



**Selectmen's Meeting
April 18th, 2018
MINUTES**

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

Also Present: *Chris Hall (Town Administrator); Sean Hunter (Highway Dep't.); Phil Averill, Sandra Brackett, Richard Francis, J.W. Oliver, representatives of paving bidders.*

The meeting was called to order by Chair Chad Hanna at 7.03 pm, followed by the Pledge of Allegiance.

It was moved by Hanna, seconded by Yates, to accept the Minutes of the Selectmen's meeting on April 4th. Motion passed 3 – 0.

Bid Opening:

Bids were opened from Crooker Construction, Hagar Enterprises and Performance Paving. Pike Industries sent word that they declined to bid. Selectmen evaluated the bids on both total bid price and price per ton of material. Hagar was determined to have the lowest per-ton price while Performance Paving had a lower overall bid price, applying fewer tons.

It was moved by Hanna, seconded by Lowd, to accept the bid from Hagar Enterprises of \$98,075.00. Motion passed 3 – 0.

Old Business:

Plastics Recycling: Hanna reviewed the meeting of the Transfer Station Board on Tuesday April 17, much of which was devoted to discussion of the decisions by Lincoln County recycling to stop taking certain grades of plastic and to require additional sorting to prevent mixing of plastic grades. In the short term, the Transfer Station is sending all grades except #2 to the landfill. While this is not a significant increase in the Town's landfill tonnage and cost, it is setback to the Town's commitment to increase

recycling and is the subject of much complaint. In the long run, the two Towns will likely move to single-sort recycling, but they are at present in the middle of a five-year contract. The Town Administrator was asked to write to the County Commissioners requesting a meeting to discuss the issue with the Bristol and South Bristol Selectmen.

Liberty Pole: Town Administrator Hall gave a short update on the Bristol Mills Liberty Pole. The rotten lower section had now been taken down, and the hoist placed on saw horses. Once the ground is sufficiently dry, J. Winchenbach will take down the pine tree donated by Jay Crooker and transport it to Boothbay Harbor Shipyard for turning. He is cautiously optimistic that a new pole will be erected this summer.

Assessment Hearing: The County Commissioners have set a revised date for the abatement appeal hearing by Michael Chase. Selectmen did not approve of this date as it is after the date of the town's 2018 Commitment, but noted Hall's finding that we have little choice; the form asking for our 'approval' of the date is simply a courtesy. Once the Commissioners have given the date to the Appellant (which they have), it is set and we have no choice in the matter. Hall will request Parker Appraisal to represent us at the hearing.

Bristol Mills Dam: Hall presented a proposal from Gartley & Dorsky to survey the Town-owned property around the dam and the bed of the river upstream and downstream of the dam. Although less than \$10,000 in value, Hanna suggested that a motion is appropriate given the high profile of all matters relating to the dam. It was therefore proposed by Yates, seconded by Lowd, to accept the bid by Gartley and Dorsky for surveying services not to exceed \$5,000, the money to be taken from the Fish Passage Reserve Account. Motion passed 3 – 0.

Selectmen then discussed how to get the Town's approval for action to either remove or repair the dam and fish passage. Hanna preferred to get a broad-based mandate for whichever course of action is to be taken, through referendum at a Special Town Meeting by secret ballot. The first opportunity for a secret ballot question at a regular election would be the statewide primary elections on June 12th. From the floor, Francis asked how the Selectmen would present and publicize such a vote. He was told the Selectmen will meet publicly with Wright-Pierce Engineers, hold a public hearing, and publicize the Special Town meeting in the usual way. Turnout can be expected to be high given Gubernatorial primaries in both main parties, while the dam issue will likely add to the turnout.

Selectmen discussed questions for such a referendum as follows:

ARTICLE 1.

Which action shall the Selectmen take with regard to Fish Passage at the Bristol Mills Dam?

- (a) Repair the existing dam, and construct a new fish passage sufficient to accommodate the expected maximum capacity for alewife migration in the Pemaquid River.

OR:

- (b) Remove the existing dam, and (i) construct a new structure for water level control above the Benner Road Stone Arch Bridge; (ii) construct new recreational swimming facilities at Ellingwood Park; and (iii) install new dry hydrants at such places as are necessary to provide alternative sources of fire protection water.

ARTICLE 2.

Shall the Selectmen be authorized to transfer up to \$40,000 from Surplus to the Fish Ladder Capital Reserve Fund, to be applied to preparatory work for either of options (a) or (b) in question (1) above?

It was noted that additional information would need to be furnished regarding the costs of each option.

It was moved by Hanna, seconded by Lowd, to hold a Special Town meeting by secret ballot on Tuesday, June 12th, from 8 am to 8 pm, to consider questions 1 and 2 noted above subject to review of wording and updated cost estimates. Motion passed 3 – 0.

