



**Selectmen's Meeting  
May 17<sup>th</sup>, 2017  
MINUTES**

Selectmen Present: *Chad Hanna, Paul Yates.*

Also Present: *Chris Hall (Town Administrator); Clyde Pendleton and Sandra Lane (Parks and Recreation Commissioners); Joe Rose (Code Enforcement Officer); Claire Enterline (Chair, Bristol Mills Dam Advisory committee); Slade Moore (Fish Committee); Steve Termine (Shellfish Conservation Committee); Todd Richards.*

Selectmen were called to order by chair Chad Hanna at 7.01 pm, followed by the Pledge of Allegiance.

Hanna proposed two amendments to the agenda: (1) to hear Todd Richards in the matter of MDOT pedestrian/bicycle signs; and (2) to make Selectmen aware of a property dispute on the Benner Road.

Out of order, Selectmen invited Todd Richards to present a request that the Town remind MDOT of a previous commitment to install signs warning motorists to keep a three-foot clearance when passing pedestrians and bicyclists. Selectmen request Administrator Hall to contact Mr. David Allen of MDOT.

**Old Business:**

- Parks and recreation Commission matters

- (1) Operations Manual

- The revised Operations Manual was presented by Commissioners Pendleton and Lane, following its approval earlier this day, May 17<sup>th</sup> by the Commission. Selectmen reviewed the amendments that had been agreed since the draft was initially circulated, and approved the Manual. Administrator Hall will prepare a supplementary signature page for Selectmen to sign, to be incorporated into the Manual.

- (2) Electronic sign for Ellingwood Park

- Hall reported that the MDOT had raised no objection in regard to the setback of the sign, which now awaited confirmation by the Selectmen as to whether the Town will contribute a share of the cost. Yates raised concerns regarding the aesthetics and the precedent it sets, while agreeing with Hanna that the Commissioners have the authority to install the sign if they so choose, in the absence of a sign ordinance.

From the floor, CEO Joe Rose confirmed that, although located in a Shoreland Village zone, the sign at 15 square feet would be within the 16 sq. ft. maximum established by DEP. There was brief discussion of the appropriate separation of powers between the two elected bodies. In the light of the concerns expressed, Chair Hanna tabled the matter to the next regular meeting so that all three Selectmen could discuss the matter.

- (3) Hanna Landing; Administrator Hall reported that the DEP had now completed their conveyance of the submerged lands under the Hanna Landing floats to the Town, for a 25-year period.
- (4) Hanna Landing; Commissioner Pendleton raised the question of the cost of the new float constructed over the past two months. Members of both Boards discussed the appropriate responsibility for the floats: the Town (through the Harbor Committee) or the Parks Commission, which maintains the rest of the property. Following discussion, Hanna asked Hall to draft a letter to the Harbor Committee expressing the Selectmen's wish that they assume responsibility for the floats, and further that they consider defraying the costs of maintenance by raising mooring fees, believed to be the lowest in the Midcoast.
- (5) Hanna Landing; Administrator Hall reported that he and Sean Hunter had reviewed the damage to the storage building roof with Mark prior, who had quoted \$1,000 to do the necessary repairs. He believed that the work could be done in-house by Sean, with help from the Parks maintenance crew, and proposed to proceed with the work while getting a quote on an overall roof replacement, for possible funding in the 2018 budget.
- (6) Hall had attended the Workers Compensation hearing for a medical claim by a Parks employee. He reported that legal counsel advised continuing the case to a final ruling, rather than settling out-of-court.
- (7) Lighthouse repairs: The Keeper's house needs re-shingling, in addition to the work budgeted in 2017 – re-shingling the oil house and new windows for the apartment. Pendleton reported that the weather station room had suffered from falling plaster due to moisture penetration. Selectmen discussed the need for careful capital budgeting, and the Commissioners agreed to try to patch the wall for another year.
- Out of order, Chair Hanna invited Claire Enterline, chair of the Dam Advisory Committee, to come forward to the table. She had a request from the Committee to the Selectmen, to clarify the charge to the Committee; should they seek to report out a consensus report of recommendations, or would a number of options potentially with multiple reports be satisfactory? Hanna summed up the discussion that followed by indicating that Selectmen would prefer a report which, in addition to including the Wright-Pierce evaluation, would have an Executive Summary identifying the trade-offs among perhaps three or four options, each with capital and operating costs, and evaluations of their respective impacts on fish passage, recreation, upstream water levels and fire protection. Consensus was desirable but not necessary. Hanna added that he wanted the Committee to understand the process which the Selectmen

had gone through in 2015-16 which led to their choosing the design of fishway they had selected in 2016, for which they had sought but not obtained grant funding. This had been a design chosen to allow future capacity growth through duplication of the Denil ladder, if the recovery of the alewife run justified this in future. Enterline invited him to speak at the June 27<sup>th</sup> meeting of the Committee.

