

Agenda
Town of Damariscotta, Maine
Board of Selectmen's Meeting
November 28, 2018, 5:30 PM
Damariscotta Town Hall

- I. Pledge of Allegiance**
- II. Call to Order**
- III. Minutes**
 - 1. November 7 Meeting
- IV. Financial Reports**
 - 1. Payroll Warrant #25
 - 2. Accounts Payable Warrant #'s 26 and 27
- V. Presentations**
- VI. Citizen Comments and General Correspondence**
- VII. Town Manager Items**
 - 1. AOS 93 Annual Meeting for District Administration Budget- December 11
 - 2. Contract with Gartley and Dorsky - Vine Street Drainage Engineering
 - 3. Service Center Coalition Meeting Report
 - 4. Annual Public Infrastructure Survey
 - 5. Decision Spreadsheet – Medical and Adult-Use Marijuana Ordinances
 - 6. Municipal Parking Lot Reconstruction Plan Update
 - 7. Town Hall Office Hours – Christmas Eve and New Year's Eve
- VIII. Official Action Items**
 - 1. Restroom Construction Contract
 - 2. Corrective Cemetery Deed and Perpetual Care Agreement with Henry and Katherine Lee
- IX. Selectmen's Discussion Items**
- X. Adjournment**

TOWN MANAGER NOTES – NOVEMBER 28, 2018
BOARD OF SELECTMEN’S MEETING

Town Manager Items

1. **AOS 93 Annual Meeting for District Administration Budget** -The Warrant for this meeting is attached.
2. **Contract with Gartley and Dorsky for Vine Street Drainage Engineering** – Town staff have asked Gartley and Dorsky to provide the attached proposal for engineering services related to needed drainage improvements in the wooded area behind the homes on Vine and Church Streets. The engineering services will include a project cost estimate that the staff will be able to include in the FY 2020 Capital Budget request. Funds are available to cover this engineering expense in the contract services line item in the Public Works Budget and, because the cost is below the \$5,000 threshold, it does not require Board of Selectmen’s approval. It is however important that citizens and especially those who are residents of this area know that the design work for this project is moving forward.
3. **Service Center Coalition Meeting Report** (verbal summary from Town Manager and Selectman Hagar)
4. **Annual Public Infrastructure Survey** – On November 8, the Public Works Committee completed a drive-around survey of the Town’s roads, parking areas and culverts. This is the second time that the Committee has done this survey. I have updated the spreadsheet that I first created in 2016 to show the areas where the Committee currently believes maintenance or more significant capital resources are needed. Note that the document is in draft form and that some changes may be made before the document is finalized and posted on the Town’s website.
5. **Decision Spreadsheet – Medical and Adult-Use Marijuana Ordinances**- I have updated the spreadsheet that I provided to the Board in August. I will email the document to the Board and have it available for public review after it has been reviewed by the Town’s legal counsel.
6. **Municipal Parking Lot Reconstruction Plan Update.** (verbal)
7. **Town Hall Office Hours – Christmas Eve and New Year’s Eve** (verbal)

Official Action Items

- 1. Restroom Construction Contract-** Town Staff and the members of the Restroom Construction Committee have devoted a considerable amount of time since the last Board meeting pursuing alternatives to the options presented to the Town during the recent restroom construction bid process. As the Board will recall, the construction bids that the Town received during the formal RFP process were considerably higher than the funding that is currently available. The Committee will be meeting again tomorrow to decide on a recommendation to the Board. If additional Town funding is needed for this project, the Board will need to authorize the scheduling a public hearing and special town meeting.
- 2. Corrective Cemetery Deed and Perpetual Care Agreement with Henry and Katherine Lee-** This corrective deed is a revision of an earlier corrective deed needed to remedy a situation where lots transferred to the purchasers were unusable because of the presence of ledge that prevented full burials on the site.
Recommended Action: Approve a revised Corrective Cemetery Deed and Perpetual Care Agreement with Henry and Katherine Lee.

**WARRANT TO CALL CENTRAL LINCOLN COUNTY SCHOOL SYSTEM
ALTERNATIVE ORGANIZATIONAL STRUCTURE ("AOS") BUDGET MEETING
(20-A M.R.S.A. §1485)**

TO: Kelly Clancy (for Bremen); Christopher Hall (for Bristol); Michelle Cameron (for Damariscotta); Brenda Williams (for Jefferson); Mark Doe (for Newcastle); Stanley Waltz (for Nobleboro); and Christian Plummer (for South Bristol), each residents of Central Lincoln County School System, State of Maine.

In the name of the State of Maine, you are hereby required to notify the voters of the municipalities within Central Lincoln County School System, as shown above following your respective names, that an Alternative Organizational Structure ("AOS") 93 Budget Meeting will be held at Great Salt Bay School, 559 Main Street, Damariscotta, Maine at 6:30 P.M. on December 11th, 2018, for the purpose of determining the Budget Meeting articles set forth below.

