

**Town of Damariscotta
Board of Selectmen's Meeting
Minutes
Wednesday, December 3, 2008**

The Board of Selectmen met at the Municipal Facility on Wednesday, December 3, 2008 to conduct town affairs. Members present were Josh Pinkham, Vicki Pinkham, and Ed Stelzer. David Wilbur arrived at 6:09(excused). Staff present was Town Manager, Greg Zinser, Town Clerk, and Cheryl Pinkham. Others present were residents, Fire Chief, Neil Genthner Jr., Karen O'Bryan of LCTV, Tony Zampa of Zampa's Ristorante, Dana Poston & Jack Thomas of RBC, Mary Ellen Barnes of LCEDO, Kent Whitaker & Matt Weaver of 1st Advisors. Residents present included, Chris Roberts, Ron Orenstein, Laurel Cooley, and Jim Campbell.

I. Pledge of Allegiance

II. Public Hearings-

1. Entertainment license for Zampa's Ristorante-opened 6:01pm/closed 6:03pm

McLean asked about the hours and type of entertainment.

Zampa said Thursday, Friday, & Saturday, and it would just be acoustical.

V.Pinkham questioned opening date.

Zampa hopes for the Christmas holiday, but probably not until after.

Vote 4, 0, 0.

III. Call to Order-Chairman Richard Mclean called the meeting to order at 6:04p.m

IV. Communications-

McLean read an invite to the Board from Lincoln Academy's holiday open house on 12/14 from 2-5pm.

VII. Official Action-Zinser requested taking this out of order to allow L. Cooley to get to another engagement.

2. LCTV Directors

On motion of McLean/V. Pinkham moved to nominate Laurel Cooley for a 3 yr term to the LCTV Board of Directors. 2008-2011. Vote 4, 0, 0.

On motion of McLean/Stelzer moved to nominate Ann Pinkham for a 3 yr term to the LCTV Board of Directors. 2008-2011. Vote 3, 0, 1. (J. Pinkham abstained)

V. Town Manger Discussion-

1. Lev Davis-Investment account information

Zinser stated that Davis was unable to attend tonight, however Poston & Dana ***were here to represent. Zinser went on to explain that the Town is not happy with their current investment carrier and has been exploring other options and carriers, then asked what RBC would do differently than current allocations.

Poston thanked the Board & Zinser for the opportunity to be here this evening. Poston told the Board they had a local office and could be easily accessible/available. As far as differently, Poston would have a higher level of predictable cash flow, basically flip flop what you have now. Prices are so low this would provide the Town with better predictable cash flow. Currently have raw material and products; the Town needs to have more raw material.

McLean questioned the flexibility, required, or their routine communication; basically what is their availability, is it quarterly, etc.

Poston told him they are community based; we prepare an annual review. We consider ourselves a partner with the community and the people we serve, we can be available for quarterly reviews, whatever pleases the Board.

McLean asked how structured, who's managing the funds; is there a special individual, or just 'in the system'.

Poston stated himself, Jack, and possibly one other guy who is also local.

Poston added that communication and planning is the most important; the risk is reinvestment.

Zinser told the Board he is very comfortable with stating Town funds would be in good hands with RBC. This will require a review of the investment policy with ways to reallocate funding that will be more beneficial to the Town.

Poston responded that more yield means excellent opportunity for investors. The Town needs to rebalance and adapt to the world. We work with the Towns to develop an investment policy that allows the framework to benefit all.

Stelzer stated there would be another individual coming in to talk with the Board for this same reason and because Stelzer currently has personal accounts with RBC and 1st Advisors he will abstain from this subject to avoid any sort of conflict of interest.

2. Review FD parking lot improvements

Zinser told the Board he previously stated he would have material for the Board this evening; however he will not have that until Friday. He went on to say the Fire Chief and he have met with Travis of Wright-Pierce, who is doing this pro-bono.

McLean asked what the Town was getting for 'pro-bono'.

Zinser informed the Board that Travis is looking at similar projects for drainage to offer suggestions.

McLean wondered if WP understood we are going to use this information to create an RFP.

Zinser stated they are aware.

4. Newcastle Request-Joint task force for FD consolidation-

Zinser said Newcastle is requesting a full time fire chief, however, at this time Zinser doesn't feel a full time FC is necessary. The task force is sort of a knee jerk reaction. Zinser has received a proposal from Lynn Orne to assist with this. Not sure what the true savings are out there, but this should be looked at administratively. This should start with the top and not within the individual departments. If both Towns would like to consolidate, that's fine, but it needs to be looked at methodically.

Genthner told the Board he agreed with a lot of what Zinser said and with consolidation; it should start at the Town Manager and Boards of Selectmen before the department heads or individual companies. Right now the towns have a great relationship, we basically run as one. Not ready to say we need a full time fire chief. Genthner doesn't know all the facts, and plans Newcastle has in mind; but is interested in sitting on the task force. There is so much mandatory administration work to deal with, that it's hard to really work on training.

