. a light shining in a bedroom window). **Daryl Fraser** asked about warranty. **Mr. Carter** said it was ten years for everything but the pole (CMP still owns that). **Lou Abbotoni** asked if there were problems with severe weather. **Mr. Carter** explained that the light is coming from the bottom so snow melt is not an issue. They have a record of less than ½ of 1% failure rate. CMP’s position is that fixture wiring is grandfathered to the location. **Carl Nord** asked what the light looks like. Is it like the car lights that glare? **Mr. Carter** explained there is a chip on board the LED and it designates light pattern on the ground. It also has a CMP approved bug rating. **Carl** asked if it was brighter than the ones they have now. **Mr. Carter** said the lumens are less but they are perceived as the same or brighter.

**Matt Lutkus** informed the Board that two weeks from tonight they will be asked to approve a lease/purchase agreement with First National Bank at an interest rate no greater than they have now with a 5 year payback. The amount will be such as to leave money in the account for maintenance. The smart control feature is included in the total price. This will address special lighting needs as they arise. For Example, in order for the Pop-Up Drive-In to have a darkened parking lot, CMP needs to be notified two weeks or more in advance. With the smart control, Matt can do it himself (or a designee).

## **2. Presentation – Service Charges for Tax Exempt Organizations**

**Eric Hall**, current Town Manager Intern, presented his research on this topic. He first outlined the State laws that govern this:

- 1.) **2015 – LD 565** – Allowed service charges to non-profits;
- 2.) **2017 – LD 727** – Dealt with land trusts
- 3.) **2017 – LD 1521** Bill proposing organizations with an excess of \$10 million in value could be taxed – the bill failed.
- 4.) **Title 36-Chapter 105 36/508** – Tax exempt properties that have housing (i.e. assisted living-housing

authorities) can be assessed service charges for municipal services. For example, Miles/Cove's Edge has a 7.66% tax exempt status.

There are Pilot Programs where municipalities ask for service payment in lieu of taxes. Some participants are Lewiston, Portland, Guilford, and Hermon. This is an appeal to the "fairness aspect." Portland sent letters to all tax exempt entities and raised over a half million. It is not binding (they have tax-exempt status), but they are using the law to negotiate with these properties. **Robin** asked if we had any groups doing this. **Eric Hall** said the norm is 2% of gross revenues in the pilot. Inn Along the Way has not agreed to this. **Eric** believes Cove's Edge and Hodgdon Green would qualify for the pilot. **Robin** said we could send letters to all non-profits. **Eric** said Lewiston and Portland were large campaigns. He thought he could get sample letters from them. **Matt Lutkus** said his office could request sample letters and agreements. **Daryl Fraser** was in favor of a bigger campaign that included all non-profits. **Matt** thanked Eric for all his work this summer, especially on this project. Tonight is his last night. All of the Board thanked him as well.

#### **VI. Citizen Comments and General Correspondence - None**

#### **VII. Town Manager's Items**

##### **1. Updated Draft of Historic Preservation Ordinance and Timeline for Consideration of Amendments**

Board members have received a draft of the revised ordinance which includes changes from the August 19<sup>th</sup> meeting. **Matt Lutkus** believes the next step is to go over the revisions with LUAC. First meeting in October would be the last review. Then, a Public Hearing would be held in mid-October. The ordinance would then go to an open Town Meeting.

##### **2. September 17 Lincoln County Caucus**

Law requires that each County Commissioner, no later than 100 days before the end of the County's fiscal year, shall notify all municipal officers to caucus by County Commissioner District. This will take place on Thursday, September 17, 2020, at 6:00 p.m. at the Lincoln County Court House in the multipurpose room. The presence of all selectmen is requested. RSVP required in order to plan spacing accordingly. Mary Truscott is our District 3 Commissioner. We need another representative. Lou Abbotoni is already serving (has finished first year of a three year term.)

##### **3. Shellfish Research Grant Update**

There was a Zoom meeting with 2 graduate students who work with the Darling Center. They will be surveying fishermen and working with Bremen and the Medomak River this year. Anyone interested in this, let Matt Lutkus know. They have sent an email indicating they need input.

##### **4. Cancer Society Parade Through Town**

The Cancer Society is requesting a parade through downtown with about 20 pink cars for Breast Cancer Awareness Month. Parade would start at Lincoln Academy and ending at Coastal Rivers. Police are okay with this. Date is still to be determined, but it shouldn't take more than 15 minutes. Target date is mid-September. Maine DOT needs to be notified, but Town is okay with the plan.

