

**MINUTES
BOOTHBAY HARBOR
SELECTMEN'S MEETING
MAY 26, 2015**

ATTENDING: Denise Griffin, Chairman
William Hamblen, Vice Chairman
Russ Hoffman
Tricia Warren

Thomas Woodin, Town Manager
Julia Latter, Finance 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. Manager Woodin stated that after advertizing the final full-time position available on the Public Works Department, he and Chris Leeman had chosen Dale Hahn, who had been working part-time on the department.

2. Manager Woodin stated that after running an RFP in several papers for the last three weeks there had only been one bid on the Fish Pier piling repair from Prock Marine for \$107,000. Manager Woodin stated this would have to come out of the undesignated account, if approved by the Board, given how serious this was since there wasn't enough money in the Fish Pier account.

Vice Chairman Hamblen questioned whether this bid was reasonable considering there was only one bid.

Manager Woodin offered to look into it and report back at the next meeting but cautioned that the condition had to be addressed in a short margin of time.

Manager Woodin confirmed the work would be done (by Prock) by mid to late August because they'd have to order materials and schedule it in; that pilings tend to last ten to fifteen years.

3. Manager Woodin stated the Board would have to look at Annalee Rosenblatt's contract soon and updating the employee manual, etc.

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Manager Woodin stated he'd gotten a proposal from Laurie Bouchard from Jefferson who does those kinds of things.

Chairman Griffin stated there was a suggestion of discussing Annalee's contract in Executive Session.

4. Manager Woodin stated he was going to be meeting with the person who was offering to donate a boat to be used by the Harbor Master the next day, so needed to have the Board's decision on the matter.

Vice Chairman Hamblen **motioned** to accept the gift of a boat for the Harbor Master. Selectman Hoffman **seconded**.

Selectman Hoffman asked about maintenance costs.

Manager Woodin responded he did not think they would be different than they are now and felt in some respects they'd be lower considering how much they'd recently spent in repairs on the present boat; that the hours on the motors was low and that it was aluminum.

The motion passed **unanimously**.

FINANCIALS:

Officer Latter reviewed the financial totals with the Board, pointing out the state revenue sharing was due to come in.

CONSENT AGENDA:

Chairman Griffin stated they would take the items in the Consent Agenda separately and asked for a motion to approve the minutes of the May 11th Selectmen's meeting. Selectman Hoffman **motioned** to approve the minutes with the suggested revisions incorporated. Vice Chairman Hamblen **seconded**. **Unanimous approval**.

ONGOING BUSINESS:

1. Chairman Griffin stated the first item under Ongoing Business was to sign the warrant for the special town meeting.

Manager Woodin stated this was scheduled for June 8th at 6:00 p.m. to see if the town will vote to appropriate the amount of \$22,842 for the Regional Ambulance

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Service account and also to see if the town will vote to authorize the municipal officers to reallocate the existing Harbor Master boat reserve account after July 1st, 2015 under such terms and conditions they deem necessary.

When questioned by Vice Chairman Hamblen, Finance Officer Latter explained that the money could not be reallocated to the Fish Pier repair because the warrant article did not remove it from the general fund.

Vice Chairman Hamblen **motioned** to sign the warrant. Selectman Hoffman **seconded. Unanimous approval.**

2. Chairman Griffin stated the second item under Ongoing Business was to formally accept and sign the Economic Development Agreement.

Vice Chairman Hamblen **motioned** to accept the agreement. Selectman Hoffman **seconded** the motion.

Chairman Griffin stated this is the result of six to seven months of work between the Boothbay and Boothbay Harbor Selectmen.

Vice Chairman Hamblen explained the document created a committee that has representation from both towns, as well as the Chamber of Commerce and other interested parties, to actually do some work on economic development requiring each town to put money into a common fund for that purpose (approved at the town meetings) for a period of twelve months.

Chairman Griffin confirmed that Selectman Wolf had volunteered to be the representative for the town of Boothbay Harbor.

The motion received **Unanimous approval.**

3. Manager Woodin stated at the last meeting he'd given the members of the Board a draft of the RFP for investment management services to look over which just needed the dates to run.

Vice Chairman Hamblen stated it looked good except for a couple of typos.

Vice Chairman Hamblen **motioned** to approve the draft to run for thirty days. Selectman Hoffman **seconded. Unanimous approval.**

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4. Chairman Griffin the last item under Ongoing Business was to revisit the Special Amusement license for the Lobster Wharf that had been tabled at the last meeting.

Selectman Hoffman **motioned** to approve the license. Vice Chairman Hamblen **seconded**.

- Henry Best stated he was the closest residence to the Lobster Wharf and did not feel it was that loud and that the town should purchase a decibel meter to measure noise.

