

**Select Board Meeting
August 13, 2018 6:00pm**

PRESENT: Mark Humphreys, Chairman; Shelly Prescott, Vice Chairman; Zak Hollingshead, Selectman; Amon Morse, Road Commissioner; Vicki Eugley, Finance Director; Barbara Ashey, Town Administrator; Jeanine Tucker, Town Clerk (excused); Paul Nyren, Village Representative (excused); Andrew Hedrich, Senior Engineer-Gartley & Dorsky

Nebraska Road

Andrew Hedrich of Gartley & Dorsky Engineering reported on the progress of designs and specifications to reconstruct Nealey Road. The following was noted:

Road is 3300' long;
Mostly fine material not suitable for use;
No geotechnical testing since you can see the subpar material (also saved money);
Newer culverts in place will not have to be moved;
Additional drainage work will be necessary near Upper Bluff Road. He is hoping easements will not be required from property abutters in this section of the road to allow for better drainage. There are a few options to try: 1) Build up the road as much as possible for better drainage; 2) add piping underground to better disperse the water;
He recommends 18" of materials with 3.5" pavement on top;

Hedrich recommends a Triax material, which is like a heavy duty woven plastic fabric, and is laid down on the base and helps prevent the materials on top from sifting down. This is more expensive but adds life to the road. He stated he always uses a fabric and the Triax would be in addition to that. He also noted that because the road materials are not useable, they will need to be removed and replaced. In an effort to save money he stated we could not use the Triax material and reduce the pavement to 2" and if needed add more asphalt at a later date.

Ashey asked when he expected to have the specs ready to put out to bid and when the work would begin. He estimates fine tuning the specs within a few weeks and putting the job out to bid the end of August. He will have a September start date with a completion date of November. He stated that he has found contractors to be very busy this year and a contingency could be added that if time runs out and paving cannot get done now, it will be completed as soon as possible in the spring.

Hedrich recommends the bids list three different option prices: 1) with Triax material and fabric; 2) fabric material only and 3) reduce asphalt to 2" versus 3.5". This will give the Board a better breakdown of the costs.

Patten asked where the bids will be opened and how will the paving effect driveways on the road. Hedrich stated he could open the bids here or at his office. In the past they have been opened at the town office with the Administrator and he will keep with that procedure. The driveway entrances will be tapered in with an apron for a smooth transition. Morse asked that he be notified when Hedrich has worked out the drainage issue near Upper Bluff Road. The Board instructed Hedrich to place the ad

requesting bids when he has the drainage sorted out. He will notify Asheby when the specs are finalized and they will determine a due date as well as a date to be awarded by the Board.

Rockweed (aka Seaweed) Harvester

Asheby reported she and Harbor Master Gordon Fuller met with a rockweed harvester, Arthur Creamer, who asked if he could use Saturday Cove to offload his rockweed when ready to be picked up. Asheby explained Creamer has a harvester on his boat that cuts the rockweed at the State regulated length and then it is bagged in a mesh net that weighs 1100 lbs. when full. When he has 25,000lbs he calls the contractor to pick it up. Once he has a pick up date, he then floats the bagged rockweed into shore. A 3-axle tractor trailer would then come down into the Cove and pick up the seaweed with a crane and place it in the truck. Creamer estimates the full truck will weigh about 100,000lbs.

Asheby stated she had talked with Andrew Hedrich about the wear and tear this kind of weight would have on the facilities at the Cove. Hedrich stated the pavement would most likely suffer damage over time; it was not designed for such an industrial use. He said the pier and floats would definitely not hold up and should not be used for this type of purpose. The Board thanked him for his input.

Asheby also talked with Town Attorney Bill Kelly who said the Harbor Ordinance states nothing will block the pier or boat launch or be tied up to the pier or floats for more than two hours and the offloading operation could take 2.5 to 4.5 hours. He also agreed the use is beyond what the facilities were intended for. Kelly recommends the ordinance be updated to better reflect what allowed, or prohibited, use is. He also recommends a policy be clearly drafted in the meantime with clear language specifying the use. Asheby told the Board the harvester had contacted Belfast and could use their harbor if Northport did not work out.

The Board agreed with these assessments of use for the Cove and such a large truck would block the pier, boat launch and parking spaces.

Under motion of Mark Humphreys, second by Zak Hollingshead, the Board voted 3-0 not to allow rockweed harvesting as it is beyond the scope of the facilities at Saturday Cove and offloading rockweed is not an appropriate use for the Cove.

Under motion of Zak Hollingshead, second by Mark Humphreys, the Board voted 3-0 to have the Harbor Committee meet as soon as possible to review and update the Harbor Ordinance.

