

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
MEETING ROOM
MONDAY, FEBRUARY 1, 2010
5:00 PM**

1. CALL TO ORDER

Chairman Charlie Dillon called the Regular Selectmen's Meeting to order at 5:00 pm.

2. ROLL CALL

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

Members of the public present were Mark Good – Islander, and Laurie Schreiber – Bar Harbor Times.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF JANUARY 4, 2010

Selectman Kathi Thurston asked to have on page 2 "They have heard from on one." to "They have heard from only one.", to also have residence changed to resident and "e-mail the confirms" to "e-mail that confirms".

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the January 4th Minutes as corrected. Motion passed 5 - 0.

B. MINUTES OF JANUARY 18, 2010

Motion made by Selectman Kathi Thurston, with second by Selectman Bobby Lee, to approve the January 18th Minutes. Motion passed 3 – 0 – 2. Selectmen Chris Eaton and Lester Closson abstained; they were not present for the meeting.

5. APPROVAL OF WARRANTS

Warrant 88 2,764.30

Warrant 89 9,615.43

Warrant 90 121.11

Warrant 91 17,355.13

Warrant 92 12,731.45

Warrant 93 8,421.73

Warrant 94 5,328.39

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 88 – 92 and Warrant 94. Motion passed 5 - 0.

Motion made by Selectman Kathi Thurston, with second by Selectman Lester Closson, to approve Warrant 93. Motion passed 4 – 0 – 1. Selectman Chris Eaton abstained; he has a check on Warrant 93.

6. NEW BUSINESS

A. POSSIBLE EXECUTIVE SESSION: TREE CUTTING VIOLATIONS

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, to go into executive session pursuant to Title 1 MRSA § 406(6) (E) to discuss with the Town Attorney the boards legal rights and duties concerning on going or pending litigation or settlement offers. Motion passed 5 - 0. The Selectmen went into executive session at 5:15 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 5:34 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to give Millard authority to sign the consent agreement with the property owner with the stipulation that the document runs with the land. Motion passed 5 - 0.

B. APPROVE CARRY FORWARD FOR SUMMER ROADS

Carry forward from June 30, 2009 budget for Summer Roads to complete the paving projects:

Flat Iron Road Surface	\$18,832.00
Kelleytown Road Reclaim	16,988.80
Kelleytown Road Fine Grade	9,025.30
John Goodwin Gravel Build-up	<u>12,895.83</u>
	\$57,741.93

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to carry forward \$57,741.93 from the '09 budget for Summer Roads. Motion passed 5 - 0.

Authorize URIP funds for Kelleytown Road Capital Improvement Project of \$27,000.00. The Selectmen agreed to this. Selectman Kathi Thurston suggested using the \$64,000 in reserves on FY 2011 Summer Roads budget.

C. ANNUAL AUDIT

Review and approve the Audit and vote to authorize the Town Manager to sign the Management Representation Letter with James Wadman Jr.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to authorize Millard to sign the Management Representation Letter with James Wadman Jr. Motion passed 5 - 0.

D. APPOINTMENTS

Mel Atherton has applied to serve on ZOAC (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to appoint Mel Atherton to the ZOAC Committee for 3 years. Motion passed 5 - 0.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. FLAT IRON ROAD: Nothing new to report
2. SEAL COVE FISHWAY: Nothing new to report
3. BERNARD WHARF PIGGY-BACK DREDGE PROJECT: Town Manager Millard Billings spoke with Shawn Mahaney last week he is still waiting on a document concerning the test from around the Wharf.
4. DREDGE PROJECT: ACOE has made the bid packets available as of January 19, 2010. The bid process will end and bids will be opened on February 22, 2010 at ACOE Office in Cambridge Mass. If the bids are within budget, a bid may be awarded, then a pre-construction meeting would be held here in April and work would start on November 1, 2010. Interested bidders are coming this week to view the site specifically to look at the ledge removal area and the ledge it self. One group is coming Thursday another is coming Tuesday or Wednesday.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE: Town Manager Millard Billings has received a deed from the Southwest Harbor Animal Shelter conveying its portion of the Hinton Estate to the Acadia Wildlife Foundation (see attached).
2. INTERNET EXPLORATORY COMMITTEE: Town Manager Millard Billings has contacted Jim McKenna of Red Zone and given him the names of the people he has contacted from Mr. McKenna's list of desirable sites for repeaters. He also reported to Mr. McKenna that it would be the Town who purchased and erected a tower at this site. Mr. McKenna asked if some of the tower people he has worked with could come and take a look at the site. Red Zone should be in Town this week to put up the repeater on the Gym. The Selectmen would like to have a Public Informational Meeting and invite Jim McKenna and all the people that have been approached to host a repeater. The meeting would not be during a scheduled Selectmen Meeting.

