



**Town of Boothbay  
Board of Selectmen Meeting  
Wednesday, August 10<sup>th</sup>, 2022  
6:00 PM  
Agenda**

**Board of Selectmen**

Chuck Cunningham, Chairman  
Mike Tomacelli, Vice Chairman  
Steven C. Lewis  
Dale C. Harmon  
Russell Pinkham

**Town Manager**

Daniel Bryer

1. **Pledge of Allegiance**
2. **Public Hearing-**
3. **Public Comment**
4. **Approve Minutes-** 1. May 25<sup>th</sup>, 2022  
2. July 13<sup>th</sup>, 2022  
3. July 27<sup>th</sup>, 2022
5. **Reports**
6. **Old Business**
7. **New Business-** 1. Municipal Pole permit
8. **Public Comment**
9. **Review Warrants**
10. **Adjourn Meeting**

**Board of Selectmen**

Chuck Cunningham - Chairman  
Michael Tomacelli - Vice Chairman  
Dale Harmon  
Steven Lewis  
Russell Pinkham

**Town Manager**

Daniel Bryer Jr.



**Town of Boothbay  
Board of Selectmen Meeting  
Wednesday, May 25, 2022  
7:00 PM**

**MINUTES**

**Present:** Chuck Cunningham, Mike Tomacelli, Russell Pinkham and Town Manager, Dan Bryer Jr.

**Chuck called the meeting to order at 6:00**

**Pledge of Allegiance**

**Public Hearings:**

1. Steve & Susan Plaustainer, dba Five Gables Inn. Map R-15, Lot 30, located at 107 Murray Hill Rd., East Boothbay, Maine for renewal of an Innkeeper's License.  
Mike Tomacelli made a motion to approve the Five Gables Inn application. Russell Pinkham seconded the motion. Vote: 3-0 in favor.

2. Ocean Point Inn, owner Robert Blood and Rich Cooper, dba Bluebird Ocean Point. Map U3 Lot 23, located at 191 Shore Rd., East Boothbay, Maine for renewal of Innkeeper's License, Special Amusement Permit (Class C) and a Liquor License (Class V).

**Discussion:**

The Board had some questions on the application. Brandon Moser, attorney from Perkins Thompson, is in attendance to answer questions.

Cunningham questions the ownership, management and decision making control of the Inn. The ownership percentage is confusing that Rich and Rob each have 5% ownership yet are decision making authority over the Inn.

Mosser explains that they are the two individuals who have control. The other ownership are two entities and do not have decision making control.

Cunningham would like an OK from the state that this type of ownership is acceptable. An email would be fine. Cunningham then questions the Liquor License class. The application is asking for a Class V Bed and Breakfast class. The town would not consider this a bed and breakfast. It would be an Inn and should be a Class I (A) liquor license.

Mosser agreed that was a clerical error and would be amended and the additional fee paid to the State.

Mike Tomacelli made a motion to conditionally approve the Ocean Point Inn's Innkeeper's License, Special Amusement Permit (Class C) and a Liquor License (Class I (A)) with the condition the state provides an email that they are OK with the ownership hierarchy. Russell Pinkham seconded the motion. Vote: 3-0 in favor.

3. Tubman Wharf & Weir, located at 365 Barter Island Road, Boothbay, Maine. Owners are Erica Tubman and Hugh Reece.  
Mike Tomacelli made a motion to approve the wharf and weir. Russell Pinkham seconded the motion. Vote: 3-0 in favor.

**Public Comment: None**

**Approve Minutes: None**

**Reports:**

Dan Bryer

Clifford Park project: Dan did a site visit with Farley & Sons. They will be cordoning off the area for safety reasons. We will be getting posterboard with the conceptual drawings for people to see the project. We have a small copy of the plans at the town office and Dan will be happy to answer any questions that he can.

Dan would like to commend the Boothbay Fire Department along with all the other departments who responded to the large fire in Boothbay Harbor last week. All departments worked as a team and saved many other properties by containing the fire to the one structure.

Chuck Cunningham

Boothbay and Boothbay Harbor select board met again regarding the charter. They are sending it off to Sally Daggett, attorney for her to review the general wording and bring it up to today's standards, with the main goal of amending the voting to referendum at the town meeting and changing the payment terms.

There is another meeting scheduled for May 31, 2022 at 5:00 at the Boothbay Town office conference room.

**Old Business: None**

**New Business:**

1. Release Deeds – The town had 2 legacy properties with large amounts of back taxes. These properties were almost impossible to figure who owned them therefore the town could not notice someone that we were going to take the properties over. In the past 2 weeks both properties have gone to probate and both determined clear ownership. Both property owners have cleaned up the back taxes. Dan and attorney Daggett are asking the Board to authorize Dan to sign off on the liens for each property on behalf of the Board, releasing each property to the owners.

Mike Tomacelli made a motion to allow Dan Bryer to release the deeds for properties located at tax map/lot # U11-12 and R7-54. Russell Pinkham seconded the motion. Vote: 3-0 in favor.

