



**Selectmen's Meeting  
April 3<sup>rd</sup>, 2019  
MINUTES**

Selectmen Present: *Chad Hanna, Kristine Poland, Paul Yates.*  
Also Present: *Chris Hall (Town Administrator); Marshall Cole (Calderwood Engineering); Vaughan Stevens (Hagar Enterprises, Inc.); Candy Congdon (Lincoln County News); Chuck Hanson; Phil Congdon.*

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

Hall noted that Chuck Hanson had requested a change in the draft Minutes of March 20<sup>th</sup>. After discussion it was moved by Poland, seconded by Yates, to accept the Minutes of the Board of Selectmen's Meeting of March 20<sup>th</sup> as amended, and the Minutes of March 27<sup>th</sup> as presented. Motion passed 3 – 0.

The amendment to the 3/20/19 Minutes reads 'From the floor Hanson stated his understanding that a **Town** poll to approve the final design had been **intended** by the Commissioners.' [Replacement words in bold.]

**Old Business:**

Upper Round Pond Bridge replacement (tabled March 27<sup>th</sup>): Chair Hanna invited Marshall Cole of Calderwood Engineering and Vaughan Stevens of Hagar Enterprises, Inc., to join them at the table. Hagar had revised their bid based on amended construction drawings from Calderwood, and were able to both reduce the amount of concrete required (due to the use of piling to bedrock instead of excavation) and to get a lower concrete price from a subcontractor.

Stevens presented their revised bid at \$590,000, but said that if the Town would be prepared to waive the performance bond requirement, and extend the window for bridge closure to a maximum of 60 days, they would be able to reduce this to \$575,000. He stressed that if there is a need for change orders they would have to seek additional payment, given the tight margins at the new bid level.

After discussion, it was moved by Poland, seconded by Yates, to accept the bid of \$575,000 with the conditions shown above. Motion carried, 3 – 0.

Other 2019 Capital projects: Hall reported that the informal discussions with D.M.R. regarding the Bristol Mills Dam repair and fish ladder project had reached a point where he expected that permits will be granted by the several regulatory agencies within a month or so. He was concerned about the non-availability of Becker Construction for the 2019 construction season, due to a family illness, and asked the Selectmen for permission to hold exploratory discussions among Becker, Gartley & Dorsky (who are handling the permit paperwork), Hagar Enterprises and the likely concrete and masonry contractors to see if a design-build team could be assembled to minimize construction risk. Hanna stressed that if construction is deferred until the 2020 season, that may be a better alternative than rushing into the job before design and costing is finished. He had discussed the timing with the major grantor for the project, who did not object to a deferral to the 2020 season. Hanna felt that the dam repair work could proceed this year, subject to its cost and funding, and that Hall should proceed with discussions with contractors.

The Pemaquid Beach pavilion project sees its last public input session on April 9<sup>th</sup>, and in the following week beginning April 15<sup>th</sup> the Parks Department intends to hold an online poll using both Facebook and Survey Monkey to gain feedback on a final design. The Park Commission hopes to go out for bids in early May.

\$225,000 has now been collected to fund the Bristol School ballfield project, with additional funding being raised by the Boosters and available from the \$25,000 use of the school's surplus voted by the Town Meeting. Nathan O. Northrup, Inc., will start clearance of the land this month.

On the Munro Bridge dry hydrant, the Town's road crew has begun land clearance and Rusty Bryant will begin the excavation of the fire pond once the land is sufficiently dry.

Legal Matters: the Town has been notified that as the lawsuit *Emanuel et al vs. Wotton's Lobster Wharf, Inc.*, proceeds through the courts, the Town's Administrator, Health Officer and Code Enforcement Officer are likely to be subpoenaed to explain the Town's lack of standing to intervene, as upheld by the High Court in the separate case brought by Emanuel et al against the Town and dismissed last year.

### **New Business:**

Broadband coverage: Poland and Hall had met on March 28 with Tidewater Telecom, who are studying a buildout of fiber to bring broadband coverage throughout the Town in the coming years. They expect to be able to make a presentation on their plans to Selectmen in May.

Hall also noted that they are preparing to roll out a television option on their fiber lines which would directly compete with the cable franchise holder, Charter Communications under their Spectrum / Time Warner brand.

Selectmen would be open to endorsing applications for ConnectME and federal grants for expansion of broadband coverage in unserved parts of the Town, and Hall will arrange for introductions for Tidewater to the several neighborhood associations and Village Improvement Societies in Bristol that have email lists.

Public Records Policy: Hall requested that Selectmen consider updating the Town's policy on charges for staff time for handling Freedom of Information requests, based on the 2011 amendments to the Maine Public Records Access law (M.R.S. 13, section 408-A). Hanna suggested this be tabled to April 17<sup>th</sup> to allow time to study the law.

### **Matters Referred from Other Town Bodies:**

Parks and Recreation: (i) The Commissioners brought back a new lease for the Lighthouse Park gallery with the Pemaquid Group of Artists, having corrected the error regarding payments for electricity identified at the meeting of March 20<sup>th</sup>. It was moved by Yates, seconded by Poland, to approve the new lease as amended. Motion passed, 3 – 0, and Selectmen signed the lease.

(ii) Hall reported that as a result of the receipt of a legacy from the late Bette Zwicker of Bristol Mills, dedicated to maintenance and upkeep of the Pemaquid Lighthouse Park, the Commissioners proposed to expand the scope of work for window replacement this year, currently under way with contractor Neal Kimball, to complete the remaining windows that would have been replaced in 2020. Hanna asked that details of the costs be brought to the next meeting, and the item was tabled until April 17<sup>th</sup>.

### **Additional Agenda Item:**

Jay Crooker and Rick Poland, representing the Fish Committee, requested that Selectmen appoint the 2019-2020 Fish Committee as they now had five volunteers, including themselves, to serve on the Committee, and the start of the alewife run is not far off.

It was moved by Yates, seconded by Poland, to appoint the following to the Fish Committee for the year to March, 2020: Tyler Cheney; Jay Crooker; Brent Fogg; Rick Poland; and Nathan Simmons. Motion passed, 3 – 0; the Town Clerk will prepare appointment paperwork for signature with the Warrants of 4/10/19.

### **Regular Business:**

Building permit applications were reviewed and approved for properties at Map 04C, lot 029; Map 018, lot 048; and Map 021, lot 088.

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

Under correspondence, notice was received of a Maine DoT training class for flagger certification.

Hanna gave notice of forthcoming Public Meetings as follows:

- Parks and Recreation Commission: Thursday, March 21<sup>st</sup>, 6 pm at the Ellingwood Park Information Center
- Harbor Committee: Thursday, March 28<sup>th</sup>, 6 pm at the Town Hall
- Selectmen; workshop on Upper Round Pond Road bridge, Wednesday, March 27<sup>th</sup>, 7.00 pm; regular Board of Selectmen meeting, Wednesday, April 3<sup>rd</sup>, 7.00 pm, both meetings at the Town Hall
- Shellfish Committee, Monday, April 1<sup>st</sup>, 7.00 pm at the Town Hall
- Planning Board, Thursday, April 18<sup>th</sup>, 7 pm at the Town Hall

It was moved by Yates, seconded by Hanna, to enter Executive Session to discuss a personnel matter, pursuant to M.R.S.A. Title 1, §405.6.A. Motion passed, 3 – 0, and Selectmen entered Executive Session at 8.20 pm.

Selectmen came out of Executive Session at 8.30 pm. There were no actions taken as a result of the Executive Session.

There being no further business, the meeting adjourned at 8.31 pm.

Respectfully submitted,  
Chris Hall  
Town Administrator