

PUBLIC HEARINGS
TREMONT BOARD OF SELECTMEN
TREMONT TOWN OFFICE
MEETING ROOM
TUESDAY, APRIL 21, 2009
6:00 PM

The Tremont Select Board has scheduled Public Hearings for the consideration of applications for the following:

AN ON-PREMISE LIQUOR LICENSE FOR ACADIA SHORE LLC D/B/A
THURSTON'S LOBSTER POUND, STEAMBOAT WHARF RD., BERNARD

1. CALL TO ORDER

The Public Hearing was called to order at 6:00 pm by Acting Chairman Scott Grierson.

2. ROLL CALL

Present were Acting Chairman Scott Grierson, Selectmen Lester Closson, Chris Eaton, and Kathi Thurston, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Sharon Gilley, Mike Gilley, Steven and Kellie Carter, Robert Cousins, and Earl Brechlin – Islander.

3. ON-PREMISE LIQUOR LICENSE FOR ACADIA SHORE LLC D/B/A
THURSTON'S LOBSTER POUND

Acting Chairman Scott Grierson asked if it was necessary for the amount of gross income be on the application for the Town (the amount is necessary for the State). The Selectmen suggested telling the other restaurants that they do not need to fill in that information for the Town. Town Manager Millard Billings asked Thurston's for their septic holding tank pumping records and found that Thurston's does not have a holding tank, they have a septic system. Town Manager Millard Billings checked with Hancock County Sheriff and they had not received any reports of incidents at Thurston's. There were no other comments.

4. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to close the Public Hearing. Motion passed 4 – 0. The Public Hearing was closed at 6:07 pm.

AN ON-PREMISE LIQUOR LICENSE FOR ROBERT AND JUDY COUSINS
D/B/A CAP'N NEMO'S, FLAT IRON RD., BASS HARBOR

1. CALL TO ORDER

The Public Hearing was called to order at 6:07 pm by Acting Chairman Scott Grierson.

2. ROLL CALL

Present were Acting Chairman Scott Grierson, Selectmen Lester Closson, Chris Eaton, and Kathi Thurston, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Sharon Gilley, Mike Gilley, Steven and Kellie Carter, Robert Cousins, and Earl Brechlin – Islander.

3. ON-PREMISE LIQUOR LICENSE FOR ROBERT AND JUDY COUSINS D/B/A CAP'N NEMO'S, FLAT IRON RD., BASS HARBOR

Acting Chairman Scott Grierson explained to Robert Cousins that he did not have to fill in the financial information for the Town. Town Manager Millard Billings asked for septic holding tank pumping records, which were supplied. Town Manager Millard Billings checked with Hancock County Sheriff and they had not received any reports of incidents at Cap'n Nemo's. Steve Carter said he and his wife Kellie had made four in the past year, the latest report was 10 days ago. Selectman Kathi Thurston voiced concern that the Sheriff is not responding to resident's complaints. Selectman Kathi Thurston asked Town Manager Millard Billings to contact the State Police also. Steve Carter wondered if the pumping records were sufficient for a business. Acting Chairman Scott Grierson said he was not qualified to make that determination. Robert Cousins stated they do conserve water.

4. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to close the Public Hearing. Motion passed 4 – 0. The Public Hearing was closed at 6:19 pm.

A SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS D/B/A/ CAP'N NEMO'S, FLAT IRON RD, BASS HARBOR

1. CALL TO ORDER

The Public Hearing was called to order at 6:19 pm by Acting Chairman Scott Grierson.

2. ROLL CALL

Present were Acting Chairman Scott Grierson, Selectmen Lester Closson, Chris Eaton, and Kathi Thurston, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Sharon Gilley, Mike Gilley, Steven and Kellie Carter, Robert Cousins, and Earl Brechlin – Islander.

3. A SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS D/B/A/ CAP'N NEMO'S, FLAT IRON RD, BASS HARBOR

The Cousins have applied for a Class A Special Amusement Permit. Steve Carter said the music has been turned off by the times agreed upon.

4. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to close the Public Hearing. Motion passed 4 – 0. The Public Hearing was closed at 6:24 pm.

REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
MEETING ROOM
TUESDAY APRIL 21, 2009
IMMEDIATELY FOLLOWING PUBLIC HEARINGS

1. CALL TO ORDER

The April 21, 2009 Selectmen's Meeting was called to order by Acting Chairman Scott Grierson at 6:25 pm.

2. ROLL CALL

Present were Acting Chairman Scott Grierson, Selectmen Lester Closson, Chris Eaton, and Kathi Thurston, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Sharon Gilley, Mike Gilley, Steven and Kellie Carter, Robert Cousins, and Earl Brechlin – Islander.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF MARCH 2, 2009

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes of March 2, 2009. Motion passed 4 – 0.

B. MINUTES OF MARCH 30, 2009

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes of March 30, 2009. Motion passed 4 – 0.

C. MINUTES OF APRIL 6, 2009

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes of April 6, 2009. Motion passed 4 – 0.

