

NOTICE OF BOARD OF SELECTMEN'S MEETING

8-9 Special Town Meeting + selectman's meeting 9 am
A Board of Selectmen's Meeting will be held
8-2 selectman's meeting Tuesday, 6 July 2004 , commencing at 09:00 AM,
at the Great Cranberry Community Center
Great Cranberry Island

AGENDA

- ✓ 1. Financial Warrants
- ✓ 2. Review of Special Town Meeting "Warrant 2004-A Articles"
- ✓ 3. Status Solid Waste Transfer Permit Applications
- ✓ 4. Town Office: Location, specifications, funding
- ✓ 5. Monthly Report & Recommendations of Municipal Facilities Commission
- ✓ 6. Audience Communications
7. Road Work for 2004; review & discussion *val storms*
8. Adjournment, next meeting Tuesday, 2 August 2004 at Little Cranberry Island

*Beverly
Margaret*

→ Denise

name has added to Board Inv

Public Attendance is Welcomed

Journal of Selectmen's Meeting Minutes

Tuesday July 6, 2004

BOARD OF SELECTMEN'S MEETING Town of Cranberry Isles, Maine

ATTENDEES: Selectmen Richard Beal, David Stainton and Edgar Blank, plus Town Clerk Frances Bartlett. Members of the community in the audience were: Jan Moss, Dan Lief, Hal Newell, Bruce Komusin, Jeff Wadsworth, Kevin Wedge, Michael Phillips, Eve Harrison, Hugh Smallwood, Joe Delafield, Malcolm Donald, Clyde and Joan Shorey, Phil and Karin Whitney, James Gertmenian, Robin Richman

Meeting opened at: 9:00 AM

AGENDA:

1. REVIEW OF BOS MEETING MINUTES FOR 1 JUNE 2004:

Minutes were reviewed by the Board of Selectmen with a motion by Selectman Stainton to accept the minutes, with a second to the motion by Selectman Blank. A copy of the minutes were provided for audience information and the Chairman advised that these minutes were also on the CranberryIsles.com website. Minor changes in paragraph 6 were recommended by Michael Phillips of the Municipal Facilities Commission and accepted.

2. FINANCIAL WARRANTS and Related Financial Business:

a. Haslam Septic Service: The Selectmen signed two copies of a contract with Haslam Septic for the year 2004-2005 for the disposal of septic sludge within the borders of Cranberry Isles for town facilities.

b.	<u>Category of Warrant:</u>	<u>Amount</u>	<u>Warrant #</u>
	Acadia Health Care	\$350.00	23
	School Payroll & voucher	\$26179.49	24
	Bills	\$21,456.92	25
	Bills	\$6,235.32	26
	Town of Cranberry Isles	\$100,000.00	4A (Transfer between accounts)
	Bills	<u>\$8,231.29</u>	27
	Total:	\$162,453.02	

c. Appointment of Deputy Town Clerk & Treasurer: In response to a two month advertising and search period three letters were received asking for consideration as a Deputy Town Clerk & Treasurer. Letters were received from Margaret Blank, Islesford; Denise McCormack, Islesford; and Beverly Sanborn, Great Cranberry. Each of the letters were read aloud to all present, with the Chairman pointing out that both Mrs. Blank and Mrs. Sanborn had indicated a desire for only the Town Clerk's position in their letters, and then each application was discussed by the Selectmen. Selectman Blank recused himself since his wife was one of the applicants. Selectman Beal indicated his choice of Denise McCormack due to her computer skills and accounting background plus work experience in several banks and saving institutions. On **motion** of David Stainton, Mrs. Denise McCormack was accepted for the position of Deputy Treasurer and Clerk, with bonding to be arranged by the Town Treasurer for this position. Mrs. McCormack was notified of her selection this date.

d. Special Town Meeting: The Chairman read a proposed "Warrant-A", which had been reviewed to

