

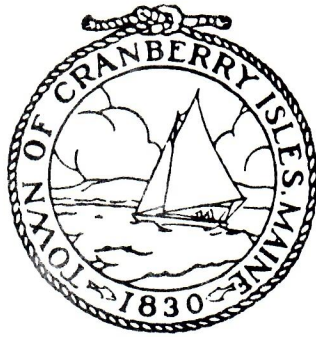
## **NOTICE OF BOARD OF SELECTMEN'S MEETING**

A Board of Selectmen's Meeting will be held at 08:45 AM, Tuesday,  
November 13th, 2001 at the Great Cranberry Community  
Center, Great Cranberry Island

### **AGENDA**

- 1. Review Minutes of last Board of Selectmen's Meeting**
- 2. Town Clerk/Treasurer's Financial Warrants**
- 3. Audience Communications**
- 4. Islesford Wharf Repairs, Kleinschmidt Assoc. Status of wharf repair specification and bidding documents**
- 5. Review and adoption of yearly appendices to General Assistance Regulations. State statute requirement.**
- 6. Request of Edward Horvath re: Snow Removal Contract for Great Cranberry Island**
- 7. Islesford- Float Construction Proposal**
- 8. Items at pleasure of Selectmen**

***Public Attendance is Welcomed***



**MINUTES OF THE  
BOARD OF SELECTMEN'S MEETING  
13 November 2001**

The Town of Cranberry Isles Board of Selectmen's Meeting was convened at 0845, 13 November 2001, at the Great Cranberry Community Center, Great Cranberry Island, Maine 04625. Selectmen David Stainton, Richard F. Beal and Denise McCormick were present, along with Town Clerk & Treasurer Frances J. Bartlett. Members of the community present were: Karen and Phillip Whitney, and Christopher White.

**NOTE TAKING:**

Richard Beal took notes for transcribing of meeting minutes.

**REVIEW & APPROVAL OF MINUTES FROM 2 OCTOBER 2001 MEETING (ITEM 1):**

Minutes of the 2 October 2001 regularly scheduled board meeting were provided to each Selectman and the Town Clerk. On motion of Denise McCormick, with second by David Stainton, the minutes were accepted with the original document being provided to the Town Clerk for permanent filing in the Town's records. Chairman Stainton reviewed each of the action items from the 2 October 2001 meeting prior to continuation of the 13 November 2001 agenda which is attached to this report:

- a. **Float:** The float at Islesford which had been damaged on one corner and was underwater was sold to James Bright for \$400. The decision to sell was made by Selectwoman McCormick at the time this float was hauled for winter storage. Selectmen Stainton and Beal concurred with this decision and the sale price. Proceeds were added to the Town's general fund. Selectman Beal provided the Board with a draft "Invitation for Bid" for the construction of a new Islesford float. Chairman Stainton indicated that he wanted to add a drawing of the float to enhance the specification package and would provide it to Selectman Beal for issuance to prospective vendors.

**ACTION: RICHARD BEAL**  
**DAVID STAINTON**

- a. **Accident at Islesford Wharf:** There has been no further word from the insurance company as to a claim by the Connecticut woman who fell and broke her arm earlier this summer while maneuvering about the Islesford floats.

- b. **Public Restroom on Islesford:** It appears that the public restrooms recently constructed by Mr. Lief at the Restaurant Dock have been shutdown for the season. No heating facilities have been installed at the time of this Selectmen's Meeting with all plumbing and associated piping still exposed to the elements.

**RECORDING OF TOWN MEETING MINUTES (ITEM 2):**

Following the approval vote for the Board of Selectmen's Meeting Minutes of 2 October 2001, Selectman Beal expressed his concern for formal documenting of Board of Selectmen's meetings, plus Town Meetings. Pursuant Maine Public Law concerning the conduct of municipal meetings and the Freedom of Information Act, Selectman Beal indicated his belief that the Town of Cranberry Isles should be recording all proceedings involving municipal government. Chairman Stainton inquired as to what a "court reporter" might cost for documenting the Town Meeting in March 2002 and Selectman Beal said he would inquire of the Hancock County Clerk of Courts and report back.

[**Note:** The Hancock County Clerk of Courts was very responsive and put Selectman Beal in touch with Ms. Connie Roth of Machias, Maine. She is a part-time Court Reporter and said that she and other reporters usually receive \$100 to show up at a meeting and then its \$5.00 per page of transcription. Her telephone number is: 207-255-4308. She also gave the names of three other firms that provide reporters: Zeb Pike of Redding, Maine; Don Thompson of Bangor, Maine; and Brown-Keene-Halterman of Bangor.]

