

Agenda
Town of Damariscotta, Maine
Board of Selectmen's Meeting
July 11, 2018, 5:30 PM
Damariscotta Town Hall

I. Pledge of Allegiance

II. Call to Order

III. Required Actions for New Board

1. Election of Chairman, 1st Vice Chairman and 2nd Vice Chairman
2. Appointment of Secretary
3. Establishment of times, dates and location of regular meetings for FY 2019

IV. Minutes

1. June 6 and 27 meetings

V. Financial Reports

1. Payroll Warrant #
2. Accounts Payable Warrant #

VI. Presentations

VII. Citizen Comments and General Correspondence

VIII. Town Manager Items

1. Minimum Receiver Coalition
2. Date for Workshop On 2018-19 Goals and Action Plan
3. Follow-up on Drafting of Proposed Plastic Bag/Polystyrene Ordinance
4. Next Selectmen's Meeting- July 18

IX. Official Action Items:

1. Planning Services Agreement (Tabled from June 27 Meeting)
2. Ballot for MMA Legislative Policy Committee
3. Confirmation of Town Manager Appointments
4. Appointments to the Lincoln County Regional Planning Commission
5. Designation of Selectmen to Sign Off-Cycle Payroll and Accounts Payable Warrant
6. Order of Municipal Officers regarding Payment of Outstanding or Delinquent Taxes
7. Agreement with Midcoast Community Action Agency Re: Worthy Poor Fund Administration Services
8. Cemetery Deed Transfer of Ownership for John N. Chasse

X. Selectmen's Discussion Items

XI. Adjournment

TOWN MANAGER NOTES JULY 11, 2018

BOARD OF SELECTMEN'S MEETING

Required Actions of the New Board-

In accordance with Article II, Section 2.03 of the Town Charter, the Board of Selectmen is required to elect a Chairman, 1st Vice-Chairman and 2nd Vice-Chairman, appoint a secretary and establish the time and place for regular Board of Board of Selectmen meetings.

Recommended Actions:

1. **Select Board of Selectmen officers for FY 2019**
2. **Appoint Town Staff as Board Meeting Secretaries**
3. **Establish the regular Board meeting dates as the first and third Wednesdays of each month, beginning at 5:30PM at Damariscotta Town Offices.**

Official Action Items

1. **Planning Services Agreement (Tabled from June 27 Meeting)** Staff has received input from the MMA Legal Department and plans to have a contract that incorporates insurance-related requirements ready for your review at Wednesday's meeting.
2. **Ballot for MMA Legislative Policy Committee-** Copies of the cover letter, ballot and biographies of the nominees are attached.

Recommended Action: Select the candidates for whom the ballot should be cast.

3. **Confirmation of Town Manager Appointments-** Article IV, Section 4.02 of the Town Charter requires that the Board confirm the one year and two year appointments made by the Town Manager. Below is a list of those appointments for the coming year. Section 4.03 also requires that the Board confirm the appointments of all police personnel. With regard to the latter, I believe that the authors of the Town Charter may not have anticipated that Police Department employees would be considered as regular Town employees or that they would be covered by a collective bargaining agreement. I am therefore asking that the Board's confirmation of these employees be more open-ended as indicated below.

Recommended Actions:

- A. **Confirm the following one year appointments made by the Town Manager:**

Code Enforcement Officer, Shoreland Zoning Officer, 911 Officer, Building Inspector, and Plumbing Inspector -Stanley Waltz

Fence Viewer- Charlie Ault

Harbor Master- Paul Bryant

Deputy Harbormaster- Michael Herz

Town Clerk – Michelle Cameron

Treasurer –Cheryl Pinkham

Deputy Clerks –Rebecca Bartolotta, Cheryl Pinkham

Road Commissioner –Hugh Priebe

Health Officer- Dr. Timothy Goltz

Tax Collector- Cheryl Pinkham

Animal Control Officer-Lincoln County Sheriff's Department

General Assistance Administrator- Michelle Cameron

Civil Emergency Preparedness Director – Stephen O'Bryan

Deputy Civil Emergency Preparedness Director- John Roberts

Sealer of Weights and Measures- Robert Wiggins

Shellfish Warden –Contract with Lincoln County Sheriff's Office

Town Planner- Anthony Dater

TOWN MANAGER NOTES JULY 11, 2018
BOARD OF SELECTMEN'S MEETING

Assessor's Agent-Jurate Barnes

CLC Ambulance Liaison-Mary Trescot

Police Department employees- To be designated by the Town Manager in accordance with the Police Officer Collective Bargaining Agreement and the Town's Personnel Policies and Rules.

