

Approved via 7/6/2020 Zoom mtg.

TOWN OF CASTINE
SELECTMEN, ASSESSORS & OVERSEERS OF THE POOR
MEETING MINUTES

DATE: Monday, July 6, 2020

TIME: 4PM (via ZOOM)

PLACE: Emerson Hall

PRESENT: Colin Powell, Chair; Gordon MacArthur & Peter Vogell, Selectboard members; Shawn Blodgett, Town Manager; Karen Motycka, Finance Officer and Susan Macomber, Town Clerk.

PUBLIC: Estimated 40 members of the public including reporters from the Castine Patriot, Ellsworth American and Bangor Daily News.

Colin Powell opened the meeting at 4:00PM. Quorum was confirmed with Peter Vogell stating his presence; Gordon MacArthur stating his presence; and Colin Powell stating his presence. Colin asked if there were any additions or deletions to the Agenda: NONE.

Motion was made to approve the warrants, abatements, budget vs. actual and trial balance reports, bank reconciliations, excise tax collections and included a Disbursement Warrant to the State of Maine Bureau of Motor Vehicles.

Peter Vogell made motion to approve the General Fund Warrant in the amount of \$83,921.48. Second by Gordon MacArthur. Colin asked for votes.

Peter stated yes to approve. Gordon stated yes to approve. Colin stated yes to approve. General Fund Warrant approved 3-0.

Peter Vogell made motion to approve the Water Dept Warrant in the amount of \$1,749.22. Second by Gordon MacArthur. Colin asked for votes.

Peter stated yes to approve. Gordon stated yes to approve. Colin stated yes to approve. Water Dept Warrant approved 3-0.

Gordon MacArthur made motion to approve the Disbursement Warrant for reports to the State of Maine Motor Vehicles, Inland Fishery & Wildlife, Animal Welfare and Vital Records in the amount of \$4,288.60. Second by Peter Vogell.

Colin asked for votes. Peter stated yes to approve. Gordon stated yes to approve. Colin stated yes to approve. Disbursement Warrant approved 3-0.

Gordon MacArthur made motion to approve the June 30, 2020 Selectboard Mtg minutes. Second by Peter Vogell. No discussion. Colin asked for votes.

Gordon stated yes to approve. Peter stated yes to approve. Colin stated yes to approve. June 30, 2020 Mtg minutes approved 3-0.

Gordon MacArthur made motion to approve the June 22, 2020 Selectboard Mtg minutes. Second by Peter Vogell. No discussion. Colin asked for votes.

Gordon stated yes to approve. Peter stated yes to approve. Colin stated yes to approve.

June 22, 2020 Mtg minutes approved 3-0.

Gordon MacArthur made motion to approve the June 15, 2020 Selectboard Mtg minutes.

Second by Peter Vogell. No discussion. Colin asked for votes.

Gordon stated yes to approve. Peter stated yes to approve. Colin stated yes to approve.

June 15, 2020 Mtg minutes approved 3-0.

Item 1. Colin Powell introduced approving appointments/re-appointments to Castine Boards/Committees. Colin read the list. Sue Macomber, Town Clerk, updated, removing Patrick Haugen from CHPC; Diana Paine and RaeAnn Hodgson from the Recreation Committee.

Gordon MacArthur made motion to approve including the updates. Second by Peter Vogell.

No discussion. Colin asked for votes. Peter stated yes to approve. Gordon stated yes to approve. Colin stated yes to approve. Approved 3-0.

Item 2. Colin introduced approving the July 14th State Primary & Special Referendum Election Clerks. Collin read the list (see attached).

Peter Vogell made motion to approve. Second by Colin Powell.

No discussion.

Colin asked for votes. Gordon stated he abstained since he was going to be an Election Clerk.

Peter stated yes. Colin stated yes. Election Clerks approved 2-0.

Item 3. Colin Powell introduced discussions regarding concerns from Perkins Street citizens & MMA Training Ship noise. Shawn Blodgett, Town Manager, addressed and reviewed the background. Discussion.

Peter Vogell stated that MMA has been doing everything they can within reason, they are working with the Town and giving us continued updates. He said the Town and MMA will keep working together. MMA is trying to keep the noise down. Gordon MacArthur stated that this is an unusual situation due to COVID19. Everyone is attempting to solve the problem. Colin Powell added that we are all experiencing an uncharted territory and the impact on daily lives. MMA is working hard to get the senior students graduated. They are making strides everyday to get the noise level down.

