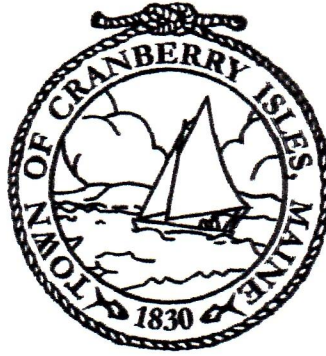


BOARD OF SELECTMEN
RICHARD BEAL, CHAIRMAN
CHRISTOPHER L. HATHAWAY
PHIL WHITNEY

TOWN CLERK / TREASURER
DENISE Mc CORMICK



MUNICIPAL ADVISORY COMMISSION
R. AXELROD, M. DONALD
K. WHITNEY, J. BERZINIS
C. DUGGAN, C. CHAPLIN, K. DAMON

ADMINISTRATIVE ASSISTANT
TO THE SELECTMEN
JAMES FORTUNE

MEETING NOTICE

The Cranberry Isles Board of Selectmen will conduct a regular meeting on
Tuesday, April 5, 2011 starting at 8:30 A.M.
at the Islesford Neighborhood House on Little Cranberry Island.

AGENDA

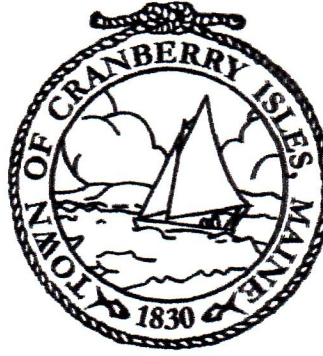
- I. Call to Order
- II. Review / Approval of Previous Meeting Minutes
- III. Review / Signing Financial Warrants
- IV. Appointments
 - A. Harbor Committee (1 appointment-for one-year term)
 - B. Planning Board (1 appointment-for three-year term)
 - C. Board of Appeals (1 appointment-for three-year term)
- V. New Business
 - A. Bid Selection for the Marsh roof replacement, finger float construction, and Sutton Island boardwalk and dock shed construction
 - B. Reconsideration of decision by the BOS to allow tour boat operator Andrew Keblinsky to use the Manset Dock for Downeast Sailing Adventures, LLC.
 - C. Update on GCI main float and Manset float
 - D. Manset: Enforcement for parking and dock facility
 - E. Designate Parking Committee for 2011 (to include parking coordinator, and one member each from the MAC and the Board of Selectmen)
 - F. Islesford Volunteer Fire Dept.: Exposure Control Plan
- VI. Other Business
- VII. Audience Communications
- VIII. Adjournment

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DENISE Mc CORMICK

ADMINISTRATIVE ASSISTANT TO BOS

JAMES FORTUNE

**Board of Selectmen's Meeting Minutes
April 05, 2011
Islesford Neighborhood House**

Attendance:

Richard Beal, BOS Chairman

Christopher Hathaway, BOS

Phil Whitney, BOS

James Fortune, Administrative Assistant

Denise McCormick, Town Clerk

Nanette Hadlock, Deputy Clerk

Katelyn Damon, MAC / Americorps Member

Jeff Berzinis, MAC

David Axelrod

Cindy Thomas

Evelyn Boxley

I. Call to Order: 8:30 A.M. by Chairman Richard Beal.

II. Review / Approval of Previous Meeting Minutes

Section VIII, Other Business: In reference to the Manset Property, Phil Whitney would like to clarify that "the Board of Selectmen agrees to formally task the Municipal Advisory Commission to the researching both parking issues and the building issues and now researching the dock as a possible year round facility in the future."