**OPEN BURNING OF HOUSEHOLD TRASH (ITEM 3):**

Town Clerk Frances Bartlett was provided with copies of the recently passed Maine Law which ends the open burning of all household trash. Selectman Beal wrote to the Maine EPA Commissioner, Martha Kirkpatrick, and received copies of the law. The Town Clerk will be providing copies of this law, along with recently printed "Burning Permits" to each Selectman and Town Forest Fire Warden Edgar Blank and Deputy Forest Fire Warden Wesley Bracy Jr.

**ISLESFORD WHARF (ITEM 4):**

Chairman Stainton has posted a sign at the Islesford Wharf advising citizens that it is dangerous for more than two automobiles to be on the dock at any one time, and then they should be a minimum of 25 feet separation. Mr. Stainton also asked Selectman Beal to talk with David Bunker of Beal & Bunker, Inc. concerning the tying of the ferry boat by the stern to the outer pilings at this dock. In its weakened condition, this method of tying up the Mailboat should only be used in an emergency until wharf repairs have been completed in the spring of 2002.

**ACTION: RICHARD BEAL**

ISLESFORD WHARF REPAIRS (ITEM 5):

Bond and loan papers were presented to the Board of Selectmen by the Town Treasurer for signature. These documents are required in order to initiate the \$300,000 credit line at Bar Harbor Banking & Trust Company, approved by the voters at Special Town Meeting earlier this year. Chairman Stainton also indicated that the Town may qualify for State of Maine aid in the repair effort, based on the recently approved State Bond item approved by the voters during the November 2 elections.

CIRT LETTER (ITEM 6)

The Selectmen signed a letter indicating to Bar Harbor Bank & Trust Company that the land on which the Cranberry Isles Realty Trust had constructed a home was in fact Town land and that CIRT had been granted permission to use the land for the next 35 years. This letter was required to permit CIRT to obtain a loan for expenses associated with construction of the home.

GENERAL ASSISTANCE REGULATIONS (ITEM 7):

Pursuant to Maine Law the Town is required to formally adopt the regulations put forth by the State concerning the amount of municipal funds which may be offered for assistance to those in need. Each category of need is listed by dollar amount. The Town Clerk also reported that general assistance of approximately \$250/month has been paid to cover the costs of a hot meal each day for two residents on Islesford. If the Islesford General Store closed for the winter months, the Selectmen voted to authorize the Town Treasurer to continue funding local residents to provide these meals. The Selectmen signed the regulation papers for forwarding to the State.

REQUEST OF EDWARD HORVATH FOR ADVANCE SNOW PLOWING PAYMENT (ITEM 8):

The Selectmen received a letter from Edward Horvath of Great Cranberry Island which was opened by each Selectmen during the meeting. This letter is quoted herein:

“ November 08, 2001

The Town of Cranberry Island  
C/Selectmen: David Stainton, Denise McCormack  
and Richard Beal

Dear Board,

I'd like to start by saying I am sorry I am unable to accompany this letter as I am out of town on business. I have had to upgrade my equipment recently and am asking you to change my payment schedule so I will be able to start payment on my truck and new plow. I am asking for Dec 2001 - Sept 2002 excluding Nov 2001 as it is already on this warrant. This will be a payment of 6230.00. After Sept 2002 I would like to go back to my monthly payments until the end of my contract that will expire on March 31, 2003. Thank you for your consideration on this matter.

Other matters that are of some concern to me, first, I need to know what your plan is for the town recycling station as it is not covered in my contract. I'm suggesting that we do it on an

hourly basics as I am not sure how long it will take and to what detail it needs to be done. The rate is \$70 an hour \$35 min charge.

Second, I need the power to be fixed at the salt shed, a light both interior and exterior and a working outlet.

Third, I need the salt sand to be delivered ASAP 14 yards to start no more than that as we can not fit it in the shed.

Finally, I need the propane tanks removed from the dock area as it would cause great harm to my equipment if I were to hit one. Also, it would be great if some trimming could be done on some of the roads so the branches won't hit the truck. I have to drive with my truck wheel on the edge of the payment and the snow covered branches pose a hazard.

As of this afternoon my truck will be on island and in good working order and ready for snow. If you have any questions feel free to call me or my wife.

