

**Town of Damariscotta
Board of Selectmen Meeting
Minutes
Wednesday, August 6, 2008**

I. Pledge of Allegiance

II. Call to Order

The Board of Selectmen met at the Municipal Facility on Wednesday, August 6, 2008 to conduct town affairs. Chairman Josh Pinkham called the meeting to order at 6:31p.m. Members present were Richard McLean, Vicki Pinkham, Dave Wilbur and Edwin M. Stelzer. Staff present was Town Manager, Greg Zinser, Town Clerk, Cheryl Pinkham, Road Commissioner, Terry Sutherburg. Others present were Karen O'Bryan from LCTV, Ann Pinkham, Budget Committee Chair & Resident; Travis Prior of Wright Pierce Engineering, Elm & Church St residents included Richard Sundberg, Noah Seaberg, Atherton and Betty Noyes, Laura Billings, (few others that I didn't have names of). Augustine Lett of Augustine's Backstreet, and Hannah Sparrell of 74 Maine Bistro, Justin Hagar of Hagar Enterprises, and Don Hunt of Don Hunt Excavation, Lucy Harrington of Newcastle.

III. Public Hearings-

1. Sidewalk Drainage

Zinser briefed the Board and audience on the decisions made, and concerns from the last meeting on April 16th. Basically wondering what would happen with stone walls, parking, front yards, etc., and hopes to answer those tonight with Travis Prior's presentation.

Prior presented the Conceptual Plans for Elm Street and Church Street. Explained they would be re-establishing a cross walk at the end of Elm St. behind the Day Block area, the needs and requirements to have minimum of 3' sidewalks to be ADA compliant, and the fact that Elm St would lose more parking with the plan to keep 2 way traffic and still be compliant.

Zinser reminded the audience that one of the keeping points of the last meeting was the residents desire to keep 2-way traffic; in order to do that and have the 5' sidewalk the on street parking will need to be eliminated.

Sundberg stated the parking on Elm St is used heavily from 8-4 or 5pm.

Zinser said they may need to consider how the one way traffic would work.

Prior said typically the parking needs 6', but also pointed out that the SUV's now are 7', so Wright Pierce goes for 10' for safety.

Wilbur asked if going this far was really necessary, if it has been working all these years all along.

McLean said the winter months are not working, because of the snow plowing and build up.

Zinser stated the goal was to pull all the work into the Towns' right of way without infringing on residents' property. They would pull the drains from one side of the road to the other, and this would minimize the risk to fix.

A resident asked if the water lines were bad.

Prior said the joints are bad, dated back to 1890.

Resident asked if Elm was to be one way, which way the traffic would flow? It's a whole troublesome area at the base of Elm, with deliveries and the parking lot and pedestrians.

Prior would need to talk with local business owners, residents, police and fire departments, MDOT, etc., to find out what works best for the ones that use it the most. We would be leaving the Day Block area alone, just lower the road by 3" to establish the curb and drainage. We are trying to eliminate the impacts on owner's property by pulling the sidewalk into the Towns' right of way. There may be a potential loss of on-the-street parking on Church St. We are trying to see about getting a drainage easement.

J. Pinkham didn't want to spend any money until we hear from the water district.

Zinser said the issue now is funding, we have about \$330,000 now, but we can try for a CDBD Grant that could assist us up to \$500,000

Prior also pointed out that they company has done the testing and there is no ledge up to 10'.

J. Pinkham felt the consensus was to try and keep parking on Elm St. and make it a one way street. Personally, we have already lost a lot of parking down town and would agree that keeping as much as we can, would be beneficial to everyone.

Zinser asked if there was a way to get diagonal parking on Elm St. Would that allow more spaces, and assist with the residents' line of vision while pulling out of their own driveways on Elm?

Resident would like to see Elm keep the parking and go one-way traffic.

