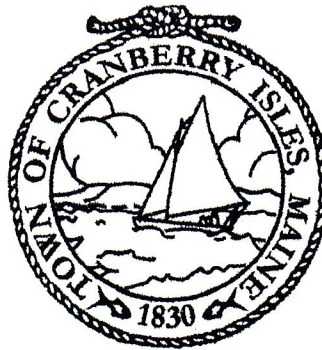


BOARD OF SELECTMEN

PHIL A. WHITNEY, CHAIRMAN
ORVILLE E. BLANK Jr.
DANIEL S. LIEF

TOWN CLERK / TREASURER

DENISE McCORMICK



MUNICIPAL FACILITIES COMMISSION

HUGH SMALLWOOD, CHAIRMAN
MALCOLM DONALD, EVE HARRISON
MICHAEL PHILLIPS, LISE PRATT
FRANK REECE, CHRIS WHITE

MAINTENANCE SUPERVISOR

BILL McGUINNESS

The Cranberry Isles Board of Selectmen Will Conduct Their
Regular Monthly Meeting on Tuesday, September 6, 2005 at
~~8:30~~ AM at the Neighborhood House, Islesford, ME.

8:45

AGENDA

- I Call To Order
- II Review / Approval of 8/2/05 Minutes.
- III Review / Signing of Financial Warrants.
- IV Communications
- V Appointments / Resignations
 - A. Nominations – Planning Board Vacancy
 - B. Nominations – GCI Harbor Master Vacancy
- VI Old Business
 - A. Report: Town Credit Card / Debit Card Purchase
 - B. Status: Town Truck Removal / Maintenance Off Island
 - C. Report: Swans Island Humanitarian Assistance
 - D. Status: Harding Point Town Property Deed
 - E. Signatures: Marsh USA Building Lease
 - F. Report: Code Enforcement Issues
- VII New Business
 - A. Opening Bids: Town Floats Maintenance
 - B. Discussion: Establish Special Town Meeting Date
 - C. Discussion: Mount Desert Termination – Cranberry Isles Boat Registrations

VIII MFC Report

- A. Town Offices
- B. Roads Maintenance
- C. Manset Maintenance
- D. Manset Business Development
- E. Parking Administration
- F. Town Property Inventory / Use Guidelines
- G. Public Restrooms
- H. Trash Disposal
- I. Wharves / Floats / Harbors
- J. DOT Grant
- K. Leases & Tenants
- L. Budget & Warrants

IX Town Officer Reports

X Other Business

XI Audience Communications

XII Executive Session

XII Adjournment

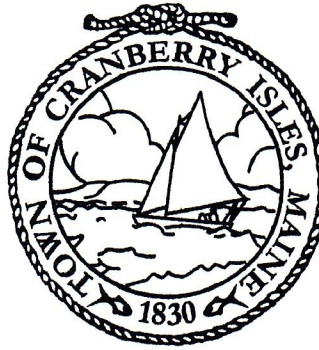
Please Note: Members of the Public Are Encouraged To Attend.

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09/06/05 Board of Selectmen Meeting-Minutes

In Attendance:

Phil Whitney, BOS Chair
Orville E. Blank, BOS
Dan Lief, BOS
Denise McCormick, Town Clerk
Nanette Hadlock, Deputy Town Clerk
William McGuinness, MFC Supervisor
Hugh Smallwood, MFC Chair
Michael Phillips, MFC
Malcolm Donald, MFC
Chris White, MFC
Eve Harrison, MFC
Cyrus Moulton, Island Institute Fellow
Edmond J. Bearor, Attorney, Rudman & Winchell
Joe Delafield
Vicki Fernald

Karin Whitney
Helen Dudman
Clay Taylor
Kay Stevens Rosa, A4 Architect
Eugenio Bertin, A4 Builder
Barb Fernald
Roy Hadlock
Sarah Corson
Frank Newlin
Jim Parrish
Tom Watson
Hal Newell
Sarah Newell
Algernon Reese

I. Call to Order- 8:46 AM

Phil Whitney, Chairman, Board of Selectmen
Islesford Neighborhood House

II. Review / Approval of 08/02/05 Minutes

Section VIII MFC Report, Section B. Roads Maintenance
Carl Brooks, Cyrus Moulton, and Phil Whitney also spent two days with State D.O.T.
Road Ranger Pete Coughlin, along with Bill McGuinness.
In reference to the Sand and Salt Sheds required to be built for both Islesford and
G.C.I. by 07/08, as opposed to 07/08/05 as incorrectly stated in previously written
minutes.

