



**Town of Damariscotta, Maine
June 7, 2023
Select Board Meeting
5:30 PM*, Town Office**

**This meeting will immediately follow the Great Salt Bay Sanitary District Meeting and may have a delayed start*

Join Virtually

Meeting: <https://us02web.zoom.us/j/87878201039>

Meeting ID: 878 7820 1039 Passcode: Dama22

AGENDA

- I. Pledge of Allegiance**
- II. Call Select Board Meeting to Order**
- III. Minutes**
 1. April 24, 2023 Select Board Minutes
 2. May 17, 2023 Select Board Minutes
- IV. Financial Reports**
 1. Payroll Warrants #
 2. Accounts Payable Warrants #
- V. Citizen Comments and General Correspondence**
- VI. Town Manager Items**
 1. Capital Project Updates
- VII. Official Action Items**
 1. Cemetery Deed(s)
 2. Catered Function Application: Stone Cove Catering
 3. Quit Claim Deeds
- VIII. Select Board's Discussion Items**
- IX. Adjournment**



Town of Damariscotta
21 School Street
Damariscotta, Maine 04543
(P) 207-563-5168 (F) 207-563-6862

Andrew Dorr
Town Manager

Town Manager's Report

June 2, 2023

1. Capital Projects

Miles St

The causeway project is nearly complete. There are a few items to finish including the ADA plates at either end of the new sidewalk, finish grade between the back edge of sidewalk and the guardrail post, etc... The hospital did reach out and say they may have three lights available now that could be installed. They were looking for a number from their electrician to wire them and said they would determine what if anything they may be able to do at this time to help with lighting the sidewalk. Does the board have a major preference one way or the other on the type of light/pole gets installed? The lights they likely have available are the same as are on their campus, but they are not the more decorative/ornate post. I suggested that it would be fine from our perspective as the decorative bases we have installed on Main St have been proven to be impossible to find, so if the ones they have are more common or standard that they would be better for ease of future maintenance/replacement.

Egypt Rd

This project is also substantially complete. There was some handwork completed this past week at a couple of driveways and under the guardrail near Cedar Lane. Remaining work to reach 100% includes the shoulder material which should be placed within two weeks.

Belvedere Rd

Drainage improvements are expected to take place over the next two weeks. We had a couple of trees removed on the curve approaching the Coastal River Conservation Trust/Twin Villages Foodbank Farm that will help ensure we can create a more suitable ditch. Other areas for drainage improvements have been marked and we will purchase culverts that need to be installed by the contractor.

Parking Lot

I anticipate hearing back from the Sanitary District next week. Their meeting is the same night as ours and may even be held at the Town Office should there be a need to overlap with the Select Board. Once they sign off, we should be okay to move ahead to submit the paperwork.

2. 131st Legislature – Bill status/updates.

An email to the Maine Service Centers Coalition offered the following from this week's legislative work sessions.

Yesterday the Taxation Committee finally adopted an alternative plan to the Senior Property Tax Stabilization program using LD 130 as a vehicle for the amendment. The Amendment (Below) replaces the expansion of the Homestead program in LD 130 with expansions of the Senior Property Tax Deferral Program and the Property Tax Fairness Credit program.

Amendment: 6/1/23 Strike Sections 1 and 2 of the bill.

Retain Section 3 of the bill, which sunsets the Property Tax Stabilization Program after the taxyear beginning April 1, 2023.

Enhance the Senior Property Tax Deferral Program, 36 MRS §6251:

- Current statute includes income and asset tests for program eligibility.
 - Increase the maximum income from \$40,000 to \$80,000.
 - Increase the maximum of \$50,000 for liquid assets to \$100,000.
- Allow taxpayers who are delinquent for up to two years of local property taxes to participate in the program, per recommended language from Legal Services for the Elderly.
- Effective date: applications filed on or after January 1, 2024
- Estimated cost from MRS: \$1.5M in FY25 from General Fund
- Enhance the Property Tax Fairness Credit for taxpayers ≥ 65
- Increase the maximum benefit amount from \$1,500 to \$2,000
- Establish a new Maximum Benefit Base for filers ≥ 65 , regardless of filing status
 - \$4,000, indexed to inflation
- Effective date: Tax years beginning on or after January 1, 2024
- Estimated cost from MRS: \$30.7M in FY25, split between General Fund (\$29.2M) and Local Government Fund (\$1.5M) Total General Fund Cost of \$30.7M in FY25

As the end of the session is approaching we strongly encourage you to contact your local legislators and ask their support for the majority report. The Committee vote was a strong 7 to 2 ought to pass as amended but no bill with a \$30.7 million fiscal note is a slam dunk.

Richard Trahey, MSCC Legislative Advocate

3. Public Works

Line Striping may happen this weekend, if the weather permits. The crosswalks along and across Main St between the bridge and 129 will be painted by the visiting crew. Our crew is working on readying our paint machine and will look to do work beyond the Main St locations where traffic will be easier to detour or work around. This will take us some time to complete, but we will get done what we need to complete.