Discussion from Perkins St citizens.

Gordon MacArthur made motion to allow 30 days for MMA to come into compliance with Castine Noise regulations with a \$100/day fine assessed for the violation after the 30 days provided by Maine Statues Title 30-A §44.52 effective from today (7/6/2020). Second by Colin Powell.

MMA President, Bill Brennan, addressed. He outlined the necessity for conducting the cruise dockside. He said MMA has hired an engineering service and they are installing more baffling, buffers, etc.

Ben Rogers, Perkins St resident, said he thought 30 days was a little lenient especially since the cruise duration will last just over 30 days. He added that giving a fine of \$100/day for a commercial ship worth several billions is a joke.

Merissa Roessiger-Rogers, Perkins St resident, said the noise and vibration is torturing them 24/7. She said they have tried to communicate with MMA with no success.

Colin Powell reiterated that COVID19 has changed a lot for everyone and our community. These are challenging times. Bill Brennan agreed stating COVID19 has made it extremely challenging for the Academy and they are just trying to get the student academics addressed as best as they can. They do not want to be in this situation. It wasn't planned. They are working tirelessly to get the 33 students their credentials (they can't get their license or academic degree without a certain number of days on ship).

Dan Leader, new owner of property on Pentagoet Lane, said he understands the pressures. It is a difficult time for all universities but the vibrations from the ship and the noise has been disruptive, and no one has addressed the possible pollution issue too. It's not fair to the community. Bill Brennan answered that the institution is required by Federal law to burn low-sulfur fuel.

Cam Brien, Main Street resident, asked if any consideration was given for the ship to be anchored offshore? Bill Brennan said that due to the global pandemic to load up the ship to go offshore was unsafe and not possible to do under safety guidelines and protocol. Many cruise ships around the country have been stranded due to impacts of the virus. Being dockside was approved by the Coast Guard. Discussion.

Ben Rogers said he thought daily updates from MMA should have been given to everyone. This situation has been poorly managed by the Academy. A day to day improvement is needed. He said he hopes the Selectboard can come up with something more realistic.

Colin Powell said the Town is handcuffed to what is in our Ordinance for enforcing noise violations. The ability to force an institution to make changes isn't in our wheelhouse. The Town has never had to deal with something like this before. The Selectboard and Town Manager agreed that the best method for dealing with the issue is collaborative. The Town and MMA are doing the best they can all around. Gordon MacArthur added that by making the motion the Town expects MMA to continue working diligently, as they have been, to solve the problem. The motion stands.

Colin asked for votes. Gordon stated yes to approve. Peter stated nay to oppose. Colin stated yes to approve. Approved 2-1 to give 30 days for MMA to come into compliance with the Noise regulations with a \$100/day fine assessed for the violation after the 30 days provided by Maine Statues Title 30-A §44.52 effective from today (7/6/2020).

Colin Powell said the Town will continue to work with MMA on this issue. He reassured that this was not the end. Peter Vogell said he is on his boat a lot which is right near the ship, he has been observing and will continue to do so. He will also check out the vibration pointed out by many.

Item 4. Colin Powell introduced discussions regarding the July 11th Town Mtg Warrant. Colin read a statement and asked the public present if they had any Warrant questions. No questions and no discussion.

Item 5. Colin Powell introduced the Town Manager's Report: Shawn Blodgett read his report (see attached).

#1 Noise complaints regarding MMA's State of Maine training ship: Shawn added that he has been continuously observing and monitoring with 23 decibel readings taken to date and over the past weekend.

Item 6. Other Business as Required: NONE.

Communications: NONE.

Colin acknowledged the public present: -Patrick Haugen asked if there was a plan set yet for students returning this fall (end of summer) for the 2020-21 school cycle. Bill Brennan said they are still working to develop a plan to bring students back as other colleges are doing. Once it is finalized it will be shared with the Town and various media outlets. A few things mentioned that they expect to have in place: testing using a number of methods, social distancing in the dorms and classes and online elements. MMA will be adhering to all the State guidelines.

PAST ACTIONS: NONE.

Selectboard Comments:

Upcoming Mtgs:

Monday, 7/20 at 4PM – Selectboard/Assessors & Overseers of the Poor Mtg.

No T/G Mtgs scheduled at this time due to COVID19.

Colin Powell made motion to adjourn. Second by Peter Vogell.

Colin asked for votes. Gordon stated yes to adjourn. Peter stated yes to adjourn. Colin stated yes to adjourn. Approved 3-0.