Sincerely,

/s/ Edward Horvath"

The Board of Selectmen discussed the above letter, reviewed copies of the snow plowing contract as provided by the Town Clerk, along with hearing comments from the audience. It was the decision of the Board not to approve the request for advance payment of \$6,230 since it would be a violation of law, would burden the Town with a cash flow problem at the end of the 2001 fiscal year and would be contrary to approved accounting practices. The auditing firm of James W. Wadman, C.P.A. concurred with the Board's decision. Selectman Stainton asked Selectman Beal to send Mr. Horvath a response. This response is noted below:

"14 November 2001

Mr. Edward Horvath  
46 Bayberry Cottage  
Cranberry Isles, Maine 04625

Subject: Advance Payment on Snow Plowing Contract

Ref: (a) *Edward's HandyMan Service* ltr dated 8 NOV 2001; Subj: Request for Advance Payment on Snow Plowing Contract  
(b) Town of Cranberry Isles Snow Plowing Contract dated 12 Sept 2000 with *Edward's HandyMan Service*

Dear Mr. Horvath:

The Board of Selectmen met on 13 November 2001 and considered in open forum your request as contained in reference (a) for advance payment of \$6,230.00 against the Great Cranberry Island Snow Plowing contract reference (b). The Board of Selectmen must unfortunately deny your request for the following reasons:

- a. Operating funds for the Town of Cranberry Isles are approved by the voters for the standard fiscal year of January through December. Lump sum payment of \$5,607 covering the period of January 2002 through September 2002 prior to approval of the Year 2002 Warrant would be a violation of law. By convention and previous vote of the citizens at Town Meetings, the Town Treasurer may only expend funds for the months of January through March that do not exceed the previous years expenditures for January through March until the current years Warrant has been approved by the voters.

- b. Payment of the full ten months now, as requested in reference (a), would produce a cash flow problem, just as the Treasurer is trying to close the Year 2001 books.
- c. The Town's independent auditor, James W. Wadman, C.P.A., was asked to review your request and has provided concurrence with the reasons listed above. The auditor believes that monthly payments, as specified in reference (b), are acceptable while maintaining a sound financial accounting practice; however, a lump sum payment, against 10 months of work not yet performed, in out year obligations is not acceptable for a municipality against generally accepted auditing standards and the standards applicable to "Government Auditing Standards" issued by the Comptroller General of the United States by which the Town of Cranberry Isles is judged.

Regarding the plowing of the Town recycling station, removal of the propane tanks at the Town Parking Lot and restoration of electrical power at the Sand/Salt Shed, you will be contacted in the near future once the Selectmen have reviewed the sites. As for delivery of 14 yards of sand & salt mixed, *John W. Goodwin Construction, Inc.* has been hired to provide this product at his earliest opportunity.

For the Board of Selectmen:

/s/ Richard F. Beal  
Selectman  
Secretary to the Board

cc:  
David Stainton, Board Chairman  
Denise McCormick, Selectwoman  
Frances J. Bartlett, Town Treasurer"

**PROPANE GAS TANKS ABANDONED AT GT. CRANBERRY WHARF (ITEM 9):**

There presently are 20 propane gas tanks at the Great Cranberry town parking lot which have been dumped there by various residents. Vendors for these tanks need to be notified that removal by them is required and if they are not then a fee of \$50 (suggested by Chairman Stainton) will be charged. Chairman Stainton indicated that he would notify Island Plumbing & Heating (Alan Joseph) and Northeast Plumbing & Heating (Robert Young).

**ACTION: DAVID STAINTON**

**BUDGET WORKSHOP FOR YEAR 2002 WARRANT (ITEM 10):**

The Board voted to hold a budget workshop at the conclusion of the next regularly scheduled Board of Selectmen's Meeting on 4 December 2001.

**GRANITE BLOCKS IN THE TOWN HARBOR AT ISLESFORD (ITEM 11):**

Selectwoman McCormick informed the Board that she had received an inquiry and recommendation concerning the granite blocks located approximately 60 feet in the water from the low water mark, in front of the Blue Duck building at Islesford. Edgar Blank, a resident of Islesford, has suggested that if ownership of these blocks can be confirmed as belonging to the Town of Cranberry Isles, then the blocks might be of value as support and wave reduction in the rehabilitated Islesford wharf. The Board decided that first ownership needed to be determined prior to considering their use on the Islesford wharf. Selectman Beal volunteered to research the ownership issue.