##### **5. Pop-Up Drive-In**

**John Roberts** is spearheading this event that is scheduled for September 17<sup>th</sup> in the municipal parking lot behind Newcastle Realty. They have already contacted CMP about black out for street lights. The

first event went very well with an overflow crowd. Some businesses stayed open to offer snacks, etc. – one even offering delivery to the car.

## **VIII. Official Action Items**

### **1. Warrant for Special Town Meeting, September 16, 2020**

If approved, the Warrant Article II would allow the Town to obtain a loan from a local financial institution to pay for both the purchase of the fixtures and the conversion over a five year period. By financing in this way, the Town will see no increase in annual operating budget costs for street lighting. After five years, the Town will realize a significant savings as it will no longer be paying for street light rentals, but will need to set aside a far lower amount for fixture maintenance, light repair, software and long term capital repair. Warrant has been reviewed and approved by legal counsel. The required public hearing will be at 5:30 p.m. at the beginning of the Selectmen's meeting. The Town can secure a 5 year note @1.8% from First National Bank at a cost of \$10,749 (the cost of street light rentals annually) to cover the entire project including purchase and installation of LED fixtures, associated fees and equipment, and interest.

**On motion (Fraser/Mayer) to approve the Warrant Article for the September 16<sup>th</sup> Special Town Meeting**

**Vote: 5-0-0**

### **2. Agreement with Midcoast Community Action for Administration of the Worthy Poor Funds**

Since 2013 the Town has contracted with Midcoast Maine Community Action (MMCA) for the administration of the disbursement of the Philbrook and other Town funds designated for the "worthy poor." MMCA does not charge an administrative fee and allocates the funds to Damariscotta residents in accordance with the criteria described in the agreement. For FY 2021, \$20,000 has been allocated to this fund.

**On motion (Pinkham/Mayer) to approve MMCA as the administrative entity to disperse the "worthy poor" funds.**

**Vote: 5-0-0**

**Chairperson Mayer** asked how the gift cards were going. **Matt** replied that they have not seen that many requests. Suggestions were to advertise their existence and what they can be used for in the newsletter as well as in the *Lincoln County News*

### **3. Five Year Capital Improvement Plan**

With the approval of the FY2021 budget, Matt has been able to complete the five year capital plan. The document presented represents collaborative discussions with the Public Works Committee and the Board. While the FY 2021 revenues and projected expenses are fixed at this point, the balance of the 5 year plan represents projected needs as well as anticipated revenues being available. One point brought up during discussion was the consideration of issuing bonds during the next year or two to fund major rehabilitation of roads. Belvedere Road is a good example of the need for major reconstruction. The Town's overall indebtedness is quite small after next month and interest rates for the Town remain very low. Future discussion can be done at the Board's goal-setting workshop. **Matt** reminded the Board that this document is a "planning tool" – other things come up that need to be addressed out of sequence (i.e. Miles Road-hospital retaining walls- culvert wash outs, etc.)

**On motion (Mayer/Fraser) to approve the capital improvement Plan as presented.**

**Vote: 5-0-0**

**XI. Selectmen's Discussion Items**

**Josh Pinkham** – I'm good

**Daryl Fraser** – Drive-In movie was fantastic and fun! The place was packed; very informal and all went well. **Robin Mayer** asked when the next one was and **Matt** replied September 17<sup>th</sup> – also a PG movie.

**Lou Abbotoni** – Nothing

**Mark Hagar** – Nothing

**Robin Mayer** - The Chairwoman wanted to thank *Lincoln County TV* for their efforts this summer to broadcast from GSB School. It was much appreciated.

**X. Adjournment**

On motion (Hagar/Abbotoni) the meeting was adjourned at 6:28 p.m.


Respectfully submitted,

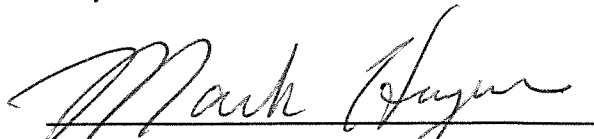
**Lynda L. Letteney**  
Recording Secretary


We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Board of Selectmen meeting September 2, 2020.

  
Roberta Mayer, Chairperson

  
Louis Abbotoni

  
Daryl Fraser

  
Mark Hagar

  
Joshua Pinkham

Town of Damariscotta, Board of Selectmen, signed this date: 9-16-2020