

Board of Selectmen

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

Town Manager

James D. Chaousis II



**Town of Boothbay
Board of Selectmen Meeting
Wednesday May 28, 2013
7:00 PM
MINUTES**

1. **Call Meeting to order:** Chairman, Steve Lewis called the meeting to order at 7:00PM. **Present:** Steven Lewis, Dale Harmon, Douglas Burnham, Charles Cunningham, Stephen Ham and town manager James Chaousis II
2. **Pledge of Allegiance:**
3. **Public Hearings:**
 - a. **The Boothbay Playhouse-** Susan and Dean Domeyer, Map R5 lot 10-A at 275 Wiscasset Road, renewal of Special Amusement Permit A,B, C, & D.
This is a relicense, payment has been received and there are no complaints, Chuck Cunningham said he is a new property owner close to the Playhouse and asked if the board thought there was a conflict of interest. The consensus of the board was that this was not a conflict of interest for him. Doug Burnham made a motion to approve this application as presented and Steve Ham seconded the motion. Vote: 5-0 in favor
 - b. **The Boothbay Resort –** Lori & Win Mitchell, Map R4 lot 165 located at 301 Adams Pond Road, renewal of Innkeepers license.
This is a renewal, payment has been received and there are no complaints. Dale Harmon made a motion to approve this application as presented and Doug Burnham seconded the motion. Vote: 5-0 in favor.
 - c. **Cabbage Island Clambakes, Inc. –** D. Wayne Moore, Map R9 lot 15 located on Cabbage Island, renewal of Innkeepers license and Liquor license Class I, II, III, IV Malt Spirituous and Vinous, and Special Amusement Permit Class C and D.
This is a renewal, payment has been received and there are no complaints. Dale Harmon made a motion to approve this application as presented and Chuck Cunningham seconded the motion. Vote: 5-0 in favor.
 - d. **Decksz LLC d/b/a Ocean Point Marina –** Daniel & Eileen Miller, Map U17 lot 44 located at 216 Ocean Point Road, renewal of Special Amusement Permit Class A, B, C, & D.
This is a renewal, payment has been received and there have been no complaints. Dale Harmon made a motion to approve this application as presented and Steve Ham seconded the motion. Vote: 5-0 in favor.

- e. **Five Gables Inn, LLC** – Steven Plausteiner, Map U15 lot 30 located at 107 Murray Hill Road, renewal of Innkeepers license.
This is a renewal, payment has been received and there have been no complaints. Dale Harmon made a motion to approve this application as presented and Chuck Cunningham seconded the motion. Vote: 5-0 in favor.
- f. **Hodgdon Yachts, Inc.** – Shipyard Cup, Timothy Hodgdon map U16 lots 3 & 9 located at 14 School Street (function date Aug. 8, 2014) Special Amusement Permit Class A.
This is a renewal, payment has been made and there are no complaints. Chuck Cunningham made a motion to approve this application as presented and Doug Burnham seconded the motion. Vote: 5-0 in favor.
- g. **PGC 2, LLC d/b/a Boothbay Harbor Country club** – Paul Coulombe map R7 lot 20B located at 33 Country club Road, renewal of Special Amusement Permit Class A, B, & C.
This is a renewal, payment has been received and there have been no complaints. Dale Harmon made a motion to approve the application as presented and Chuck Cunningham seconded the motion. Vote: 5-0 in favor.
- h. **White Anchor Inn** – Chad Mostats map R6 lot 9 located at 609 Wiscasset Road, renewal of Innkeepers license and new Allen Hospitality LLC, d/b/a/ White Anchor Inn liquor license Class I-A
The Innkeepers license is a renewal and the liquor license is new, payment has been received. The owners have been working closely with the CEO and business has been approved by Planning Board. The restaurant will be open to the public with food catered by T&D Variety. Chuck Cunningham made a motion to approve this application as presented and Dale Harmon seconded the motion. Vote: 5-0 in favor.

4. **Public Comment:**

- 5. **Russell Pinkham, Shellfish Committee:** Mr. Pinkham was in at the request of the board to talk about the shellfish committee and a complaint about grandfathering non-resident licenses. He said the committee met last Thursday night. The committee should have at least 2 members from each town. He said the committee misunderstood the grandfathering and will not pursue it although it is encouraged by DMR. He said there is a new shellfish warden – Nick Upham. With Mr. Pinkham were Stanley Barter Jr. and Craig Barter and he was recommending them for membership on the committee. Dale Harmon made a motion to appoint Russell Pinkham for a 3 year term, Stanley Barter Jr. for a 2year term and Craig Barter for a 1 year term on the Shellfish Committee and Chuck Cunningham seconded the motion. Vote: 5-0 in favor.
- 6. **Nancy Rowe McEvoy and Sue Rowe – RE: donated town property** – they could not make it to tonight’s meeting. They will come to a future meeting. They would like to take the water trough that was donated to the town by the Dodge

Family that is located in the memorial garden and relocate it near the footbridge in Boothbay Harbor.

