

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
HARVEY KELLEY MEETING ROOM
MONDAY, OCTOBER 18, 2010
6:00 PM**

1. CALL TO ORDER

The October 18, 2010 Regular Selectmen's Meeting was called to order by Chairman Charlie Dillon at 6:00 pm.

2. ROLL CALL

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

Members of the public present were Rick Nickerson – Tremont Public Works, Elliott Spiker – ADD, Mark Good – Islander, Ben Worcester III – EMR, Ann Rivers – Acadia Wildlife Foundation, Amy Workman – Acadia Wildlife Foundation, Art Paine.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF OCTOBER 4, 2010

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to approve the minutes of October 4th. Motion passed 5 – 0.

5. APPROVAL OF WARRANTS

Warrant 44	7,780.93
Warrant 45	196,832.67
Warrant 46	8,031.02
Warrant 47	13,958.81
Warrant 48	1,461.21
Warrant 49	150.00
Warrant 50	62.70

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to approve Warrants 44 – 50. Motion passed 5 – 0.

6. NEW BUSINESS

A. REVIEW BIDS FOR 2010 ROAD SAND

Winter Sand Bids – 2,000 cubic yards of sand delivered and mixed with salt over the winter in 1,000 yard increments. Bids were closed on October 13, 2010 at 4:00 pm. At 4:01 pm the bids were opened and were publicly read aloud (see attached). The bids were as follows:

Doug Gott & Son	\$17,060.00
John Goodwin Jr.	14,880.00
K J Dugas Construction Inc.	18,000.00

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to award the sand bid to John Goodwin Jr. for \$14,880.00. Motion passed 5 – 0.

B. ADD & EMR CONCERNING RECYCLING

Elliott Spiker – ADD and Lee Worcester – EMR were here to answer Selectmen questions. Elliott Spiker handed out a cost comparison revised by CES, Inc. on October 4, 2010 (see attached). According to the comparison Tremont could save as much as \$11,472.85 next year by taking the recycling to Ellsworth. Chairman Charlie Dillon acknowledged that the Town would be spending less on recycling by going to Ellsworth, but voiced concern that not everything the Town recycles would be accepted. Selectman Kathi Thurston asked Elliott Spiker if Ellsworth accepts office paper. Mr. Spiker thinks they take mixed paper, and invited the Selectmen to a meeting at Ellsworth City Hall on Wednesday, October 20, 2010 at 3:00 pm. The meeting is to iron out all the details, including what would be accepted.

Chairman Charlie Dillon asked how the unacceptable recyclables would be handled. Would the whole load be refused or would someone remove them? Mr. Spiker could not answer the question, but he hopes to have the answer after Wednesday.

Chairman Charlie Dillon asked how the Town would be saving money if EMR, no longer received the recyclables and went up on the tipping fees for solid waste. Mr. Spiker and Mr. Worcester assured the Selectmen solid waste is a separate issue from recycling and for 3 ½ years the Town is under contract with EMR for solid waste.

Selectman Kathi Thurston is concerned that the PERC tonnage will fall behind and PERC will enforce a fine. Mr. Spiker said Tony Smith and CES have looked over the figures and feels the Town would not fall below its PERC tonnage.

Chairman Charlie Dillon asked the Select Board if they were satisfied. Selectmen Kathi Thurston, Bobby Lee and Lester Closson asked for more information, in particular a comprehensive list of what recyclables Ellsworth will accept.

Motion made by Chairman Charlie Dillon, with second by Selectman Chris Eaton, to table this issue for more information. Motion passed 5 – 0.

C. MRC ORDINANCES AND GUARANTEED ANNUAL TONNAGE

The Municipal Review Committee has sent two Ordinances as a means of tracking and identifying the Towns gross annual tonnage (see attached). The Board of Selectmen have asked Town Manager Millard Billings to get an opinion from MMA. Mr. Worcester assured the Board that all of Tremont’s solid waste is taken to PERC by EMR. The Board of Selectmen asked Town Manager Millard Billings to investigate who’s responsible for setting Tremont’s annual tonnage.

D. MICHAEL ROSS REQUESTS A MUNICIPAL QUITCLAIM DEED

A request for a Municipal Quitclaim Deed from Attorney Michael Ross representing Susan McIsaac has been received (see attached). Computer records indicate that the liens listed in the deed have been paid in full.

