

# Journal of Selectmen's Meeting Minutes

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Tuesday September 7, 2004

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

Attendees: Board of Selectmen Richard Beal, David Stainton and Oliver Blank, Jr. and Town Clerk Frances Bartlett; Members of the public present were: Dan & Cynthia Lief, Karin & Phil Whitney, Carl Brooks, Barbara Fernald, Bruce Komusin, Jack Merrill, Kathleen Taylor, Robin Richman, Michael Phillips, Edward Gray, Malcolm Donald, Eve Harrison

Time: 8:48 AM

### AGENDA:

1. **Review Minutes of the 9 August 2004 BOS Meeting:** Meeting was called to order at 8:48 AM with a notation that Selectman David Stainton was absent. Mr. Stainton arrived at 09:04 AM and after reading the minutes concurred in approval with Selectman Blank.

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

Item	Amount	Warrant #
a. Bills	\$974.00	37
b. Bills	\$18,400.00	36
c. Bills	\$11,126.39	34
d. Bills	\$6,316.87	35

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

- a. Moderator rules (Barbara Fernald spoke of the rules with a strong recommendation for their use.)
- b. Open debate to all non voters (requires a 2/3 vote)
- c. Addressing ordinance: Carl Brooks stated from the floor that he believes the ordinance passed on 9 August 2004 to be flawed for Great Cranberry but acceptable for Little Cranberry. The Chairman suggested that Mr. Brooks produce a draft of any proposed changes and provide it to the BOS for discussion at the October meeting, with a decision then as to its addition to the warrant for March 2005.
- d. Draft School financing articles
- e. Election of a Selectman and member of the School Committee
- f. Interest on nonpayment of 2005 taxes
- g. Election of a Town Clerk, Town Treasurer, and Collector of Taxes

3a. The Chairman called a recess at 09:05 AM for 10 minutes to permit John Linnahan, a business man in Ellsworth and candidate for the State Senate in November, to introduce himself to the audience with a short discussion of why he is seeking election as one of Maine's 35 senators. Mr. Linnahan was visiting both Great and Little Cranberry Islands as part of his campaign.

4. **Veterans of Foreign Wars Request:** The Chairman read a letter from Mr. Robert J. Gardner, Field Representative of the VFW Washington, DC. This letter addressed a concern presented to them by Mr. Larry Allen, formerly of Great Cranberry Island that his name and that of his father, Donald L. Allen, were not included on a memorial plaque mounted on a rock by the Congregational Church, Great Cranberry Island. The Chairman indicated that this memorial plaque was commissioned by the church and was on private land. The Town did not have any part to play in the development of this memorial other than the Chairman was asked two years ago

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as he was passing by to hold the rock while soil was shoveled around it during the construction phase. The BOS concurred that this was a private matter between Mr. Allen and the Congregational Church, with Carl Brooks (from the audience) noting that there were a number of names which could be added should a new memorial plaque be made.

### 5. Appointment of Street Addressing Committees:

#### a. Little Cranberry Island

Florence Sprague  
Barbara Fernald

#### b. Great Cranberry Island

No decisions pending development of a committee.  
Carl Brooks and Chris White have volunteered for

#### Great Cranberry.

Frances J. Bartlett  
Steve Philbrook  
Courtney Chaplin

The BOS agreed that the committee membership proposed for Little Cranberry Island be accepted as proposed.

Chris White suggested that three islands should come under the E-911 aegis (Great and Little Cranberry, and Sutton). He stated that he didn't believe there could be two Main Streets for the town even though there are multiple islands. He further believes that the committees need to look at property that has been put into conservation easements and whether or not the numbering scheme is applicable for those properties. Carl Brooks suggested that we have five zones based on the Fire Department vote at the March 2004 meeting and that you could have two Main Street.

