

BOARD OF SELECTMEN

RICHARD F. BEAL, CHAIRMAN
FLORENCE J. SPRAGUE
MALCOLM FERNALD
TOWN CLERK / TREASURER
DENISE McCORMICK

PUBLIC SAFETY COORDINATOR

KATELYN DAMON



MUNICIPAL ADVISORY COMMISSION

R. AXELROD, J. SAMUEL,
J. THORMANN, I. GAITHER,
C. WHITE, C. DUGGAN,
K. WHITNEY

ADMINISTRATIVE ASSISTANT

JAMES FORTUNE

**Board of Selectmen's Meeting Minutes
January 05, 2016
Islesford Neighborhood House**

Attendance:

Richard Beal, Chairman, BOS
Florence Joy Sprague, BOS
Malcolm Fernald, BOS
James Fortune, Administrative Assistant
Denise McCormick, Town Clerk
Nanette Hadlock, Deputy Clerk
Katelyn Damon, Public Safety Coordinator
Cory Duggan, MAC
Ingrid Gaither, MAC
Phil Whitney
Tom Powell
Evelyn Boxley Bunker
Miklos Pogany

I. Call to Order: 8:33 A.M. by Chairman Richard Beal.

II. Review / Signing Financial Warrants

2015:

Warrant #66: 6,132.90
Warrant #67: 1,639.22
Warrant #68: 64,445.91 (school)
Total: \$ 72,218.03

2016:

Warrant #01: 5,607.80
Warrant #02: 40,725.03
Total: \$ 46,332.83

All warrants were signed by the Selectmen.

At this time, Selectman Beal reads an excerpt from the Maine Municipal Association's publication, The Maine Townsman, January, 2016, regarding plowing of private roads. "Plowing or otherwise maintaining private roads at

public expense is a violation of the Maine Constitution's 'public purpose' clause, which requires that public funds be expended only for public purposes (see Opinion of Justices, 560 A.2d 552(Me. 1989))."

"Another myth about plowing private roads is that if emergency vehicles such as fire and rescue cannot gain access to persons or property due to snowbound roads, the municipality can be held liable. This of course is nonsense. Municipalities have no legal duty to endure access to private roads. Those who live on private roads but neglect to maintain them do so at their own risk."

III. **Review / Approval of Meeting Minutes: December 8 & December 16, 2015**

December 08, 2016, Section VII, Bullet #2:

Previously written:

Department 52-02, 15-28, Zone 2 Cistern is proposed for the construction of a flume for pump testing, (\$1,000). This may require a warrant article as this structure was not approved in the original cistern project request and is proposed to be located on Town property.

Change to:

- *Selectman Beal has been asked who is responsible for posting meeting agendas. The Town Office staff posts most committee and board agendas. Agendas are sent by the Town staff to GCI and Richard Beal or another board / committee member posts them there. The School Board has their own Freedom of Access officer, (Selena Dunbar of the central office), who posts agendas for them online, and school board members post on the islands. Joy Sprague also gets the agenda directly from the Superintendent's office and posts it at the post office on Islesford.*

December 16, 2016, Section II, Budget Workshop, Bullet #5:

Previously written:

Selectman Beal has been asked who is responsible for posting meeting agendas. Agendas are sent by the Town staff to GCI and Richard Beal or another board / committee member posts them there. The School Board has its own Freedom of Access officer, (Selena Dunbar of the central office).

Change to:

- *Department 52-02, 15-28, Zone 2 Cistern is proposed for the maintenance of the cistern equipment, (\$1,000). Construction of a flume at the same site will be paid for by private Zone 2 funds.*

Florence Joy Sprague moves to approve the December 08, 2015 Board of Selectmen's meeting minutes with correction. Richard Beal seconds the motion, with a unanimous vote by Malcolm Fernald. **Motion passes.**

Florence Joy Sprague moves to approve the December 16, 2015 Board of Selectmen's budget workshop meeting minutes with correction. Richard Beal seconds the motion, with a unanimous vote by Malcolm Fernald. **Motion passes.**

IV. **New Business**

A. LUZO Updates: Proposed Revisions

The Code Enforcement Officer has presented the Town with proposed updates to the Shoreland Zoning Ordinance. At this time the Town is not

required to update the ordinance. There is a process that must be undertaken to initially present the updates to the voters, (public hearing, Planning Board Approval, Selectmen Approval, Newspaper notice, etc.) This process does not leave enough time to present these updates to the voters at the March 2016 annual Town meeting. The proposed updates may come before the voters at a special Town meeting later in 2016, or at the annual Town meeting in 2017. The Selectmen will budget proposed funds for help from Hancock County Planning Commission to help with Land Use Zoning (Shoreland) Ordinance proposed updates.

