

**Town of Damariscotta, Maine
Board of Selectmen's Meeting
Minutes
Wednesday, June22, 2005**

I. Pledge of Allegiance

II. Call To Order

The Board of Selectmen met at the Municipal Facility on Wednesday, June 22, 2005 to conduct town affairs. Chairman Richard McLean called the meeting to order at 6:30 p.m. Members present were Richard McLean, Scott Gove, William Earle, Walter Hilton and Joshua Pinkham. Staff present were Administrative Assistant William Post and Fire Chief Doug Clark. Others present were Justin Hagar, Seth Hagar, Lincoln County EMA Director Tim Pellerin, Charles & Megan Dinsmore, Julie Clark, Brent Hallowell and one representative of the media.

III. Election of Officers

1. Chairman.

McLean stated that he would like the vote for chairman to be done on a secret ballot so that it is easier than last year. He asked who would be interested in serving as chairman. Gove stated that he was interested. McLean stated that he was interested in continuing as chairman.

Post handed out blank paper for the Board members to cast their ballot and collected them. Post tallied the votes, McLean elected as chairman for fiscal year 2006 with three votes. Gove received two votes.

2. Vice-Chairman

McLean nominated Gove for vice-chairman, Hilton seconded. No other nominations.

Votes for Gove for Vice-Chairman: 5

The Board elected Gove Vice-Chairman for fiscal year 2006.

3. 2nd Vice-Chairman

McLean nominated Hilton for second vice-chairman, Gove seconded. No other nominations.

Votes for Hilton for Second Vice-Chairman: 5

The Board elected Hilton Second Vice-Chairman for fiscal year 2006.

IV. Public Hearings

1. Liquor License Renewal Application for Paco's Tacos.

McLean opened the public hearing at 6:34 p.m. There were no public comments for or against the license renewal. The Police Department stated there were no responses to the establishment during the previous year.

McLean closed the public hearing at 6:35 p.m.

On motion of McLean/Hilton, the Board VOTED: To approve the Liquor License Renewal application of Paco's Tacos (Vote: 5 – 0).

V. Communications – None

VI. Official Action

1. Act on Fire Department/Lincoln County Homeland Security Grant Application.

Fire Chief Doug Clark stated that there are two vehicle issues in the Fire Department that need to be addressed in the next few years. These are replacement of the rescue vehicle and the ladder truck. A truck committee was formed within the department to review these needs and determine which was more urgent. The committee decided that the entire department needed to make the decision. The department met and decided that the rescue truck should be replaced before the ladder truck, as it responds to almost every fire call.

While the department was making this decision, Tim Pellerin, Director of Lincoln County Emergency Management, had been trying to form a county hazardous materials (Haz-Mat) response team. Clark approached Pellerin to determine if a joint effort could be undertaken for the response team. Pellerin agreed that would be appropriate and began researching the idea. During this research, it was determined that Homeland Security grant funds could be requested to fund a county-wide Haz-Mat response vehicle that would also serve as a rescue vehicle for the fire department. The vehicle costs approximately \$225,000, with \$100,000 being provided by the Town and the rest through the grant. The first step is to ask the Board if they would approve of the grant application.

Gove asked if the county would be providing any funding. Pellerin stated that the county does not have funding in this year's budget.

McLean asked if the department would spend \$100,000 on replacing the rescue vehicle without being part of this process and when it would need replacement. Clark stated that the vehicle needs to be replaced within three years and the cost for a new vehicle would be approximately \$125,000 to \$140,000.

Gove asked what the department would do for funding the replacement of the ladder truck. Clark stated that the Fire Station loan would be paid off in September 2006, and that money could be placed in the capital reserve fund for vehicle replacement without costing the taxpayers any additional funding. Gove stated that the Board needs to be careful with utilizing the potential future sources of revenues or tax money that is currently being used for other purposes, such as the fire station loan. When the loan for the new municipal building was proposed, it was stated that there were several projects that were ending that could free up funding and thus not have an impact on the taxpayers. The fire station loan payment was one of those funding sources.

Hilton asked about the differences in a rescue vehicle and a Haz-Mat vehicle. Clark responded that the Haz-Mat vehicle is larger and contains more equipment for different functions above and beyond those of a rescue vehicle.

McLean asked if this proposed vehicle would duplicate a same vehicle or service that is available elsewhere in the county or region. Clark stated that the county would be divided into two regions, east and west, for hazardous materials response. Damariscotta would cover the east region and Boothbay the west region. This vehicle would not duplicate a service in place now.

