

MINUTES
BOARD OF SELECTMEN'S MEETING
May 15, 2019 5:30 pm
at the Damariscotta Town Hall

Members: Roberta Mayer, Chairperson; Ronn Orenstein, Vice-Chairperson; Mark Hagar, Amy Leshure, and Louis Abbotoni.

Members Absent : Amy Leshure (excused)

Staff Present: Matt Lutkus, Town Manager; Karen O'Bryan, video recorder; Lynda Letteney, recording secretary

Others Present: Haas Toby, Paul Kando, Marnie Sinclair, Tim Beal, Tamara Dica, Dick Butler, Rick Hirsch, John Roberts, Fire Chief; Evan Houk, Lincoln County News

I. Pledge of Allegiance

Meeting began at 5:30 pm with the Pledge.

II. Public Hearing

1. New Liquor License for Damariscotta River Grill

A public hearing for a new liquor license for the Damariscotta River Grill was called to order at 5:31. New owners Tim Beal and Tamara Dica were present. Previous owners spoke first stating how pleased they were to get "the right fit" in selling this business to the new owners. New owners have established residency in Newcastle and plan to open mid to late June. Chairperson Mayer declared the liquor application complete and asked for comments from the audience. Hearing none, she closed the public hearing.

III. Call to Order:

Board of Selectmen Meeting was called to order at 5:35 p.m. by **Chairperson Mayer**

IV. Board Action on Public Hearing Items

On motion (Abbotoni/Hagar) to approve the proposed liquor license. Vote: 4-0-0

IV. Minutes:

On motion (Mayer/Abbotoni) to approve the minutes of April 17, 2019 Vote: 3-0-1
(Hagar abstained, was not in attendance of 4/17's mtg.)

On motion (Mayer/Hagar) to approve the minutes of May 1, 2019 Vote: 3-0-1
(Abbotoni abstained, was no in attendance of 5/1's mtg.)

V. Financial Reports

- 1. On motion (Abbotoni/Hagar) to approve Payroll Warrant #64 Vote: 4-0-0**
- 2. On motion (Mayer/Orenstein) to approve Accounts payable Warrant #65 Vote: 4-0-0**

Two questions arose: **1) Ronn Orenstein** asked if it might be more cost effective to have gravel and crushed stone delivered from Topsham, rather than send two public workers employees down and back. **Matt Lutkus** will check on delivery costs versus sending two employees to drive down and back. **2)** Mark Hagar asked about AD Electric's bill and questioned whether the Town was paying the whole thing or if the school was also paying, thus dividing the bill by 3, or are we assuming whole cost. Matt will check.

VI. Presentations: None

VII. Citizen Comments and General Correspondence: None

VIII. Town Manager Items

1. Review of Sign Ordinance Changes for Marijuana Retail Stores (for November special town meeting)

There were draft changes made to *107.2 Definitions* and *107.3 Permit Required* by Bob Faunce to address concerns from the Board regarding misleading advertising by firms who are licensed for one type of sales, but whose signage leads people to believe that they sell both recreational and medical marijuana.

2. Town Personnel policies and Rules

A new draft has been completed and distributed to the Board. Please review and send comments ahead of the June 5th Board meeting. Vote will take place then.

3. Town Employee Pay Scale

Not completed yet. Should be available tomorrow.

4. Election Hours/Front Counter Service on Election Day

After discussion of shortening hours by one hour, there was no significant difference in savings, and the town manager is recommending they keep the hours at 8:00 am-8:00 pm, but with a shortage of staff, they close the front counter that day. The consensus of the Board was to hold the election from 8AM-8PM and to close the counter for the day

5. Bristol Road Sidewalk RFP

This went out last Thursday. **Mark Hagar** asked about the time frame. He felt traffic patterns may drive this up. **Robin Mayer** asked about costs. She was concerned about a delay in finishing project. **Matt Lutkus** stated that he felt the cost of what the state already has in the project is firm. **Matt** said the estimated project cost had already increase from under \$800K to an estimated \$1.1 million and it was very unlikely that any additional funding would be available. He stated that Boothbay sidewalk project as an example of increasing cost. **Matt** will provide a breakdown of the States contribution. He would like to see the Town know exactly what the state has in this project up to the bid date, obviously, the Town needs to know these numbers ahead of time. **Matt** felt it was best to start on drainage with no work in July and August. **Mark Hagar** disagreed with this because it would be the end of June before you'd secure a contractor. Matt reminded the Board this got started in 2012. Boothbay's similar project took 10 years with the same type of issues with the State/Federal funding. **Robin Mayer** asked how this fits into the Rt.129-Rt.130 Committee Report. Matt indicated that the 129/130 was unanimous in its

preference for rebuilding the road through Damariscotta. Matt explained that they have had to have extensions from the federal government because of the project delays. The Town will be requesting that MDOT install hard shoulders the the next time Bristol Road is repaved.

