

BOARD OF SELECTMEN

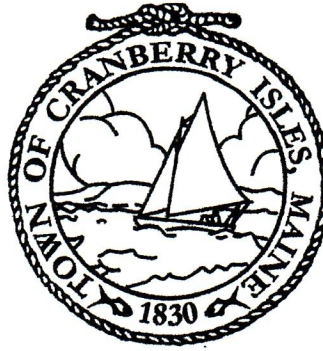
DANIEL S. LIEF, CHAIRMAN

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 monthly meeting on Thursday October 11th 2007 at 8:30 AM at the Neighborhood House on Islesford.

## AGENDA

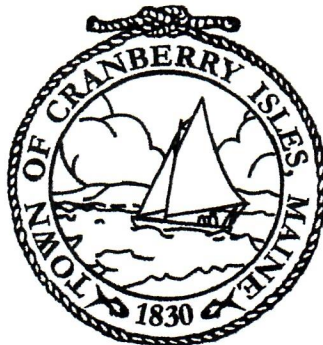
- I. Call to Order
- II. Review / Approval 9-4-07 Minutes
- III. Review / Signing Financial Warrants
- IV. Communications
  - A. Letter of Resignation, Hal Newell
  - B. Annual Donation Thank-You Letters
  - C. Letter from Deborah Wedge
  - D. Letter from Tony Guinta
- V. Old Business
  - A. Selection of Town Attorney
  - B. GCI Dock Repairs
  - C. LCI Transfer Station, Letter
  - D. Municipal Garage Building
  - E. Manset Seawall
  - F. Water Resources
  - G. Public Interest Payphones
  - H. ATV's on Public Ways
  - I. School Consolidation
- VI. New Business
  - A. Sutton Island Float
  - B. Wimer Lease
  - C. Septic Sludge Removal Contract
  - D. General Assistance Ordinance
  - E. SW Cole Agreement
  - F. HCPC Letters of Support
  - G. Brush Disposal
  - H. Conference Request
  - I. Special Town Meeting & Warrants
- VII. Other Business
- VIII. Audience Communications
- IX. Adjournment

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ERIC DYER

**Board of Selectmen's Meeting Minutes  
Thursday, October 11, 2007  
Islesford Neighborhood House**

**Attendance:**

Dan Lief, BOS Chairman	Eve Harrison, MAC
Aaron Gray, BOS	Phil Whitney
Denise McCormick, Town Clerk	Karin Whitney
Eric Dyer, Facilities Supervisor	Richard Beal
Nanette Hadlock, Deputy Clerk	

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

**II. Review / Approval 09/04/07 Minutes**

Aaron Gray moves to accept the Board of Selectmen's Meeting Minutes for September 04, 2007 as written. Dan Lief seconds the motion. **Motion passes.**

**III. Review / Approval Financial Warrants**

Warrant #42: \$ 5231.43

Warrant #43: \$ 4737.92

Warrant #44: \$ 25460.00

Warrant #45: \$ 4584.31

Warrant #46: \$ 219541.08 (originally submitted as \$223041.08)\*

Total: \$ 259555.46

*\*The Selectmen chose not to pay for a roads survey from S.W. Cole (\$3500.00) that was originally submitted as part of warrant #46.*

**IV. Communications**

**A. Letter of Resignation, Hal Newell**

The Board of Selectmen has received a September 25, 2007 letter of resignation from Selectman Hal Newell due to medical conditions. The Board accepts with regret the resignation of Mr. Newell, and thanks him for his efforts as Selectman.

The Town Clerk has contacted Maine Municipal Association for advice on how to proceed with the vacancy. The remaining Selectmen may, but are not required to hold an election to fill the vacancy. If the vacancy were to remain until the next annual town meeting, the remaining Selectmen would have to always attend Board Meetings, and agree on all decisions. With a three member board, there are only two members left when a vacancy occurs, with no way of breaking a tie vote if the two disagreed on an issue(s). A special town meeting is planned for November 15, 2007, in reference to



the new municipal garage building for Islesford. Two public hearings are to be held, one on Great Cranberry and one on Islesford in early November to discuss the proposals for the new building. The vacant position on the Board of Selectmen will also be included on the warrant for the special town meeting. The Town Clerk is asked to please put a notice on the two town websites, notifying residents that there will be a special town meeting held on Great Cranberry Island on November 15, 2007. It is suggested that the meeting be held in the afternoon, so that people who work during the day might attend. Transportation will be scheduled from Islesford and back for the meeting.

The November Board of Selectmen's Meeting will be held on Thursday, November 01, 2007 at Great Cranberry. This change of date is necessary as elections will take place on the first Tuesday of the month, November 06, 2007.

