



Agenda

Public Hearings and Board of Selectmen's Meeting Town of Damariscotta, Maine August 18, 2021; 5:30 PM Damariscotta Town Hall

- I. Pledge of Allegiance**
- II. Public Hearings -**
 1. New Entertainment/Special Amusement Permit Application – Maine Booch Brewing
 2. Citizen Input on Use of State and Local Fiscal Recovery Funds
- III. Call to Order**
- IV. Action on Public Hearing Items**
 1. New Entertainment/Special Amusement Permit Application - Maine Booch Brewing
 2. Use of State and Local Fiscal Recovery Funds
- V. Minutes**
 1. July 21 and August 4 Meetings
- VI. Financial Reports**
 1. Payroll Warrant
 2. Accounts Payable Warrant
- VII. Presentations:**
 1. Broadband Update- Evan Goodkowsky
- VIII. Citizen Comments and General Correspondence**
- IX. Town Manager Items**
 1. Selectmen's Meeting Remote Attendance Policy
 2. Cemetery Lot Transfer Deed

X. Official Action Items
1. 2021-22 Workplan

X. Selectmen's Discussion Items

XI. Adjournment

Workshop on Possible Charter Amendments

Town Manager Notes for August 18, 2021 Board of Selectmen's Meeting

Public Hearings:

Entertainment and Special Event License for Maine Booch Brewery -

The completed license application is attached as is the completed State-required application for a brewery. According to the State Bureau of Alcoholic Beverages and Lottery Operations, since this business is classified as a brewery, the owner does not need the Town's approval. However, because the owner wishes to have live entertainment, a permit for that activity is required. The owner of the business is not available to attend Wednesday's hearing, but indicated that he is available by telephone if the Selectmen or members of the public have any questions.

State and Local Fiscal Recovery Funds - As a "non-entitlement" municipality, the Town will receive approximately \$227,000 directly from the State to be used for expenditures that fall under specific eligible categories. At your July 21 meeting, the Board indicated that you wished to hold a public hearing to give citizens the opportunity to give their ideas on how these dollars should be used. Public notices for the hearing have been placed in the Lincoln County News for the past two weeks. I sent out a reminder to my Constant Contact mailing list on Sunday and the meeting notice has been posted on the Town's website. All of the hearing notices included the link to the list of eligible funding categories.

Town Manager items:

Selectmen's Meeting Remote Attendance Policy - Attached is MMA's summary of the new State law regarding remote attendance of Board meetings by Board members and the public. I recommend that the Board either update your policy (attached) to be consistent with the new law or simply adopt the MMA model policy (also attached).

If the Board would like to amend the current policy, the policy needs to allow for remote attendance by the public whenever a Board member is participating remotely and it needs to require that roll call votes be taken when any members are attending remotely.

Official Action Items:

2021-22 Workplan- At your August 4 workshop, the Board provided me with changes to the draft workplan that I had sent out earlier. I am asking the Board to review the attached document, make any additional changes that you would like to see and at either Wednesday night's or at your September 1 meeting, approve the workplan in final form.

Cemetery Lot Transfer Deed - The Board is asked to approve the attached Cemetery Deed Transfer of Ownership. The deed provides for the transfer of a lot in Bethlehem Cemetery from Paul Sidelinger to Lawrence Sidelinger.

Workshop on Possible Town Charter Amendments- Please bring your copies of the Charter along with your notes on possible Charter changes to the Workshop.

TOWN OF DAMARISCOTTA

\$45

INITIAL APPLICATION FOR ENTERTAINMENT/SPECIAL AMUSEMENT PERMIT

Under M.R.S.A. Title 28-A, § 1054. Without the permit described in subsection 2, no licensee for sale of liquor to be consumed on the premises may allow any: music, except radio or other mechanical device; dancing; or entertainment of any sort without having first obtained an entertainment (special amusement) permit. Before granting a new initial permit and after reasonable notice to the municipality and the applicant, the municipal officers shall hold a public hearing at which the municipal officers shall take testimony of the applicant and any interested members of the public.

A non-refundable fee, which is listed in the Town's fee schedule, is required to cover the cost of advertising in the Lincoln County News and for administrative processing.

