



**Selectmen's Meeting
April 4th, 2018
MINUTES**

Selectmen Present: *Chad Hanna, Terry Lowd, Paul Yates*

Also Present: *Chris Hall (Town Administrator); Mike Burke (Interfluve, LLC); Phil Averill, Alex Beaudet, Sandra Brackett, Earle Cooper, Richard Francis, Chuck Hanson, Kristine Poland.*

The meeting was called to order by Chair Chad Hanna at 7.00 pm, followed by the Pledge of Allegiance.

It was moved by Lowd, seconded by Yates, to accept the Minutes of the Selectmen's meeting on March 21st, with an amendment suggested from the floor by Hanson to correct the number of positions on the Budget Committee to be appointed, from 3 to 4. Passed 3 – 0.

In a matter arising from those minutes, Hanson asked about the practice of appointments ending with the following Annual Town Meeting, meaning that there is legally a short hiatus in key positions such as Fire Chief before they are reappointed. Administrator Hall will research what other towns do in such cases.

It was moved by Yates, seconded by Lowd, to accept the minutes of the meeting of March 28th. Passed 3 – 0.

Old Business:

Mike Burke, a principal at Interfluve's Damariscotta office, introduced his firm. They are water resources engineers and hydrologists, who frequently partner with civil engineers and surveyors, including Gartley & Dorsky, for studies of river passage. They have played a key role in the Sheepscot River fish passage solutions at Head Tide and Coopers Mills.

Selectmen are seeking an outline of the fish passage options at the Bristol Mills Dam, given that the single Denil design that was approved by regulatory bodies in 2015 is thought not to be sufficient to pass the expected full capacity of a healthy Pemaquid watershed alewife run. The Town needs to understand the likely costs of each design, and the amount of space required and likely ledge removal necessary if a design can be installed at the Bristol Mills Dam. It was suggested that this could be accomplished in tandem with a site survey by Gartley & Dorsky.

With regard to the permitting process, Burke explained that that the actual issued permits for the Denil fishway should be consulted, but that Resource Protection Act permits typically require initiation of project within 4 years, and completion in 7, but Corps of Engineers permits typically require initiation in 3 and completion in 4. It is expected that the Town will have to commence a new permitting process – which can last up to a year – for whichever solution (including dam removal) is selected.

In response to questions from Francis, Hanna stressed that Selectmen have not come to any decision to date but they hope to take a decision in the coming year on a solution that will be acceptable to the Town, while optimizing fish passage. This meeting is the first of what is likely to be many public discussions by the Board of Selectmen before they decide on a recommended solution. Such a recommendation will be placed before voters not later than the 2019 Town Meeting, where voters will have the final say. Francis suggested that such a vote could be by secret ballot, perhaps in conjunction with the statewide Primary Election.

Hall was asked to discuss and solicit a scope of work with Interfluve and Gartley & Dorsky, and report back.

Power Purchase Agreement: Hall reported that he had received a first draft of the Sundog Solar Power Purchase Agreement, copies of which were reviewed by Selectmen. Hall stated he had questions regarding insurance, the warranty on the equipment, and the availability of online real-time generation data. He will discuss these with Sundog and report back.

Plastics recycling: Hall reported that the plan for separation of plastics in three bins – for grades 1, 2, and 3 through 7, reported to Selectmen in a letter from the County Administrator dated February 26th, had been changed with little notice in the week before new arrangements were due to start on April

1st. At present Lincoln County Recycling (LCR) is not taking #1 or #6 black plastic, and has apparently told the Bristol/South Bristol Transfer Station that if the ##3-7 container is contaminated with any item of these grades, they will consign the entire container to the landfill and, on a second occasion, cease to take Bristol plastics. Manager David Poland was reported as saying that LCR appear to be making it so difficult that either we would have to stop recycling plastics, or hire an additional person to sort them. The Transfer Station is therefore at present only taking #2 plastic for recycling.

Selectmen discussed whether it is time to end the relationship with Lincoln County Recycling, if we are not getting cost-effective recycling services from them. It was noted that many summer residents now expect single-sort recycling, and there are companies offering that service. Selectmen will raise the matter with South Bristol Selectmen at an early meeting of the Transfer Station Board.

Shellfish Committee: Town Clerk Rachel Bizarro, as staff to the Committee, has made repeated attempts to clarify exactly what DMR are studying or investigating with regard to the resource and the numbers of licenses issued in Bristol and South Bristol. She has failed to get answers both in email and direct telephone communication with senior DMR management.

