



**Selectmen's Meeting  
October 16<sup>th</sup>, 2019  
MINUTES**

Selectmen Present: *Chad Hanna, Kristine Poland.*

Also Present: *Chris Hall (Town Administrator); Candy Congdon (Lincoln County News); Jay Crooker and Rick Poland (Fish Committee); Joe Rose (Code Enforcement Officer); Mark Becker, Deb Wilson, Seth Hagar, Peter Anderson.*

The meeting was called to order by Chair Chad Hanna at 7:00 pm, followed by the Pledge of Allegiance.

It was moved by Poland, seconded by Yates, to accept the Minutes of October 4<sup>th</sup> as presented. Motion passed 3 – 0.

**PUBLIC HEARING:**

Chair Hanna opened a public hearing on changes in the General Assistance Ordinance, to adopt the state's maximum reimbursement guidelines for the year beginning October 1, 201, in compliance with Maine Revised Statutes, Title 22, Section 4305(4).

There being no public comments, the chair closed the Public Hearing. It was then moved by Hanna, seconded by Poland, to adopt new Appendices A through I to the town's General Assistance Ordinance. Motion passed, 3 – 0.

Selectmen had received a request from residents of Pemaquid Trail for permission to open up the paved surface for the purpose of installing underground utility lines. This was approved subject to the condition that the restoration of the road surface should be completed within five working days, not 14 days as proposed in the request.

Bristol Mills fish ladder replacement: Deb Wilson and Mark Becker of Becker Construction, Inc., accompanied by proposed subcontractors Seth Hagar of Hagar Enterprises (water control and earthwork) and Peter Anderson of Natural Concepts, Inc. (masonry), were invited to the Selectmen's table to discuss the budget presented on October 4<sup>th</sup> in response to the Town's Request for Qualifications.

Recognizing that the budget exceeded the Town's budget and expectations, which were based on past construction costs for similar work at Damariscotta Mills, Becker and Wilson discussed options of (1) dividing the work over two years' work seasons to reduce the expected costs of shelter and heating the work in winter, and to allow additional time for fundraising; and (2) reducing the amount of masonry work to include only the insides of the pools, and postponing the aesthetic external work to a future date. It was also stated that the cost of the masonry work could be reduced if the Town could furnish appropriately sized stones from existing Town supplies and/or donations.

Selectmen agreed that it is preferable to complete the work in one year. The discussion was tabled to November, by which date Becker Construction will generate a revised estimate for masonry, and also supply the Town with potential sources of grant funding based on the experience of Damariscotta Mills. Peter Anderson will supply the Town with samples of masonry stone for solicitation of donations.

From the floor Rick Poland, of the Fish Committee, asked if an earlier start date was possible than the proposed July 15<sup>th</sup> date. Hanna responded that this date is set as a condition of the DEP permit for the work.

Jay Crooker, chair of the Fish Committee, asked that the Committee be included in planning for the work, and added that the Committee had resources for fundraising for the project that the Town should take advantage of. Chair Hanna thanked him and noted that the next discussion, in November, should jointly include the Fish Committee and the Selectmen.

### **New Business:**

2020 Budget and Warrant: Administrator Hall presented a draft schedule of dates for the review of the 2020 Budget proposals by the Selectmen and the Budget Committee. Selectmen agreed on the schedule, and Hall will circulate it to members of the Budget Committee.

### **Old Business:**

Bristol Mills Dam repairs: Hall updated the Selectmen that Knowles Industrial would now be starting work not later than Monday October 28<sup>th</sup>, with an expected week's delay caused storm flooding on other projects forecast for October 17-18.

Crooker asked why the Board will not be using temporary dams to maintain upstream water levels. There had been discussion of using sandbags owned by Dale Prentice to support water levels above the Benner Road bridge, but this idea had not been pursued. Hanna replied that the Town is using the same process as in previous years, most recently in 2016. The Town had not felt it necessary to install a temporary dam in the past, and had not been advised otherwise. There is no regulatory requirement on the Town to maintain any given water level, and

the upper lakes' level in the event of draining the dam is governed by the ledge at the Benner Road bridge which is only about a foot lower than the level supported by the dam. Finally the Town had determined that installing such a water control structure, even temporarily, would require a DEP permit (and a lengthy process), while this is not required for repairs to the dam itself if less than 50% of the structure is being repaired or replaced.