ARTICLE 1A: To elect a moderator to preside at the meeting.

**ARTICLES 1 THROUGH 3 AUTHORIZE EXPENDITURES FOR THE AOS CENTRAL
OFFICE IN COST CENTER CATEGORIES**

ARTICLE 1: To see what sum the AOS will be authorized to expend for Special Education.
AOS School Committee Recommends \$160,763.19

ARTICLE 2: To see what sum the AOS will be authorized to expend for Student and Staff Support.
AOS School Committee Recommends \$31,292.05

ARTICLE 3: To see what sum the AOS will be authorized to expend for System Administration.
AOS School Committee Recommends \$546,439.53

Note: Although Articles 4 through 11 are proposed with no funding, they are included in the event a corrective change is needed. A vote should be taken on each Article.

ARTICLE 4: To see what sum the AOS will be authorized to expend for Regular Instruction.
AOS School Committee Recommends \$ 0

ARTICLE 5: To see what sum the AOS will be authorized to expend for Career and Technical Education.
AOS School Committee Recommends \$ 0

ARTICLE 6: To see what sum the AOS will be authorized to expend for Other Instruction.
AOS School Committee Recommends \$ 0

ARTICLE 7: To see what sum the AOS will be authorized to expend for School Administration.
AOS School Committee Recommends \$ 0

ARTICLE 8: To see what sum the AOS will be authorized to expend for Transportation and Buses.
AOS School Committee Recommends \$ 0

ARTICLE 9: To see what sum the AOS will be authorized to expend for Facilities Maintenance.

AOS School Committee Recommends \$ 0

ARTICLE 10: To see what sum the AOS will be authorized to expend for Debt Service and Other Commitments.

AOS School Committee Recommends \$ 0

ARTICLE 11: To see what sum the AOS will be authorized to expend for All Other Expenditures.

AOS School Committee Recommends \$ 0

**ARTICLE 12 SUMMARIZES THE PROPOSED
AOS CENTRAL OFFICE BUDGET**

ARTICLE 12: To see what sum the AOS will authorize the AOS 93 School Committee to expend for the fiscal year beginning July 1, 2019, and ending June 30, 2020, for the support of the AOS 93 Central Office Budget.

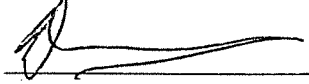
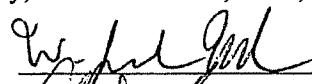
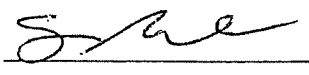
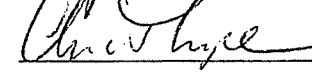
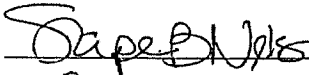
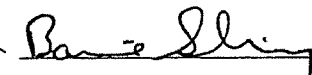

AOS School Committee Recommends \$738,494.77

**ARTICLE 13 AUTHORIZES EXPENDITURE OF
GRANTS AND OTHER RECEIPTS FOR CENTRAL OFFICE PURPOSES**

ARTICLE 13: Shall the AOS 93 School Committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for central office purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?


ARTICLE 14: In addition to the statutorily allowed 5% transfer of funds between budget cost centers, shall the AOS 93 School Committee be allowed to transfer an additional 5% (for a total of 10%) between budget cost centers as necessary in the best interest of the AOS 93 Central Office, provided that such transfers will not increase the total budget of the AOS 93 Central Office?

Given under our hand this day, November 13th, 2018, at Damariscotta, Maine.

		_____
		_____
		_____
		_____

A majority of the AOS School Committee of Central Lincoln County School System

A true copy of the Warrant, attest:


Craig L. Jurgensen, Ed.D, Secretary,
Central Lincoln County School System

Gartley & Dorsky

ENGINEERING & SURVEYING

October 12, 2018

Hugh Priebe, Road Commissioner
Town of Damariscotta
21 School Street
Damariscotta, Maine 04543
Via email: firesidebrew@roadrunner.com

**RE: Proposal for Survey & Civil Engineering Services
Vine Street Drainage**

Project 18-787

Dear Hugh:

Thank you for taking time the other day to explain the drainage issue on Vine Street with us. We appreciate the opportunity to provide this proposal for surveying and civil engineering services. As you already know, we recently prepared a topographic survey map of this area and after reviewing the existing site conditions it was decided that a temporary ditch to alleviate the drainage issue was not feasible. We understand you are now interested in having us assist you with the design of an enclosed drainage system to help mitigate the drainage problem.

