

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

11-4

next meeting

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

**A Board of Selectmen's Meeting will be held
Tuesday, 5 October 2004, at 08:30 AM
at the Islesford Neighborhood House, Little Cranberry Island**

AGENDA

1. Review Minutes of the 7 September 2004 BOS Meeting
2. Town Treasurer's Financial Warrants
3. Second call for, and consideration of, Warrant 2005 Articles
4. Report of the Municipal Facilities Commission and any actions required
5. Lease for Great Cranberry Future Group re: Gasoline Station
6. Lease for Cranberry General Store
7. IFB re: "Care of Floats & Ramps" with Specifications; extension of current contract until March 2005
8. Facilities Supervisor Employment Agreement
9. Report on progress with implementation of new financial accounting system.
10. Report on progress with Great Cranberry Solid Waste Transfer Permit
11. Audience communications
12. Adjournment, next meeting 4 November 2004 at Great Cranberry Island

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Tuesday October 5, 2004

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

Attendees: Selectmen Richard Beal, David Stainton and Orville Blank, Jr., plus Town Clerk/Treasurer Frances J. Bartlett and Deputy Clerk/Treasurer Denise McCormack. Members of the public present were: Dan Lief, Hugh Smallwood, Jay & Lynne Bisgyer, Malcolm Donald, Karin & Phil Whitney, Roy Hadlock and Steve Palmer

Meeting opened at: 8:39 AM

AGENDA:

1. Review minutes of the 7 September 2004 BOS Meeting:

Copies of the minutes were provided by the Chairman, read and on **motion** of Selectman Stainton, approved. Phil Whitney inquired why the new Deputy Clerk was not taking minutes as had been advertised as part of her duties. The Chairman explained that she had been on staff only the last three weeks and had spent all of her time learning the new financial bookkeeping software, TRIO, along with the Treasurer, the Town's CPA consultant and representatives from the TRIO company. She was asked by the Chairman to concentrate her attention on this significant change in town administration for the next few weeks, and work into her other responsibilities in the coming months. For the interim, the Chairman will continue to record the minutes.

2. Town Treasurer's Financial Warrants:

2A:	Subject of warrant	Amount	Warrant #
a.	Bar Harbor Bank	\$1,301.80	38
	Warrant #38 was originally signed via FAX version to meet a time limit on a monthly payment for our \$750,000 loan to the bank. The monthly payment is both a loan extension and payment, called an a "Allonge" and it is customary when such a payment has been authorized outside of a public meeting for an original warrant to then be discussed and signed in verification of the FAX version.		
b.	Schools	\$52,562.19	39
c.	Bills	\$828,480.71	40
	Warrant #40 contained a payment of \$572,000 to the Bar Harbor Banking & Trust Company against the Town's loan of \$750,000 which had been initiated last year in order to purchase the former Jarvis Newman home in Manset. This purchase was authorized at a Special Town Meeting on 4 April 2003. Our new loan for the retirement of this purchase loan and subsequent sale of the Newman house is \$146,514.61 as discussed below.		
d.	Bills	\$1,311.64	41
e.	Bills (cleaning)	\$2,445.87	42

2B: Documentation for two loans at Bar Harbor Bank & Trust were signed: First for \$146,514.61 which represents the net proceeds of the sale of the former Jarvis Newman (Brown) house being applied to the originally authorized \$750,000 loan; and second, a loan of \$190,000 for repairs to the Great Cranberry wharf in 2003 which was not exercised in 2003 and therefore had to be re initiated in 2004. On **motion** of Selectman

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David Stainton loan documentation for Bar Harbor Banking & Trust Company, as prepared by the Town's Bond Attorney [Michael Trainor, Esquire at Eaton-Peabody law offices in Bangor] for initiation of these two loans were approved. This represents an indebtedness for the town as follows (approx):

Manset purchase	\$2,400,000	as of 31 Dec 2003
Islesford Dock	\$122,592	as of 31 Dec 2003
Great Cran Dock	\$190,000	as of 5 Oct 2004
Manset House	\$146,514	as of 5 Oct 2004

3. **Second call for, and consideration of, Warrant 2005 Articles:**

a. **Repairs to Sutton Island municipal wharf:** The Chairman reported that he had been to Sutton Island on 20 September 2004 in the company of Steve Ruell of Kleinschmidt Associates, Inc.; a marine engineering company in Pittsfield, Maine. Kleinschmidt's assisted the Town in examination of both the Islesford and Great Cranberry municipal wharfs, assisted in preparation of an engineering report for recommended repairs, and once authorized by the voters, assisted in preparation of a bid package for those repairs. They have been asked to assist in a similar undertaking for the Sutton Island municipal wharf for presentation to the voters at the March 2005 Town Meeting.

