

Agenda

Public Hearing/Special Town Meeting

**Board of Selectmen's Meeting
Town of Damariscotta, Maine
September 16, 2020; 5:30 PM
Great Salt Bay School Gym**

- I. Pledge of Allegiance**
- II. Public Hearing Regarding Loan for Street Light Purchase and LED Conversion**
- III. Special Town Meeting Regarding Approval of Loan for Street Light Purchase and LED Conversion**
- IV. Call to Order**
- V. Minutes**
 1. August 26 Special Meeting and September 2 Regular Meeting
- VI. Financial Reports**
 1. Payroll Warrant
 2. Accounts Payable Warrants
- VII. Presentations**
- VIII. Citizen Comments and General Correspondence**
- IX. Town Manager Items**
- X. Official Action Items**
 1. Loan Agreement with First National Bank
 2. Payment In Lieu of Taxes from Ledgewood Court
 3. Grant from the Island Institute
 4. Contract with Acadia Engineering
 5. Contract for Downtown Restroom Project (tentative)
 6. Contract for Waterfront Improvement Project Design (tentative)
- XI. Selectmen's Discussion Items**
- XII. Adjournment**

Town Manager Notes for September 16, 2020

Special Town Meeting and Board of Selectmen's Meeting

Public Hearing and Special Town Meeting Regarding Approval of Loan for Street Light Purchase and LED Conversion -

The purchase of street lighting by municipalities was allowed under State legislation that was approved in 2013. Since then, dozens of Maine municipalities have opted for municipal ownership of street lights. Earlier this year, several Lincoln County towns issued a joint request for proposals to firms who specialize in the conversion of incandescent lights to LED.

Based on the results of the RFP process, the Boards in the Towns of Newcastle, Bristol and Damariscotta approved agreements with RealTerm Energy to assist the Towns in the acquisition of all municipal street lights from Central Maine Power (CMP) and the conversion of the lighting fixtures to LED fixtures. If approved, Article 2 in the attached warrant will allow the Town to obtain a loan from a local financial institution to pay for both the purchase of the fixtures and the conversion. By financing the purchase and conversion over a five-year period, the Town will see no increase in its annual operating budget costs for street lighting.

After the lights are purchased and converted to LED, the Town will save approximately 75% of the \$17,000 it spends annually to lease the lights from CMP. The Town will still need to budget for funding for light fixture repair and maintenance, software and long-term capital replacement. The purchase does not include lights that are currently leased by private parties.

The contract with RealTerm Energy includes a Smart Control computer system that will allow the Town to dim or turn off lights as the need arises and monitor the street light system to make sure that all of the lights are operating properly.

I. Official Action Items

1. **Agreement for Financing Street Light Purchase and LED Conversion.** -Town staff recently contacted the five financial institutions to obtain informal quotes on a five year note to pay for the purchase of street lights and the conversion of the fixtures to LED lighting. Three firms responded to this request. The loan amount will be \$51,365.

The quotes received were as follows:

Bath Savings	2.05%
First National	1.8%
Damariscotta Bank and Trust	2.98%

Town Manager Notes for September 16, 2020

Special Town Meeting and Board of Selectmen's Meeting

Recommended Action (contingent upon Town Meeting Approval above)

Authorize the Town Manager to execute an agreement with First National Bank for a \$51,364.25 loan for a period of five years and a loan rate of 1.8%. for the purchase of street lights and the conversion of those lights to LED fixtures.

- 2. Payment In Lieu of Taxes from Ledgewood Court** – In August, the new owner of Ledgewood Court, Midcoast Community Action (MCCA) applied for and was given property tax exempt status by the Board of Assessors. As is the case in other communities where the agency has rental properties, MCCA volunteered to pay an annual payment in lieu of taxes (PILOT) in the amount equal to 2 percent of its gross rental income. The payments are made following the completion of the organization's audits for the previous fiscal year. The Town recently received a check for \$4,079.06 for its first PILOT.

Recommended Action: Accept a payment in lieu of taxes in the amount of \$4,079.06 from Ledgewood Court.

- 3. Grant from the Island Institute-** Significant flooding in parts of Damariscotta on July 14 caused the overtopping of Church Street at Castner Brook. Although Summit Engineering later inspected the roadway and determined that there was minimal chance of an immediate catastrophic failure, the firm recommended eventual replacement or significant repair of the structure. Prior to the storm, Town staff and culvert experts had inspected the structure and determined that it was undersized given the amount of tidal waters the pass under the road. In addition to these issues, long term plans call for the widening of the road over the culvert to accommodate a sidewalk on Church Street.

In August, the Board authorized staff to submit a grant application to the Island Institute under the Institute's Shore-up Program. The grant would provide for a conceptual engineering design and analysis that will be needed for possible grant funding of further engineering work and ultimately the replacement of the culvert. Yesterday the Town received word from the Island Institute that we have been awarded the \$ 9,910 requested in our grant application.

Recommended Action: Accept a \$9,910 grant award from the Island Institute for preliminary design work for a replacement culvert for Castner Brook at Church Street.