6. Capital Projects Review

A. Restroom- Project is on hold right now. The negotiated price from Bruce Laukka, LLV is \$150,000 more than the Town has \$374K available at this time. There is a possibility for help in funding from the EDA (Economic Development Administration). Laukka Construction's estimate was \$525K, which is very similar to the bid they submitted during the formal bid process. Mark Hagar stated that the Town should have negotiated with the lowest bidder before talking with a firm that did not submit a bid. Matt reviewed the bid process and sequence of steps. The Town will be asking for \$800K from the Economic Development Grant to supplement funds that are currently available for both the new restroom and the waterfront improvements. We have a good chance at obtaining some funding because we are "shovel ready" and have the required matching funds already reserved. With regard to the restroom, Matt indicated that alternatives would be to reduce the scope of the design or hire a temporary employee to work as general contractor. **Mark** did not feel this was a viable option. He would prefer to put it all out to bid again with the changes that were put together with Wright-Pierce to bring the cost down; DEP foundation. **Matt Lutkus** felt, when all bids were higher than our funding, and the lowest bid being too high, he sought out as local construction company who agreed to our price. However, they could not get the performance bond required for the project. **Mark Hagar** suggested getting the bond first before accepting bids. In the end, we can't see any way to go with our estimate without additional funding. **Ronn Orenstein** felt it may have been a blessing in disguise, as the opportunity for economic development grant may provide enough for restroom and parking lot. Construction-wise this may be better all around.

7. June 19th Board of Selectmen Meeting -

The Selectmen's Board meeting will have its second meeting in June at 5:30 p.m. on the 19th

8. LD1254 Local Option Sales Tax

The local option sales tax on lodging/meals is currently before the legislature. Matt Lutkus asked, "Do you want a letter of support from me to the legislature?" Mark Hagar said the governor was asking for 2.5% to towns, if not it goes to 5% and all to the state. Consensus was to have Matt draft a letter.

IX. Official Action Items

1. Contract for Solar Array Installation and Power Purchase Agreement (Tabled from 5/1/19)

Matt introduced **Paul Kando** and **Marnie Sinclair**, two members of the Solar Panel Review Committee (which also includes Matt Lutkus and Roger Paneck). Matt had previously summarized the bid and RFP process for the Board. Recommendations from other Towns were very positive (Waldoboro, Bristol, Tremont). With only one bid, from SunDog Solar, and a time constraint to have the project underway by December 31, 2019, to take advantage of the tax credit for the investor, it is recommend that the Board approve action authorizing the Town Manager to execute a Power Purchase Agreement with SunDog Solar, LLC for the installation and financing of a solar array at the Town's former landfill site. Matt introduced **Paul Kando** to answer any questions and relative information.

Mr. Kando referred the Board to pg. 3 of the proposal which shows a fixed rate of \$0. 125 for 5 years. He also referred them to pg. 25 where a residual value of \$109K. He said these are the 2 relevant pages in terms of numbers. The real payoff is the Town's eventual ownership when it will be receiving virtually free energy. There is no cost for construction and connection to grid. He believes this is a real bargain for the town, with a guaranteed rate for 6 years. From his personal experience, he purchased panels in 2014, using a heat pump and no oil, it has almost completely paid for itself.

On motion (Hagar/Abbotoni) to accept the SunDog Solar proposal.

Discussion:

Mark Hagar asked if the rest of Committee had seen this final proposal, he felt they should ask for a two week delay as they just received the final proposal. However, the 30% tax credit expires December 31, 2019, and delay can put the project in jeopardy. With only one bid, there are not too many options.