Current License Expires: n/a NEW

Name of Organization: Maine Booch Brewing

Organization Phone #: (207) 350-5179

Location of Entertainment: 85 parking lot lane Damariscotta ME

Planned Time/Hours: ≈ 5:00pm - 8:00pm General Guitar music + Singer #

Lighting & Noise Level: Lighting ^{10x} 300 lumen outdoor lamp, Noise ≈ 70 db

Days of Occurrence: possibly Saturday, Sunday, Monday, Tuesday

The applicant certifies that the information provided herein is true to the best of the applicant's knowledge and authorizes the Town to advertise as required in the application process.

Chauncey Eushis
Signature of Applicant

8/8/21
Date

[Signature]
Town Manager or Town Clerk

8-16-2021
Date

Board of Selectmen:

DARYL FRASER

JOSHUA PINKHAM

Louis Abbotoni

TOM ANDERSON

Mark Hagar

Signed by the Board of Selectmen on this date _____

License Expires: 8-31-2022

Fee Paid <u>\$45.00</u>	Date <u>08.10.2021</u>	Clerks initials <u>[Signature]</u>
Ad to run in _____ edition of the Lincoln County News		
Hearing to be held on Wednesday, _____ at _____ at the Municipal Building at 21 School St.		
Applicant notified of said hearing _____		
Police Report obtained _____		

*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*

TOGETHER WE MAKE A DIFFERENCE

August 16, 2021

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

Re: Maine Booch

To the Board of Selectman:

As requested, I had my staff research our records for any police complaints or contacts involving 85 Parking Lot Ln. I am including a print out of all incidents entered into our C.A.D. system for that address. Please note this is specific to calls entered at the address of #85. (See Attached Information):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Warlick', written in a cursive style.

Chief Jason Warlick
Damariscotta Police Department

Apt #	Year MM DD Time	Reason	Action	Call #	Site #	Vicinity
	2021 05 12 2154	MEDICAL EMERGENCY	Transported to Hospital	21-16902	311	N
	2017 03 22 1150	PARKING PROBLEM	Services Rendered	17-12279	311	N
	2016 10 09 2052	POLICE INFORMATION	Could Not Locate	16-40570	311	N
	2016 06 17 0730	ANIMAL COMPLAINT	Investigated	16-21303	311	N
	2016 05 22 1501	SUSPICIOUS ACTIVITY	Investigated	16-17812	311	Y
	2016 01 27 1951	MEDICAL EMERGENCY	Services Rendered	16-3338	311	N
	2015 09 20 2100	SUSPICIOUS ACTIVITY	Investigated	15-34813	311	N
	2014 08 20 1920	ASSIST CITIZEN	Services Rendered	14-27566		N
	2013 12 13 0913	MEDICAL EMERGENCY	Transported to Hospital	13-40214		N
	2012 03 10 0218	ASSAULT	Investigated	12-6761		N
	2011 12 21 0016	SUSPICIOUS ACTIVITY	Investigated	11-34884		Y
	2011 07 05 0755	THEFT / FORGERY / FRAUD	Investigated	11-16247		N
	2010 12 11 2344	DOMESTIC DISTURBANCE	Citation/Warning Issued	10-32143	195	N
	2010 07 04 1114	9-1-1 CHECK	Investigated	10-15775		N
	2009 08 31 1126	MEDICAL EMERGENCY	Transported to Hospital	09-24114	39	N
2	2016 06 17 0106	PEDESTRIAN CHECK	Investigated	16-21250	311	Y
2	2011 03 11 2131	DOMESTIC DISTURBANCE	Arrest(s) Made	11-5492		N

Federal Tax Identification Number: 86-3281077	Maine Seller Certificate # or Sales Tax #: applied for sales and use tax
Federal Basic Permit Number: applied to TTB	Website address: www.mainebooch.com

1. Is licensee/applicant(s) a business entity such as a corporation or limited liability company?
 Yes No If Yes, complete Attachment 1 at the end of this application

2. Business records are located at the following address:
10 Water Street, Damariscotta, Maine, 04543 (Registered Agent Address)
A second set is at my home at 504 W Neck Rd, Nobleboro, ME 04555

3. 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

4. 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
Chauncey Severin Erskine	04/14,1992	Portland, Maine USA
John-Paul Mial	11/07/1982	San Antonio, Texas USA

Residence address on all of the above for previous 5 years		
Name	Chauncey Severin Erskine	Address: 32 Water Street, Damariscotta, ME 04543 32 Carrer Rogent, Atico 2b El Clot, Bcelona, Spain 08026 2142 State Route 129, South Bristol, ME 04568
Name	John-Paul Mial	Address: 504 W Neck Road, Nobleboro, ME 04555 266 Highland Ave., South Portland, ME 04106
Name		Address:
Name		Address:

5. Is the licensee/applicant(s) citizens of the United States? Yes No

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

7. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have an interest, directly or indirectly in any manner, 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

8. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? Yes No

9. 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:

10. 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: _____

11. 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: _____

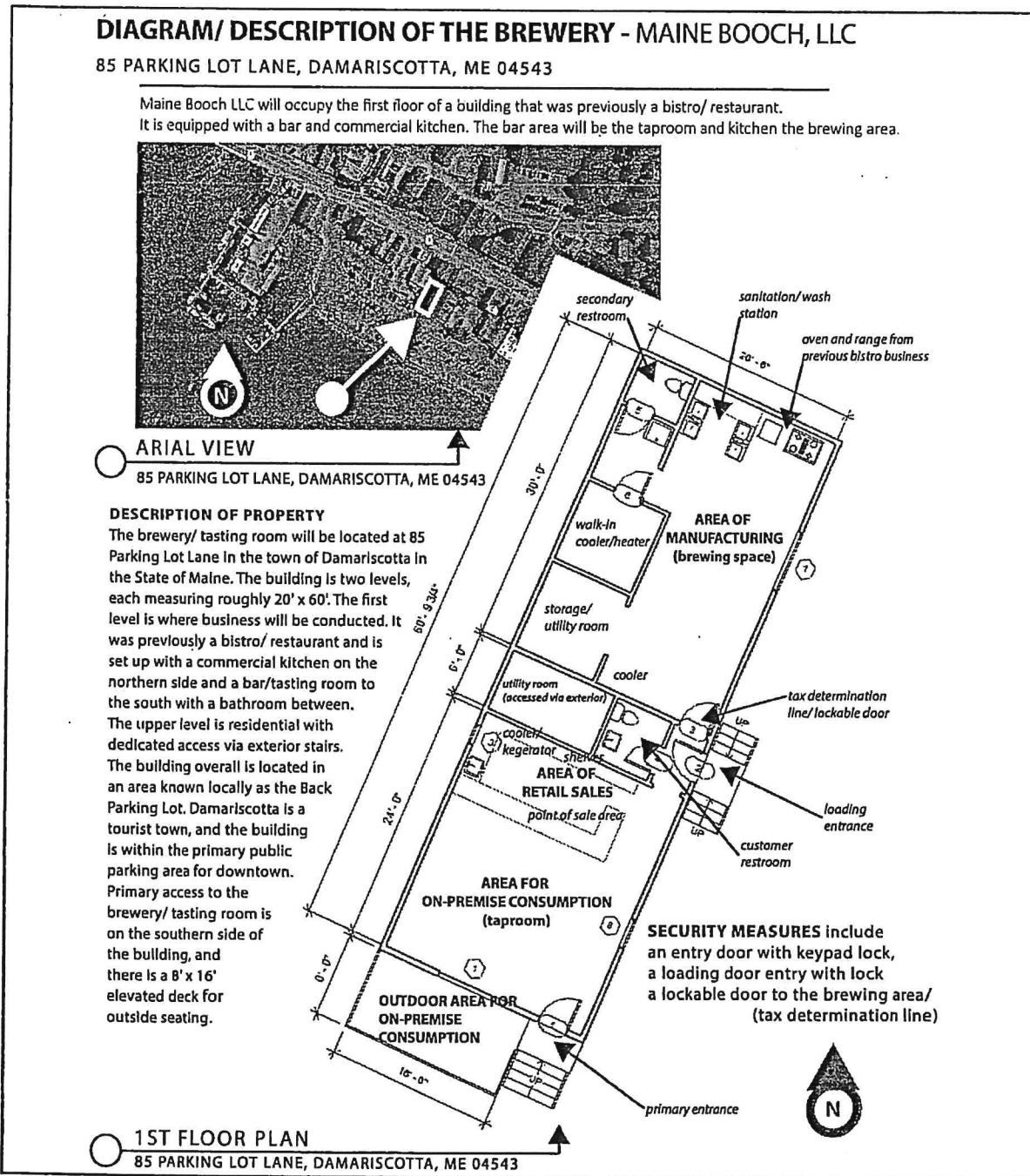
Offense: _____ Location: _____

Disposition: _____

Section III Manufacturing Facility Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of malt liquor 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 of manufacturing, area of retail sales, area for on-premise consumption, 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 IV: Terms and Conditions of Licensure as a Brewer in Maine