Meeting adjourned at 5:00PM.

Minutes by Susan M Macomber, Town Clerk.



MEMORANDUM

To: Castine Selectboard
From: Shawn Blodgett
Date: July 06, 2020
Re: Town Manager Report

1. Noise Complaints Regarding MMA's State of Maine training ship. Over the previous week, I have received approximately 16 complaints from 3 Castine residents regarding the noise levels of the TSSOM. Concerned residents also provided my office with 14 snapshots of their decibel meter which did indeed show three violations of the Castine noise ordinance with the average violation being 6.8 decibels over the allowable overnight limit. As Castine's Ordinance states that decibel readings must be taken at property lot lines by an American National Standards Institute (ANSI) Type I or II meter, from the 02d through the 06th of July, twenty-three (23) decibel readings were made of the TSSOM noise levels along with 6 readings behind Emerson Hall to ascertain Castine's normal baseline ambient noise level. Before each reading session, the meter was calibrated. Decibel reading locations were 1) Town Dock next to Captain's Catch. 2) MMA property line at the dock parking lot 3) Lot line by Water Street above Payson Hall and 4) MMA's beach lot line. The average of Castine's normal ambient noise level over this four day period was 41 decibels or the approximate noise level of the humming of a home refrigerator according the Center for Disease Control and Prevention (see the chart below). Of all of the readings made with the Town of Castine's ANSI compliant meter, a total of 5 readings showed the TSSOM to be outside of Section 6.21, Noise, of the Castine Zoning Ordinance. Of these five, one reading was in excess of the daytime period (7 am- 10 pm) limit of 60 decibels. This reading was found to be an aberration due to the environmental factors of waves breaking on the shoreline.



Upon an immediate re-test, the reading showed compliance of 58.3 decibels. Four (4) readings were found to be over the allowable nighttime limit of 50 decibels and these (4) readings averaged 53.1 decibels. The below chart is taken from the Center for Disease Control Environmental Health Section. Maine Maritime Academy is actively working to bring the ship noise levels down to a compliant level and seeking to add more buffers/baffling and contract an environmental consulting firm to aid in this endeavor (Resource Systems Engineering).

Everyday Sounds and Noises	Average Sound Level (measured in decibels)	Typical Response (after routine or repeated exposure)
Softest sound that can be heard	0	Sounds at these dB levels typically don't cause any hearing damage.
Normal breathing	10	
Ticking watch	20	
Soft whisper	30	
Refrigerator hum	40	
Normal conversation, air conditioner	60	

2. Office Closures. Due to town staff working on Saturday, July the 11th for Town Meeting and approximately 14 hours for the July 14th Maine State primary, I respectfully request that the Town Office be closed on July 17th, 2020. Also, due to the Town Clerk and Finance Officer working the primary on July 14th, the front office will be closed on that day. The Town Manager/Code Enforcement Officer will be working as per normal hours.



3. Municipal Review Committee (MRC)/Fiberight. The Town Staff is staying abreast of the ongoing situation regarding the closure of the Fiberight facility. Since the last Selectboard update, the Coastal Resources (Fiberight) facility has been cleaned and is ready for a re-start. MRC is actively seeking investors to take over the operation and assesses that they have 4-5 hard leads with interest in taking the facility over. In the meantime, MRC is directing three quarters (3/4) of municipal solid waste to the Penobscot Energy Recovery Facility (PERC) in Orrington, with the rest going to the Crossroads or Juniper Ridge Waste Management Corporation landfills. While undergoing this transition period, transportation and tipping fees have remained the same.

4. Water Production. With the very dry spring that Castine has experienced, some may be concerned about Castine's water security. During the last fiscal year, Castine received approval from the Maine Drinking Water Program to artificially recharge our aquifer. Further, we have added a second filter train to the Battle Avenue production facility which has been immensely beneficial toward achieving greater production efficiency. Last month, our Water Department produced approximately 400 thousand gallons more than during June of 2019, but Castine remains in very good shape with regards to water security. I do not assess we will have any problems meeting all needs during this year's busiest season.

5. Town Clock Refurbishment is Complete. The Town Clock refurbishment is complete. The Emerson Hall Cupola is awaiting the completion of the re-gilding of the directional and weathervane which is happening this week.

6. Governor Mills EO Update. As of last Friday, the 03d of July, residents of New York, New Jersey and Connecticut will not have to quarantine or provide COVID 19 negative test when visiting Maine.