**B. Annual Donation Thank-You Letters**

The Town of Cranberry Isles has received five thank you letters from the following for 2007 donations:

- Islesford Library
- Great Cranberry Island Library
- The Life Flight Foundation
- Northeast Harbor Ambulance Service
- Northeast Harbor Library

**C. Letter from Deborah Wedge**

A letter was received by the Selectmen from Resident Deborah Wedge. The Selectmen acknowledge receiving the letter, but chose not to read it at today's Board Meeting. The letter is on file at the town office for public record.

**D. Letter for Tony Guinta**

The Selectmen have received a letter from town counsel Tony Guinta in reference to his current medical status. Mr. Guinta has added an assistant to his firm, Valerie Chiasson who will be helping him as his medical treatment continues. Mr. Guinta still intends to continue his practice and wishes to continue representing the Town of Cranberry Isles. The Board of Selectmen wishes Tony well.

**V. Old Business**

**A. Selection of Town Attorney**

The Board of Selectmen has not made a decision at this time to seek new counsel. Research will continue on this issue, but at this time the Town will continue to use the services of Attorney Guinta. Occasionally the Board will utilize alternate counsel, depending on the situation. Ed Bearor of Rudman and Winchell has also been utilized by the Board as with the Gray Enterprises contract and the Redzone contract.

**B. GCI Dock Repairs**

Kleinschmidt Associates suggests that the GCI Dock should be repaired in the next two to three years. The Facilities Supervisor is still waiting for official reports from Prock Marine. A Small Harbor Improvement Program (SHIP) Grant application has been filed for the repair job. The Town should know sometime in December if the application is approved. The amount requested in the application is for \$198,000.00, with 70% to come from the state, and 30% to come from matching funds from the Town. A copy of the SHIP application is on file at the town office for public viewing.

The Selectmen wish to thank all individuals for their hard work preparing the application.



Selectman Lief would like to see the Facilities Supervisor get to a point of being able to make a sound recommendation on what course to take with the repairs, before public hearings are held or asking the voters for funds. Mr. Lief feels the project needs more time to hear experts and to receive written reports.

Selectmen Lief reports that in the next two weeks an important study is coming up to look at town debt levels, caps on debts, etc.

Older GCI Dock files from 1985 and 1987 have recently been located and turned over to the town office by Richard Beal.

**C. LCI Transfer Station, Letter**

The Selectmen sign a letter to Ed Gray of Gray Enterprises as a commitment by the Town to accept all financial responsibilities associated with the installation project for the Islesford Transfer Station. It is Ed Gray's responsibility to coordinate the construction of a concrete slab and installation of a compactor assembly on Little Cranberry Island. An amended management contract and new lease agreement will be completed prior to the opening of the facility. The Town is entitled to reasonable oversight of the installation project. It is expected that within the next week of two, contractors will begin work on the slab and electrical hook-up.

**D. Municipal Garage Building**

Public Hearings are to be held on GCI and Islesford sometime near November 08, 2007 to present cost estimates, sketches, floor plans, etc. for two designs which are being considered for the municipal garage building on Islesford. Plans are to integrate some environmentally friendly practices and materials as part of the Leadership in Energy and Environmental Design (L.E.E.D.) process. Jason Pickering has been hired as consultant by the Town to do plans, with a cap set by the Selectmen to spend up to \$3000.00 for his services.

A question from Eve Harrison is whether the proposed building will be facing the Main road or not. Ms. Harrison feels that if the building were to face the road, that the fire trucks may not be able to make a turn out of the building. Also, Harvey Bunker may have a prescriptive easement over the town property to haul boats to his abutting property. Selectman Lief asks the Facilities Supervisor to speak with Harvey Bunker and also Cory Alley with the objective being to find a solution that works for all.

It is reiterated that at a special town meeting funds cannot be raised, but voters can be asked to borrow funds. Funds can only be raised until taxes are committed for the year.

**E. Manset Seawall**

So far there appear to be three options for repairing the deterioration of the seawall at our Manset Property. An estimate from Prock Marine is still expected but not yet received.

1. restack the rocks that have fallen
2. using rip rap to help secure the wall
3. a complete rebuild of the wall

The Facilities Supervisor recommends repair of defects and restacking. The deterioration of the wall is out of the Town of Southwest Harbor's right of way. The TCI Harbor Committee discussed this matter at their October 03, 2007 meeting. Jen Litteral of the Island Institute is looking into if Federal Emergency Management Agency (F.E.M.A.) grants might still be available for the storm



damage. The Board of Selectmen needs details and funding recommendations for the repairs. The Town Treasurer will investigate the funds that are available for the Manset Property.