b. **Dredging of Sutton Island municipal wharf channel:** On recommendation of boat captains from the ferry boat operators [Pagel and Beal & Bunker], plus concurrence from Selectmen and David Bunker of Beal & Bunker, the Chairman has engaged Kleinschmidt Associates to assist in evaluating potential dredging of the Sutton Island channel to remove several large rocks/boulders that have been moved by wave action into the channel, along with a large quantity of small stone. The Department of Environmental Protection has agreed with a request from the Chairman to visit Sutton Island in late October to review the proposed dredging area, examine the dredge spoil and where it will be dumped, and advise if this project is feasible under current rules. If DEP permission seems likely, then additional documentation can be prepared for the Department of Marine Resources (DMR) and the Army Corps of Engineers, as was done for repairs to the two municipal wharfs. All of this paperwork is in preparation for presentation of a proposal to the voters at the March 2005 Town Meeting, rather than making a suggestion and then doing the paperwork later which will only increase the delays and potentially extend the work if authorized into the 2005 summer boating season.

c. Lynne and Jay Bisgyer asked for consideration of a funding article for mosquito eradication at Islesford. Their presentation was made as part of the "Audience Communications" section of the meeting and is discussed below, however, the Board of Selectmen agreed to again prepare a budget for the 2005 Town Meeting which contained a funding article for mosquito eradication efforts. The amount to be addressed in the 2005 budget was not determined at this meeting.

4. **Report of the Municipal Facilities Commission and any actions required: Note: [name] represents the MFC point of contact**

a. **Solid Waste Management [Bruce Fernald]**

"Most of the MFC meeting, held on Saturday 2 October 2004, was spent discussing solid waste and all the problems we are facing. The Commission agreed to the following recommendations to the Board of Selectmen:

1. Proceed with the [DEP] permit for Great Cranberry's transfer station securing any necessary property abutters signatures and get that facility up and running as soon as possible.
2. Once the GCI center is operational it can be evaluated for noise, smell and overall operation, hopefully putting Islesford property abutter's minds at ease.
Meanwhile, Islesford residents will evaluate other methods of collection and look closer at recycling incentives.
3. Consult with town attorney about current contract and re-negotiations to include recycling incentives and alternate means of collection."

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Selectman David Stainton said that he was still trying to get the remaining abutter letters signed; one from Richard Haydock in Long Island, New York, a second from Renn and Michael Richman (Washington, DC), and the third from Phil Whitney of Great Cranberry. David Stainton said he would bring the abutter letter to Phil Whitney this afternoon (5 OCT). Mr. Whitney had concern for some old vehicles at the Town gravel pit and was told by Selectman Stainton that Blair Colby had been authorized to remove them for disposal on the mainland. Mr. Colby had been told to contact Mr. Whitney directly for specific location or concerns, however, Mr. Whitney indicated to the Chairman that he would prefer have receipt of an authorizing letter from the Town to Mr. Colby prior to telling him directly what to do. The Chairman will prepare such a letter.

b. Road Management [Frank Reece]

Frank Reece has been suffering from a medical condition which has prevented recent work on this project. He made contact with various state and local municipalities and sample ordinances have been obtained. The Chairman reported that he had prepared a document which could eventually be treated as an ordinance, but for the interim was to provide some type of definition on the term "Road". The Town voters authorized road maintenance funds in the amount of \$243,000 covering the period 2000 through 2004, and yet we have no documentation on what is a road, its construction specification, its maintenance specifications, nor any basis for evaluating repair actions or preparation of maintenance contracts with various vendors. Accordingly, the Chairman researched and wrote a 15 page definition which has been reviewed by S. W. Cole Engineering, Inc.; and which served as the basis for an examination of all of the Town's roads on 4 October 2004 by an transportation/construction engineer from S. W. Cole Engineering, Mr. Kevin Hanscom. This firm has been hired, pursuant to approval of the BOS in September 2004, to examine and prepare a series of recommendations on road maintenance which can be presented to the voters, along with a prioritize budget, at the 2005 Town Meeting.

c. New Municipal Office [Hugh Smallwood]

