

**Camden Select Board
Minutes of Meeting
May 18, 2010**

PRESENT: Chairperson Karen Grove, Vice Chairperson Deborah Dodge, John French, Anita Brosius-Scott, Morgan Laidlaw, Town Manager Roberta Smith, and Town Attorney William Kelly. Also present were members of the press and public.

Minutes of Meeting

1. Public input on non-agenda items.

Kristen Bifulco – 6 High Street – spoke on behalf of the Bed & Breakfast Association regarding the resurfacing of Route 1 scheduled for September 2010. Their group realizes that paving of Route 1 is important and they do not dispute the need to pave the road but dispute the timing of the project. Camden thrives on its tourist's season and without the revenue drive from July to October many businesses could fail. To even contemplate an August or September timeframe for this project is reprehensible on the part of the DOT and to contemplate a night time project is invasive and debilitating. Some businesses will not survive if this project is done at night. If it is not possible to postpone this project until May 2011 then it must be a day time project. If this project is done at night guests will leave and not come back. They calculated the loss of revenue should this project be done at night. There are 230 guest rooms in the 13 inns, hotels, and motels concentrated in the project area not to mention the 29 rooms and 4 inns at the library end of the project. They did not include in their calculations the vacation rentals, both commercial and private that line the project area nor restaurants. A minimum total of lodging revenue that would be lost would be \$62,100 a day. It is not just the lodging that will suffer if guests do not come back all of the other businesses in the community will also suffer. This is a community concern that must be addressed with the understanding that the benefit to the community of repair, while critical, will not supersede the loss of the community business income and goodwill and potential of complete failure of some businesses. Please see to it for Camden businesses and residents that this project is not done at night and not in the height of the town's critical season.

It was the consensus of the Board to move the Town Manager's report on the Route 1 paving up on the agenda after item #4.

Board member Laidlaw reported last week was National Public Service Awareness Week and in recognition of our fine employees of Camden the Select Board did a nice breakfast at the Camden Snow Bowl. All of the items were donated from Mike Fisher from the Camden Snow Bowl Food Court as well as French and Brawn. He wanted to thank everyone. Camden is a great community and the town employees are really what make it a great town.

Board member French wanted to know if the Board wanted to reconsider discussing the consolidation of Camden and Rockport's Police and Fire Departments. It has been brought up several times and he inquiring whether the Board would like to do this as a future Select Board workshop or not all. The Board was in agreement to set up a workshop in the future with the Town of Rockport to discuss consolidation of the public safety departments.

Chairperson Grove would like to create a new agenda item regarding a proclamation to assign a Camden resident as the official town historian.

2. **Approval of Board Minutes of May 4, 2010. Board member Dodge made a motion to approve the minutes with the corrections as suggested by Board member Brosius-Scott. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.**
3. **Consideration of the proposed Small Harbor Improvement Program (SHIP) grant application as recommended by the Harbor Committee.** Manager Smith reported in order to improve access to the Harbor and the public launching ramp at Steamboat Landing, and to improve commercial fishing facilities, the Harbor Committee is recommending that the town submit a grant application to the Small Harbor Improvement Program. The grant funds would be used to supplement town funds available for drainage and erosion control work in the Steamboat Landing area. The grant application deadline is June 1, 2010. The goal of the grant program is to promote economic development, improve public marine infrastructure, and improve public access.

Gene McKeever, Chairman of the Harbor Committee presented the committee's proposal. The proposal is for improvements to the drainage, on-street parking on Sea Street, and vehicle access, plus new floats at the public ramp and a new fisherman's hoist at the Public Landing.

Concerns were raised about the 88 foot strip across from the Cove Road parking lot that would be improved for drainage purposes and to increase parking. In a memo from Wayfarer Marine they expressed concern that the project might affect the company's access during the time of year when crews are hauling boats out of the water. It was suggested that the 88-foot area be blocked off during that time and when construction was under way in the Bean Yard.

The drainage concerns were addressed by Gene McKeever stating that Will Gartley (engineer) said the filling of the ditch and adding the culvert would improve drainage and add parking enough for a vehicle and boat trailer.

Another concern raised was the traffic congestion with everything in and out of that parking lot with trucks and trailers parked across the street especially for emergency vehicles coming and going from Sea Street.

Town Manager Smith went over the major points of the plan in terms of the Harbor being submitted for the grant.

- Two new 8 x 20 floats to create added temporary tie up space on the east side
- Turnaround for boat launching
- Create wider area at the edge of right of way for short term parking
- Add about 60 feet to the right of way to add parking on Steamboat Landing
- Cut back branches on Steamboat Landing to improve the visibility and the turning radius to get in and out of Steamboat Landing onto Sea Street
- Expand road shoulder 88 feet for additional parking.

She stated the above are the improvements in terms of the Harbor area and the plan does not show the drainage that was talked about at budget time. There is about \$38,000 of work that needs to be done which is why we are taking the opportunity to leverage that money and hopefully get some grant money to do some of this cleanup work. The other thing not shown on the plan is the fisherman's hoist that would be added to the public landing.

