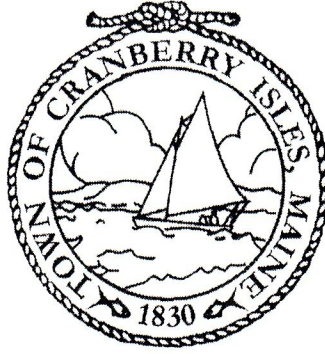


BOARD OF SELECTMEN

DANIEL S. LIEF, CHAIRMAN
RICHARD F. BEAL
SALLY A. B. ROWAN

TOWN CLERK / TREASURER

DENISE Mc CORMICK



MUNICIPAL ADVISORY COMMISSION

M. DONALD, P. DONALD
E. HARRISON, L. PRATT, F. REECE
C. WHITE, K. WHITNEY

FACILITIES SUPERVISOR

ERIC DYER

NOTICE

The Cranberry Isles Board of Selectmen will conduct their regular monthly meeting on Tuesday, April 7th, 2009 at 8:30 AM at the Neighborhood House on Little Cranberry Island.

AGENDA

- I. Call to Order
- II. Review / Approval of Previous Meeting Minutes
- III. Review / Signing Financial Warrants
- IV. Communications
 - A. Bangor Hydro Road Usage Letter
- V. Appointments
 - A. Committee Appointments
- VI. Old Business
 - A. Float Contracts
 - B. Kleinschmidt Contract
 - C. GCI Store Lease
 - D. E911 Addressing
 - E. Transfer Stations / MSW
 - i. Solid Waste Committee
 - ii. Compacting Equipment
 - iii. Solid Waste Contract (with Gray Enterprises)
- VII. New Business
 - A. General Assistance Ordinance Amendment
 - B. HCPC Contract Amendment
 - C. Fire Training at Transfer Stations
 - ~~D.~~ Hazardous Waste Training (MSW)
 - E. Postmasters' Request
 - F. Use of Legal Counsel
- VIII. Other Business
- IX. Audience Communications
- X. Adjournment

Board of Selectmen's Meeting Minutes
April 07, 2009
Islesford Neighborhood House

Attendance:

Dan Lief, Chairman, BOS
Richard Beal, BOS
Sally Rowan, BOS
Eric Dyer, Facilities Supervisor
Denise McCormick, Town Clerk
Nanette Hadlock, Deputy Clerk
Eliza Greenman, Island Institute
Karin Whitney, MAC
Malcolm Donald, MAC
Phil Whitney, Harbor & Transportation Committees
Jeff Berzinis

I. Call to order: 8:30 A.M. by Chairman Dan Lief

II. Review / Approval of Previous Meeting Minutes

Richard Beal moves to approve the Board of Selectmen's Meeting Minutes for March 09, 2009 as written. Sally Rowan seconds the motion, with a unanimous vote by Dan Lief. **Motion passes.**

III. Review / Signing Financial Warrants

Warrant #11: 3625.34

Warrant #12: 4468.82

Warrant #13: 27922.09

Warrant #14: 184703.28

Total: \$ 220719.53

All warrants were signed by the Board of Selectmen.

IV. Communications

A. Bangor Hydro Road Usage Letter

The Selectman have received a letter of request from Bangor Hydro for permission to access posted roads to include the provision of service to new customers as well as some isolated reliability recovery projects that are currently part of our capital plan. Selectman Lief signs the letter of permission for Bangor Hydro.

V. Appointments

The following individuals were appointed for the following positions for 2009:

Constables: Richard Beal, GCI and Richard Howland, LCI

Animal Control Officer: Tiffany Tate

Harbor Masters: Bruce Fernald, LCI and Norman Sanborn, II, GCI

Harbor Committee: Richard Howland

Theodore Spurling, JR

Vacancy position tabled until May BOS Meet

Vacant alternate position tabled until May BOS Meet

Health Officer: Wanda Harmon Porter

Planning Board: Vacancy position tabled until May BOS Meet
Appeals Board: Gayle Colby

Residents interested in serving on the Planning Board or Harbor Committee should contact the Selectmen.

VI. Old Business

A. Float Contracts

One bid was received by the Selectmen for the Cranberry Isles Float Contract.

Roy Hadlock: \$17,500.00 to furnish all labor, materials and equipment necessary for care of floats and ramps owned by and located in the Town of Cranberry Isles.
\$25.00 per hour to furnish all labor for necessary repair floats, beyond routine maintenance.

Sally Rowan moves to accept the contract for Roy Hadlock as bid.

Richard Beal seconds the motion, with a unanimous vote by Dan Lief.