Richard Beal moves to accept the March 23, 2011 Board of Selectmen's meeting minutes with the above clarification. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

III. Review / Signing Financial Warrants

Warrant # 18: \$ 13,732.75

Warrant # 19: \$ 6,550.49

Warrant # 20: \$ 63,305.66

Total: \$ 83,588.89

All warrants were signed by the Selectmen

IV. Appointments

A. Harbor Committee (1 appointment-for one-year term)

The Harbor Committee has recommended Cory Alley and Nick Hadlock as Harbor Committee Member. Jeff Berzinis has decided that he does not wish to become a registered voter of Cranberry Isles. Membership on the Harbor Committee is required by the Harbor Management Ordinance that its members be

registered voters of the Town. At the March 23 BOS meeting, James Fortune was nominated as Harbor Committee Member. Mr. Fortune plans to register as a Cranberry Isles voter this week.

Currently the Harbor Committee has three members from Islesford, and one member from Great Cranberry. In the spirit of trying to keep equilibrium on committees between the two year round islands, Phil Whitney nominates Scott Bracy of Great Cranberry who has expressed interest in the position. Richard Beal seconds the motion, with a unanimous vote by Chris Hathaway. **Motion passes.**

B. Planning Board (1 appointment- for three-year term)

Chris Hathaway nominates Samuel Hyler of Islesford for Planning Board Member. Richard Beal seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

Currently there are two members of the Planning Board from Islesford and three members from Great Cranberry.

C. Board of Appeals (1 appointment-for three-year term)

Richard Beal nominates Kelly K. Sanborn of Great Cranberry Island as Board of Appeals Member. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

Currently there are two members of the Board of Appeals from Islesford and three members from Great Cranberry.

It has also come to the attention of the Board of Selectmen that an Emergency Preparedness agent needs to be appointed for Cranberry Isles. This is a required position.

Phil Whitney nominates Katelyn Damon as Emergency Preparedness Agent for Cranberry Isles. Chris Hathaway seconds the motion, with a unanimous vote by Richard Beal. **Motion passes.**

(Taken out of order)

Cindy Thomas of the Health Committee joins the meeting at this time to present the Board of Selectmen with a letter of consent to sign for agreeing to allow Eaton Peabody (Town counsel) to represent the Maine Seacoast Mission in connection with the review of a Memorandum of Understanding relating to the operation of a telemedicine program. This memorandum of understanding is between the Maine Seacoast Mission, the Mount Desert Island Hospital, and the Town Of Cranberry Isles – Island Village of Islesford. Since the Maine Seacoast Mission, the Mount Desert Island Hospital and the Town of Cranberry Isles have adverse interests in this matter, the Maine Bar Rules obligate this firm to seek consent from each party, and to make full disclosure to each, before accepting this request for representation. Richard Beal signs the letter of consent on behalf of the Town Of Cranberry Isles.

V. New Business

A. Bid Selection for the Marsh roof replacement, finger float construction, and Sutton Island boardwalk and dock shed construction

Marsh Roof Replacement: 5 bids received

- Wallace Builders: \$4,700.00
- E. L. Higgins Building and Remodeling: \$5800.00
- Ray Builders, Inc.: \$5,500.00
- Cadillac Builders: \$6,515.05

- Sinclair Builders, Inc.: \$4,975.00
- Phil Whitney moves to go with the bid from Wallace Builders at \$4,700 for Marsh road replacement. Richard Beal seconds the motion, with a unanimous vote by Chris Hathaway. **Motion passes.**
The Administrative Assistant is requested by the Board to write letters to all bid applicants in response to the decision.

Finger Float Construction: 2 bids were received

- Newman and Gray Boatyard: \$8,588.00
- J.P. Berzinis, Inc.: \$9,534.00

Six thousand dollars was budgeted and approved for this project.

Phil Whitney moves to accept the Newman and Gray bid for \$8,588 for construction of two finger floats. Richard Beal seconds the motion, with a unanimous vote by Chris Hathaway. **Motion passes.**

Phil Whitney moves to take \$2,588 from the ramp fee account to cover the excess cost over budget for construction of two finger floats. Richard Beal seconds the motion, with a unanimous vote by Chris Hathaway. **Motion passes.**

Jeff Berzinis reports that something to think about in the future, that floats of that construction, run somewhere, say hypothetically, in the \$25 per square foot range; depending on the hardware and rugged construction, up to \$30 per square foot, or a little higher.