- 4. Contract with Acadia Engineering** -Town staff has had several discussions with Joseph McLean at Acadia Engineering regarding the redesign of the Castner Brook culvert at Church Street. Mr. McLean's engineering specialty is hydrology and in his previous employment with Wright-Pierce, he assisted in the sizing and design of the Egypt Road culvert. He has also been involved in the Bristol Dam reconstruction project. Given his expertise in this area, Town staff used Mr. McLean's proposal

Town Manager Notes for September 16, 2020 Special Town Meeting and Board of Selectmen's Meeting

(attached) as the basis for our application narrative for the Island Institute Grant application. Because of the specialized nature of the engineering work and his familiarity with the project, staff is recommended that the Town contract with Joseph McLean, dba Acadia Engineering for this project.

The cost of Acadia Engineering's services will be covered by the \$9,910 Island Institute Grant and \$4,190 in Town funds allocated in the FY2021 Capital Reserve Budget for the Castner Brook culvert replacement.

Recommended Action: Waive Town Charter Bid guidelines and authorize the Town Manager to execute a contract with Acadia Engineering for design work related to the design of a replacement culvert on Church Street at the Castner Brook crossing for a contract amount not to exceed \$14,100.

5. **Contract for Downtown Restroom Project (tentative)-** The bid opening for the restroom construction project is Tuesday, September 15. The Public Works Committee and project engineer will be reviewing the bids immediately following the opening and may have a recommendation for the Board at your meeting on Wednesday.
6. **Contract for Waterfront Improvement Project Design (tentative)-** Town staff are currently working with Wright-Pierce on finalizing a contract for the Waterfront Improvement Project design and engineering. I hope to be able to send this document to you early next week.

**TOWN OF DAMARISCOTTA
WARRANT
FOR
SPECIAL TOWN MEETING
September 16, 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 Great Salt Bay Community School at 559 Main Street in said Town, on Wednesday, the 16th day of September A.D. 2020, immediately following a public hearing on the same topic at 5:30 PM, then and there to act on Articles 1 and 2.

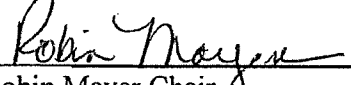
ARTICLE 1: To choose a Moderator to preside at said meeting.

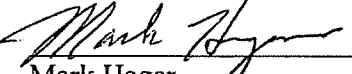
ARTICLE 2: Shall the Town vote to appropriate the sum of \$10,749.72, previously budgeted for street light rental as the first of five annual payments for the purchase of all Town-provided Central Maine Power street lights in Damariscotta and the conversion of those lights to LED fixtures, and to authorize the Board of Selectmen to enter into an agreement with the First National Bank for a loan with the estimated payments shown below with the balance to be repaid over a period of no longer than five (5) years?

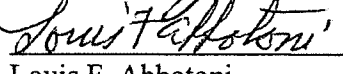
Approximate costs: At a maximum interest rate of 1.8%, the estimated cost of this five year note for the street light purchased and LED conversion project;


Cost of purchase of street lights from Central Maine Power:	\$10,370.25
Cost of the purchase and installation of LED fixtures and associated fees and equipment:	\$40,994.00
Subtotal	\$51,364.25
Interest computed at 1.8% for five year term:	\$ 2,384.35
Total to be paid over five annual installments:	\$53,748.60


Given under our hands at said Damariscotta, Maine this 2nd day of September A.D., 2020


Robin Mayer Chair

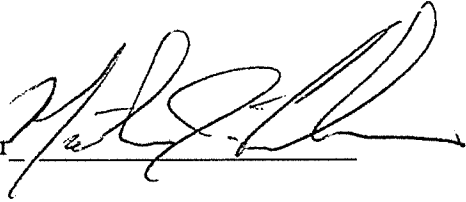

Mark Hagar


Louis F. Abbotoni


Joshua Pinkham


Daryl Fraser

Board of Selectmen
Damariscotta, Maine

Attest: Matthew J. Lutkus, Town Manager 



102 Main Street
P.O. Box 258
Bar Harbor, ME 04609
Phone: 207.288.5919
Fax: 207.288.2451
Email: jody.brown@thefirst.com

August 31, 2020

Town of Damariscotta
ATTN: Matt Lutkus, Town Manager
21 School Street
Damariscotta, ME 04543

Dear Mr. Lutkus:

Thank you for the opportunity to provide this commitment letter for financing for the Town of Damariscotta in the amount of \$51,364.25 for the purpose of the LED Streetlight Conversion Project. The Note is offered subject to the following conditions:

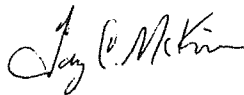
1. **ISSUE DATE:** On or about September 16, 2020.
2. **MATURITY:** Principal and interest will be payable via 5 annual payments.
3. **INTEREST RATE:** The rate of interest will be fixed for the repayment term based upon an actual/360 day year at **1.80%**.
4. **DENOMINATION:** There will be one (1) Note issued in the denomination of Fifty One Thousand Three Hundred Sixty Four dollars and Twenty Five cents (\$51,364.25).
5. **PREPAYMENT PROVISION:** The Note may be prepaid at any time after September 16, 2020 without penalty.
6. **FEES:** None.
7. **LEGAL OPINION:** This commitment is not subject to a legal opinion from bond counsel.
8. **CONFIRMATIONS:** The Town must confirm in writing that:
 - a) The anticipated total tax-exempt borrowings for 2020 will not exceed \$10,000,000; and
 - b) The Town will comply with all aspects of the Tax Reform Act of 1986, as amended, including all provisions relating to arbitrage and rebate.

