

Board of Selectmen

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

Town Manager

Daniel Bryer



**Town of Boothbay
Board of Selectmen Meeting
Wednesday, September 14th, 2022
6:00 PM
Agenda**

1. **Pledge of Allegiance**
2. **Public Hearing-** 1. Flouridation Warrant Article
3. **Public Comment**
4. **Approve Minutes-** 1. May 25th, 2022
2. August 10th, 2022
3. August 24th, 2022
5. **Reports**
6. **Old Business**
7. **New Business –** 1. Stanley Lewis retirement from the Cemetery district
2. American Rescue Plan request for housing
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.

Cunnigham 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.

Cunnigham would like an OK from the state that this type of ownership is acceptable. An email would be fine. Cunnigham 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, August 10, 2022
6:00 PM**

MINUTES

Present: 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:

Approve Minutes: May 25, 2022, July 13, 2022, July 27, 2022

May 25, 2022, meeting minutes are tabled due to no quorum for members who were in attendance for that meeting.

Steve made a motion to approve the July 13, 2022, meeting minutes as written. Russ seconded the motion. Vote: 3-0 in favor.

Steve made a motion to approve the July 27, 2022, meeting minutes as written. Russ seconded the motion. Vote: 3-0 in favor.

Reports:

Dan - Clifford Park is going well. They are installing conduit for possible future field lighting and score boards.

Russ – Talked to some residence who live down Annabel Rd (off Back Narrows), they are frustrated that Spectrum hasn't run cable down their road as they now meet the density requirements. Dan will call Spectrum to talk to them about it.

Steve – the no parking signs on the RT 27 side of the Common are faded and should be replaced. Dan said that they should probably be removed because the curb that is there now prevents people from parking on the Common. The board decided they should be removed.

Old Business: None

New Business:

Municipal Pole permit on Back Narrows Road for a new residence.

Steve made a motion to approve the pole permit. Russ seconded the motion. Vote: 3-0 in favor.

Public Comment: None

Review Warrants and Sign:

Steve made a motion to review and sign warrants. Russ seconded the motion. Vote: 3-0 in favor

Adjourn Meeting:

Steve made a motion at 6:08 PM to adjourn the meeting. Russ 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, August 24, 2022
6:00 PM**

MINUTES

Present: 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. Carriage House Restaurant, Owner Kelly Farrin, applicant for renewal of liquor license, (restaurant class I, II, III, IV) Map U12 Lot 14 located at 388 Ocean Point Road, Boothbay Maine.
Steve made a motion to approve the restaurant class I, II, III, IV liquor license. Russ seconded the motion. Vote: 3-0 in favor.
2. Coastal Maine Botanical Gardens, applicant for renewal of liquor license, (restaurant class I, II, III, IV) Map R04 Lot 109 located at 132 Botanical Gardens Drive, Boothbay Maine.
Steve made a motion to approve the restaurant class I, II, III, IV liquor license. Russ seconded the motion. Vote: 3-0 in favor.
3. DECKSZ LLC, dba Lobsterman's Wharf, applicant for renewal of liquor license, (restaurant class I, II, III, IV) Map U16 Lot 01 located at 224 Ocean Point Road, Boothbay Maine.
Steve made a motion to approve the restaurant class I, II, III, IV liquor license. Russ seconded the motion. Vote: 3-0 in favor.
4. Fluoridation warrant article: Open for public comment on the topic of public water supply fluoridation. Numerous members of the public (from Boothbay and Boothbay Harbor) stood and spoke about the safety concerns and side effects that are caused by adding Sodium Fluoride to the public water supply. Sodium Fluoride is a byproduct in the manufacturing of phosphate fertilizer and is imported from Japan and China. Japan and China as well as many other countries have stopped adding fluoride to their water based on medical studies and the reported side effects. It has been found the topical use of fluoride (toothpaste with fluoride) is the most beneficial to teeth and that ingested fluoride causes many side effects. All the people who stood to talk were against the use of water fluoridation and support it being removed from the public water supply.
There will be one more public hearing on the topic at the next Selectmen's meeting.
Dan says that the board has already voted to have it on the November ballot as has Southport and Boothbay Harbor. It is agreed that the wording is a bit confusing but, according to Christina Rogers (BBH resident), that is State Statute and the way it must be written.

Public Comment: None

Approve Minutes: May 25, 2022

May 25, 2022, meeting minutes are tabled due to no quorum for members who were in attendance for that meeting.