J. Pinkham suggested having a hearing on the one-way traffic and then which way the traffic should flow.

Zinser said the CDBD Grant deadline is approaching, suggested sending Prior back to his office to design a one way street with parking, trying both diagonal, and parallel style parking as it is now.

McLean felt the Board should find out the impact this will have on the Police, Fire Depts., businesses and folks that live there.

V. Pinkham would like to see the diagram with traffic directions versus parking, and what side of the road the parking would be on.

Stelzer questioned if the side of the street mattered and also asked if Prior could do 2 separate diagrams, one 60° and one 45° angle parking.

Prior stated the side of the road for parking is important because there are a lot of drainage issues with which side.

Resident asked if the option to have no parking and keep 2-way traffic was off the table.

V. Pinkham said if we take away the parking that leaves a real hardship for downtown businesses and their employees/customers.

Zinser recapped to say a public hearing will be scheduled to see the results of 2-way traffic and keeping the parking, show one-way traffic and how much parking is gained, and get GSBSD to the hearing also.

Wilbur asked Prior how much parking would be lost on Church St.

V. Pinkham asked if 2 way traffic and sidewalk could be done, what would be the cost.

Prior replied they would need to tear up 4' on the other side of Church St (Bath Savings Bank side of the road) and make it road.

Resident had the concern that this area is 'residential', if we put more parking for businesses, what does that do for the residential feel.

Zinser set the public hearing date for September 3, 2008 at 6p.m.

Public Hearing closed at 7:17p.m.

2. Liquor license renewal for 74 Maine St. Bistro

McLean was concerned after reading the police report.

V. Pinkham read police report and questioned why the data was a year old.

C. Pinkham said it's the practice to go back to the previous year and see what type of police report, and this is what's been done for all license renewals for entertainment and liquor.

On motion of Pinkham/Stelzer moved to approve the liquor license for 74 Maine Bistro. Vote: 5, 0, 0.

3. Liquor & Entertainment License renewal for Damariscotta River Grill

On motion of V. Pinkham/McLean moved to approve the liquor & entertainment license for Damariscotta River Grill.

Vote 5, 0, 0.

4. Entertainment license for Augustine's Backstreet.

On motion of V. Pinkham/McLean moved to approve entertainment license for Augustine's Backstreet.

Vote 5, 0, 0.

IV. Official Actions (took agenda items out of order, therefore roman numerals will not match with the BOS agenda)

1. Review & possibly award RFP 2009-01; parking lot paving

Zinser stated the Town received 2 bids: Don Hunt for \$13,400 and Hagar Enterprises for \$7,864.50.

Stelzer asked if there were any conditions with the bids, or are the bids on the same scope of work.

Zinser stated the Hagar bid is clear and states the price is good for 10 days. The Hunt bid is not as clear on what he is bidding, as it's just a lump sum.

V. Pinkham questioned when the work would be performed.

Hagar stated there was no time schedule on it. That would be up to Zinser and Sutherburg.
Zinser stated they were leaning towards a date after Labor Day.

On motion of V. Pinkham/Stelzer moved to award Hagar Enterprises the RFP 2009-01. Vote 5, 0, 0

2. Review & possibly award RFP 2009-02 Branch Rd-

Zinser informed the Board that there were no bids for this RFP. There are more problems with Branch Road, do you want to do 2-3' culverts, liner option, 3-2' culverts, 1-4' culvert, looking for direction from the Board.

Sutherburg said he has called for culvert prices and the prices are jumping daily. 1-4' is \$2475; 2-4' is \$4950.

V.Pinkham asked where he got the prices from.

Sutherburg replied Ames Supply in Wiscasset.

V.Pinkham suggested checking with Storer Lumber.

J. Pinkham asked if 2 culverts needed DEP approval.

Wilbur asked if it would be the same if went from a 4' to a 6'.

Sutherburg said yes.

V.Pinkham asked how much water is coming through.

Sutherburg said the water comes up and over the road.