Oyster Farming

Asheby reported she and Harbor Master Gordon Fuller met with Clia Tierney who will be submitting an application to the Department of Marine Resources for a limited purpose aquaculture license for growing and harvesting oysters. The oyster farming will take place off her property in Wright's Cove. The application calls for the signature of either the Harbor Master or a Town Official verifying they had been to the site and saw no issues. Asheby and Fuller went to the site and stated the area is secluded and the oyster floats will be kept off the end of the Tierney's pier, not interfering with fishing or lobstering in the area. This operation is overseen by Marine Resources and the Town does not have much of a say in the matter. The application was signed.

Roads & Bridges

Road Commissioner Morse stated bids were in the newspaper for paving a section of Bluff Road near the Golf Course heading South; tree and brush cutting and winter sand. He has met with a few contractors to discuss the work. The bids are due in the office by noon on Friday, August 24th and will be awarded at the Board meeting on Monday, August 27th. Shelly Patten asked if the Golf Course had been contacted regarding land clearing they are doing in regard to our paving in the same area. Morse has talked with the contractor who will not start the work until the fall when the ground will be freezing and will finish before spring thaw. Morse does not think the work will interfere with paving that section of Bluff Road.

Appointments

Ashley presented letters from two residents asking to be appointed to different boards/committees. Kathleen Coleman asked to be appointed to the Broadband Committee. Ashley contacted Mike Connelly, who heads the committee, as she was not sure the committee still needed members. She had not heard back from him yet. Richard Coleman asked to be appointed to either the Broadband Committee, or if that was full, to be considered for the Zoning Board of Appeals (ZBA).

Under motion of Shelly Patten, second by Zak Hollingshead, the Board voted 3-0 to appoint Kathleen Coleman to the Broadband Committee if they were still seeking members.

Under motion of Shelly Patten, second by Zak Hollingshead, the Board voted 3-0 to appoint Richard Coleman to the ZBA.

Minutes:

Ashley presented the minutes of July 23, 2018 in the absence of the Clerk for review and approval.

Under motion of Mark Humphreys, second by Shelly Patten, the Board voted 3-0 to approve the minutes as corrected.

Medical and Adult Use Marijuana

Zak Hollingshead updated the Board on changes to both the Medical Use of Marijuana Act and the Adult Use Marijuana Act. The Medical Use changes will take effect in October. If a registered caregiver, who is currently licensed by the State, is operating a store now, they will be grandfathered for Medical Use when the new laws go into effect in October. However, you cannot operate both medical and recreational facilities at the same address. Hollingshead noted a primary caregiver operates from their home, while there are different types of marijuana facilities: testing; cultivation; manufacturing and retail stores. Each has a separate license and fee structure set by the State. A town may place operating restrictions on the different facilities by zoning, but cannot limit the number of caregivers as they are already approved by the State. Any caregiver would be treated like any other business if wanting to operate in Northport and would go before the Planning Board. Ashley noted there is a registered caregiver going before the Planning Board on Tuesday and will go through the Site Plan Review process. In order for any of the facilities, or retail stores, to open in Northport the residents must vote to opt into the State's program and laws.

Hollingshead reminded the Board the Town voted to allow the adult use of marijuana when it voted for the referendum in 2016, if only by a small margin. The Town recently voted not to ban it outright, again by a small margin. To allow retail sales in Northport, or allow a version of a marijuana establishment,

the Town would need to vote to opt into the State's program and laws, which will go into effect in October.

Regarding Adult Use Marijuana, a person must be a resident of the State and 21 years of age in order to use and possess marijuana and/or obtain a license from the State for any facilities. Other points include: no facilities located within 1000' of a school by law, but could be decreased to not less than 500' by ordinance or regulation; each 21 year old resident can possess up to 2.5oz at any time, 3 flowering plants, 12 nonflowering plants and an unlimited number of seedlings.

A Town may adopt an ordinance, and land use regulations, addressing marijuana establishments and the number of establishments that may operate in the Town. If the Town opts into adult use, it can limit and be as specific as it wants regarding zoning and use. It would be best to have zoning in place before voting to opt into adult use of marijuana. By ordinance the Town may set its own permits and fee schedule.

The Board discussed how to get more information out to residents; do we opt in or stay as we are; if we opt in, do we have a special town meeting or wait till next years' annual town meeting. Humphreys asked if any other towns had already opted in. Ashe was not sure but will contact Town Attorney Bill Kelly and ask if he has done this with any of his other towns. Patten agreed it would be good to see language used to opt in and for the Board to be proactive.

Both Humphreys and Patten thanked Hollingshead for his in depth research on this very complicated subject.

Under motion of Zak Hollingshead, second by Mark Humphreys, the Board voted 3-0 to adjourn at 8:35pm.

Respectfully Submitted,

Barbara Ashe
Town Administrator