

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
MEETING ROOM
TUESDAY, SEPTEMBER 15, 2009
IMMEDIATELY FOLLOWING SPECIAL TOWN MEETING**

1. CALL TO ORDER

Chairman Charlie Dillon opened the Selectmen's Meeting at 6:50 pm.

2. ROLL CALL

Present were Chairman Charlie Dillon, Selectmen Chris Eaton, Kathi Thurston, Lester Closson, and Bobby Lee, Town Manager Millard Billings, Town Attorneys Chad Smith and James Collier, and Recording Secretary Debbi Nickerson. Members of the public present were Peter Gott, Carl Young – Tremont's CEO/Assessor, Mark Good – Islander, and Laurie Schreiber – Bar Harbor Times.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF AUGUST 31, 2009

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes of August 31, 2009. Motion passed 5 - 0.

5. APPROVAL OF WARRANTS

Warrant 34	7,348.59
Warrant 35	113,351.73
Warrant 36	7,751.71
Warrant 37	12,378.84
Warrant 38	1,461.21

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 34 – 38. Motion passed 5 - 0.

6. NEW BUSINESS

A. BASS HARBOR DREDGE PROJECT

Mike Tuttle assured Town Manager Millard Billings the Army Corp of Engineers will have the paperwork ready for signatures by the end of the month. Town Manager Millard Billings gave the Selectmen a letter written by Art Paine about his research on the shipwrecks (see attached). At the Harbor Committee Meeting, Town Manager Millard Billings was asked to call Maine Historic Preservation Commission to find out what their source of information was on the shipwrecks. He spoke with Leon Cramer who said the Commission was satisfied with the information that Franklin Price submitted to them about the Wreath. The Pearl was a British Schooner that sank on December 7, 1898 and was listed in the New

York Maritime Register. The Town Office has been unable to find any information on-line about the Pearl, so Town Manager Millard Billings contacted Maine Maritime Museum. The Museum is willing to do the research necessary to discover where the Pearl went down, inside or outside Bass Harbor. Chairman Charlie Dillon asked if the Pearl would hold up the dredging. Town Manager Millard Billings said he didn't think it would, the Army Corp of Engineers is trying to find someone to do sonar sounding of the harbor to look for the shipwreck that will cost \$25,000 to \$35,000.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. FLAT IRON RD: Paving on Kelleytown expected to start on the 18th.
2. SEAL COVE FISHWAY: The water levels from Hurricane Danny have been a problem. Water levels need to be controlled before work can start on the fish ladder below the dam. The water has receded enough that the pumps are working to control the water between the coffer dam and the dam.
3. BASS HARBOR DREDGE PROJECT: See above
4. BERNARD WHARF PIGGY-BACK DREDGE PROJECT: The tests have been taken and sent to the laboratory. The Army Corp of Engineers looked at the samples and said they were so similar that only one would need to be tested. They have sent that one test to RLS for further analyzation. The Department of Marine Resources Submerged Land Lease has been approved for the area around the Wharf.
5. Town Manager Millard Billings gave the Selectmen the Harbor and Wharf's expenses and revenues for August 2009 (see attached).
6. Town Manager Millard Billings gave the Selectmen Resource Laboratories, LLC's Quotation (see attached). Of the \$2,790 the Town has already paid \$1,160.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE: Town Meeting approved the request for funding for the purchase of the property. The Town's Attorneys have done a title search and have gone back 40 years for title insurance.
Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to table the report of pending projects to 9 B. Motion passed 5 - 0.
2. INTERNET EXPLORATORY COMMITTEE: Nothing new to report

8. TOWN MANAGER'S REPORT

1. MMA Convention is October 7 & 8. Town Manager Millard Billings would like to be appointed as the voting delegate for Tremont at the MMA Annual Business Meeting.
Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to appoint Millard as our voting delegate at the MMA Annual Business Meeting. Motion passed 5 - 0.

Chairman Charlie Dillon informed the Board on September 21, 2009 there will be a meeting on TABOR at Ellsworth. Selectman Kathi Thurston said there were good articles in the Maine Townsman that she read after the last Selectmen's Meeting. Town Manager Millard Billings said there is quite a bit of information about TABOR and the proposed Excise Tax rate changes on the MMA website.

9. OTHER

A. Town Manager Millard Billings wanted to be sure the Selectmen knew Harbormaster David Schlaefter is in the hospital, it is unknown how long he will be there. Selectman Kathi Thurston suggested a Deputy or Assistant to the Harbormaster in case of emergencies like this. The Selectmen and Town Manager Millard Billings tossed around the idea of another Town employee or a Selectman filling in.

B. LAND ACQUISITION

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, to go into executive session pursuant to Title 1 MRSA § 405 (6) (C) to discuss with the Town Attorney concerning acquisition of property. Motion passed 5 - 0. The Selectmen went into executive session at 7:15 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to come out of executive session. Motion passed 5 - 0. The Selectmen came out of executive session at 7:37 pm.

10. PENDING LITIGATION CONCERNING CARLTON JOHNSON

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to go into executive session Title 1 MRSA § 405 (6) (E) to discuss with the Town Attorney the Board's legal rights and duties concerning on going or pending litigation. Motion passed 5 - 0. The Selectmen went into executive session at 7:38 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to come out of executive session. Motion passed 5 - 0. The Selectmen came out of executive session at 9:06 pm.

11. POSSIBLE LITIGATION CONCERNING METZGER TREE CUTTING

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to go into executive session Title 1 MRSA § 405 (6) (E) to discuss with the Town Attorney the Board's legal rights and duties concerning on going or pending litigation. Motion passed 5 - 0. The Selectmen went into executive session at 9:08 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to come out of executive session. Motion passed 5 - 0. The Selectmen came out of executive session at 9:18 pm.

12. SET DATE FOR NEXT MEETING

October 5, 2009

13. SUGGESTIONS/COMMENTS FOR NEXT MEETING

None

14. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to adjourn. Motion passed 5 - 0. The meeting was adjourned at 9:20 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Robert Lee III