

Town of Damariscotta, Maine
Board of Selectmen
Meeting Minutes
August 15, 2018, 5:30 PM
Damariscotta Town Hall

The Board of Selectmen met on Wednesday, August 15, 2018. Board members (BOS) present were Robin Mayer, Ronn Orenstein, Mark Hagar, Amy Leshure, and Louis Abbotoni. Staff present were Matt Lutkus-Town Manager and Michelle Cameron-Town Clerk, and Jason Warlick-Police Chief. Others attending were Karen O'Bryan-resident & for LCTV, Maia Zewert-Villages of Light, Haas Tobey-resident & Land Use Advisory Committee (LUAC) member, Ann Jackson-resident & LUAC member, Jenny Begin-resident & LUAC member, Bruce Rockwood-resident & LUAC member, Ann Pinkham-resident & LUAC member, Gwen Purcell-resident, Mimi Reeves & Patricia Lane-Coastal Kids Preschool, Molly Cyr-CLC YMCA, Sally Romero-CLC YMCA, Karen Filler-Walpole resident, Charlie Utter-resident and Jessica Picard-LCN.

I. Pledge of Allegiance

- II. Public Hearing-Community Development Block Grant for YMCA Pre-Kindergarten Program: R. Mayer opened the hearing at 5:30 P.M.** Sally Romero said the Superintendent for AOS93 and the principal of Great Salt Bay School (GSB) approached the YMCA about opening a Pre-K program. The program would help children that are headed to Kindergarten in the fall learn skills to succeed in the upcoming year of grade school. Lutkus explained that because the grant is a public service grant, there is a requirement of a municipal sponsor. He stated that there is no obligation for the town except to track the money through out and do the paperwork. Jenny Begin asked if the program will be in the new YMCA facility. Romero answered, yes the Pre-K will be run out of the new building. Mimi Reeves, owner of Coastal Kids Preschool, asked Romero what she had said about GSB School's involvement. Romero said GSB School saw the need to have a Pre-K program. She said they currently have eight children signed up but can have up to fifteen enrolled. Reeves stated that she approached GSB School to see if they were interested in starting a Pre-K Program due to the need in the area. Reeves stated that GSB School did not want that. She explained that her preschool has the accreditation for a public Pre-K program. Reeves stated that she supports the YMCA but wanted it stated, for the record, that the proposed program is not a public Pre-K. M. Hagar asked what fee will be charged for children to attend the program. Romero answered that the State sends the fee schedule out and this is determined by county. She stated that the children will not just be from Damariscotta. They serve ten towns. L. Abbotoni asked what control our School Board has over the program. Romero said the School Board does not dictate what the program does. A. Pinkham mentioned that not all of the students would be from Damariscotta. J. Begin asked if the program will cost our town money. R. Mayer answered that it will not cost the town money. Because it's almost entirely federal monies, the only cost to Damariscotta citizens would be what each pay for federal taxes. J. Begin asked what the grant dollar amount is. R. Mayer stated it is \$50,000. H. Tobey asked if that means it breaks down to \$8,000 per child. Romero answered that the \$50,000 covers the teacher salary, funds to set up the classroom and teaching materials. She stated that next year they will be a self-sustaining program.
- R. Mayer closed the hearing at 5:46 P.M.**

- III. Workshop with Land Use Advisory Committee:** Mayer opened the BOS meeting to act on YMCA grant action agenda items.