"A public meeting is scheduled for October 8, Friday, at 1 PM at the Islesford Neighborhood House. Mr. Smallwood has asked Caroline Prior to facilitate the meeting. Its purpose will be to solve issues associated with the creation of a new town office. From this meeting, we can establish plans/costs for alternative buildings/locations and office functionality. These hopefully, according to Mr. Smallwood, would be completed within 90 days." Chairman Beal suggested that the town might have to use the Great Cranberry office in view of the time constraints since 90 days hence will be approximately 8 January, and Town Meeting is in March. This would appear to present a rather tight schedule if funds were to be borrowed, construction contracts issued and work completed by mid-March 2005. Following the public meeting on 8 October the Selectmen will pursue recommendations from the MFC Chairman. Office hours were discussed at the new office, as well as the potential location of this municipal office in Manset at the Town's transportation facility. Phil Whitney suggested that a large number of people go to Southwest, contrary to a comment elsewhere in the audience and possible use of the Manset property for location of the new town office should be considered. An off island location during the October to May months might be of considerable inconvenience to island residents.

d. MFC Maintenance Supervisor [Hugh Smallwood]

"Bill McGuinness has reviewed the employment contract and will sign the revised contract as soon as he gets a copy." This contract was openly reviewed by the Chairman to the audience and he stated that the revision, which concerned the medical section, had been made. This change was to explicitly state that no medical benefits are paid by the Town. It was motioned by Selectman Stainton to hire Mr. McGuinness with the proposed contract which had also been reviewed by the MFC Chairman and the Town Attorney. Selectman Stainton inquired as to the chain of command for this employee. Who did he report to for day to day supervision? Mr. Smallwood indicated that he worked for the MFC and reported to Smallwood, then to the Selectmen ultimately. Chairman Beal was authorized to sign the agreement.

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e. DOT Grant [Michael Phillips/Hugh Smallwood]

"We [the MFC] are currently look for an engineering firm to give us a defined "Scope of Work" for improving the ramps on Islesford, Cranberry and Manset. Once we get this defined and some costs associated, we'll submit the plan to DOT through Tracy Perez (DOT representative). We will include lighting for the parking lot if it is within the budget."

Phil Whitney suggested that lighting for the dock and floats be included in the overall lighting program for the Manset parking facility. Selectman Stainton inquired as to the possibility of a turnout at the dock for automobiles and MFC Chairman Smallwood indicated that the issue was not dead but that there were several problems associated with this idea and issuance of a permit by the Southwest Harbor Planning Board was not looking good. He intended to keep working the issue.

f. Comprehensive Plan [Lise Pratt/Dan Lief]

"The consultant, Tom Martin, [Hancock County Planning Commission in Ellsworth, Maine] will attend a general meeting this week on October 6th at 3:15 PM at Dan Lief's house on Islesford. Dan will provide transportation. The purpose of this meeting will be to introduce the process and discuss the survey going out to the residents." Dan then provided the Board of Selectmen with a recommended membership slate for the Comprehensive Planning Committee. Committee nominations are:

Edward Horvath, Great Cranberry Thomas, Islesford	Erica Merrill, Islesford	Cynthia
Barbara Stainton, Great Cranberry	Steve Philbrook, Islesford	
Phil Whitney, Great Cranberry	Lise Pratt, Islesford	

On **motion** of Chairman Beal the above slate of seven members of the community as members of the Comprehensive Planning Committee was accepted. Dan Lief also suggested that the Board of Selectmen consider purchase of various administrative office equipments, such as document production machines, speaker phones, which would facilitate town business, as well as the work of various town committees. Mr. Lief gave an example of the effort involved in just getting documents copied on Islesford and then FAXed to a recipient. The Selectmen agreed and will work this suggestion into the overall planning for the new Town Office.

g. Manset Maintenance [Eve Harrison]

"Atlantic Landscape Construction completed replacement of the trees and shrubs that did not survive last winter and the additional buffering planting. Eve Harrison oversaw the work and approved the invoice for \$3,728.45 which has been submitted to the Town Clerk."

"CES, Inc. issued the town a credit invoice for \$8,673.75 and applied it to our outstanding balance, leaving a credit balance with CES of \$2,696.75." The Chairman pointed out to the Town Treasurer that this credit should be accounted for by project as the new financial system was fleshed out. The MFC Chairman concurred.

h. Parking Regs / Guidelines for 2005 [Malcolm Donald]

"Malcolm Donald [Great Cranberry Island] is finalizing a draft for the Commission's review and comment. We hope to have these ready for the BOS to review by next month."