III. Review/ Signing of Financial Warrants

- Warrant 52: \$ 3,933.75
- Warrant 53: \$ 826.00
- Warrant 54: \$ 68,240.06
- Warrant 55: \$ 21,250.16
- Warrant 56: \$ 7,473.82

- Warrant 57: \$ 9,232.65
 - On Warrant # 57, Selectmen chose not to pay Kleinschmidt Associates for the Manset Pier Study, because D.O.T. monies are expected soon to pay for this bill.
 - Kleinschmidt Associates portion: \$ 2,268.95
 - Total Warrant #57 paid: \$ 6,963.70

Total: \$ 108,687.49

IV. Communications

None at this time.

V. Appointments / Resignations

A. Nominations-Planning Board Vacancy

Phil Whitney nominates Bruce Komusin for the planning board vacancy. Brendon Ravenhill has resigned as planning board member. Chris White asks if the vacancies have been publicly posted. This position has not. Dan Lief moves that the position be posted on both Islands. Seconded by Edgar Blank, and a unanimous vote by Phil Whitney. **Motion passes.**

B. Nominations-GCI Harbor Master Vacancy

Phil Whitney nominates Richard Beal for the GCI Harbormaster vacancy. In light of the previous decision to post vacancies, Phil Whitney moves that the Harbormaster job be posted on both Islands. Edgar Blank seconds the motion, and a unanimous vote by Phil Whitney. **Motion passes.** Denise McCormick will do the necessary paperwork for posting, and a decision will be made at the next regularly scheduled Board of Selectmen's Meeting.

VI. Old Business

A. Report: Town Credit Card / Debit Card Purchase

No developments at this time.

B. Status: Town Truck Removal / Maintenance Off Island

Recently Corey Alley volunteered to take the Town Truck to Colwell Diesel for maintenance. Upon reaching the truck in Manset, he discovered that the Inspection Sticker is expired. The inspection process for this type of truck takes approximately five hours. Bill McGuinness will set up the inspection and repair appointment. Research will be done to determine if the Town's present truck needs to be replaced with a smaller one.

C. Report: Swan's Island Humanitarian Assistance

A \$ 250.00 donation will be sent by the Town of Cranberry Isles to the Bread of Life Food Pantry at Swan's Island, in support of the Island People in light of the recent fire at the Swan's Island Store. The donation is included in Warrant # 57 for today's meeting.

D. Status: Harding Point Town Property Deed

Town attorney, Anthony Guinta is presently working on the Harding Point Town Property Deed. We hope to hear from him in the next thirty days.

E. Signatures: Marsh USA Building Lease

MFC Member Michael Phillips reports that negotiations are complete on the Marsh USA Lease. The lease is for \$30,000.00, with the first year being \$29,300.00 with a one month free work agreement with the tenants. Utilities need to be set up by the Town, and will be reimbursed by the tenants. One Selectman's signature is required on the lease, and Chairman Phil Whitney signed the lease.

F. Report: Code Enforcement Issues

Code Enforcement Officer, Kimberly Keene agrees to visit as soon as possible after September 09, 2005 to enforce vehicle imporation. Selectmen plan to meet with Kim Keene within the next thirty days to clarify which of our other ordinances are hers to enforce. Ms. Keene's salary is \$600.00 per month plus transportation costs. There were many comments from the audience in support of Kim Keene. Chris White does question the transportation fees. Denise McCormick will check Kim Keene's Contract in regards to transportation fees.

VII. New Business

A. Opening Bids: Town Floats Maintenance

Two Bid Proposals were opened for Town Float Maintenance Contracts. One bid was turned in for care of the GCI, Islesford, and Sutton Island Floats by Roy Hadlock in the amount of \$ 16,500.00. plus \$20.00 per hour labor above and beyond routine maintenance. One bid was turned in for the care of the Manset Floats by Dan Chalmers in the amount of \$3200.00 and \$44.00 per hour for labor above and beyond routine maintenance. Both contracts were agreeable to the Selectmen. Both contractors wrote letters with their bids expressing concern over the maintenance clause of the contracts, which include materials costs to be the responsibility of the independent contractor. The increase in both contracts, from previous contracts or agreements, reflects the rising cost of liability insurance, float storage, and gasoline prices. We did learn that replacing of chains is not considered routine maintenance. Within the next year, the Selectmen hope to clear up maintenance issues and be able to figure a cost-per-float price. These contracts are for one year, with years two and three being provisional on the vote of the town to allow the Selectmen to commit to a three-year contract for Float Maintenance. Dan Lief moves to accept Roy Hadlock's bid for Island Floats. Edgar Blank seconds the motion, and is a unanimous vote by Phil Whitney. **Motion passes.** Dan Lief moves to accept the Chalmers bid for Manset Floats. Edgar Blank seconds the motion. **Motion passes.** The Hadlock Contract was signed at today's meeting, with a contract

being sent to Chalmers for signatures. *Town Floats must be hauled out for the season sometime between October 15 and November 15, 2005, with a two- week flexibility for weather.*