Hagar suggested the Board do the 2-4' option.

J. Pinkham agreed and asked Zinser to create a RFP using the 2-4' culvert.

Zinser noted there is an issue with the catch basin on Church St.

Sutherburg confirmed, and said water goes across the road, the catch basin and culvert are bad. Had a mason come in and block it up, getting a price to see how much to correct that.

Zinser said the question he has for the Board is if the price gets up around the \$5,000 price that puts us into the bid process.

Sutherburg said Clark Doody can use the old blocks to fix.

McLean felt this was considered an emergency situation, which allows the Board to override the bid process.

J. Pinkham asked Zinser to obtain 3 or 4 prices and go from there.

McLean suggested expediting this before it gets worse.

3. Review & possibly award RFP 2009-03 paving Backmeadow Rd

J. Pinkham said he has reviewed the RFP and it looks good to him.

Zinser said there has been minor changes to title standard specification 1995 edition to most recent edition; length of road is approximately 3 miles.

J. Pinkham thought the Town was waiting until next year.

Zinser feels it's a bad idea to wait that long, especially with the prices flexing the way they are.

On motion of McLean/V. Pinkham moved to accept RFP 2009-03 and bid specs. Vote: 5, 0, 0.

J. Pinkham asked if the ditching would be done soon.

Hagar replied, 3rd week in August.

V. Town Manager Discussion

1. Discussion of marketing and signage in Town.

Zinser said Lucy Harrington is interested in putting signage to point to Newcastle for joint marketing. Will be meeting with the Chamber of Commerce, at the Damariscotta River Grill on September 5, at 7:30 a.m. (The Board is also invited to attend.)

Sutherburg told Harrington the sign would be on State or private property, and suggested they check with State or private owner for permission.

Harrington was not sure which is was, but the sign is already designed and stated the Newcastle businesses have already agreed to pay for the sign.

J. Pinkham asked Sutherburg to find out who owns the property where the sign is being suggested to be placed, and told Harrington to call back in the next day and Sutherburg would have more information for her.

V. Pinkham asked how big the sign was.

Harrington said 18"X30".

McLean stated he supports the concept, but has concern for businesses and pointing people out of town to other shops. Also asked what the Damariscotta businesses felt about this.

Harrington stated they were excited about the art walk.

Stelzer asked what the Chamber's point of view on this was.

Harrington stated they were enthusiastic also. They are excited about the walking map, the art walk, and the walking signs.

Stelzer is concerned as to where the Board draws the line, rules and consistency. It's good to promote businesses, and maybe putting similar signs on both sides of the bridge would be a suggestion. He would like to hear from the businesses and the Chamber.

Sutherburg asked Harrington if they approached Sproul Furniture, to see if the sign could go on their building.

2. Sand and Salt shed update.

Zinser said we would now need to wait until September, because one abutter had not been notified.

3. Harbor Committee update

Zinser said the committee was going along well. They will be holding meetings at 9a.m on the 1st & 3rd Tuesday of each month, swapping meeting spots between Damariscotta Town Office and the Taniscot Building in Newcastle. They are identifying objectives for ordinances, synthesize objectives and construct ordinance.

4. Orton Update

Zinser said there is a draft work plan-next 2-year plan with grant. Be aware of the draft contract. Will be meeting on August 19th with DPAC (Damariscotta Planning and Advisory Committee) and anticipate a copy to the Board for formal action on September 3, Zinser can send draft contract to the Board.

5. Audit update

Zinser told the Board the audit is completed, and expects a draft copy by the end of the month.

VII. #5-Act on Cemetery Deed and Perpetual Care agreement for Myra Clunie.

On motion of V. Pinkham/McLean moved to grant Myra Clunie cemetery deed, pending payment.

Vote 5, 0, 0.

VI. Selectmen's Discussion Items

1. Monthly publications

Stelzer believes there is a value to put a BOS newsletter in the LCN once a month, and is willing to generate a draft.