7. **Minutes:** Chuck Cunningham made a motion to approve the minutes of the 05/14/14 meeting as presented and Dale Harmon seconded the motion. Vote: 5-0 in favor.

8. **Reports:**

- a. **Website update** – Mr. Chaousis gave an overview and demonstration of the new website which is scheduled to be launched on Friday.
- b. **Road discontinuance** – This will be postponed until a future meeting, there was not enough time to prepare the needed information.
- c. **Preliminary 2013 audit** – The auditors were here today, it is starting out good, they like the changes that the town put in place.
- d. **Banking RFP** – this will come to the Selectmen in late June and is going out to all local banks
- e. **Cutler Invitation** – an invitation has been issued from Mr. Cutler to meet with him at a function on June 18. Steve Lewis said inviting someone running for office to a Selectmen's meeting is one thing but he does not feel it is proper for Selectmen to see them at a function.
- f. **MMA Executive Committee report** – Mr. Chaousis talked about the Fire fighter cancer pre-emption which falls under the Town's Workers Comp and is assumed to be job related. Towns are worried that EMS traumatic events may fall under the same law.
- g. **Department Reports** – There was a small safety meeting today. The PWD has finished their spring work. The CEO is busy, the files to be scanned were sent off today. Some of the employees worked extra to remove duplicate items, 46 boxes were reduced to 25. The Business office is working on getting ready for the primary election, the audit, on-line moorings and will be working on liens in a couple of weeks. Dan Bryer recently worked with Rebuilding together.

9. **Old Business:**

- a. **Cross River Property** – It was voted at Town Meeting to allow the town to give this property to the Boothbay Region Land Trust (BRLT). Dale Harmon made a motion to sign a release deed giving the Cross River Property to the BRLT and Doug Burnham seconded the motion. Vote: 4-0 in favor. Chuck Cunningham abstained as he is an abutter to the property. Steve Lewis said that although Chuck did not vote, he would like all five signatures on the deed. The Town will record the deed. Henry Rowe asked if it is on paper what the BRLT plans to do with the property. The trails, parking and 15 year plan is spelled out in the deed.
- b. **FY 2015 Appointments** – current members will be contacted to see if they want to be re-appointed.

- c. **Woodchucks request** – Mr. Chaousis said he looked into the area at the Firehouse and it is not suitable for the Woodchucks. The area is reserved for the Park and Ride program. Mr. Chaousis said he had no suggestions on property that could be leased to them. Mr. Chaousis said maybe a solution is to make it better at the Public Works area. Mark off a certain section that is agreeable to both PWD and Woodchucks. The Woodchucks are willing to work on this but have some reservations as the head of Public Works is not in favor of it. The two will look at the issue and see if something can be worked out. Henry Rowe said the group has acquired a Quonset to shelter the wood. It was discussed that the Woodchucks may have to formally organize in order to sign a lease. The lot that was the former Vets office is not suitable for this purpose. There is a question of liability to the Town if on Town Property without a lease.

10. **Public Comment:** Henry Rowe asked if the old telephone poles on Country Club road will be taken down now that new ones are put up. The Selectmen said they have no knowledge about this as it is a State road and no permits are needed from the town.

Steve Lewis said he would like the Town to approach Knickerbocker Group about doing a concept layout of the Property where the park is if it is not too expensive. He is thinking maybe putting in a couple of little league fields, a walking path, things that could bring people/business to the town. He said now that there is more fill there that has been leveled off, he does not think it would be expensive to do so.

11. **New Business:**

- a. **Plow Truck RFP** Steve Ham made a motion to put the RFP for a plow truck out as presented and Dale Harmon seconded the motion. Vote: 5-0 in favor. There was a discussion on why bid the truck cab and chase only and not the whole truck. Doug Burnham had questions on why cruise control was included and was told it was just a standard option and not a requirement.

12. **Review Warrants and sign:** Chuck Cunningham made a motion to review the warrants and sign them and Dale Harmon seconded the motion. Vote: 5-0 in favor.

13. **Executive Session :** At 9:00PM Chuck Cunningham made a motion to go into Executive Session pursuant 36 MRSA § 841 – Poverty abatement request and to return to Public Session. Dale Harmon seconded the motion. Vote: 5-0 in favor.

The Selectmen returned to public session after about 15 minutes of deliberation. Steve Ham made a motion to grant an abatement for case #3801 in the amount of \$412.44 for reasons of poverty. Dale Harmon seconded the motion. Vote: 5-0 in favor.

14. Adjourn Meeting: