



**Agenda**  
**Board of Selectmen's Meeting**  
**Town of Damariscotta, Maine**  
**February 17, 2021; 5:30 PM**  
**Meeting to be held remotely via Zoom**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89608220403>**

**Meeting ID: 896 0822 0403**

**Passcode: BOS**

- I. Pledge of Allegiance**
- II. Public Hearing**
  - 1. Application for new liquor license for Barn Door Baking Company, LLC
- III. Call to Order**
- IV. Action on Public Hearing Items**
  - 1. Application for new liquor license for Barn Door Baking Company, LLC
- V. Minutes**
  - 1. February 3 Meeting
- VI. Financial Reports**
  - 1. Payroll Warrant
  - 2. Accounts Payable Warrants
  - 3. Presentation on FY2020 Financial Audit -RHR Smith
- VII. Presentations**
- VIII. Citizen Comments and General Correspondence**
- IX. Town Manager Items**
  - 1. Update on Municipal Parking Lot Sewer Line Project
  - 2. Timeline for Town Warrant Articles
  - 3. Selection of Spirit of America Tribute and Annual Town Report Dedication Honoree(s)
  - 4. RFP for Survey/Engineer/Design for Church Street

**X. Official Action Items**

1. Maine Department of Transportation Main Street Sidewalk Grant

**XI. Selectmen's Discussion Items**

**XII. Executive Session: Discussion of Police Officer Collective Bargaining Agreement Negotiations per 1 M.R.S.A. § 405(6) D**

**Reconvene for action on Police Officer Collective Bargaining Agreement**

**XIII. Adjournment**

# Town Manager Notes for February 17, 2021

## Board of Selectmen's Meeting

### Public Hearings/Board Action on Public Hearing Items

#### 1. **Liquor License Application for Barn Door Baking Company**

The Town Clerk has reviewed the attached liquor license application with the applicant to make sure that the forms are complete.

**Recommended Action: Taking into account the information on the application and the public comments during the public hearing, make a decision on the Liquor License application for the Barn Door Baking Company.**

### Financial Reports

RHR Smith auditors are scheduled to review the FY 2020 Financial Audit with the Board. As soon as staff receives a draft copy of the audit, I will forward it to you.

### Town Manager Items

1. **Waterfront Improvement Project Update** – I will be asking the Board to set a date for the public presentation on the 30% Design for the Waterfront parking lot reconstruction and flood resiliency project. \
2. **Timeline for Town Warrant Articles**- Town Clerk Becky Bartolotta has prepared the attached time line for the various steps leading up to the Annual Town Meeting this June.
3. **Selection of Spirit of America Tribute and Annual Town Report Dedication Honoree(s)** -The Board is requested to vote by secret paper ballot on your choice for the recipients of these two awards.
4. **RFP for Survey/Engineer/Design for Church Street** (verbal update)

### Official Action Items

#### 1. **Maine Department of Transportation Main Street Sidewalk and Bikeway Grant**

At your February 3 meeting, the Board approved the following motion:  
Accept Maine Department Award of \$48,000 for the engineering and preliminary right of way acquisition, confirm that the Town continues to want to design and construct this project, re-certify that the local match has been obligated through future TIF revenues and request that the project be administered by Maine DOT staff.

# **Town Manager Notes for February 17, 2021**

## **Board of Selectmen's Meeting**

I neglected to recommend that you also formally approve the commitment of the \$12,000 as the local match for the \$48,000 State contribution for engineering and the preliminary steps in the right of way acquisition process.

**Recommended action: Approve an expenditure of for \$12,000 out of sidewalk capital reserve funds for the local match for the Main Street Sidewalk and Bikeway Project.**



4. Indicate the type of license applying for: (choose only one)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

*Refer to Section V for the License Fee Schedule on page 9*

5. Business records are located at the following address:

212 Main St Damariscotta ME 04543

6. Is the licensee/applicant(s) citizens of the United States?       Yes     No
7. Is the licensee/applicant(s) a resident of the State of Maine?       Yes     No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?  
 Yes     No    If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?  
 Yes     No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes  No

If yes, please provide details: \_\_\_\_\_  
 \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Andrea Zora Leck	04-22-84	Wiscasset, ME
Crystal Lee (McLaughlin) Berg	05-05-84	Rockport, ME