PROJECT UNDERSTANDING

We understand that the design area is to run from the existing ditch on the Bracy property where the surface water currently backs up to an existing catch basin on the Reimensnyder property situated about 300' northeasterly of the before mentioned ditch.

PROPOSED WORK SCOPE

A. Survey: \$650.00

1. We will collect additional topographic survey data including existing drainage structures (existing catch basins and pipes in or adjacent to the design area) to support our design. This data will supplement the topographic survey data already gathered when considering the temporary ditch design.
2. We will revise our existing conditions topographic site plan to include the additional information mentioned above.

B. Civil Engineering: \$2,500.00

1. We will use the survey base map to design an enclosed drainage system (likely catch basin and pipe) running from the existing ditch on the Bracy property to the catch basin on the Reimensnyder property.
2. The plan set will include a site plan and profile of the new system along with construction details.

PROPOSED FEE

The estimated cost to complete the services described in this proposal is **\$3,150.00**. Any requested out-of-scope services will be provided at our standard hourly rates and will be in addition to any services provided under this contract. Refer to the enclosed fee schedule for additional information.

APPROVAL

Services not described herein are not part of this proposal. If you wish to have the services completed as outlined above, please sign your approval below and return a copy of this proposal to Gartley & Dorsky.

Thank you for contacting us to provide a proposal for this work. If you have any questions, please feel free to contact us at (207) 236-4365.

Sincerely,
Gartley & Dorsky, Engineering & Surveying Inc.



William B. Gartley, P.E.
President



David Starr, Jr., PLS #2473
Project Manager

By signing below, you are hereby agreeing to the terms and conditions of this proposal. Please keep a copy for your records as well.

ACCEPTED BY: _____ **Date** _____

On
11/25
warrant

Gartley & Dorsky
ENGINEERING & SURVEYING

Town of Damariscotta
21 School Street
Damariscotta, ME 04543

Invoice number 18787
Date 10/15/2018

Project 2018787 Town of Damariscotta - Vine
Street Drainage

Professional Services for the Period Ended: 10/12/2018

Professional Fees

001-010 Surveying Services

Billed
Amount

905.00

001-011 Civil Engineering Services

Billed
Amount

450.00

Professional Fees subtotal

1,355.00

Invoice total

1,355.00

To avoid a late charge of 1.0% per month full payment must be received within 30 days of invoice date.

Thank you for your business.



10-91-23

Public Works Survey of Road & Parking Lot Projects: 11/08/2018 (DRAFT)

Service Required	Overall Condition	Reconstruction	Overlay	Chip Seal	Crack Sealing	Shoulder/Sidewalk	Ditching	Culverts	Brush Trimming	Notes
Roads/Streets										
Back Meadow	Good				Crack sealing needed on various locations PWC					Request in FY2020 Operating Budget
Belvedere	Good to Fair					shoulder work needed full length throughout PWI		Replace three culverts PWC		Request in FY2020 Operating Budget
Belvedere Ext.	Poor		Shim and Overlay Entire road RFP							Spring 2019; In addition to overlay, road needs to be built up to improve drainage.
Branch	Good								Brush cutting needed PWI	Spring-Summer 2019
Chapman	Good		Shim and Overlay 300' from School Street RFP							Request in FY2020 Capital Budget
Church	Good Fair & Poor	Mill and overlay from Pleasant St. to Hillside Lane RFP								Spring 2019
Cross	Good to Fair									See note for Water Street
Elm	Good									
Egypt	Good to Fair							Northern most culvert-major capital project; ENG/RFP		Request northern culvert in FY2022 Capital Budget Request Castaway Cove culvert in FY2020 Operating Budget
Hammond	Fair		1" Overlay or Chipseal RFP	1" Overlay or Chipseal RFP						Request in FY2020 Capital Budget
High	Good	Grates need to be raised RFP								Request in FY2020 Operating Budget
Hodgdon	Poor	Section adjacent to Pleasant Street - Obtain ROW to	Shim and Overlay rest of road up to previously-							East section completed in 2017; Possible CDBG funded project; request engineering in FY2020; construction in FY2021
Keene Woods	Fair to Good					maintenance required PWI		maintenance required PWI	tree trimming required PWC	Spring-Summer 2019

KEY	
ENG.	Engineering Services required for design/cost projections
RFP	Select contractors through RFP Process
PWC	Use contractor from public works services contract agreement
PWI	Work to be accomplished by Public Works Staff

YEAR	Fiscal Year(s) recommended to be accomplished
WP	To be completed by Public Works staff or within Town's operating budget funds
CIP	Major project to be completed as part of five year capital improvement program