Ditching/Drainage Needs - I am looking into some areas that we should look to do drainage improvements this year and will put these together for the board to see at a future meeting. This is a program or need that I would like to see us build over the next few years so we are able to reclaim the ditches every 3-5 years. Building a better database of our infrastructure will help with future maintenance schedules and track the history of some of the challenges we faced in the past. One that arose recently is the drainage system that runs between Chapman St and Main St. Fortunately, Hugh knows a lot about that system of ditches and we will be looking into that further as it has been about ten years now since we've been in to clear the long run between the storage building and the old skating rink.

Towards mid-July, the contractor that typically clears the roadside will look to cut down the roadsides and we will look to clear shoulders with the brush hog after that. We will also be able to identify some tree work that can be completed in the late fall or during the winter months as we work through some of these areas.

Agenda Items

1. Official Action Items:

a. Cemetery Deeds/Perpetual Care and Maintenance Contracts

The first deed/maintenance contract (included in your packet) is for Robert & Priscilla Quintal. They are purchasing lot 1094 in Annex 2 at Hillside Cemetery.

The second deed/maintenance contract is for lot 636-A in Annex 1 at Hillside Cemetery. (This deed will be available before the meeting.)

Recommended Motion: On motion (_____ / _____) to issue the Cemetery Deeds and Perpetual Care and Maintenance Contracts as presented.

Vote ___ / ___ / ___

b. Catered Function Application

Recommended Motion: On motion (_____ / _____) to approve the Catered Function Applications for Stone Cover Catering as presented.

Vote ___ / ___ / ___

c. Quit Claim Deeds

There were two tax accounts that we foreclosed on earlier this year. The Treasurer followed up with the account holders to see if there was some sort of arrangement that they would like to work out to present to the board. In this case, there was a common party for both accounts. Upon notifying the previous owner they promptly agreed to pay the full amount and presented themselves to do just that. Our recommendation is to grant a quit claim deed for both accounts so long as all costs and fees associated with completing the deed/transfer process are paid by the recipient.

(These Quit Claim Deeds will be available before the meeting.)

The first Quit Claim Deed is for RE 517, Map 18 Lot 11.

The second Quit Claim Deed is for RE 1723, Map 4 Lot 42-901.

Recommended Motion: On motion (_____ / _____) to issue the Quit Claim deeds as presented on the condition that the recipient pay the costs of completing the deed/transfer process.

Vote ___ / ___ / ___

MINUTES
SELECT BOARD MEETING
DAMARISCOTTA TOWN HALL
Monday, April 24, 2023
6:00 p.m.
Live and Via Zoom

Members: Daryl Fraser, Chairperson; Louis Abbotoni (via Zoom), Tom Anderson, Andrea Keushguerian, and Josh Pinkham

Members Absent Staff Present: Andrew Dorr, Town Manager; Andrew Hedrich, Gartley & Dorsky; Lynda Letteney, recording secretary

Others Present: Anton Lahnston; Larry Sidelinger, LCTV; and Elizabeth Waltztoni, [Lincoln County News](#)

I. **Pledge of Allegiance:** Chairperson Fraser led the Pledge of Allegiance at 6:00 p.m.

II. **Call to Order**

The Select Board's meeting was called to order at 6:01 p.m. **by Chairperson Fraser**

III. **Select Board's Discussion Items**

1. Egypt Road Project Update

Andy Dorr opened the meeting saying that the contractor and the engineer had met regarding Egypt Road. The question was whether to mill and then skim or skim in areas not already reclaimed to get the grade that is needed. **Andrew Hedrich**, lead engineer on the project, said there was to be 1" milling for the entire road, and skim a few areas. Full-depth reclamation is needed (12"). Two sections are proposed: 100-150' of the road needs full depth. He has reviewed this with Hagar enterprises. There is irregular milling (1" standard). They determined more asphalt would be needed (1.5" to start). Switching from milling to skim gives ½" more, with some areas having even more. It will fill in low points. Tack under and over before resurfacing.

Tom Anderson asked if either of them came back to the Town before deciding this. **Andrew** said, "No," but they have started to do it. They are proceeding on their own after discussion with Andrew. At that point everyone agreed it was the responsible thing to do, as there was no increase in cost. **Tom** asked what the general purpose was for milling. **Andrew** said it levels the road, removing 1" of surface material, then you repave. Swapping milling for skimming is beneficial to the town. **Josh Pinkham** said the Board talked about milling for 5 years; however, it was not brought up before this went out to bid. **Andrew** said there was no engineering design on this. He has visited the road several times (it is a 3 mile stretch) and they had anticipated having to make adjustments. Elevations don't matter on the edges; this is the best dollar value. **Josh** said the cost of milling is \$3.50/unit equaling approximately \$120,000 for milling on a square foot basis. **Josh** replied that we had 180 tons in the contract, now its 1200 additional at \$110/unit = \$19,000+. **Andrew Hedrich** said you would only be paying for skim as its needed, where it is too thin. **Josh** commented that the Town needs to keep track of the truck tickets.