**Public Comment: None**

**Review Warrants and Sign:**

Mike Tomacelli made a motion to review and sign warrants. Russell Pinkham seconded the motion. Vote: 3-0 in favor

**Adjourn Meeting:**

Mike Tomacelli made a motion at 7:25 PM to adjourn the meeting. Russell Pinkham seconded the motion. Vote: 3-0 in favor.

**Board of Selectmen**

Chuck Cunningham - Chairman  
Michael Tomacelli – Vice Chairman  
Dale Harmon  
Steven Lewis  
Russell Pinkham

**Town Manager**

Daniel Bryer Jr.



**Town of Boothbay  
Board of Selectmen Meeting  
Wednesday, July 13, 2022  
6:00 PM**

**MINUTES**

**Present:** Dale Harmon, Mike Tomacelli, Chuck Cunningham, Russell Pinkham, Steve Lewis and Town Manager, Dan Bryer Jr.

**Chuck called the meeting to order at 6:00**

**Pledge of Allegiance**

**Public Hearings: None**

**Public Comment: None**

**Approve Minutes: June 8, 2022**

Chuck would like to have names corrected to first name only throughout the minutes (besides the attendance at the beginning).

Steve made a motion to approve the June 8, 2022 meeting minutes with name corrections. Dale seconded the motion. Vote: 4-0 in favor; Mike abstained from voting as he did not attend the June 8, 2022 meeting.

**Reports:**

Dan Bryer

Clifford Park is going well. Tonight, they will be finalizing the utility easement from Chapel St.

There continue to be issues with the Barter's Island bridge. When it opens they have issues getting it closed fully making it unsafe for cars to pass over it, including emergency vehicles, thus causing a safety issue. Dan has been working with Holly Stover and Coast Guard Chief Smart to figure out how to resolve the issue. Chief Smart will be recommending to the Maine DOT the bridge remains closed (meaning will not open for boats to pass through) until they have a solution to the closing issue.

Next week the community fridge and shed should arrive.

**Old Business: None**

**New Business:**

- 1. Shri Verrill – Community Resilience Partnership:** This is a program through the Governor's office for the implementation of priority climate adaption projects. There are 8 strategic areas of focus all to improve climate control. By joining this partnership, it would give up to \$50,000 per town to enroll in the program and start the process of implementation. If the town appoints Shri as the Service Provider she would get the town signed up for the program and be available for 12 months to assist with identifying funding for the determined priorities and write grants.  
Shri is asking for a letter of support from the board that they would like her to become the Service Provider to the town for enrollment and implementation of this partnership as well as allowing Dan to work with her on the enrolment criteria.  
Steve made a motion to sign the letter of support. Dale seconded the motion. Vote: 5-0 in favor.
- 2. Municipal Appointments:** Steve made a motion to approve the municipal appointments as written. Mike seconded the motion. Vote: 5-0 in favor.

3. **Vote for warrant article regarding removal of fluoride from municipal water:** Steve made a motion to add the warrant to the November ballot. Dale seconded the motion. Vote: 5-0 in favor.
4. **Public Works Truck Replacement:** Steve made a motion to purchase the Dodge truck from Hight which is currently available and the best price. Dale seconded the motion. Vote: 5-0 in favor.

**Public Comment:**

Drew Peck, property owner with town conservation agreement at the mouth of Pleasant Cove, wanted to make the town aware of a new oyster farm in the Damariscotta River at the mouth of Pleasant Cove. Drew has concerns about navigation, ecosystem impact and the impact it may have on future conservation land agreements. There is a meeting at DMR regarding the approval of this farm on July 27, 2022 at 5:00PM. Drew is hoping the town will voice concerns to DMR regarding the above. Steve feels that the board can't voice these concerns without doing their own research and doesn't feel there is enough time before the meeting to gather adequate information. Also, the town has no jurisdiction over the water, the state has that. The board decided to write a letter to DMR asking them to delay their decision due to navigation concerns.

Steve made a motion to send a delay request letter to DMR. Dale seconded the motion. Vote: 5-0 in favor.

**Review Warrants and Sign:**

Mike made a motion to review and sign warrants. Dale seconded the motion. Vote: 5-0 in favor

**Adjourn Meeting:**

Steve made a motion at 7:10 PM to adjourn the meeting. Dale seconded the motion. Vote: 5-0 in favor.

**Board of Selectmen**

Chuck Cunningham - Chairman  
Michael Tomacelli - Vice Chairman  
Dale Harmon  
Steven Lewis  
Russell Pinkham

**Town Manager**

Daniel Bryer Jr.