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9. SUBMISSION OF FINANCIAL STATEMENTS: The Town will provide the Bank with year-end audited financial statements within one hundred fifty (150) days of the Town's fiscal year-end each year for the term of the loan. Such statements are to be prepared by an independent certified public accountant.
- a) The enclosed Municipal Fact Sheet will be completed and returned with the signed commitment letter.

This commitment shall expire if it is not accepted in writing by a qualified officer of the Borrower by 5:00 P.M. September 30, 2020. Five (5) business days shall be required to prepare for a closing. Should you require any further information, please feel free to contact me as listed above. Again, thank you for allowing **First National Bank** to participate in this bid.

Very Truly Yours,



Tony C. McKim,
President & Chief Executive Officer

AGREED TO ON BEHALF OF THE TOWN OF DAMARISCOTTA

Date: _____

By: _____

Print Name: _____

Its: _____

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ACADIA CIVIL WORKS
ENGINEERING DESIGN & CONSULTATION

PERSON-HOUR/FEE ESTIMATE

Church Street - Tidal Crossing Analysis

Damariscotta, ME - August 25, 2020

Task/Phase Description	Classification	Engineer	Tech	Admin	Sub	Subtotal
	Rate (\$/hr)	\$140	\$85	\$55	Contractor	

Concept Design Development

1 Data Review	4	4	2			\$1,010
2 Tidal Monitoring	6	2	4			\$1,230
3 Hydraulic Modeling (1D)	24	6				\$3,870
4 Sea Level Rise Analysis	8	4				\$1,460
3 Conceptual Sizing	6	2	1			\$1,065
4 Concept Plan	3	8				\$1,100
5 Conceptual Cost Estimation	2	1				\$365
6 Design Memorandum	6	4	6			\$1,510
7 Project Team Review	4	2	2			\$840

Person-Hour Total	63	33	15			
Labor Subtotal	\$8,820	\$2,805	\$825	\$0		\$12,450

mileage (@\$0.55/mile)	\$125
Equipment Rental (Tide Guage)	\$1,500
printing	\$25

TOTAL FEE \$14,100

Concept Design Development

Task 1 - Data Review: Acadia Civil Works will seek information from the Town of Damariscotta (including the Water and Sewer Departments) and Maine DOT related to the existing crossing structure at Church Street, as well as upstream structures at Route 1. This will include prior structure inspections, as well as plans on file and survey information. Additionally, readily available GIS data sources and previously collected data by project partners will be reviewed and evaluated.

Task 2 - Tidal Monitoring: Acadia Civil Works will rent electronic tidal monitoring equipment for deployment downstream of the Church Street crossing structure. The equipment will monitor the tide for at least two weeks, but not more than four. The monitored tidal data will be related to the site survey datum and the nearest NOAA tide gauge. The tidal data will be used as downstream control in the hydraulic model, as well as used to estimate future tides (adjusted for sea level rise).

Task 3 - Hydraulic Modeling (1D): A one-dimensional HEC-RAS model will be developed that encompasses the Church Street Crossing, the upstream crossing at Route 1, and associated tidally influenced channel/marsh areas. This model will allow for the evaluation of a variety of conditions, including the existing conditions, improvement conditions, and sea level rise.

Task 4 - Sea Level Rise Analysis: The 2017 NOAA sea level rise curves will be considered and evaluated to predict and assess the tidal conditions in the future. We anticipate a robust discussion with Project Partners about the results of the tidal data and associated sea level rise predictions.

Task 5 - Conceptual Sizing: A primary goal of this exercise will be to develop a sizing curve for the existing and future conditions that identifies the associated hydraulic performance of the crossing (ability to pass the ebb and flow of the tide, as well as peak storm flows) through a range of sizes.

Task 6 - Concept Plan: It is anticipated that one conceptual improvement scenario will be considered at Church Street. A full size engineering plan for the concept will be prepared and included as an attachment to the Design Memorandum (Task 6).

Task 7 - Conceptual Cost Estimation: An engineers' opinion of construction cost will be prepared for the of concept from Task 4. This estimate will be prepared based upon construction costs of recent similar projects. The costs estimates will be included in the Design Memorandum (Task 6).

Task 8 - Design Memorandum: Acadia Civil Works will complete and issue a written memorandum describing the conceptual design effort at the crossing location. This memo will summarize and publish pertinent hydrologic and hydraulic assessments prepared for the project.

Task 9 - Project Team Review: The Design Memorandum will be issued in advance of the Project Team Review Meeting. At the meeting, Acadia Civil Works will review the memo with the Town and Project Partners. Comments and feedback will be solicited. Following the meeting the memo will be updated and issued as final.