B. Confirm the following two year appointments made by the Town Manager:

Registrar of Voters –Michelle Cameron

Election Clerks – To be designated by Town Clerk for each election

4. **Lincoln County Regional Planning Commission-** Dick McLean and Ronn Orenstein are the Town's current representatives on the Commission. Both would like to be reappointed. I am open to continue to serve as their alternate.
Recommended Action: Reappoint Dick McLean and Ronn Orenstein as the Town's representatives and Matt Lutkus as the Alternative member on the Lincoln County Planning Commission.
5. **Designation of Selectmen to sign off-cycle payroll and accounts payable warrants-** The Board is asked to authorize one of its members to sign off on payroll and accounts payable warrants during those periods in which a regular Board of Selectmen's meeting does not take place. The full Board will subsequently be asked to review and approve all of these warrants. Another member of the Board should be also designated to sign off on the off-cycle warrants if the primary designee is not available.
Recommended Action: Designate a member of the Board as well as a second member as a back-up to approve off-cycle payroll and accounts payable warrants.
6. **Order of Municipal Officers regarding Payment of Outstanding or Delinquent Taxes**
The Town Tax Collector is asking the Board to annually approve a policy that requires any payments for taxes to be applied to the oldest outstanding balance due, in accordance with 36 M.R.S.A, Section 906. A proposed Order of Municipal Officers will be provided to the Board on Wednesday.
Recommended Action: Adopt the order that authorizes and directs the Tax Collector to apply any tax payments against any outstanding or delinquent taxes in chronological order beginning with the oldest unpaid tax bill.
7. **Agreement with Midcoast Community Action Agency Re: Worthy Poor -** Starting in 2013, the Town contracted with Midcoast Maine Community Action (MMCA) for the administration of the disbursement of the Town's Philbrook and other funds designated for the "worthy poor". MMCA does not charge any administrative fee for this service and allocates the funds to Damariscotta residents in accordance with the criteria described in the agreement. For FY 2019, \$11,000 has been allocated for this purpose.
Recommended action: Authorize the Town Manager to execute an agreement with Midcoast Maine Community Action for the administration of the Town's Worthy Poor Funds.
8. **Transfer of Cemetery Deed Ownership for Nicholas J. Chasse** The transfer of Cemetery Deed Ownership document is attached. **Recommended Action: Approve a Transfer of Cemetery Deed Ownership from Nicholas J. Chasse to John N. Chasse.**

June 25, 2018

Matt Lutkus, Town Manager
21 School Street
Damariscotta, Maine 04543

RE: Raising the Floor for Minimum/Low Receivership School Districts

Dear Mr. Lutkus:

Preti Flaherty has been engaged to represent the Raise the Floor Coalition in its efforts to make school funding more equitable. Proposed legislation would require the State to contribute a minimum of 15% of average per pupil costs to “minimum receiver” communities. To date, the group has received commitments of approximately \$10,000 toward a goal of \$50,000 to support legislative and political action in the upcoming session.

The Coalition is asking its members for a contribution of \$5 per pupil, or a minimum of \$1,000, towards this effort. We think the requested contribution amount is a small investment to make compared with the long-term benefits this legislation will provide.