B. Sign Municipal Quit Claim Deed

The Board of Selectmen signs a municipal quitclaim deed from undischarged tax liens from 1951, 1952, and 1953, releasing the Town of Cranberry Isles' interest in the property. The property is located at 37 Cross Road, Islesford., tax map 23, lot 04, to Samuel A. Shaw. The owner at the time the tax liens were placed on the property was Daniel Ham. The taxes were paid, but the Tax Collector at the time never released the liens by Quitclaim Deed. The Quitclaim deed signed today was notarized by Denise McCormick, Notary Public.

C. Sign 2015 Annual Audit & Letter to James Wadman

The Board of Selectmen signs the Annual Audit and Letter with James W. Wadman, Certified Public Accountant, for the fiscal year ended December 31, 2015. A copy of the audit report will be sent directly to the printer for publication in the annual Town report.

D. Cranberry Isles Commuter Boat

The commuter boat Sutton has had some difficulty docking at the Islesford Town Dock during extreme low tides. The Sutton is a larger boat than specified in the commuter boat contract. All paperwork on the Sutton is now available at the Town office. James Fortune reports that Mr. Pagels now has a back- up boat, (LADY H) that can carry up to seventeen passengers. In the last five years of the contract, a back- up boat, (specified in the contract) has not been needed. Mr. Fortune has asked for certification of inspection on the back-up vessel Lady H. Selectman Sprague asks if the back-up boat is currently launched or in dry dock. Mr. Fortune will follow up on this question. The current commuter boat contract may need to be amended to allow for the use of the larger vessel Sutton. Selectman Beal reports that the decision to operate or not is based on offshore weather, and is and should be up to the Captain's discretion.

E. Proposal to Purchase Weather Monitoring Equipment

Richard Beal has proposed to purchase a Rainwise weather monitoring station, with all the various features for the GCI Town Dock. It is hoped that the information could be immediately uploaded to the Town's website. The equipment would be Town-owned, located on Town property, using the Town website if possible. Mr. Beal is proposing that fifty dollars of the Selectmen's contingency fund would be used toward the purchase, and the rest of the cost, including installation, would come from private donation.

Florence Joy Sprague moves to accept the proposal. Malcolm Fernald seconds the motion, with Richard Beal abstaining from the vote. **Motion passes.**

James Fortune will contact Richard Hill to see if uploading the weather information is possible to the Town's website, www.cranberryisles-me.gov

F. Budget Workshop

- Department 51-28, General Government / Planning Board: Add proposed funds for assistance from the Hancock County Planning Commission, (HCPC) with Land Use Ordinance Updates. Denise McCormick will contact Tom Martin from HCPC for an estimate.
- Department 54-44, Cemetery Care, Capitol Improvement, 70-14 Grounds: Decrease from the proposed \$5,000 to \$4,000 upon acquiring an actual estimate for work on the revolutionary war cemetery at Great Cranberry Island.
- Department 55-10, Education / Schools: School budget proposed numbers are expected to be received by the Town by January 15.
- Department 51-10, General Government / Town Office, Administrative Expense, 20-10, Legal: the Municipal Advisory Commission, (MAC) will meet this week and discuss any proposed recommendations for additional attorney / consultant fees for Transportation, ordinances, etc. Cory Duggan, Chairman of the MAC, wishes to send a letter to Rob Snyder of the Island Institute to ask for assistance with a docking ordinance. The possibility of a straw vote regarding transportation issues at the annual Town meeting is discussed.
- Department 52-02, Public Safety / Fire Department Zone 1, Supplies, 15-22, Fire Truck: Specifications are out, waiting for an actual estimate. At this time \$250,000 is proposed. The heat pump at the GCI Fire house was paid for with private fire department funds.
- At this time, the proposed budget is down approximately \$200,000 from 2015. The school budget is not yet available. The Board of Selectmen is projecting a decrease in mil rate. (2013 mill rate: 7.95%; 2014 mil rate: 10.10%; 2015 mil rate: 9.95%).
- The contractor, (Sinclair Builders) has found rot on the Marsh building roof at Manset. This will be fixed with funds designated for Manset only. Estimated cost option 1: \$1,825; option 2: (Genflex rubber membrane roofing) \$2,125.
- Department 54-10, Public Transportation / Town Roads: some funds for maintenance on both islands are proposed; no funds are proposed at this time for capital improvements.

