

**Town of Damariscotta, Maine  
Board of Selectmen's Meeting  
Wednesday, September 17, 2008, 6:30 p.m.**

Present were: Selectmen: Dick McLean, Josh Pinkham, Vicki Pinkham, Dave Wilbur, Ed Stelzer, Town Manager, Greg Zinser, Deputy Clerk, Jurate Barnes. Also present were members of the Planning Board and DPAC, Glenn Flanders, Tom Myette, Emily Elliott.

**I. Pledge of Allegiance**

**II. Public Hearings**

- III. Call to Order**—Chair J. Pinkham opened the board of Selectmen's meeting at 6:32 pm. J. Pinkham suggested moving ahead to item **VII (2.)**. Board agreed Zinser: last fiscal year the Town of Nobleboro has problems with voting on sanitary district issues for the Damariscotta Mills section of town. Consolidation of administration would make this process easier, so the Board approved a letter of support to the legislature to permit this expansion. Legislative process is complete, now goes to Damariscotta voters for referendum vote. Need public hearing on October 1; special referendum vote on November 4, 2008. McLain: move to put on November 4, 2008 ballot as special referendum/ V. Pinkham second. Motion approved 5-0.

**V (3.) Cruiser accident:** Zinser: concerns why the cruiser was in Newcastle when it was hit: responding to a call for mutual aid from Lincoln County sheriff.

J. Pinkham: (I) have been under pressure from citizens to pursue this matter, doing what I was asked: why was the officer and cruiser in Newcastle?

Drake: request of mutual aid—stolen vehicle from Wiscasset Ford headed north. Officer Doe went north to Pine View and Officer Waltz went to River Rd. Waltz stopped his cruiser to block part of road, another vehicle did not stop for the cruiser, hit the front wheel.

V.Pinkham: when did this happen; what day of the week?

Zinser: August 26, between 1 and 3 in the afternoon.

V.Pinkham: why were there two officers on duty?

Drake: Waltz is part-time, overlap on shift so other officer has a chance to get caught up on paper work, etc.

J. Pinkham: was the procedure followed that the supervisor made the call for mutual aid?

Drake: yes, officers have discretion to make the call; things move so quickly; standing order to proceed as quickly as possible, when time allows make the call.

J. Pinkham: not just freelancing, just request from another agency.

Drake: 1074 code—if police hear it, everyone will respond even if in Belfast, will head to Waldoboro, if that where it came from.

Zinser: all mutual aid documents are reviewed; if a call comes in, the on-duty supervising officer moves forward with response, then notifies the chief.

Drake: (I am) willing to talk to anyone if they have questions. There are allegations floating around that a cruiser was in Newcastle for over an hour. Sgt. Kane has a cruiser that looks just like ours. I hold discipline very high; require paperwork and follow through. If you (the Board) get a complaint from a citizen, ask them to call me, I will go off-duty, in plain clothes to talk to them.

J. Pinkham: we understand, the Board was asked to talk to the chief.

Stelzer: two weeks ago today, after the selectmen's meeting, met a deer on the Bristol Rd., at about 8:30 pm.; made the call an officer showed up about ten/twelve minutes later. Very professional, told me what to do. I think the Board should show confidence and support for the Police and Fire departments. They are the most responsible for public safety; without a police force, there would be no well run downtown at night, etc. you officers do a fantastic job.

Drake: there is also the financial aspect to this: no one has the resources to do it all; we have to pool our efforts.

## V.2. Discussion with Glenn Flanders—Piper Mill Village, LLC

Zinser: met with Glenn Flanders September 8, 2008. Flanders has come forward at an early stage to work with the town. He is here to explain what he is attempting to do. Members of DPAC and the Planning Board are here.

Flanders: to introduce myself: I am from Bowdoinham, representing Piper Village LLC, an entity specifically for the 260 acres—6 parcels—recently acquired. The environmental assessments and surveys are complete; now doing an analysis of the property with regard to market development. I am the CEO of the LLC, have five other partners, all successful, diverse business people. I will be the developer representing their interests.

J. Pinkham: what vision do you have for the type of development—residential, commercial?

Flanders: both, this is a multi-use opportunity, wide ranging commercial/retail opportunity: a hotel/convention center is possible with a significant residential component, a mixed use type, single homes, assisted living. This is still in the very early stages, no specifics.

Zinser: a lot is being tossed around, nothing set in stone, there are no contracts.