After Board members were assured that some changes could be made to the project description after the grant request was submitted a motion was made.

Anita Brosius-Scott made a motion to approve the FY11 SHIP grant application submitted for harbor improvements as recommended by the Harbor Committee. Deborah Dodge seconded this motion. The motion passed on a 4-0-1 vote. (French abstained because there are some conflicts in his opinion not being addressed and there is some history that he recalls that he does not want to get into tonight)

Moved ahead to Manager's Report

13. Manager Smith reported that we were notified a few weeks ago from MDOT in anticipation of the jobs bond money to be voted on in June that part of their project would include a paving job in Camden. They notified us in terms of our utilities that we have in their right of way namely our sewer manholes. With this type of project they need to be lowered then after the grinding and pavement equipment goes through raised back up. She has talked to them about the timing of the project because that was the first concern. When they started working on the project they indicated that they could not get it done early May or June because it has to wait for the June vote and they would not be ready until July and they estimated the project in Camden would be in August. Roberta told them they could not do it in August and to pick another time. They are bidding this project this week but they still will not be able to start this project and be able to assure us the project could be done before the 4th of July. She contacted the Chamber of Commerce and Kristen Bifulco on behalf of the Bed & Breakfast Association, and the Downtown Business Group. She told them she was negotiating for some other time than August and she wanted to know when the slowest period of time was. The consensus seemed to be directly after Labor Day. MDOT estimated the actual milling and grinding will take about 6 days but the project is more likely to be three weeks or more depending on weather. They have agreed to schedule the project the first Tuesday after Labor Day. They have agreed to start downtown and have put into the specs for the contractor that this project be expedited.

The other issue is the milling and grinding work which is scheduled for night work and they won't consider doing it during the day because of traffic backups. If the jobs bond does not pass this project will not be scheduled for work until 2012 or 2013. The road is in pretty rough shape. We get complaints on a weekly basis and a lot of them from some of the inns because their guests complain they hear the trucks pounding in the potholes in the road.

We send a steady stream of complaints and requests to MDOT to do maintenance. It is way past due being done and hopefully the jobs bond will pass so it can be done this year. If the road is not a good surface it makes it much more difficult for the town to do the winter maintenance to plow and clean up the road.

Select Board member Deborah Dodge asked what is the possibility of postponing this project to May 2011 instead of September? Manager Smith stated she spoke to someone at MDOT and they told her this is stimulus money and it's meant to be spent in this year. She stated it would be unfortunate if the town got on the tail end of the spending. She told the state that the town did not want to postpone it for another year because the town and a lot residents and businesses have been requesting that the work get done. In her opinion, as much of an inconvenience as it will be it would not make sense to postpone it. They are giving us what we have asked for.

Board member Brosius-Scott stated she does not feel comfortable with the answer to the question about delaying until May. The concerns expressed by the business owners present are very real and substantial. We have a limited tourist season. She suggested the town ask the MDOT to reserve the funds for the project and schedule it to begin in May 2011.

Manager Smith assured the board that the concerns of business owners have been considered. There is another whole group that wants the road done this fall. They also have the same business concerns but they recognize that there is a need. It's not correct to say that we are ignoring the businesses and jeopardizing their businesses because it's just like everything else we do. It's an inconvenience when we do it and sometimes you have to grin and bear it. She does not think there are any questions about whether the road needs to be done this year or put off. MDOT will not schedule a project to start in October at all because the paving plants shut down in November.

Board member French stated the same thing could happen to the price of paving that happened two years ago when it tripled and then we could lose the project all together. There is not a day that goes by that somebody does not say something about the poor condition of Route 1. For a downtown road it is in horrible condition.

The Board heard from several innkeepers including Jim & Cindy Ostrowski, Maryanne Shanahan, Kristen Bifulco, and Norman Henthorn urging the Board to request that MDOT postpone this project until next spring.

Jim Ostrowski, owner of The Elms B&B, stated their income is based on a four-month time frame. Ninety percent of their income comes between mid-July and the end of October, and they depend on an occupancy rate of over 80 percent in the period after Labor Day. Occupancy rates in May and June are between 16 and 25 percent or lower.

If they lose September they lose roughly 20 percent of their income. He estimated that about 500 people per night slept in lodgings that would be affected by the construction. If those people can't sleep, they will leave. If those people can't sleep they are angry, they don't shop and they don't sail in the boats.

He stated as an innkeeper he couldn't in good conscience accept reservations when they didn't know the exact period during which guests would be unable to get a good night's sleep. Due to weather and other considerations, the MDOT can't give an exact schedule for the work.

Several of the innkeepers present stated their reputations depend on people having positive experiences and the inns can't risk accepting bookings during periods when guests might be kept awake by backup beepers on construction vehicles and the sound of asphalt being ground. They also stated dissatisfied travelers would leave comments on social network Web sites such as TripAdvisor that would color Camden's reputation for many years to come.