5. APPROVAL OF WARRANTS

Warrant 107	6,767.22
Warrant 108	33,403.87

Warrant 109 6,999.87

Warrant 110 4,992.19

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 107 – 110. Motion passed 4 – 0.

6. NEW BUSINESS

A. ON-PREMISE LIQUOR LICENSE WINTERS DREAMS INC D/B/A SEAFOOD KETCH RESTAURANT

Town Manager Millard Billings contacted Hancock County Sheriff Office and was told there had been no incidents at Seafood Ketch. Seafood Ketch does not have a septic holding tank. The Selectmen noticed the application was not complete. They asked Town Manager Millard Billings to contact Winters Dreams to complete the application and the Board will act upon the application next meeting (see attached).

B. ON-PREMISE LIQUOR LICENSE FOR ACADIA SHORE LLC D/B/A THURSTON'S LOBSTER POUND, STEAMBOAT WHARF RD., BERNARD

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the on-premise liquor license for Acadia Shore LLC d/b/a Thurston's Lobster Pound, Steamboat Wharf Rd. Bernard. Motion passed 4 – 0.

C. ON-PREMISE LIQUOR LICENSE FOR ROBERT AND JUDY COUSINS D/B/A/ CAP'N NEMO'S, FLAT IRON RD., BASS HARBOR

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the on-premise liquor license for Robert and Judy Cousins d/b/a Cap'n Nemo's, Flat Iron Rd., Bass Harbor. Motion passed 4 – 0.

D. SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS D/B/A CAP'N NEMO'S, FLAT IRON RD., BASS HARBOR

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to grant the application of Special Amusement Permit for Cap'n Nemo's, owners Robert and Judy Cousins, intersection of Flat Iron and 102A with the same stipulation as last year that Robert and Judy Cousins agree to an amendment of the conditions of the Special Amusement Permit to prohibit the use of Karaoke and live bands during the evenings of Sunday through Thursday after 11:00 pm except on New Years Eve, Saint Patrick's Day, and the fourth of July and on Friday nights to prohibit the use of Karaoke and live bands after 12:00 pm except on New Years Eve, Saint Patrick's Day, and the fourth of July should fall on that same day. Motion passed 4 – 0.

E. PERSONAL PROPERTY TAX ABATEMENT

After the death of the former owner the Personal Property was removed and the business has not been in operation since. Taxes from FY 2004 through FY 2009 have been assessed in error (see attached). The Assessor has abated the FY 2009 taxes.

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, to abate Personal Property account #9 for the years '06, '07, '08 and declare the years '04 and '05 uncollectible. Motion passed 4 – 0.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. FLAT IRON RD: Town Manager Millard Billings met with Lane Construction today to discuss price per ton for asphalt for Flat Iron and reclaiming for Kelleytown Rd. Mr. Billings wanted to investigate reclaiming Kelleytown in FY 2009 and paving Kelleytown in FY 2010. Town Manager Millard Billings suggested putting off paving in front of the Salt/Sand Shed till a later date to fund the repair of Kelleytown Rd.
2. SEAL COVE FISHWAY: This morning Roland Dupruis said the plans for the fishway were done, but the plans for the fish ladder had to be forwarded to a specialist. The plans should be here by May 4th, so they will be available for Town Meeting.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE: Nothing new to report
2. INTERNET EXPLORATORY COMMITTEE: Nothing new to report

8. TOWN MANAGER'S REPORT

1. There was a Planning Board meeting with concerned citizens and Doug Gott & Sons, Inc. on Tuesday, April 14, 2009. The Planning Board concurred with the Code Enforcement Officer that the use was an existing conforming use and no change of use permit was needed.
2. State Forrester James Ecker has indicated that he has been contracted and will be preparing a replanting plan to be submitted to the Town on behalf of the landowner. Town Manager Millard Billings recommends that legal action be postponed (see attached). The first tree cutting violation was issued in January and the second was issued in March.
3. Town Manager Millard Billings gave the Selectmen copies of the Draft Light Ordinance (see attached).
4. Town Manager Millard Billings gave the Selectmen the Law Enforcement Contract to sign (see attached). The signed contracts will then be sent to the County Sheriff's office. The Sheriff's office will forward it to the County Commissioners to sign. Then one copy will be returned to Tremont.

9. SUGGESTIONS/COMMENTS FOR NEXT MEETING
Quarterlies

10. OTHER

N/A

11. ANNUAL TOWN MANAGER EVALUATION

The Select Board did not want to evaluate the Town Manager without the Chairman of the Board present.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to table annual Town Manager Evaluation until [Chairman] Charlie [Dillon] is here or the next meeting, which ever comes first. Motion passed 4 – 0.

12. SET DATE FOR NEXT MEETING

May 4 & 18

Elections May 11, 1:00 pm – 8:00 pm; Annual Town Meeting May 12, 6:30 pm

13. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to adjourn. Motion passed 4 – 0. The Selectmen’s Meeting adjourned at 6:58 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Scott Grierson

Katharine Thurston

Chris Eaton

Lester Closson