

**Town of Damariscotta, Maine
Board of Selectmen's
Meeting Minutes
September 7, 2016, 5:30pm**

The Board of Selectmen met on Wednesday, September 7, 2016, members present were Robin Mayer, Ronn Orenstein, George Parker, Jim Cosgrove, and Mark Hagar. Staff present was Town Manager-Matt Lutkus, Town Clerk- Michelle Cameron, Road commissioner-Hugh Priebe. Others present were Maia Zewert-Lincoln County News, Gina Hamilton-Wiscasset News Paper.

- I. Pledge of Allegiance**
- II. Public Hearings: NONE**
- III. Call to Order:** R. Mayer called the meeting to order at 5:30 p.m.
- IV. Action on Public Hearing Agenda Items: NONE**
- V. Minutes:**
 1. August 17 Meeting: **On motion Orenstein/Parker moved to approve the 8/17/16 meeting minutes. Vote 5-0**
- VI. Financial:**
 1. Payroll Warrant: **On motion Mayer/Orenstein moved to approve Payroll Warrant # 11. Vote 5-0**
 2. Accounts Payable Warrant: **On motion Cosgrove/Parker moved to approve AP Warrant #12. Vote 5-0**
- VII. Presentation: NONE**
- VIII. Citizen Comments & General Correspondence:**
 1. Notice on Lincoln County Budget Caucus: Lutkus stated that the caucus would be held at the Wiscasset Community Center on September 8th.
 2. Letter from Town Auditor: Lutkus said that it was the standard letter the town has received in the past stating that the auditors have starting working on the audit.
- IX. Town Manager Items:**
 1. **Reminder on Reception for Volunteers:** Lutkus stated that the reception would be held at the Town Office in the meeting room on September 21st immediately following the Selectmen's meeting.
 2. **Tour Bus Parking in Municipal Parking Lot:** Lutkus said that the trailer only parking spaces adjacent to Misery Gulch could easily accommodate tour bus parking. Lutkus said that he thinks it's a good idea because those spaces are seldom taken.
Parker said that the only time the spaces are taken is when the Harbor Master, Paul Bryant, is using them. Lutkus answered that the plan is to do this by permit, so the Town would know ahead and that somehow we would have to coordinate with Paul Bryant.
Mayer asked if it would be a dual use parking spot. Lutkus replied that it would be a dual use space and that the signs would state that.
Lutkus said that the feedback has been very positive regarding the tour bus parking.
Board thought it was a great idea.
 3. **Meeting with Lincoln Health Administrators Re: New Professional Building:** Lutkus said that he and Anthony Dater, the Town Planner, met with the administrators about their plans for the new building. Lutkus said that they are coming to the October 5th Selectmen's meeting to give a presentation on the project.
 4. **August 18th Emergency Preparedness Exercise:** Lutkus stated that the event very well attended from the Town Departments, neighboring towns as well as the Great Salt Bay Sanitary District. Hugh Priebe stated that Matt did an excellent job.
 5. **Riverside Park Improvements:** Lutkus said that the project is going very and that we have a very limited budget. The Board acknowledged that it looks very nice.
 6. **Town Website Update:** Lutkus stated that if anyone listening has any interested in helping go through RFPs please let us know. The current website is cumbersome to maintain and difficult to work with. Cosgrove mentioned that in his experience, it is best to go with a company that understands what you need for your specific type of business.

Cosgrove asked Lutkus if he had any insight as to why the Planning Board had decided on six hundred fifty square feet for the Apartment Ordinance.

Parker answered that the intent has to do with the "Aging in Place" and having a place for relatives to live.

Lutkus said he would ask Tony, the Town Planner to address the question in an email.

