

**Town of Damariscotta, Maine
Board of Selectmen's Meeting
Minutes
Wednesday, September 7, 2005**

I. Pledge of Allegiance

II. Call To Order

The Board of Selectmen met at the Municipal Facility on Wednesday, September 7, 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 was Town Manager William Post and Police Chief Steven Drake. Others present were Al Mulkern, Amanda Russell, Richard Storer, Brent Hallowell, and Karen O'Bryan (LCTV).

III. Public Hearings – None

IV. Public Comment.

Hilton asked that Richard Storer be allowed to speak. The Board agreed.

Storer asked why the former municipal building on Church Street had not been sold as directed at Town Meeting in June. McLean stated that the Town's attorney was working on the title for the property to ensure that the Town has proper title.

Storer stated that the Town has owned the property for more than 40 years, and his lawyers have stated that there is no issue with the Town's title to the property. Post stated that adverse possession does not apply to property that is owned by governmental units, in this case a former school district.

Storer accused the Board of not wanting to sell the property and thus stalling to sell it. McLean stated that the Board will sell the property, but needs to ensure that it is done properly. Post stated that the Board has discussed how they will sell the property, and appears to be leaning towards a bid process instead of a real estate agent initiated sale.

Pinkham asked Post if the building could be cleaned out within a month. Post stated that he has been working on it, and would try to have it cleaned out within one month. There is still surplus office furniture in the building.

Storer stated that the Town should sell it by open bid, or auction.

Gove stated that the Board has not been delaying the sale of the building, and will sell it, as soon as the title work is completed.

V. Old Business

1. Work Plan Workshop.

Post stated that due to the amount of material on the agenda for this meeting, he has rescheduled the workshop for the September 21st meeting. Pinkham stated that he would not be able to attend that meeting. Post stated that he would move the workshop to October 5th.

2. Main Street Project Update.

Post stated that he received an update from MDOT on the Main Street project. The letter states that the utility work will begin in October and the project will be advertised for bid at the end of November, or beginning of December, depending on when the final approval is received from the Federal Highway Administration (FHWA).

Gove stated that he would like to see representatives of MDOT at a meeting so they can ask questions about the project.

VI. Communications

1. MMA Dividend Check for Risk Management.

Post stated that the Town received a dividend check in the amount of \$2,091 from MMA, Risk Management Services for a good loss history for the previous fiscal year. He noted that the previous year's dividend was \$272.

VII. Official Action

1. Meet with Amanda Russell, re Wiscasset Bypass.

Amanda Russell, an Edgecomb resident, appeared before the Board to discuss two recent letters concerning the Wiscasset Bypass Project. She stated that the first letter was sent from MDOT to area towns informing them that the process would be entering phase 2, which was the environmental review phase, and then would continue to proceed from that point. The second letter was sent by the Town of Wiscasset asking the MDOT to reconsider all of the previous routes and not to proceed with phase 2.

Russell has been involved in the project's process since inception and stated that it is time that the MDOT continue the process and move forward so the project can be completed. She asked the Board to send a letter to MDOT supporting the process and the bypass. She prepared a draft letter for the Board to consider.

Gove asked what group Russell represented. Russell stated that she does not belong to a group concerning the bypass, but has been involved with the project since it started. She is concerned that the process will be delayed further and a bypass will not be completed.

McLean stated that he does not believe that the Board should become involved in a dispute between MDOT and the Town of Wiscasset and he believes that a bypass needs to be completed to alleviate the traffic problem. The route of the bypass should be determined by the professionals and the stakeholders in Wiscasset and Edgecomb.

Gove stated that he agreed with McLean, but also feels that MDOT needs to be pushed to finish the project.

Russell stated that she supports the process and believes that the bypass is a regional issue that affects the entire midcoast.

Earle stated that he understands Russell's opinions, but does not believe that the Board should be involved in an issue that Wiscasset and Edgecomb are directly effected by.

Russell stated that it would be easier if the two issues of the bypass and the specific route for the bypass were separate.

McLean suggested that Russell and Post work together to draft a letter from the Board to MDOT supporting the process, but not supporting one particular route for the bypass. The Board agreed.

2. Set Tax Rate for Fiscal Year 2006.

Post stated that the revaluation data was loaded onto the Town's system on September 2nd. He then calculated several possible tax rates based on suggested overlay amounts. He recommended setting the tax rate at \$11.50, which would allow for an adequate overlay in case of any abatements that may occur.

Hilton motioned, Gove seconded, to set the tax rate for Fiscal year 2006 at \$11.50.

Pinkham stated that he would like to see the tax rate lower. Citizens have been asking him for lower taxes, so he wants the Board to remember that the tax rate should be lowered when it is budget time.

McLean stated that the citizens need to attend school budget meetings, since that is where the largest part of the budget is derived.

Brent Hallowell asked about revenues collected for the last fiscal year. Post stated that there were more revenues collected than budgeted for and the excess revenues are placed in surplus.

