

## **Agenda**

**Board of Selectmen's Meeting  
Town of Damariscotta, Maine  
December 18, 2019, 5:30 PM  
Damariscotta Town Hall**

- I. Pledge of Allegiance**
- II. Call to Order**
- III. Minutes**
  1. December 4 Meeting
- IV. Financial Reports**
  1. Payroll Warrant
  2. Accounts Payable Warrant
- V. Presentations**
  1. Use of Rock Salt on Town Roads, Sidewalks and Parking Lots -Seth Hagar and Hugh Priebe
- VI. Citizen Comments and General Correspondence**
- VII. Town Manager Items**
  1. Reminder: Town Administrative Office Hours Christmas and New Year's Eves
  2. Waterfront Improvement Committee Meetings
- VIII. Official Action Items**
  1. Miles Street Improvements (tabled)
  2. Appointment to Land Use Advisory Committee
  3. Warrant for February 19 Special Town Meeting
  4. Wright Pierce Task Order for Waterfront Improvement Project
  5. Police Department Justice Assistance Grant Application
  6. Efficiency Maine/Nature Conservancy Grants
  7. Change in Board of Selectmen's Meeting Date for First Meeting in January
- IX. Selectmen's Discussion Items**
- X. Adjournment**

**TOWN MANAGER'S NOTES  
BOARD OF SELECTMEN'S MEETING FOR  
December 18, 2019**

**Presentations**

1. **Use of Rock Salt on Town Roads, Sidewalks and Parking Lots -Seth Hagar and Hugh Priebe** This presentation is a follow-up to a brief discussion at your December 4 meeting. Each year the Town staff receive several complaints about the amount of rock salt used by the Public Works Department and the Town's winter maintenance contractor. Most recently, the Board and I received a complaint about the amount of salt used on Pleasant Street. At least two of the residents are concerned about the impact of the salt on their wells.  
Seth Hagar from Hagar Enterprises and Hugh Priebe, the Town's Road Commissioner, will provide a presentation on the Town's protocols for the use of rock salt on roads and sidewalks and in Town parking lots. I have invited citizens who have expressed concerns about the use of salt to this meeting to hear the presentation.

**Town Manager Items**

1. **Reminder: Town Administrative Office Hours Christmas and New Year's Eves**  
Town offices will be closed at noon on December 24 and 31.
2. **Waterfront Improvement Committee Meetings (verbal)**

**Official Action Items**

1. **Miles Street Improvements (tabled)** As the Board is aware, earlier this year the Town and LincolnHealth approved a Memorandum of Understanding whereby each party would contribute 50 percent of the cost of reconstructing the street, rebuilding the retaining walls and adding sidewalks and lighting. Although Miles Street serves as the driveway to the LincolnHealth campus, it is also a Town way. The agreement calls for the \$350,000 plus project to be funded over a three year period. For FY2020, the Town set aside \$30,000 in its capital reserves for engineering and design and LincolnHealth was able to set aside \$107,000. The firm of Gartley and Dorsky was hired to complete the engineering.

This past summer a portion of the retaining wall that supports the road on the Day's Cove side collapsed, causing concerns about the possible erosion of the base under the roadway and a belief that work on this portion of the project should begin as soon as possible. After a lengthy delay in obtaining the required permits from the Army Corps of Engineers and the State Department of Environmental Protection, and after receiving Board of Selectmen approval for an abbreviated RFP process, the engineer requested proposals from Hagar Enterprises and Hanley Construction to do a first phase of the Miles Street project. Hagar Enterprises submitted a bid of \$265,950 with an alternate bid of \$249,950 if the road could be closed for up to six weeks. Hanley Construction did not submit a proposal. Unfortunately, the bid that the Town received is approximately

\$100,000 more than the engineer's estimate and considerably more than the funding that the Town and LincolnHealth currently have available.

**Recommended Action: Reject the bid that the Town received from Hagar Enterprises for interim repairs to Miles Street.**

- 2. Appointment to Land Use Advisory Committee- Damariscotta resident and local real estate agent Muffy Myles has indicated that she is very interested in being a member of the Land Use Advisory Committee. Muffy sent me the following note last week:**

*"...I would be delighted to serve on the Land Use Advisory Committee. I have lived in communities where Historic Preservation has always been present and of keen interest to me (Orient, LI, NY - NYC, NY - Rye, NY - Newport, RI).*

*My 30 years in Real Estate in Newport, RI and Damariscotta has kept me keenly aware of the importance of preserving historic areas yet moving forward with the times in an appropriate manner.*

*Thank you for recommending me."*

**Recommended Action: Appoint Muffy Myles to the Land Use Advisory Committee.**

- 3. Warrant for February 19 Special Town Meeting**

At your December 4 meeting, the Selectmen gave their formal approval for Town staff to proceed with the drafting of a development program for a TIF district that encompasses the 33.31 acres of land comprised of the 435 Main LLC/Camden Bank Plaza Development and two parcels owned by Damariscotta Midtown. Attorney Amanda Meader will have the lead on the preparation of the required documents.

The plan will provide for partial funding for the construction of a sidewalk and possible bike path on Main Street. This is a public safety project necessitated by the development of the proposed district as a major retail, restaurant and office center. The public infrastructure project will also boost the economic development potential of the upper Main Street corridor.