Tom Anderson stated that there was a contract; why didn't the engineers and contractor come back to the Town? **Andrew** said that it was an even exchange with a zero cost to the Town. They were under time constraints as well. In the future perhaps the scope of authority needs to be more defined. He will work with Andy (Dorr) to move forward. He assumed minor changes were part of his oversight as part of the project. **Tom** said that to him it didn't seem minor, if it is a change to the contract. **Josh** reiterated that this has been in discussion for 5 years; \$120K is a change order. **Daryl Fraser** said that

while he understands field expediency, he also understands the Board's concerns. In this instance, was this change made in the field? **Andrew** said that it was not; nothing was done before meeting with Hagar. However, the change was not brought to the Board. **Andrew** did say that "process" was never discussed. **Andy Dorr** said he was made aware of this Thursday and he reviewed it then. Friday he followed up with Seth Hagar and he confirmed that he and Andrew met and came up with a solution. **Daryl** said it appears that they didn't do a change to the work order because of lack of communication. **Daryl** asked, "Did they mess up and now we're pivoting?" **Andrew** stated that milling was included in the documents. It's very clear it had to be milled. We were not trying to "make a fix." It's been there all along. With irregularities, skimming is a solution. Town had proposed milling. This should result in a better road.

Daryl asked where the overlay starts with ½" shim. **Josh** asked if it meets MeDOT specifications. **Andrew** said Yes. **Josh** had concerns about the tack. His understanding is that a tack coat has to lay undisturbed for a specific amount of time. There is a need for traffic control at the other end from where they are working because prior to asphalt, people are driving all over the tack. **Andrew** reiterated that tack can't be driven on – he will talk with Seth and Vaughan. **Josh** reminded everyone that there was an eight week time frame for this project. There is a \$500/day fine if not finished on time. **Andrew** said they haven't started Belvedere Road yet – it is planned for early June. **Tom Anderson** asked, "Who creates a change order?" **Andrew** said usually the CO when there is a price change. "We can review all slips, truck tickets, pay, etc. We work within the unit price." **Tom** asked if they had documentation of what was actually done? **Josh** said he was okay as long as pay and tickets match.

Josh asked about shoulder work. Is the Town responsible for any adjustments? **Tom Anderson** asked, "If so, how much?" **Andrew** said if there are minor adjustments, it would be for areas 2"-2.5" not 1.5". Not the entire length of the road, but he will talk with Hagar. **Josh** said that part of wanting the milling was that we wouldn't have to do shoulders. **Daryl** said this was another ancillary change (added surprise). **Andy Dorr** said its simple – NO additional cost. **Lou Abbotoni** said the result of all this is that you must inform us more quickly. Andy, Josh and George are the Road Committee and they insist on being notified in advanced. **Andy Dorr** asked how to integrate these ideas and decide when the Board needs to be called in. **Josh** said, "I don't need to be notified on everything; I understand adjustments need to be made." **Andy** said the culvert issue is an example of a decision that had to be made in the field. **Daryl** asked Andrew if he was satisfied with the communication to him. **Andrew** said he was satisfied with the solution but not the process. **Daryl** said going forward there needs to be a reasonable time frame for notifying the Board; as our representative make sure you have time and schedule accordingly. **Josh** stated that this was an \$874,204 project; the Board doesn't need to micromanage. **Daryl** said we're good as long as there are net zero cost on changes. **Andy Dorr** said that for example, after winter, **Andrew** thought there might be a couple 100 ft. of reclamation, saying you can always have some adjustments. **Daryl** stressed that timely communication with Andy Dorr was crucial. **Daryl** asked if a motion was needed. **Andy** said, since they have been assured there will be no change in cost, no motion is needed. Tack is the most important part and a temp of 50 degrees is needed. We would like a schedule for Egypt Road. **Josh** brought up an issue with the cemetery. Resurfacing has moved the road closer to the cemetery eliminating some parking. Old road was 21'; new one is 22'; however the contour is very irregular. **Andy** will follow up and get tonnage verified as well.

2. Miles Street Project Update

The culvert was to go from 30" to 48". Because of the proximity to the sewer line, two 30" culverts with 3'-4' between them are the replacement solution. There is one more section of pipe to go. The 48" culvert can be returned for credit except for the one section that was already placed and removed.

Materials testing can be done be S.W. Cole for \$6K-\$8K.
Consensus was to do the materials testing.

X. Adjournment

On motion (Pinkham/Anderson) to adjourn the Select Board's meeting at 7:00 p.m. on 4-24-23.