8. TOWN MANAGER'S REPORT

- A. Wednesday morning, January 20th, truck number 2, the F 650, slid off the Cape Road. Public Works could not tow it out with the John Deere. John Goodwin Jr. towed it out using an excavator and a backhoe. There were no injuries and the only damage was to the sander spinner and housing and the plastic fenders (see attached). Repairs were minimal.
- B. Town Manager Millard Billings wrote a letter to MDOT asking them to rescind the proposal to trade McMullen Avenue and Shore Road (see attached).
- C. MMA's Legislative Policy Committee Agenda (see attached). Tremont's representatives on the Committee are Mike MacDonald and Nancy Carter.
- D. On Monday, a citizen requested that Town Manager Millard Billings tell the snow plow drivers not to plow snow in front of her driveway. She alleged the snow bank in front of her driveway was higher than other snow banks on her road. Town Manager Millard Billings visited the site and determined that the snowplow drivers were not depositing extra snow in her driveway. The snow plows always wing the snow to the right, out of the right of way.

9. ANNUAL BUDGET

A. THIRD PARTY REQUESTS

The Third Party Requests are available at the Town Office.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$1,250 for Island Connections. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$3,000 for Island Explorer. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$297 for Downeast Transportation. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$1,600 to Downeast Horizons. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$960 to Downeast Health Services. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$1,500 to Bar Harbor Food Pantry. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$1,400 to Washington Hancock Community Agency. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve \$200 to Eastern Area on Aging. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$600 to Hospice of Hancock County. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to give \$1,000 to the American Red Cross. Motion passed 4 - 1. Selectman Lester Closson voted against.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$2,500 to Harbor House Campfire Coalition. Motion passed 4 - 1. Chairman Charlie Dillon voted against.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$32,169 to Southwest Harbor Tremont Nursing Service. Motion passed 5 - 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$17,275 to Harbor House Community Center. Motion passed 5 - 0.

B. BOARD & COMMITTEE REQUESTS

The Fire Department, Library and Seal Cove Recreation Committee request are attached.

1. FIRE DEPARTMENT

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend \$45,000 to the Fire Department. Motion passed 5 - 0.

2. LIBRARY

The Selectmen were confused by the Library's requests and asked that they do their budget request without a carry over and to please include the money they have in the bank.

3. SEAL COVE RECREATION COMMITTEE

The Selectmen asked to have the Seal Cove Recreation Committee answer all the questions on the form.

C. MUNICIPAL REQUESTS

1. BOILER PLATE ARTICLES

The Boiler Plate Articles are attached. The Article numbers have not yet been assigned.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend for passage the nine Boiler Plate Articles. Motion passed 5 - 0.

2. LAW ENFORCEMENT

Law Enforcement Budget Request is attached.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend the \$87,360 for Law Enforcement. Motion passed 5 - 0.

10. QUARTERLY REPORTS

The Selectmen did not have any questions or concerns with the 2nd Quarter Reports.

11. OTHER

The Park every year puts a "closed" sign on their Seal Cove Road sign right over the word "Road". The way the sign reads now is "Seal Cove Closed". Selectman Kathi Thurston asked Town Manager Millard Billings to call the Park and ask them to change the way they notify the public about the road closure.

Selectman Kathi Thurston commented on the Planning Board having trouble getting a quorum. She has noticed that one Planning Board Member has been present on 25% of the time in the last fiscal year and another that has been to only 37% of the meetings. Town Manager Millard Billings agreed it is hard to send away applicants that have arrived on time for the meeting because the Planning Board doesn't have a quorum. Normally, the Planning Board writes a letter to the Selectmen about Board Members that have poor attendance. Chairman Charlie Dillon wondered if a letter from the Select Board would have any impact on the Planning Board Member in question. He would like to send a letter to the Chairman and have the Planning Board Chairman give it to the Planning Board Member.

12. SET DATE FOR NEXT MEETING

February 22, 2010 at 5:00 pm

13. SUGGESTIONS/COMMENTS FOR NEXT MEETING

More budget requests, the company doing the dredging should be chosen on the 22nd

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 7:40 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Bobby Lee