B. Discussion: Establish Special Town Meeting Date

A special town meeting will take place this fall. Some of the proposed warrant items are:

- 1) Multi-year contract approval for floats maintenance program.
- 2) expansion of Board of Selectmen from three to five members.
- 3) Recall Ordinance for elected officials, (mandated)
- 4) GCI E-911 Ordinance (mandated)

Barbara Fernald mentions that a public hearing is required for any ordinance proposed. A public hearing was held on the Great Cranberry Island E-911 Ordinance on July 19, 2005. Dan Lief moves to hold a public hearing on the Recall Ordinance on Tuesday, September 20, 2005. Edgar Blank seconds the motion, and a unanimous vote by Phil Whitney. Phil Whitney moves to hold the hearing on Islesford at the Neighborhood House at 3:00 PM. Dan Lief seconds the motion, and a unanimous vote by Edgar Blank. **Motion passes.** Dan Lief moves that the Special Town Meeting be held on Great Cranberry Island at the Fire House on Tuesday, October 18, 2005 at a time that will be consistent with the current boat schedule, with the specific time to be posted with the warrant seven days in advance of the meeting. Phil Whitney seconds the motion, and a unanimous vote by Edgar Blank.

Motion passes.

C. Discussion: Mount Desert Termination-Cranberry Isles Boat Registrations

Mount Desert Town Officials decided last month to cease boat registrations for Town of Cranberry Isles Residents. This item was presented at a Mount Desert B.O.S. Meeting as New Business, and was not known to be taking place by anyone from the Cranberry Isles. Tonight, at a regularly scheduled Mount Desert B.O.S. Meeting, the item is officially on the agenda. Phil Whitney will attend the meeting on behalf of the Town of Cranberry Isles.

VIII. MFC Report

A. Town Offices

Bill McGuinness reports that things are running smoothly at the new Town Office, and things are getting more organized as files are being put away and sorted. No progress reported on a different location for the Town Office. Phil Whitney requests that we move along on the placement of an exterior bulletin board.

B. Roads Maintenance

We have only had one response on the paving bids that were sent out in August. This contractor stated that due to the small amount of work planned for this fall, he could not give us a competitive price at this time.

Ten stop signs have been ordered for Islesford and Great Cranberry and are expected to arrive next week.

In reference to tree cutting of the power line at Sutton's Island, Mark Lamberton from Bangor Hydro will come out to inspect the situation with Mr. Brawner from Sutton, as well as the Dudman's on Islesford.

K. Leases & Tenants (taken out of order)

This item was agreed upon by the Selectmen, to be taken out of order. This was to allow a presentation by Clay Taylor and her builder, and architect for the plans for renovations at the Cranberry General Store on G.C.I. Some of the plans include moving the building to pour a slab, add radiant floor heat, install a new floor, and to correct electrical and structural issues. Most of the existing land in the lease Ms. Taylor has with the Town will be used for the new project. There may be a four to six week disruption while moving the building. The structure will not be taller than it is now, it will be lower, in order to accommodate an A.D.A. ramp.

Selectmen appeared favorable, yet are still concerned about impact of piece of town property and also the need for a meeting with Kim Keene for zoning requirements.

C. Manset Maintenance

102 Shore Road at our Manset Facility has recently had the boiler cleaned and insulated.

A bench has been installed on one side of the dock at Manset by Bill McGuinness. A bench on the other side of the dock will be installed this week.

Mr. McGuinness also swept and cleaned out two of the three bays at the building.

The waterline connection pipe was installed last week, and now a plumber is needed to tie the waterline into our plumbing system.

D. Manset Business Development

Eddie Gray has decided not to continue renting his space at the Manset Facility, and has cleaned it out. It is up to our Selectmen And the MFC to decide whether to rent the space or not.

It has been determined that Bobby Brown is not being taxed by the Town of Southwest Harbor for the Manset Ramp. The Town of Cranberry Isles pays taxes on this property.

Negative reactions to vehicle importation were received from the Audience. A petition is presented to the Selectmen by Vicki Fernald, signed by ten individuals, requesting an appeal on the vehicle importation ordinance. Vicki Fernald and Barb Fernald offer to volunteer to do research with the MFC on revising the ordinance.

E. Parking Administration

No communications at this time.

F. Town Property Inventory / Use Guidelines

Denise McCormick and Bill McGuinness have began to fill out the Inventory Spread Sheet. Lise Pratt is the sponsor for this project.

Vicky Fernald has volunteered to work with Lise Pratt on research

for proposed Town Field Renovations at Islesford.