Flanders: yes, this is incredibly preliminary; we are doing feasibility studies.

J. Pinkham: what entrances are you planning to use?

Flanders: all possible access; primarily off route one.

Wilbur: at this point, what are you hoping for from the town?

Flanders: to get to know you; this is a learning process; to become more actively engaged, to meet with people—what are the visions; to include some of my ideas with your own, share a time line. Infrastructure will be a significant component. No engineering or design yet, need to integrate with the sanitary district. Work together with the town to share infrastructure costs, maybe an opportunity for TIF to support the shared resources. May be proposing some development that would require a change in zoning—rural to commercial.

J. Pinkham: the Board has talked about TIF's and Pine Tree Zone way back.

Zinser: the Board knows a little about TIF's; we can discuss more tonight, development is a concern and must be done in a controlled fashion. It is possible to get public/private partnerships; DPAC is a very important component, a primary point of contact.

J. Pinkham: everything is out in the open, nothing for the rumor mill.  
Flanders: no desire for adversarial position; no surprises.  
McLain: adversarial situation will slow down development  
Stelzer: limited knowledge of TIF; all need to get educated; they need to be a two way street; how do we go about it. I like your (Flanders) approach; a good way to do business;  
Wilbur: a comment on TIF's—many articles and news releases from other towns with TIF's indicate they can be a great benefit to the town; all these towns are on board.  
Zinser: we need to start interviewing specialized lawyers; we have some funds available—legal fees are typically not all spent in a year, so if the board wants to start we can. Need to know the cost associated, get true technical information, revenue streams, revenue sharing language, etc.  
J. Pinkham: we need this information, but not right away.  
McLean: (addressing Zinser) you have a presentation, can you also include an attorney; we have a general concept, need more information.  
Zinser: a goal is to reinvest in the downtown also; both TIFs can interact/leverage funds; will take about a month plus to get to the presentation.  
McLean: are you looking for the authority to contact an attorney  
Zinser: want to know if Board is truly interested in pursuing—there will be costs.  
McLean: interested in continuing.  
Wilbur: DPAC meeting with all groups, the sooner the better.  
J. Pinkham: DPAC needs to be working with us.  
Zinser: yes, absolutely, need to buy in, the negotiation, set up is the Board's problem.  
McLean: the planning aspect of how the money is used.  
Wilbur: what about Pine Tree Zoning?  
Zinser: we can look into it.  
McLean: there is low income element for eligibility; we are probably not poor enough  
Stelzer: it is also possible for a business to get Pine Tree designation to get the tax benefits.  
J. Pinkham: need to pursue everything/need to be educated.  
Stelzer: yes, lock step with DPAC and Planning Board  
Zinser: any questions from Dave Atwater (DPAC), George Parker, Jon Eaton, Fred Sewall (Planning Board). All answered they need more information, no questions at this time.  
Flanders: I would like to think I am approachable; anytime, any questions.  
Parker: nice to have a face to put with the project  
Atwater: John (Main) is a good focus point  
J. Pinkham: thank you, come back any time.

**V. (1.)** Tom Myette of Midnight Oil—discussion of geothermal energy  
Zinser: Tom agreed to come here tonight to provide the Board with more information.

Myette gave background on Midnight Oil and their commitment to geothermal energy; described the two systems open and closed, how the systems work. Midnight Oil has a lab on site that demonstrates how it works, can see the systems working, the whole production of heat; how the heat pumps work; the whole game is to use as little electricity as possible to run the heat pump.

V.Pinkham: make an appointment to see lab; we can understand it better

Board had discussions with Myette focusing on conversion specific to the Town municipal building.

Zinser: have talked with the plant manager at Bowdoin College; several large institutions in Maine are converting to geothermal.

J.Pinkham: set up a field trip.

#### **IV. Selectmen's Discussion Items**

#### **V. Official Action**

1. Proclamation of Constitution Week—Zinser: National secretary of the DAR, Pemaquid Chapter requested the Town proclaim September 17-23 as Constitution Week.

J. Pinkham: move/ V. Pinkham second.

Zinser: J. Pinkham signs proclamation as highest elected official. Motion passed 5-0.

1. Wright Pierce—next steps: Zinser: have memo from Wright-Pierce regarding sidewalks 3 or 4 feet, difference is minimal.

Wilbur: trying to save money, real question is difficulty of snow removal; need to know figures from contract snow removal the difference between shoveling 3 or 4 feet versus plowing 5 feet with a bob cat.

