

Agenda
Board of Selectmen's Meeting
Town of Damariscotta, Maine
May 6, 2020; 5:30 PM

(Meeting to be held via electronic media. Contact mlutkus@damariscottame.com for link to participate)

- I. Call to Order**
- II. Minutes**
 - 1. April 15 Meeting
- III. Financial Reports** (to be emailed to Board members)
 - 1. Payroll Warrant
 - 2. Accounts Payable Warrant
- IV. Presentations**
 - 1. Review of FY2019 Financial Audit- RHR Smith
- V. Citizen Comments and General Correspondence**
- VI. Town Manager Items**
 - 1. Review of Covid-19 Related Matters:
 - i. Governor's Order
 - ii. Town Office Reopening Plan
 - iii. Election Day Changes
 - iv. Town Budget Impacts
 - v. Other
 - 2. Bristol Road Sidewalk Project Update
 - 3. Waterfront Improvement Project Update
 - 4. LED Street Light Conversion/Municipal Ownership
- VII. Official Action Items**
 - 1. Annual Town Meeting Warrant
 - 2. Contingency Transfer- Traffic Signal Repair
 - 3. Contracts for EDA Grant-related Services
- VIII. Selectmen's Discussion Items**
- IX. Adjournment**

TOWN MANAGER'S NOTES
BOARD OF SELECTMEN'S MEETING
May 6, 2020

Presentations:

Representatives from RHR Smith are scheduled to review the Town's FY 2019 Financial Audit with the Board.

Town Manager Items: I will have verbal reports on all of the items listed. I and the other Town staff are drafting a Town Office reopening plan that I will ask the Board to review, edit and adopt. I will send that draft to you early next week.

Official Action Items:

1. **Annual Town Meeting Warrant-** The Warrant for the Annual Town Meeting is attached for the Board's consideration. As previously decided by the Board, the dates for the meeting have been changed to July 14 and 15. The proposed budget in the warrant is the budget previously approved by both the Board of Selectmen and the Budget Committee. Also as previously discussed, the warrant does not include any ordinance changes including changes that citizens have requested be made to the Historic Preservation Ordinance. The special town meeting to consider this and at least one other land use- related ordinance amendment is still tentatively scheduled to coincide with the November general election.

Two articles on the Warrant are non-routine in nature. The first would authorize the Board of Selectmen to enter into an Interlocal Agreement for the provision of ambulance services. Central Lincoln County Ambulance Service has been in existence for many years, however, none of the member towns can find a record of a formal agreement creating the organization. The adoption of an Interlocal Agreement will address this issue.

The second more substantive article would accept a portion of Heater Road as a Town Way. The road acceptance would enable the Town to legally maintain the section of roadway from Biscay Road to Hutchings Road a distance of approximately 1,000 lineal feet of gravel road that would have a fifty foot right of way. The Town Meeting action would be contingent upon the acquisition of the necessary right of way from the adjacent property owners.

Recommended Action: Approve the Warrant for the July 14 and 15 Annual Town Meeting.

2. **Contingency Transfer for Traffic Signal Repair-** Due to unanticipated needed repairs to the Town's two traffic signals, the \$2,000 budget for traffic signal repairs has been expended. It is therefore necessary to cover the cost of the most recent repair to the signal at Biscay Road and Main Street from the contingency account.

Recommended Action: Authorize a contingency transfer of \$1,237 to cover the cost of repairs to the traffic signal at Main Street and Biscay Road.

3. **Contract for Administrative Services Related to the Economic Development Administration (EDA) Grant-** I am requesting that the Board approve the attached contract with Midcoast Economic Development District for services related to the administration of the \$3 million EDA grant that the Town was recently awarded. Given the complexity and time-consuming nature required for the administration of this grant, using the grant management services available through MCEDD is well justified. These administrative expenses cannot be covered by the grant-funded project, that is, either the grant itself or the local match. However, we have available to us Town waterfront project funds that were not committed to the local match. The cost of these services through the two year plus duration of this grant-funded project will be \$8,750.

I will also be asking the Board to approve an agreement with architect George Parker to assist me and Town Planner Bob Faunce in overall project management. I hope to have that agreement ready for the Board to review prior to Wednesday's meeting.

Recommended Action: Approve an administrative services contract with Midcoast Economic Development District for grant reporting and other services related to the administration of the Town's Economic Development Administration Waterfront Improvement Grant.