New Business:

Code of Conduct: Hall circulated a draft Code of Conduct and Code of Ethics for elected and appointed officials, based on a template circulated by MMA and adapted to list Bristol's elected and appointed bodies.

On Yates' request, this was tabled until May 2nd to allow Selectmen time for further study of the draft.

Reserve Account: Hall reported the receipt of a gift of \$50,000 towards construction of a new pavilion at Pemaquid Beach Park. He expects significant further donations once a design is approved, but this money will allow the Parks Commissioners to move ahead with hiring an architect and a surveyor. He asked permission to open a new Restricted Reserve Account for the funds, as the donors have restricted their use to the intended purpose. (Money in the Town's Reserve Accounts for town-voted funds will revert to surplus if not used for the designated purpose; money in a Restricted

Reserve Account will revert to the donor if not used for the designated purpose.)

It was moved by Hanna, seconded by Yates, to authorize Hall to open a 'Pemaquid Beach Park Pavilion Restricted Reserve Account' at The First bank. Passed 3 – 0.

Regular Business:

Selectmen reviewed and approved 1 Veteran's and 3 Veterans' Widows property tax exemptions.

Selectmen reviewed and approved Building Permits for properties at:

- Map 003-A, lot 079
- Map 006, lot 008
- Map 025, lot 008.

Selectmen reviewed 24 Special Entertainment Permit Applications from the 1812 Farm, covering events through the summer. All were approved.

Hall brought two tax-acquired properties to the notice of Selectmen. In the case of a parcel at Map 008, Lot 057, he recommended moving towards a public sale by sealed bid. The former owner had signed a repurchase Contract with the Town in January 2014, but – while making regular small monthly payments – had never complied with the terms of the Contract. Selectmen asked Hall to give him a final 30 days to pay the outstanding sums in full before moving to a sale.

In the case of a property at Map 02A, lot 045-A-3, Hall reported that the former owner had paid \$850 in three installments to the Town in the last three weeks, since the property was posted as Town-owned, No Trespassing. She intends to pay the balance due by June 30. It was moved by Hanna, seconded by Yates, to file a Supplemental Assessment for that property for 2017, and to sign a Repayment Agreement which should lead to a Quitclaim Deed after the final payment at the end of June. Motion passed 3 – 0.

Hall also noted that on a third property, not yet tax acquired but with a lien due to mature in December 2018, the widow of the recently deceased owner wishes to pay \$150 a month until the back taxes are paid in full. He will conclude an agreement with her to that effect and seek to hold off on acquisition of the property as long as the agreement is honored.

Selectmen reviewed and signed Warrants for the Town, Parks & Recreation Commission, and the Bristol/South Bristol Transfer Station.

Correspondence received:

- A reply was received from Kohl Kanwit, Maine Department of Marine Resources, explaining the reasoning for the forthcoming DMR evaluation of the Town's shellfish resource.
- Calderwood Engineering had sent a biweekly update on the Varney Bridge.
- Complaints had been received regarding an illuminated, but non-digital, sign in New Harbor advertising the purchase of elvers. Paul Yates agreed to speak to the property owner and find when it is proposed to be taken down.
- The Parks and Recreation Department has been approached by a Next Edge Networks, a company under contract to the Coast Guard to install small range finder-type antennas at seaward-facing points along the entire eastern seaboard. They have offered \$1,000 a year to install a unit at the Lighthouse Park. Selectmen approved of the decision not to allow installation on the lighthouse itself, but to offer placement on the storage building or toilet block.

Public comments:

Oliver spoke to the proposed Code of Conduct, as a member of the Budget Committee. He suggested Selectmen should incorporate a strong section on Conflicts of Interest, not narrowly defining this in terms of financial gain but also barring the use of office to pursue private grievances. He was pleased that there are numerous volunteers for service on the Budget Committee, and suggested that members should not automatically be reappointed, but that the Selectmen consider rotating long-serving members off to allow for new blood and fresh thinking.

Chair Hanna gave notice of the following Public Meetings:

- Planning Board: Thursday, April 19th, 7 pm at the Town Office
- Harbor Committee: Thursday, April 26th, 6 pm at the Town Office
- Parks & Recreation Commission, Tuesdays, May 1st, 8th, 22nd and 29th, 6 pm at the Ellingwood Information Center
- School Board: Wednesday, May 2nd, 5.30 pm at Bristol Consolidated School
- Selectmen: Wednesday, May 2nd, 7 pm at the Town Office
- Shellfish Committee: Monday, May 7th, 6 pm at the Town Office

It was moved by Lowd, seconded by Hanna, to adjourn. Motion passed, 3–0, at 8.53 pm.

Respectfully submitted,
Chris Hall
Town Administrator