X. Official Actions Items:

1. **Purchase of Debris Vacuum for Public Works:** Hugh Priebe, Road Commissioner, explained to the Board that the debris loader has multiple uses and would allow continued clean up on downtown streets and other areas as well. Lutkus said that there was money in the budget for the purchase. **On motion Mayer/Orenstein moved to approve the purchase of a Billy Goat debris vacuum from Union Farm Equipment for \$2,410. Vote 5-0**
2. **Request for Proposals-Hodgdon Street Repairs:** Lutkus explained that after reviewing the document for request for proposals with George Parker, Hugh Priebe, Travis Prior, they decided to make a few changes. Lutkus handed out the printed changes to the Board and stated that even though it isn't a heavily trafficked road it needs to be repaired and quickly explained the details of the repairs. Priebe explained that the culvert has risen and is causing considerable problems. Hagar asked why the completion date was for the end of October. Wouldn't springtime be better? Lutkus responded that if they could get it done this fall that would be fine if not, then they would wait until spring. There was worry that contractors are much busier in the spring. Hagar suggested including it with another project. Mayer mentioned including it with the Elm St. project, which will be done next spring. Lutkus stated that there was \$108,000 in the Paving & Reserves budget and that they were hoping the project would cost around \$30,000. Hagar mentioned that the top layer of asphalt should be done correctly so that the paving will last and that the town should include that in the RFP. Board discussed the wording for adding an additional layer of asphalt as an additional bid. **On motion Mayer/Orenstein move to approve the request for proposals for the Hodgdon Street Overlay Project.** Mayer rescinded motion **On motion Mayer/Parker moved to approve the request for proposals for the Hodgdon Street Overlay Project with the adding of an alternate completion in the spring and adding the additional layer of asphalt. Vote 5-0**
3. **Contract for Church Street Guard Rail Replacement:** Lutkus said that the town had only received one quote for the work, but that it was a very good quote. Hagar stated that you could widen out where the guardrail is. Priebe said that it would not be widened but there would be more posts added which will make it a lot safer than it is right now. **On motion Parker/Orenstein moved to waive Town Charter bid requirements and contract with Main Line Fence for the replacement of the two guardrails on Church Street over Castner Brook, for a project cost not to exceed \$5,996. Vote 5-0**
4. **For-Profit Vendors at PumpkinFest:** Mayer said that there are two downtown restaurants that set up vending outside for the Pumpkinfest and that Matt has had a request from another restaurant. Lutkus said that this motion would amend our rules so that it accommodates the businesses that already use the parking spaces outside their businesses and ones that want to start using the spaces. The criteria would be that they have a permanent location downtown already whether leased or property they own. Mayer expressed concern about using the sidewalk. Lutkus said that the businesses would not be using the sidewalks. **On motion Mayer/Orenstein moved to require businesses that operate out of a permanent structure downtown to obtain a no-cost vending permit from the Town giving them permission to sell their goods in parking spaces during the Pumpkinfest or other festivals that may come up in the future when the spaces are already designated for no-parking during the event. Vote 5-0**

5. **Purchase of Fuel Oil and Propane for Town Facilities:** Lutkus said that the town has an excellent partnership with Colby & Gale and that he is recommending that the town continue to use them for fuel purchases and waive Town Charter bidding requirements.

Mayer thought the prices were excellent.

Cosgrove asked if we go out to bid on this, because when he served on the School Board, they always put it out to bid.

Lutkus responded that, no, they haven't gone out to bid due to supporting a town owned business and that having a long-term relationship with such a business that is so community minded like Colby & Gale is very important. He said that he gets the results of the coordinated bid process that MCEDD goes through and Lincoln County Planning does and these have always been very competitive.

On motion Mayer/Hagar moved to waive the bidding requirements and authorize the Town Manager to execute the three contracts with Colby & Gale for the purchase of #2 fuel oil and propane for the period extending through September 30, 2017. Vote 5-0

6. **Construction Permit Fee Schedule: Tabled**

7. **Bond Counsel-Capital Improvement Bond Issue:** Lutkus stated that many town use bond counsels and many financial institutions require it.

Cosgrove mentioned that it adds quite a bit to the cost.

Lutkus answered that it can add between \$2000 & \$2500. The benefits are that it provides some assurance to lending institutions that we'll pay the money back and it gives us the specific legal language we need for various documents including the warrant. Lutkus also said that MMA had emailed him in answer to his inquiry and that most lending institutions want the bond counsel assurance before they will quote interest rates. Lutkus had talked to a few local banks and that to make it an equal playing field we would need to do this.

Lutkus said that the following are his recommendations for the use of the proceeds from this bond:

1-\$350,000- Estimated amount of balance required to complete Elm Street project. This would bring the estimated Town's contribution for the project to \$445,000. It would include new sidewalk on Elm and Theater Streets from Lewis Point Road west to Main Street, reconstruction of surface and sub-surface drainage, extension of asphalt road width from Lewis Point Road to Theater Street to address space for roadway and surface drainage issues, and granite curbing. The Town's project would be accomplished at the same time the water line is replaced by Great Salt Bay Sanitary District.

