

**BOOTHBAY HARBOR SELECTMEN'S  
MEETING MINUTES**

May 8, 2023

In addition to these typed minutes, video recording of all Selectmen's meetings are available to be viewed at BRCTV and audio recordings are available at the Boothbay Harbor Town Office.
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ATTENDING: Michael Tomko - Chair  
Kenneth Rayle – Vice Chair  
Alyssa Allen  
Mark Gimbel  
Mark Osborn

Julia Latter, Town Manager

Chairman Tomko called the Board of Selectmen's Meeting to order at 7:00 p.m.

Pledge of Allegiance: The Board of Selectmen and members of the audience.

Introductions of the Board of Selectmen.

**TOWN MANAGER'S ANNOUNCEMENTS:**

1. The new pump-out boat arrived today. The harbor master did a sea trial with the manufacturer and everything went well. The operation will begin on May 15<sup>th</sup>.
2. There are two interviews tomorrow for the deputy harbor master position as well as one for the pump-out boat operator. Latter will keep the board updated.
3. Public Works will begin painting parking stalls and crosswalks by the end of the week. Any questions, please call Nick Upham, Public Works Foreman.
4. Matthew Eddy from the Midcoast Council of Government (MCOG) will be here Monday, May 22<sup>nd</sup> from 5:00 p.m. to 7:00 p.m. for a workshop with the board to discuss priority planning.

**TOWN DEPARTMENT REPORTS:** None

**SELECTMEN REPORTS:** Chairman Tomko mentioned the fishermen raising concerns regarding places for dockage around the east side working waterfront. Tomko stated possible options to move forward, one being for the Boothbay Harbor Waterfront Preservation to file a suit to fight the appeal or the other would be to submit a new application. The Board of Selectmen has no say in the process.

**FINANCIALS:** Overview of financials given by Manager, Julia Latter for Finance Officer, Kathleen Pearce. Financials are going to be read quarterly from this point forward. Latter will give an overview of the accounts payable warrants as the board needs to vote on them.

**MINUTES:** Approval of April 24, 2023, minutes, Approved 3-0. (Selectpersons Gimbel and Osborn weren't at the meeting.)

## LICENSES:

1. Annual Renewal of Victualers Licenses (List attached)
  - a. A motion was made to act on all of the annual renewal Victualer's License applications together as read, except for Gimbel & Son's Country Store (Class B) selectperson Gimbel has a conflict of interest, he is the owner and The Topside Inn (Class H) selectperson Osborn has a conflict of interest, he is the owner. The motion was seconded and unanimously approved. Approved 5-0.
  - b. A motion was made to approve all of the annual renewal Victualer's License applications together as read, except for Gimbel & Son's Country Store (Class B) selectperson Gimbel has a conflict of interest, he is the owner and The Topside Inn (Class H) selectperson Osborn has a conflict of interest, he is the owner. The motion was seconded and unanimously approved. Approved 5-0.
  - c. A motion was made to approve Victualer's License – Renewal license for Gimbel and Sons Country Store, 14 Commercial Street (Class B). Approved 4-0. (Selectperson Gimbel abstained from the vote due to a conflict of interest as stated above.)
  - d. A motion was made to approve Victualer's License – Renewal license for The Topside Inn, 60 McKown Street (Class H). Approved 4-0. (Selectperson Osborn abstained from the vote due to a conflict of interest as stated above.)
2. A motion was made to approve Victualer's License – A new license for Kelly's Cafe., 4 Bridge Street (Class F). Approved 5-0.
3. A motion was made to approve the Liquor License – Renewal license for Tugboat Inn, 80 Commercial Street (Malt, Wine & Spirits). Approved 5-0.
4. A motion was made to approve the Liquor License – Renewal license for McSeagull's Restaurant, 14 Wharf Street (Malt, Wine & Spirits). Approved 5-0.
5. A motion was made to approve the Liquor License – Renewal license for Boothbay Lobster Wharf, Inc., 97 Atlantic Avenue (Malt, Wine & Spirits). Approved 5-0.
6. A motion was made to approve Special Amusement License – Renewal license for McSeagull's Restaurant, 14 Wharf Street. Approved 5-0.
7. A motion was made to approve Special Amusement License – Renewal license for Boothbay Lobster Wharf, 97 Atlantic Avenue. Approved 5-0.

## NEW BUSINESS:

1. Annual Town Meeting Update – Latter gave the results from the secret ballot election as follows:
  - a. Selectmen/Overseer of the Poor, elected two for a term of three years - Mark S. Gimbel with 323 votes and Mark C. Osborn with 374 votes.
  - b. Trustee of the Boothbay-Boothbay Harbor CSD, elected one for a term of three years – Darrell J. Gudroe with 420 votes.
  - c. School Committee Member, elected one for a term of three years – Jenessa R. Garrett with 316 votes.
  - d. Cemetery District Trustee, elected one for a term of three years – Susann C. Hochstein with 443 votes.
  - e. Water District Trustee, elected one for a term of three years – David C. Tibbetts with 467 votes.
  - f. Article 3 “Do you favor changing the debt limit of the Boothbay Region Water District from \$12,000,000 to \$19,000,000?” Yes with 337 votes.