Vote: 5-0-0

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 Select Board meeting on 4-24-2023

Daryl Fraser, Chairperson

Louis Abbotoni

Tom Anderson

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of 4-24-23, signed this date: _____

**MINUTES
SELECT BOARD MEETING
DAMARISCOTTA TOWN HALL**

**May 17, 2023 5:30 p.m.
Live and Via Zoom**

Members: Daryl Fraser, Chairperson; Louis Abbotoni, Tom Anderson, Andrea Keushguerian, and Josh Pinkham

Members Absent: Josh Pinkham

Staff Present: Andrew Dorr, Town Manager; Lynda Letteney, recording secretary

Others Present: Dick McLean, Dr. Caer Hallundback, Coastal Kids; Val Seibel, Damariscotta Historical Society; Martha Dodge, Historical Society; Geoff Keochakian, LCTV; and Elizabeth Waltztoni, Lincoln County News

I. Pledge of Allegiance: Chairperson Fraser led the Pledge of Allegiance at 5:30 p.m.

II. Public Hearing:

A. Cemetery Ordinance Revision

The Cemetery Committee recommended the following updates to the Cemetery Ordinance:

Effective Date: Changed to June 14, 2023

Section 3, paragraph 3: Add Chapman-McAllister Cemetery and Knowlton-Russ cemetery;

Section 11: Date change To 2028;

Board of Selectmen names updated to today's Board;

Date changes to the "attest" statement: Enacted June 14, 2023; signed _____ day of June 2023.

Rebecca Bartolotta replaced Cheryl Pinkham as Town Clerk.

Items to be presented for approval at the Town meeting in June.

Hearing no comments from the Board or audience, Chairperson Fraser closed the Public Hearing on this item at 5:33 p.m.

B. Provider Agency Requests

1. New Hope for Women: Joan LeMole, via Zoom, spoke for the agency. Costs are up 20%, primarily for travel. They provide free services (hot line, hospital accompaniment etc.), child protective services. Emergency shelter (and long term housing solutions), financial education. Offices located at 18 Belvedere Rd., Damariscotta. **Daryl Fraser** commented that there is a fluctuation in what is needed, especially during the pandemic and its aftermath. Housing remains the biggest need.

Request: \$1,589

2. Historical Society: Martha Dodge spoke for the Society. She spoke to "sharing heritage" and how much easier it will be now that they have a home (physical building). They plan to be part of the 175th celebration. They will be displaying Jake Day paintings and will launch some school programs. All of Calvin Dodge's presentations are labeled and are being left to the Historical Society.

Request: \$7,500

3. Healthy Kids

Healthy Kids is the Child Abusive Prevention Council of Lincoln County. Services have been provided to 817 Damariscotta families. Many programs expanded using LCTV and Zoom during Covid.

Request: \$2,200

4. Spectrum Generations

Spectrum Generations provided programs and services for the older and disabled adults. Most known

for their “Meals on Wheels” program, they also provide Medicare/MaineCare counseling; caregiver respite; supplemental USDA food programs; case management; health and wellness programs; and, a variety of referral and resource services. **Request: \$4,820**

5. Coastal Kids

Dr. Caer Hallundback said that Coastal Kids provides high-quality, developmentally appropriate preschool programming for children of all incomes and abilities. During the pandemic 200 childcare facilities closed in Maine. The essential service Coastal Kids provides has seen an increase to 89 on the waiting list (servicing about 100 a year) Currently they have 92 attending (serving 24 families) at a cost of \$120k. Tuition covers 70% of budget. **Request: 2,000**

6. Hearty Roots

Haley Bezo, Executive Director, and **Lisa Katz**, social worker, presented. This is an outdoor experiential program which attempts to stem the tide of suicide and mental health crisis we are currently facing. The national average is 1 in 6 teens will have 1 or more mental health issues. In Maine, it is 1 in. Hearty Roots provides alternative therapeutic education and reintegration strategies. These are future stewards, and it is a unique model. It is a grassroots program and the testimonials are heartwarming. Participation has doubled each year. They are currently operating “on wheels” and the goal is to find a permanent home.

Tom Anderson asked where the statistics came from. Response: Main CDC and data from state/national partnerships. **Tom** then asked why they thought Maine statistics were higher? Response: Part of it is Yankee attitude – pull yourself up; dark cold days with long winter nights; rural isolation; lack of resources; direct correlation with smart phone addiction (goal to empower parents about smart phones). **Lou Abbotoni** noted that all agencies seem to be agreeing on these factors.

Request: \$5,000

Daryl Fraser thanked all the presenters. He asked if there were any other agency requests. Hearing none, he closed the agency requests portion of the public hearing at **5:47 p. m.**

C. Entertainment License – Ann’s Book Bistro 17 Back Meadow Road, Damariscotta, Maine

Abigail White has applied for an entertainment permit for Ann’s Book Bistro. Entertainment will be 6-8 pm on Fridays and Saturdays. Regular hours are Wednesday thru Saturday noon to 9 pm. Sundays 11 am – 4 pm.