J. Pinkham: can get snowblowers to do walkways.

Zinser: need to consider element of convenience for the town.

McLean: going to five feet just too much.

Stelzer: strong feeling that 5 feet narrows the road way too much.

McLean: 3 feet is a little narrow, 4 feet a nice sidewalk; trying to improve walkability; inclined to go to 4 feet.

J. Pinkham: go to four feet where possible.

McLean: a concern with the brick wall, an issue early on with this project.

Zinser: staying within current confines, the brick wall is impacted: on public property and leaning.

McLean: don't see the lean, do see that it is cracked and pushed out by the roots.

Tampering with the wall is a public relations problem.

Zinser: can jut the sidewalk out. You still have to remove it to prep for the new sidewalk.

McLean: costs the town money to disrupt.

J. Pinkham: talk to the owner before we start

Zinser: let's go with 4 feet, avoid damage to wall

J. Pinkham: just make the owner aware.

Zinser: will talk to her directly.

Zinser: will call Travis tomorrow: 4 feet for sidewalk, avoid impact to wall; if not possible then go to 3 feet at that section.

V.Pinkham: sidewalk to stop at Lewis Pt. Road; how much more to get to the intersection of Church and Elm

Zinser: saying to Lewis Pt. Rd., never understood why; everyone thinks the length of Elm St.

J.Pinkham: we took care of the sidewalk to Lewis Pt Rd., never voted on it, that's where the idea came from. Get cost from Lewis Pt Rd to Church St intersection.

4 foot sidewalk, avoid damage to wall, 3 feet if necessary at wall, sidewalk to intersection.

V. Pinkham move/ McLean second. Motion passed 5-0.

## 2. Act on Cemetery Deed

Arthur Lloyd Welsh cemetery deed and perpetual care contract  
McLean move approval pending payment; V. Pinkham second  
Motion passed 5-0

## **VI. Old Business**

V.Pinkham: can I do the light? Can the lights be set to blink after a certain time of night.

Zinser: we can do what the Board wants, yes, need to check with the Fire Department.

Wilbur: can the lights be programmed.

Zinser: if the Board wants to explore this, will do it.

McLean: talk to Neil and Steve regarding any potential safety issue.

J. Pinkham: the design is terrible, already a public safety issue. Can we get rid of the light?

Stelzer: something to think about: when we award work as a Board, do we normally send a thank-you for work done on schedule/cost?

Zinser: yes, we send letters if a really great job

Stelzer: thinking about the generator installation as an example; good p.r.

McLean: called Jeff Boston, new GSB principal several weeks ago as a social/courtesy call. Extended an invitation to visit with any questions; he is planning to do so soon.

Zinser: Branch Road final permitting; revamp RFP; Shore/Harbor/Orton Grant state is okay with utilizing two grants together/

McLean: extended by seven months

Zinser: 30kw generator running; police department has run it; no kinks. New employee in PD: Jody Prior, has experience in law enforcement.

Wilbur: any word on the new cruiser

Zinser: still hoping by month's end

J.Pinkham: V-6 or hemi?

Zinser: standard model, marked

V.Pinkham: when will Back Meadow be paved

Zinser: set for 1-1.5 weeks, because of depth of hole, needs to settle.

## **VII. Consent calendar**

Regular meeting minutes August 20, 2008

Zinser: Dave, no reference noted regarding to comments made by you regarding the Orton Grant.

On motion McLean/V. Pinkham, approved 5-0.

Regular meeting minutes September 3, 2008

Stelzer and V. Pinkham: not had a chance to read the minutes.

On motion J. Pinkham/McLean, approved 4-0; V. Pinkham abstain

General Fund Warrant #13 on motion Wilbur/V. Pinkham, approved 5-0

Payroll warrant #11/12

McLean: #12 is a single person warrant

Zinser, occasionally a time sheet is received that needs more information before being paid. Steve Drake gave the okay.

McLean: so it is correct and submitted on time?

Zinser: yes

On motion V. Pinkham/McLean approved 5-0

#### **VIII. Other Business**

#### **IX. Executive Session**

#### **X. Adjournment**

On motion J. Pinkham/V. Pinkham, to adjourn, motion passed 5-0. Meeting adjourned at 8:30 pm.

Respectfully submitted,

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Jurate J. Barnes, Deputy Clerk