Manager Woodin responded that they did have a decibel meter but the ordinance requiring the reading to be taken from the property line was vague since property lines differ and needs clarification. Manager Woodin stated until it could be written into the ordinance, for the coming summer procedurally they would follow the following...“that the measurement should be performed at the abutting property if possible but if it cannot be readily identified, then taken at the complainants property at a reasonable location to be determined by the responding police officer,” to be consistent with how we should respond to the call.

Vice Chairman Hamblen thanked Chief Hasch for the tremendous amount of work he’s done on this problem speaking to officers from Falmouth, Yarmouth, Bath, Rockland, Camden, Bar Harbor, Southwest Harbor, the District Attorney and three of the businesses that generate music on the water front.

Vice Chairman Hamblen stated he has a doctorate in underwater acoustics from MIT and had worked for a preeminent acoustic firm that made acoustic measurements for twenty-seven years, so could say from experience it could be a challenging task.

Vice Chairman Hamblen stated that a “balanced approach” rather than a technical approach was the way to go...a balance between the businesses and the abutters who have to listen to the music...by the method that Manager Woodin is suggesting and taking punitive measures after many or multiple complaints that won’t involve the courts, to address the problem.

Chief Hasch reminded everyone that after 6:00 p.m. the level goes down to 70 decibels which makes a big difference from 80 and stated that 64 decibels was the average level from fifty feet away where they had measured.

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- Palmer Payne suggested the Board of Selectmen visit these establishments and make their own assessments.
- Dawn Weiss stated she'd heard people saying the town was turning into a "honky-tonk" town.
- Tim Sprague, whose band Murky Waters performs at the Lobster Wharf, stated it makes a difference which way the wind is blowing.

The motion passed **Unanimously**.

NEW BUSINESS:

1. Chairman Griffin stated that they would take the **new** Rocktide Victualers license first.

Selectman Hoffman **motioned** to approve the license renewal. Vice Chairman Hamblen **seconded**. **Unanimous approval**.

2. Chairman Griffin stated they'd take the Rocktide Special Amusement license renewal next.

Manager Woodin stated he felt the owners of establishments applying for special amusement licenses should be required to attend the hearings so they would be present to answer questions.

Selectman Hoffman **motioned** to table the application until there was a representative present. [The motion died without a **second**.]

Vice Chairman Hamblen suggested putting the same condition on the approval that they'd put on the Cod's Head by limiting the number of musicians playing rather than holding up the license renewal.

Laura Perkins stated she liked to hear they were going to hold people accountable and wondered how the penalties could be put into effect for the coming season.

Vice Chairman Hamblen responded it would be a policy created by the Selectmen at a workshop open the general public.

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Tom Perkins, who was representing his brother Jim Perkins who was an abutter to the Rocktide Inn, stated he had hoped a Rocktide representative would be present to explain what they were planning to do differently this season to address the noise issue so thought tabling the item until the next meeting was a good idea.

Helen Farnham pointed out the summer season only lasted a short time and people should be able to endure a little noise so the businesses can thrive.

Selectman Hoffman **motioned** to approve the license with the same terms that were used for the Cod's Head. Then Selectman Hoffman **amended** his **motion** to include "daily, between the hours of 4:00 – 7:30 p.m." Vice Chairman Hamblen **seconded**. **Motion passed 3 – 1 Abstention.**

3. Chairman Griffin invited Palmer Payne to give an update on the Refuse District.

Palmer Payne stated after the first year with the solar panels at the Refuse District, they determined they had generated 98.5% of their electricity onsite. Palmer stated because of this the MRRA (Midcoast Regional Redevelopment Authority) had awarded the district with the MRRA Program Award of the Year.

Palmer confirmed the solar panels had not cost the town anything and would become the property of the town after ten years.

PUBLIC FORUM:

1. Vice Chairman Hamblen wondered where they were with the wayfaring signs.

Manager Woodin responded that he and Tony Cameron from the Chamber of Commerce had come to an agreement on the type of map it would be but Tony was having delays on his end in getting the "rights" to it but would keep them updated on it.

EXECUTIVE SESSION:

Selectman Hoffman **motioned** to go into Executive Session at 8:08 p.m. Vice Chairman Hamblen **seconded**. **Unanimous approval.**

The Board came out of Executive Session, MRSA Section 405 (6) (A) – Personnel Matters at 8:33 p.m.

Chairman Griffin stated no votes had been taken during Executive Session.

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Selectman Hoffman **motioned** to extend Annalee Rosenblatt's contract agreement with the town for three years, accepting her proposal of \$20,000 for that period.

Vice Chairman Hamblen **seconded. Unanimous approval.**

WARRANTS:

Selectman Hoffman **motioned** that the warrants be approved upon careful review. Vice Chairman Hamblen **seconded. Unanimous approval.**

MOVE TO ADJOURN:

Vice Chairman Hamblen **motioned** to adjourn. Selectman Hoffman **seconded. Unanimous approval. Meeting was adjourned at 8:34 p.m.**