Hearing no comments, **Chairperson Fraser** closed the public hearings at **5:50 pm.**

III. Call to Order

The Select Board’s meeting was called to order at **5:50 p.m. by Chairperson Fraser**

IV. Minutes

On motion (Keushguerian/Anderson) to approve the minutes of May 3, 2023 **Vote: 4-0-0**

IV. Financial Reports

1. On motion (Anderson/Abbotoni) to approve Payroll Warrant #53 **Vote: 4-0-0**

2. On motion (Abbotoni/Keushguerian) to approve Accounts Payable Warrant #54 **Vote: 4-0-0**

V. Presentations: FY22 Financial Audit Presentation

Ron Dupressi made his annual report to the Board, closing date June 30, 2022. The first item he called attention to is Statement C, pg. 15. The balance sheet shows **\$7.2 million** in total assets. **\$3.1 million** is earmarked for capital improvement and reflect the bank loan for this; **\$4.1 million** is actual fund balance. The increase in \$2.3 million is largely due to the bond note not yet spent. The educational fund of \$527 K is up \$130K. All other government funds equal \$2.3M. Financially speaking, the Town is in good shape. To meet the 3 month criteria, the Town is in the right place: 30 day - \$400K; 60 day - \$800K and 90 day is -\$1.20M. Actually there is a 120 day amount available. Page 17 – everything is within normal range, \$100K variation in revenues and expenses, up and/or down. The budget is “spot on” with a planned fund balance that is sufficient. From the auditor’s standpoint there is nothing but good news with this audit.

The auditor said that they do over half the towns in Maine, and Damariscotta is one that meets all the criteria for a sound financial foundation. There will be \$5 billion coming to Maine for infrastructure. Those projects “shovel ready” will be favored. He sees Damariscotta as being in an excellent position for some of these funds. He also commented that Cheryl wears many hats here and getting some information was a little slow. **Cheryl and Ron** have talk about ways to remedy this. Hearing no other comments or questions, **Chairperson Fraser** closed the Audit presentation.

VI. Citizens Comments and General Correspondence

A. MDOT letter Re: Rt. 1 Rumble Strip

The Town received notice that rumble stripping will be placed on Route 1 from just north of Lynch Road in Nobleboro, **north** on US Rt. 1 for approximately 9.2 miles up to the island in Nobleboro. Plan is for stripping to occur later this summer.

B. FAA letter RE: Draft Environmental Assessment for Low-Level Helicopter System (ILHS)- Helicopter Air Ambulance (HAA) (ILHS-HAA Project)

The draft considers the potential environmental impacts of the implementation of the ILHS-HAA Project. The project involves changes to helicopter flight routes and altitudes in certain areas. The goal is to improve the efficiency of national air space. Public comment is open from May 8, 2023 through June 9, 2023 at <https://www.faa.gov/air> (a list of libraries with hard copies) and/or https://faa.gov/air_traffic/community_engagement/Maine (copy of draft EA and supporting materials).

VII. Town Manager’s Report

A. Capital Projects

- 1. Miles Street** – They began raising the causeway this week. Compaction testing was done and showed 98.5% compaction score in the three areas tested. Contractor is hoping to install electrical conduit, light pole bases, and granite curbing this week.. As of the Board meeting light bases wre being installed. Granite curbing is scheduled for next week culvert is finished. **Andrea K.** asked if the engineers were checking project as they go. **Andy Dorr** said Andrew Hedrich has been checking on it.
- 2. Egypt Road** – Surface layer was being laid this morning (5/17/23). Majority of the work is done; Driveway aprons and shoulder work is left. These require hand placed asphalt.
- 3. Belvedere Road** - Portions of the road had pockets of of water near Midden Way which required some modifications to the road base. A couple small trenched were opened to provide relief for what appears to be a spring. Reclaim and base coat of asphalt have been completed as of last Thursday. The ditching that needs to be done before a surface layer of asphalt can be laid, is awaiting unit pricing. Tom Anderson asked if we had gotten any tickets yet. Andy said, “Not yet.”
- 4. Hodgdon Street** – A pre-construction meeting with CDBG staff is scheduled for next week. Following this meeting, the contractor should be able to proceed with the project. They don’t expect to have

substantial work underway for a couple of weeks. In the meantime, patch work will be done near the Pleasant Street intersection. Between now and October 15 tons of cold mix are available.

5. Waterfront/Parking Lot – The EDA contractor provided us with the committee’s decision and we were given a modified path forward. Our team met with the EDA contractor to clarify a few items, most notably the amount of funding available for the final phase. Currently the amount available has been cut by \$250K eliminating what they consider “non-essential” i.e. living shoreline; walkability area, etc. We would like the full \$3M restored. Water District met tonight at 5 pm and this was on the agenda. Docks will be ready by fall is all goes well.

B. Legislature

Both LD 1381 (excise tax on vehicles) and LD 1488 (exempting tractor trailer from excise tax) were rejected. The tax committee’s vote on LD1260, to raise revenue sharing to 7%, was voted on 7-2 “ought not to pass. Several members were not present and there is optimism that the majority of bipartisan committee will address the current Property Tax Stabilization for Seniors program with plans that are fairer and far easier to administer. MMA initiated LD 1664 which is An Act To Increase Reimbursement Under the General Assistance Program. It would provide reimbursement at 90% (up from 70%) to municipalities for direct aid provided to eligible applicants. MMA is hopeful that the Health and Human Services committee will support the simplicity of LD 1664 as did the Tax Committee by narrowing their options.

