

BOARD OF SELECTMEN

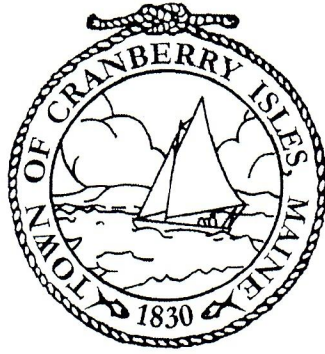
DANIEL S. LIEF, CHAIRMAN

AARON W. GRAY

HAL H. NEWELL

TOWN CLERK / TREASURER

DENISE McCORMICK



MUNICIPAL ADVISORY COMMISSION

M. DONALD, M. FERNALD

E. HARRISON, J. PICKERING

L. PRATT, F. REECE, C. WHITE

FACILITIES SUPERVISOR

BILL McGUINNESS

## NOTICE

The Cranberry Isles Board of Selectmen will conduct their regular meeting on Tuesday April 3, 2007 at 8:30 AM at the Neighborhood House on Islesford.

## AGENDA

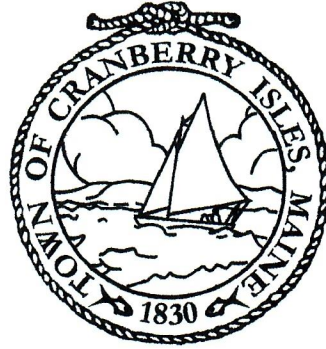
- I. Call to Order
- II. Review / Approval 3-12-07 Minutes
- III. Review / Signing Financial Warrants
- IV. Appointments
  - A. Planning Board
  - B. Board of Appeals
  - C. Health Officer
  - D. Animal Control Officer
  - E. Shellfish Warden
  - F. Constable
  - G. Harbor Master
  - H. Harbor Committee
- V. New Business
  - A. Review / Signing: Facilities Supervisor Contract
  - B. SHIP Grant Bid Specification Approval
  - C. Parking Update
  - D. Solid Waste / Town Garage Update
  - E. Discussion: Manset fund raising reserve / Brown house loan
  - F. Discussion: Fire Truck Purchase Committee
  - G. Discussion: TCI Lawyer
  - H. Discussion: Quarterly Reports
  - I. Discussion: Implementation of Harbor Ordinance
  - J. Discussion: Vehicle Waste Disposal Ordinance Enforcement
  - K. Discussion: Constable Training
  - L. Discussion: Code Enforcement Officer, Planning Board and Board of Appeals – Review of Town procedures: Do they work?
  - M. Discussion: Selling of Marsh USA building
- VI. Other Business
- VII. Audience Communications
- VIII. Adjournment

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**Board of Selectmen's Meeting Minutes  
April 3, 2007  
Islesford Neighborhood House**

**Attendance:**

Dan Lief, B.O.S. Chairman  
Aaron Gray, B.O.S.  
Denise McCormick, Town Clerk  
Nanette Hadlock, Deputy Clerk  
Eric Dyer, Island Institute  
Eve Harrison  
Rick Alley  
Harvey Bunker

Cynthia Lief  
Phil Whitney  
Karin Whitney  
Richard Beal  
Sally Rowan  
Chris Hathaway  
Evelyn Boxley

**I. Call to Order:** 8:32 A.M. by Chairman Dan Lief.

**II. Review / Approval 03/12/07 Minutes**

Aaron Gray moves to accept the minutes as written for March 12, 2007 Special Board of Selectmen's Meeting. Dan Lief seconds the motion. **Motion passes.**

Aaron Gray moves to accept the minutes as written for March 02, 2007 Board of Selectmen's Meeting. Dan Lief seconds the motion. **Motion passes.**

**III. Review / Signing Financial Warrants**

Warrant #12: \$ 302.07  
Warrant #13: \$ 3858.36  
Warrant #14: \$ 4949.41  
Warrant #15: \$ 22355.34  
Warrant #16: \$ 137582.97

**Total: \$169048.15**

All warrants were signed by the Selectmen.

**IV. Appointments**

**Communication:** The Board of Selectmen have received a letter dated March 22, 2007 from a Great Cranberry Resident in regard to appointments of individuals for town positions who have not met his/her legal responsibilities for payment of property taxes each year.

Selectman Lief assures that this fact is being taken into consideration, and that there should be “zero tolerance for officials, appointees, or employees not following local, state, and federal laws.” At this time Selectman Lief and the Deputy Clerk are working on job descriptions for town officials, appointees, and employees.