TOWN OF DAMARISCOTTA
WARRANT FOR FISCAL YEAR 2021
ANNUAL TOWN MEETING
FOR PERIOD JULY 1, 2020 TO JUNE 30, 2021

LINCOLN, SS

STATE OF MAINE

TO: Jason Warlick, Constable for the Town of Damariscotta, in the County of Lincoln.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Damariscotta, in said County, qualified by law to vote in Town Affairs, to assemble at the Damariscotta Municipal Building, 21 School Street in said Town, on Tuesday, the 14th day of July, A.D. 2020 at 8:00 A.M., then and there to act on Articles 1 and 2.

The polls for voting on Articles 1 and 2 will be open at 8:00 A.M. and will close at 8:00 P.M.

The adjourned meeting to act on the remaining articles in the Warrant will be resumed at the Great Salt Bay Community School, 559 Main Street in said Town on Wednesday the 15th of July, A.D 2020 at 6:30 P.M.,

ARTICLE 1. To choose a Moderator to preside at said meeting.

ARTICLE 2. To elect by secret ballot in accordance with the vote of the Town, the following officers:

Two Selectmen/Assessors/Overseers of the Poor (Three-year terms)

One School Committee Member (Three-year term)

One Sanitary District Trustee (Three-year term)

ARTICLE 3. To choose one Cemetery Trustee for a three-year term. **Selectmen nominate: Mary “Pat” McLean**

ARTICLE 4. To choose three Budget Committee members for three-year terms, one Budget Committee member for a two year term and one Budget Committee member for a one year term, one Alternate Committee member for a three year term and one Alternate Committee member for two year term.

Selectmen nominate: Constance Magistrelli, Karen O’Bryan and Dana Orenstein for three year terms; Max Johnstone for a two year term, Lucy Harrington for a one year term; Bruce Rockwood for the Alternate member three year term, and _____ for the Alternate member two year term.

ARTICLE 5. To act on the reports of the Selectmen/Assessors/Overseers of the Poor, Town Manager, Treasurer, Tax Collector, Town Clerk and other officials.

ARTICLE 6. To see what sum the Town will vote to raise and appropriate for GENERAL GOVERNMENT:

ADMINISTRATION:	Board of Selectmen & Budget Committee recommend:	\$ 434,946.95
ASSESSING:	Board of Selectmen & Budget Committee recommend:	\$ 51,700.00
PLANNING & DEV.:	Board of Selectmen & Budget Committee recommend:	\$ 100,292.75
SOLID WASTE:	Board of Selectmen & Budget Committee recommend:	\$ 113,644.00
MUNICIPAL BLDGS:	Board of Selectmen & Budget Committee recommend:	\$ 44,785.50
CONTINGENCY:	Board of Selectmen & Budget Committee recommend:	\$ 24,000.00
LEGAL SERVICES:	Board of Selectmen & Budget Committee recommend:	\$ 15,500.00
INSURANCES:	Board of Selectmen & Budget Committee recommend:	\$ 15,217.00
GEN. ASSISTANCE:	Board of Selectmen & Budget Committee recommend:	\$ 5,000.00
TOTAL GENERAL GOVERNMENT:		
Board of Selectmen & Budget Committee recommend:		\$ 805,086.20

ARTICLE 7. To see what sum the Town will vote to raise and appropriate for the POLICE DEPARTMENT:

POLICE DEPT.:	Board of Selectmen & Budget Committee recommend:	\$ 580,374.83
TOTAL POLICE DEPARTMENT:		
Board of Selectmen & Budget Committee recommend:		\$ 580,374.83

ARTICLE 8.. To see what sum the Town will vote to raise and appropriate for PUBLIC SAFETY -NOT INCLUDING POLICE DEPARTMENT:

ANIMAL CONTROL:	Board of Selectmen & Budget Committee recommend:	\$ 6,034.00
FIRE DEPT.:	Board of Selectmen & Budget Committee recommend:	\$ 129,002.70
EMERGENCY MGT:	Board of Selectmen & Budget Committee recommend:	\$ 2,179.45
HYDRANTS:	Board of Selectmen & Budget Committee recommend:	\$ 151,063.00
STREET LIGHTS:	Board of Selectmen & Budget Committee recommend:	\$ 17,000.00

TRAFFIC LIGHTS: Board of Selectmen & Budget Committee recommend: \$ 2,000.00

CLC AMBULANCE: Board of Selectmen & Budget Committee recommend: \$ 70,537.50

TOTAL PUBLIC SAFETY NOT INCLUDING POLICE DEPARTMENT:

Board of Selectmen & Budget Committee recommend: \$ 377,816.65

ARTICLE 9. To see what sum the Town will vote to raise and appropriate for PUBLIC WORKS:

HIGHWAY DEPT.: Board of Selectmen & Budget Committee recommend: \$ 445,832.08

CEMETERY MAINT. Board of Selectmen & Budget Committee recommend: \$ 41,990.25

BISCAY BEACH: Board of Selectmen & Budget Committee recommend: \$ 875.00

TOTAL PUBLIC WORKS:

Board of Selectmen & Budget Committee recommend: \$ 488,697.33

ARTICLE 10. To see what sum the Town will appropriate from Trust Funds for the WORTHY POOR:

Board of Selectmen & Budget Committee recommend: \$ 20,000.00

ARTICLE 11. To see what sum Town will vote to raise and appropriate for Adult Education:

Board of Selectmen & Budget Committee recommend: \$ 8,350.00

ARTICLE 12. To see what sum the Town will vote to raise and appropriate for DEBT SERVICE:

General Obligation Loan -Tax Exempt

(Elm Street, Public Works Tractor; matures 10/21) \$ 101,710.00

General Obligation Loan – Taxable Bond

(Rest Room, Egypt Rd Culvert; matures 10/21) \$ 25,389.00

TOTAL DEBT SERVICE:

Board of Selectmen & Budget Committee recommend: \$ 127,099.00

ARTICLE 13. To see what sum the Town will vote to raise and appropriate to the CAPITAL RESERVE FUND:

Reserve Acct	Projected Balance 6/30/2020	Recommended FY 2021	Total Available FY 2021
Municipal Building	\$19,254	\$12,600	\$31,854
Fire Station	\$129,198	\$35,000	\$164,198
Sand/Salt Shed	\$20,859	0	\$20,859
Restroom	\$421,694	0	\$421,694
Waterfront	\$995,312	0	\$995,312
SUBTOTAL LAND & BLDGS	\$1,586,317	\$47,600	\$1,633,917
Fire Truck	\$90,204	\$85,000	\$175,204
Fire Equipment	\$32,653	0	\$32,653
SUBTOTAL FIRE DEPT	\$ 122,857	\$85,000	\$207,857
SUBTOTAL POLICE VEHICLE	\$ 0	\$20,000	\$20,000
Highway Truck	\$8,000	\$8,000	\$16,000
Highway Equipment	\$18,527	\$6,000	\$24,527
SUBTOTAL HIGHWAY DEPT.	\$26,527	\$14,000	\$40,527
SUBTOTAL TECHNOLOGY	\$6,322	\$2,000	\$8,322
Sidewalk Program	\$372,347	\$110,000	\$482,347
Paving, Drainage & Maintenance	\$ 73,195	\$109,000	\$182,195
Municipal Parking Lot	\$52,751	0	\$52,751
SUBTOTAL TRANSPORTATION	\$498,293	\$219,000	\$717,293
SUBTOTAL COMPREHENSIVE PLAN	\$1,270	\$4,000	\$5,270
SUBTOTAL CEMETERY	\$14,817	\$9,400	\$24,217
SUBTOTAL LANDFILL	\$4,448	\$4,000	\$8,448
SUBTOTAL TOWN CLOCK	\$5,350	\$1,000	\$6,350
SUBTOTAL BISCAY BEACH	\$3,758	0	\$3,758
SUBTOTAL PROPERTY REVALUATION	0	\$20,000	\$20,000
TOTAL RESERVE BALANCES	\$ 2,269,959	426,000	\$2,695,959

TOTAL CAPITAL RESERVE FUND:

Board of Selectmen & Budget Committee recommend: \$ 426,000

ARTICLE 14. To see what sum the Town will vote to raise and appropriate for COMMUNITY SERVICES:
RECREATION & HOLIDAY FUNDS:

Board of Selectmen & Budget Committee recommend: \$ 3,000.00

ARTICLE 15. To see if the Town will vote to raise and appropriate \$ 6,966 for support of Lincoln County
Television:

Board of Selectmen & Budget Committee recommend: \$ 6,966.00

ARTICLE 16. To see if the Town will raise and appropriate the sum of \$497,233.49 for the County
Assessment as directed by the Court of Lincoln County Commissioners on March 3, 2020.

ARTICLE 17. To see if the Town will vote to raise and appropriate \$ 33,813.02 for support of the annual operation
of Skidompha Public Library as the public library for the citizens of Damariscotta:

Board of Selectmen & Budget Committee recommend: \$ 33,813.02

ARTICLE 18.. To see if the Town will vote to raise and appropriate the sum of \$ 2,000 for the provider agency
Coastal Kids Preschool.

