

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
MEETING ROOM
MONDAY, NOVEMBER 2, 2009
6:00 PM**

1. CALL TO ORDER

The November 2, 2009 meeting of the Selectmen was called to order by Chairman Charlie Dillon at 6:00 pm.

2. ROLL CALL

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

Members of the public present were Mark Good – Islander, Harbormaster David Schlaefer, Mike Tuttle USACE, Mark Habel USACE, Ben Loyd USACE, Harbor Committee Member Dean Wass, R “Chummy” Rich, Wayne Rich, Walt Rich, Harbor Committee Member Art Paine, Harbor Committee Member Spencer Ervin, Florence Ervin, Bob Cousins, and Judy Cousins.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF OCTOBER 19, 2009

Selectman Kathi Thurston asked to have the minutes corrected from “Allison Ingalls said she is having a survey done because she thinks part of the junkyard is on her property” to Pamela Cleaves saying that about the junkyard and Austin Ward said he was having a survey done.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the minutes as corrected. Motion passed 4 – 0.

5. APPROVAL OF WARRANTS

Warrant 50	5,856.56
Warrant 51	7,495.57
Warrant 52	190,000.00
Warrant 53	117,704.11
Warrant 54	5,257.90
Warrant 55	1,015.16

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 50 – 55. Motion passed 4 – 0.

6. ARMY CORPS OF ENGINEERS; BASS HARBOR DREDGE PROJECT

Mike Tuttle and Mark Habel met with Harbormaster David Schlaefer at 2:00 pm to tour the upper harbor dredge area. They came to the Selectmen's Meeting with final papers and to receive the check for the first 10% payment.

Harbormaster David Schlaefer said they had a perfect tide for touring the upper harbor. They did not see any evidence of any shipwrecks sticking out of the mud. Mike Tuttle said they have contracted with a company out of Fathom Massachusetts to do the survey in the harbor for the sunken ships the Wreath and the Pearl. They will be here on the 16th and once the ACOE has the data they will forward it to the proper people. Harbormaster David Schlaefer has the plans and would like to make large copies so that he can use one to map out the new placement of the moorings. Mark Habel said the ACOE plans to issue the solicitation for bids after the check is processed. The bids are usually out for 30 days. After the 30 days are up, the ACOE will open the bids if they have the approval from the State. If the low bidder's bonds and insurance check out the ACOE will issue an order to proceed. Construction is expected to begin around the middle of January. The window for the dredge project closes on April 15, 2010 and in Maine the ACOE has experienced no bidders because the window closes and the dredging contractors are concerned they can't complete the job by then. The ACOE will get together with the Harbor Committee Member, the Harbormaster and the contractor to organize the dredging. Harbormaster David Schlaefer said he felt up to 105 moorings will need to be pulled. R "Chummy" Rich, Wayne Rich, Walt Rich and James Rich have approached Harbormaster David Schlaefer saying they would like to contract to pull their own moorings and be paid the same amount the Town is paying. The Selectmen agreed their moorings could be pulled privately. Selectman Kathi Thurston voiced her concern that the Town will contract with someone to pull the moorings and the mooring owners will contact someone else to pull their mooring. Harbormaster David Schlaefer said he would like to have 2 adjustment dates in the contract. He said there is no way anyone could get the moorings set perfectly on the first try.

The Select Board, the Harbor Committee Members and ACOE had a photo session.

7. NEW BUSINESS

A. REVIEW & POSSIBLY ACT ON BIDS FOR STAINLESS STEEL SANDER SPREADER

Bids closed on October 29th at 4:00 pm. At 4:01 pm the bids were opened and publicly read aloud. The bids were as follows (see attached):

Howard Fairfield	\$9,175.00
Tenco New England Inc.	19,605.00
Viking Cives Maine	13,941.00

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to award the bid to the lowest bidder, Howard Fairfield, without the trade, for \$9,675. Motion passed 4 - 0.

B. REVIEW & POSSIBLY ACT ON BIDS FOR GMC TRUCK

Bids closed on October 27th at 4:00 pm. At 4:01 pm the bids were opened and publicly read aloud. The bids were as follows (see attached):

Robert Sawyer	\$672.57
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Jimmy Linscott 700.00

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to reject all bids. Motion passed 4 - 0.

C. REVIEW & POSSIBLY ACT ON BIDS FOR FISHER SANDER

Bids closed on October 27th at 4:00 pm. At 4:01 pm the bids were opened and publicly read aloud. The bids were as follows (see attached):

D A Dows Enterprises \$700.00

Howard Goodwin 403.00

Ben Hodgdon 500.00

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to award it to the highest bidder, D A Dows Enterprises, for \$700. Motion passed 4 - 0.