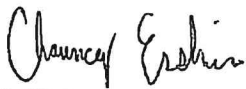
- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to a license to be a brewer as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
- All manufacturers of alcoholic beverages must be registered with the Alcohol and Tobacco Tax and Trade Bureau (TTB). If you have not already registered, please see TTB.gov for more information to register your business or see https://www.ttb.gov/public_info/5170-2a.htm
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- A wholesale licensee must not purchase alcoholic beverages from other than the primary source of supply within the United States. "Primary sources of supply" means the brewer, the bottler, the brand owner or the designated agent of any brewer or brand owner.
- The licensee/applicant(s) agrees to comply with 28-A MRS §1363 which provides, in part, that a manufacturer shall not, either directly or indirectly, lend any money, credit or equivalent thereof to any wholesaler in equipping, filling out, maintaining or conducting, either in whole or in part, an establishment of business where malt liquor, wine or spirits are sold, with the exception of the usual and customary credit of malt liquor, wine or spirits sold and delivered.
- All manufacturers must register product with the Bureau prior to selling their product in this State.
 - If this application is a **renewal** of your license, you must renew all product using Alcoholic Beverage Industry Portal on our website. There are some exceptions to this registration requirement, for more information, see Chapter 105. Product and Label Registration of the Bureau's administrative rules.
 - For new applicants, the registration has 4 components – product registration that includes your TTB COLA, territory assignment, primary source designation and price posting. Once a manufacturer is ready to sell, you must contact the Bureau at Liquor.Licensing@Maine.gov to have an account created to register your products. The Maine Alcoholic Beverage Industry Portal can be found by using this link.

Section V: Signature; Fee; Delivery of application

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.

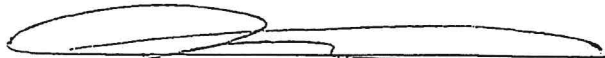
Dated: 5/21/20



Signature of Duly Authorized Person

Chauncey Erskine

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

John-Paul Mial

Printed Name of Duly Authorized Person

- A. Your completed application must be accompanied by the appropriate fee of **\$60.00**.
- B. If you choose any optional privileges to be added to you license in Section I.3, you must adjust your payment to reflect the additional fees.
 - 1. Please make your check payable to the **Treasurer, State of Maine**
- C. Where to send your application:
 - 1. Mailing address:
 - Bureau of Alcoholic Beverages and Lottery Operations
 - Division of Liquor Licensing and Enforcement
 - 8 State House Station
 - Augusta, ME 04333-0008
 - 2. Courier/overnight address:
 - Bureau of Alcoholic Beverages and Lottery Operations
 - Division of Liquor Licensing and Enforcement
 - 10 Water Street
 - Hallowell, ME 04347
- D. For questions on this application, please contact the Bureau at (207) 624-7220 or by email at Liquor.Licensing@Maine.gov.

Farmers' Market Schedule

The following is Notification to the Bureau of date of the farmers' market that the licensee intends to taste and/or sell malt liquor that is produced in Maine by the licensee. The notification must be received by the Bureau 30 days prior to the first event for each farmers' market. This form needs to be completed for each farmers' market the licensee intends taste and/or sell its products. **Note:** This form does not need to be submitted with the application. For more information from Maine law on activities at farmers' market, see Sec. 6 of PL 2019, chapter 360.

License #: applied	Name of the farmers' Market:
Name of Licensee: Maine Booch, LLC	
Email/Fax Number/Mailing Address to send Response by the Bureau: mainebooch@gmail.com 504 W Neck Rd, Nobleboro, ME 04555	Address of the farmers' market:
Signature of duly authorized person:	Date:

Please check all that apply for the given date of the farmers' market (attach additional pages if needed)

	DATE	RETAIL SALES ONLY	TASTING		DATE	RETAIL SALES ONLY	TASTING
1				11			
2				12			
3				13			
4				14			
5				15			
6				16			
7				17			
8				18			
9				19			
10				20			

For Office Use Only:

Date Filed: _____

Approved

Not Approved

Date Approved: _____

Approved By: _____

Filing Fee \$50.00

LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF AMENDMENT
(for a Maine LLC)