Article submitted by petition: \$ 2,000.00

ARTICLE 19. To see if the Town will vote to raise and appropriate the sum of \$ 1,320 for the provider agency
Midcoast Maine Community Action.

Article submitted by petition: \$ 1,320.00

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of \$ 3,127.47 for the provider agency
Spectrum Generations.

Article submitted by petition: \$ 3,127.47

ARTICLE 21. To see if the Town will vote to raise and appropriate the sum of \$ 2,000 for the provider agency
Coastal Rivers Conservation Trust.

Article submitted by petition: \$ 2,000.00

ARTICLE 22. To see if the Town will vote to raise and appropriate the sum of \$ 2,200 for the provider agency
Healthy Kids.

Article submitted by petition: \$ 2,200.00

ARTICLE 23. To see if the Town will vote to raise and appropriate the sum of \$ 1,155 for the provider agency New
Hope for Women.

Article submitted by petition: \$ 1,155.00

ARTICLE 24. To see if the Town will vote to appropriate from the Estimated Revenues Account \$ 1,228,250 to be applied to reduce the 2020 Tax Commitment.

GENERAL GOVERNMENT:	\$ 793,350
INTERGOVERNMENTAL REVENUES:	\$ 212,800
STATE REIMBURSEMENTS/TAX EXEMPTIONS:	\$ 206,350
STATE REIMBURSEMENT-GENERAL ASSISTANCE:	\$ 2,500
POLICE REVENUES:	\$ 13,250

Board of Selectmen & Budget Committee recommend: \$1,228,250

ARTICLE 25. To see if the Town will vote to appropriate \$22,000 from the Maine Department of Transportation Local Road Assistance Program and transfer it to the General Fund as a revenue to be applied toward the Highway Department.

Board of Selectmen & Budget Committee recommend: \$ 22,000

ARTICLE 26. To see what sum the Town will vote to appropriate from the Undesignated Fund Balance to be applied to reduce the FY 2021 tax rate:

Board of Selectmen & Budget Committee recommend: \$ 100,000

ARTICLE 27. To see if the Town will vote to set the first business day of October 2020 (October 1, 2020) and the first business day of April 2021 (April 1, 2021) when all 2021 taxes shall be due and payable in semi-annual installments and instruct the Tax Collector to charge interest at 9.00% per annum on all taxes unpaid after said dates.

ARTICLE 28. To see if the Town will vote to authorize the Tax Collector to offer a 2021 Tax Club Plan to taxpayers who enroll no later than July 30, 2020, who pay the total amount of 2021 taxes by monthly payments from July 1, 2020 to April 30, 2021; who abide by the requirements of said plan; who shall receive from the Town, in return for such payments, full credit for such taxes paid without incurring any charge of interest. To be eligible for the Tax Club all 2020 taxes must be paid in full.

ARTICLE 29. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon on such terms as they deem advisable and to execute quit-claim deeds thereon, provided the Selectmen give three consecutive weeks' notice of their intentions to make such a sale through public advertisement in a local newspaper. The property may be sold back to the original owner for all taxes due, plus interest and all costs, without the advertisement requirement.

ARTICLE 30. To see if the Town will vote to authorize the Board of Selectmen to spend funds from various reserve funds as they deem necessary in accordance with the capital improvement program.

ARTICLE 31. To see if the Town will vote to authorize the Board of Selectmen to accept gifts of money, bequests, apply for and accept State and Federal Grants, and grants from non-profit organizations on behalf of the Town for municipal purposes, including when necessary, the authority to authorize the signing of grant contracts, accept the conditions that accompany gifts of money, bequests, and grant funds, and to appropriate and expend gifts of money, bequests, and grant funds for the authorized purposes.

ARTICLE 32. To see what sum, if any, the Town will vote to authorize the Board of Selectmen to borrow or appropriate from un-appropriated surplus as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2020. (Estimated balance on June 30, 2020: \$950,000.00)

Board of Selectmen recommends: **\$ 25,000**

ARTICLE 33. To see if the Town will authorize the Board of Selectmen to enter into an Interlocal Agreement with Towns of Newcastle, Bristol, South Bristol, Nobleboro and Bremen for the provision of ambulance services through Central Lincoln County Ambulance Service.