Hall offered the text of a letter to Kohl Kanwit, the DMR Director Public Health, requesting clear answers and an opportunity for the Town to participate in any rule- or decision-making. It was moved by Lowd, seconded by Yates, to sign the letter and request Hall to have it mailed on Monday, April 16, if no response had been received by then.

Regular Business:

Selectmen reviewed a list of 66 new Homestead Exemptions, and reviewed and signed 17 Veterans' and Veterans' Widows property tax exemptions, two Tree Growth Land Classifications and one change of name on a Working Waterfront Classification.

First Quarter financials were reviewed and noted. For the first time, this included a report for Code Enforcement, now that it has a budget including appropriations from Town Meeting.

Six building permits were reviewed and approved, for the following properties:

- Map 002, lot 061-A
- Map 002, lot 99-A
- Map 002A, lot 018
- Map 007, lot 136
- Map 027, lot 13-D
- Map 030, lot 006.

Correspondence received:

- A bridge inspection report was received from Maine DoT for the Old Hebert (now Gage) Bridge on Bristol Dam Loop. The condition is satisfactory.
- Calderwood Engineering propose Thursday, April 12th as the date for a pre-construction meeting on the Varney Bridge. Selectmen requested an evening time for the meeting.
- Colonial Adjustment, Inc., reported their valuation of the storm damage incurred at the Lighthouse Park at \$11,280. If this is reflected in the final settlement with Maine Municipal Association's Property and Casualty Pool, it will, together with the grant received in 2017, cover the full cost of the re-roofing work now underway.
- Phil Averill had sent Selectmen individual letters explaining his position on the Bristol Mills Dam and fish passage. He listed organizations that he believed may fund dam removal or nature-like fish passage, and was thanked by Selectmen for his thoughtful contribution. He in turn expressed his relief that it is the Selectmen, not he, who will make the decision on fish passage. Hanna noted that he expects this to be the biggest, and hardest, decision of this year.

Public comments:

Hanson raised a question about the procedure to be followed in making annual appointments. In the case of critical functions such as that of Fire Chief, there may be a risk run in even a short delay between the expiry of one term of office (at the end of the Town Meeting in a given year) and the appointment swearing-in of a successor. This was acknowledged to be a concern, and Hall will study what other towns do and report back.

Hanson also asked that the Fire Department's by-laws be reviewed. They contain some wording errors such as "Bi-annual" (six-monthly) instead of

“Biennial” (every two years). Hall has scheduled such a review with Chief Leeman in the context of the Town’s vote for a full-time Chief’s position.

There was then a lengthy discussion, including participation by Hanson, Beaudet, Francis, Poland, and Averill, as to the criteria to be used by Selectmen in appointing members to the Budget Committee. Hanna, for the Selectmen, stressed that the Selectmen would use their judgment. No decision has been made on whether to re-appoint those expiring members who wish an additional term, or on the criteria to be used for appointment. Selectmen will read the forms completed by applicants and use their judgment. He does not expect that either an interview or a lottery process will happen, nor that ‘de-briefing’ of persons not appointed will take place. It was stressed that of 10 applicants at present, six will have to be disappointed, but they will have opportunities in other years or to serve the Town in other ways.

Earle Cooper requested the Town to put pressure on Maine DoT to do more tree trimming on Route 32 north of Chamberlain, where road width is restricted. Hall will contact the MDoT Edgecomb lot to request assistance.

Chair Hanna gave notice of the following Public Meetings:

- Selectmen will meet with bidders for the Town’s 2018 highway paving contract at the Town Office on Thursday, April 5th, at 6.30 pm.
- Shellfish Committee: Monday, April 9th, 6 pm at the Town Office
- Selectmen: Wednesday, April 18th, 7 pm at the Town Office
- Planning Board: Thursday, April 19th, 7 pm at the Town Office
- Parks & Recreation Commission, Tuesday, April 24th, 6 pm at the Ellingwood Information Center
- Harbor Committee: Thursday, April 26th, 6 pm at the Town Office
- School Board: Wednesday, May 2nd, 5.30 pm at the Bristol Consolidated School library.

It was moved by Lowd, seconded by Hanna, to adjourn. Motion passed, 3–0, at 9.17 pm.

Respectfully submitted,
Chris Hall
Town Administrator