Zinser noted some of the concerns with consolidation in the facts that both Newcastle, and Damariscotta are set up very differently, both fire departments are incorporated; and not municipal departments. The Town of Damariscotta actually owns the Massasoit equipment. If you have joint fire departments, who do they answer to, which Town/Board/Manager/or Administrator. The Charter is what governs Damariscotta, while Newcastle is run by state statutes. A joint task committee may be able to clarify and sort through these differences and come up with true consolidation cost. Could end up being a savings, but could cost more also.

Genthner pointed out that both departments should have equally same equipment.

J. Pinkham said that purchasing is already implemented between both departments.

McLean said his impression as an outsider is that both departments work seamlessly. Paperwork is intensive. Interested in hearing more from Newcastle, but seems very complex for the 2 Boards.

Genthner pointed out a few of the mandatory items required by the state such as a written statement of what training has been done, for which fire fighter and a spread sheet detailing that same information. Each fire fighter should have their own folder with the written statement of participation, certification, etc. Lynn Orne is offering a service that could alleviate a lot of this, and allow the engine company to train.

McLean and the rest of the Board agreed that this was not good use of a fire chief and his top officers; this needs more administrative skills that allow our fire company to effectively and safely train & fight fires.

Zinser suggested a January or February meeting with Newcastle.

Stelzer stated the police chief, nor the fire chief should be bogged down with the administrative stuff. He is also curious as to what the Newcastle residents feel about this; other than what was in the paper, we don't know much at this point. Agrees with Zinser and feels a slow methodical approach is best, and welcomes and opportunity to discuss this with Newcastle.

VII

Official Action-

1. CDBG update and phase 2 request.

Zinser informed the Board we applied for our own CDBG, for the storm water on Church St. issue. A letter of intent is due on Friday and the Board needs to sign the LMI (low-moderate income) survey.

Barnes told the Board the grant is intended to benefit low and moderate income households. They surveyed house by house income levels.

Zinser noted the only issue may possibly be whether or not this is a worthy application, the overall competitiveness will decide the outcome. This only serves a small area; have to be judged by other applicants and their needs.

V.Pinkham asked if excluding commercial businesses would hurt the Town's chances, did it matter if it was a home owner or a renter.

Barnes stated no, to all questions. The survey was based on the number living in the houses, and the amount of income.

On motion of McLean/V.Pinkham moved to sign the LMI survey. Vote 5, 0, 0.

Zinser told the Board the Eldercare CDBG is at the phase 2 point, and need to sign a warrant calling for a Special Town Meeting. The outline for the CDGB is as follows: 1-Standards of Conduct, 2-Fair housing resolution, 3-Residential Anti-Displacement or Relocating residents, 4-Equal Opportunity Employer, 5-Section 504 self evaluation and transition plan (has to do with ADA requirements)

McLean asked if this gives us capacity to make sure they are doing what the CDBG is granted for.

Zinser pointed out if the Town fails to follow this outline, it come back on the Town.

On motion of McLean/Stelzer moved, for the purpose of the CDBG, the 1-Standards of Conduct, 2-Fair housing resolution, 3-Residential Anti-Displacement or Relocating residents, 4-Equal Opportunity Employer, and 5-Section 504 self evaluation and transition plan.

Stelzer wanted to reiterate that this grant was for weatherization.

Vote 5, 0, 0.

Zinser said now we need to call for a Special Town Meeting, the Warrant is prepared. A public hearing will be scheduled for 12/17/08 at 6pm for the public hearing followed by a Special Town Meeting, followed by normal BOS meeting.

On motion of J. Pinkham/V. Pinkham moved to call a STM for 12/17/08 and sign warrant doing so.

Vote 5, 0, 0.

V. Town Managers discussion

3. Kent Whitaker of the 1st Advisors-Investment account info.

Zinser reiterated the Town's need for looking for other investment carriers. Also asked Whitaker what he would do differently.

Whitaker stated, knowing what we know now...that's tough for anyone to react or anticipate in the current condition. Primarily stay the course, take the long time view, the money is not needed for the next few months. Right now we are fully in a recession, but staying in for the long haul is our suggestion, but it also depends on the need of the Town, we would look for the best rate of return. Right now our 5 yr cds are yielding 1.7%, and the money market is at 2.2%, currently the Town is at .75% with Acadia.

McLean, questioned their philosophy was for communication and availability.

Whitaker said the availability, and being able to just come over and meet whenever is the benefit of being local. As with most accounts, we like frequent meetings, initially a monthly meeting is good, and you will receive a monthly statement, which is also available on line. If the Town has a need or desire for sub accounting, our book Weaver just handed out will show how that is done.

McLean asked who was going to be handling the funds.

Whitaker stated it would be himself or Matt Weaver, and both are available at a moments notice.

McLean informed both that the Board has met with 2 other companies, and hope, after tonight, we will be able to proceed.

Whitaker and Weaver left meeting.

McLean asked the Board how and when they wanted to proceed.

J. Pinkham would like to hear what Zinser has to say about it.

Zinser stated he was not ready to make the decision.