ARTICLE 34. To see of the Town will accept as a Town Way, a section of Heater Road extending approximately 1,000 feet from Biscay Road to Hutchings Road, with a right-of-way width of 50 feet, contingent upon the necessary acquisition of right-of way from the adjacent property owners.

ARTICLE 35. To see if the Town will vote to authorize the Board of Selectmen to enter into multi-year contracts subject to annual appropriation at Town Meeting.

ARTICLE 36. To see if the Town will vote to authorize the Board of Selectmen to set the date, hour, and place for the next Annual Town Meeting.

ARTICLE 37. To see if the Town will vote to authorize the Board of Selectmen to dispose of Town-owned personal property, under such terms and conditions, as they deem advisable.

ARTICLE 38. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to expend money for General Assistance as needed.

ARTICLE 39. To see if the Town will vote to accept from the Massasoit Engine Company gifts of money and certain items of equipment to be used for the benefit of the Town and the Massasoit Engine Company.

ARTICLE 40. To see if the Town will vote to re-appropriate money from the sale of Town owned vehicles to the respective departmental vehicle reserve accounts.

ARTICLE 41. To see if the Town will vote to authorize the Tax Collector to accept prepayments of taxes not yet committed, and to pay interest at a rate of 0% (zero) as a courtesy to taxpayers who wish to prepay some or all of their uncommitted taxes.

ARTICLE 42. To see if the Town will vote to set the interest rate at 5.00% (five percent) to be paid by the Town on prepaid abated taxes pursuant to 36 M.R.S.A (4.00% (four percent) less than the interest rates established by the Municipality.)

Given under our hands at said Damariscotta, Maine this 4th day of May, A.D., 2020

Board of Selectmen
Town of Damariscotta

Robin Mayer, Chair

Mark Hagar

Joshua Pinkham

Louis F. Abbotoni

Daryl Fraser

Attest: _____ Town Clerk

General Contract for Services

This contract for Services is made effective as of 4/30/2020, by and between Mid Coast Economic Development District (MCEDD), and Town of Damariscotta (Town)

1. SCOPE OF SERVICES. Beginning on 4/30/2020, MCEDD will provide to the Town the following services (collectively, the "Services"):

MCEDD shall have the following scope of services pertaining the Grant Administration:

- Quarterly Reporting: Ensure that the grantee files quarterly reports on time and enough information to provide a meaningful outline of where the project is at in the process.
- Reimbursement Requests: Provide guidance to grantees on filing reimbursements requests and ensure that reimbursement requests are accurate, within approved budget and contain all the necessary documentation to provide evidence of match and reimbursements that are expected to be paid.
- Final Reporting: Ensure that the grantee has filed their final report and financial report in a timely manner after the project is complete.
- General Assistance: Be available to provide guidance to the grantee with other issues such as what their responsibilities are regarding procurement of goods and services and contractors.)

2. PAYMENT. Payment shall be made to MCEDD, in an amount not to exceed, \$8,750 upon completion of the services described in this Contract. Payments will be made on a reimbursable basis, based on the # of hours worked. Charges may include wages & fringe.
3. TERM. This Contract will terminate automatically upon completion by the contract date as listed within the Grantee's Contract between the Grantee and Economic Development Administration or the completion of the project, whichever comes first.

4. Staff Assignment: MCEDD shall assign one or more members of its staff to provide services.

5. DEFAULT. The occurrence of any of the following shall constitute a material default under this Contract:

- The failure to make a required payment when due.
 - The insolvency or bankruptcy of either party.
 - The subjection of any of either party's property to any levy, seizure, general assignment for the benefit of creditors, application or sale for or by any creditor or government agency.
 - The failure to make available or deliver the Services in the time and manner provide for in the Contract.
5. REMEDIES. In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Contract, the other part may terminate the Contract.

6. ENTIRE AGREEMENT. This Contract contains the entire contract of the parties, and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter of this Contract. This Contract supersedes any prior written or oral agreements between the parties.
7. SEVERABILITY. If any provisions of this Contract will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable.
8. AMENDMENT. The Contract may be modified or amended in writing by mutual agreement between the parties.
9. GOVERNING LAW. This Contract shall be construed in accordance with the laws of the state of Maine.
10. CONSTRUCTION AND INTERPRETATION. The rule requiring construction of interpretation against the drafter is waived. The document shall be deemed as if it were drafted by both parties in a mutual effort.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the date the second party signs.

Service Recipient (Grantee): _____

Signature: _____

Date: _____

Service Provider : _____

Signature: _____

Date: _____