Cosgrove asked if there was any danger of running into exorbitant costs due to not knowing what they might be facing when they tear it up.

Board discussed where the repairs would take place and what might come up including drainage and hitting ledge.

2-\$60,000- To be used toward the local match for reconstruction of the Egypt Road culvert and, if necessary, Twin Cove Road culvert. Wright-Pierce will complete the necessary preliminary engineering and grant application in time for the grant application deadline of April, 2017.

Lutkus said that we are probably looking at \$120,000-\$150,000 for the project. The engineer's assessment is that the culverts need to be addressed as soon as possible. Lutkus said that in talking to the State, we would have a reasonable chance of applying for and obtaining a grant to help with that. If not, the town would continue to set that aside until we have some money we can leverage or we could use the \$60,000 for leverage for future grant funding. Wright-Pierce has agreed to put together a grant application for the NOAH culvert grant.

Hagar mentioned that if we do not have the money to do this project he would like to see the money put in a reserve account designated for that purpose.

3-\$60,000- for a Wacker-Neuson type multi-use tractor. This is the projected net cost after sale of Town's John Deere tractor.

Lutkus said that the tractor will be sold or traded in. The value of the trade has been estimated somewhere around \$28,000 & \$30,000.

4-\$60,000- Additional funds for downtown restroom. Deciding on a space on Town-owned land or acquiring private land and then coming up with a design would put us in a competitive position for grant funding to construct this facility.

Total \$ 530,000 @ 2% interest= P&I of \$111,476.52 per year. The current "consolidated" loan that will be paid off in October has an annual P&I payment of \$116, 019.03.

Hagar stated that with the exception of the culvert on Egypt Rd., every other expense is because the town is a service center.

On motion Cosgrove/Mayer moved to approve the projects and approximate expenditure levels, not to exceed at total of \$530,000 that would be included in a five year term bond issue and authorize the Town Manager to enter into a contract with Drummond Woodsum for bond counsel services. Vote 5-0

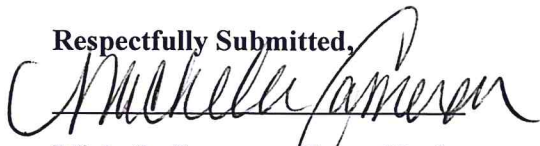
- XI. Selectmen's Discussion Items:** Cosgrove agreed with Hagar that the Board needs to keep looking at solutions for being a service center. The town is in a unique position in our area and it's very challenging. Cosgrove also asked where we were as far as pay for parking. Lutkus said that he is collecting information from three vendors. Mayer mentioned the article she read in the paper about the Bristol Dam and what impact the dam would have on Damariscotta. She would like the Board to pay attention to what will happen with the dam. Hagar said that when he was on a previous Select Board, they decided not to give Bristol any money because an engineer study showed that the dam was so much lower than Damariscotta, that it would not affect the town levels. Hagar stated that we need to check with Wright-Pierce, who also is working with Bristol, and find out where we truly are with it. Lutkus said that we partnered with Bristol in the study that had been contracted with Wright-Pierce regarding the dam. The towns jointly received \$4,000 from an ASK grant and Damariscotta paid an additional \$1000 in 2014 for the study. The study showed that if the dam failed, it would have an impact on Biscay Pond & Pemaquid Pond. Lutkus will find out more information from the previous study.

XII. Executive Session


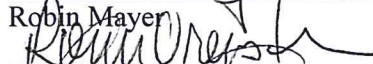
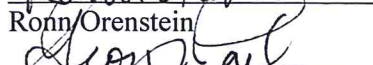
1. Review of a request for a poverty property tax abatement, as authorized under 1 M.R.S.A. Section 405 (6) (A)
2. Discussion of acquisition/use of property/economic development under M.R.S.A. Section 405 (6) (C)


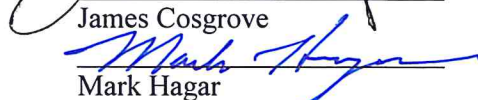
XIII. Adjournment: On motion Cosgrove/Mayer moved to adjourn at 8:14 p.m. Vote 5-0

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 9-21-2016