Motion passes.

Richard Beal moves that Chairman Dan Lief be authorized to sign all contracts for the Board. Sally Rowan seconds the motion. **Motion passes.**
Two bids were received by the Selectmen for the Cranberry Manset Float Contract from Chalmers Enterprises, LLC. A letter from Chalmers also accompanies the bids, explaining that the first bid

- (1.) \$7,300.00 to furnish all labor, materials and equipment necessary for care of floats and ramps owned by the Town of Cranberry Isles and located in Southwest Harbor, repair costs outside of paint and scrape.
\$50.00 per hour to furnish all labor for necessary repair of floats, beyond routine maintenance.
(Fixed cost bid: Spring launch & set-up, labor & materials to scrape and paint, Fall take down and transportation to storage included as one set cost)
- (2.) \$4,100.00 to furnish all labor, materials and equipment necessary for care of floats and ramps owned by the Town of Cranberry Isles and located in Southwest Harbor, plus material costs to scrape and paint, and repairs.
\$50.00 per hour to furnish all labor for necessary repair of floats beyond routine maintenance.
(fixed variable cost bid with fixed cost for Spring launch & set-up, Fall take down & transportation to storage; variable cost for labor & materials to scrape & paint)
Chalmers also includes the following comments/conditions he has regarding some of the specifications outlined in the bid:
 - *Section C: Chalmers Enterprises will perform "routine maintenance" to the floats as needed, i.e. replacement of decking, fatigued lumber, metal fittings, at an hourly rate of \$50.00/hour, plus material costs.*

Section E: If repairs to moorings are necessary and permitted by the town, Chalmers Enterprises' barge rate is \$195.00/hour, and additional man hours may be required at our normal rate of \$50.00/hour.

- *Hanging Floats: If a float becomes out of alignment due to reasons other than improper connection, we will correct at Cranberry Isles expense (barge and labor rates same as above). We will not be responsible for misalignment due to severe weather.*

The Facilities Supervisor has reviewed all bids and made recommendations to the Board of Selectmen in writing.

Richard Beal moves to accept the \$4100.00 bid from Chalmers Enterprises.

Sally Rowan seconds the motion, with a unanimous vote by Dan Lief. **Motion passes.**

B. Kleinschmidt Contract

A revised proposal for Kleinschmidt Associates to do engineering for boat ramp improvements at GCI and LCI is presented to the Selectmen. The proposal includes preparing bid documents for the two boat ramps, to include an option for dolphin piles at GCI. Kleinschmidt will coordinate advertisement and distribution of bid documents, including producing the copies of the dig documents for distribution to Owner, Maine DOT, and contractors. The bids will be reviewed by Kleinschmidt and an Engineer's recommended for the Town's consideration. Kleinschmidt will also monitor the construction process. Construction is anticipated to occur this fall. A temporary closure for barge ramps will be necessary. Cost for the design, permitting and construction phase services will be \$14,500.00. Selectman Lief signs the proposal on behalf of the Board.

C. GCI Store Lease

A land lease between the Town of Cranberry Isles and Great Cranberry Island General Store LLC is ready for approval by the Selectmen. The lease is for a term of five years and will be payable at \$12.00 annually. Utilities and taxes will be paid by the Lessee. Mr. Beal reports that the Town will be responsible for the first septic pumping, and then will be the responsibility of the Lessee. The Selectmen sign the lease for GCI General Store LLC.

Selectmen Lief suggests that in the future, drafts of leases are to be posted on the municipal website for review by the public. The Facilities Supervisor explains that we are currently waiting for access to the TCI website file structure in order to be able to post such documents. Copies are and will continue to be available at the Town Office.

D. E911 Addressing

Eliza Greenman and Eric Dyer have been working on E911 addressing for Great Cranberry Island. Numbering is complete with photos and GPS coordinates for each address. This list after proofing for typos will be forwarded to the Department of Public Safety and the Department of Motor Vehicles. Islesford still has a few places to number, and eventually

will include photos and GPS coordinates. The following documents are required to obtain or renew a driver's license:

- copy of birth certificate or passport
- married women-marriage license
- proof of residency and physical address-obtained from Town Clerk

E. Transfer Stations

iii. (taken out of order) Solid Waste Contract (with Gray Enterprises)

The Facilities Supervisor is requested to draft a letter to Ed Gray for the next Board of Selectmen's Meeting for the purpose of opening dialogue in anticipation of a contract renegotiation date of December 09, 2009.