Residence address on all the above for previous 5 years

Name	Address: PO BOX 424 Damariscotta ME 04543
Andrea Leck	
Name	Address: 484 Old County Rd Pemaquid ME 04558
Crystal Berg	PO Box 424 Newcastle ME 04553
Name	Address: 24 Middle Rd South Bristol ME 04568
Name	Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes  No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

\_\_\_\_\_



18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Beer and wine will be kept in the walk-in cooler, a display case behind our POS counter, and a locked cabinet below workspace, behind POS counter

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Damariscotta Baptist Church; Lincoln Academy

Distance: 400 ft ; .7 miles

**Section II: Signature of Applicant(s)**

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 2/9/21

C. Berg  
Signature of Duly Authorized Person

Andrea Z. Leck  
Signature of Duly Authorized Person

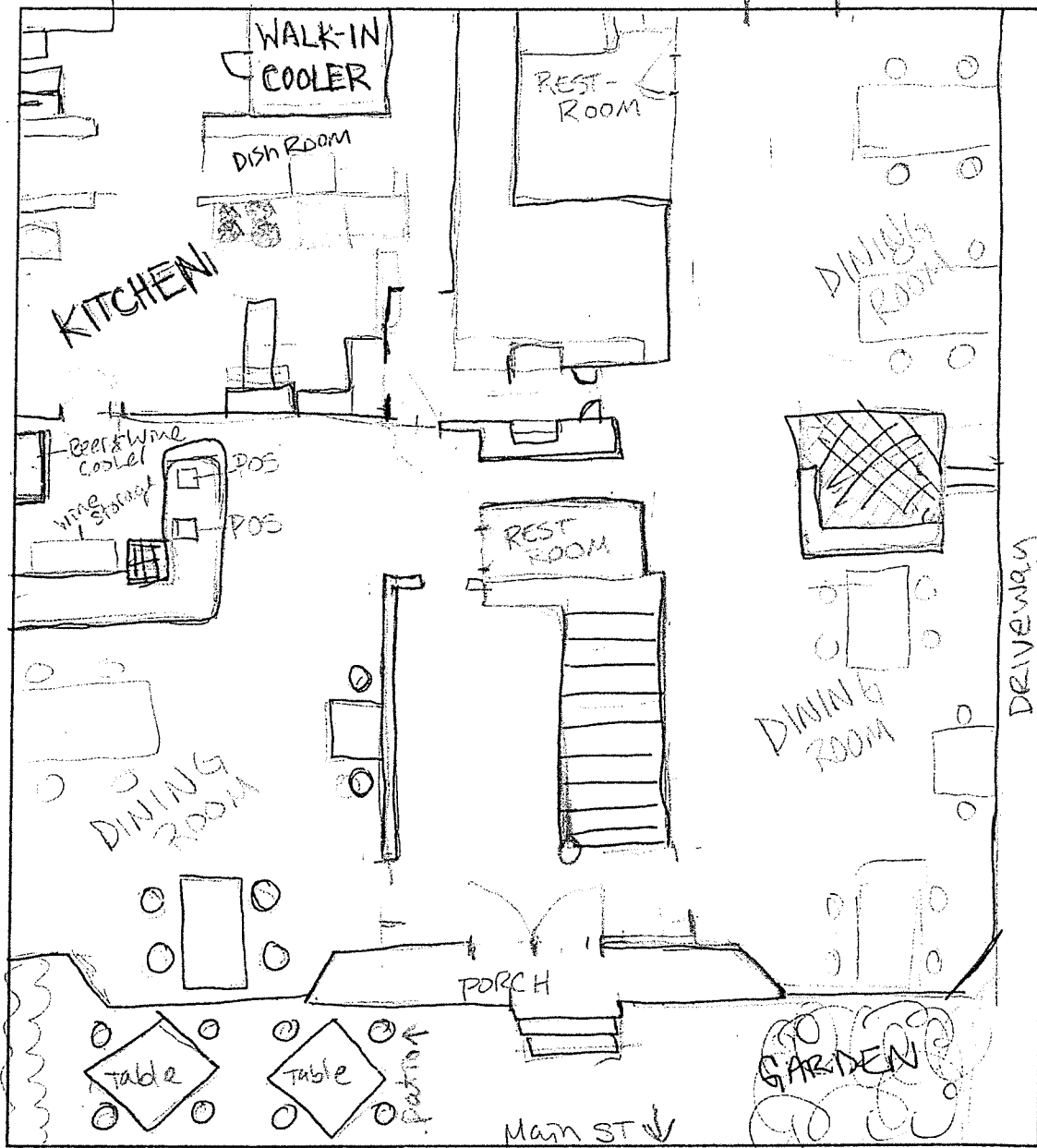
Crystal Berg  
Printed Name Duly Authorized Person