Latter mentioned the meeting was a success and thanked everyone involved in putting it together on a job well done. The overall opinion of the board and Latter was that the meeting being held in the fire station was a welcoming change and would like to use the location in the future.

2. Chair Tomko mentioned the Spirit of America Award being presented to the Boothbay Harbor Fire Department. He thanked the department for all of their hard work.

3. Election of Select Board Chair and Vice-Chair:
  - a. A motion was made to elect Michael Tomko as Select Board Chair. Motion seconded and approved. Approved 4-0.
  - b. A motion was made to elect Kenneth Rayle as Vice-Chair. Motion seconded and approved. Approved 4-0.
4. A Wharves and Weirs hearing for The Town of Boothbay Harbor, Boothbay Harbor Footbridge, Boothbay Harbor, was held earlier. They proposed removing the existing town pier, installing 6 pilings, and (3) 12'x 30" floats. A motion was made to approve the application as submitted. The motion was seconded and unanimously approved. Approved 5-0.

**OLD BUSINESS:**

1. Footbridge Renovation Project Update – The lighting is being worked on and they are digging a trench to place the conduit. We received an easement for the electrical box in the Squirrel Island parking lot and that has been installed. The power being shut off and relocated has been a large part of the process. A new pole has been placed on the west side of the footbridge in the parking lot. We are still looking at the end of May for completion.
2. Public Health and Safety – Latter mentioned that the signed MOU with Lincoln County Sherriff's Office was received today and she signed it and sent it back to the county for their signature.

**PUBLIC FORUM:** Boothbay Harbor resident Thomas Minerich expressed his support for the lobstermen and voiced his concern on the review and application process being followed correctly.

**WARRANTS:** A motion was made to approve the warrants upon review. The motion was seconded and unanimously approved. Approved 5-0.

**EXECUTIVE SESSION:** An executive session was held under MRSA Title 1, Chapter 13, §405 6 (A), Personnel. The board came out of the executive session at 9:30 p.m. under MRSA Title 1, Chapter 13, §405 6 (A), no decisions were made, and no votes were taken.

**MOVE TO ADJOURN:** The meeting was adjourned at 9:31 p.m. after unanimous approval. Approved 5-0.

The Boothbay Harbor Board of Selectmen will hold a Public Hearing May 8, 2023, 7:00 PM, on the following application(s) for Victualer (s) license (s):

Renewal:

Class A

BMC, LLC dba Spruce Point Inn Resort & Spa Banquet Room  
Slice O'Country

Class B

Circle K #4707028  
Eventide Specialties  
Gimbel and Sons Country Store  
Hannaford Supermarket 8143

Class C

Boothbay Harbor Mart & Country Store  
Coastal Maine Popcorn  
Downeast Candies, Inc.  
Glace LLC dba Downeast Ice Cream 1 By Way  
Glace LLC dba Downeast Ice Cream 185 Townsend Ave.  
Mister Smooth  
Hometown Convenience  
Orne's Candy Store  
Sarah's Scoops

Class D

Dunton's Dog House  
Kaler's Restaurant (take out window)  
Pinkham's Gourmet Market  
Red Cup Coffeehouse

Class E

Farm 23 – Action for Animals  
The Opera House at Boothbay Harbor

Class F

Bayside Inn B&B  
Farm 23  
Flagship Inn  
Harbor House Inn B & B  
Harbour Town Inn on the Waterfront  
The Harborage Inn

Class G

MaineHealth  
Red Cup Coffeehouse

Class H

Anchor Restaurant  
Bistro Inc.  
Blue Moon Café  
BMC, LLC dba Spruce Point Inn Resort & Spa  
Boothbay Harbor House of Pizza  
Boothbay Harbor Inn  
Boothbay Harbor Oceanside Golf Resort  
Boothbay Harbor Yacht Club  
Boothbay Lobster Wharf, Inc.

Brady's  
Brisetto's Second Cup  
Brown Brother's, Inc.  
Captain Sawyers B&B, LLC  
Carousel Music Theater Co., LLC  
China by the Sea  
Footbridge Brewery  
Kaler's Crab & Lobster House  
Linekin Bay Resort  
Mama D's Mercantile  
Marcel's Submarine Shop  
McSeagulls Restaurant  
MES LLC dba Harborside 1901 Bar and Grill  
Mine Oyster  
Pier One Pizza, Inc.  
Ports of Italy Boothbay Harbor  
Ports Pizzeria Boothbay Harbor  
The Topside Inn  
The Tugboat Inn  
The Whales Tale

Class I

Harbor Theater

THE APPLICATION(S) ARE AVAILABLE FOR PUBLIC VIEW AT THE TOWN OFFICE, 11 HOWARD STREET, BOOTHBAY HARBOR, DURING NORMAL BUSINESS HOURS (8:30 A.M. TO 4:30 P.M.), OR AT THE HEARING.

*People with disabilities or who have difficulty with the English language and who plan to attend the meeting should contact the town in advance of the meeting if they need a reasonable accommodation to participate, such as an interpreter or a person skilled in American Sign Language. The town will then request the information needed to determine exactly what kind of accommodation is necessary and reasonable for a particular individual and a particular meeting location.*