



Agenda
Board of Selectmen's Meeting
Town of Damariscotta, Maine
July 7, 2021; 5:30 PM
Damariscotta Town Hall
Meeting also to be held remotely via Zoom

Join Zoom Meeting
<https://us02web.zoom.us/j/84965367818>

Meeting ID: 849 6536 7818
Passcode: BOS

- I. Pledge of Allegiance**
- II. Call to Order**
- III. Minutes**
 1. June 16
- IV. Financial Reports**
 1. Payroll Accounts
 2. Payable Warrants
- V. Presentations**

Potential Upgrades to Board Room Audio/Visual Equipment -Larry Sidelinger and Geoff Keochakian
- VI. Citizen Comments and General Correspondence**
- VII. Town Manager Items**
 1. Waterfront Improvement Project Update
 2. Restroom Project Update
 3. Electric Vehicle Charging Station
 4. Other Capital Project Updates
 5. Workshop on Annual Goals- July 21
 6. Date for Workshop on Charter Review
 7. Broadband Research Update
 8. Assessors' Agent Vacancy

 9. Police Department Standard Operating Procedures Manual

VIII. Official Action Items

1. Historical Preservation Review Commission Appointments
2. Confirmation of Town Manager's Appointment to Road Commissioner
3. Order of Municipal Officers re: Tax Payments
4. Police Bullet Proof Vest Grant
5. Cemetery Deed and Perpetual Care Agreement with Raymond M. Simmons, Jr.

X. Selectmen's Discussion Items

XI. Adjournment

Town Manager Notes for July 7, 2021 Board of Selectmen's Meeting

Presentations:

Potential Upgrades to Board Room Audio/Visual Equipment -Over the past few months I have had a number of discussions with EES, the Towns' IT consulting firm, and LCTV representatives regarding improvements to the Town's use of electronic media for Board of Selectmen's Planning Board's and other public meetings.

I previously provided the two organizations the following brief synopsis of what I believe to be the Town's objectives in this area:

Zoom live via Internet – citizens can interact with Board members.

Members of the public could also attend meetings in person, i.e., this would be a hybrid system.

Board members and staff who are in meeting room can see all of the participants (assuming that they have video on)

Citizens can see all Board members and town manager. When one Board member or the town manager is speaking, it would be nice to have the camera focus specifically on the speaker. (This would be an optional feature if it were affordable)

Clear, crisp audio in both directions- unless there is a tech issue on the citizen end

Easy to set up – plug and play with minimal effort on Town staff's part

I would like to have the visuals shown on a large flat screen TV permanently installed in the Board Room versus my having to set up the screen and projector each time.

Recordable for future cablecast.

I met with both organizations last week to discuss the Town' needs and the types of upgrades that are available. Larry Sidelinger representing LCTV subsequently asked to make a presentation to the Board regarding options that could be made available without involving IT personnel and additional computer equipment. Larry and Geoff Keochakian who is a contractor with LCTV will be making the presentation.

Town Manager Items (All verbal updates except #9)

1. Waterfront Improvement Project Update
2. Restroom Project Update
3. Electric Vehicle Charging Station
4. Other Capital Project Updates
5. Workshop on Annual Goals- July 21
6. Date for Workshop on Charter Review
7. Broadband Research Update
8. Assessors' Agent Vacancy

9. Police Department Standard Operating Procedures Manual – In my review of the Town Charter earlier this week, I found that the Police Chief and I had missed a provision that requires that the Chief provide the Department's policy manual to the Board for review and approval by the first anniversary date of the Chief's appointment. I discussed this with Chief Warlick and we decided that the best approach would be to provide the Board with the table of contents and ask the Selectmen if there are any specific sections that they would like to review or

Town Manager Notes for July 7, 2021 Board of Selectmen's Meeting

ask them to come into the Department offices to review the entire document. The manual is in a binder that is 5 inches thick and the Department is working on the time-consuming process of putting the document online. The Police Academy-mandated policies are in electronic form. I have attached a copy of the table of contents. There are four policies that cannot be made available to the Board or public due to the fact that public access to these documents could compromise the effectiveness of law enforcement in these specific situations. The four sections that are not available for perusal are:

- 2-12 Prisoner transport
- 2-15 Hostage/barricaded subject
- 2-17 Response to school violence
- 2-27 Bomb threat/ searches

If all the Board members do not want to review the entire manual (with the four exceptions above) the Board could delegate this task to one or more of its members who could then report back to the full Board.

