

**Board of Selectmen**

Charles R. Cunningham, Chair  
Steven Lewis, Vice Chair  
Douglas Burnham  
Stephen W. Ham  
Dale Harmon

**Town Manager**

James D. Chaousis II



**Town of Boothbay  
Board of Selectmen Meeting  
Monday, March 11, 2013  
7:00 PM  
MINUTES**

1. **Call Meeting to order:** Chairman, Chuck Cunningham called the meeting to order at 7:00PM. **Present:** Charles Cunningham, Steven Lewis, Douglas Burnham, Stephen Ham, Dale Harmon and James Chaousis II, Town Manager
2. **Pledge of Allegiance to the Flag**
3. **Public Hearing: Automobile Graveyard/Junkyard Permit** Phillip J and Annette Main, Dover Used Car Parts, Map R2 Lots 24A and 24B at 76 Dover Road, renewal of junkyard permit.

Mr. Chaousis said this is a renewal and the application is complete. The CEO did a check of the property and has no concerns with the application permit being granted. Steve Lewis made a motion to approve the application as presented and Dale Harmon seconded the motion. Martin Page asked if the permit had to be renewed every six months or every year. Steve Ham said it was every year, it had only been every six months while some fence repairs were being taken care of. **Vote: 5-0 in favor.**

**4. Alex Jackimovicz – resident request to resolve against Governor LePage’s budget.** Mr. Jackimovicz said he is working on a state wide move to stop the Governor’s budget. There are many things in the budget that will take away from the towns, such as revenue sharing, funding for schools, homestead reimbursement, excise tax and so on. Mr. Jackimovicz read a resolution with suggested language he would like to see the Selectmen sign and send to the Governor. While the Selectmen had different views on some of the items in the budget and how it should be handled, they were not comfortable with saying the whole budget was wrong, but agreed they would be receptive to signing a resolve if it was just about revenue sharing. Mr. Chaousis said he would work on a resolution that just dealt with Revenue Sharing and he would make room in his schedule to go to Augusta on Wednesday to testify at the hearing if the Selectmen would like him to do so.

**5. David Stimson, resident request to amend Zoning Ordinance.** Mr. Stimson would like to request an ordinance change be placed on the ballot at this year’s town meeting. Mr. Stimson reviewed his reasons for requesting this change, his belief that the Comp plan wants to encourage Maritime activities in Boothbay including boat

building. Mr. Stimson reviewed the current definitions relating to Boat building and Maritime activities.

Mr. Stimson presented to the Selectmen what he proposes as a change to the zoning ordinance. In the definition for both Commercial fishing activities and Maritime Activities he suggested starting the definitions by saying construction and repair instead of just repair of boats. In both definitions he also suggested eliminating the sentence containing the words saying that the construction of boats as a principal occupation is a manufacturing use.

Steve Lewis said he thought this definition was too broad; there would be nothing to stop a large boat yard from building in a Residential area.

Mr. Stimson said he feels the people should get to vote on whether or not they want this. It should not matter whether the Selectmen like it or not.

Chuck Cunningham talked about traditional boat building, which is what he felt the Comp Plan was referring to, and that it should be allowed, but in the right areas and in the right way. Chuck Cunningham said Mr. Stimson would have a better chance of getting his suggested change passed if he added wooden boat instead of just boat.

Doug Burnham said he didn't understand fighting for this in a Residential area when we have an Industrial zone for this sort of activity.

Fran McBrearty said when Mr. Stimson's application for boatbuilding came before the Planning Board there were a lot of letters from the public and most were against boat building in the residential area. Mr. Stimson was given a permit to repair boats with a lot of conditions but not to complete the metal boat on his property.

Dale Harmon said everyone used to build their own boats in their own yards to go fishing with and that was what the intent of the Comp Plan was, that was the tradition, not steel boat building and not for profit boat building. There is a difference.

Mr. Stimson said he thinks this change should be voted on at Town Meeting, he thinks there are a lot of people out there who would like it. He thinks the Planning Board should be trusted to make decisions on a case by case basis and that is what would stop large boat yards from coming into residential areas where they don't fit.

Chuck Cunningham and Steve Lewis said language needs to be limited in the ordinance. Mr. Stimson needs to change the language in his proposed change and then work with the Planning Board on it before they can go ahead with it.

Fran McBrearty outlined what the Planning Board is currently working on for this year's warrant. They have two more workshops; they are running out of time for this year. There is a whole list of things they will continue to keep working on for the next warrant. The workshops will most likely not stop after this Town Meeting but

continue with work for the next one. The Warrant has to be finalized in just a couple of weeks, it is doubtful if this change can get o this years warrant.

**6 Public Comment:**

**7. Approve minutes:** table approval of 02/25/13 minutes until next meeting

**8. Reports:**

**a. Planning Board** – Mr. Chaousis said he just wanted to credit the Planning Board with the good job they did on the Stimson application.

