

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
MEETING ROOM
MONDAY, OCTOBER 5, 2009
6:00 PM**

1. CALL TO ORDER

Chairman Charlie Dillon called the meeting to order at 6:00 PM.

2. ROLL CALL

Present were Chairman Charlie Dillon, Selectmen Kathi Thurston, Chris Eaton, Lester Closson, and Bobby Lee, Town Manager Millard Billings, Recording Secretary Debbi Nickerson.

Members of the public present were Mark Good – Islander and Bob Cousins.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF SEPTEMBER 15, 2009

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes of September 15, 2009. Motion passed 5 - 0.

5. APPROVAL OF WARRANTS

Warrant 39	5,668.00
Warrant 40	7,797.85
Warrant 41	7,104.30
Warrant 42	7,839.50
Warrant 43	7,461.87
Warrant 44	242.68
Warrant 45	7,458.99
Warrant 46	114,135.13

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 39 – 46. Motion passed 5 - 0.

6. NEW BUSINESS

A. MUNICIPAL RELEASE DEEDS

Selectman Kathi Thurston asked to have the Selectmen's formal names on the Release Deeds (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Municipal Quitclaim Deeds to Lori and Eddie Murphy, Dorothy and James Manning, Susan and Kenneth Parsley Jr., and another one for Susan and Kenneth Parsley Jr. Motion passed 5 - 0.

New Deeds will be printed for the Selectmen's signatures.

B. ACTION IF ANY CONCERNING STATE VALUATION

The State valuation for Tremont for 2010 will be \$536,650,000, with an average ratio of 92%. The Town's Assessor recommends the Board not appeal the State's valuation (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to accept the State's valuation for Tremont for 2010. Motion passed 5 - 0.

C. AUDITOR UNDERSTANDING OF SERVICES JUNE 30, 2009

James Wadman, CPA is requesting approval and signature on his letter of understanding (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the letter of understanding from James Wadman, CPA. Motion passed 5 - 0.

Town Manager Millard Billings asked the Selectmen if he could sign the letter. The Selectmen agreed.

D. E 9-11 ROAD NAMES

Town Manager Millard Billings explained where Blueberry Ledges and Bluff Road are.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve new road names of Blueberry Ledges and Bluff Rd. Motion passed 5 - 0.

E. SALE OF PERSONAL PROPERTY

Town Manager Millard Billings would like to offer for sale by bid the 1996 GMC 1 ton and Fisher gas operated sander. The Selectmen felt they were worth more separately and asked Town Manager Millard Billings to advertise them that way with no minimum bid.

Selectman Lester Closson asked if the GMC would work as the Harbormaster's truck. Town Manager Millard Billings and the rest of the Board disagreed.

F. SANDER/SPREADER TRUCK #4

The Public Works employee who is getting the equipment ready for winter has noticed the sander on truck #4. The metal rails that support the bearing and sprocket for the sander chain have rusted out. There is not enough solid metal available to weld a sister unto. There is currently \$11,950 est. in the equipment reserve account. In 2006 we paid \$14,330 for the drop in sander spreader that is in the F650. The money that is in the Equipment Reserve plus the sale of the GMC 1 ton and little sander spreader might generate enough funds for a new Swenson Stainless Steel drop in sander spreader like the ones we are currently using in the other trucks. Town Manager Millard Billings would like authority to advertise for bids for a new Swenson Stainless Steel Sander Spreader (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve putting out to bid another drop-in sander. Motion passed 5 - 0.

G. RESOLUTION CONCERNING TABOR II

The November referendum ballot has a proposed bill to modify current State Law on Tax and Expenditure Limitations on State and local government. MMA had a

public hearing in Ellsworth City Hall on September 22 (see attached). MMA is opposed to this bill and has a draft resolution available on their web site.

Attached is MMA's resolution with Tremont's name and numbers inserted.

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, to sign the resolution in opposition of TABOR II. Motion passed 4 - 1. Chairman Charlie Dillon voted against.

H. SET DATE FOR PUBLIC HEARING ON GA ORDINANCE APPENDICES

Each year the Department of Human Services sends the Town General Assistance Maximums and Appendixes that need to be adopted by the Town (see attached).