### 6. **Ltr Contract w/ Hancock County Planning Commission re: Comprehensive Planning**

a. Chairman Beal discussed the proposed contract and its contents. Dan Lief, who was also asked to review the contract as coordinator of the Comprehensive Planning Group, spoke of his review and that this proposed contract meshed with the needs and requirements of our local Comprehensive Planning Board. Dan provided his confidence in the ability of the HCPC to assist the Cranberry Isles in development of a Comprehensive Plan. This "Agreement for Planning Services" is funded through a 3 for 1 grant of \$17,307 from the State of Maine Planning Office with a match of \$5,711 from the Town of Cranberry Isles; with this match having been approved at Town Meeting on 15 March 2004 as Article 30 of the Warrant. The work product from the Hancock County Planning Commission pursuant to this Agreement consists of:

#### **Task 1: Citizen Participation (HCPC will assist with)**

- (a) A public opinion survey
- (b) The first public informational meeting (survey results and discussion on key issues raised by the survey)
- (c) A second informational meeting (highlights of inventory and analysis work)
- (d) A third public meeting to hear comments on the Comprehensive Plan before it is finalized)
- (e) A public hearing, required by law, to explain to voters what will be presented for town meeting vote once the final Comprehensive Plan is developed and approved by the State. No changes are possible after the public hearing unless another public hearing is held.

#### **Task 2: Preparation of Inventory and Analysis (HCPC will help produce:)**

- (a) Population: historic and current population trends and future population projections
- (b) Economy: trends in the economies of Cranberry Isles and Hancock County
- (c) Housing: Town's housing stock and discuss critical housing issues facing the Cranberry Isles
- (d) Transportation and Roads: Inventory of Cranberry Isles transportation and road system including marine transportation

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- each
- (e) Public Facilities and Services: Inventory of all public facilities and services with assessment of
  - (f) Recreation: Brief summary of existing recreational services and facilities
  - (g) Marine Resources: discusses marine water quality, fisheries/worms/shellfish resources, water dependent uses, marine licenses and harbor facilities. Adequacy of piers and other public access points is included.
  - (h) Water Resources: Describes all major ground and fresh surface water resources on the Cranberry Isles.
  - (i) Critical Natural Resources: Describes all major natural resources within the Town.
  - (j) Agriculture and Forest Resources: Brief summary of agricultural and forest resources in Town, with issues on woodlot management and forest fire danger.
  - (k) Historic and Archaeological Preservation: summarizes the islands' history and the status of their current historic and archaeological resources.
  - (l) Existing Land Use: Discusses changes that have occurred in the past 10 to 20 years in land use patterns, identifying land use challenges in the future.
  - (m) Fiscal Capacity: Summarizes the fiscal history of the Cranberry Isles. (Note: the Town is presenting updating its accounting system.)
  - (n) Inventory and Analysis summary: Summaries the individual chapters of the foregoing topics and identifies the major issues the Town faces.

### **Task 3: Policies, Goals & Capital Investment Plan**

This task will propose policies that, when taken together, represent a coordinated approach to address all local problems and needs raised and identified by the Inventory and Analysis. These policies will specify what approaches Cranberry Isles will take to address the ten State goals for comprehensive planning and the nine coastal policies.

### **Task 4: Future Land Use Plan**

This plan will contain the comprehensive planning committee's recommendations for the future development of Cranberry Isles.

### **Task 5: Implementation Strategies**

Presents strategies that, when taken together, represent a coordinated approach to carrying out all of the plan's stated policies. The strategies will include those articulated in the State Planning Office's Review Criteria Rule in addition to the strategies focused on local concerns.

**Target Completion Date: July 2005.** As you can well appreciate from the various paragraphs above, development of a Comprehensive Plan for the Cranberry Isles, or any Town, is complex and challenging. Please find a way to participate in the plan development if possible. Talk with Dan Lief or a member of the committee to see how you can contribute. The more involved each of us becomes, the better the plan.

b. Dan Lief reported that formation of a Planning Committee, whose membership can be recognized and appointed by the BOS, has not been accomplished yet. Dan suggested that this committee would be ready for presentation to the BOS during September or at the October BOS meeting. The Town will also have a new Island Institute Fellow coming in September, who will live on Great Cranberry and work on behalf of the Town for two years. His name is Cyrus Moulton and one of his tasks will be to assist the Comprehensive Planning

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Committee in its work.

c. On **motion** of David Stainton, with second by Selectman Beal, the "Agreement for Planning Services" was accepted, with Chairman Beal authorized to execute the Agreement on behalf of the Town. A copy of this Agreement is on file in the office of the Town Clerk.

## 7. Report of the Municipal Facilities Commission:

MFC is not advertising their meetings publicly according to Phil Whitney, and minutes are not being posted? Mr. Whitney indicated that he was having difficulty in finding postings for various MFC meetings, and in reading minutes for those meetings. The Chairman indicated that he would discuss the topic with the MFC chairman who was on travel but returning later in the week.

