

MINUTES
BOARD OF SELECTMENT MEETING
May 1, 2019 5:30 pm
at the Damariscotta Town Hall

Members: Roberta Mayer, Chairperson (via Skype); Ronn Orenstein, Vice-Chairperson; Mark Hagar, Amy Leshure; and Louis Abbotoni.

Members Absent : Louis Abbotoni (excused)

Staff Present: Matt Lutkus, Town Manager; Karen O'Bryan, video recorder; Lynda Letteney, recording secretary

Others Present: Mary Kate Reny, Haas Tobey, Cerina Leeman, Will Etting, Emily Loreau, Buzz Pinkham, Max Johnstone, Martha Scudder, and Evan Houk, Lincoln County News

I. Pledge of Allegiance

II. Public Hearing- New Liquor License for BPL Pub

Cerina Leeman was present to answer any questions regarding the licensing for a new Class A Lounge. The town clerk has reviewed the application with the applicant to make sure all forms are complete.

Ron Orenstein asked if there were any public comments or questions. Hearing none, **Vice-Chairperson Orenstein** closed the public hearing.

III. Call to Order: Meeting was called to order at 5:35 p.m. by **Vice-Chairperson Orenstein**

IV. Board Action on Public Hearing

On motion (Orenstein/Leshure) to approve licensing for BPL Pub **Vote: 4-0-0**

V. Minutes: April 17, 2019 minutes were tabled until May 15th.

VI. Financial Reports

1. **On motion (Orenstein/Leshure) to approve Payroll Warrant #60** **Vote: 4-0-0**

2. **On motion (Hager/Orenstein) to approve Accounts Payable Warrant #61 &63** **Vote: 3-0-1**

(Mayer abstaining)

3. **On motion (Leshure/Orenstein) to approve Warrant # 62** **Vote: 3-0-1**

(Hagar abstaining)

VII. Presentations: Bike Maine Event

Will Etting, Coordinator for the Bike Maine Event, and Mary Kate Reny, local coordinator for the event, made the presentation. Mr. Etting stated that he has been coordinating this event for several years and Mary Kate, with John Roberts, has agreed to be the logistical team for Damariscotta. This Bicycle Coalition is a week - long event which attracts bicyclists from 37 states and 3 foreign countries. The event is September 7th-14th, with the Damariscotta stop, Monday night September 9th. In coordination with the DRA and Round Top Farm, bikers will be camping at the farm and some will be staying in local lodging. This is an Economic Development Drive. Over the last 6 years, it has brought \$3 million dollars into the state. They partner with local organizations and community members to serve meals, make

entertainment and lodging arrangements. 80 volunteers travel with the group for the whole week. They will utilize ham radio operators and six vehicles to monitor the ride. Safety is a huge priority. Once you have hosted an event, the town becomes eligible for grants (up to \$15K) to improve their bike infrastructure. Needless to say, an influx of this many people into your town provides for an increase in business revenues as well. There will be shuttle service from Round Top camping area to downtown. All bikers are in camp by 4 p.m. There is entertainment nightly for the bikers and townspeople-beer garden, etc. **Mr. Etting** has already been in communication with the police chief to discuss crowd control. In addition to grants, \$2-4K is given to the town to defray extra costs (i.e. police overtime) and for a local charity.

Mary Kate Reny spoke next, encouraging the Selectmen to volunteer. They are enlisting Lincoln Academy kids as volunteers. She sees this as a great opportunity to show off Damariscotta/Bristol as the ride continues to Bristol. The next day it goes to Rockland, so no bike traffic will disrupt the downtown areas. She is looking for any other ideas people may have. They will be coordinating with the Oyster Festival people for assistance and ideas. Chris Doherty of Newcastle asked about the exit route and if he needed to have any prep. He stated Newcastle was flexible to any requests the town may have. **Ms. Reny** reinforced that they would be coming in from the north and leaving to go northeast to Rockland, so there shouldn't be any bike traffic for Newcastle. She went on to say this will be widely publicized and the routes will be published for each day. They are currently still working on that. Vice-Chairperson Orenstein thanked the presenters and moved on to the next item.