Selectman Beal requests that James Fortune present a copy of the bid specs, signed by him as a certified true copy and to date it, to the Town Treasurer for audit purposes.

Sutton Island Boardwalk: 2 bids were received

- Roy Hadlock: \$16,475.00
- Cory J. Duggan Carpentry: (3 separate bids for different types of wood)
 - 1) \$10,833.00- for pressure treated wood
(Bid specs called for pressure treated wood)
 - 2) \$10,294.36 – for spruce decking & screws
 - 3) \$12,914.30 – for eastern white cedar & screws

\$7128 is left from what was budgeted in Sutton Island Reserve in 2010; \$8395 is available in Zone 3, Sutton Island Fire Department Reserve; \$2,900 was budgeted and approved in 2011 for this project. Removal of debris was not specified in the bid specs.

The Town Of Cranberry Isles has a Right of Way for the dock; the Wigutows own the land it and the boardwalk sits on.

Richard Beal moves to accept Cory Duggan's bid for \$10,294.36 for spruce decking and screws. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

Deadlines for both the Boardwalk and the Dock shed projects to be completed by

Phil Whitney inquires about the right of way for the dock, wondering if this includes floats, docks and the boardwalk. Richard Beal answers that only the dock has a right of way. The Town Clerk reports that the dock right of way is referenced in a deed from the owners before the Wigutows. There are also old Town maps that reference the paths at Sutton as Town roads. Selectman Beal suggests that a legal search be performed by the Town counsel in reference to what is documented. Some concern is voiced over spending funds on the boardwalk if the Town has no rights to use it. It is also mentioned that if our First Responders are called to Sutton Island, they would have to use the paths to get to the emergency.

Sutton Island Dock Shed: 1 bid was received

- Cory J. Duggan Carpentry:
 - 1) \$2,992.83 – bid without boardwalk bid award
 - 2) \$2,842.83 – bid with boardwalk project (combined barging for materials for both boardwalk and shed)

This bid includes the tearing down of the old shed and storage bins, but does not include removal of them. Selectman Beal suggests that the Town pay for a storage dumpster to be delivered and removed by J.P. Berzinis for removal of debris from the project. Removal of debris was not specified in the bid specs.

Richard Beal moves to accept Cory Duggan's bid for \$2842.83 for construction of the Sutton Island Dock Shed and for the Town to provide for the container. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

Selectman Beal requests that new containers with covers for trash be purchased for Sutton Island as well.

Some discussion takes place over the type of wood to be used on the dock shed. The bid specs called for "pressure treated wood, asphalt shingles on the roof and include a glass window pane in the back window." James Fortune has spoken with Mrs. Wigutow who prefers that pressure treated wood not be used, but to use a wood that weathers quicker to blend in.

Jeff Berzinis suggests using pressure treated wood for the runners underneath and spruce decking on top.

\$10,000 was allocated for the Boardwalk and \$10,000 was allocated for the dock shed / storage bins for trash and recyclables.

Jim Fortune reports that there is some trash in the storage bin at Sutton right now. Mr. Fortune is instructed to contact Josh Gray for removal.

Selectman Hathaway suggests that the Board reconsider the motion in reference to the type of wood used for the Boardwalk project, suggesting that the eastern white cedar would last longer.

Richard Beal moves to reconsider the earlier decision for the Sutton Island Boardwalk and go with the eastern white cedar at \$12,914.30. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

Restriping Manset Parking Lot:

The Administrative Assistant has contacted Ring's Paving and Goodwins; neither company does painting of parking lots. Kaz Ott of Dover, NH has contacted the Town expressing interest in the job with her company, Kaz's Fine Lines. An estimate has been provided by Ms. Ott for \$1495. Budgeted funds for restriping and new signage are \$5000. Selectman Beal suggests that someone be hired to sweep the parking lot before the painting begins. Selectman Whitney requests that the date for the project be defined. Deadline according to bid specs is May 15 in order to have it done before the parking season begins. Approximate time to do the project is one day. Jeff Berzinis reports that inside the warehouse is a box of new stencils bought by the former Facilities Supervisor for the restriping project. James Fortune will check with Ms. Ott to see if the stencils will be needed for the project.