Official Action Items

1. **Historical Preservation Review Commission Appointments** – With the voters' approval of Article 4 on the Town Meeting Warrant, membership of the Commission increases from three members and one alternate to five regular members. Staff will be providing the Board with a list of those individuals who have indicated an interest in filling these two vacancies as well as a recommendation on the term that will be expiring this year.
2. **Confirmation of Town Manager's Appointment of Road Commissioner-** At your June 16 meeting, the Board voted to confirm all of the Town Managers' appointments with the exception of Road Commissioner. The Town Charter states that "Such appointments shall be made within thirty (30) days (to the extent practical) of the Annual Town Meeting..." I am asking the Board to reconsider its previous action and confirm my appointment of Hugh Priebe to this position. If the Board wishes to move into an executive session to review this as a personnel matter it can do so under **1 M.R.S.A. § 405 (6) (A)**. Following the executive session the Board can reconvene into the regular meeting.
3. **Order of Municipal Officers re: Tax Payments- Order of Municipal Officers regarding Payment of Outstanding or Delinquent Taxes**
Each year, the Town Tax Collector asks the Board to 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 is attached for your review.
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.

Town Manager Notes for July 7, 2021 Board of Selectmen's Meeting

4. **Police Bullet Proof Vest Grant-** I recently gave the Police Chief permission to apply for a grant that had a deadline that was quickly approaching. Here is a summary of the grant provided in emails from the Chief:

The grant is "Patrick Leahy Bulletproof Vest Partnership". The grant is a 50/50 reimbursement and we will be purchasing 7 new Armor Express vests at \$730 each and 1 external carrier for \$285. The total amount purchased will be \$5395.00. The grant will reimburse 50% of that amount totaling \$2697.50. I ask the board to accept the grant application in the amount of approximately \$2697.50.

Provided the grant is accepted, the towns share will only be approximately \$2700. I will have to pay for them all up front but will be reimbursed 50% once the grant is accepted.

I was able to apply for the grant and it will not be decided until approximately September. I was able to order the 7 vest panels and the single vest carrier today to get it onto the current budget. I am not budgeted to buy new vests in the 2022 budget and I had the spare monies in this years budget to help purchase them. All but 1 of our vests expire this year so we needed to order them and this was the most fiscally responsible way to do it.

Recommended Actions: Authorize the Police Chief to expend \$5,395 for the purchase of seven bullet proof vests and to submit an application for a grant that, if awarded, will provide reimbursement for one half of the costs (\$2,697.50) of the vests.

5. **Cemetery Deed and Perpetual Care Agreement with Raymond M. Simmons, Jr.** The deed and agreement are attached for the Board's review.

Recommended Action: Approve the Cemetery Deed and Perpetual Care Agreement Raymond M. Simmons, Jr.

Damariscotta Police Department

Standard Operating Procedure Manual

~ Table Of Contents ~

Acknowledgment of Receipt

Values, Mission, and Goals Statement

Canons of Ethics

RULES AND REGULATIONS

- 1-1 ORGANIZATION OF MANUAL**
- 1-2 PROFESSIONAL RESPONSIBILITIES**
- 1-3 CONFLICT OF INTEREST**
- 1-4 ORDERS**
- 1-5 REQUIRED CONDUCT**
- 1-6 PROHIBITED CONDUCT**
- 1-7 UNIFORMS AND APPEARANCE**
- 1-8 MAINTENANCE AND ACCOUNTABILITY OF
PROPERTY AND EQUIPMENT**
- 1-9 PERFORMANCE MANAGEMENT EVALUATIONS**
- 1-10 COMPLAINTS AGAINST POLICE PERSONNEL**
- 1-11 EMPLOYEE DISCIPLINE**
- 1-12 SEXUAL HARASSMENT**
- 1-13 CRIMINAL CONDUCT ENGAGED IN BY
A LAW ENFORCEMENT OFFICER**
- 1-14 COMPUTER USE POLICY**