McLean asked if there would be appropriate manpower to staff the vehicle as well as the other fire vehicles. Clark stated that if the vehicle were dispatched for a hazardous materials call, a Damariscotta firefighter would drive the vehicle, whether it was dispatched in the county or town. The county haz-

mat team would staff the vehicle also. Pellerin stated that there would be adequate manpower and that Damariscotta has one of the best trained and most active departments in terms of its membership.

McLean asked about insurance coverage. Clark stated that a mutual aid agreement would be executed between Damariscotta and Lincoln County to cover the insurance requirements.

Gove stated that he supports regionalization, but asked if other towns would be contributing funds to help cover the costs of vehicle maintenance and housing. Pellerin stated that they have not approached other towns yet, but it should be feasible to do so.

Gove asked if the Board could set parameters around accepting the grant funds, if approved for the grant. Pellerin stated that the Board could, and there were many other issues to consider, including operational costs and how they would be split between the towns and the county, and operational procedures.

McLean asked about the size of the vehicle and if there were any concerns on housing it in the current building. Clark stated that it is larger than the current rescue truck, but that it would fit in the bay easily.

Gove stated that he had read an article about grant funds being used for inappropriate purposes, and hopes that the grant's chances for a legitimate purpose are not hampered because of the number of applicants. Pellerin stated that there is an audit process once the funds are expended, and hopes there is not too much waste going around.

Gove asked if the truck would be out of commission for an amount of time after it responded to an incident. Pellerin stated that it would not be placed in a contaminated area.

On motion of Hilton/McLean, the Board VOTED: To support the Fire Department and Lincoln County in applying for a Homeland Security Grant for a hazardous materials rescue vehicle (Vote: 4 – 0 –1, Pinkham abstained).

2. Meet with Land Use Committee.

McLean stated that the Board will not meet with the committee tonight, but would like to have the committee meet once before they meet with the Board. The Board agreed that the Land Use Committee could meet before meeting with the Board.

3. Act on Appointments for Planning Board and Board of Appeals.

Post stated that there are two three-year terms expiring on the Planning Board, currently held by Fred Sewall and George Parker. Both have expressed interest in being re-appointed. There also were three other individuals that expressed interest in serving on the Planning Board or Board of Appeals, Mark Hagar, Wallace Schling and Steve Cole.

On motion of Hilton/Gove, The Board VOTED: To appoint George Parker and Fred Sewall to the Planning Board for three-year terms expiring June 30, 2008 (Vote: 5 – 0).

Hilton stated that he appreciated Sewall's and Parker's many years of service and commended them for a job well done.

Post stated that there are two three-year terms and one two-year term available on the Board of Appeals. Only one person currently holds a position (Jack Lynch) while the others are vacant. Mark Hagar, Wallace Schling and Steve Cole have stated they are interested in serving on the Board of Appeals. Post stated that he received a letter from Jack Lynch stating he would be willing to be re-appointed. The letter was received earlier in the day.

On motion of Gove/Hilton, the Board VOTED: To appoint Wallace Schling to a two-year term and Mark Hagar and Steve Cole to three-year terms on the Board of Appeals (Vote: 5 – 0).

Hilton stated that a letter should be sent to Jack Lynch thanking him for his many years of service.

Post stated that there are also two positions for alternates on the Board. McLean asked the Board members to be thinking about who may be interested in serving as an alternate.

4. Set Regular Meeting Schedule for Fiscal Year 2006.

Earle suggested that the Board meet the first and third Wednesdays of each month at 6:30 p.m.

On motion of Earle/Hilton, the Board VOTED: To set the first and third Wednesdays of each month as the regular meeting schedule (Vote: 5 – 0).

5. Act on Award for Annual Auditing Services.

Post stated that three companies responded to the Town's Request for Proposals for Auditing Services. Proposals were due on Thursday, June 16th at 1:00 pm. The requests asked for proposals for 1 year and 3 years. William Brewer's proposal was \$8,600 for 2005, \$8,800 for 2006 and \$9,000 for 2007. RHR Smith & Company's proposal was \$5,650 for each of the three years. Hollingsworth & Associates' proposal is \$4,400 for each of the three years. Post and Treasurer Janice Miller each independently reviewed the proposals and contacted the two companies with which they were not familiar and asked several questions. Post stated that both he and Miller recommend the firm of RHR Smith & Company be awarded the contract for auditing services.

Gove asked why they recommend RHR Smith over Hollingsworth. Post stated that it appears that there would be more work necessary from himself and Miller with the Hollingsworth proposal, and that the proposal from RHR Smith involved the same amount of work from the office staff as has been performed when Brewer has completed the audit. Post stated that Brewer's firm has done a good job over the previous several years, but that the difference in the bids was substantial.