The Parking Committee will most likely meet on April 18 with letters to go out second to the last week of April.

B. Reconsideration of decision by the BOS to allow tour boat operator Andrew Keblinsky to use the Manset Dock for Downeast Sailing Adventures, LLC

Some complaints have been received in reference to the Board of Selectmen's decision to grant Downeast Sailing Adventures, LLC permission to drop off and pick up with the Friendship Sloop at the Manset Facility Dock. Downeast Sailing Adventures does not have permission to use other boats owned by the company or to tie up any boats to the Manset Dock other than for load and unload purposes. The Harbor Committee met on March 04, 2011 and felt that there was nothing they could recommend since the Selectmen had already made the decision. No firm recommendations were made by the Harbor Committee. Some concerns were voiced by the Harbor Committee in reference to possible interference with the regularly scheduled passenger service which also uses the Manset Facility Dock. Part of the Selectmen's motion included "We will be sure that there is no conflict with in terms of pick up and drop off with the scheduled ferry service to the Cranberry Isles". Selectmen also gave permission for Mr. Steve Keblinsky to only use the Friendship Sloop "Surprise" to pick up and drop off passengers at the Manset Facility. The Selectmen will stand by their decision unless there is significant evidence of abuse of the decision. Phil Whitney suggests that the only thing that may have not been indicated in the initial motion was setting a specific time limit for picking up and dropping off passengers. The Town Clerk suggests that the time limit should also include the TCI Docks at the islands; in the past this company has blocked the front of the Town Dock at Islesford while delivering passengers to eat at the Islesford Dock Restaurant, which interfered with the arrival of the Cranberry Cove evening boat. Phil Whitney asks if the Islesford Harbormaster was called in this instance, which is not known. Other instances with other boats have occurred at GCI Dock where the Harbormaster was called and the offending vessel was required to move as Beal and Bunker could not make a landing at the stairs. The Harbor Management Ordinance clearly states: "The purpose of this ordinance is to provide for the just and orderly operation and regulation of marine activities on and within all tidal waters of the Town of Cranberry Isles and the Manset Dock in Southwest Harbor, Maine". The same ordinance also states: "It shall be unlawful to tie up or anchor a vessel in such a manner as to obstruct moorings areas, launch ramps, wharves, channels or public floats. The head of floats and stairways are to

be used solely to load or offload passengers and cargo". The ordinance further states: "In Manset, the head of the outer most float is to be used solely to load or offload passengers and cargo. The sides of the front two floats are limited to a 4-hour tie up. The inside two floats shall be designated as bow tie up only, for a period of 12 hours and boats must be less than twenty feet in length. Dinghy as defined in article nine, tie up will be designated on the inner most float. Because the Manset Facility is a new facility, the Harbor Committee will have jurisdiction over implementing additional policies as deemed necessary". The ordinance states in reference to Cranberry Isles floats: "Vessels may tie up along the sides of public floats for no more than 2 hours in the Town of Cranberry Isles". The floats are also stenciled with load and unload only at the head of the docks. Evelyn Boxley asks where passengers of the sloop will park. Selectman Beal states that the passengers will not be parking at TCI properties which were thoroughly discussed with Mr. Steve Kablinsky, and he acknowledged that, at the March 23 BOS meeting. Katelyn Damon inquires if there will be written contract for Mr. Keblinsky's use of our dock. Selectman Beal and Selectman Whitney agree that if a contract were to be presented to Mr. Keblinsky, then all users of the dock for commercial purposes would have to have a contract. The Harbor Committee also discussed needed enforcement at the Manset Facility, and has recommended this in the past. Funds have been budgeted and approved for this purpose.

