MINUTES

BOOTHBAY HARBOR

SELECTMEN’S MEETING

MARCH 27, 2017

In addition to these typed minutes, video recordings of all Selectmen’s meetings are available to be viewed at BRCTV and audio recordings are available to be listened to at the Boothbay Harbor Town Office.

ATTENDING: Denise Griffin, Chairman

Russ Hoffman, Vice Chairman

Mike Tomko

Trisha Warren

Wendy Wolf

Tom Woodin, Town Manager

Julia Latter, Financial Officer

**Chairman Griffin called the Board of Selectmen’s meeting to order at 7:00 pm.**

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

TOWN MANAGER’S ANNOUNCEMENTS:

1. Reminder that the next Selectmen's meeting scheduled for Wednesday, April 10th has been cancelled.
2. This Wednesday on March 29th the Board of Selectmen will be a meeting with Annalee Rosenblatt between 4:30 p.m. and 6:00 p.m. to discuss upcoming union negotiations.
3. The town report is currently being proof read in-house with formulation of the cover art, in order to submit it to Lincoln County Publishing by April 1st (or shortly thereafter).
4. The town has been approved for the NRPA (Natural Resource Protection Act) permit for the basketball and pickle ball courts. Next will be getting additional funding approved at town meeting (one of the warrant articles), then to talk about landscaping details.
5. On Wednesday, April 26th, between 6:00 - 8:00 p.m. at the YMCA, Ted Kelleher of Drummond Woodsum to provide education on the new marijuana legislation. [Chairman Griffin added this meeting was also open to anyone from the adjacent towns.]

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1. The ad for a seasonal Deputy Harbor Master will end this week. Presently there are two applications, one from Virginia and one from Connecticut.

SELECTMEN REPORTS:

1. Selectman Wolf stated that on Friday, March 24th she had attended a conference on marijuana at the Maine Town, City and County Management Association meeting held in Bangor. The keynote was delivered by the former town manager of Frisco, CO because Colorado was the first state to legalize recreational marijuana.

He advised if they go away with only one thing from the conference, it should be "to take their time and do it right," because it is a new business with many twists and turns plus lots of unanticipated questions.

* Only about one fourth of the towns in Colorado have embraced retail or growing marijuana which can be attractive as a means to bring in additional revenue.
* Even if a municipality does not participate, the new legislation will still touch the lives of the people who live there.
* One of the most challenging things for municipalities, who do want to allow this, is to determine how much retail business should be allowed.

A police officer from Falmouth spoke about law enforcement difficulties

associated with driving under the influence because currently there are few

acceptable ways to test for marijuana intoxication as well as a lengthy process.

Another concern is that fifty percent of marijuana business is of eatables that are

packaged to look very much like that of non-marijuana products such as "gummy

bears," etc.

Selectmen Wolf concluded because it is so complex it might be wiser to wait to

see what the state does first before they decide what they want to do as a

municipality.

Clif Cane asked how they could slow down the process.

Chairman Griffin responded the state had set a moratorium on the legislature until

January 31st, 2018 and that as a town they were allowed to set 6 month (at a time)

moratoriums when they feel they need to. In the meantime, the Board of

Selectmen would be meeting again with the Planning Board to discuss possible

zoning changes.

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Selectman Wolf added that social clubs are also part of the legislation but so far

there are no states with them.

Selectman Hoffman clarified that recreational and medical marijuana are totally

different.

2. Selectman Wolf reported that the Joint Economic Development Committee had had a broadband meeting with Lincolnville Communications about having higher speed internet on the peninsula, explaining how multiple devices per household in a neighborhood can slow down the existing service for others making broadband with fiber cable the way of the future.

3. Selectman Hoffman announced the Ambulance Service Board of Directors had just had their first meeting in the new building. They also had just gotten a new truck.

4. Selectman Tomko commented on the broadband meeting which would allow for

better communication for an individual's health status and aid students on snow

days from school. The downtown and infrastucture committees continue to work

on their development of an action plan.

FINANCIALS:

Finance Officer Latter reviewed the financial totals with the Board.

MINUTES:

Selectman Wolf **motioned** to approve the minutes from February 27th and March 13th. Selectman Tomko **seconded**. **Unanimous approval**.

LICENSES:

1. Selectman Warren **motioned** to approve three of the Liquor license **renewals** **together** for McSeagull's Restaurant, Harborside Tavern and Brown's Wharf. Selectman Wolf **seconded**. **Unanimous approval**.

2. Selectman Wolf **motioned** to approve the Liquor license **renewal** for Mine Oyster Raw Bar & Gathering Place. Selectman Tomko **seconded**. **Motion passed 4 to 1 Abstention**.

3. Selectman Wolf **motioned** to approve the Special Amusement license for McSeagull's Restaurant. Selectman Tomko **seconded**. **Unanimous approval**.

4. Selectman Wolf **motioned** to approve the Special Amusement license for Mine Oyster Raw Bar & Gathering Place. Selectman Tomko **seconded**. **Motion passed 4 to 1 Abstention**.

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ONGOING BUSINESS:

A. Circle back to the solar energy legislation.

(**Tabled** for more information.)

B. Knickerbocker Group plan for the 19 By-Way (former bowling alley) project.

Architectural designer, Zander Shaw, Knickerbocker Group, explained the three slightly revised phases of the project being planned.