Wright Pierce is currently preparing a proposal for the development of plans for the proposed new sidewalk and bikeway. This process will eventually result in our having a firm handle on the cost of this public infrastructure project. The long term plan will be to have the new Main Street sidewalk connect to a sidewalk that currently ends at the Rising Tide Market, the sidewalk that the developer is already being required to build at 435 Main, a sidewalk that has already been funded but not yet constructed at the corner of Biscay Road and Main Street and the sidewalk that was constructed by the Coastal Rivers Conservation adjacent to Great Salt Bay Community School.

The formal designation of the district needs to be completed by the deadline of March 1, 2020 in order for the Town to include the increase in Town valuation that will occur with the completion of the Campden national Bank building. If the Board approves the attached Warrant, a public hearing will be held prior to the special town meeting on February 19, 2020.

**Recommended Action: Approve the Warrant for a February 19, 2020 Special Town Meeting.**

- 4. Wright Pierce Task Order for Waterfront Improvement Project-** After the completion of the Shore and Harbor Study in 2010, the engineering firm of Wright-Pierce was retained to complete contract drawings and construction specifications for the projects. These documents were finalized and provided to the Town in January 2012. In late 2017, the Town received a commitment from private donors to fund most of the project. Because of the updates to the waterfront plans based on the recommendations from the Waterfront Improvement Committee and the input received at several public hearings and community conversations since 2012, the Board approved a contract with Wright-Pierce to update its previous contract drawings and specifications. Wright-Pierce also had the lead on the engineering and design of the Town's restroom project. The Town is currently being considered for substantial grant funding through the Federal Economic Development Administration (EDA), which if received would permit the Town to include in its waterfront improvement project some of the flood resiliency measures recommended in a 2015 study.

Given Wright-Pierce's long history with the various elements of the Waterfront Improvement Project, I am recommending that the Town contract with the firm to further update the Waterfront Improvement Project and Downtown Restroom contract drawings and specifications that will be required for an EDA-funded project. I hope to have the proposed task order from Wright-Pierce to send to the Board prior to your Wednesday meeting.

**Recommended Action: Waive Town Charter bid guidelines and approve a contract with Wright-Pierce for additional design and engineering work associated with the Town's Waterfront Improvement and Downtown Restroom Projects.**

- 5. Police Department Justice Assistance Grant Application**

The following request was submitted by Chief Warlick:

*The grant is the annual Edward Byrne Justice Assistant Grant. The grant amount is based on felony crimes committed in each municipality. This year we were awarded \$1628.00.*

*The department's intentions are to purchase 1 body worn camera, 2 new tourniquets, and new quick clot wound treatment. I have not priced out the items yet due to the time frame for submittal but if there is money left over, I intend to purchase a new Marijuana training kit for school impairment presentations.*

**Recommended Action: Approve a grant application for a \$1,628 Justice Assistance Grant award for the Police Department.**

- 6. Efficiency Maine/Nature Conservancy Grants**

Earlier this year, the Town applied for a grant from Efficiency Maine and the Nature Conservancy that, if approved, would help pay for the cost of converting all lighting fixtures in Town Hall and the Police Department to LED fixtures. This past week, Town staff were informed that we have been awarded the grant for the conversion of lighting fixtures in the Police Department. A conversion of lighting fixtures in Town Hall was

not approved because it does not meet the minimum threshold for required energy consumption.

The cost for the conversion to be completed by Midcoast Energy Systems will be \$4,472.25. With the \$2,100 in grants from Efficiency Maine and the Nature Conservancy, the net cost to the Town will be \$2,372.25. This will result in a payback period of 1.2 years.

**Recommended Action: Accept a total of approximately \$2,100 in grant funding from Efficiency Maine and the Nature Conservancy for the conversion of Police Department lighting to LED.**

7. **Change in Board of Selectmen's Meeting Date for First Meeting in January** -Given that the next meeting of the Board fall on the New Year's Holiday, the Board is asked to change the meeting to a time and date later in January.

**TOWN OF DAMARISCOTTA  
WARRANT  
FOR  
SPECIAL TOWN MEETING  
February 19, 2020**

LINCOLN, SS

STATE OF MAINE

**TO:** Jason Warlick, a 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 Town Hall at 21 School Street in said Town, on Monday, the 19th day of February A.D. 2020 at 5:30 PM, then and there to act on Articles 1 and 2.

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

**ARTICLE 2:** Shall the Town designate, as a development district, the Main Street Damariscotta TIF District, consisting of the parcels identified on the Town's Tax Maps as Map 001- Lot 056-001, Map 010- Lot 022 and Map 001-Lot 053 and encompassing approximately 33.31 acres, and adopt the Main Street Damariscotta TIF District Development Plan, all in accordance with MRS Title 30-A Chapter 206.

Given under our hands at said Damariscotta, Maine this 18th day of December, A.D., 2019

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Robin Mayer Chair

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Louis Abbotoni

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Mark Hagar

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Joshua Pinkham

Board of Selectmen  
Damariscotta, Maine

Attest: Matthew J. Lutkus, Town Manager\_ \_\_\_\_\_