**A. Planning Board**

Bruce Komusin is nominated for the open position on the Planning Board with an expiration of 2010.

**B. Board of Appeals**

Beverly Sanborn is nominated for the open position on the Board of Appeals with an expiration of 2010.

Selectman Lief would like to see an alternate or associate position appointed for the Board of Appeals. He also mentions the possibility of a B.O.S. policy, or maybe as part of the proposed Board of Appeals ordinance, regarding conflict of interest. This policy would ensure that if there were any appearance of conflict of interest involved with a Board of Appeals member, then the member must automatically recuse themselves from voting. More research will be done on the legality of alternate positions and conflict of interest.

**C. Health Officer**

Wanda Porter is nominated as Health Officer. Ruth Westphal has officially resigned her interest in the position, and recommends Wanda Porter as her successor.

**D. Animal Control Officer**

By recommendation of the Selectmen, the appointment of animal control officer is on hold at this time.

**E. Shellfish Warden**

Rodney Wimer is nominated as shellfish warden. Shellfish Warden training is coming up, and the state must also approve this appointment.

**F. Constable**

Richard Howland and Rodney Wimer are nominated to serve as constables. The Town will send both candidates for the required training.

The police academy wishes to meet with Richard Howland and a representative from our town.

Dan Lief moves to send Phil Whitney, as town representative with Richard Howland for the hearing. Aaron Gray seconds the motion. **Motion passes.**

**G. Harbormaster**

Rodney Wimer is nominated as Harbormaster. Mr. Wimer has completed his harbormaster training in March 2007.

**H. Harbor Committee**

The following nominations were made for members of the harbor committee in accordance with the recently passed harbor ordinance at the annual town meeting, (Section 3.2 of the Town of Cranberry Isles Harbor Management Ordinance).

Theodore Spurling, JR	(2008)
David Thomas	(2009)
Phil Whitney	(2010)
Richard Howland	(2009)
Roy Hadlock	(2010)

Other individuals have expressed interest in serving on the harbor committee, which could be a possibility.

According to the ordinance, (section 3.2.1), "The Harbor Committee shall consist of not less than three and not more than five *voting* members appointed by the Selectmen. The initial Committee shall have the following appointments: The first three members shall serve a one, two and three year terms and position four will serve a two year term and position five will serve a three year term. Harbor Committee members shall be voting residents of the Town of Cranberry Isles and shall represent diverse interests in the harbor."

Dan Lief hopes to meet with Jennifer Litteral next week to discuss the possibility of her continued assistance with the execution / implementation process of the harbor management ordinance.

Dan Lief moves to hire Jennifer Litteral to help with the implementation plan for the Harbor Management Ordinance, working with the Harbor Committee, Harbormaster, and the Deputy Clerk. It is hoped to be able to use the leftover grant money from the harbor ordinance preparation to pay Ms. Litteral for her continued service. If this is not possible, this issue will come back before the Board of Selectmen. Aaron Gray seconds the motion. **Motion passes.**

Aaron Gray moves to approve today's appointments which are listed on the agenda for this meeting as recorded in these minutes. Dan Leif seconds the motion. **Motion passes.**

## **V. New Business**

### **A. Review / Signing: Facilities Supervisor Contract**

An employment agreement contract for the position of facilities supervisor is presented to the Board for approval. Some differences in this contract from the last contract are:

- The facilities supervisor shall report to the Board of Selectmen.
- To manage and supervise all activities and projects of the Town which are not under the purview of the Town Clerk, the Town Treasurer, or the Town Tax Collector.
- The facilities supervisor shall also provide general support to the work and responsibilities of the Board of Selectmen and all other Town employees.
- Compensation will be paid by a salary of \$36,000.00 per year, as approved by the voters at the March 2007 annual town meeting.
- Insurance benefits are not included as part of the contract at this time. "The provisions of this "INSURANCE BENEFITS" section are subject to change in accordance with the Town policies in effect from time to time.

Selectman Gray recommends that the facilities supervisor position be either kept at an hourly rate, or to state the minimum number of hours required to work weekly for that salary. Other suggestions by Selectman Gray were that the facilities supervisor working out of his home, as opposed to the town office, might not be a good idea; and that the position might also be a yearly appointment. Mr. Gray presents these suggestions after speaking with residents who have brought these concerns to his attention.

Another resident suggests that hours worked per week, sick pay, and vacation time be included in the contract.