Matt suggested forming a subcommittee of the Board of Selectmen for oversight, contingent on acceptance of the Agreement. Robin Mayer asked about the longevity of the panels. Mr. Kando said to expect 30+ years. Mr. Kando added that the industry is changing rapidly, in 2001 he started with panels, by 2005 he could not get compatible components to expand. Looking in the direction of other technologies, i.e. painted panels. Multilayer panels change the schematics. **Mark Hagar** asked, referring to page 25, if year 7 was a \$109K buy out? **Paul Kando** said that was a maximum, it could be less. **John Roberts** felt it may be more initially, 7 years going to 8, if the bathroom project is included. **Matt Lutkus** stated that the Board had a 32 page proposal document with all the details. Legalese needs to be reviewed. Matt said he preferred being a single entity in the proposal (with Bremen's withdrawal) as it only amounted to a one cent difference and we don't have to worry about another town's issues. John Roberts felt it was a good site with virtually unlimited potential. Matt reiterated the savings over six years plus a return on the next nineteen years. **Paul Kando** stated we have been ready with this proposal and are running out of time. There has been a lot of extra work on the part of the Committee with the withdrawal of Bremen. They had one RFP, which was expanded to include Bremen, and after it went out, Bremen withdrew. RFP had to be frozen and redrafted to exclude Bremen but add public restroom. He felt the Selectmen had asked a lot of them. Lou Abbotoni asked Paul what the committee recommended. Response: Go for it!!

(Mayer/Abbotoni) to table a vote until the first meeting in June.

On motion

Vote: 4-0-0

2. Warrant for Annual Town Meeting

Polls will be open 8:00 am -8:00 p.m. Office hours will not be maintained during Election Day. Informational material is through page 3 of the warrant. Beginning with Article 11 thru Article 44 the moderator will read each article aloud.

On motion (Abbotoni/Hagar) to approve the Town Warrant as presented

Vote: 4-0-0

3. Repairs to Engine #1

Chief John Roberts presented the estimate to fix the water cradle on Engine #1. The water tank itself is not being repaired. It has a UPF lifetime warranty with a poly tank. These have rarely cracked on the seam but are warranty covered. We are not replacing the tank itself. This is a 2002 vehicle which needs to have the water tank cradle repaired. It is an extensive job, removing existing water tank and reworking the entire cradle assembly. Two bids came in from Reliance and Greenwood. Reliance

provided an itemized invoice, estimating between \$9,500-\$10,000. Greenwood presented a vague list of repairs with no cost included. The Department has used Reliance before with good results. There is \$10,000 reserved in the budget for this repair.

On motion (Abbotoni/Hagar) to accept the Reliance bid and allow Chief Roberts to contract for the repairs. **Vote: 4-0-0**

4. Interim

With an opening in the Central Office staff there is a need to appoint interim status for employees. Matt Lutkus recommends: Cheryl Pinkham as interim General Assistant Administrator and Becky Bartolotta as interim Town Clerk. This do not include any additional hours.

On motion (Mayer/Orenstein) to approve Cheryl Pinkham as interim General Assistant Administrator and Becky Bartolotta as interim Town Clerk. **Vote: 4-0-0**

X. Selectmen's Discussion Items

Ronn Orenstein has been checking on the voting pads and it should be ready by the June vote. They will do a dry run and have manual back-up just in case.

XI. Adjournment

On motion (Abbotoni/Orenstein) meeting was adjourned at 6:35 p.m. **Vote: 4-0-0**

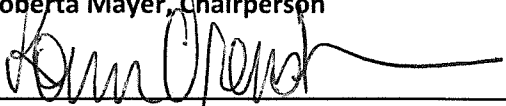
Respectfully submitted,

Lynda L. Letteney
Recording Secretary

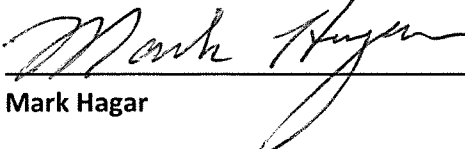
We, the undersigned, do hereby approve as written, or with corrections as noted, the minutes of the above-designated Board of Selectmen meeting.



Roberta Mayer, Chairperson

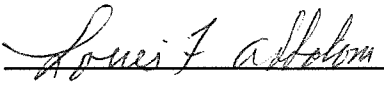


Ronn Orenstein, Vice-Chairperson



Mark Hagar

Amy Leshure



Louis F. Abbotoni

Town of Damariscotta, Board of Selectmen, signed this date: _____