**Town of Boothbay  
Board of Selectmen Meeting  
Wednesday, July 27, 2022  
6:00 PM**

**MINUTES**

**Present:** Dale Harmon, Chuck Cunningham, Russell Pinkham, Steve Lewis and Town Manager, Dan Bryer Jr.

**Chuck called the meeting to order at 6:00**

**Pledge of Allegiance**

**Public Hearings:**

1. PGC2, LLC, dba Boothbay Harbor Country Club, Map R07, Lot 002-B, located at 50 Sugar Maple Lane, Boothbay, Maine for renewal of a Restaurant Liquor License (class I, II, III, IV). Steve made a motion to approve the Restaurant Liquor License (class I, II, III, IV) located at 50 Sugar Maple Lane, Boothbay, Maine. Dale seconded the motion. Vote: 4-0 in favor.
2. PGC2, LLC, dba Boothbay Harbor Country Club, Map R07, Lot 002-B, located at 40 White Birch Lane, Boothbay, Maine for renewal of a Restaurant Liquor License (class I, II, III, IV). Steve made a motion to approve the Restaurant Liquor License (class I, II, III, IV) located at 40 White Birch Lane, Boothbay, Maine. Dale seconded the motion. Vote: 4-0 in favor.

**Public Comment:**

Dale talked to Richard Spofford, Boothbay Fire Chief, about Richard's concerns regarding street lighting at a couple of different locations around town. The intersection of Corey Ln. and Barter Island Rd. needs additional lighting even if an additional pole is required. The entrance to The Coastal Maine Botanical Gardens also needs additional lighting. Chuck asked that Dan gather estimates for the additional lighting.

Steve is unhappy with comments made by John DeSimone (Antique Dealer) who puts on the antique show on the Boothbay Common. DeSimone commented that since the Boothbay Selectman would not allow him to charge admission to his event that he may not be able to continue after this year. Steve felt his comments implied that the Selectman had "screwed" him by not allowing the admission. Steve feels that since DeSimone is not a Boothbay tax payer and is using town property at essentially no cost (as long as there are no damages, the deposit is returned to the coordinator) that he should not be bad mouthing the town.

**Approve Minutes: None**

**Reports:**

Dan Bryer

The shed for the community fridge has been placed behind the Boothbay Town Office. The town crew will be roofing the shed and the power still needs to be installed.

Clifford Park water and sewer easements are in place. They have found that blasting will have to be done for the required depths and spacing of the two utilities.

Dale and Dan attended the joint meeting of the School Board and the School Trustees regarding the school charter. It has been advised by the Town of Boothbay lawyer, Sally Daggett, and the Boothbay School lawyer Bill Stockmeyer, that the charter be appealed and rewritten rather than picking things here and there to amend.

The Board would like to find out a timeframe for an appeal and rewrite. If its going to be a long process they think it would be best to move forward with the few priority things, such as amending the budget voting to the Town Referendum vote in an effort to get more taxpayers to weigh in on the school budget. Steve suggested that Boothbay and Boothbay Harbor Selectman reconvene in workshop to discuss this together and come up with a plan. The Board asked Dan to set up this workshop.

**Old Business: None**

**New Business: None**

**Public Comment: None**

**Review Warrants and Sign:**

Dale made a motion to review and sign warrants. Steve seconded the motion. Vote: 4-0 in favor

**Adjourn Meeting:**

Dale made a motion at 6:30 PM to adjourn the meeting. Russ seconded the motion. Vote: 4-0 in favor.

**Central Maine Power  
Town Pole Permit  
Fax Cover Sheet**

**Date:** 7/27/2022

**Subject:** Town Pole Permit

**To:** Boothbay

**Fax number:** 633-6620

**CMP Job number:** 10300892205

**Street Name:** Back Narrows Rd

**Number of pages including cover letter:** 4

Please sign attached. Return to: Line Clerical New Service  
at [lineclerknewservice@cmpco.com](mailto:lineclerknewservice@cmpco.com) or fax 207.629.4752



Form 4501

Notification: 10300892205

Work Order: 801000477153

**CENTRAL MAINE POWER COMPANY**  
**APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION**

In the City/Town of: Boothbay, Maine

To the: ☐ City  
☒ Town  
☐ County of: Lincoln, Maine

☒ Central Maine Power hereby applies for permission to:☒ Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.☐ Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.☒ Central Maine Power Company and Consolidated Communications of Northern New England Company LLC jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point. pole 15

2. Road (State &amp; CMP). Back Narrows Rd

3. Direction: Northeasterly

4. Distance: 160 feet

5. Number of Poles. 10103407435

☒ Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.☐ Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication

☐ Public Notice of this application has been given by publishing the text of the same☒ Not Published

In: \_\_\_\_\_

On: \_\_\_\_\_

CENTRAL MAINE POWER COMPANY

Consolidated Communications of Northern New England Company LLC

By: Christina LaGuardia

Date: Jun 30, 2022

By: Jessica Theriault Date: 7/27/2022  
Jessica Theriault - Right of Way



Form 4503

Notification: 10300892205

Work Order: 801000477153

## LOCATION PERMIT

Upon the Application of Center Maine Power Company and Consolidated Communications of Northern New England Company LLC dated Jun 30, 2022, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of Boothbay approximately located as follows.

1. Starting Point: pole 15

2. Road (State &amp; CMP): Back Narrows Rd

3. Direction: Northeasterly

4. Distance: 160 feet

5. Number of Poles: 10103407435

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Municipal Officers

Office of the \_\_\_\_\_

Received and Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk