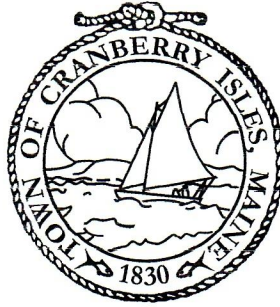


Selectmen

Richard F. Beal, Chairman

David M. Stainton

Orville E. Blank, Jr.



Town Clerk/ Treasurer  
Frances J. Bartlett  
P.O. Box 15, Main Street  
Islesford, Maine 04646

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

**A Board of Selectmen's Meeting will be held  
Thursday, 4 November 2004, at 08:45 AM  
at the Great Cranberry Community Center,  
Great Cranberry Island**

**AGENDA**

1. ✓ Review Minutes of the 5 October 2004 BOS Meeting
2. ✓ Town Treasurer's Financial Warrants
3. ✓ Third call for, and consideration of, Warrant 2005 Articles
4. ✓ Report of the Municipal Facilities Commission and any actions required
5. ✓ "Resolution Regarding Property Tax Relief" as proposed by City of Brewer regarding 55% Funding of School Costs by State of Maine *next month*
6. ✓ Hancock County Hazard Mitigation Plan for Cranberry Isles
7. ✓ MOU Between the Organized Fire Departments of Hancock County  
*memo to understand us*
8. ✓ Sand & Salt Shed Construction Bids
9. Report on progress with implementation of new financial accounting system;  
Outline of Budget Documentation for 2005 Warrant.
10. Audience communications *Town owned/leased vehicles*
11. Adjournment, next meeting 7 December 2004 at Little Cranberry Island

# Journal of Selectmen's Meeting Minutes

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Thursday November 4, 2004

TOWN OF CRANBERRY ISLES, MAINE  
BOARD OF SELECTMEN'S MEETING  
MINUTES

Attendees: Selectmen Beal and Stainton, Town Clerk Frances J. Bartlett, Deputy Clerk Denise McCormick;  
Audience: Cyrus Moulton, Karin & Phil Whitney, Malcolm Donald, Michael Phillips (Sutton Island)

Meeting opened at: 8:50 AM

AGENDA:

1. **Review Minutes of the 5 October 2004 BOS Meeting**

On motion of David Stainton the minutes for 5 October 2004 were accepted as written. An original copy is on file in the office of the Town Clerk.

2. **Town Treasurer's Financial Warrants**

<u>Subject:</u>	<u>Warrant #</u>	<u>Amount</u>
a. Schools	43	\$18,626.50
b. Bills	45	\$11,193.44
c. Bills	44	\$47,529.70
d. Bills	47	\$17,984.03
e. Loans	48	\$1,177.82
f. Bills	46	\$4,435.22

a. Contract with Independent Contractor re: Roof Repair for Great Cranberry Fire House. Chairman Beal reported that a contract had been executed with *Practical Builders* of Ellsworth for repairs to the fire house roof. Chief Norman Sanborn will act as "Clerk of the Works" for this contract; the original of the contract is on file with the Town Clerk. He also indicated that he was drafting lease for the Fire House whereby the Town would assume responsibility for the building and equipment pursuant to Article 23A of the 2004 Warrant which was approved by the voters at their 15 March 2004 Town Meeting. This lease will shortly be provided to the Town Attorney for review, and also the the GCI Fire Association for their 6 December 2004 monthly meeting.

b. Real Estate Lease re: Town & Great Cranberry Futures Group. Chairman Beal reported that the proposed land lease for the gasoline station operated by the Great Cranberry Futures Group on Great Cranberry Island had been executed. This lease was discussed during the October BOS meeting and then reviewed and approved by the Board of Directors of the Futures Group. The original is on file with the Town Clerk, and installs for the first time indemnity and insurance provisions which protect the Town should there be an accident or fire at this facility.

3. **Third Call for, and consideration of, Warrant 2005 articles**

- a. Develop funding requirements for Town office equipment
- b. Proposal for two summer police officer (temporary) under aegis of the Hancock Sheriff's office
- c. Article on dock and ramp repairs, rock removal in the Sutton Island channel
- d. Renewal of voting places pursuant to Maine State inspection report.
- e. Ramp improvements for Great and Little Cranberry with DOT funds
- f. Brochure on the islands similar to Beals Island/Jonesport brochure
- g. Road work proposed by S. W. Cole Engineering.

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### 4. **Report of the Municipal Facilities Commission and any actions required**

- a. Marsh Insurance signage, and lighting in the rear: Selectman Beal reported that he had been asked by Marsh Insurance for permission to construct a sign, similar to Hinckley Insurance's sign, to replace the Hinckley sign; and also to installed an automatic sensor light in the rear of the building for night lighting of the walkway. Permission was granted for both, with MCM Electrical to do the night light.
- b. Hinckley Real Estate is removing the third floor from their lease because its unusable and they can not rent it. A new lease is to be developed reflecting this change.
- c. Permit issued by SWH for the fourth float in Manset: Selectman Beal indicated that he had just received a float permit (albeit late from the Town of Southwest Harbor) for the fourth Manset float. Michael Phillips then provided a discussion on his conversations with the SWH Harbor Master regarding moorings and the Cranberry's purported requirement for five moorings. (See 4d below.) Mr. Phillips will pursue this requirement with the Harbor Master. The float permit was given to the Town Clerk for permanent retention in her files.
- d. Moorings at Manset and denial by SWH Harbor Master of the 5 previous moorings belonging to the town. Meeting needs to be held with the Harbor Master and not to cut and run from seeking these moorings for the Town. Mr. Phillips will check with Jarvis Newman as to the location of the Town's 5 mooring stones.

### 5. **"Resolution Regarding Property Tax Relief" as proposed by City of Brewer regarding 55% Funding of School Costs by State of Maine**

- a. Following a discussion by the Board it was decided that no resolution would be agreed to until the voters had expressed their wishes. Because of the language in the referendum question (Question #1) passed by the voters of Maine on June 8, 2004 concerning 55% funding by the state of school needs, the funds provided by the state are not necessarily dedicated just to school funding when received. Therefore, Mayor Michael Celli of the City of Brewer has been asking various towns and cities to approved a resolution dedicating at least 90%, and potentially 100%, of these funds for school use. While the Selectmen were supportive of this idea, it still remains the will of the voters at Town Meeting to determine how all funds will be spent and once funds are received this allocation question will be placed before the voters.

### 6. **Hancock County Hazard Mitigation Plan for Cranberry Isles**

- a. Local Emergency Management Directors and Senior Town Officials for Hancock County recently met on 23 September 2004 concerning the recently completed County Mitigation Plan. The U.S. Disaster Mitigation Act of 2000 requires that every municipality have an approved Hazard Mitigation Plan in place by 1 November of this year. The Emergency Management Agency of Hancock County has addressed this federal requirement with a Hazard Mitigation Planning Team, and the requirement for the Cranberry Isles is to "assess community shelter programs" by September 2006. The Selectmen unanimously approved of the overall county plan and the requirement for our community and therefore approved adoption of a resolution to this effect pursuant to Section 201.6(c)(5) of federal code. A copy of this resolution is on file with the Town Clerk.

### 7. **MOU between the Organized Fire Departments of Hancock County**

- a. On 14 October 2004 the selectmen received a letter from Chairman Rick A. Henion of the Hancock County Firefighter's Association which reads:  
"The Islesford Fire Department and the Cranberry Isles Fire Department recently expressed an interest in joining the Hancock County Firefighter's Association and becoming signatories of the Hancock County Mutual Aid Agreement. We welcome this interest and fully support your Fire Departments efforts in upgrading and

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strengthening fire protection and response within your community.

We recognize that your multi-island community will have a difficult time meeting some of the standards set forth in the Mutual Aid Agreement for signatory towns. These standards are designed to ensure there is consistency, safety, and standardization of personnel and equipment when it crosses municipal boundaries in support of neighboring community's emergency mutual aid calls. It would be unrealistic to expect the same level of response from and to your island community.

Therefore the Board of Directors for this Association have agreed to allow you to use the Hancock County Radio Repeater System and the RCC for emergency dispatching and communications. We will further assist in any way in which we can, the revitalization of your department's training and the upgrading of your equipment.

In the event that mutual aid support is required from "off island" communities you may be billed for services rendered until such time as your community is a full signatory of the County Mutual Aid Agreement.

Please sign and return the attached acknowledgement for our records. A copy of the 2004 Revised Memorandum of Understanding will be sent to you shortly, pending final approval at the next Association Meeting.

If you have any questions or concerns, or need any additional assistance please contact us. We are here to help the entire [community] and all fire and emergency services within Hancock County.

/s/ Rick A. Henion, Chairman"

b. The Board of Selectmen signed the following MOU: "The undersigned hereby agrees to the modified terms and conditions of the 'Memorandum of Understanding Between the Organized Fire Departments of Hancock County', namely use of the Hancock County Radio Repeater system and the services of the Hancock County Regional Communications Center."

/s/ Selectman Richard Beal and /s/ Selectman David Stainton A copy of this documentation is held by the Town Clerk.

### 8. **Sand & Salt Shed Construction Bids**

a. The Town received two unsolicited bids to build sand & salt sheds on Great and Little Cranberry islands. The bidder submitting this documentation was Louis Willey of Ellsworth.

b. The bids were read in open meeting with comment by Selectman Stainton that each doesn't reference any plans, details, or requirements. Selectman Stainton indicated that he out review last years plans, both for concrete and pole designs, and prepare a revised specification package. The Willey quotes for work were discussed but rejected because they did not represent Town requirements. Funds for these two projects have already been allocated by the voters in previous Town Meeting and amount to a reserve of \$60,000 plus a \$12,000 grant from MBNA obtained by Selectman Beal three years ago. Chairman Beal indicated that he still envisions use of the \$12,000 to permit construction of storage sheds on the side of each island's Sand & Salt Shed so that the Town can comply with the Acadia Disposal District's *Corrugated Cardboard Policy*.

The Town of Cranberry Isles, pursuant to an affirmative vote at Town Meeting on March 11, 2002 for Articles 29 and 30, is a member of the Acadia Disposal District (ADD), having signed an ADD Interlocal Agreement by permission of the voters. With this in mind and in keeping with the terms of the ADD Interlocal Agreement, the ADD has enacted a policy to remove corrugated cardboard from the solid waste stream in the member towns. Beginning on the effective date of this policy, which is January 3, 2005, corrugated cardboard will no longer be allowed in the solid waste stream. It will be accepted as a recycle item. The ADD is composed of the following communities: Cranberry Isles, Mount Desert, Tremont, Trenton, and Southwest Harbor.

#### **Rules:**

(1) All solid waste haulers will be instructed that they are not to pick up corrugated cardboard as a solid waste product after the effective date of this policy, but that they may arrange to pick up that material as a recycle item.

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- (2) E.M.R, Inc. will monitor solid waste coming into their transfer facility and will only accept corrugated cardboard as a recycle item; they will not accept any solid waste that has corrugated cardboard commingled with it - from neither solid waste haulers nor the public.
- (3) Educational efforts regarding the policy will begin November 1, 2004. These efforts will include, but not be limited to, flyers, newspaper articles, annual town reports and presentations to respective member town's boards of selectmen.
- (4) Corrugated cardboard may be disposed of as a recycle material provided:
- It is clean
  - It is broken down (flattened)
  - It is corrugated and is NOT items such as pizza or cereal boxes.

### 9. **Report on progress with implementation of new financial accounting system; Outline of Budget Documentation for 2005 Warrant:**

- a. Deputy Treasurer Denise McCormack discuss the 16 page breakdown of the new computerized financial system, which uses the TRIO software system and is being implemented with assistance of Tom McCormack of Coston & McIsaac of Bar Harbor, Maine (no relation to Denise McCormack). The TRIO software representative in Bangor has also been an active participant in the restructuring of the Town financial documentation system. Mrs. McCormack provided a four page synopsis of the various accounts, indicating that data had been input up through July 2004 and that considerably work remains to get it all input prior to the end of the year audit by the Town's Auditor: James Wadman.
- b. Based on a suggestion from Mrs. McCormack, the Board of Selectmen will participate in a financial workshop with the Treasurer and Deputy Treasurer, and our financial consultants, on 16 November 2004 for the purpose of reviewing the new system and recommendations for it completion. An outline of this new system will be provided to the voters in the 2004 Town Report to be issued in February 2005.
- c. Treasurer Bartlett and Deputy Treasurer McCormack both recommended that the Selectmen include in the 2005 Warrant funding for the purchase of the following TRIO software to complete the change over in financial accounting:

- |   |            |
|---|------------|
| (1) TRIO GASB-34 Fixed Asset Tracking & Accounting System | \$1,170.00 |
| (2) TRIO NVRA Voter Registration System                   | \$585.00   |
| (3) TRIO Clerk Data Base System                           | \$1,170.00 |

### 10. **Audience Communications**

a. **Manset Property:** Michael Phillips discussed various rental options he has been exploring for the boat house and the apartment in Manset Transportation Facility. He suggested that it might be to the Town's benefit if the 200 day rental restriction could be removed from the boat storage building to permit year round rentals. Selectman Stainton suggested that the Town Attorney be consulted, and that we obtain the services of a new Bond Attorney who was more responsive to Town requirements in a timely manner.