5. Lease for Great Cranberry Futures Group re: Gasoline Station

Chairman Beal explained the reasoning behind writing this lease, its review by the Town Attorney, and the need to have release from liability issues associated with operation of a public gasoline operation on Town land. No lease was consider when this operation was relocated from the area next the municipal wharf on Great Cranberry to the Town gravel pit more than 12 years ago. Accordingly, operation by the Great Cranberry Futures Group has been left to their considered best judgement and they have done a good job; nevertheless, the BOS concurred with the town attorney that a lease was appropriate and the Chairman prepared one which confirmed current operation, including safety and environmental provisions, but also limited town exposure on

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liability issued for accidents or environmental spills. On motion of Selectman Stainton, with second by Selectman Blank the proposed lease was approved with Chairman Beal authorized to execute the lease. This proposed lease is still being reviewed by the members of the executive board of the Great Cranberry Futures Group. This lease is for ten years, a copy of which will be on file with the Town Clerk.

6. Lease for Cranberry General Store land:

The Chairman reported that the Cranberry General Store was up for sale, and up until last week this sale was presumed to be heading for finalization. In preparation for the sale the Chairman began to prepare a new lease for the land on which the store rests and found that there has not been a lease since 1995. The Chairman prepared a new lease, which reflects many of the provisions developed on the past 20 years, but on advice of the Town Attorney now includes liability and environmental provisions. This lease is for five years, renewable for a second five years, a copy of which is on file with the Town Clerk. The MFC Chairman had also review the lease language and concurred with approval. Selectman Stainton recused himself, being married to the current store owner. On motion of the Chairman, with concurrence from Selectman Blank, the lease was approved.

7. IFB re: "Care of Floats & Ramps" with Specifications; extension of current contract until March 2005.

Chairman Beal indicated that with concurrence from the BOS he had offered a six month contract extension to Roy Hadlock for his "Care of Floats and Ramps" contract which Mr. Hadlock accepted. A new specification package and Invitation for Bid package has been prepared and reviewed by both the MFC and Town Attorney. On suggestion of Hugh Smallwood, a hold harmless clause will be developed for this contract rather than asking the bidder to obtain \$2,000,000 in liability insurance. Specification are available to all interested parties by writing to either the Town Clerk or the BOS Chairman.

8. Audience communications:

a. Jay & Lynne Bisgyer: Wished to ask two questions of the board:

(1) What is the status on upgrade of the fire department at Islesford? Hugh Smallwood provided a status report and said that insurance level 9 would probably be achieved in the Spring, and possibly sooner. Significant progress had been achieved this summer under the leadership of Chief Courtney Chaplin, and that the fire association was waiting for various inspections to confirm their achievement of this significant improvement in island fire fighting capability, and

(2) Mosquito control should be addressed again due to the severe infestation experienced this past summer on Islesford. What did the BOS intend to do to address this problem? Mr. Bisgyer spoke about various control measures including BT (bacillus thuringiensis) as one means. The Chairman reviewed the various mosquito meetings and discussions held by the Mosquito Commission in 2002 and 2003, which resulted in consideration of a funding line item in the 2004 Budget. This topic was discussed in considerable detail during the 15 March 2004 Town Meeting, but eventually the funding line item of \$12,000 was denied by the voters. It was the decision of the BOS to include in the 2005 Budget a new funding line item since the experiences of this past summer were severe and the mosquito eradication program needed further consideration by the voters in the opinion of all present. Dan Lief reminded the Bisgyers and those present that this was not just a BOS issue. Everyone needed to get involved, and to be present for Town Meeting in March; if you want something to pass then you must be prepared to speak from the floor and defend your request.

b. Wigatow float lease: The Chairman reported that, based on discussion and agreement of the BOS at the September 2004 BOS meeting, he had prepared a lease for the Sutton Island municipal float whereby the float would remain in the water this winter, but that the Wigatow family would assume liability for its operation and safety and that they would share 50-50% of any experience storm damage. This lease is presently being reviewed by the Wigatows in New York, it has been reviewed by the MFC and the Town Attorney, and by concurrence of the BOS the Chairman was authorized to execute the lease when appropriate. Upon execution, the original will reside with the Town Clerk where it may be inspected by the public.

c. Steve Palmer: Mr. Palmer introduced himself as a recent returnee to the Cranberry Isles from

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Washington, DC where he had been living. His father, Deputy Sheriff Robert Palmer, who just recently died, was a long term resident of Islesford, filling a number of municipal positions and jobs during his lifetime. Mr. Palmer indicated that he also was interested in the Municipal Facilities Supervisor maintenance position and was told to make sure he met MFC Chairman Smallwood before leaving the Neighborhood House today.

12. Adjournment was at 11:15 AM; next meeting 4 November 2004 (Thursday) at Great Cranberry Island. The normal first Tuesday meeting day is national election day and the Town Clerk and her staff need Wednesday to recover, so a two day delay with a Thursday meeting was approved for November.