Sutton Island Trash Removal is handled by another private contractor.

i. (taken out of order) Solid Waste Committee

The solid waste system now in place is running very smoothly. Many residents would like to see what options are out there for recyclables. Selectman Lief suggests that a citizen's solid waste committee be formed. Cynthia Lief is our Town Representative for Acadia Disposal District. Phil Whitney suggests utilizing the Municipal Advisory Commission for this committee.

ii. Compacting Equipment

A request has been received by the Selectmen from Gray Enterprises for the Town to purchase a cardboard baler. No funds are available this year for this purchase.

VII. (taken out of order) New Business

C. Fire Training at Transfer Stations

Selectman Beal reports that there is training available to prepare in the event of trash compactor fires. The Facilities Supervisor will speak with Fire Chief Courtney Chaplin about this. Mr. Beal also reports that special fittings are available for the compactors that enable hoses to be hooked up to them.

On Sunday, April 05, the first formal training for Islesford with the new vacuum pumper truck took place. The tank was able to be refilled in approximately three minutes, as reported by Selectman Lief.

Eliza Greenman and Dan Lief have been discussing plans for a community clean-up day at Islesford.

A. General Assistance Ordinance Amendment

The Board of Selectman sign an amendment to the G.A. Assistance Ordinance showing that the maximums allowed for food assistance has increased.

VIII. (taken out of order) Other Business

- Nine 30-day tax lien notices have been sent to delinquent taxpayers by certified mail. The Tax Collector reminds the BOS and those receiving these notices that Poverty Abatements may be available by request from the BOS if unable to pay. This is a year to year review process.

Applications may be obtained from the Tax Collector. Delinquent taxes are published annually in the Town Report. Poverty Abatements are strictly confidential and conducted under executive session.

Selectman Beal reports that a lien notice, placed on a property five years ago, because of help with a septic system, needs to be removed for a property at Great Cranberry Island. The Town Clerk will follow through.

VII. (taken out of order) New Business

Solid Waste Revisited:

The Facilities Supervisor has requested to attend the 16th annual Recycling and Solid Waste Conference on May 4 and 5 at Bar Harbor.

Richard Beal moves for Eric to attend the conference and to seek out up to two others who have interest in attending. Sally Rowan seconds the motion, with a unanimous vote by Dan Lief. **Motion passes.**

Selectman Beal would like to make residents aware of the fact that if dead birds are found by anyone, to please check for a band on the bird, and to follow through by returning the band to the proper authority. Recently a herring gull from Duck Island was discovered at GCI that was banded for research by Dr. John Anderson from College of the Atlantic. A certificate of appreciation was awarded to Richard Beal for returning the band.

Bands can be reported at: www.reportband.gov or by calling: 1-800-327-BAND.

B. (taken out of order) HCPC Contract Amendment

Chairman Lief signs a contract amendment with Hancock County Planning Commission for the continued work with the Comprehensive Committee. The cost of these services are \$5000.00.

E. (taken out of order) Postmasters' Request

In celebration of Cranberry Isles 180th Birthday in 2010, the Cranberry Isles and Islesford Post Offices would like to obtain a special postmark to mark this historical event. The letter from Joy Sprague and Eileen Richards's requests permission from the BOS to hold a contest for design of the Postmark that will highlight the birthday. The Postmasters' would also encourage the BOS to start planning a special event that the Town can celebrate in the summer of 2010.

Stamp sales may be particularly important to the existence of our island post offices, and the Town will continue to split purchases between the the two islands.

Richard Beal moves to support this effort in any way we can which will help celebrate the birthday and help preserve our two wonderful post offices and we'll work towards an event next year, and try to sell more stamps. Dan Lief seconds the motion, with a unanimous vote by Sally Rowan. **Motion passes.**

The Deputy Clerk is asked to let Joy Sprague know that the Town is on board with this effort and will help support the viability of our two post offices. Nan is asked to work with Joy and Eileen on this effort. News of the contest will be placed on the municipal website, and hopefully islesford.com and cranberryisles.com.

D. (taken out of order) Hazardous Waste Training

It is suggested by Selectman Beal that a real plan and directions to the handling of, and what is, hazardous waste be communicated to residents. The Town of Cranberry Isles does participate in an annual hazardous waste collection day.

Work is progressing on issues with the siding at the new municipal garage with Dunbar & Brawn. Money from the contract is still being withheld. It is hoped that this can be resolved within the next two weeks.

E. (taken out of order) Use of Legal Counsel

Within the next month or two, the Selectmen wish to develop a policy for use of legal counsel. \$20,000.00 was budgeted for the year, and \$13,000.00 has been spent for the year so far. The Planning Board and Board of Appeals has been requiring the use of the attorney in light of a recent law suit against Cranberry Isles. Over half of the funds spent were used for this lawsuit. The Attorney has also been contacted for advice with the new municipal garage at Islesford. The Transportation Committee and the Harbor Committee have also had access to legal services for their needs. Maine Municipal Association provides legal advice for no fee, and could be utilized in some circumstances.