G. Public Restrooms

Chris White held an informal meeting on GCI recently to discuss with the residents the topic of Great Cranberry Public Restrooms. Copies of minutes of this informal meeting are available at the Town Office. Some suggestions were made that were approved by the Selectmen. Dan Lief moves that requests for GCI Restroom Expenditures be approved. Phil Whitney seconds the motion. **Motion passes.**

Expenditures approved include:

- 1) Permission to negotiate janitorial services.
- 2) Installation of hand sanitizers.
- 3) Sealing of concrete floor.
- 4) Installing better locks for door.

H. Trash Disposal

Monday, September 5, 2005 was the last Monday drop-off at the Islesford Recycling Center. Friday drop-off hours will remain the same, 7:30 AM to 1:00 PM.

A hazardous waste pick-up will take place at Islesford and GCI at the end of September, date and time to be posted.

A letter was received recently from Karen Knutti, D.E.P., in reference to questions regarding the GCI Transfer Station Permit. Selectmen have sent a response to the letter.

So far Islesford School has made out very well with proceeds from returnables this summer.

I. Wharves / Floats / Harbors

A new life ring has been ordered for the GCI Dock, and a new finger float was built and installed by Courtney Chaplin. Terry Johnson is ready to continue work on moorings at Islesford Harbor and GCI Harbor. Mooring stones need to be located in order to set the mooring balls.

In reference to the light at Sutton Island Dock, the damaged underground line that services the light was found to be not-up-to-code upon excavation. Heartwood Builders has agreed to pay up to what it would cost to replace the out-of-code power line.

Bill McGuinness will repair the weak plank at the Cranberry Dock at Manset.

A contractor is needed to fix the road erosion at the Cranberry Dock at Manset.

J. DOT Grant

No further communications at this time.

K. Leases & Tenants

Taken out of order, see above.

L. Budget & Warrants

No further communications at this time.

XII. Executive Session-Taken out of order.

Phil Whitney moves the Board of Selectmen go into Executive Session, pursuant to 1 MRSA & 405(6)(E), for the purpose of

holding consultations with the Town's special legal counsel regarding the legal action brought against the Town by Gray Enterprises. The Executive Session will allow the Board of Selectmen to be briefed on developments concerning the case. Motion seconded by Dan Lief. **Motion passes.** Dan Lief goes on the record saying, "A lawsuit has not been filed against the Town". **12:24 PM**-Phil Whitney temporarily adjourns the meeting. All members of the audience are asked to leave the room, except for the attorney, (Edmond J. Bearor), the three Selectmen, and Hugh Smallwood. **1:51 PM**-Phil Whitney calls the meeting back to order. Mr. Whitney assures the audience that no decisions were made in the executive session; they are not allowed. This session was held merely for informational purposes.

IX. Town Officer Reports

Selectman Whitney asks the other Selectmen how they feel about quarterly reports from other Town Appointed Officials. Dan Lief moves that chairmen or appointed officials be informed that they are required to report to the Selectmen on a quarterly basis (January, April, July, October), in one of the following ways:

- 1) Report to BOS Meeting
- 2) Written Report
- 3) Report directly to Selectmen

Edgar Blank seconds the motion, and a unanimous vote by Phil Whitney. **Motion passes.**

X. Other Business

A complaint has been received in reference to a certain barge company leaving holes in the ground in front of the boat ramps of our harbors, making it difficult for other barges to land right after. The latest report is that this particular barge company is out of business now, and this matter is not of concern at this time.

A verbal complaint was reported to the Town Office by Mrs. Trotter, in reference to bicycles being left in the way of loading and unloading boats at the head of the Islesford Town Dock. This appears to occur mostly in the month of August. Eve Harrison suggests that if someone sees this happening at the dock, merely asking the owners to move the bikes could work to solve the problem. *Individuals are asked to please keep in mind that traffic and mail will be using the dock, and all bicycles and other materials should not be blocking the way.* At this time, Selectmen prefer to handle this matter by asking that people be aware of this problem, and asking for cooperation.

Fire Zone 3, will be purchasing fire extinguishers for each residence on Sutton Island, following a written request to the Selectmen from The Association for the Preservation of Sutton Island, (APSI).

XI. Audience Communications

No further communications at this time.

XII. Executive Session

Taken out of order, see above.

XIII. Adjournment- 1:19 PM-Phil Whitney

*Next Regularly Scheduled Board of Selectmen's Meeting:
Tuesday, October 04, 2005 at G.C.I.*

9/6/2005

I move the Board of Selectmen go into Executive Session, pursuant to 1 MRSA & 405(6) (E), for the purpose of holding consultations with the Town's special legal counsel regarding the legal action brought against the Town by Edward Gray Enterprises. The Executive Session will allow the Board of Selectmen to be briefed on developments concerning the case.