Andrea Z. Leck  
Printed Name of Duly Authorized Person

**Section VI Premises Floor Plan**

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application?  Municipal Officers of \_\_\_\_\_

County Commissioners of \_\_\_\_\_ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

**§653. Hearings; bureau review; appeal**

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Barn Doors Baking Company LLC
2. Doing Business As, if any: \_\_\_\_\_
3. Date of filing with Secretary of State: 10/24/16 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Andrea Leck	PO BOX 424 Damascus ME 04564	4/22/84	owner	51%
Crystal Berg	484 Old County Rd Ramoth ME 04558	5/5/84	owner	49%
	PO BOX 424 Newcastle ME 04553			

(Ownership in non-publicly traded companies must add up to 100%.)

*Damariscotta Police Department  
Chief Jason Warlick*



*21 School Street  
Damariscotta, Maine 04543  
(207)563-1909 (207) 563-3200 fax (207) 563-8986  
email: jwarlick@damariscottame.com*

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*TOGETHER WE MAKE A DIFFERENCE*

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February 11, 2021

Board of Selectman  
Town of Damariscotta  
21 School Street  
Damariscotta, Maine 04543

Re: Barn Door Baking Company

To the Board of Selectman:

As requested, I had my staff research our records for any police complaints' or contacts involving the Barn Door Baking Company and the address of 212 Main St., Damariscotta.

In a period of one year this department has responded to that location as follows (See Attached Information):

To our knowledge, this call did not involve the serving of alcohol at Barn Door Baking Company or 212 Main St.

Please do not hesitate to contact me if you have further concerns or questions regarding this information.

Sincerely,

Chief Jason Warlick  
Damariscotta Police Department

Lincoln County Sheriff's Office

Site Analysis

01/01/2020 to 02/11/2021 (0000 - 2359 only)

Jurisdiction: Damariscotta (200)

Site(s): 321

Page: 1  
Printed: 02/11/2021

Sub Total >	0	0	0	0	0	0	0	0	0
Totals >	<u>Calls</u> 0	<u>Unfounded</u> 0	<u>Incidents</u> 0	<u>Accidents</u> 0	<u>Arrests</u> 0	<u>Interviews</u> 0	<u>EMS</u> 0	<u>Fire</u> 0	

*Christie's*

Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2020 08 13 0635	PARKING PROBLEM	Investigated	20-30747	312	Y
	2020 07 13 1446	FOUND/LOST PROPERTY	Services Rendered	20-25819	312	N
	2019 05 25 1304	MOTOR VEHICLE ACCIDENT	Investigated	19-20628	312	N
	2018 12 13 1044	MOTOR VEHICLE ACCIDENT	Investigated	18-50618	312	N
	2018 11 26 0800	HARASSMENT	Investigated	18-48163	321	N
	2018 06 07 1656	MOTOR VEHICLE ACCIDENT	Investigated	18-23099	321	N
	2018 02 09 0935	THREATENING	Investigated	18-6209	312	N
	2018 02 09 1030	TRESPASSING	Services Rendered	18-6196	321	N
	2017 06 14 1101	MEDICAL EMERGENCY	Transported to Hospital	17-25099	321	N
	2017 06 06 1247	MOTOR VEHICLE ACCIDENT	Investigated	17-23806	312	N
	2017 06 03 0825	MEDICAL EMERGENCY	Transported to Hospital	17-23259	321	N
	2017 02 09 1055	MEDICAL EMERGENCY	No Action Required	17-6318	312	Y
	2015 08 27 1333	MOTOR VEHICLE ACCIDENT	No Action Required	15-30947	312	N
	2015 07 29 1515	SERVICE	Served Paperwork	15-25765		N
	2015 03 11 2047	MOTOR VEHICLE STOP	Citation/Warning Issued	15-7033	321	Y
	2014 09 18 0203	PROPERTY CHECK	Building/Area Checked/Secured	14-31278	321	Y
	2014 09 14 2307	ALARM, BURGLAR	False Alarm	14-30882	321	N
	2014 07 05 0842	MEDICAL EMERGENCY	Transported to Hospital	14-21222	321	N
	2014 06 12 1016	CRIMINAL MISCHIEF	Investigated	14-18225	321	N
	2014 06 08 0046	9-1-1 CHECK	Investigated	14-17740	321	N
	2014 04 26 0325	PROPERTY CHECK	Building/Area Checked/Secured	14-12774	321	N
	2014 04 09 1444	ATTEMPT TO LOCATE	Could Not Locate	14-10711	272	Y
	2014 03 06 1032	MEDICAL EMERGENCY	No Action Required	14-6548	321	N
	2014 02 27 1300	MOTOR VEHICLE ACCIDENT	Investigated	14-5875	321	Y
	2007 10 14 1525	ASSIST CITIZEN	Investigated	07-27198		N