J. Pinkham pointed out that the meetings are on television.

Wilbur thought the paper had its own articles summarizing the same thing.

Stelzer would be willing to head this venture up and if the Board decides they don't want to do it, that's fine also. But he would certainly like to give it a try.

J. Pinkham said to go ahead and try it.

McLean would like to see a draft copy, and suggested Stelzer check out the Town of Lamoine, who also does a newsletter.

2. New Agenda item-Damariscotta Community Open forum

Stelzer would like to see if the 1st half hour of the meetings or 15 minutes be open to public comments, recommendations, complaints, etc. A time when anyone can come to the meetings and voice their opinion(s). Just another thought for the Board to consider.

A. Pinkham agreed a newsletter is a good idea and should be followed through, an invitation, dates of future meetings, etc.

McLean stated this was something they had tried a while ago, its hard to focus into 5 minute comments.

3. Standard business/bidding procedures

Stelzer stated the Board/Town should have a standardized manner of these procedures, to be fair and timely.

Zinser agreed and felt it was a good idea, he suggested he and Stelzer get together to come up with guidelines to start.

4. Ethics & Standard of Operations

Stelzer said this was another thing the Board and Town Manager should consider. Having a document that lays out the standards as to how the Board will operate.

McLean believed the Charter did this already, but noted the Charter is due to be written again.

VII. Old Business

J. Pinkham said the hydro-seeding had been done on Main St, however it was poorly done.

J. Pinkham asked when the light was coming down.

J. Pinkham asked the status of the lettering for the Main St/Church St. intersection.

VIII. Consent Calendar

Regular meeting minutes of July 2 and July 16

On motion of V. Pinkham/McLean moved to approve July 2nd minutes with date correction. Vote: 4, 0, 1. (Stelzer not member of Board at time)

1. General Fund Warrant #6

On motion of McLean/Wilbur moved to accept General Fund Warrant #6. Vote: 5, 0, 0.

2. Payroll Warrant #4 & #5

On motion of Wilbur/V. Pinkham moved to accept Payroll Warrants #4 & #5. Vote: 5, 0, 0.

IX. Other Business

J. Pinkham told the Board he has been approached about Concord Railways.

Zinser was also aware and said he is in the process of working with Dean Jacobs, and then talk with Concord trailways if necessary, however needs action from the Board as to how they would like Zinser to move on this.

On motion of J. Pinkham/McLean moved to allow Zinser to go forward with resolving this traffic issue.

McLean mentioned the other day both buses, north and south bound, arrived in Town simultaneously, which as you can imagine, created a traffic nightmare. If an emergency vehicle needed to get through, it wasn't happening.

Stelzer would like to see the motion amended; buses and proprietors are not allowed to stop at non-parking area, can be a pick up at Mediterranean Kitchen.

No second.

Vote 5, 0, 0.

Zinser reminded the Board of the next scheduled workshop to be on the 18th, to discuss Ordinance, fire dept building, bike and sidewalk plan, finances, entertainment licenses, franchise agreement...which Time Warner has tossed curve ball, now we are pending more discussion.

Zinser told the Board he would be taking next week off, however he would be available by phone.

V.Pinkham asked about the bike and walking path, why is Water St in the proposal to be done.

Zinser stated he would need to look into that.

Stelzer mentioned Main St. issues.

Zinser said he was aware of the issues on the sidewalks; flags being higher, the flower cart down town, and the difficulty navigating through the sidewalks. Zinser will be talking with people downtown to stress the importance of maintaining the 36" ADA specifications.

McLean felt that was the way to go, this way everyone is treated fairly, and believed working together would be the way to go.

Zinser thought most were receptive to the idea.

On motion of Wilbur/V. Pinkham moved to have the 36"ADA requirement for space along the sidewalks.

Vote 5, 0, 0.

Respectfully submitted,

Cheryl M. Pinkham, Town Clerk