G. Warrant Article Drafts

- Add warrant article for cemetery care at the revolutionary war cemetery at Great Cranberry Island.
- Department 52-02, Public Safety / Fire Department Zone 2, Capitol Improvement, 70-18, well: This well is proposed to be located on

Town property near the firehouse at Islesford. Katelyn Damon reports that the capacity of the well is not known until the well is drilled. There is no way to determine if the well could also be used for another building, (i.e. a town office) at the site.

- Consolidated Passenger service: The Selectmen authorize a straw vote only at this time.
- Other proposed special warrant articles at this time include :
 - vote to authorize the Municipal Officers to appropriate and spend up to \$67,000 to continue the Commuter Ferry Service;
 - vote to authorize the Municipal Officers to appropriate and spend up to \$20,000 for the construction of a new float at Manset
 - vote to authorize the Municipal Officers to appropriate \$50,000 to be placed in capital reserve fund for a future construction of a Town Office
 - vote to authorize the Municipal Officers to appropriate \$12,000 to be placed in capital reserve funds for the purchase of a new plow truck, sander and related equipment for Islesford
 - vote to authorize the Municipal Officers to enter into a multi-year contract (Municipal Adjoinder Agreement) with the Municipal Resource Committee, Inc. (MRC), an agreement that would send municipal solid waste to a new processing facility, if financially advantageous
 - vote to authorize the Municipal Officers to borrow funds in the original principal amount of up to \$250,000 for the capital purchase of a new fire truck for Great Cranberry Island, and to further authorize the Selectmen to do any and all things necessary to award and enter into a purchase and sales agreement on behalf of the Town; expend the borrowed funds; and all other things necessary to accomplish the purpose of this article
 - vote to authorize the Municipal Officers to appropriate and expend up to \$10,000 for capital expenditure for a well to be located on Town property for the municipal garage and to further authorize the Selectmen to do any and all things necessary to award and enter into necessary design and construction contracts on behalf of the Town; and all other things necessary to accomplish the purpose of this article.

H. Town Report Topics

- The Great Cranberry Island Constable report will be sent to the Deputy Clerk this week.
- Include color maps for Flood Emergency Management Agency (FEMA) map amendments.
- James Fortune will forward the Municipal Review Committee maps along with a few explanatory sentences.

- Jim Fortune will forward a sketch of the proposed Islesford Dock extension.
- Nan Hadlock will request a jpeg photo from Sarah Corson of the Ashley Bryan school students.
- Nan Hadlock will request jpeg format photos from Katelyn Damon and Dennis Dever.
- Nan will prepare photos for the February BOS meeting for consideration of inclusion in the annual Town report. Photo submissions are still being accepted at this time.

V. Other Business

- Miklos Pogany expresses his gratitude for the plowing of his private road this winter, (Ted & Ray Road, Islesford).
- Selectman Sprague suggests that perhaps the Town should budget funds for the year round beach clean-up at Cranberry Isles. Ms. Sprague asks the Selectmen to consider this suggestion. No decisions were made at today's meeting.
- Selectman Joy Sprague suggests that maybe the School Board would be willing to give back the old fire house on Islesford for use as a Town office. MAC Chairman Cory Duggan reports that prior research shows that costs for renovating the old fire house, if available, are comparable to costs for a new addition to the municipal garage on Islesford. Should the wording be changed for the warrant article for a reserve fund for the "future construction" be changed? No changes were made to this article at today's meeting.

VI. Executive Session: Personnel Matter, 1 M.R.S.A. § 405(6)(A)

None requested.

VII. Audience Communications

- Tom Powell has forwarded an email from Donna Wiegler that requests letters of support for a grant application, submitted by Dr. Peter Rand and staff, (Maine Medical Center's Vector-borne Disease Lab), from the Elmina B. Sewall Foundation. The grant request Dr. Rand is planning to submit will support the lab's work with un-bridged islands to lower the risk of tick-borne diseases through education and promotion of effective tick control methods. Part of the work would include continued tick collection and identification on islands where this work is already being conducted. Dr. Rand would be interested in hearing from other islands that might want to be included in this work. The Board of Selectmen supports this effort and requests that Cari Alley, (Local Health Officer), write a letter on Town letterhead on behalf of the Town of Cranberry Isles. Denise McCormick will forward this request to Cari Alley.

VIII. Adjournment: 10:23 A.M.

Richard Beal moves to adjourn the meeting. Florence Joy Sprague seconds the motion, with a unanimous vote by Malcolm Fernald. **Motion passes.**