<p>_____ Deputy Secretary of State</p> <hr/> <p>A True Copy When Attested By Signature</p> <hr/> <p>_____ Deputy Secretary of State</p>

MAINE BOOCH, LLC

(Name of Limited Liability Company)

Pursuant to 31 MRSA §1532, the undersigned limited liability company executes and delivers for filing this certificate of amendment:

FIRST: The name of the limited liability company has been changed to (if no change, so indicate)

No Change

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c." – see 31 MRSA 1508)

SECOND: The date of filing of the initial certificate of formation: APRIL 13, 2021
(date)

THIRD: Designation as a low profit LLC (Check only if applicable):

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
- A. The company intends to qualify as a low-profit limited liability company;
 - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
 - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
 - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional limited liability company (Check only if applicable)

This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

_____ (type of professional services)

FIFTH: Complete only if there is a change to the registered agent information.

The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: _____

_____ (Name of commercial registered agent)

Noncommercial Registered Agent

_____ (Name of noncommercial registered agent)

_____ (physical location, not P.O. Box – street, city, state and zip code)

_____ (mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §§105.2 or 108.3, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other changes this certificate of amendment makes to the certificate of formation as most recently amended or restated are set forth in Exhibit A attached and made a part hereof.

****Authorized person(s)**

Dated JUNE 3, 2021

(Signature)

John-Paul Mial

(Type or print name and capacity)

(Signature)

(Type or print name and capacity)

***Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)**

****Pursuant to 31 MRSA §1676.1, this Certificate of Amendment MUST be signed by a person authorized by the limited liability company.**

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

**Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101**

Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov

Filer Contact Cover Letter

To: Department of the Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101

Tel. (207) 624-7752

Name of Entity (s):

MAINE BOOCH, LLC

List type of filing(s) enclosed (i.e. Articles of Incorporation, Articles of Merger, Articles of Amendment, Certificate of Correction, etc.) Attach additional pages as needed.

Certificate of Amendment

Exhibit A - Dissolution of Membership

Special handling request(s): (check all that apply)

- Hold for pick up
 Expedited filing - 24 hour service (\$50 additional filing fee per entity, per service)
 Expedited filing - Immediate service (\$100 additional filing fee per entity, per service)

Total filing fee(s) enclosed: \$ 50.00

Contact Information – questions regarding the above filing(s), please call or email: (failure to provide a contact name and telephone number or email address will result in the return of the erroneous filing (s) by the Secretary of State's office)

John-Paul Mial

(Name of contact person)

207.745.4057

(Daytime telephone number)

johnpaulmial@gmail.com

(Email address)

The enclosed filing(s) and fee(s) are submitted for filing. Please return the attested copy to the following address:

John-Paul Mial

(Name of attested recipient)

(Firm or Company)

504 W Neck Road

(Mailing Address)

Nobleboro, ME 04555

(City, State & Zip)

EXHIBIT A

June 3, 2021

RE: Certificate of Amendment - Dissolution of Membership - Maine Booch, LLC

An Operating Agreement was included with the Articles of Formation for Maine Booch, LLC on April 13 of 2021. Within the Operating Agreement on record, it is stated that Membership is shared by both myself and Chauncey Erskine.

I am removing myself as a member of Maine Booch, LLC. Per the Operating Agreement, Chauncey Erskine will have first right of refusal for my stake in the company. If Chauncey Erskine purchases my share, he will have sole ownership of Maine Booch, LLC. Otherwise, my Membership will be sold and transferred to a new Member.

Respectfully,

John-Paul Mial

STATE OF MAINE

CERTIFICATE OF SOLE PROPRIETOR ADOPTING NAME OTHER THAN HIS OWN (Title 31, M. R. S. A., Sec. 2)

The undersigned hereby certifies that he intends to engage in the _____

BREWERY

(Type of Business)

business as sole proprietor thereof, and to

adopt the name, style and designation _____

MAINE BOOCH BREWING

(Adopted Name of Business)

at _____

85 PARKING LOT LANE, DAMARISCOTTA ME

(Address of Business in Damariscotta)

in the conduct of said business.

CHAUNCEY ERSKINE

(Printed Name)

32 Water St, Damariscotta ME 04543

(Resident Address, City, State and Zip)

Chauncey Erskine

(Signature)

6/7/21

(Date)

STATE OF MAINE

Lincoln, s.s.