**b. Sidewalk project** – Mr. Chaousis said he had heard from Mr. LeBerge and the funding has been approved for the sidewalk project, the funding should be available either in 2014 or 2015.

**c. St. Andrews Task Force** – Chuck Cunningham said it will be interesting to see what Lincoln County Health has to say at the meeting at the Opera House on 03/20/2013.

**d. LCH Donation** – The Town should receive this payment around the first of April.

**e. Comprehensive Planning Committee** – They are putting the data together, we are an aging community, an aging population is moving into town and the younger population in moving out of town. Statistics are now being drawn from the data. For instance, the poverty rate was discussed as it has increased from 6.9% to 12.3% of the population in 2010.

**f. BOS meeting poll** – 46 responses have been received so far from the poll that was put on line about the time and date of the Selectmen’s meetings. The Selectmen said they would like to make a decision tonight about when they will meet in the future. Dale Harmon said he doesn’t see why they should meet on Monday just because it is tradition and asked if there was another reason why.

Dale Harmon made a motion to change the meeting to the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month starting the first of June and Doug Burnham seconded the motion.

During the discussion, Chuck Cunningham said this would make it difficult for him. Now he has either a Selectmen or Comp Plan meeting every Monday and has worked that into his work schedule with his employer. On Tuesday he has Task Force meetings but those will come to an end in a few months. If he tries to change his work schedule to always take in both Tuesdays and Mondays, he may have to give up the Comp Plan Committee.

**Vote: 2-3 in favor. Dale and Doug for, Steve L., Steve H, and Chuck against**

Steve Lewis made a motion to change the Selectmen’s meetings to the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month starting the 1<sup>st</sup> of June and Steve Ham seconded the motion. **Vote: 3-2 in favor. Doug and Dale casting the two negative votes.**

**g. Server upgrade** – The Town Office was closed last Friday to work on the upgrade.

**h. Department Head reports** – The Town Reports are in the process of being put together. The PWD had the last weekend off, they are getting ready for cutting, all town roads are now posted except for the Industrial Park. Mike in Assessing is on vacation. There is a joint session planned for tomorrow night for the Planning Board and Appeals Board officers. Twenty seven people attended the Erosion control workshop the CEO put on. Contrary to rumor no application has been received for a cell tower in Ocean Point. Progress has been made for a failing septic on Matthews Road and funding has now been found. The Business office is now sending out reminders and busy with the new upgrades.

**9. Old Business:**

a. **FY 2014 Budget Process** – Mr. Chaousis reviewed the Capital Improvement Spreadsheet he had given to the Selectmen

**b. Annual Town Meeting Warrant Review -**

Next Mr. Chaousis went through the articles that will be on the Annual Town Meeting warrant

The warrant articles from the Planning Board will be coming in at the 11<sup>th</sup> hour and are not ready yet.

The final warrant should be ready for the Selectmen to review at the next meeting.

**10. New Business:**

**a. Repurchase Agreement/Quit Claim Deed R4-0035A**

This was a 2011 repurchase agreement and the person has paid what they promised they would pay. Additional charges have accumulated and Mr. Chaousis is asking the Selectmen to write off the remaining balance as the owner did what they said they would do and get the property back into the hands of the owner and back on the tax rolls.

Dale Harmon made a motion to write off the remaining account balance on account #1625 and Steve Ham seconded the motion. **Vote: 4-0 in favor.** (Steve Lewis had left the meeting at this time and did not vote in any further motions)

Dale Harmon made a motion for the Selectmen to sign a quit claim deed to Isabel Cavanaugh, exhibit A and Steve Ham seconded the motion. **Vote: 4-0 in favor.**

**b. Internal Control Policies:** Mr. Chaousis put together a booklet of Internal Control Policies at the suggestion of the auditors. There were some things that just needed to get formal and some things that needed to change. One change is payroll, the pay week ends on a Thursday and is paid on Friday the same week. Starting April 1<sup>st</sup> the payroll will be done for the previous week instead of the same week.

The undesignated Funds policy is spelled out. It states that it should be 18.75% of the Municipal Budget and if it isn't there is a 3 year plan for how to get back there.

Chuck Cunningham suggested the Selectmen take time to read this over and then adopt it at the next meeting.

**11. Public Comment:** Martin Page said that there was a water hole, a large one at the end of his driveway that has developed since the water project happened and he is worried about it. Dale Harmon said he is aware of it; unfortunately it is a State problem. Bob Sidelinger from the MDOT has been notified about it but contacting him again could not hurt. Mike Alley has tried to fill it in a couple of times but the problem is from the bottom up not from the top.

**12. Review Warrants and sign:** Steve Ham made a motion to review the warrants and sign them and Doug Burnham seconded the motion. **4-0 in favor.**

**13. Adjourn meeting:** Steve Ham made a motion to adjourn the meeting at 9:20PM and Doug Burnham seconded the motion. **Vote: 4-0 in favor.**