Journal of Selectmen's Meeting Minutes

be considered by the voters on 9 August 2004 at a Special Town Meeting, to be held at the Islesford Neighborhood House, beginning at 09:00 AM. "Warrant-A" contained 13 Articles of which the first was for election of a moderator and then 12 Articles requiring consideration and a vote by the Town's citizens. "Warrant-A" was approved by the Selectmen and attested to by the Town Clerk. Four Articles in "Warrant-A" concern consideration of proposed Ordinances and each ordinance was certified by the Selectmen and attested to by the Town Clerk. These proposed ordinances are: (1) Street Name & Addressing Ordinance, (2) Solid Waste Disposal Ordinance, (3) Harbor Management Ordinance, and (4) Municipal Fire Department Ordinance. All of this material will be assembled into a booklet and mailed to each registered Town voter in mid-July. Additional copies of this Warrant booklet are being made for those property owners who also wish to attend the Special Town Meeting.

3. **STATUS OF SOLID WASTE TRANSFER PERMIT APPLICATIONS:** Chairman Beal reported on progress by CES, Inc. (Brewer, Maine) in preparing the Transfer Station Permit Applications. Selectman Stainton indicated that he had site survey documents ready to send off to CES, Inc. Selectman Blank indicated his displeasure with the decision by the other two Selectmen in moving the trash containers to the Town Gravel Pit temporarily pending transfer permit approval and construction of the compaction facility. Placement of collection containers in the gravel pit for the interim period was discussed by several in the audience, along with discussions on overall trash collection procedures, placement of containers and actions by citizens in using proper disposal procedures. Chairman Beal met later in the day with the solid waste contractor and stressed the importance of keeping the containers emptied.

4. **TOWN OFFICE: LOCATION, SPECIFICATIONS, FUNDING:**

a. Selectman Stainton provided a "Program for the Town Office" document which provided information as to space and equipment. On **motion** of Selectman Stainton, the MFC (Chairman Hugh Smallwood) was empowered to initiate a committee to explore a site for a new Town Office, with specifics on construction, land requirements, septic; including an option of leasing land on a long term basis for the office if a location on Town land could not be developed. This committee is to report back to the selectmen on 9 August following the Special Town Meeting. An article was approved by the Selectmen in their discussion of the Warrant-A, 2004 for appropriation of funds for the Town Office relocation which will be considered at Town Meeting by the voters.

5. **MONTHLY REPORT & RECOMMENDATIONS OF MUNICIPAL FACILITIES COMMISSION: (The MFC Report of June is quoted below.)**

"Operations:

a. Brown House:

Status: Fencing to separate the property for sale has been ordered and the work necessary to move the garage doors to the east side of the apartment has been looked at and we are waiting for a quote. We have received an offer for the purchase of the Brown House and the MFC Chairman has appointed a member of the commission to negotiate the price with our real estate agent to ensure confidentiality. We hope to present a contract to the Board of Selectmen for their signature at the July BOS meeting. The Contract would be contingent on the voters approving it at the special town meeting in August. We also request that the BOS consider this contract in Executive Session to keep the offer confidential. [Note: At the conclusion of the BOS meeting, the BOS did conduct an Executive Session, it received documentation for a potential sale, and this material was subsequently delivered to the Town Attorney for review.]

b. Parking Lots:

Manset Lot: Wheel stops and landscaping boulders are scheduled for installation this month. The Insurance Building parking lot is in progress [of construction] and will hopefully be completed next week.

Joy Road Lot: The towing signs are in place and MCI Towing has been advised not to tow until after the 4th of July weekend. We have prepared a notice to be posted on the islands about the need for 2004

Journal of Selectmen's Meeting Minutes

parking permits for Joy Road and that towing will occur. [Note: Joy Road parking stickers may be obtained by contacting Malcolm Donald at 207-244-5244.]

c. Caretaker: Edward Hadlock [Caretaker for the Manset Property] has not been completing his weekly obligations to the Town. He is [also] three months behind in his rent. As of Friday, June 25th he was relieved of his caretaker responsibilities and given a schedule for getting his rent paid up to date by the middle of July. Ms. Eve Harrison has done a great job of staying on top of this situation. We may have to evict him if the rent isn't paid up by the end of July. Eve has arranged for the non-skid strips to be installed on the ramp and is looking into a lawn care service to cut the grass and water and weed. Also a house keeping service to clean the restroom and waiting area is under consideration.