June 7 A. D. 2021

Then personally appeared Chauncey Erskine and made

oath to the foregoing certificate, that the same is true.

Before me,

R Bartolotta
Notary Public

REBECCA J. BARTOLOTTA
NOTARY PUBLIC
STATE OF MAINE
MY COMMISSION EXP. 12-14-2023

(Note - This certificate shall be deposited in the office of the clerk of the municipality in which the business is to be carried on before commencing business. The clerk is entitled to a fee of Ten Dollars (\$10.00) for recording this certificate.)

CERTIFICATE OF SOLE PROPRIETOR
ADOPTING NAME OTHER THAN HIS OWN

NAME

Maine Booch Brewing

ADOPTED NAME

Chauncey Eskine

Date: June 7 2021

~~Municipality of Damariscotta~~

~~Clerk's Office,~~

~~Received: _____ 20__~~

~~at _____ M., and recorded~~

~~in Book _____ Page _____~~

Attest:

[Signature]
Clerk.

Remote Board Meetings Now OK'd Permanently

The Legislature has made remote participation in public board meetings permissible on a permanent basis, but only under limited circumstances. PL 2021, c. 290, was enacted as an emergency measure and took effect on June 21, 2021, with the Governor's signature. It adds a new provision (§ 403-B) to Maine's Freedom of Access Act or FOAA (1 M.R.S. §§ 400-414).

Meanwhile, FOAA's temporary provision (§ 403-A) authorizing remote participation in public board meetings during the COVID-19 pandemic remains in effect until July 30, 2021.

Under the new law board members are expected to be physically present for meetings, but may attend board meetings via remote methods of participation in the case of an emergency or urgent issue that requires the board itself to meet remotely, or an illness or temporary absence that causes a board member significant difficulties in traveling to a meeting.

The public must have a meaningful opportunity to attend via remote methods when board members participate via remote methods. If public input is allowed or required at a meeting, an effective means of communication between the board and the public must also be provided. A board must provide a location where members of the public may attend in person. A board may not limit public attendance to remote methods only except in case of an emergency that requires the board itself to meet remotely.

Remote methods include telephonic or video technology allowing simultaneous reception of information and also permits other means necessary to accommodate disabled persons. But remote participation cannot be by text-only means such as e-mail, text messages, or chat functions

To enable remote participation, a board must first, after public notice and hearing, adopt a written policy governing remote participation by board members and the public that contains the limitations noted above.

Notice of all board meetings is required as usual (see § 406). When the public may attend via remote methods, notice must include the means by which the public may access the meeting remotely, and a location for the public to attend in person (except in case of an emergency).

A board must make all documents and materials to be considered by the board available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the board.

All votes during a board meeting using remote methods must be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other board members and the public. A board member who participates remotely is considered present for purposes of a quorum and voting.

Remote participation is not permitted for town meetings or regional school unit budget meetings.

As we noted above, FOAA's temporary provision authorizing remote board meetings, which does not require adoption of a local policy, remains in effect until July 30, 2021 (see § 403-A). After that date, boards are not authorized to permit remote participation without first adopting a written policy in compliance with the new law (see § 403-B). For a sample remote participation policy, see this link: _____ (*By R.P.F.*)

SAMPLE

[This sample policy is provided by MMA Legal Services. It adheres to the requirements of 1 M.R.S. § 403-B, and may be tailored to meet the needs of individual board/committees.

We strongly encourage municipalities to consult their municipal attorney prior to enacting any policy.]

REMOTE PARTICIPATION POLICY

(name of body)

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: _____

Signed: _____

TOWN OF DAMARISCOTTA

MUNICIPAL OFFICERS' POLICY REGARDING SELECTMEN'S PARTICIPATION IN BOARD OF SELECTMEN'S MEETINGS BY MEANS OF ELECTRONIC MEDIA

The Board of Selectmen realizes that Selectmen may not be able to attend all Board meetings but may have the opportunity to remotely participate through electronic media. Maine Statutes do not prohibit municipal elected bodies from allowing members to participate in meeting discussions and voting at official meetings by means of cell phones or electronic media that allow for live communications through transmission of video and audio signals.