Phil Whitney moves to set a maximum of fifteen minutes docking at the front of a float for the purpose of picking up and dropping off passengers. This to include passenger service, charters and water taxis at Manset, Great Cranberry and Little Cranberry Island. Richard Beal seconds the motion, with a unanimous vote by Chris Hathaway. **Motion passes.**

If any abuse by users of our docks is observed, the complaint should be put in writing, or email, the date, the time, and the circumstances to the Board of Selectmen. If complaints are called in to the Town Office, those complaints will be directed to the Board of Selectmen.

Richard Beal formally tasks the Harbor Committee to come up with specific regulations for our docks and waters. Phil Whitney suggests that the Harbor Committee also set regulations for use of Town moorings. When the Manset property was bought by TCI, three moorings were to be included in the sale. We are currently down to one mooring at this time which was utilized by one boat for most of last summer. Currently the Town moorings are open for use by anyone. Harbor Committee recommendations may or may not need a change to the Harbor Management Ordinance.

C. Update on GCI main float and Manset float

According to the Administrative Assistant, main floats at the islands will be in this week or next. Jeff Berzinis will set the gangway at GCI. One of the floats at Manset is in need of repairs. Mr. Fortune believes these repairs may be included in the contract price, depending on the extent of repairs needed. Jim Fortune will also check to make sure the float at Manset is stenciled with load and unload only at the front.

Richard Beal stresses the importance of adding the Town Clerk as a CC to all emails sent from the Town Office.

D. Manset: Enforcement for parking and dock facility

Dennis Dever has been suggested as someone who may be interested in serving as enforcement agent for the Manset Dock and parking facilities. Amanda Bracy has also been recommended. The Administrative Assistant has drafted a contract for parking lot and dock usage enforcement and monitoring. Concerns raised by the Harbor Committee are in reference to the amount to be paid per hour for these services. Ten dollars per hour seem rather low. Currently, town employees are paid \$12- \$25 per hour. Richard Beal suggests that pay be \$15 per hour. Also in question are the amount of hours needed for the enforcement, and the time period for the services. Phil Whitney suggests that he is all for enforcement at the Manset Facility, and would like to see if the prospective enforcement agent is willing to attend the police academy. Mr. Whitney also suggests that a log be kept. The Board of Selectmen will wait until the May meeting to make a decision on hiring someone to do this job. James Fortune inquires if this employee will have authorization to have cars towed. The Board of Selectmen agrees yes. Duties will be to check cars for parking stickers, check docks for safety issues, and check boats tied up for Manset boat stickers. Jeff Berzinis will contact Mr. Dever to see if he is still interested in the position. Further discussion will take place at the May BOS meeting on duties, pay and amount of hours per week after recommendations come from the Harbor Committee.

Evelyn Boxley inquires if it is possible for anyone to get a boat sticker authorizing use of the Manset Dock. At this time there are no restrictions on who can purchase a boat sticker, but the stickers are intended for use by Cranberry Isles residents.

In reference to only having one mooring at the Manset Facility, the Town Clerk reports that the Town currently pays mooring fees to the Town of Southwest Harbor for two moorings. Phil Whitney is willing to work with the Harbor Committee and Administrative Assistant on moorings and their operational guidelines at Manset. It was also reported at the Harbor Committee meeting that there is a private mooring which is obstructing entrance to the TCI Manset Dock at certain wind conditions.

E. Designate Parking Committee for 2011 (to include parking coordinator, and one member each from the MAC and the Board of Selectmen)

Chris Hathaway is willing to serve as the member of the Board of Selectmen on the Parking Committee. Phil Whitney nominates MAC member Katelyn Damon to serve on the Parking Committee. Malcolm Donald is willing to continue to serve on the Parking Committee as MAC member.

F. Islesford Volunteer Fire Department Exposure Control Plan

The proposed Exposure and Control Plan for Islesford Volunteer Fire Department has been reviewed against the OSHA model exposure control plan. Some suggested revisions and additions have been made to the document by Katelyn Damon and is presented today to the Board of Selectmen. The Board of Selectmen approves and signs the plan. This plan is mandated by Maine Bureau of Labor Standards and OSHA in the event of an exposure incident to contaminated items.