Lewis Point	Good to Fair			Consider chip seal RFP						Request in FY2021 Capital Budget
Lessner	Good to Fair				maintenance required RFP		maintenance required PWI	replace 1 culvert PWI		Spring-Summer 2020
Midcoast	Good to Fair					maintenance required PWI				Spring-Summer 2019
Miles	Fair to Poor	Rebuild Road and retaining wall ENG/RFP								Request in FY2020 or FY 2021 Capital Budget
Oak	Good									
Pine Ridge	Fair		Shim and Overlay RFP				maintenance required PWI	Replace two cross culverts; replace culvert at Russell Rd.		overlay:Request in FY2020 Capital Budget Other maintenance- Spring-Summer 2019
Pinkham	Fair									
Pleasant	Poor		Shim and Overlay 1 to 1 1/2 " RFP							Poor condtion due to utility cuts Combine with work on Hodgdon in Possible CDBG funded project; request engineering in
Rocky Run	Good						maintenance required PWI			Spring-Summer 2019
School	Good									Rebuild completed in 2016 ?
Standpipe	Good				maintenance required RFP					
Theater	Good									

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Water	Fair							Poor drainage between #'s 42 and 38 and at		Request in FY2020 or FY 2021 Capital Budget
Westview	Good									
Vine	Fair		Shim and Overlay 100-150' section closest to Church							Request for both overlay and drainage improvements will be in FY2020 Capital Budget;
State Roads										
Biscay	Fair to Good									
Bristol	Good									Sidewalk work scheduled for Spring, 2019
Main	Fair to Good									
School	Good									
Parking Lots										
Municipal Lot	Poor	Rebuild Road ENG/RFP								RFP- Fall/Winter 2018 Construction Spring 2019 - Project possibly completed in multi-year phases
Town Hall Lot South	Good	Rebuild retaining Wall PWI								Complete as time allows
Biscay Beach	Fair	Pave Parking Lot;improve hand-carry launch; expand								Wright-Pierce contracted to provide design for improvements - plan to be completed 12/18

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Corrective Cemetery Deed

KNOW ALL MEN BY THESE PRESENTS that the Town of Damariscotta, in the County of Lincoln and the State of Maine, a municipal corporation organized and existing under the laws of the said State, in consideration of the sum of zero dollars (\$0.00) paid by **Henry and Katherine Lee**, in the state of Maine, does hereby transfer and convey unto the said **Henry and Katherine Lee** and his/her assigns, a certain lot of land in **Hillside Cemetery** in said Town of Damariscotta, said lot(s) being numbered **#1068, 1069, and 1070 (Annex 2)** as shown on the plan of the cemetery on file with the Trustees of said cemetery. These three lots are being conveyed and transferred in place of lots numbered 1051, 1052, and 1053 which were previously conveyed and transferred in deed Book 5294 Page 136 but later determined to be unsatisfactory. With this corrective deed, lots numbered 1051, 1052, and 1053 hereby revert back to Town ownership.

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

ON CONDITION that the same shall be used and improved only as and for a burial lot for the human dead; that no permanent markers shall be erected above the surface of the ground (this does not apply to monuments); no shrubbery or trees shall be planted on the lot; the lot shall not be mounted or terraced, grade to be maintained on level with the rest of area; that it shall not be sold or transferred without leave had and obtained in writing from the trustees of said cemetery; that 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.

And the said Town of Damariscotta covenants to and with the **Henry and Katherine Lee** 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 **Henry and Katherine Lee** and his/her assigns forever.

IN TESTIMONY WHEREOF, the Town of Damariscotta has caused these present to be signed and sealed by its Selectmen, thereunto duly authorized this **28th day of November, 2018**.

The Town of Damariscotta

Roberta Mayer

Ronn Orenstein

Louis F Abbotoni

Mark Hagar

Amy Leshure

State of Maine

County of Lincoln

Then personally appeared the above named Selectmen of the Town of Damariscotta and acknowledge the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Town on November 28, 2018.

Before me, _____

Notary Public

Cemetery Perpetual Care & Maintenance

THE TOWN OF DAMARISCOTTA, in the County of Lincoln and State of Maine, has received from **Henry and Katherine Lee** , in the State of Maine the sum of zero dollars (\$0.00.), 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 cemetery lot number(s) **1068, 1069, and 1070 (Annex 2)** in the **Hillside Cemetery**; provided however, that should any part of said income remain unexpended, after the reasonable and proper care of said lot, it shall be used for the general care and maintenance of **Hillside Cemetery**.

Dated at Damariscotta, Maine this **28th** day of **November, 2018**.

Roberta Mayer

Ronn Orenstein

Louis F Abbotoni

Mark Hagar

Amy Leshure

The Town of Damariscotta

State of Maine

County of Lincoln

Then personally appeared the above named Selectmen of the Town of Damariscotta and acknowledge the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said Town on November 28, 2018.

Before me, _____
Notary Public