1. Demolition to take place this spring

* Access to sidewalk and six parking spaces blocked for a couple of days
* Half of the sidewalk then temporarily reconstructed to accommodate pedestrian traffic with the parking spaces open

1. Demobilization after the structure has been demolished with fencing around the bare granite ledge
2. Construction during the fall (after Harbor Fest), winter and into the following spring

Zander answered a number of questions from the Board.

* Parking behind the building will remain available to the tenants.
* Fencing could be different as long as it could keep the site safely closed off.
* They are prepared to have all of the necessary permits to go with their application to the Planning Board on April 12th.

Zander also answered some questions from people on the floor.

Clif Cane wondered if the demolition was going to be messy. Zander explained it would be controlled without use of explosives causing flying debris. He also stated it would not take long.

Ralph Smith expressed concern about how the loss of parking might affect his business and commented how well the previous 8 Wharf Street project had been handled by builder Eric Marden.

Zander assured him that they would have a supervisor on-site constantly and would make every effort to accommodate the abutting businesses.

Chairman Griffin suggested the Board approve Phase One and Two then have Knickerbocker come back for approval of Phase Three when they have a clearer picture of it after meeting with the Planning Board.

Manager Woodin commented that the Board could resolve approving all three by putting a contingency on it.

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Clif Cane stated Phase Three seemed straight forward, without any ambiguity that would prevent them from approving all three phases that evening.

CEO, Geoff Smith stated he did not see any reason the Board could not approve the whole thing with a contingency.

Selectman Wolf **motioned** approval of phase one, two and three of the traffic plan, contingent on their discussions for preservation of parking and a pedestrian walkway unless there is any change to the design that alters their understanding of phase three, then they will have to revisit the decision. Selectman Hoffman **seconded**.

Abutter, Fiona Dunlap, expressed concern about noise from truck movement on Granary Way during construction.

Zander responded he'd be happy to meet with her again to work things out.

CEO, Geoff Smith confirmed there had been some signage at the top of the hill to help alleviate traffic congestion during the 8 Wharf Street project.

The motion received **Unanimous approval**.

NEW BUSINESS:

1. Chairman Griffin stated the first item under New Business is purchase of an Angle Broom for street sweeping.

Manager Woodin explained the purchase of an Angle Broom had been put in the budget and approved at town meeting last year. Since it will cost over $5,000 a purchase order needs to be signed by the Board to Jordan Equipment Company in Falmouth, ME for $6, 478.

Selectman Hoffman **motioned** to sign the purchase order. Selectman Wolf **seconded**. **Unanimous approval**.

2. Chairman Griffin stated each year they write off some outstanding personal property taxes of an insignificant amount. This year they are proposing to write off $144.86 for the year 2010 and $821.45 for the year 2011.

Selectman Wolf **motioned** to approve these. Selectman Hoffman **seconded**. **Unanimous approval**.

3. Chairman Griffin stated the final item under New Business is a presentation about training requirements for the EMA (Emergency Management Agency). Scott Campbell, EMA Regional Director, introduced Casey Stevens, newly appointed EMA Director for Lincoln County, and Ken Desmond, EMA Training & Operations Specialist for Lincoln County.

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Ken Desmond gave a brief explanation about how in 2003, after the creation of Homeland Security under the U.S. Dept of Interior, certain personnel of the fire service, law enforcement organizations and EMS are required to have National Incident Management System Training. Ken announced the two-hour G402: Incident Command System Overview for Executives/Senior Officials would be offered from 4:00 p.m. to 6:00 p.m. on Monday, April 24th at the Edgecomb town hall.

Ken added if this date doesn't work, they could host a training in Boothbay Harbor.

[Ken clarified that this course would help those with EMA certification understand how to apply what they have learned.]

PUBLIC FORUM:

1. Merritt Blakeslee, of the West Harbor Pond Watershed Association, stated he and his colleagues had previously come before the Board of Selectmen in September of 2016 to describe the deteriorating water quality of the pond, due to the failure of an 1880 siphon. Two things had happened since then.

1. The Boothbay Region Water District has recently offered to donate a part of the materials and labor for an alternative to replacement of the siphon, contingent on WHPWA'S commissioning engineering plans for the project.
2. Bob Faunce has agreed to write a Coastal Communities Grant to improve water quality, increase resiliency/adaptation to flooding while preserving natural coastal resources to fund the selection and design of the new siphon. It is a 25% matching grant to be administered by Lincoln County Regional Planning so there would be no liabilities to the town and due Friday, April 28th.

Manager Woodin stated they would have to run the grant application by their attorney to be on the safe side. It would have to be permitted by the DEP and DOT, plus the DOT would require a bond to be taken out in case there was any damage done to the causeway.

Merritt stated they had letters of support from the DEP plus Inland Fisheries and Wildlife. The WHPWA hope to get the same from the town of Boothbay Harbor.

The consensus of the Board was for the association to come back to the next meeting after the town's attorney has a chance to study the grant application and letters of support.

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WARRANTS:

Selectman Wolf **motioned** to approve the warrants upon careful review. Selectman Tomko **seconded**. **Unanimous approval.**

EXECUTIVE SESSION:

The Board went into Executive Session under MRSA Title 1, Chapter 13§1, Section 405 (6) (H) at 8:31 p.m.

The Board came out of Executive Session at 8:51 p.m. No decisions were made during Executive Session.

Selectman Wolf **motioned** approval of the Administrative Consent Agreement with the times **as amended**. Selectman Hoffman **seconded**. **Unanimous approval**.

MOVE TO ADJOURN:

The meeting was **adjourned** at 8:53 p.m.

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