The Board hereby approves participation of its members in regular and special meetings of the Board subject to the following:

1. Selectmen shall be considered as present and able to participate in regular and special meetings of the Board if they are using electronic media that allows them to hear the proceedings and speak to the other Selectmen and others present at the meeting in real time.
2. Communication via email, social media, texting or other typed communication media will not meet the criteria required to be considered as being present for a meeting.
3. A quorum must be present in person in order to conduct official business of the Board.
4. Each Selectman may use this media as described above and be considered as present for attendance recording purposes up to three times per fiscal year.
5. Selectmen who intend to communicate remotely through electronic means are asked to provide Town staff with sufficient notice so that the necessary arrangements can be made prior to the meeting.

Adopted August 15, 2012,

Municipal Officers for the Town of Damariscotta:

David L. Atwater
John A. Hill
John D. Hill
Laura Olenok
Robin Mayeux

Witnessed by:
[Signature]

Town of Damariscotta 2021-22 Goals and Action Plan
SECOND DRAFT 8-18-2021

Focus area: Financial Sustainability - Maintain Financial Health of Town Government

Action Plan	Responsibility	Priority	Due Date	Status
Finalize Licensing Ordinance for Annual Town Meeting consideration	Board of Selectmen, Town Manager, CEO and Town Clerk	Medium	2/2022	
Recruit and hire new Assessors' Agent or Assessing Firm	Board of Assessors Town Manager, Treasurer	High	9/2021	
Recruit and interview candidates and select new town manager	Board of Selectmen, and outside consultant to assist Board	High	5/2022	Recommend beginning the process no later than 2/2022
Review and, where appropriate, adjust the criteria for organization tax exemption eligibility	Board of Assessors; Assessors' Agent	High	2/2022	

Focus area: Infrastructure – Proactively address infrastructure and infrastructure maintenance needs

Action Plan	Responsibility	Priority	Due Date	Status
Develop a Technology plan to include the purchase of computers for Selectmen and Planning Board members	IT Consultant; Town Manager and Treasurer; Selectmen	Medium	12/2021	
Update the Five Year Capital Improvement Plan.	Town Manager, Department Heads Public Works Committee	High	1/2022	
Develop ten year plan for financing and rebuilding Town roads.	Public Works Committee	High	12/2021	
Complete Phase 2 design of Waterfront Improvement Project including flood resiliency measures for downtown businesses and advertise for bids.	Town Manager, George Parker, Planner	High	11/2021	

Town of Damariscotta 2021-22 Goals and Action Plan
SECOND DRAFT 8-18-2021

Update annual and multi-year paving and maintenance schedules for Public Works	Public Works Committee	High	12/2021	
Develop three year plan for restructuring Public Works Department to include staff and contracting practices.	Public Works Committee, Board of Selectmen, Town Manager	High	1/2022	
Seek funding for infrastructure improvements especially those improvements that will increase accessibility for an older population	Town Manager, Planner	Medium	Ongoing	
Continue to work with adjacent property owners to secure ownership and complete overlay of section of Heater Road to Town Garage	Town Manager, Road Commissioner, Public Works Committee	Medium	6/2022	Approved at 7/15/20 ATM. Town staff have identified the property owners who would need to provide the necessary right of way. Once ROW is acquired, road will be overlaid with recycled asphalt.
Consider major bond issue to address funding for road and sidewalk infrastructure improvements	Board of Selectmen, Public Works Committee	High	2/2022	
Seek funding for Church Street Sidewalk Construction.	Town Manager & Planner	High	7/2022	
Seek CDBG Funding for Hodgdon Street Improvements	Town Manager	Medium	3/2022	
Rebid Miles Street Improvement Project	Town Manager, LincolnHealth staff, consultant	High	12/2021	
Complete Fire Station Back Parking Lot	Road Commissioner	High	10/2021	

Town of Damariscotta 2021-22 Goals and Action Plan SECOND DRAFT 8-18-2021

Focus area: Public Safety - Maintain current high level of Fire and Police response

Action Plan	Responsibility	Priority	Due Date	Status
Update Traffic and Parking Ordinance	Town Manager, Police Chief	Medium	2/2022	
Continue highly visible enforcement of posted speed limits.	Police Chief	High	Ongoing	Officers are continuing speed radar details in high traffic areas, monitoring radar board and downloading data.