b. **Great Cranberry Gravel Pit:** Letter from Phil Whitney of Great Cranberry Island was received by the Board of Selectmen and is quoted below:

"October 26, 2004

Dear Sirs:

As an abutting property landowner, I have reviewed your formal request for permission regarding the establishment of the Garbage Transfer Station in the Town Gravel Pit. Although in principle I have no objection to the operation as proposed by Edward Gray Enterprises, I have significant concerns involving on-going related activities in the Town Gravel Pit, which I believe are in violation of the court-approved settlement of my lawsuit against the Town of Cranberry Isles in 2002, and which I believe would also negatively impact on

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the above proposed operation.

Within the past several days, I have surveyed the entire Gravel Pit property. I observed that one junk vehicle, which was located in a swampy area directly behind the proposed Garbage Transfer Station, has recently been removed. I greatly appreciate the efforts of the Town in this regard.

However, I also observed two other junk vehicles: 1) Bangor Hydro Electric green van/smashed windows, last registered in 1997. I believe it contains storage materials utilized by Bangor Hydro. 2) White carry-all truck, last registered in 1999. I could not clearly determine who owns the vehicle, or if any storage materials of significance were inside. I believe these vehicles are in violation of the court-approved settlement (most certainly the spirit in which the settlement was intended). In addition, it is my understanding that informal deals were made by members of the Board of Selectmen, which were never discussed nor approved in public meetings, to permit these vehicles to remain in the Gravel Pit.

I also noticed a considerable amount of construction debris on the ground between the above-mentioned white truck and a registered green truck owned by Gary Gould [well driller]. The debris has apparently lain there for several years, judging from personal observations made at this time and in months past. Towards the rear of the Gravel Pit I further observed a large pile of debris, which consisted of stumps, brush, construction materials, old computers & appliances, and other garbage. Some of these materials may have been related to target practice which is conducted regularly in this area.

Although not directly related to the above mentioned concerns, I saw that quantities of gravel have recently been removed from the rear of the Gravel Pit, which may be in violation of Wetlands Zoning provisions, since the digging appears to be within 250' of the Heath. It may also violate current Town policy regarding removal of gravel which, if I understand correctly, is limited to one truckload for personal use only.

I would ask the Board of Selectmen to correct these apparent deficiencies as soon as possible. I would be most willing to work with you to find acceptable solutions, if any of these problems are difficult to resolve. Once they are corrected to everyone's satisfaction, I will be happy to sign the approval for the Garbage Transfer Station.

Sincerely, /s/ Phil A. Whitney, Cranberry Island, ME.

Selectman Stainton read portions of the above letter to the audience and discussed various points with Mr. Whitney. Selectman Beal pointed out that much of the gravel and sand presently stock piled in the gravel pit by Goodwin Construction was for use at Cranberry House, for which Mr. Whitney is the Project Manager. Nevertheless, the point made by Mr. Whitney concerning the need for a Town policy on operation and use of the gravel pit was excellent, and Chairman Beal asked Mr. Whitney for his assistance in drafting or jotting down an outline of what a policy should contain for rules and regulations. Mr. Whitney said he would assist the BOS in this endeavor.

Town Clerk Frances Bartlett reported that an announcement concerning pending application to the Department of Environmental Protection for a Solid Waste Transfer Station Permit was in the *Mount Desert Islander* and a final application would be submitted forthwith for the Great Cranberry Island station.

c. **Road Repairs on Little Cranberry:** On behalf of several citizens who have recently fallen due to road potholes, Frances Bartlett reported that a safety issue existed on Little Cranberry and asked what progress has been achieved in getting some repairs made. Chairman Beal reported that he had followed through on a phone call which Bruce Fernald had made to BCM Construction over a month ago, and that he had hired BCM Construction to come to Little Cranberry as soon as feasible. Chairman Beal indicated that he would again call Ben Moore, owner of BCM Construction and learn when he plans on coming. Mr. Moore indicated on 8 November that he was planning on coming this date but wind and weather had prevented David Bunker from barging. The Chairman authorized BCM Construction to use Berzins Barging as an alternative, and Frances Bartlett was also so advised so that she could inform her neighbors at Islesford.

11. **Adjournment at: 12:43 PM** , next meeting 8 December 2004 (Wednesday) at Little Cranberry Island.