C. Seasonal Work – Public Works/Town Parks

Picnic tables have been added to the park along municipal lot. Granite benches have been placed along Main Street. The kayak rack is set up and already being used. Still to be done includes sweeping downtown area yto ready for painting; patching of pot holes; and readying Biscay Beach. The town will hire out for painting of crosswalks. Andy is ordering the stencil for the crosswalks; “Stop Wait and Wave” was consensually agreed to. Other roadway signs have also been ordered as well as traffic signs. There are parking restrictions that go into effect after Memorial Day (listed in recent newsletter), at least one of which helps to clarify boater parking along the water’s edge which requires a permit.

VIII. Official Action Items

- 1. On motion (Fraser/Anderson) to approve and sign the Entertainment/Special Amusement Permit application for Ann’s Book Bistro. Vote: 4-0-0**
- 2. On motion (Fraser/Anderson) to approve and sign the Public Service Liquor License to Maine Boats LLC, d/b/a Damariscotta River Cruises. Vote: 4-0-0**
- 3. On motion (Fraser/Abbotoni) to approve the Catered Function applications for Stone Cove Catering and NCS LLC as presented Vote: 4-0-0**

IX. Select Board’s Discussion Items

Tom Anderson- Interest in aquaculture is getting traction. In signage purchase could we get some “Oyster Capital” ones?

Lou Abbotoni – gave a shout out and thank you to all the service agencies that enhance our community. It is nice to see lots of volunteerism.

Andrea Keushguerian – I’m good

Josh Pinkham - absent

Daryl Fraser – glad to see public works moving along with all their tasks.

X. Adjournment

On motion (Anderson/Abbotoni) to adjourn the Select Board’s meeting at 6:25 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 Select Board meeting on May 17, 2023.

Daryl Fraser, Chairperson

Louis Abbotoni

Tom Anderson

Andrea Keushguerian

Joshua Pinkham

Town of Damariscotta, Select Board meeting minutes of 5-17-23, signed this date:_____

CEMETERY DEED

KNOW ALL PERSONS BY THESE PRESENTS that the Town of Damariscotta, in the County of Lincoln in the State of Maine, a municipal corporation organized and existing under the laws of the said State, in consideration of the sum of **Three Hundred** dollars (**\$300.00**) paid by **Robert & Priscilla Quintal** in the State of Maine, does hereby transfer and convey unto the said **Robert & Priscilla Quintal** and his/her assigns, a certain lot of land in **Hillside** Cemetery, **Annex 2** in said Town of Damariscotta, said lot(s) being numbered **1094** as shown on the plan of the cemetery on file with the Trustees of said cemetery.

TO HAVE AND TO HOLD the same unto the grantee(s) and assigns forever.

ON CONDITION that:

- 1) the same shall be used and improved only as and for a burial lot for the human dead;
- 2) no permanent markers shall be erected above the surface of the ground, other than permitted monuments;
- 3) no shrubbery or trees shall be planted on the lot;
- 4) the lot shall not be mounded or terraced (grade to be maintained on level with the rest of the area);
- 5) it can only be sold to the Town of Damariscotta;
- 6) it can be transferred only with prior written permission from the Trustees of said cemetery; and
- 7) the owners and possessors thereof shall always be subject to such regulations and orders as are or shall be made for the use and improvement of said cemetery.

The said Town of Damariscotta covenants to and with **Robert & Priscilla Quintal** and his/her assigns that it is lawfully seized in fee of the aforesaid premises, that the granted premises are free from all encumbrances, that it has good right to sell and convey the same to the said **Robert & Priscilla Quintal** and his/her assigns forever.

IN TESTIMONY WHEREOF, the Town of Damariscotta has caused these presents to be signed and sealed by its Selectmen, thereunto duly authorized this 7th day of June, 2023.

THE TOWN OF DAMARISCOTTA

Daryl Fraser, Chairman

Louis F. Abbotoni, Vice-Chair

Tom Anderson

Joshua Pinkham

Andrea Keushguerian

STATE OF MAINE

COUNTY OF LINCOLN

Then personally appeared the above-named Selectmen of the Town of Damariscotta and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Town.

Before me, _____
Notary Public

CEMETERY PERPETUAL CARE & MAINTENANCE CONTRACT

THE TOWN OF DAMARISCOTTA, in the County of Lincoln in the State of Maine, a municipal corporation organized and existing under the laws of the said State, has received the sum of **Two Hundred** dollars (**\$200.00**) paid by **Robert & Priscilla Quintal**, and said sum has been accepted by said Town, to be held in trust, the income thereof to be used for the perpetual care and maintenance of lot number(s) **1094** in **Hillside** Cemetery, **Annex 2**; provided, however, that should any part of said income remain unexpended after the reasonable and proper care of said lot, said income shall be used for the general care and maintenance of **Hillside** Cemetery.

Perpetual care fees are nonrefundable.

Dated at Damariscotta, Maine this 7th day of **June, 2023**

THE TOWN OF DAMARISCOTTA

Daryl Fraser, Chairman

Louis F. Abbotoni, Vice Chair

Tom Anderson

Joshua Pinkham

Andrea Keushguerian

STATE OF MAINE

COUNTY OF LINCOLN

Then personally appeared the above-named Selectmen of the Town of Damariscotta and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Town.