Hilton stated that he was not comfortable with any firm other than Brewer's because of the trouble the Town had in a previous year with a different auditor. Post stated that he understands that, and it is always difficult when a change is made, but in this case, he is comfortable with his recommendation.

Post also stated that RHR Smith & Company performed the audit for all of the years that he served on the Board of Directors of Home Counselors, Inc. and he has reviewed their reports. That experience has helped make the decision more comfortable.

On motion of Gove/Earle, the Board VOTED: To accept the proposal from RHR Smith and Company for Auditing Services for three years at a cost of \$5,650 for three years (Vote: 3 – 2, Hilton, Pinkham opposed).

VII. Administrator Discussion

1. Assessing Services.

Post stated that the Town's current Assessors' Agent, Vern Zeigler, has been working for Lincolnville and had stated earlier that he would not be renewing his contract with us. Post had been trying to work with other towns to share a full-time assessor, with no success at this point, but with continued interest. Post asked for, and received, a proposal for assessing services from Gary Robbins, a former deputy assessor for Waterville who is now an independent contractor. Post stated that the proposal calls for the same services that Zeigler

has been providing. His proposal calls for a fee of \$325 per day, whereas we now pay \$295 per day. The cost is reasonable in light of what other town's are paying and in light of the lack of Certified Maine Assessors available. If the Board agrees, Post will ask Mr. Robbins to attend the July 6th meeting so that the Board can meet him, ask him questions and approve a contract, if appropriate.

The Board agreed to meet with Robbins at their next meeting.

2. 27 Church Street Property.

Post stated that since the Town voted to sell the property, the Board needs to be thinking about how to sell it. There are still some issues that need to be clarified before it is actually put on the market, such as the title and the possible uses of the property due to the zoning. Post stated that he is currently working on these issues, but the Board should think about how they wish to approach selling the property, i.e., real estate agent, owner sale (using an attorney for paperwork), auction, etc.

McLean stated that if a realtor is used, the Town could request proposals to hopefully reduce the realtor's fee.

Pinkham suggested using a sealed bid process so that everyone had an equal chance of purchasing the property.

Gove stated that a recommended asking price would be put forth by a realtor. If a bid process were used to select a realtor, then there may be an issue with the buyer's agent not wanting to show the property because the fee is reduced. The Town should hire a certified appraiser to set its market value. That number could then be used as a minimum if a sealed bid process were used to sell the property.

3. Gateway 1.

Post stated that all 21 communities have agreed to participate in Phase II of the Gateway 1 project. The next step is to appoint a local committee. He has received a packet of material that he will make available to the Board so they can be thinking of whom to appoint to the committee.

VIII. Consent Calendar

1. Regular Meeting Minutes of June 8, 2005.

On motion of McLean/Hilton, the Board VOTED: To approve the minutes of June 8, 2005 as submitted (Vote: 4 – 0 – 1, Earle abstained).

2. Financial Reports:

- a. General Fund Warrant #50.
- b. Payroll Warrants #49.
- c. May Expenditure Report.

On motion of Hilton/Pinkham, the Board VOTED: To approve General Fund Warrant #50 and Payroll Warrant #49 (Vote: 5 – 0).

On motion of McLean/Hilton, the Board VOTED: To accept the May Expenditure Report as submitted (Vote: 5 – 0).

IX. Other Business

- 1. Pinkham asked if Post had received estimates for the basement windows. Post stated that he has not yet.

2. Pinkham asked if there would be some action on the PILOT program. Post stated that it was difficult to do anything besides what he has been doing (sending letters) since it is a voluntary payment.
3. Pinkham asked when the sidewalk program would be reviewed. Post stated that he intended to work on sidewalks this summer. Pinkham and McLean volunteered to help.
4. Pinkham asked about the Main Street project. Post stated that MDOT just received approval from the Maine Historic Commission, so now they can move forward with the project.
5. Pinkham asked if the Board will be reviewing projects and goals soon. Post stated that he wants to discuss a work plan as part of the second meeting in July so the Board can review projects and prioritize them.
6. Hilton stated that Wallace and June Riley will be sending a letter to the Town formally donating the clock to the Town and stipulating that it never be sold.
7. Gove welcomed the new Selectman, Bill Earle and asked to have Brent Hallowell recognized for his service. The Board agreed to spend not more than \$50 for some form or recognition for Hallowell.

X. Executive Session - None

XI. Adjournment.

On motion of Gove/McLean, the Board VOTED: To adjourn at 7:50 p.m. (Vote: 5 – 0).

Respectfully Submitted:

William S. Post, Administrative Assistant