The Selectmen will hold the Public Hearing on 10/19/2009 at 6:00 pm.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. **FLAT IRON ROAD:** Paving on Flat Iron Road was done on September 23rd. Bob Cousins expressed his displeasure that the center of the road was not moved. Chairman Charlie Dillon explained Flat Iron is a two-rod road and it has not moved. Bob Cousins maintains that the Town has taken his property and has not compensated him for it. He said if the Town doesn't pay him, he will sue.
2. **SEAL COVE FISHWAY:** The concrete was poured on the 22nd, forms have been removed and Cadillac has been doing back fill against the concrete. Now they are working on the punch list.
3. **BASS HARBOR DREDGE PROJECT:** Town Manager Millard Billings has received an e-mail from Mike Tuttle (see attached). Mr. Billings e-mailed him back and asked if they could be sent by tonight, but he has not heard back. The Select Board asked Town Manager Millard Billings to read through the contract before calling them to sign it.
4. **BERNARD WHARF PIGGY-BACK DREDGE PROJECT:** DMR submerged lands lease has been approved and the DEP permit has been approved. We are still waiting to hear on the ACOE permit. The test results were forwarded to ACOE from R L Laboratories. The ACOE office in Concord is reviewing them. As soon as they send their decision to ACOE in Augusta we should get the results from them.
5. **INFORMATION FROM MAINE MARITIME MUSEUM:** The museum has sent all the information they could find on the Pearl and the Wreath, the ships that sank in Bass Harbor (see attached). The information is very general, stating only that the ships sank, but not where they sank in Bass Harbor. Town Resident Art Paine has submitted old pictures of the harbor (available at the Town Office). They depict a harbor that is too shallow to allow larger ships in. Mr. Paine and Town Manager Millard Billings maintain that if larger ships could have gotten into the harbor before the original dredging, the Underwood Wharf and Steam Boat Wharf would have been built inside the harbor where they would be sheltered.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE: Town Manager Millard Billings has contacted Nathan Martell of Eaton Peabody, as recommended by our counselors, to represent the Town in this matter. He is proceeding as recommended. No further news to report at this time.
2. INTERNET EXPLORATORY COMMITTEE: The committee has forwarded an e-mail from Jim McKenna (see attached).

8. TOWN MANAGER'S REPORT

- A. MMA Convention is October 7 & 8, 2009.
- B. Mary Jones has proposed a hiking trail on a board walk along the edge of the Marsh, connecting the existing hiking trail around the landfill with a hiking trail that was proposed in 2001 behind the school through Park land. She has approached the park and has a meeting scheduled with Len Bobincock. A letter of support would be appreciated (see attached). The Selectmen agreed to support her in her efforts.
- C. Monday afternoon the power went out in Bass Harbor. When our generator came on we got a power surge. Things snapped and cracked several times, and then the fire alarm went off. Wayne Patton was going up Long Hill and turned around and came back to the office. He and Town Manager Millard Billings went into the electrical room to check the alarm, thinking that the power surge had mainly tripped the alarm; they found flames coming out of the end of the fire alarm control panel. Wayne immediately got a fire extinguisher and put out the fire. The Tremont Fire truck arrived at this time followed by three Southwest Harbor Fire Trucks. The Fire Department checked the entire building, opened windows and blew the smoke and fumes out of the building. The problem Brad later found in the generator, the voltage regulator was not functioning properly, causing the power surge. We lost 3 printer, 2 computer power supplies, the fire alarm system, the elevator is not functioning and internet service is down. The fire alarm is hooked up now, but the elevator people and the fire alarm people need to get together to run a test to see if there is anything wrong with the elevator or if the fire alarm is still not completely fixed. The warrantee on the generator ended in August.
Thank You letters have been written to Wayne Patton, the Tremont Fire Department and the Southwest Harbor Fire Department for their prompt response and excellent service.
- D. Town Manager Millard Billings gave the Selectmen a memo from CEO/Assessor Carl Young (see attached).
- E. Town Manager Millard Billings gave the Selectmen a notice of a Public Hearing for a Junk Yard on October 19, 2009 at 2:00 pm (see attached).
- F. Town Manager Millard Billings gave the Selectmen an agenda for the October 15, 2009 meeting of the Tremont Board of Appeals at 5:30 pm (see attached).
- G. Town Manager Millard Billings gave the Selectmen an acceptance letter from DEP regarding their approval of Tremont's Shoreland Zoning Amendments (see attached).

Selectman Chris Eaton asked if Selectmen were needed at the Junk Yard Public Hearing. Town Manager Millard Billings assured him it was not necessary.

9. QUARTERLY REPORTS

The Selectmen received copies of the Quarter ending September 30, 2009 (available at the Town Office) and copies of the Wharf/Harbor Expenses and Revenues (see attached).

10. OTHER

Bob Cousins took offense to the Selectmen finding out who was responsible for policing closing times of bars and restaurants in Tremont at a previous meeting. He said he will sue the Town.

Selectman Lester Closson asked what is the legal distance a person can park his car from a Stop Sign. This question was in reference to Mr. Cousins parking his car partially in the road on Monday, October 5, 2009. The police responded. They were at Nemo's for 2 hours. Mr. Cousins did move his car.

Selectman Lester Closson said there is a pot hole at the Ferry Terminal. Town Manager Millard Billings explained that is a State Road.

Selectman Lester Closson also asked why so many people are parking along the road to the Ferry Terminal. Selectman Chris Eaton suggested asking them.

Selectman Bobby Lee asked where the center line of Flat Iron Road is. Town Manager Millard Billings said he felt if you stand in the middle of the road in front of McEachern's you can see the center line should move closer to Nemo's then it does.

Selectman Kathi Thurston asked Town Manager Millard Billings if he has looked through the road files in the Town Office. Yes, he has. The Selectmen discussed the property along Flat Iron and the property line court case that was mediated.

11. SET DATE FOR NEXT MEETING

October 19, 2009

12. SUGGESTIONS/COMMENTS FOR NEXT MEETING

Public Hearing on GA limits and news on the Junk Yard Hearing

13. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to adjourn. Motion passed 5 - 0. The meeting was closed at 7:57 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Robert Lee III