VIII. Citizen Comments and General Correspondence

Hearing no comments, the meeting moved on to the Town Manager's Report

IX. Town Manager Items

1. Waterfront Improvement RFP Update

Just in the last few days a grant opportunity has come up that would allow for a more robust RFP for this. It is on hold for the time being. More information will be forthcoming.

2. Draft Memorandum of Understanding (MoU) with Lincoln Health Regarding Miles Street Reconstruction

The Selectmen received a copy of the draft, reviewed by town counsel, and it is available for any changes they wish to do. A copy has been sent to Lincoln Health's lawyer and Financial Officer. This has already been agreed to verbally. It is a 50% split on engineering and construction between the Town and Lincoln Health. Total estimate: \$322K with the Town's portion being \$166K. It will be a 2-3 year project with the time frame of May 2019 –Dec 2019; rip rap 2020-21-22 with completion in 2022. So far there have been no appropriate grants to apply for to help defray costs.

On motion (Orenstein/Leshure) to authorize the town manager to execute a Memorandum of Understanding with Lincoln Health. **Vote: 4-0-0**

3. Resignation

The Town Manager announced the resignation of Michelle Cameron from the office staff. She will be greatly missed. She has accepted a position with the Town of Newcastle.

X. Official Action Items

1. Approve Marijuana Related Items for Public Hearings

There are new drafts of the Medical and Adult-Use Marijuana Ordinances as a result of the workshops and public hearings approved by legal counsel. Changes, on page 5- land use and page 2 the same, have been noted. **Robin Mayer** asked if there needed to be a change in the sign ordinance. Matt did not believe so, but will check on that. **Mark Hagar** asked if we missed something that the State does, do we have a default? Matt clarified that the State overrides any local regulation except extending the distance from a school (ours is 1000 ft. State is 500ft.). The other change was regarding video recordings. We had proposed holding tapes for 30 days; State regulation requires holding for 90 days. **Robin Mayer** stated that the State draft is available for anyone to review.

Voters will make a final decision on ordinances at a special town meeting, scheduled to coincide with the State general election in November. The following is the approved wording and description of the warrant. *The first warrant article on this subject would be the medical marijuana ordinance. The second article would be the adult –use ordinance with the edible exclusion. The third article would say something to the effect: “If the Article 2 is approved, should this article be amended to allow Adult Marijuana Retail establishments to sell ‘edible marijuana products.’?” If Article 2 is not approved, the voter results for article 3 are moot. If Article 2 is approved and Article 3 is not approved, the sale of edibles would not be allowed. If both articles are approved allowing the sale of edibles, Article 2 would be amended even if Article 3 received less votes than Article #2.*

Robin Mayer asked if this would change the language on signage. **Matt** did not believe it would. She also stated that we may not want to address zoning regulations until the ordinances pass. She wants to make sure everything agrees. **Buzz Pinkham**, from the audience, asked what the process is from here on out. Matt said there would be another public hearing in August with a vote in November.

On motion (Orenstein/Leshure)to approve the draft medical and adult-use marijuana licensing ordinances and draft marijuana-related amendments to the Land Use and Site Plan Review Ordinances as well as the proposed special town meeting warrant language related to edible adult-use marijuana products, subject to further changes based on the upcoming public hearings.

Vote: 3-1-0 (Mayer in the negative)

2. Contract for Solar Array Installation and Power Purchase Agreement

Robin Mayer asked if this was an unsolicited proposal, and if so, it needed an RFP. Matt said it was not unsolicited and the application was amended when Bremen declined the invitation to participate. Shortly after the RFP for this was sent out, the Town of Bremen withdrew from the proposal requiring a revised RFP. Sun Dog Solar, LLC, was the sole respondent to the RFP. They were notified of the change in the RFP and were asked to revise their proposal without the Bremen component and to add one addition meter to include the downtown bathroom. Sun Dog’s revised RFP can be viewed on: [Damariscotta Updated.rfp](#) **Mark Hagar** asked if Great Salt Bay School was interested in being part of this. **Matt** said earlier they had said they preferred to do their own array, but he was willing to ask again. **Ron Orenstein** reminded the Board that they cannot sit on this, as the cost benefit for the

developer decreases after the first of the year. This item was **tabled** until the final revised proposal is received, expected early next week.