Focus area: Economic Development – Maintain existing tax base and expand base with development that meshes with community values

Action Plan	Responsibility	Priority	Due Date	Status
Focus on the retention, promotion and growth of existing businesses located in town while at the same time encouraging new business developments	Board of Selectmen, Matt and Department Heads	High	Ongoing	One-on-one visits with businesses occur on an ongoing basis.
Submit formula store ordinance for Town meeting consideration.	Board of Selectmen	Medium	2/2022	
Work with Maine DOT, Chamber of Commerce and Information Bureau to secure ownership of the Information Bureau Land	Board of Selectmen, Town Manager	High		There is nothing more that the Town can do until MDOT completes land appraisal
Expand Fiber/Broadband Network through ARP, ConnectME and other grant funding	Management Intern/ Town Manager	High	11/2021 (Apply for funding)	
Submit grant application for Museum In the Streets	Planner	Medium		

Town of Damariscotta 2021-22 Goals and Action Plan
SECOND DRAFT 8-18-2021

Focus area: Community Development/Comprehensive Plan/Planning and Development – Focus on changes to the land-use ordinances, building and maintaining public infrastructure especially transportation systems including pedestrian and bicycle paths

Action Plan	Responsibility	Priority	Due Date	Status
Work with Lincoln County Planning Commission to seek opportunities for affordable housing developments	LCRPC Representatives (Dick McLean and Lou Abbotoni and Planner			
Complete final improvements (pedestrian-activated crosswalk light) for Bristol Road sidewalk project	Town Manager MDOT	High	11/2021	
Work jointly with Coastal Rivers Trust to build segments of sidewalk on Main and Church Streets and Biscay Road	Town Manager, Road Commissioner, CRT, engineer, Public Safety and Accessibility Collaborative	High	Ongoing	Long term funding source for section of Main St. sidewalk secured through TIF, and grant application approved by MDOT as part of current three year plan.

Focus area: Intergovernmental Connections

Action Plan	Responsibility	Priority	Due Date	Status
Broaden working relationships with Great Salt Bay Sanitary District and other organizations in Lincoln County.	Board of Selectmen, Town Manager	Medium	Ongoing	
Work with Great Salt Bay Sanitary District to develop long term plan for future Town commercial and residential development	Selectman Pinkham - lead	Medium	6/2022	
Continue to work closely with School District to contain the overall cost of government and schools to the taxpayers	Selectmen, Town Manager	High	Ongoing	

Town of Damariscotta 2021-22 Goals and Action Plan SECOND DRAFT 8-18-2021

Focus area: Citizen Communications/Outreach

Action Plan	Responsibility	Priority	Due Date	Status
Appoint Committee for 2024 Comprehensive Plan Committee	Board of Selectmen	Medium	11/2021	
Prepare and send out Town e-newsletter	Town Manager	High	Ongoing	
Maximize the use of LCTV and local newspapers for disseminating information	Town Manager	High	Ongoing	
Continue to update Town's website and Facebook pages to provide useful information to citizens and visitors	Robin Mayer (Heart and Soul Page) , Town Clerk, Town Manager and Treasurer; Police and Fire Chiefs	Medium	Ongoing	
Participate in "Spirit of America" Volunteer Recognition Program	Board of Selectmen	Medium	3/2022	This recognition will be presented in conjunction with the annual report dedication.
Appoint Charter Commission to Review Town Charter and prepare recommendations for November 2021 Special Town Meeting	Board of Selectmen Selectman Hagar-lead	High	11/2021	

Focus area: Environmental Stewardship

Work with Coastal Rivers and other organizations on the community-wide cleanup	Town Office Staff; Road Commissioner	Medium	5/2022	
Publicize new Electric Vehicle Charging Station	Robin Mayer (Heart and Soul Page) , Town Clerk, Town Manager	Medium	Ongoing	

CEMETERY DEED TRANSFER OF OWNERSHIP

KNOW ALL PERSONS BY THESE PRESENTS 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 **fifty dollars (\$50.00)** administration fee paid by **Paul Sidelinger**, in the State of Maine, does hereby transfer ownership of lot number(s) **117-2** in **Bethlehem** Cemetery in said Town of Damariscotta, previously owned by **Paul Sidelinger**, unto **Lawrence Sidelinger** and his/her assigns, the lot(s) being numbered 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 **Lawrence Sidelinger** and his/her assigns that **Paul Sidelinger** is lawfully seized in fee of the aforesaid premises, that the granted premises are free from all encumbrances, that **Paul Sidelinger** has good right to transfer and convey the same to the said **Lawrence Sidelinger** 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 **18th** day of **August, 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