Moorings & Floats:

The fourth float was installed this month [June] and the moorings are in progress. We have a diver scheduled to dive on them in July to retrieve the lost ones and check the others. By August we should have all five moorings in the town's name and in place.

Department of Transportation Grant:

Not much has happened this month with this grant [\$250,000]. The Municipal Facilities Commission needs to look into each of these acceptable projects to get more details so we can decide which ones we want to proceed with.

Comprehensive Plan:

The grant for \$17,307 was approved by the State Planning Office and is pending approval from the State Contract Review Committee. The Town has to match \$5,711 which has already received voter approval [at the March 15, 2004 Town Meeting]. The next step is to formally appoint the committee and start the project. Dan Lief will work with Lise [Pratt] getting this started.

Manset Business Plan:

The draft business plan is being reviewed/edited by Michael Bush who is a professional business plan writer. We have some preliminary numbers from Tom McCormack [of Coston & McIsaac of Bar Harbor, Me., a CPA firm hired to assist the Town on its financial accounting system] on the 5 year cash flow but they need some refinements. Hopefully, we'll have something to look at by the July 6 BOS meeting."

The Board of Selectmen accepted the MFC Monthly Report with thanks, noting that the Town still has not received a lease agreement from the Catholic Church for the Joy Street Parking Lot.

6. AUDIENCE COMMUNICATIONS

a. Dan Lief (Little Cranberry Island): Spoke on behalf of the Islesford Volunteer Fire Association and their report for June 2004. That report is detailed below for completeness of the meeting record and action taken by the Board of Selectmen:

"Training: We have offered Volunteers over 70 hours of training. On average, Volunteers have completed over 45 hours per person of training since March. We are following the curriculum from Maine Fire Training and Education for the designation of Firefighter 1. The training so far has been 8 hours of wildfire training; 28 hours of training with Chief Chris Farley of the Town of Mount Desert; 4 hours with Bangor Hydro; 30 hours of in house equipment operation and 3 hours with Life Flight. An 8 hour AED and CPR training session is scheduled for July. EMS training is planned for December. Two public fire prevention training sessions are planned for July and August.

911 Ordinance: The radios are ready to go. We need a memorandum of Understanding signed in order to utilize dispatch capabilities. The radios are VHF with all state & county fire and emergency channels

Journal of Selectmen's Meeting Minutes

programmed in. The District Representatives of Hancock County Fire Fighters Association are meeting July 6 to accept Great Cranberry and Islesford organizations into the Association.

Fire Department Ordinance: Maine state legislature requires that a municipal fire department must be "...established under Municipal Charter, Ordinance or Bylaw..." It is our belief that the 2004 Warrant # 23 does not meet this requirement and we, therefore, need an ordinance passed [which] authorizes the town to establish a municipal fire department. [Note: In response to this request, Chairman Beal indicated that he had prepared an ordinance which is modeled after the City of Ellsworth fire ordinance and that additional language had been inserted concerning the establishment of a fire department while also detailing a fire protection code which the Town of Cranberry Isles would in the future follow. This ordinance has been accepted by the Board of Selectmen for inclusion on the Warrant-A, 2004 for presentation to the voters at a Special Town Meeting on 9 August 2004. In response to a question from Selectmen Stainton indicating that he didn't know just yet what all of the particulars were concerning the Fire Protection Code to be accepted, Chairman Beal suggested that our Town accept the lessons learned by the City of Ellsworth and the language of their ordinance and then permit the Town's volunteer fire associations to review this ordinance in greater detail and offer any changes desired for voter consideration at the annual town meeting in March 2005. Thus we will have established the Municipal Fire Department and accepted a Code which can then be modified base on our specific needs and requirements. Selectmen Stainton and Blank concurred with this rationale.]