212 Main St

ANNUAL TOWN MEETING  
ACTIVITIES & DEADLINES Clerk Duties BOS Activites PB Activites  
REFERENDUM

Board of Selectmen file order for Town Meeting with Clerk (at least 45 days before meeting date)

2/3/2021

Board of Selectmen vote to place budget & other substantive items on secret ballot for town meeting

Clerk must post notice of public hearing at Town Office 13 days before public hearing

2/23/2021

Deadline to post notice of Planning Board 03/08/2021 Hearing on Historic Preservation Ord Amends & NEW Solar Energy Systems Ord

Clerk must advertise Planning Board public hearings 1st time at least 12 days before hearing date

2/18/2021

Advertise PB 03/08/2021 Public hearing Historic Ords Amends & Solar Energy Ord

2/25/2021

Clerk must advertise Planning Board public hearings 2nd time at least 7 days before hearing date

2/25/2021

Advertise PB 03/08/2021 Public Hearing Historic Ords Amends

3/4/2021

Planning Board holds Public Hearing(s)

3/8/2021

Planning Board Public Hearing on Historical Preservation Ordinance Amendments & NEW Solar Energy Systems Ordinance

Clerk must post notice of public hearing at Town Office 13 days before public hearing

03/04/2021\*

Deadline to post notice of Board of Selectmen Hearing

Clerk must advertise Board of Selectman public hearings 1st time at least 12 days before hearing date

3/4/2021\*

Advertise BOS 03/17/2021 Public hearing Historic Ords Amends & Solar Ord

3/11/2021\*

Clerk must advertise Planning Board public hearings 2nd time at least 7 days before hearing date

3/4/2021\*

Advertise BOS 03/17/2021 Public hearing Historic Ords Amends & Solar Ord

3/11/2021\*

**BALLOT ITEMS MUST BE SET FOR DELIVERY TO PRINTER NO LATER THAN 04/07/2021**



Board of Selectmen hold Public Hearing

03/17/2021\*

Board of Selectmen Public Hearing on Historic Preservation Ordinance Amends & NEW Solar Energy Ordinance - CHARTER AMENDS?

Clerk must post notice of public hearing at Town Office 13 days before public hearing

4/8/2021\*

Deadline to post notice of Board of Selectmen Hearing

Clerk must advertise Board of Selectmen public hearings 1st time at least 12 days before hearing date

04/01/2021\*

Advertise BOS 04/21/2021 Public Hearing referendum ballot for Town Meeting

04/08/2021\*

Clerk must advertise Board of Selectmen public hearings 2nd time at least 7 days before hearing date

04/08/2021\*

Advertise BOS 04/21/2021 Public Hearing referendum ballot for Town Meeting

04/15/2021\*

Board of Selectmen hold Public Hearing

04/021/2021\*

Board of Selectmen Public Hearing on Referendum Ballot for Town Meeting

Board of Selectmen certify ordinance(s) to Clerk

4/7/2021

Board of Selectmen certify copy of Historic Pres Ord, Solar Energy Ord & Charter Amends to Clerk

Clerk Posts Annual Town Meeting Warrant

6/1/2021

Clerk posts Annual Town Meeting warrant at least 7 days before meeting.

Annual Town Meeting

6/8/2021

Annual Town Meeting Election - Candidate's & Referendum Ballots

6/9/2021

Annual Town Meeting - Open Portion

*\* BOS public hearing dates not yet set. These deadlines are assuming the dates listed (03/17 & 04/21) are going to be set*