Before me, _____
Notary Public



Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
 8 State House Station Augusta, ME 04333-0008 (Regular Mail)
 10 Water Street Hallowell, ME 04347 (Overnight Mail)
 Telephone: (207) 624-7220 Fax: (207) 287-3434
 Email: MaineLiquor@Maine.gov

Qualified Catering Organization Application for Catered Function

(Note: This application is for Qualified Caterers ONLY. If you are a Class A Restaurant, Restaurant/Lounge, Lounge, Hotel, Club, or Bed & Breakfast please complete form number 5.5 or 5.6.)

The law requires the application to be submitted at least 24 Hours prior to the function, however a longer notice is appreciated to allow additional time for processing.

License No.: 7661 DBA Name: Stone Cove Catering
 Mailing Address: PO Box 40
 Town/ City: Bristol State: ME Zip Code: 04539
 Telephone: (207) 563-6007 Fax: (207) 512-1549
 Email Address: sarah@stonecovecatering.com

Event Details

Title and Purpose of Event: Membership Celebration
 Location of Event: Coastal Rivers Conservation Trust - Round Top Farm
 Physical Address of Event: 3 Round Top Lane
 Town/City: Damariscotta State: ME Zip Code: 04543
 Check One: Indoor Event Outside Event (If outside, a diagram must be included)
 Describe specific indoor and/or outdoor area to be licensed: Tented area at Round Top Farm

Date of Event: July 26, 2023 **Time** From: 5:00 pm To: 7:00 pm
 Name of Person or Entity contracting your services: Steven Hufnagel, Coastal Rivers Conservation Trust
 Number of Persons Attending: 200
 Address: 3 Round Top Lane Town/City: Damariscotta
 State: ME Zip Code: 04543 Telephone Number: (207) 563-1393

Will Dancing be offered during the event? YES NO
 Does the venue have a dance license? YES NO (If yes, please provide a copy of the license)

sarah maurer 05/22/2023
Signature of Licensee or Corporate Officer **Date**
Sarah Maurer
Print Name of Licensee or Corporate Officer

DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram that you are requesting approval.

Google Maps

<https://www.google.com/maps/@44.0385472,-69.5122789,204m/data=!3m1!1e3>

Google Maps



1 of 1

5/22/2023, 11:49 AM

Outdoor Catering Restrictions:

1. There must be a stanchion or fence completely enclosing the area.
2. Signs must be posted stating "No alcohol beyond this point".
3. There must be sufficient employees at the event to control and monitor the area.

For Municipal Approval Only

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

NOTE: PLEASE PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

Dated at: _____, Maine _____
City/Town County

On: _____
Date

The undersigned being: Municipal Offices County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

Signature of Officials	Printed Name and Title

FOR USE ONLY BY DIVISION OF LIQUOR LICENSING & ENFORCEMENT RESTRICTIONS:

- [] APPROVED
 [] NOT APPROVED

DATED: _____
ISSUED BY: _____

The Law

§1076. QUALIFIED CATERING SERVICES

1. Issuance of licenses. Notwithstanding any other provision of law, the bureau may issue licenses under this section for the sale of spirits, wine and malt liquor to be consumed on the premises to qualified catering services as defined in section 2, subsection 15, paragraph P.

A. "Premises," as used in this section, means the premises where the qualified catering service is selling and serving liquor, either its principal place of business or the premises where the event being catered is held. [1987, c. 342, §97 (NEW) .]

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

2. Compliance with local option decisions. The bureau may license only those qualified catering services whose principal place of business is located in municipalities that have previously voted affirmatively on questions pertaining to on-premise sales provided in chapter 5.

A. Every event catered by the qualified catering service must also be located in a municipality that has previously voted affirmatively on questions pertaining to on-premise sales provided in chapter 5. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

3. Income from sale of food requirement. At least a minimum amount of gross annual income must be from the sale of food for each qualified catering service. The income from sale of food requirement is based on the population of the municipality in which the qualified catering service is located. For purposes of this section, "year-round" means operated for more than 6 months in a year.

A. In municipalities having a population of over 50,000 persons:

- (1) Year-round qualified catering services must have a minimum gross income of \$50,000 a year from the sale of food to the public; and
- (2) Part-time qualified catering services must have a minimum gross income of:
 - (a) Thirty thousand dollars from the sale of food to the public if the catering service operates for more than 3 months but no more than 6 months in a year; and
 - (b) Twenty thousand dollars from the sale of food to the public if the catering service operates for no more than 3 months in a year. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

B. In municipalities having a population of 30,001 to 50,000 persons:

- (1) Year-round qualified catering services must have a minimum gross income of \$40,000 a year from the sale of food to the public; and
- (2) Part-time qualified catering services must have a minimum gross income of:
 - (a) Twenty-five thousand dollars from the sale of food to the public if the catering service operates for more than 3 months but no more than 6 months in a year; and
 - (b) Twenty thousand dollars from the sale of food to the public if the catering service operates for no more than 3 months in a year. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