3. Mid-Coast Economic Development District Membership In order to be eligible for federal economic development grants municipalities must be members of the local economic development authority, Mid-Coast Economic Development District (MCEDD). Up until a few years ago, Damariscotta was a member. At that point, it was determined the grant process was too cumbersome and not cost effective. The new executive director has said that the process has changed and there is a reasonably good chance of receiving such a grant under the new system. A matching grant would go a long way in the waterfront and restroom improvement projects. With a long wish list for improvements in this area, membership costs are far outweighed by the potential benefits.

On motion (Orenstein/Hagar) to authorize the town manager to inform the MCEDD executive director that the Town of Damariscotta will be joining the District and authorize the July 1, 2019 dues payment of \$2,662.
Vote: 4-0-0

4. Economic Development Administration Grant Pre-Application
Since membership in MCEDD has been approved, the Town and MCEDD staff will work on an application for grant money to increase the funds the Town has available for the completion of the restroom facilities and parking lot improvement. At least a portion of the grant could be used to help with the cost of replacing sewer lines, the construction of two planned pedestrian walkways and improvements to the greenspace along the harbor frontage. There is also the possibility that these grant monies could help pay for a Benefit Cost Analysis (BCA) needed to apply for grants for flood resiliency projects in the future.

On motion (Leshure/Orenstein) to authorize the Town Manager, working with Mid-Coast Economic Development District, to submit a pre-application for federal EDA grant funding for the Town's waterfront and restroom projects.
Vote: 4-0-0

At this point in the meeting **Robin Mayer** had to sign-off from the meeting.

5. Corrective Cemetery Deed and Perpetual Care Agreement for Ronald H. Ramsay
The previously agreed to deed that was Board approved contained a minor typographical error that needed to be corrected. Corrected deed is attached in the Board packet.
On motion (Orenstein/Leshure) to approve the corrected Cemetery Deed and Perpetual Care Agreement for Ronald H. Ramsey.
Vote: 3-0-0

6. Payment in Lieu of Taxes from Mid-Coast Friends Meeting
This non-profit group has sent the Town a check for \$425 in lieu of taxes. Voters at the 2018 Annual Meeting approved the Town's ability to accept such contributions. The Mid-Coast Friends Meeting is currently the only property tax exempt organization to provide the Town with any payment in lieu of taxes.
On motion (Orenstein/Leshure) to accept \$425 contribution from the Mid-Coast Friends Meeting as a payment in lieu of taxes to the Town.
Vote: 3-0-0

7. Letter of Intent for CDBG Grant for YMCAA After School Program

The Central Lincoln County YMCA is requesting a \$50,000 Community Development Block Grant(CDBG) for a K-5 afterschool program that will begin next school year. Since public service grants must have a municipal sponsor, the Town would need to submit a letter of intent to apply for the grant on behalf of the YMCA.

On motion (Leshure/Hagar) to authorize the Town Manager to submit the attached Letter of Intent for a CDBG funding application on behalf of the YMCA to support their proposed afterschool program.

Vote: 3-0-0

XI. Selectmen's Discussion Items

Amy Leshure will be away for the next meeting attending a Small Business Association meeting.

Mark Hagar passed out reports from a 1998 document on Service Centers for the Board to peruse.

XII. Adjournment

On motion (Orenstein/Hagar) the meeting was adjourned at 6:30 p.m.

Vote: 3-0-0

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.



Roberta Mayer, Chairperson




Ronn Orenstein, Vice-Chairperson



Mark Hagar

Amy Leshure



Louis F. Abbotoni

Town of Damariscotta, Board of Selectmen, signed this date: 5.15.19