**F. Water Resources**

Last week all three C.I.R.T. houses were water tested at \$70.00 per unit. The tests have been sent to the state lab for results.

The water resources survey for the town is almost complete and will be mailed, pending postage funds available.

**G. Public Interest Telephones**

Wiring and conduit for the Islesford public interest payphone has been installed from the Co-op dock to the Town dock. Verizon will be coming out to hook up the wiring for installation of the phone itself. Great Cranberry is waiting for installation of the phone. Both will be installed at the town docks.

**H. ATV's on Public Ways**

Due to recent law changes with Home Rule Authority, the Municipal Officers may designate access on public ways for all terrain vehicle use. At today's meeting, the Board of Selectmen sign a document, pursuant to the authority granted by Title 12, MRSA §13157-A, sub-§6, ¶ H, establishing the following public roads and ways to be accessible for All Terrain Vehicle use.

Great Cranberry Island:

Cranberry Road  
Harding Point Road  
Heliker Road  
Jimmy's Point Road  
The Lane  
Dog Point Road  
Elwood Spurling Road

Islesford:

Main Street  
Wharf Street  
Co-op Drive  
Maple Avenue  
Hadlock Street  
Sand Beach Road  
Cross Road  
Mosswood Road  
North Woods Road  
Bar Road

All provisions of Title 13157-A, Operation of All Terrain Vehicles, are applicable.

The Board of Selectmen further notifies the inhabitants of the Cranberry Isles that in making these vehicle road access designations that:

- a. All ATVs must be registered with the Fish & Wildlife Department and insured in accordance with public law.
- b. All operators of ATVs shall possess a valid driver's license.
- c. All golf carts and low speed vehicles are not considered ATVs and are addressed in Title 29-A § 501 ¶ 2-A. They shall be registered with the Department of Motor Vehicles and insured.
- d. The Constables of the Cranberry Isles are fully authorized to enforce the applicable regulations and laws governing operation of ATVs and Low Speed Vehicles on the roads and public ways of the Town of Cranberry Isles. The penalties for specific infractions are contained in the respective Title 12 and 29-A legislation.



Copies of State of Maine All Terrain Vehicles 2007 Laws & Rules may be obtained at the town office. Copies of the Designation of All Terrain Vehicles Access on the Public Ways of Cranberry Isles, Maine may also be obtained at the town office.

**I. School Consolidation**

The Selectmen request that the Deputy Clerk contact Kate Chaplin from the TCI School Board and ask for a report at November's Selectmen's Meeting on school consolidation.

**VI. New Business**

**A. Sutton Island Float**

The Facilities Supervisor has received a telephone request from GCI Resident Rodney Wimer asking that the Sutton Island Float be left in for the winter season. The Selectmen are concerned about liability issues that may arise with icy conditions on the float, with no one around to take care of it. Selectman Lief requests that the Board hear from the Sutton Island Residents who are requiring work done by Mr. Wimer in writing for further consideration of the request.

**B. Wimer Lease**

Selectman Lief chooses to not discuss the Wimer Lease at today's meeting.

**C. Septic Sludge Removal Contract**

The Board of Selectmen signs a contract with Haslam Septic Service of Lamoine, Maine for the disposal of septic sludge generated within the borders of the Town of Cranberry Isles. The cost of the contract is \$380.00 from July 01, 2007 until June 30, 2008.

**D. General Assistance Ordinance**

The Board of Selectmen signs a general assistance ordinance for the period of October 01, 2007- October 01, 2008. The ordinance is available at the town office as public record.

**E. S.W. Cole Agreement**

The Selectmen desire an up-to-date professional opinion and analysis of what we have for road conditions now and what road repairs may be needed in the future. Initially it was suggested that an updated Pavement Management Plan from S.W. Cole would be developed. The last plan was completed by S.W. Cole dated January 11, 2005. S.W. Cole services for this updated plan would be \$3500.00. Upon recommendation from the Municipal Advisory Commission, the Selectmen have decided not to sign the agreement with S.W. Cole at this time for an updated plan. It is recommended that the town might work with the the Department of Transportation's Local Roads Center on an updated plan. Selectmen Lief requests that for future studies done on behalf of the Town, to define up front what the study needs to accomplish for the Town, and to look at former reports and choose what we liked about the report, and what we did not like. Warrant # 46 signed earlier in the meeting is re-signed by the Selectmen to reflect the subtraction of \$3500.00 for the S.W. Cole Report.