C. In municipalities having a population of 20,001 to 30,000 persons:

- (1) Year-round qualified catering services must have a minimum gross income of \$30,000 a year from the sale of food to the public; and
- (2) Part-time qualified catering services must have a minimum gross income of \$20,000 from the sale of food to the public if the catering service operates for more than 3 months but no more than 6 months in a year. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

D. In municipalities having a population of 7,501 to 20,000 persons:

- (1) Year-round qualified catering services must have a minimum gross income of \$15,000 a year from the sale of food to the public; and

(2) Part-time qualified catering services must have a minimum gross income of \$10,000 from the sale of food to the public if the catering service operates for no more than 6 months in a year. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

E. In municipalities having a population of 7,500 persons or less:

(1) Year-round qualified catering services must have a minimum gross income of \$5,000 a year from the sale of food to the public; and

(2) Part-time qualified catering services must have a minimum gross income of \$2,500 from the sale of food to the public if the catering service operates for no more than 6 months in a year. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

4. Bureau determines applicant would probably qualify. The bureau may issue the license if it determines that the applicant for a new license would probably qualify.

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

5. Licensee for renewal must show proof of meeting income requirement. The bureau may not renew any license for the sale of liquor under this section unless the licensee furnishes the bureau with proof that the previous year's business conformed to the income requirements of this section.

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

6. Income from vending machines not included. The income from the sale of food placed in vending machines must not be included in the minimum dollar requirements of this section.

[1987, c. 45, Pt. A, §4 (NEW) .]

7. Provision of liquor at places other than principal place of business. Licensed qualified catering services that would like to provide the service of liquor at locations other than their principal places of business shall file an application with the bureau at least 24 hours in advance of any function or event at which liquor is to be sold or served. Application must be made on a form provided by the bureau and must contain the following:

A. Date, time and approximate duration; [1987, c. 45, Pt. A, §4 (NEW) .]

B. Location; [1987, c. 45, Pt. A, §4 (NEW) .]

C. Name and address of the person or persons, firm or corporation making arrangements; [1987, c. 45, Pt. A, §4 (NEW) .]

D. Approval by the municipal officers or a municipal official designated by the municipal officers of the municipality in which the catered function or event is to be held, which, notwithstanding the provisions of section 653, may be granted without public notice. The bureau shall accept approval required under this paragraph in electronic form submitted by the applicant or directly by the municipality to the bureau; and [2017, c. 260, §2 (AMD) .]

E. Any other information the bureau considers necessary. [1993, c. 410, Pt. ZZ, §20 (AMD) .]

[2017, c. 260, §2 (AMD) .]

8. Ruling on application. The bureau shall approve or deny the application to provide service of liquor at a location other than the principal place of business, and shall immediately notify the applicant of its decision.

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

9. No additional fee. The bureau may not charge a fee for provision of the service of liquor at locations other than the principal place of business in addition to the license fee paid by the qualified catering service.

[1993, c. 410, Pt. ZZ, §20 (AMD) .]

10. Self-sponsored event permit. The bureau may issue a self-sponsored event permit to a qualified catering service in addition to a license issued in accordance with this section. A self-sponsored event permit authorizes the licensee to serve spirits, wine and malt liquor at an event sponsored by the licensee at the facility that is the licensee's principal place of

business as a qualified catering service. The permit allows for up to 100 self-sponsored events per year under the following conditions:

- A. The licensee submits an application as prescribed by the bureau; [2009, c. 530, §1 (NEW) .]
- B. The primary business of the licensee does not involve serving alcoholic beverages on a day-to-day basis at self-sponsored events; [2009, c. 530, §1 (NEW) .]
- C. The licensee notifies the bureau of a self-sponsored event a minimum of 3 business days prior to the event by first class mail, facsimile transmission, electronic mail or other method prescribed by the bureau; [2009, c. 530, §1 (NEW) .]
- D. The licensee provides at a self-sponsored event a diverse selection of food, primarily prepared from a complete kitchen at the licensee's facility and served at multiple food stations or a buffet service or passed by servers or served as a plated sit-down meal. The selection of food must include more than snack foods such as potato chips, crackers, pretzels or nuts, but snack foods may be used in the preparation of a meal or as an accompaniment to a prepared meal; [2009, c. 530, §1 (NEW) .]
- E. If liquor is served later than 9:00 p.m. at a self-sponsored event and after the service of food described in paragraph D is complete, the licensee continues to offer food, which may be lighter than a buffet service or a sit-down meal, such as sandwiches and pizza; [2009, c. 530, §1 (NEW) .]
- F. Self-sponsored events are public or private events requiring an admission fee for the service of food and beverages by the licensee that may include visual or participatory entertainment provided by the licensee in accordance with the laws and rules governing this Title; and [2009, c. 530, §1 (NEW) .]
- G. Self-sponsored events do not exceed 7 hours. [2009, c. 530, §1 (NEW) .]

The license fee for a self-sponsored event permit is \$700 annually. Renewal of a permit under this subsection must coincide with renewal of the license issued in accordance with this section.

[2009, c. 530, §1 (NEW) .]