

**Town of Damariscotta  
Board of Selectmen Meeting  
Minutes  
Wednesday, February 4, 2009**

- I. Pledge of Allegiance**
- II. Public Hearings-None**
- III. Call to order-**

The Board of Selectmen met at the Municipal Facility on Wednesday, February 4, 2009, to conduct town affairs. Chairman Richard McLean called the meeting to order at 6:01p.m. Members present were, Josh Pinkham, Dave Wilbur and Edwin M. Stelzer. Staff present was Town Manager, Greg Zinser, Town Clerk, Cheryl Pinkham, Others present were Karen O'Bryan of LCTV, Chris Roberts, Ann Pinkham, and Todd Mauer of King Eiders Pub.

**IV. Communications**

**1. MDOT-summer paving-**

Zinser told the Board he has received a letter from DOT in regards to paving for School Street to Rt 129. However this road has been scheduled for paving before and has been cancelled, so not to get hopes too high. Also scheduled for repaving is Biscay Rd in its entirety, from McDonalds to Bremen.

Stelzer asked if Biscay was similar to School St, scheduled to be done and then removed from project list.

Zinser stated no, Biscay was a new project.

Zinser also told the Board he received a call from DOT in regards to the Rt1/Rt1B intersection reconfiguration. The DOT is looking to have the municipality sign an agreement allowing the State to erect 7 street lights in which the Town would maintain and take care of.

J. Pinkham suggested not signing anything with the history of lights in the Town.

McLean and the rest of the Board agreed to not sign anything yet.

**V. Town Manager Discussion-**

Zinser suggested the Board try and meet in a workshop setting in order to discuss what they want for Damariscotta to accomplish with the TIF (tax increment financing). Zinser has met with Eaton Peabody Consultation Group, very impressed with the potential to have additional team work; get jobs into the area.

The Board decided to hold a workshop on March 4<sup>th</sup>, at 5:00p.m.

**1. Rising Tide CDBG request-public hearing/spec. town meeting**

Zinser clarified that there would be a public hearing on the 18<sup>th</sup> and then the Spec. Town Meeting would immediately follow the hearing.

**On motion of J. Pinkham/McLean moved to approve warrant for the Rising Tide CDBG request. Vote 4, 0, 0.**

**2. Gateway 1 funding-School/Main St. intersection-**

Zinser stated there was some funding available through the Gateway 1, for Belvedere Rd., and School St. Zinser has been working with Gateway 1, and the County Planner.

This is something Zinser is interested in pursuing. Zinser feels School St. should be a 'T' intersection instead of the diagonal intersection it is now. The big item is going to be the traffic signal; we don't need the light yet. This would be a phasing plan, starting with a traffic calming study.

J. Pinkham feels the Board and Town should move ahead with this, regardless. Also agrees the intersection set up is not great.

McLean recalled the DOT creating and then taking away Route 1B, restructuring the Yellowfront stretch and School/Main St intersection. McLean agrees with Zinser and J. Pinkham to move forward. Any private funding with this should be spelled out very specifically.

Zinser told the Board the application has to be done then kick over to Federal Safety Funds.

McLean said he would support the School/Main St intersection.

Zinser will meet with the developer, talk about expectations. The deadline for this application is Feb. 27, 2009

J. Pinkham felt Zinser should go ahead and apply on our own.

McLean agreed.

Wilbur stated School/Main St. intersection needs to be looked at first, and possibly change the speed signs.

Stelzer agreed with Wilbur on School/Main St. intersection.

### **3. Act on DPAC appointment-Alan Pinkham**

**On motion of McLean/Wilbur moved to appoint Alan Pinkham to the Damariscotta Planning Advisory Committee.**

Stelzer asked how many members were currently on the committee and how many seats are vacant.

Zinser felt there were probably 5 vacancies.

McLean asked what the formalities are to remove or resign.

Wilbur asked what the term for each member was.

Zinser didn't believe that was spelled out, but will e-mail the DPAC members and ask for a formal resignation from the committee if necessary.

**Vote, 3, 0, 1. (J. Pinkham abstained)**

### **4. MDOT-over limit permit for Belvedere Rd-Salt Bay Bridge**

Zinser said the DOT officials plan to replace the Salt Bay Bridge and are asking the Town to sign an agreement allowing the contractor to have an over limit permit issued. This is similar to the Biscay Rd project last year. Zinser suggest the Town ask for a bond from DOT in regards to this.

**On motion of McLean/Stelzer moved to sign the Over Limit Permit and authorize the Town Manager to submit when the bond is obtained.**

**Vote 4, 0, 0.**

## **VII. Old Business-**

Zinser told the Board he has prepared the RFP for the Audit. He has corrected the language as directed; A133 Audit is done as a separate line item; Item E is for rejecting or terminating proposal. Zinser asked each Board member to initial the changes if approving.

**On motion of J. Pinkham/McLean moved to approve the RFP with the changes mentioned.**

**Vote: 4, 0, 0.**

Wilbur questioned the dates in the RFP.

Zinser said those would be adjusted once approved; will advertise for 2 weeks, and sending to several auditing firms.

**VIII. Consent Calendar**

Regular meeting minutes of January 21, 2009.

**On motion of J. Pinkham/McLean moved to accept 01/21/09 minutes. Vote 4, 0, 0.**

**1. General Fund warrant #41**

**On motion of J. Pinkham/Wilbur moved to accept GFW #41. Vote 4, 0, 0.**

**2. Payroll Warrant #40**

**On motion of McLean/J. Pinkham moved to accept PW #40. Vote 4, 0, 0.**

**IX. Other Business**

Stelzer reminded the Board tomorrow night (2/5/09) is the Public Hearing for the Damariscotta and Newcastle Harbor Ordinance.

Wilbur stated he would be unable to attend. He also stated the language in regards to 'termination of Board member with our without just cause' was harsh, and why weren't the Committee members allowed the same courtesy as Board members.

Zinser explained the Board are actually employees of the Town, and the Harbor Ord. Committee and just that; committee members.

Stelzer added for the Board that the two Towns were actually trying to come up with a joint ordinance, however they have since found out the Towns could not legally do that. Feels the verbiage, in regards to removal, is incorrect and should state members may be removed with cause.

Stelzer told the Board he has been speaking with people to get their feelings on this Main St. bus issue and has heard them state they would like to see the bus do a test to see if Water St. would work as a stop area; some feel it is a safety issue, others feel it is not a problem right now. Stelzer feels the Board has been put on notice because this public safety issue has been brought to the representatives of this Town.

J. Pinkham didn't feel the Town could force the bus company to perform any test.

Stelzer would like to see more proof that the bussing company cannot use Water St., he doesn't want to just hear "we can't do it, sorry". He would like Zinser to contact the company and ask if they would do the test.

Zinser informed the Board he has spoken with Hagar Enterprise about the ground speed control. He has found out the issue is with programming, the program is too new for the items installed. Hagar is getting older software to rectify this problem.

J. Pinkham would like to see verification for this, just like the contract says they have to.

**X. Adjournment-**

**On motion of J. Pinkham/Stelzer moved to adjourn at 6:43. Vote 4, 0, 0.**

**Respectfully submitted,**

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**Cheryl M. Pinkham**