Crooker asked that, in future, the Selectmen should please give consideration to water retention measures. Yates indicated that the Board are open to discussion, but hopefully the current repairs will last for a while and further drawdowns would not be necessary. Hall agreed to a request to place a notice on the Town's web site regarding the drawdown.

Upper Round Pond Road bridge: Hall reported that final inspection of the bridge with the engineer and contractor is now scheduled for Friday October 18, at 10 am. At that time a punch list will be agreed for completion before final payment is made.

Overboard discharge violation: Joe Rose, Code Enforcement Officer, reported on the court appearance that morning regarding the Town's Complaint and Citation for an overboard discharge violation at 14 Bridgeview Lane, New Harbor. One of the two co-owners had appeared and agreed to a Stipulation and a Memorandum of Understanding, which the Court accepted with a compliance date of June 1, 2020. These documents accept wrongdoing on the part of the property owners. If a new septic system is not installed by the June 1 date, and the Town's costs and the fine through this day's date paid, the Court will further sanction the property owner.

It was moved by Poland, seconded by Yates, to accept and sign the Memorandum of Understanding dated October 16, 2019, between the Town and Scott Baybutt. Motion passed 3 – 0.

Broadband expansion: Hall reported that four volunteers had stepped forward to serve on the proposed Broadband Committee, discussed on October 4<sup>th</sup>, but he hoped at least seven would come forward as the minimum for an effective Committee. He will re-advertise the request for volunteers and report back in November.

Selectmen's Financials: Hall presented the nine months' financials in a new format developed by Deputy Treasurer Lindsay Currier. He suggested that Selectmen take home this (very detailed) report and email him with questions. The Town is on course to come in under budget for the 12 months.

### **Regular Business**

**Abatements:** Hall presented four Abatement Warrants, of which three are for consecutive years for a single property (Map 015, lot 007) due to the failure

correctly to record the subdivision of a lot, and the fourth due to the property at Map 010, lot 022-B being determined to be partially uninhabitable.

It was moved by Poland, seconded by Yates, to approve Abatement Warrant number 2019-0009, in the amount of \$330.75, for Map 010, lot 022-B. Motion passed, 3 – 0.

It was moved by Yates, seconded by Poland, to approve Warrants numbers 2019-0010, 2018-0010 and 2017-0010, each for \$630.75 plus interest. Motion passed, 3 – 0.

Building permits: Selectmen reviewed and signed Building Permits for Map 003, lot 093-E; Map 004D lot 027; Map 007, lot 050-E; Map 009, lot 076-2.

Selectmen reviewed and approved Warrants for payroll and accounts payable for the Town Office and Fire & Rescue Department, the Parks & Recreation Department, and the Bristol / South Bristol Transfer Station.

Under ‘Correspondence Received’, Hall presented a draft appeal for capital funds from the Central Lincoln County Ambulance service. CLCA will be seeking \$1,000,000 to replace two ambulances with new equipment.

Hall reported the Town had received a claim for \$22,000 damages from the company which insured Thomas Chappell’s boat, damaged at mooring in New Harbor in the fall of 2018. The insurance company claimed negligence on the part of the harbormaster for setting moorings too close together. The claim has been handed to Maine Municipal Association’s Risk Management Services for defense. MMA believe that the Town will be found immune under the Maine Tort Claims Act, but if not, can show that the fault lay in boat owners mooring vessels in excess of their stipulated size.

Hall reported a further claim, for medical expenses incurred after a fall at a town boat ramp in Round Pond. He had replied regretting the Town cannot pay such expenses, citing the Maine Tort Claims Act.

There were no Public Comments.

Chair Hanna gave notice of forthcoming meetings as follows:

- Harbor Committee: Thursday, October 17<sup>th</sup>, 5 pm at the Town Office
- Bicycle-Pedestrian Committee (‘Bristol Byways’): Monday, October 21<sup>st</sup>, 6.30 pm at the Town Office
- Shellfish Committee: Monday, November 4<sup>th</sup>, 6.30 pm at the Town Office
- Parks and Recreation Commission: Tuesday, November 5<sup>th</sup>, 6.00 pm at the Ellingwood Information Center
- School Board: Wednesday, November 6<sup>th</sup>, 5.30 pm at the School library
- Selectmen: Wednesday, November 6<sup>th</sup>, 7 pm at the Town Office

There being no further business, Selectmen adjourned at 8.40 pm.

Respectfully submitted,

Chris Hall

Town Administrator