**F. HCPC Letters of Support**

The Board of Selectmen signs a letter of support for the Hancock County Planning Commission who is seeking two USDA grants for the upcoming fiscal year. The first grant is for solid waste and recycling technical assistance, and the second is for a water and wastewater technical assistance and training grant.

**G. Brush Disposal**



A letter has been received by the TCI Board of Selectmen from the Facilities Supervisor as a public reminder of relevant policies dealing with slash disposal within the shoreland zone. According to the Land Use and Shorelands Ordinance of the Town of Cranberry Isles, *"No accumulation of slash shall be left within fifty (50) feet of the normal high water line of a water body. In all other areas slash shall either be removed or disposed of in such manner that it lies on the ground and no part therefore extends more than four (4) feet above ground. Any debris that falls below the normal high-water line of a water body shall be removed."*

Further concerns stated in the letter are fire danger and erosion. Slash piles left in the public right of ways can block access to the shoreland. Burning requires permission from the Fire Warden beforehand.

The Selectmen discussed the fact that our State appointed Fire Warden is not currently residing on the Island and maybe another individual should be recommended for the position.

#### **H. Conference Request**

Facilities Supervisor Eric Dyer has submitted a written request for permission to attend two professional development conferences, October 26-27 for the Northern New England American Planning Association, and October 30 for the Maine Affordable Housing Conference. Mr. Dyer is asking that the Town cover conference fees, while he will pay for lodging and transportation.

Dan Lief moves to have Eric Dyer attend the conferences and approves \$350.00 for costs. Aaron Gray seconds the motion. **Motion passes.**

#### **I. Special Town Meeting & Warrants**

Eve Harrison requests time at the special town meeting to be held in November to discuss the Town Field for Islesford. Some ideas are to grade and till the field to make it smoother, and gravel for parking. The Dudman's are also reported to be interested in having their half of the field improved as well at their cost. It is possible to ask the moderator for a motion to approve recess for the next fifteen minutes for discussion of the Town Field.

Other articles that may be expected on the special town meeting warrant are the election of a Selectman to finish the term of Hal Newell, the Islesford Town Garage Building, the sale of liquor for off-premise consumption which was generated by a citizens' petition, and request for minor word changing to the Harbor Ordinance.

### **VII. Other Business**

- Selectman Lief announces that the committee who will be working on transportation issues in the future will comprise of Dan Lief, Richard Beal, Frank Reese, and the new GCI Island Institute Fellow.
- Quarterly reporting requests were received as follows:
  - Harbormaster GCI:** Received
  - Harbormaster Islesford:** Not Received
  - Health Officer:** Received
  - Planning Board:** Received
  - Board of Appeals:** No meetings
  - Board of Assessment Review:** No meetings
  - League of Towns:** Received
  - Island Coalition:** Not Received

**Zone 1, GCI Fire Dept.:** Not Received  
**Zone 2, Islesford Fire Dept.:** Not Received  
**Constable GCI:** Received  
**Constable Islesford:** Received  
**Road Commissioner:** Received  
**Acadia Disposal District:** Received  
**School Board:** Received  
**Emergency Preparedness Agent:** Received  
**Harbor Committee:** Received  
**Shellfish Warden:** Not Received  
**Animal Control Officer:** Received

Thank you to all the committees and positions that have submitted your requested quarterly reports to the Selectmen.

- Curbside pick-up of trash and recyclables will begin at Islesford on Friday, November 02. Items should be placed curbside no later than Friday at 8:00 A.M. The transfer station will still be open for drop-off from 11:00 A.M. to 12:00 P.M. every Friday.
- All vehicles must be removed from the Joy Lot Parking area by November 25, 2007 or be towed at the owner's expense.
- It is reported that a mobile home is being stored on town property at Great Cranberry Island. The Facilities Supervisor has spoken with the owner, who reported that the mobile home will be moved in approximately one week.
- There will be flu shot clinics held at Great Cranberry and Islesford on October 29, 2007. The GCI clinic will take place in the morning and Islesford in the afternoon until 3:00 P.M.
- The Town of Cranberry Isles has received, for the second consecutive year, an Award of Excellence in the 2007 Maine Municipal Association Annual Municipal Report Competition.
- Dan Lief moves to schedule the November Board of Selectmen's Meeting on Thursday, November 01, 2007 at Great Cranberry Island. Aaron Gray seconds the motion.
- Selectman Lief suggests that the ATV Access document signed today by the Board be included in the next annual report.

**VIII. Audience Communications**

No communications at this time.

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

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

*The next scheduled Board of Selectmen's Meeting will take place on  
Thursday, November 01, 2007 at Great Cranberry Island.  
Please note: The public is encouraged to attend.*