Requested Contribution, Damariscotta Public Schools	\$1000
Estimated benefit under Raise the Floor*	\$42,370
* Difference between 15% and ED 279 subsidy for '18-'19	

We will be holding regional meetings to spread the word about this campaign and to answer any questions you may have. Dates and places for these meetings are as follows:

July 17, 2018	10 am – 12 pm	Wells Town Office 208 Sanford Road, Wells
July 24, 2018	10 am – 12 pm	Damariscotta Town Office 21 School Street, Damariscotta
July 26, 2018	10 am-12 pm	Kneisel Hall 137 Pleasant Street, Blue Hill

Preti Flaherty has a successful history in leading legislative campaigns to affect educational funding issues. In 2009, we successfully campaigned in favor of removing penalties for failing

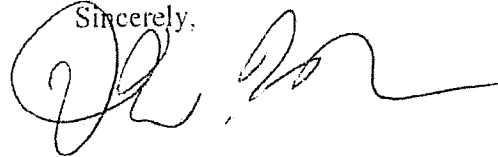
PRETI FLAHERTY

June 25, 2018

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to consolidate, saving our client coalition and many other municipalities, millions and preserving local control over education. We hope you will join us in what will hopefully be another victory toward achieving greater fairness in educational funding!

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Walker', with a long horizontal flourish extending to the right.

Daniel Walker, Esq.

A handwritten signature in black ink, appearing to read 'K. Collins', with a long horizontal flourish extending to the right.

Kristin Collins, Esq.

DWW:dal

If your municipality or school unit is interested in participating in this campaign and funding effort, please let us know at your earliest convenience and we would be happy to answer any of your questions. Checks issued toward this effort should be sent to Preti Flaherty, attn.: Daniel Walker, Esq., at 45 Memorial Circle, Augusta, ME 04330.

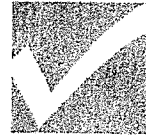


Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

Memorandum

To: Key Municipal Officials of MMA's Member Municipalities
From: Linda C. Cohen, President, Maine Municipal Association
Date: June 14, 2018
Re: Ballots for Election to MMA'S Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2018-2020 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. *You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.*

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name is not on the ballot by writing that person's name in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC District. *Check to be sure the write-in candidate is willing to serve if elected!* Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

Deadline for returning ballot

Return ballot by 5:00 p.m. on **August 2, 2018** to:


State and Federal Relations Dept.
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Your participation is important - Thank You!

OFFICIAL BALLOT – District 13

Maine Municipal Association's Legislative Policy Committee
July 1, 2018 – June 30, 2020

VOTE FOR TWO:

- Harry Lowd, Selectman, Town of Bristol
- Jonathan Duke, Administrator, Town of Newcastle
- Mark Hagar, Selectman, Town of Damariscotta
- _____ (name) _____ (position) _____ (municipality)  write in

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____

 **BY SELECTMEN/COUNCILORS:**

_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name

Return by 5:00 p.m., August 2, 2018 to:

Laura Ellis, Maine Municipal Association
60 Community Drive, Augusta, ME 04330
Fax: 624-0129

(over)

LPC Senate District 13

Alna
Boothbay
Boothbay Harbor
Bremen
Bristol
Damariscotta
Edgecomb

Jefferson
Monhegan Pt.
Newcastle
Nobleboro
Somerville
South Bristol
Southport

Waldoboro
Washington
Westport Island
Whitefield
Windsor
Wiscasset

Candidate Profile:

Harry "Terry" Lowd has served as Selectman in the Town of Bristol for the past 6 years. Prior to that he served as Planning Board Chair for six years, and on the Budget Committee for five years. Mr. Lowd also served recently on the legislative task force regarding shoreland zoning. He has experience lobbying in both the Maine and New Hampshire Legislatures and has backgrounds as hospital administrator and most recently as a small business owner. He served the past 2 terms on the LPC and would like to continue his service because of his concerns with health policy, fiscal management and taxation.

Jonathan "Jon" Duke has been the Administrator in Newcastle for the past 2 years. Prior to that he served the Town of Hope for 10 years as Town Administrator, Code Enforcement Officer and Plumbing Inspector. Jon also served for 3 years on the Rockport Board of Selectman and for 13 years on the Mid-Coast Solid Waste Corporation's Board of Directors. He served this past term on the LPC and would like to continue to serve to ensure that Lincoln County issues are heard at the state level, to work toward restoring revenue sharing to 5% in 2019 and to provide area municipalities a conduit for learning how legislative action can impact them.