**ACTION: RICHARD BEAL**

[Note: Selectman Beal wrote to the Director of Land Resources for Acadia National Park, with information copies of his letter to both the Superintendent and Deputy Superintendent. That letter is contained below:]

27 November 2001

Acadia National Park  
Attn: Mr. Michael Blaney  
Office of Land Resources  
P.O. Box 177  
Bar Harbor, Maine 04609

Subject: Granite Wharf Blocks in Islesford Harbor re: Ownership

Enclosure (1): Photograph of Steamboat Wharf, Islesford, circa 1920; Source:  
Bartlett Family Album, Islesford (Photocopy)

Dear Mr. Blaney:

This letter is written on behalf of the Town of Cranberry Isles in its efforts to determine ownership of the granite wharf blocks located in the harbor of Little Cranberry Island (Islesford). Approximately 80 years ago there was a wharf in the vicinity of the current "Blue Duck" building, owned by Acadia National Park, known as the "Steamship Wharf" which serviced various steamships visiting Islesford. This wharf was the only public wharf at the time but has since disappeared with the exception of the granite blocks located approximately 60 feet below the low water tide mark. These blocks supported the end of the wharf at the deepest water point with the remainder of the wharf constructed out of wood. Enclosure (1) provides a photograph copy of this former wharf for historical reference. Please note that at the time of this photograph no other construction had taken place on the western end of Islesford.

The Town of Cranberry Isles is presently preparing to issue "Invitations for Bid" to vendors for the purpose of repairing and rehabilitating the public wharf on Little Cranberry. In order to lessen the effects of wave action at the end of this public wharf, use of the above cited granite block might be of considerable value. Since these blocks are in the contiguous harbor waters of the Cranberry Isles and not in the tidal zone the Town of Cranberry Isles believes that ownership is with the Town. However, in an effort to ensure that there is no claim on these blocks by Acadia National Park, or the federal government, the Board of Selectmen for the Town requests your review of this matter. We would appreciate having a concurrence from Acadia National Park as to Town ownership; with a statement that Acadia National Park holds no claim nor has any objection to these granite blocks being moved and used to strengthen the current public wharf.

/s/ Richard F. Beal  
For the Board of Selectmen

cc:  
Mr. Paul Haertell  
Acadia National Park Superintendent

Mr. Ken Bobinchock  
Acadia National Park Assistant Superintendent

**PARKING FOR CRANBERRY ISLES PROPERTY OWNERS IN NORTHEAST HARBOR (ITEM 12):**

Selectman Beal indicated that he had had a recent conversation with Selectman Richard Savage of Northeast Harbor and that Selectman Savage was very interested in an idea that has been proposed in private by Selectman Stainton. Chairman Stainton has been researching various parking lot options on land located in Northeast Harbor for use by Cranberry Isles residents and property owners. He will initiate contact with Selectman Savage and see if a meeting between the boards of the two towns can be arranged for the near future to discuss options. Parking continues to be a problem and discussion of special parking permits that may be attached to the windshield has been reserved for a future meeting.

The Town received a letter from Town of Southwest Harbor (Town Manager Kenneth A. Minier) dated 3 October 2001 in which the Town of Southwest Harbor thanked the Town of Cranberry Isles for its donation of \$1000 for the year 2001. This letter also contained the following wording regarding parking:

**“I must remind you as in the past, that the donation of monies, although highly appreciated, does not entitle Cranberry Island to any permanent parking spaces in any of the Town parking lots. The Town is presently working on a Paring Ordinance that will re-organize the present parking lots by establishing 3-hour, 8-hour, 12-hour, and overnight parking by permit only.”**

**/s/ Kenneth A. Minier  
Town Manager**

**ACTION: DAVID STAINTON**

**FINANCIAL WARRANTS (ITEM 13):**

The Town Treasurer provided five warrants for consideration and approval by the Selectmen. Each was reviewed and approved in the following amounts:

a. CDBG (Matt Skolnikoff) \$4,764.20



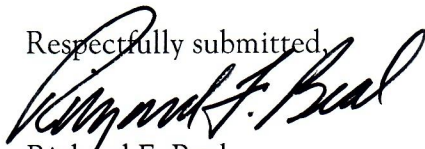
b. School Department	\$8,599.21
c. General Bills	\$1,974.90
d. General Bills	\$26,531.76
e. General Bills	<u>\$12,375.00</u>

Total: 54,245.07

**NEXT MEETING (ITEM 14):**

The meeting concluded at 11:10 AM with agreement to hold the next meeting on December 4<sup>th</sup>, 2001 at 08:30 AM in the Islesford Neighborhood House, Little Cranberry Island.

Respectfully submitted,



Richard F. Beal  
Selectman & recorder

On 4 December 2001 the above report was read and accepted by voice vote of the Selectmen.

RFB