- Snow removal contract  
Hall presented a draft contract incorporating several minor requests from .W. Holmes. Selectmen agreed to the changes subject to reviewing the MDOT guidelines on placement of mailboxes, and tabled signing the contract to the next meeting.
- Tax acquired property
  - The property at Map 004, lot 101-B on which Selectmen had in 2016 agreed a sale to return the property to its former owner, required a deed (rather than a discharge) to release the Town's interest in the property. Selectmen signed the deed.
  - Hall reported that the Town had that day received full payment to redeem tax-acquired property located at Map 008, Lot 042A, and would file a quitclaim deed on clearance of the check.
  - Map 11C, lot 007-A: It was proposed by Hanna, seconded by Yates, to accept a Land Purchase Installation Contract agreed with the former owner. Selectmen countersigned the Land Purchase Installment Contract, covering 12 months of installment payments, and directed Hall to cash the down payment check received by the Town.
  - Map 12, lots 027 and 028. Hall reported that the former owner had mailed a check for \$5,000. Selectmen directed Hall not to cash the check, but to contact the former owner and offer a sale price, based on calculating the total taxes, interest and fees due through June 30, 2017 as if the former owner was still liable for such taxes, indicating that this is a one-time and final offer, good for no more than 30 days. If full payment was not made at that time, Selectmen would consider options for disposal or use of the properties.
- Code enforcement matters:
  - The violation previously reported on the Benner Road requires, per Town's legal counsel, a new notice of violation as the statute specifies days in violation in each calendar year. Selectmen signed the notice and also, at CEO Rose's recommendation, a letter inviting both the violator and the landowner to meet them to discuss an Administrative Consent Agreement to avert court action.
  - The CEO had not yet received from Counsel a final easement document for the drainage by Mr. Allen Dion at the Beach Park.

## **New Business**

- Revaluation: Selectmen reviewed and approved a draft letter to taxpayers, reporting the new valuations of their property, to be mailed by May 26<sup>th</sup>. Chair Hanna will review the mill rate calculation next week before the letter is sent.

Selectmen agreed to schedule Appraiser's hearings during the 3<sup>rd</sup> week of June, to hear concerns of individual taxpayers.

Building permits:

Applications were reviewed and approved for structures at:

Map 6, lot 72

Map 27, lot 35

Map 34, lot B-72-4

Applications for tax abatements:

Selectmen reviewed and approved 33 homestead exemptions, one veteran (held over from May for completion of paperwork), one new farmland abatement, three open space abatement renewals and three tree growth renewals.

Warrants:

Selectmen reviewed and signed warrants from the Town, School and Transfer Station.

Correspondence received:

DEP inspectors had sent a glowing report on the Bristol-South Bristol Transfer Station. Selectmen asked that the minutes reflect their appreciation of the work of the Transfer Station staff.

DEP had also approved the amendments to the Shoreland Zoning Ordinance, approved by the 2017 Town Meeting under Article 25 of the Warrant.

Administrator Hall had been asked by Prescott Cheney to communicate to Selectmen his displeasure at the actions of Bristol Fire and Rescue, who had put out a smoky fire at a rental apartment of his in the early hours of May 14<sup>th</sup>. He had not been notified of the action taken until 9 am that morning. He wished to meet with Chief Leeman to express his disapproval. Selectmen noted his communication.

Lincoln County Regional Planning Commission awarded the Town a grant

Public comment: none.

Other business:

- Roads and bridges:

A culvert on the Upper Round Pond Road needed repair before paving; Chair Hanna would meet with Rusty Bryant to discuss contracting for this.

Hanna believed that there was sufficient funding in the roads budget this year, over and above the paving contract, to allow some additional work. This might include: (1) preparation work for future paving of the balance of the Sproul Hill Road; (2) engineering work for the two bridges identified in the recent MDOT bridge inspections as needing work, viz. the Benner Stone Arch bridge and the Redonnett Mill Road bridge. We will need to advertise for the engineering work.

- Chair Hanna also notified Selectmen of an ongoing property dispute between neighbors on the Benner road, which included controversy over the width of the Town's right-of-way. Extensive research by both a party to the dispute and Town staff had produced no clear historic description of the laying out of the road, and no nineteenth-century survey appears to exist. Hanna has been asked to testify to the effect that the Town has no useful records that can cast light on the case. He indicated his belief that it would be best for a Selectman to be deposed before giving such testimony, and it was agreed that he should so proceed once deposed.

Public notice was given of the following forthcoming meetings:

- Planning Board, Thursday, May 18<sup>th</sup>, 7:00 pm (Town Office)
- Bristol Mills Dam Advisory Committee, Tuesday May 23, 6:00 pm (Bristol Town Office)
- Appeals Board, Wednesday, May 24<sup>th</sup>, 6:00 pm (Town Office)
- Selectmen and School Board, joint meeting on solar power options, May 24<sup>th</sup>, 7:00 pm (Town Office)
- Harbor Committee, Thursday, May 25<sup>th</sup>, 6:00 pm (Town Office)
- Parks and Recreation Commission, June 6<sup>th</sup>, 6:00 pm (Ellingwood Information Center)
- Selectmen, Wednesday, June 7<sup>th</sup>, 7:00 pm (Town Office)

Motion to adjourn at 10.06 pm: prop. Hanna, seconded Yates, carried 2 – 0.