Hallowell asked how the amounts raised from taxes this year compare with last year. Post stated that the amount of taxes to be raised for the municipal budget is up slightly, about \$30,000. The amount for school appropriations is up about \$200,000.

Gove stated that his goal is to have a stable tax rate, while preparing for the future. Gove stated that when Hallowell was on the Board, the tax rates were set to allow for overlays of \$125,784 and \$110.130. The Board is trying to maintain the surplus so that it can be used in subsequent years to reduce the amount raised from taxes.

Pinkham stated that it bothers him when citizens tell him that they must sell property because they cannot afford the taxes. Post stated that he appreciates Pinkham's statement, but the root of the problem lies at the state level as far as valuations are concerned since state laws mandates towns to assess properties at 100% of market value. In addition, the state did nothing to alleviate the property tax burden. The other concern, at the local level, is the education budget.

Gove stated that Damariscotta has become a desirable town for people and that helps increase the values of property in town as people are willing to pay higher prices to live here.

Hallowell asked if the Board can use the excess revenues collected to reduce the tax rate. Post explained that the excess revenues are put into surplus and then they can be used for the next tax commitment.

On motion of Hilton/Gove, the Board VOTED: To set the tax rate for fiscal year 2006 at \$11.50 per \$1,000 of valuation (Vote: 4 – 1, Pinkham opposed).

Pinkham asked what the value is of the exempt properties. Post stated that exempt properties account for approximately \$57 million, up from \$37 million before the revaluation.

McLean asked if the exempt properties were reviewed as part of the revaluation process to ensure that they are exempt. Post stated that they were, but he does not know at this point if there were any anomalies.

3. Act on Authorization to Purchase Laser for Police Department (Steve Drake).

Drake stated that he would like to purchase a laser gun for the police department by using \$2,000 in incentive money from the state and \$1,812.50 from his operating budget.

McLean asked what the laser would do that the current equipment would not do. Drake stated that the laser enables the officers to pinpoint a speeding vehicle in a line of traffic, whereas the current radar must be combined with the officer's training to recognize which vehicle in a line of traffic is speeding. McLean stated that he is concerned about spending \$1,800 to save \$2,000, even though the device sounds like it would help with speed enforcement, it is not a need at this point.

Drake stated that the equipment is not needed, and he had anticipated placing the \$2,000 into a reserve account and using it later with additional grant money. However, the funding needs to be used by October 1st, or it is returned. Post had asked him if there was other equipment that was needed that could save money in the operating budget and he is looking at that also.

Pinkham asked if Drake expects to purchase the laser device in the future. Drake stated that he wants to put \$1,000 in a reserve account for three years so that it can be purchased in the future.

On motion of McLean/Hilton, the Board VOTED: To table the request to purchase a laser device for the Police Department (Vote: 5 – 0).

4. Act on Appointments for Gateway 1 Project Town Response Panel.

Post stated that the following individuals are interested in serving on the Gateway 1 Town Response Panel: William Earle, Matt Filler, Larry Townley, Jack Spinner, Steve Drake, Heather O'Bryan, Emily Pinkham, Jim Phillips and George Parker.

On motion of Gove/McLean, the Board VOTED: To appoint the individuals as submitted to the Gateway 1 Town Response Panel (Vote: 4 – 0 –1, Pinkham abstained).

VIII. Town Manager's Discussion

1. Assessing Clerk Position.

Post stated that he has hired Carolee Hilton for the Assessing Clerk's position and she will start on September 19th.

2. Police Department Personnel.

Post stated that Chief Drake has hired, with his approval, Thomas Hoepner and William Willis as reserve officers.

3. Bureau of Justice Assistance Grant for Vests.

Post stated that the Police Department has received a grant in the amount of \$855 to purchase bulletproof vests. This will be combined with the \$1,200 carried forward from last year's budget.

IX. Consent Calendar

1. Regular Meeting Minutes of August 17, 2005.

On motion of Gove/Hilton, the Board VOTED: To approve the minutes of August 17, 2005 as submitted (Vote: 4 – 0 – 1, McLean abstained).

2. Financial Reports:

- a. Payroll Warrant #10 General Fund Warrant #11.

On motion of Gove/McLean, the Board VOTED: To approve the General Fund Warrant #10 and General Fund Warrant #11 as submitted (Vote: 5 – 0).

- b. July Monthly Expense Report.

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

X. Other Business

1. Pinkham asked about any progress on repairs to School Street. Post stated that he had contacted the division engineer to get an update.
2. Pinkham stated that he knows there is a local businessman that has a situation that Post is working on and asked how that was proceeding. Post stated that he is still working with the parties involved and expects to come to a good conclusion.

XI. Executive Session - None

XII. Adjournment.

On motion of Gove/McLean, the Board VOTED: To adjourn at 7:46 p.m. (Vote: 5 – 0).

Respectfully Submitted:

William S. Post, Town Manager