Selectman Lief has no problem adding conditions of employment to the contract such as those suggested. In regard to the yearly appointment for the position, it is pointed out that funding for the position is included annually in the line item budget, which is approved by the voters. It is also noted that there are times when the facilities supervisor does work at home, for example processing the parking requests.

Signing of the Facilities Supervisor contract is put on hold for this meeting.

**B. SHIP Grant Bid Specification Approval**

Bid specs have been prepared for the construction of three finger floats with rigging and one gangway. Monies from the SHIP Grant will pay for this project. Dan Lief moves to authorize the Facilities Supervisor to put the project out to bid. Aaron Gray seconds the motion. **Motion passes.**

**C. Parking Update**

The parking committee will consist of Aaron Gray, Chris White, Malcolm Donald and Bill McGuinness. Many parking request responses have come in to the office. The deadline for applications is April 15, 2007. No issues have been identified thus far.

**D. Solid Waste / Town Garage Update**

All but two of the abutters to the Proposed Islesford Transfer Station Site have responded in agreement with the location. One of the two has contacted the town office and has sent her response in the mail.

There will be more discussion on the town garage plans coming soon.

**E. Discussion: Manset Fundraising Reserve / Brown House Loan**

It is recommended that the donation reserve account for paying off the debt for the Manset Property be used to pay off the loan on the Brown House purchase. The town does not own the house now, and the loan interest rate is high at this time. The Town Treasurer will check with the donors to see if this is a legitimate use of the reserve donation fund. Roughly \$90,000.00 is still owed on the loan, with October 2008 being the last regularly scheduled payment. Research will be done as to what type of account any remaining funds could be placed in for a higher interest earned. This item is to be discussed at next month's board meeting.

**F. Discussion: Fire Truck Purchase Committee**

Many decisions will be forthcoming for the purchase of the new tanker truck for Islesford Volunteer Fire Department, (technical, funding, timing issues, etc.). It is the intention to create an oversight committee for this process. Recommendations for members of the oversight committee by Selectman Lief include Bill McGuinness, Courtney Chaplin, along with Norman Sanborn, JR if he agrees to serve on the committee.

**G. Discussion: TCI Lawyer**

Dan Lief discusses the option of changing Town Counsel. He suggests that the Board of Selectmen interview various lawyers in the area for consideration.

**H. Discussion: Quarterly Reports**

Selectman Lief and Selectman Gray would like to see the quarterly reporting procedure, which was put in place by former Selectman Phil Whitney, to stay in place. Under this process, various town officers, and appointees are asked to file a report of activity four times a year to the Board of Selectmen. Presentation of these reports to the Selectmen will be further discussed at the next board meeting.

The following positions are requested to submit reports for quarterly reporting:

- Constable Islesford+
- Constable GCI
- Harbormaster
- Animal Control Officer+
- Shellfish Warden
- Health Officer+
- Planning Board Chairman\*+
- Board of Appeals Chairman\*+
- Board of Assessment Review\*
- League of Towns Representative\*
- Island Coalition Representative\*
- Island Institute Fellow
- Zone 1, GCI Volunteer Fire Department\*
- Zone 2, Islesford Volunteer Fire Department\*
- Road Commissioner
- Acadia Disposal District Representative\*
- School Board\*+
- Emergency Preparedness Agent

\*These town positions may submit meeting minutes as quarterly reports.

+Reports received by the Selectmen for the January – March 2007 quarter.

*Copies of these reports are forwarded to the Selectmen and originals are kept on file at the town office.*

**I. Discussion: Implementation of Harbor Ordinance**

Previously discussed, (Section IV, H).

**J. Discussion: Vehicle Waste Disposal Fee Ordinance**

Enforcement efforts of the Vehicle Waste Disposal Fee Ordinance continue. The Code Enforcement Officer will be returning to the island soon to check compliance. An auto removal date will be organized for some time this spring. Individuals with vehicles to go off are encouraged to contact Bill McGuinness at the town office to sign up for junk car removal.

**K. Discussion: Constable Training**

Previously discussed, (Section IV, F).

**L. Discussion: Code Enforcement Officer, Planning Board and Board of Appeals – Review of Town Procedures: Do they work?**

Selectman Lief would like to rethink the whole workings of how we deal with the C.E.O. The process of contacting our C.E.O. might better be handled through the office.

Some discussion took place over who should be calling the C.E.O. with concerns about code enforcement issues. Some residents at the meeting felt that the C.E.O. should be accessible to whoever needs her assistance and expertise.