Fire Fighters Assistance Act Grant: This grant is for \$170,000 and available through the Homeland Security Act. As with all federal grants, a DUNS (Dunn & Bradstreet) number is required. We [Islesford Volunteer Fire Association] have invested over 80 hours in securing this grant. It is being held up because we do not have a DUNS number. This grant requires a 10% in kind contribution which we plan to raise through private donations.

[Note: Chairman Beal advised that he would pursue an application with Dunn and Bradstreet for a DUNS number, and then complete the required information package on the Town and its financial status. Following the selectmen's meeting Chairman Beal completed the required documentation and received the following DUNS Number: 15-223-2380.]

Emergency Access: Two areas need to be addressed regarding Emergency Access to Islesford and the shore. The concrete ramp needs to be extended to the low water mark to allow the pumper [fire] truck access to water. Twice last year we have an incident where we had a medical emergency and were unable to evacuate a person for 2 hours because the Coast Guard vessel could not reach the dock due to low tide. This situation needs to be addressed and would involved either extending the dock or dredging.

[Note: On **motion** of the Chairman, with second by Selectman Stainton, Kleinschmidt Associates of Pittsfield, Maine is to be contacted for development of an estimate to extend the Little Cranberry Island public ramp by approximately 80 feet, as well as an extension of the municipal wharf by 40 feet or such length to permit sufficient depth for landings are very low tides. This marine engineering examination is to be performed in conjunction with a marine examination of the Sutton Island public wharf so that the voters may be presented with a plan and information on all three projects at the Annual Town Meeting in March 2005.]

Insurance Coverage: Bradford Preston, Regional Director of the Volunteer Fire Insurance Service (VFIS) of East Greenwich, Rhode Island has advised that the Worker's Compensation coverage is not enough and that it needs to be supplemented with Accident & Sickness coverage as well. Workers' Compensation does not cover meetings, maintenance and certain types of training. Since several of our firefighters don't have regular medical insurance, we need to make sure if they get hurt we can compensate them fairly. Mr. Preston states that this coverage is between \$1 - \$2K annually.

[Note: On motion of Selectman Beal, with second by Selectman Stainton, the Town Clerk is to obtain a quote from the Town's insurance coverage for this additional supplemental insurance. It is the intention of the Board of Selectmen to obtain this additional coverage.]

Community Development Block Grant: Several issues need to be resolved before we actually secure this \$17,000 grant. The Community Development Block Grant (CDBG) Urgent Need Project

Journal of Selectmen's Meeting Minutes

Administration Agreement needs to be signed by the BOS. The \$400 in kind requirement has been met through volunteer time. A public hearing needs to be held 10 days prior to the August 9th town meeting to give members of the community a chance to comment. Part of the CDBG grant is a copy of the public notice, minutes attested to by the Town Clerk along with an attendance list. We also need a Warrant for the August 9th town meeting to approve the grant.

[Note: Selectman Beal indicated that he had already prepared an Article for the Town Meeting which appears as Number 8 on "Warrant-A" which was then read to the audience and approved by the Selectmen during consideration of the entire "Warrant-A". Chairman Beal also asked Dan Lief (Fire Association Representative) and Hugh Smallwood, MFC Chairman, to organize, post notice and conduct the public hearing, in conjunction with Fire Chief Courtney Chaplin, stressing that notes or minutes needed to be taken.]

Islesford Fire Association Expenses: Chief Courtney Chaplin reported that a total of \$10,499.00 had been spent on various fire fighting apparatus or clothing items and he provided a breakdown of same for the record.