Stelzer asked about fees for the investment carrier.

Zinser stated they were all around 1%.

McLean suggested adding this subject to the next agenda.

The Board as a group generally liked RBC, liked what they had to say and offer.

Zinser stated he was very comfortable with RBC.

The Board decided to vote on this tonight.

On motion of McLean/J. Pinkham moved to place our investment with RBC Wealth Management.

Vote 4, 0, 1. (Stelzer abstained)

Zinser stated he would contact RBC and make it happen. It should take about a week. We will need to revise the investment policy as a whole, utilizing a percentage of fund balance can end up dipping into principal.

V.Pinkham asked if RBC would assist us with the policy.

VII. Official Action

3. Act on abatements

McLean stated the Assessor's Agent was asking the BOS to make a decision for the 2 preceding years of taxes for taxes assessed on land not owned by tax payers.

On motion McLean/Wilbur move to approve abatement for FY2008 & FY2007 for Perry, Hall, Russell, & Smith, unless the Board of Assessors finds fault in current abatement request.

Zinser said there would be no supplemental bill for this property, the property just isn't there; the owners got a survey that proved our records wrong.

Wilbur understood someone else owned the 'extra' property, other than 100'. Wilbur feels the Board should grant the abatement and speak more with Assessors Agent about it.

Vote 5, 0, 0.

VIII. Old Business

1. Meeting reminder 12/8/08 Board workshop at 5p.m.

McLean reminded the Board of the 12/8 workshop to go over Town Ordinances.

Wilbur stated he would not be able to attend.

The Board decided to move workshop to 3p.m. instead.

Zinser said the Special Town Meeting would be held on the 21st of January for these ordinances with a public hearing happening on January 7, 2009.

Wilbur asked about the AOS.

Zinser is aware and said that was happening on January 27th.

On motion of McLean/V.Pinkham moved to call a Special Town Meeting, (warrant to be determined) for January 21, 2008.

Vote 5, 0, 0.

Zinser also reminded the Board of the cable franchise meeting on Monday, December 15, 2008 at 5p.m. here at the Town Hall, at this point Zinser feels the Town needs to involve a lawyer and get this though. We are only getting 3% instead of the 5%.

Zinser told the Board on Wednesday, Dec. 17th the traffic light will be repaired, reprogrammed. Bristol and Biscay lights will be switched to blinking.

Zinser told the Board he is prepared to discuss a TIF presentation in January.

Board thought the 12th of January at 5 p.m. for a workshop to discuss economic development.

Campbell told the Board that he met with Chief Drake and it amounted to nothing, which is what he expected. Also told the Board they almost lost another police cruiser, and asked what happened to the black cruiser that is dented now. Doesn't know why the police officers can't follow the rules of driving like everyone else and quit speeding. Thinks its ridiculous to have a police department budget of over \$350,000 and not be able to afford a man on the streets like when George Hutchings was Chief.

McLean recommended the Town Manager deal with this.

Zinser asked Campbell what day this accident almost took place.

Campbell thought it was early in the week, maybe Sunday or Monday, but there's no need for them to speed. If they're on the way to the accident, the accident has already happened; speeding isn't going to help anything.

Wilbur suggested Campbell call the Chief and start logging these incidents. This is the best way to nip it in the bud.

Campbell asked what the status of the blinking light for the school zone.

McLean replied he has received a verbal approval, at MDOT's expense they will move it. McLean drafted a letter today for this.

IX. Consent Calendar

Regular Meeting minutes of October 15, and November 19, 2008.

On motion of V.Pinkham/Stelzer moved to approve the 10/15/08 minutes. Vote 5, 0, 0.

On motion of V. Pinkham/McLean moved to approve the 11/19/08 minutes. Vote 5, 0, 0.

1. General Fund Warrant #29.

On motion of McLean/Stelzer moved to accept GFW #29.

V. Pinkham questioned the amount of the Mid Coast Energy bills.
Zinser stated the roof top unit was blown and required repairing.
Wilbur asked how many units there were, and asked if Mid Coast checked them out while they were up there, and asked if they knew the cause.
Zinser said 4 had been serviced and there was a short in the wire.
V. Pinkham asked about the RHR Smith bill.
Zinser stated that was there final bill.

Vote 5, 0, 0.

2. Payroll Warrant #27 & 28

On motion of J. Pinkham/Wilbur moved to accept both Payroll Warrants #27 & #28.

V. Pinkham questioned the overtime for Officer Alexander.

Zinser replied it was for holidays worked. (Thanksgiving and day after)

Vote 5, 0, 0.

X. Other Business

Stelzer informed the Board that the Joint Harbor Committee meeting was going along a little slower than they would like, therefore they are meeting again next week.

Also told Board he would be going to the mandated meeting in Saco for Elected Officials.\

XI. Adjournment

On motion of V. Pinkham/J. Pinkham moved to adjourn meeting at 7:58p.m. Vote 5, 0, 0.

Respectfully submitted,

Cheryl M. Pinkham, Town Clerk