D. ADOPT ALCOHOL & CONTROLLED SUBSTANCES TESTING POLICY

The Alcohol & Controlled Substance Testing Policy is a mandated Federal regulation for all drivers operating Commercial Vehicles (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to adopt the Town of Tremont's Alcohol & Controlled Substance Testing Policy. Motion passed 4 - 0.

E. ADOPT HAZARD COMMUNICATION PROGRAM

The Hazard Communication Program is required by MMA Risk Pool Insurance and OSHA. We have had the PPE's and Materials Data Sheets (MSDS) since 2005 but we need to adopt the Policy that goes with them (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to adopt the Hazard Communication Program. Motion passed 4 - 0.

F. ADOPT LOCK OUT – TAG OUT PROGRAM

The Lockout/Tag-out Program is required by MMA Risk Pool Insurance and OSHA. There are two policies, Lockout/Tag-out Procedures for Motorized Vehicles and Lockout/Tag-out Procedures for Electrical/Mechanical Equipment (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to adopt the Town of Tremont Lockout/Tag-out Procedures for Motorized Vehicles. Motion passed 4 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to adopt the Town of Tremont Lockout/Tag-out Procedures for Electrical/Mechanical Equipment. Motion passed 4 - 0.

G. POLICY CONCERNING CITIZENS COMPLAINTS

Town Manager Millard Billings gave the Selectmen copies of the complaint form that he used as CEO and a copy from the CEO manual for complaints and follow up (see attached). He also gave the Selectmen articles from Maine Townsman concerning complaints against employees and a few words for New Board Members (see attached). Town Manager Millard Billings contacted other towns

to see if they have a written policy and gave the Selectmen their responses (see attached).

The Selectmen discussed this for some time. They have decided to pass on the complaint to the proper department.

8. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. FLAT IRON ROAD: Nothing new to report.
2. SEAL COVE FISHWAY: The punch list is nearly complete, but a lot will have to wait until the water levels have dropped. Selectman Chris Eaton suggested putting a layer of sand bags on top of the hydrant pipe that is in the pond to insulate the pipe against freezing and raise the connection to make it usable.
3. BERNARD WHARF PIGGY-BACK DREDGE PROJECT: Waiting to hear on ACOE permit.

B. REPORT OF PENDING PROJECTS

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

9. TOWN MANAGER'S REPORT

1. Thursday October 29, 2009 the office was closed until 2:00 pm for staff training concerning registering trucks. Presently, truck owners must pay excise tax in Tremont and go to Ellsworth to get plates. After everyone is trained and we receive approval from BMV we will be able to issue truck plates here.
2. Planning Board Chairman George Urbanneck asked CEO Carl Young to draft a letter to the Board of Selectmen asking for a standing committee to assist the Planning Board in preparing Zoning Ordinance Amendments (see attached). Chairman George Urbanneck has not responded to the drafted letter yet.
3. Town Manager Millard Billings explained to the Select Board we are a little short of funds for the Dredge Project. He would like to call a Special Town Meeting to appropriate additional funds. There is \$346,000 plus in the Dredge Project Fund, the Town's portion is \$380,000, which does not include the cost of moving the moorings or the Piggy-back Dredge Project. But, the Town has \$36,400 in the Revaluation Reserve, as well as \$54,000 and change that is left over in the construction project for the Town Office. The Select Board said they would discuss a Special Town Meeting at a later date.

10. OTHER

Selectman Lester Closson asked to have a speed limit sign replaced in Bass Harbor. Town Manager Millard Billings said he would check in the garage and get it installed.

11. SET DATE FOR NEXT MEETING

November 19, 2009

12. SUGGESTIONS/COMMENTS FOR NEXT MEETING

Chairman Charlie Dillon suggested starting the meeting at 5:00 pm in December. Selectman Kathi Thurston voiced concern about the policy of the majority of the members present. Three Selectmen are a quorum, but two votes will decide any motions voted on. Selectman Chris Eaton pointed out that the Board has postponed a vote because a member was not present and he doesn't see that courtesy changing. Town Manager Millard Billings said he felt that that policy insured good attendance when something important or controversial is on the agenda.

13. ADJOURN

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to adjourn. Motion passed 4 - 0. The Selectmen Meeting was adjourned at 7:32 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Robert Lee III