Selectman Lief reports that he does not feel that too much money has been spent, but more than expected has been used thus far. A policy for usage of the Town Legal Counsel will be on the agenda for May BOS Meeting. Town Legal Counsel has suggested a six month moratorium on building in order to make time for any proposed changes. It may also be possible to approve clarifications containing strong language clarifying the intent of the Town. A Special Town Meeting is expected to be called sometime in the near future to go over the land use ordinance. A public hearing will be held prior to a special town meeting to discuss any changes to the Land Use Ordinance.

VIII. Other Business

- In reference to Great Cranberry Island Pier, Jeff Berzinis has requested that provisions be made for the new 80 foot gangway while the pier is under reconstruction. A change order will be presented to the BOS for next month's meeting for the pier project.
Dan Lief moves that Berzinis make provisions on the new dock he's finishing for the 80 foot gangway, and to try to lease and install the gangway available in Ellsworth. Richard Beal seconds the motion, with a unanimous vote by Sally Rowan. **Motion passes.**
- An email request from Ron Axelrod, Cochairman of the Transportation Committee has been received by the Selectmen. The request asks for permission for funding from the Contingency Fund for legal advice from the Town Attorney. The Transportation Committee has a list of ten questions that they are seeking research and advice for. The Attorney has estimated the cost of researching the issues and drafting a preliminary report/summary is to be between \$2000 and \$4000. Available funds have been budgeted.

Dan Lief moves to approve the Transportation Committee using Eaton Peabody and spending up to \$ 4000.00 from the contingency fund, coordinating and continuing to brief Selectman Lief as this progresses, and using Maine Municipal Association to the extent possible to answer their questions and to keep costs down. Sally Rowan seconds the motion, with a unanimous vote by Richard Beal. **Motion passes.**

- Phil Whitney of the Transportation Committee has presented an informal proposal to the Board of Selectmen for the establishment of a formal working subgroup to coordinate issues of mutual interest between the Town of Cranberry Isles and the Towns of Southwest Harbor and Mount Desert. Initially, this proposal could involve discussions of harbors, wharves, ferry operations, parking, etc. Mr. Whitney suggests that the subgroup include one Board of Selectmen member, two Transportation Committee members, and two Harbor Committee members. In this manner, all concerned Cranberry Isles entities would remain fully involved and briefed on the progress and setbacks which occur while working with these communities to implement our transportation and marine objectives.

Selectman Lief does not feel the need to establish a new committee. Dan Lief moves that the Transportation Committee be authorized, in furthering their objectives, to meet with the Towns of Southwest Harbor and Mount Desert, and at all meetings like that, to have a member of the Board of Selectmen present and to keep the Harbor Committee posted on relevant matters. Richard Beal seconds the motion, with a unanimous vote by Sally Rowan. **Motion passes.**

- Phil Whitney asks about the removal of debris at the Great Cranberry Island Gravel Pit. According to the Facilities Supervisor, money was budgeted for this. The Facilities Supervisor will work with Selectman Beal with a plan of action for the next Selectmen's Meeting.
- The Selectmen have received a request from the Department of Environmental Protection (D.E.P.). It is the Department's opinion that the waters included in the proposed No Discharge Area (NDA) warrant the additional protection from boat sewage that an approved NDA would bring. A letter of support is sought by D.E.P. for the petition process dealing with designation of the Southern Mount Desert No Discharge Area.

Richard Beal moves to join in with the Maine Department of Environmental Protection as one of the petitioners on the No Discharge Area. Dan Lief seconds the motion, with a unanimous vote by Sally Rowan. **Motion passes.**

The Town Clerk will draft and sign the letter of support on behalf of the Selectmen.

IX. Audience Communications

- Nan Hadlock requests permission to hire a special boat, paid for by the Town, for Thursday, April 16, 2009. There is a tri-committee meeting at

the Islesford Neighborhood House, (Transportation Committee, Harbor Committee, and Municipal Advisory Commission). There is also a public dinner scheduled for 5:00 P.M. at the Neighborhood House to help Islesford Student Samantha Krasnow to attend Gould Academy.

Permission granted. Nan will schedule the boat.

X. Adjournment: 11:10 A.M.

Sally Rowan moves to adjourn the meeting. Dan Lief seconds the motion, with a unanimous vote by Richard Beal. **Motion passes.**