Report of the committee was read to the audience and board of selectmen with each item discussed as indicated below:

(1) **Maintenance Supervisor:** MFC recommends hiring William McGuinness of Little Cranberry as a Town Maintenance Supervisor for \$20/hour on a part time basis until January 2005 when he could then be full time. The proposed job description for this position was read to the audience and BOS members. Dan Lief spoke in recommendation of Mr. McGuinness. **Motion** by Chairman Beal, with second by Selectman Stainton, to hire Mr. McGuinness at \$20 per hour with a written contract; noting that the Town does not provide fringe benefits other than FICA and Workers' Compensation insurance.

(2) **Solid Waste Management:** Discussion on progress of getting the Solid Waste Transfer permits. David Stainton indicated that he has the letter for abutters out and signatures are being obtain for Great Cranberry Island. He needs a release letter from Phil Whitney and Richard Haydock to complete the Great Cranberry application package. Selectmen Beal asked the Town Treasurer to include the application fee of \$800 to financial warrant #37 so that this application could be submitted expeditiously. Bruce Fernald of Little Cranberry is holding a meeting on Islesford 7 Sept to also discuss the abutting owner's objections and determine if release letters for the proposed solid waste transfer station site (site used in the past for open containers, next to the Fire House) could be obtained. [Note: Mr. Fernald held his meeting and reported back to the Chairman on the evening of 7 Sept that no property abutters would sign a release letter. Accordingly, the Selectmen will proceed with submission of a Great Cranberry application and continue with the current methodology of solid waste collection on Little Cranberry for the interim, as well as seeking guidance from the Town Attorney and the DEP in Augusta.]

(3) **Road Management:** The Chairman discussed a proposed road ordinance which is being reviewed by the MFC. This ordinance contains specifications for road development, acceptance from private status, and maintenance. Michael Phillips indicated that the MFC has obtained similar ordinances from two other island communities and will shortly make its recommendations to the BOS. Action is required soon for repair of the "Northwood" Road on Little Cranberry Island (sometimes called the Merrill Road) and Jack Merrill spoke of the road condition, requesting that some form of action be taken soon. S. W. Cole engineering was authorized to visit and make a recommendation on road repairs on recommendation of Selectman Beal, with concurrence by Selectman Stainton. Selectman Beal indicated that he wishes to present the voters in March 2005 with an examination of the roads within the Town and a prioritized list of needed repairs. However, in order to do this and to also spend road repair dollars wisely he had developed a specification package on roads in order to be consistent in evaluating the roads repair requirements. This will be the same document used by S. W. Cole in making their evaluation.

(4) **New Municipal Office:** May have to be moved to Great Cranberry as a temporary measure pending final decision on a future location. Many unanswered questions and little time for borrowing money, development of a plan, holding a second Special Town Meeting (impracticable), and building a new office. Selectman Beal opined that for the short term moving to the Great Cranberry Town Office would provide the voters with the opportunity to hear and evaluate recommendations from the Municipal Facilities Commission and to allocate 2005 tax dollars for a permanent office solution.

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(5) **Great Cranberry Futures Group:** requests to use of second floor of the Longfellow School. BOS decided to send all paperwork and the Futures Group's request to the school board and Union 98 Superintendent Rob Liebow. [Note: A letter to this effect was sent later this date to Superintendent Liebow with copy to Mrs Leslie Horvath, Chairwoman of the School Board.

(6) **DOT \$250,000 Grant:** The MFC reported that they have received informal approval for 8 projects which would qualify for the \$250,000 grant received last year from the Federal Government as part of the 2004 Transportation Bill. The State of Maine Department of Transportation is administering this grant on behalf of the federal government. Of the eight projects the MFC has picked three that they feel are most advantageous based on their informal polling of islanders. These are:

- (a) Build a turnout/bus stop on the north side of Shore Road to facilitate the loading and unloading of groceries and baggage.
- (b) Lengthen and regrade the ramps on both Cranberry's and Manset to better facilitate vehicle transport.
- (c) Make improvements to the Manset pier to add a covered waiting area and dredge the float area.

Chairman Beal suggested that use of these funds (\$250,000) should be addressed to the voters either at a public hearing or at Town Meeting in March 2005. He stated that at the Special Town Meeting which authorized purchase of the Manset property for a parking facility the voters were told that future improvements would be their option and decision. He further opined that implementation of a project using these funds should have some formalized voter approval even though time is short and only 2 1/2 years are available to complete any project in compliance with the law for use of these funds. Dan Lief also suggested boat transportation as a possible use of these funds; however, Malcolm Donald said that this was discussed but would not meet the DOT requirements.