AmeriCorps Member Katelyn Damon stresses the importance of calling 911 in the event of an emergency. If using a cell phone, it is very important to tell the dispatcher what island the emergency has occurred on and that you want to contact Hancock County RCC. Phil Whitney suggests that signs be made to distribute to the public in reference to using 911 for emergency purposes.

At this time, emergency responders are permitted to respond as good Samaritans. The class is finished, clinicals are being scheduled and then EMT tests will be taken for certification.

The Local Health Officer is making up signs for people's refrigerator doors that explain any illnesses you have, and any medications being used for easy reference by responders. Extra forms will be made available this summer for visitors to summer rentals.

Emergency Vehicle training is expected to take place soon which will certify fire department members to drive fire trucks and the ambulances. Katelyn Damon is working on scheduling this training for both LCI and GCI.

VI. Other Business

- Selectman Beal wishes to hire William Barter, Downeast House Inspections, Hancock, ME to take a mold sample of the basement, first floor and second floor, and outside for the current Town Office building. Each sample costs \$90 each. Phil Whitney suggests that this be coordinated through the MAC since they are researching options for a town office site. Mr. Beal is concerned with the safety and health of the Town employees. Katelyn Damon inquires if anyone has looked into whether or not it would be legal to use some of the spaces being considered by the MAC for a town office. It is reported that mold has also been found in the basement of the Longfellow School. Selectman Whitney asks the Town employees if they would be prepared to move immediately if the inspection was found to be unsafe. The Town Clerk relates that the beginning of our busy summer season is to start soon. Selectman Beal states that he believes the Town office could be moved in 48 hours if need be. The Deputy Clerk states that she will work wherever she is told to work, but personally hopes the staff does not have to move to Great Cranberry Island, stating that travel would add approximately two hours to each work day, as well as be expensive. The Deputy Clerk also works a couple of other part time jobs in the summer on Islesford. It has nothing to do with not wanting to be with the residents of GCI, just more inconvenient as she likes to work where she lives. The Town Clerk states that she doesn't want mold, but doesn't want to have no where to go either. Mr. Whitney suggests that the MAC include this inspection in the research it is conducting at this time. Richard Beal suggests approving funds for the inspection now, and to let the MAC wait if they choose to do so. Richard Beal moves to approve up to \$500 for mold inspection of the Town Office. Chris Hathaway seconds the motion, with a unanimous vote by Phil Whitney. **Motion passes.**

- Phil Whitney and Katelyn Damon attended a municipal collaboration workshop in Somesville last week. Four topics were chosen to discuss:

- 1) Public Safety
- 2) Human Resources
- 3) Roads & Transportation
- 4) Solid Waste

Phil and Katelyn participated in public safety workshop. With the approval of the Board, they will continue to work on public safety with the other surrounding Towns. These meetings are open to all elected officials.

May 25 is the next meeting. Phil feels it is a great way to meet other officials and to work with the group for our own best interests.

- The Administrative Assistant will attend an informational meeting in Southwest Harbor on Wednesday night in reference to scheduling street reconstruction and utility work which is planned for Mansell Lane in Manset.
- In reference to the compact kitchen unit which is proposed for the Marsh building, EBS has helped find the unit and will cost a little under \$1000. The Administrative Assistant will order the unit.
- In reference to the suggestion by Bill Dowling to install a grab bar at the Town Docks on GCI and LCI for boats to tie up to, as opposed to tying up to the thick pilings. The Harbor Committee has recommended as part of their budget requests, to install one as a trial to see how well it works. Kleinschmidt has suggested that we get someone local to fabricate such an item. Selectman Beal suggests that Kleinschmidt be contacted again as to how we should fabricate such an item for safety purposes. Questions to ask them are: Has this been tried before; and will it work here at the islands?

VII. Audience Communications

None at this time.

VIII. Adjournment: 11:26 AM

Richard Beal moves to adjourn the meeting, seconded by Phil Whitney, and a unanimous vote by Chris Hathaway. **Motion passes.**