Reports:

Dan – Tomorrow (8/25/22) will begin the audit process for the end of our fiscal year. Dan met with a member of the Clifford Park Committee and they talked about things that are not part of this first big phase of the project. Dan hopes to set up a meeting with the Committee next Thursday to discuss what these things are that they still want and how they may raise the funds to accomplish these things including brainstorming agencies who may be willing to donate funding.

Old Business: None**New Business:**

Nell Tharp - Boothbay Aqua Ventus Benefits Package for the Community. There is a group that meets the first and third Thursday of Each month from 5:00 to 6:00PM and the YMCA. They have been talking with Aqua Ventus regarding a benefits package to benefit the local community. They have been working on a list of wants taking information from residents of Boothbay and Boothbay Harbor. Once the list is finalized Aqua Ventus will only accept letters of agreement from the prospective towns, Aqua Ventus will not work with a community group in terms of an agreement. Nell is asking for a board member or Dan to attend the meetings so Boothbay can be involved and ready for the letter of agreement.

Aqua Ventus has made it clear that if the windmill project does not move forward they will not be doing a community benefits package.

Public Comment: None**Review Warrants and Sign:**

Steve made a motion to review and sign warrants. Russ seconded the motion. Vote: 3-0 in favor

Adjourn Meeting:

Steve made a motion at 6:25 PM to adjourn the meeting. Russ seconded the motion. Vote: 3-0 in favor.

September 2, 2022

I, Stanley W. Lewis, respectfully submit my resignation from the Boothbay-Boothbay Harbor Cemetery District effective today.

Respectfully,

A handwritten signature in cursive script that reads "Stanley Lewis". The signature is written in dark ink on a white background.

Boothbay Regional Development Corporation

September 1, 2022

Dan Breyer, Town Manager
Town of Boothbay
7 Corey Lane
Boothbay, ME 04537

Dear Dan:

The Boothbay Regional Development Corporation (BRDC) was formed to help tackle the housing crisis in the Boothbay region through the development of newly constructed homes. Adding to the available and affordable housing stock in the Boothbay region is the initial focus of the organization.

BRDC is governed by a Board of Directors who are year-round residents actively involved in real estate development, supportive housing, community organizations, and local government. All activities of the non-profit will be directed by the board and executed by qualified third-party professionals hired by the board.

BRDC has sought and found a site large enough to make a significant contribution to the local housing stock that is affordable and available to the local workforce. The 36-acre site on Butler Road in Boothbay was not previously for sale, and the owner strongly supports housing our workforce.

The concept plan for this site takes a phased approach to development of the parcel and was informed by a design development team selected by BRDC. Phase 1 includes land acquisition and extension of water and sewer to the site. Phase 2 is a proof of concept for affordable home ownership targeted to households between 80% and 100% of Area Median Income (household income between \$64,400 and \$80,700 for a family of four). It will create 8 for-sale homes with prices capped at \$287,000. Future phases may include multi-family apartment buildings, single-family homes, and condominiums. The goal is to create a range of housing choice, both for-sale and for-rent, and affordable to our workforce at a range of income levels.

To inform the concept plan, BRDC reached out to local employers to help determine both the magnitude of the housing need, and more specifically to identify the demographic that needs housing in order to determine which housing finance programs will be available to the effort. While the available data set is small, it is evenly divided across a broad range of household incomes, which informed the goal of providing a range of housing choice.

Seed capital of \$500,000 for Phase 1 of the project has been secured from private donors, and BRDC is seeking an additional \$2.1 million in private capital and \$800,000 in local and state funds for Phase 1 of the project.

Boothbay Regional Development Corporation

Dan Breyer, Town Manager
Town of Boothbay
September 1, 2022
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The second phase will require an additional \$540,000 in private capital and \$1.3 million in public funds, yielding a 40/60% split of public funds to private financing for the first two phases. The follow-on phases will be self-funding or use public financing sources exclusively.

BRDC is requesting \$50,000 from the Town of Boothbay's American Rescue Plan Act (ARPA) funds to support the extension of water and sewer infrastructure to the site. The total cost of this work is estimated at \$2.5 million. The requested ARPA funding from the town will evidence community support for the project, and will be leveraged to help raise the balance of necessary funds from a combination of private donations and public resources.

We would welcome the opportunity to present the full plan along with financial projections to the Board of Selectman, and we hope to be placed on the agenda for this important discussion as soon as possible.

Sincerely,



Erin Cooper
Vice President and Treasurer

Cc: Stephen Malcom, President BRDC
Susan Witt, Secretary BRDC