- IV. Call to Order-Board of Selectmen's Meeting:** R. Mayer opened the meeting at 5:47 P.M. Mayer said they would move up agenda item # 5 so the YMCA representatives go home and not have to sit through the upcoming workshop.
- On motion Abbotoni/Mayer moved to accept the \$50,000 CDBG Public Service grant on behalf of the Central Lincoln County YMCA for a pre-kindergarten program with the condition that the YMCA agrees to fund the local match and all other expenses not reimbursed by the grant, to front-end the cost of all expenses eligible for reimbursement and to refund any grant funds that might need to be returned to the CDBG Program if the grant conditions are not met or objectives of the program are not achieved.**
Vote 5-0
- On motion Mayer/Orenstein moved to authorize the Town Manager to execute the following documents required for a complete grant application: Standards of Conduct, Fair Housing Resolution, Residential Anti-displacement and Relocation Assistance Plan, and Equal Opportunity Policy Statement.**
Vote 5-0
- On motion Mayer/Orenstein moved to appoint Matt Lutkus, Harold Spetla, Molly Cyr and Sally Romero to the Grant Citizens Advisory Committee.**
Vote 5-0
- Mayer asked members of the audience and those who may watch the recording on LCTV to consider joining the committee.
- The workshop with the LUAC started at 5:52 P.M.
- V. Action on Public Hearing Items: See agenda item IV.**
- VI. Minutes:**
1. August 1 Meeting: **On motion Abbotoni/Orenstein moved to approve the 8/1/18 meeting minutes.**
Vote 5-0
- VII. Financial Reports:**
1. Payroll Warrant #7: **On motion Mayer/Orenstein moved to approve PY Wrnt #7. Vote 5-0**
 2. Accounts Payable Warrant #8: **On motion Abbotoni/Hagar moved to approve AP Wrnt #8. Vote 5-0**
- VIII. Presentations:**
- Maia Zewert, a member of the Villages of Light Committee, spoke on behalf of John Roberts regarding a planned event for later in the year. She said they were hoping to have a parade of lights, tree lighting and have Santa arriving on November 24th. She mentioned that this year they are hoping to have seventy-five trees decorated with lights on Main Street. Zewert said the Committee was hoping to shut down parking on Main Street during the parade.
- Chief Warlick said that if we can take those parking spots and shut them down for the parade this will help with safety issues. He stated that because it's dark and there are kids running around it makes sense to do this. He mentioned that shutting it down at noon from the Biscay Road intersection through down town might be a good idea.
- Mayer mentioned that this day is a big shopping day and we don't want to shut it down for too long.
- Zewert said they are encouraging the town office and other businesses to light up trees this year. She said John Roberts was hoping to possibly shut down Theater Street for music. She said he will get back to the BOS regarding this.
- Abbotoni said he would like to ban the throwing of candy. He stated that last year a child almost got injured because of going after the candy on the ground. He said maybe people could hand out the candy.
- Warlick affirmed that from a safety point it would make sense to have no candy thrown.
- Hagar mentioned the issue of snow plowing.
- Lutkus asked if we could find a safe way to give out candy. This is the Holiday season and candy go along with that. He also asked if they will have buses running for the event.
- Zewert answered that they have not planned on using buses at this time. She said John Roberts will get back to the BOS about Theater Street.

The BOS will decide on shutting down the parking on Main Street when there is more information on Theater Street.

IX. Citizen Comments and General Correspondence: NONE

X. Town Manager Items:

1. **Planning Board and Appeals Board Training:** August 30th: Lutkus reminded the BOS about the training. He stated that the training will be held in the meeting room at Town Hall.

2. **American Legion "Toll Booth":** Lutkus referred to an email he received from Mary Jane McLoon asking for permission to hold their next toll booth on the first Saturday in August 2019. **On motion Mayer/Abbotoni moved to approve the American Legion toll booth for next August. Vote 5-0**

3. **Timetable for Consideration of Adult-use and Medical Marijuana Ordinances:** Lutkus said this has not been reviewed by legal counsel. He explained the charts and said that the BOS needs to decide how they want to implement the needed ordinances. He said the first step is to "Opt-in". If we do not do this, we can't have any marijuana operations in town. Lutkus also mentioned that with medical marijuana, we are not sure when the deadline for grandfathering is. He asked if the BOS would want to go through a moratorium process. He recommended that the BOS put the Opt-in Ordinance on the November ballot.

Mayer asked if there is a good model for the Opt-in ordinance to use.

Lutkus answered, there will be, but it's very straight forward and we could lead the way by writing one. If we do this, it will help potential businesses begin planning.

Hagar mentioned that he felt the fees were low that were on the chart. He said the fees are the only place the town can recoup costs of administering the ordinances.

Lutkus said State statute says the town can only recoup in fees what our admin costs are.

The general consensus of the BOS was to look at the fee amounts.

Lutkus mentioned that the law allows towns to regulate the maximum marijuana plants per person in a household.

Orenstein asked who would be responsible to make sure people were complying with this.

Lutkus answered that it would be the Police Department. He read aloud the statute regarding cultivation of marijuana plants.

There was discussion on people who rent properties and not being able to grow plants unless the landlord gave permission.

Hagar said he feels the BOS should make the ordinance simple.

Mayer asked if this could be put this on the November ballot.

Leshure stated that she thought they should wait to hear what people say at the hearing before setting a date to vote on it.

There was a discussion on the timeline for voting.

Lutkus said we can further regulate, if the BOS chooses to, after the town votes on the Opt-in ordinance.

Board agreed to do an "Opt-In" ordinance and wait on the rest.

On motion Mayer/Leshure moved to have Lutkus draft an Opt-in Marijuana Ordinance for medical and recreational use. Vote 5-0

On motion Mayer/Orenstein moved to have Lutkus draft a moratorium ordinance for new medical marijuana caregiver retail stores. Vote 5-0

4. Lutkus informed the BOS that a note-taker had been hired to transcribe the minutes. She will be starting at their next meeting.

5. Lutkus asked the BOS if they were okay with staff going ahead to let people know about the 9/5 public hearing for the Plastic Bag Ordinance.

BOS agreed to have the public hearing on September 5th.

Mayer mentioned that the format of the ordinance needs to be looked at. She said she would reformat it so it matches the other newly formatted ordinances.

Leshure mentioned that she had changed the paper bag fee from 25¢ to 10¢.

Hagar asked where the 10¢ will go.

Leshure answered that the stores will keep the fee.

There was further discussion on what other towns are charging for bags.

XI. Official Action Items:

1. **Goals and Work plan for 2018-19:** Mayer asked Lutkus to reference the Route 129/130 Corridor Report in the comments of the appropriate sections so that we do not lose sight of the recommended action items.

On motion Mayer/Leshure moved to approve the 2018-19 work plan with the mentioned change.

Vote 5-0

2. FY 2018 Budget Carry-forward Requests: Lutkus summarized the print out and said that these are items that have not been spent out of FY 2018 budget but will need to be paid. For example, some projects were budgeted for but for one reason or another will be completed during FY 2019. **On motion Abbotoni/Orenstein moved to approve the FY 2018 budget carry forward requests. Vote 5-0**

3. Cemetery Deed and Perpetual Care Agreement with Henry and Katherine Lee: **On motion Mayer/Abbotoni moved to approve the cemetery deed and perpetual care agreement with Henry and Katherine Lee. Vote 5-0**

XII. Selectmen's Discussion Items:

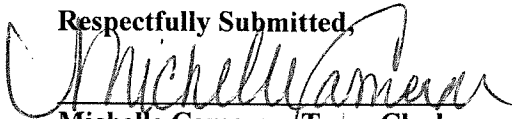
Abbotoni congratulated Leshure on a job well done regarding the Plastic Bag ordinance.

Leshure asked if the town could write a letter to the Chamber of Commerce about their events being scheduled during BOS meetings.

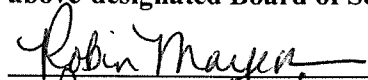
The BOS asked Lutkus to email the Chamber about it.

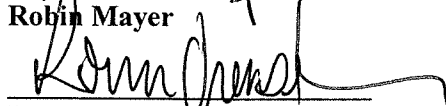
Hagar apologized for not being able to make it to the meeting at Miles Hospital on Friday.

Respectfully Submitted,

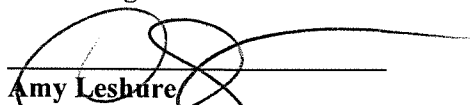

Michelle Cameron, Town Clerk

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

Mark Hagar


Amy Leshure


Louis F. Abbotoni

Town of Damariscotta, Board of Selectmen

9.5.2018
Date