Nan Hadlock reports that according to the existing bylaws for the T.C.I. Planning Board:

*“Planning Board Members who observe, or who may be advised by others, of potential code violations, will notify the Chairman of the Planning Board. The Chairman will be responsible for contacting the Town Code Enforcement Officer (CEO) in a timely manner, to request a determination whether further investigation by the CEO is necessary. If the CEO determines an*

*investigation is warranted, the Chairman will monitor the results of the investigation. If enforcement action by the CEO or other government entities is subsequently deemed necessary, the Chairman will brief the other members at the next appropriate Planning Board Meeting."*

-Amendment I, (05/04/04), of the Planning Board Bylaws (07/03/02)

**M. Discussion: Selling of Marsh USA building**

Article #23 at the March 2007 annual town meeting asked the voters to consider selling the Marsh USA building at Manset at the end of the current lease. The article was generated by citizens' petition, and consequently defeated on the floor of town meeting, (3 yes, 45 no). After the discussion that took place at the town meeting, the selectmen decided to further research the feasibility of selling the building. A report on this research will be forthcoming.

**VI. Other Business**

- A letter of position in support of our schools is signed by the Selectmen at this meeting. The letter was created by the Union 98 school board, and is further supported by our municipal officials in opposition to the Governor's statewide school consolidation plan. Copies of this letter will be forwarded to Senator Damon, Representative Pingree, Representative Koffman, Governor Baldacci, Education Commissioner Gendron, Senator Rotundo, and Senator Bowman. Dan Lief moves to sign the Union 98 letter of support. Aaron Gray seconds the motion. **Motion passes.**

**VII. Audience Communications**

- Richard Beal requests if there has been any progress on the reshingling project for GCI Firehouse. He would like to see the project move along as the GCI Ladies Aid Society, and The GCI Futures Group has contract work to be done on Great Cranberry. Often times contractors will negotiate pricing when there are several projects to complete in the same location. Phil Whitney reports that at the last meeting of the GCI Volunteer Fire Department, a decision was made to go ahead with the project. Dan Lief will ask the facilities supervisor to research this project further.
- Cynthia Lief requests that the application for a liquor license for the Islesford Dock Restaurant be put on the agenda for the April Board of Selectmen meeting.
- Eve Harrison submits information for the Bureau of Parks and Land Grant opportunity for recreational facilities. This information will be forwarded to Frank Reese of the Municipal Advisory Commission. The deadline for these grant applications is July 31, 2007. Information on these grants can be obtained by calling (207) 287-4962, on the Maine Municipal Association website, or by email: [bud.newell@me.gov](mailto:bud.newell@me.gov)

**Executive Session Requested by TCI Tax Collector: 10:30 A.M.**

I, Daniel Lief, motion that the Board of Selectmen go into Executive Session, pursuant to 36 MRSA §841, (2) (E), for the purpose of discussion of Poverty Abatement received in the town office by the Tax Collector, Denise McCormick. Aaron Gray seconds the motion. **Motion passes.**

**Regular Meeting Called Back to Order: 10:39 A.M. by Chairman Dan Lief.**

Dan Lief moves that the tax collector proceed working with this party for the next month

and report to the Selectmen at the May board meeting. Aaron Gray seconds the motion. **Motion passes.** No decisions have been reached in regard to the poverty abatement request.

- Aaron Gray makes a motion to move the regularly scheduled May Board of Selectmen's Meeting to Wednesday, May 02, on Great Cranberry Island at 8:45 A.M. Dan Lief seconds the motion. **Motion passes.**
- Dan Lief reports that continual contact is kept between Hal Newell and the Town during his absence.
- Richard Alley, JR presents to the Town information for a Lobster Conservancy Study that has been carried out by volunteers for the last four years at Islesford. A license to carry out the study is required and in place for the Penobscot Bay and Downeast Maine Juvenile Lobster Census. This study begins in April of each year, on the lowest tides of the month, and continues monthly through November. The maps showing the presence of juvenile lobsters is presented to the Town. It is suggested by Selectmen Lief that the maps are framed and hung at the town office for viewing by the general public. The good news is that the maps show the presence of juvenile lobsters at Islesford!

**VII. Adjournment: 10:55 A.M.**

Dan Lief moves that the meeting adjourn. Aaron Gray seconds the motion. **Motion passes.**

*The next regularly scheduled Board of Selectmen's Meeting will be on Wednesday, May 02, 2007 at the Great Cranberry Island Community Center.*

*Please note: The public is encouraged to attend.*