

MINUTES OF THE BOARD OF SELECTMEN'S MEETING 7 August 2001

The Town of Cranberry Isles Board of Selectmen's Meeting was convened at 0840, 7 August 2001 in the Islesford Neighborhood House, Little Cranberry Island, Maine 04646. Selectmen David Stainton, Richard Beal and Denise McCormick were present, along with Town Clerk & Treasurer Frances J. Bartlett. No member of the community chose to attend.

NOTE TAKING:

Richard Beal took notes for transcribing of meeting minutes and also produced during the meeting an audio tape recording, using Tape #9, which remains in his possession for reference.

EXECUTIVE SESSION:

Chairman David Stainton convened the meeting with a request that the Board conduct an Executive Session for the purpose of discussing two topics:

- a. The current law suit, Town of Cranberry Isles v. Philip Whitney
- b. Parking in Northeast Harbor, Maine by Cranberry Isle residents and guests

APPROVAL OF MINUTES (ITEM 1):

Following the Executive Session minutes of the 3 July 2001 regularly scheduled board meeting were provided to each Selectman and the Town Clerk. On motion of David Stainton, with second by Denise McCormick, the minutes were accepted with the original document being provided to the Town Clerk for permanent filing in the Town's records. Chairman Stainton then reviewed several of the previous action items from that meeting.

- a. **Road Repairs:** The Town continues to await the arrival of Ring Paving for completion of the paving work on both islands (Cranberry & Islesford). The manager for Ring's Paving stated that "it will be soon but no date available."
- b. **Docking Rules:** No action yet in getting the floats marked. The Selectmen agreed that a stencil should be prepared and applied in red paint indicating length of stay

permitted at the floats. Also there was a discussion about a third float for Islesford in the coming year. David Stainton said he would ask Peter Eldridge on Great Cranberry to paint the floats with the red signs.

- c. **Islesford Public Bathroom:** Work has been completed on the leach field and the bathroom was to be in commission later this month. [Both David Stainton and Richard Beal inspected this construction effort following the meeting.]
- d. **Joy Street Parking:** The letter sent by Selectman Beal to the Northeast Harbor Town Manager and Police Chief concerning hiring an off duty police officer to assisting the Town in monitoring and enforcing parking rules at the Joy Street Parking Lot is attached to the 3 July 2001 minutes. To date no word has been received back from the Town of Northeast Harbor as to its response for our call for assistance.

FIRE WARDEN (ITEM 2):

Selectman Beal advised the Board that there had been several complaints from Great Cranberry residents concerning Wesley Bracy's open burning of refuse next to his home. As the Fire Warden he, more than anyone else, should be aware of the current dry conditions and the restrictions imposed by the State of Maine concerning any open burning. Questions concerning the law on burning of materials where there is no regular curb side pick up of garbage and appointment of Fire Wardens were unanswered pending receipt from the Town Clerk of copies of the statutes.

[Note: The Town Clerk provided a copy of Title 12 and the applicable sections are quoted herewith:

Section 9234 Prohibited Acts:

- 7. Trash. Out-of-doors burning of highly combustible trash is prohibited where municipal trash collection service is available and will accept those materials. Out-of-doors burning of plastics, rubber, styrofoam, metals food wastes or chemicals is prohibited in all areas of the State.

For purposes of this subsection, the following terms have the following meanings.

- a. "Highly combustible trash" means wooden boxes or other wood material, paper and cardboard.
- b. "Municipal trash collection service" means any curbside trash collection service that is operated or contracted for by the municipality or that is required by municipal ordinance.

Section 9325 Open Burning:

- 1. Permissible open burning with permit: When not prohibited by statute, rule of any state agency or local ordinance, the types of burning described in this subsection are allowed provided that a permit has been obtained from the town forest fire warden or from the forest ranger having jurisdiction over the location where the fire is to be

set. The burning must be conducted according to the terms and conditions of the permit and may not create a nuisance.

A permit is required for:

[See main volume for A to D]

- E. Residential out-of-door burning of highly combustible trash as defined in section 9324, subsection 7 in open or enclosed incinerators where municipal trash collection service as defined in section 9324, subsection 7 is not available or will not accept the materials. The incinerator must have been inspected and approved by a municipal fire chief, town forest fire warden or forest ranger using minimum criteria established by the director for safe operation.

Section 8902 Forest Fire Wardens:

The director shall appoint a forest fire warden in each organized municipality. The municipal fire chief shall be appointed as forest fire warden if practicable and no other person may be appointed without the approval of the municipal officers.

All appointed forest fire wardens shall serve at the pleasure of the director and shall be sworn to the faithful discharge of these duties and a certificate thereof shall be returned to the bureau. Whoever has been notified of this appointment shall file with the director his acceptance or rejection within 10 days. The appointed forest fire warden may appoint one or more deputy forest fire wardens subject to approval of the municipal officers. A deputy forest fire warden may act for the forest fire warden in the absence of the appointed forest fire warden, but no compensation in addition to that provided in this section may be made.

The State shall pay the appointed forest fire warden an annual fee of \$100. This payment shall be made contingent upon attendance at forest fire training schools, preparation of an annual forest fire plan for his town and such reports as the director may require. This fee in no way limits payment to the warden from his town. His services for work on actual forest fires, as well as that of deputy forest fire wardens, shall be paid by the town and at a rate determined by the town.

[Downeast Wardens Allen Johnston and Paul Perry: 207-434-2621]

RAMP FEES (ITEM 3):

Selectmen Stainton and McCormick reported that they had received considerable negative comment on the institution of ramp fees as approved during the special town meeting 31 July 2001. By unanimous vote no ramp fees will be instituted for the foreseeable future.

ISLESFORD WHARF REPAIRS (ITEM 4):

At special town meeting the voters approved article 1 for repair of the Islesford Wharf and the borrowing of funds up to \$350,000 from Bar Harbor Bank & Trust Company. The Selectmen wish to pursue the possibility of getting grant funds from either State or Federal agencies in

support of these repairs, and would like Steve Ruell of Kleinschmidt Associate, Inc. to visit the site and meet with the selectmen as to the way ahead, including development of a specification package and proposal to send to perspective bidders.

Note: Richard Beal contacted Kleinschmidt Associates and passed their response to Selectman Stainton for his scheduling input.

MAINE DEPARTMENT OF TRANSPORTATION CERTIFICATE (ITEM 5):

An urban rural initiative program certificate was presented to the Selectmen by the Town Clerk for signature. It stated that the Town would receive \$2,127 dollars in each of the following four months: September 2001, December 2001, Mar 2002, and June 2002 for capital improvement of our roads. All three selectmen signed this document.

FINANCIAL WARRANTS:

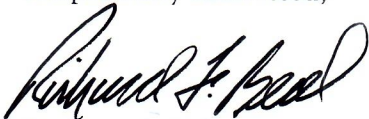
Frances Bartlett presented three financial warrants for signatures:

a. School warrant	\$26,996.61
b. Matt Skolnikoff	\$1,094.07
c. General bills	<u>\$69,530.59</u>
Total:	\$97,621.27

NEXT MEETING (ITEM 6):

The meeting concluded at 10:30 AM with agreement to hold the September 4, 2001 meeting at the Great Cranberry Community Center, beginning at 08:30 AM.

Respectfully submitted,



Richard F. Beal
Selectman & recorder

On 4 September 2001 the above report was read and accepted on voice vote of the Selectmen.

RFBEAL