(7) **Parking Regulations:** The MFC reported that there has been a fair amount of controversy over the parking lots. It has ranged from how the spaces were assigned to how to handle violations. It is the plan of the MFC to prepare a Parking Regulations/Guidelines document for publication before the end of December. This document will explain how spaces are allocated, what options there are for renters and short term visitors, what are considered violations, and what the remedy for violations is. This documents will serve as a tool for information and enforcement. From the audience was a comment that the Town needs to provide a full discussion of all the parking opportunities in all locations (Manset, Northeast Harbor and also the Joy Street Lot). Chairman Beal indicated that this guideline should also be published in the Town Report 2004 for full distribution to all property owners, particularly since most summer people have already returned to their permanent residences.

### 8. Audience Communications:

a. **Sally & Dan Wigutow, Sutton Island re: Float during winter months.** The Selectmen received a request from the Wigutow family asking that the municipal float be left in place on Sutton Island throughout the winter. Their request asked that:

- (1) Leave current float in place during winter, or
- (2) Permission to install a winter construction float

Following discussion of wind, wave, and previous winter conditions in the Sutton Island cove where the municipal wharf is located, Selectman David Stainton **motioned** to leave the float at Sutton Island in place throughout the winter with a lease agreement with the Wigutow family to share any repair costs due to winter damage and an indemnification from any accidents by their construction crew due to ice or other hazardous conditions. Also BOS Chairman indicated that the newly hired MFC Maintenance Supervisor must check regularly for safety and stability for public use since more than one family, such as Michael Phillips or others, would be using this wharf well into the December or January months.

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b. **Town Restroom on Little Cranberry:** Dan Lief provided recommendations to the MFC and Selectmen for use of the restroom facility in the winter months. Recommendations need to be followed through on if bathrooms to remain open after November 15th. MFC recommendation as to a closing date is required, as well as opening again on 15 March 2005. Bathroom needs cleaning every two weeks throughout. The Selectmen indicated that they thought that this facility should close about 15 November and be thoroughly drained and reopened in March or April. The MFC recommendation is pending.

c. **Snow Plowing Invoices:** Town Treasurer asked for concurrence to pay the April and May bills for the Great Cranberry Island snow plowing contract. Selectman Stainton recommended paying \$1183 for each month which is pursuant to the snow plowing contract. Chairman Beal advised that this contract requires withholding of the April and May payments pending approval by the Selectmen of the entire winter snow plowing activities. A **motion** by Selectman Stainton to pay the invoices due was approved.

d. **Lease for Great Cranberry General Store:** a draft lease has been prepared by Chairman beal was provided to the new prospective owner, the Town Attorney, the MFC, and to the Board of Selectmen. A potential sale exists for the General Store and Chairman Beal reported that there had not been a lease and associated indemnification on this property since one was signed by Sonja Colby in 1995. Sale of the General Store automatically terminates lease of the land footprint on which the store exists and a new lease should have been executed with the current owner. This proposed lease corrects that deficiency.

e. **Cranberry House:** The BOS received a report by Bruce Komusin, Treasurer, Great Cranberry Historical Society on their progress in purchasing and developing "Cranberry House". Cranberry House will be the future home of the Great Cranberry historical society/museum, as well as serving as a cultural center. It is an ambitious project which was recently discussed in a half page story, 1 September 2004, in the Bangor Daily News. The Society has recently purchased the former Mountain View Inn, located on Eva Galyean's property and will be moving it to its new location about 1/8 mile further towards the Congregational Church. Selectman Beal thanked Mr. Komusin for his status report and reminded him that in moving the Mountain View Inn, both electrical and telephone service might be interrupted for both Great and Little Cranberry Island; with a request that each island be kept informed to any possible loss of utility services.

f. **Joining the Southwest Harbor Chamber of Commerce:** Phil Whitney recommended to the BOS that the Town join the Southwest Harbor Chamber of Commerce. The Chairman indicated that he had received a letter from the chamber and concurred that this would be beneficial for the Cranberry Isles and would be pursuing it.

9. **Adjournment** was at 12:45 PM, with the next BOS Meeting to be on October 5th at the Islesford Neighborhood House, Little Cranberry Island.