DEPARTMENT GENERAL ORDERS

- 2-1 USE OF FORCE
- 2-2 OPERATIONS OF POLICE VEHICLES
- 2-3 FIREARMS USE
- 2-4 VEHICLE INVENTORY SEARCHES
- 2-5 PROPERTY / EVIDENCE CONTROL
- 2-8 MOTOR VEHICLE ACCIDENT INVESTIGATION
- 2-9 ARREST PROCEDURES
- 2-10 DOMESTIC ABUSE
- 2-11 OUI COUNTERMEASURES
- 2-12 PRISONER TRANSPORTATION
- 2-13 FINGERPRINT IDENTIFICATION
- 2-14 INFECTIOUS DISEASE CONTROL
- 2-15 HOSTAGE / BARRICADED SUBJECTS INCIDENTS
- 2-16 RESPONSE TO DEVIANT BEHAVIOR
- 2-17 POLICE RESPONSE TO SCHOOL VIOLENCE
- 2-20 MISSING PERSONS
- 2-20A MISSING PERSONS INFORMATION SHEETS
- 2-22 HATE / BIAS CRIMES
- 2-23 MOBILE AUDIO / VIDEO RECORDING EQUIPMENT
- 2-24 POLICE / MEDIA RELATIONS
- 2-25 ACCESS TO LAW ENFORCEMENT INFORMATION AND RECORDS
- 2-26 MUTUAL AID
- 2-27 BOMB THREATS AND SEARCHES
- 2-30 REGISTERED SEX OFFENDER NOTIFICATION
- 2-31 INTELLIGENCE INFORMATION

- 2-32 CALL OUT PROCEDURE
- 2-33 HAZARDOUS MATERIALS RESPONSE
- 2-34 DEATH INVESTIGATION
- 2-35 RECORDING OF SUSPECTS
- 2-36 ADVANCED TAZER

ORDER OF MUNICIPAL OFFICERS
Pursuant to 36 MRSA§906

We, the Municipal Officers of the Town of Damariscotta, upon request of the Tax Collector/Treasurer of Damariscotta, hereby authorize and direct said Tax Collector/Treasurer, pursuant to Title 36, Maine Revised Statutes Annotated, section 906, to apply any tax payments received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Municipal Officers

Dated: _____

Daryl Fraser- Chairperson

Louis Abbotoni- 2nd Vice-Chair

Mark Hagar- 3rd Vice-Chair

Joshua Pinkham

Thomas Anderson

ACKNOWLEDGEMENT

We, Heather Dube, Tax Collector and Cheryl Pinkham, Treasurer of the Town of Damariscotta, hereby acknowledge making the aforesaid request and receipt of a copy of the above Order.

Dated: _____

Heather Dube

Cheryl Pinkham

CEMETERY DEED

KNOW ALL PERSONS BY THESE PRESENT that the Town of Damariscotta, in the County of Lincoln in the State of Maine, a municipal corporation organized and existing under the laws of the said State, in consideration of the sum of **Three Hundred** dollars (**\$300.00**) paid by **Raymond M. Simmons, Jr.** in the State of Maine, does hereby transfer and convey unto the said **Raymond M. Simmons, Jr.** and his/her assigns, a certain lot of land in **Hillside** Cemetery – Annex 2 in said Town of Damariscotta, said lot(s) being numbered **1077** 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:

- 1) the same shall be used and improved only as and for a burial-lot for the human dead;
- 2) no permanent markers shall be erected above the surface of the ground, other than permitted monuments;
- 3) no shrubbery or trees shall be planted on the lot;
- 4) the lot shall not be mounded or terraced (grade to be maintained on level with the rest of the area);
- 5) it can only be sold to the Town of Damariscotta;
- 6) it can be transferred only with prior written permission from the Trustees of said cemetery; and
- 7) 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.

The said Town of Damariscotta covenants to and with **Raymond M. Simmons, Jr.** 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 **Raymond M. Simmons, Jr.** 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 7th day of July, 2021.

THE TOWN OF DAMARISCOTTA

Daryl Fraser, Chairman

Louis F. Abbotoni, Vice Chair

Mark Hagar, 2nd Vice Chair

Joshua Pinkham

Tom Anderson

STATE OF MAINE

COUNTY OF LINCOLN

Then personally appeared the above-named Selectmen of the Town of Damariscotta and acknowledged 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

CEMETERY PERPETUAL CARE & MAINTENANCE CONTRACT

THE TOWN OF DAMARISCOTTA, in the County of Lincoln in the State of Maine, a municipal corporation organized and existing under the laws of the said State, has received the sum of **Two Hundred dollars (\$200.00)** paid by **Raymond M. Simmons, Jr.**, 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 lot number(s) **1077** in **Hillside** Cemetery-Annex 2; provided, however, that should any part of said income remain unexpended after the reasonable and proper care of said lot, said income shall be used for the general care and maintenance of Hillside Cemetery.

Perpetual care fees are nonrefundable.

Dated at Damariscotta, Maine this 7th day of July, 2021.

THE TOWN OF DAMARISCOTTA

Daryl Fraser, Chairman

Louis F. Abbotoni, Vice Chair

Mark Hagar, 2nd Vice Chair

Joshua Pinkham

Tom Anderson

STATE OF MAINE

COUNTY OF LINCOLN

Then personally appeared the above-named Selectmen of the Town of Damariscotta and acknowledged 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