Mark Hagar has served as Selectman in the Town of Damariscotta for the past 2 years, plus 5 years previously. He has also served as a Trustee of the Water/Sanitary District from 1990-1996. He would like to serve on the LPC because he believes that his experience serving as a selectperson, business owner, head of maintenance for the local school and taxpayer will help him bring strong representation and understanding of the needs of the district's municipalities. He would like to work with the Legislature in a bipartisan way to increase the percentage of revenue sharing going to towns in Lincoln County, particularly to service centers who provide greater amenities as well as shoulder more of the tax burden. He would also like to work to examine fiscally responsible ways to help local governments. He feels he will bring a business and municipal perspective of efficiency that would help enhance the process of governance.

Fund Distribution Agreement

Between the Town of Damariscotta and Midcoast Maine Community Action

This agreement made July 1, 2018 between Midcoast Maine Community Action (MMCA) and the Town of Damariscotta, Maine (Town).

MMCA hereby agrees to administer the "Funds for the Worthy Poor" for the Town of Damariscotta in the amount of \$11,000.00 for the period of July 1, 2018-June 30, 2019, in accordance with the criteria described below. No administrative fee will be charged for this service.

1. Eligibility: Recipients of these funds shall be residents of the Town of Damariscotta who meet income eligibility not to exceed 185% of Federal Poverty guidelines.
2. Application Process: MMCA will utilize its intake form and individual application/interview process to screen individuals applying for these funds. The process shall include verification of Damariscotta residency and income eligibility. A signed release of confidentiality shall be required so that the Town may see names, if requested. This will also allow follow-up with other service providers to coordinate services and leverage resources. In those cases where applicants are not eligible for Worthy Poor Funds, MMCA will refer individuals to other resources whenever possible.
3. Fund Use: Funds are to be used primarily to support long-term solutions rather than emergency needs when other types of financial assistance are not available. Examples include:
 - Transportation: car repair, new tires, excise tax, and vehicle registration
 - Medical not covered by insurance: dental, hearing , eyesight, medications, and may include insurance co-pays as determined by MMCA
 - Home repairs: well pumps, furnace repair, plumbing, and electrical
 - Appliance replacement; refrigerator or stove
 - Emergency needs of individuals and families when other resources are not available or when needed to leverage other funding sources. Examples include security deposits, rent, utility payments, and fuel.
4. Maximum Benefit: Total payments of over \$1,000.00 to one individual or family during the contract period require approval of Town Manager or his designee.
5. Reporting: MMCA will submit quarterly reports of expenditures to the Town as follows: October 15, 2018; January 15, 2019; April 15, 2019; and July 15, 2019.
6. Fund Disbursement: The Town of Damariscotta will disburse funds on a quarterly basis within two weeks of the beginning of each quarter so that MMCA will not need to front-end the disbursements to recipients.

Matthew J. Lutkus, Town Manager on behalf of the Damariscotta Board of Selectmen

Date: _____

Jessica A. Tysen, Executive Director, Midcoast Maine Community Action

Date: _____

Cemetery Deed Transfer of Ownership

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 fifty dollar administration fee for a transfer of lot previously owned by **Nicholas J Chasse** transferring to family member(s) **John N Chasse**, in the state of Maine, does hereby transfer and convey unto the said **John N Chasse** and his/her assigns, a certain lot of land in **Hillside Cemetery** in said Town of Damariscotta, said lot(s) being numbered **HILLSIDE ANNEX 1 LOTS #349, 377, 404 and 431** 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 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 **Nicholas J Chasse** 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 **John N Chasse** 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 **11th day of July, 2018**.

The Town of Damariscotta

Roberta Mayer, Chairman

Ronn Orenstein

Mark Hagar

Amy Leshure

Louis F Abbotoni

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.

Before me, _____
Notary Public