Board member Dodge asked that the DMOT be requested to send an engineer to meet with the board to explain the specifics of the project and why the milling could not be done in the daytime. It sounds like May no matter whether they do it night time or day time is preferable to

those businesses and inns on Route 1 and the second option would be September during the day would be better than at night.

Anita Brosius-Scott made a motion to request that MDOT reserve the funds for the Route 1 paving project until May 2011. Morgan Laidlaw seconded this motion. The motion passed on a 4-1-0 vote. (French opposed).

- 4. Consideration of the following renewal applications for Newspaper Vending Racks:**
- a. Thomas & Angela Rothwell d/b/a Camden Deli at 37 Main Street
 - b. Philip McElhaney d/b/a Boyton-McKay Food Co. at 30 Main Street
 - c. Francis Coleman, d/b/a Bangor Daily News at 28 Chestnut Street

Deborah Dodge made a motion to approve the renewal Newspaper Vending Racks. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 5. The Board considered the following renewal Victualer's Licenses: Atlantica Gallery & Grille, Bay View Lobster, Birchwood Motel, Boynton McKay, Camden Cone, Camden Deli, Camden Harbour Inn, Cappy's Chowder House, Ephemere, Harbor Dogs, Hartstone Inn, High Tide Inn, Lord Camden Inn, Riverhouse Soft Serve, Scott's Place, Smokestack Grill, Smoothie Shack, Subway, Swan House, Towne Motel, Waterfront Restaurant, and Whitehall Inn.** Manager Smith reported the life safety inspections have been completed and the Codes Officer has signed off on the applications.

Deborah Dodge made a motion to approve the Victualer's License renewals as listed. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 6. The Board considered the following Lodging Establishment License renewals: Beloin's Motel, Birchwood Motel, Camden Harbour Inn, Cedar Crest Motel, Hartstone Inn, Lodge at Camden Hills, Lord Camden Inn, Maine Stay Inn, Norumbega, Swan House, Towne Motel, and Whitehall Inn.** Manager Smith reported the life safety inspections have been completed and the Codes Officer has signed off on the applications.

Deborah Dodge made a motion to approve the Lodging License renewals as listed. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 7. Approval of license agreement with Maine Media Workshops, Inc. for filming on public ways and town properties.** Manager Smith reported the town annually licenses the Maine Media Workshops to allow students to make video and sound recordings within the town rights-of-way and on other town properties.

Deborah Dodge made a motion to approve the renewal License Agreement with Maine Media Workshops, Inc. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 8. Consideration of the following Taxi Operator's License applications:** Mrs. Smith reported that both applications have been reviewed and approved by the Police Chief.
- a. Lisa Renee Hedstrand. of Warren, Maine
 - b. Ronald Tommasino of Union, Maine

Morgan Laidlaw made a motion to approve both taxi Operator License applications. John French seconded this motion. The motion passed on a 5-0-0 vote.

9. **The Board considered the proposed amendment to the Gateway 1 Start-up Agreement.**
The amendment has been reviewed by Town Attorney Kelly.

Deborah Dodge made a motion to approve Amendment #1 to the Start-up Agreement for the Implementation of the Gateway 1 Corridor Action Plan which extends the Start-up Agreement period. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

10. **Anita Brosius -Scott made a motion to designate Sunday May 23rd as Arbor Day in Camden. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.**

11. **Anita Brosius-Scott made a motion to approve the application from Watershed Amnesty International Group to use the Village Green on Sunday, May 30, 2010 from noon until 3:00 pm. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.**

12. **Deborah Dodge made a motion to proclaim Barbara Dyer as the town's official historian. Karen Grove seconded this motion. The motion passed on a 5-0-0 vote.**

13. Committee Reports

Camden Rockport Pathways Committee: Board member Brosius-Scott reported they met but they did not have a quorum. They discussed a MDOT grant that they are attempting to apply for by June 10th.

14. **Manager's Report continued**: The town received notice that the CDBG grant we applied for on behalf of the Lupine Terrace Subdivision for housing assistance was approved.

John French made a motion to adjourn as Select Board and reconvene as Board of Assessors. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

15. **Approval of Ratio Declaration and Reimbursement Application.** Manger Smith reported the Board of Assessors must declare a developed parcel ratio that will be used in determining the value of exemptions and tax rates when preparing the tax commitment. The Assessors' Agent's recommendation is that the Board certify a developed parcel ratio of 91%.

John French made a motion to certify Camden's developed parcel ratio at 91% for 2010. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

John French made a motion to adjourn as Board of Assessors and reconvene as Wastewater Commissioners. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

16. **Approval of the Certificate of Commitment for wastewater charges for the period of January 12, 2010 to April 10, 2010.** Mrs. Smith stated this is the quarterly commitment for wastewater charges, totaling \$159,852.38.

John French made a motion to approve the Certificate of Commitment for wastewater charges for the period of January 12, 2010 to April 10, 2010. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

A motion was made and duly seconded to adjourn at 9:25 pm.

Respectfully submitted,

Janice L. Esancy
Recording Secretary