Selectman Stainton noted for the record that he was very pleased to read the monthly report from Chief Chaplin; a report which the Board of Selectmen had requested of each Fire Protection Zone 1 & 2 Chiefs in the BOS letter dated 4 May 2004, asking that a report beginning in June and offered every two months would be most appreciated. Chairman Beal stated that he had provide a copy of the proposed Fire Department Ordinance to Chief Norman Sanborn Monday evening, 5 July, and again spoke to Chief Sanborn Tuesday, 6 July, reminding him that the Board of Selectmen needed to have data on the Fire Association building on Great Cranberry to permit development of a lease to the Town, payment of bills for utility services, installation of a telephone, and maintenance to the structure and trucks.

b. Comprehensive Planning Committee: Dan Lief asked for \$300 to support having a representative from Hancock County Planning Commission visit the Town and assist in development of the initial structure of the planning effort. On motion of Selectman Beal, with concurrence by the Board, \$300 was authorized for use by the Planning Committee with the funds to come from monies appropriated by the Town pursuant to Article 38 of the 2004 Warrant.

c. Lack of Law Enforcement within the Town: An oral petition from the Clyde and Joan Shorey, Robin Richman, Jan Moss and Jim Gertmenian was offered asking the Selectmen for assistance in getting law enforcement to the islands. A detailed explanation for this request was provided, citing several individuals and problems which had caused this petition to be made before the Board. Eve Harrison of Islesford added that law enforcement was also required on Little Cranberry Island. Phil Whitney offered that the solution required properly trained police officers who actually live on both islands. Chairman Beal detailed the facts learned from his meeting with the Hancock County Sheriff two weeks earlier and stressed that this was not a monetary issue but one of finding a warm body with the correct training as required by both the State and the Hancock County District Attorney. Chairman Beal made a **motion** to appropriate a sum of \$10,000 from contingency for the appointment of a police officer on both Great and Little Cranberry Islands, or enter into a contract with the Hancock County Sheriff Department for a summer officer if such an officer could be identified; with a recommendation from a citizen's committee on potential nominees; the committee reporting back to the BOS in three days (July 10th), including insurance (medical & liability), uniforms and vehicle support. Seconded by Selectman David Stainton.

d. Letter from Val Storms of Little Cranberry Isles re: Town owned right of way which requires road repair and runs northward from Northwood Road to the shore.

e. Phil Whitney: Mr. Whitney asked several questions of which (1) Lease on the Great Cranberry Fire Association Building; (2) joining Southwest Harbor Chamber of Commerce \$110.00 (Bruce Carlson) were but

Journal of Selectmen's Meeting Minutes

two. Chairman Beal discuss the fire building lease and the need for data/deed information, and that he would pursue the Chamber of Commerce issue noting that the Town had also appropriated \$500 for Southwest Harbor's 100th Birthday Party in 2005.

f. Town Dock at Sutton Island: Motion by Selectman Beal, with second by Selectman Stainton, to have an engineering survey conducted for repair of the Sutton public wharf.

7. **ROAD WORK FOR 2004: REVIEW AND DISCUSSION**

Chairman Beal read a letter from Val Storms concerning a Town right-of-way on Little Cranberry which requires maintenance (See 6.d above). Selectman Blank indicated that the Merrill Road on Little Cranberry Island was a town road which also needed a lot of work and what could be done about it? Chairman Beal then **motioned** that:

(1) Selectman Blank determine what was required to make the Town right-of-way, discussed in the Val Storms letter, passable and take action to have the maintenance performed,

(2) Selectman Beal hired an road/transportation engineer to review each of the roads on Great and Little Cranberry Island and prepare a report for consideration of the Board of Selectmen and that this report would be the basis for future road maintenance work, and

(3) Selectman Beal write a Street/Road Ordinance which would spell out the specifications for roads within the Cranberry Isles addressing acceptance of private roads by the voters for public maintenance, repair of roads to a set specification, and construction of roads to specified specifications. This ordinance to be prepared and forwarded to members of the voting public for review and then formal presentation as a Warrant article at the March 2005 Town Meeting.

The Board of Selectmen concurred in this motion.

8. **ADJOURNMENT** at: 1:20 PM, next meeting Tuesday, 3 August 2004 at Little Cranberry Island

9. The Board of Selectmen went into Executive Session at: 1:23 PM for a presentation by the Municipal Facilities Commission concerning an offer of purchase for Southwest Harbor property, with this meeting ending at 2:00 PM.