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to sign the Municipal Quitclaim Deed for Susan McIsaac. Motion passed 5 – 0.

E. APPOINTMENTS

Susie Higgins would like to serve on the Warrant Committee (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to appoint Susie Higgins to the Warrant Committee for a 3 year term. Motion passed 5 – 0.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. SEAL COVE FISHWAY: Nothing new to report
2. BERNARD WHARF PIGGY-BACK DREDGE PROJECT: Nothing new to report
3. DREDGE PROJECT: Wid has been moving moorings and is current for now. Prock is drilling ledge and will start blasting Tuesday.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE

- a. HINTON ESTATE: A motion has been approved to dismiss with prejudice and with out costs the suit filed by Ms. Cloakley (see attached). Town Manager Millard Billings received a letter from Ann Rivers offering to sell interest for \$375,000.00. Ms. Rivers will be present to discuss offer under Item 11.
- b. FUDGE PROPERTY: A letter has arrived from a Florida Attorney who has filed suit against the Town for its automatic foreclosure of an expired tax lien on the Madam Jake Lot (see attached). Town Manager Millard Billings has forwarded the letter to Nathan Martell at Eaton Peabody who has been representing the Town in this matter since before automatic foreclosure. Mr. Martell was the one who investigated and told us that the Madam Jake Lot was not listed in the Florida bankruptcy.

2. INTERNET EXPLORATORY COMMITTEE: Nothing new to report

8. TOWN MANAGER'S REPORT

- A. The October 20, 2010 MMA Elected Officials Workshop sponsored by the League of Towns will be rescheduled. The League of Towns has also set a Local Government Collaboration on November 10, 2010 (a discussion of local logistical arrangements between towns).
- B. Harbor/Wharf income & expenses for September (see attached).
- C. The Town of Tremont has received a dividend check as a result of its good loss experience and loss prevention programs (see attached press release).

- D. Saturday, October 23, 2010, is the Household Hazardous Waste collection day sponsored by ADD at MDI High School from 9:00 am to 1:00 pm.
- E. Town Manager Millard Billings will be going to Gott's Island with John Goodwin to look at roads. Mr. Goodwin's company is currently working out there and Town Manager Millard Billings thinks this would be a good time to discuss his doing some road work. Since he is already there it should be cheaper to have him do the work then moving the Town's equipment and sending Public Works employees.
- F. Mr. Goodwin has heard interest from Gott's Island residents to have concrete planks installed to create a ramp. Town Manager Millard Billings will look this over while he is there. It would require a DEP permit and a Tremont Planning Board permit and possibly an easement from a land owner. Town Manager Millard Billings will contact the Bureau of Parks and Lands to obtain concrete planks. The Board of Selectmen agreed a ramp would be useful on Gott's Island and asked Town Manager Millard Billings to look into it.

9. OTHER

None

10. SUGGESTIONS/COMMENTS FOR NEXT MEETING

- A. PUBLIC HEARING FOR ANNUAL GA APPENDICES A, B, & C
- B. ADD and EMR

11. POSSIBLE EXECUTIVE SESSION PURPOSED LAND PURCHASE

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to go into executive session pursuant to Title 1 Maine Revised Statutes Annotated Section 405 Subsection 6 Paragraph C to discuss the acquisition or disposition of real property or interest therein because premature disclosure of the information would prejudice the bargaining position of the Selectpersons with Ann Rivers and Amy Workman. Motion passed 5 – 0. The Selectmen went into executive session at 7:30 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to come out of executive session. Motion passed 5 – 0. The Selectmen came out of executive session at 8:05 pm.

Town Manager Millard Billings asked to have agenda item 14 postponed for another date.

12. POSSIBLE EXECUTIVE SESSION CONCERNING PERSONNEL ISSUE

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to go into executive session to discuss a personnel issue pursuant to Title 1 Maine Revised Statutes Annotated Section 405 Subsection 6 Paragraph A. Motion passed 5 – 0. The Selectmen went into executive session at 8:06 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 8:38 pm.

13. POSSIBLE EXECUTIVE SESSION CONCERNING PERSONNEL ISSUE

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to go into executive session to discuss a personnel issue pursuant to Title 1 Maine Revised Statutes Annotated Section 405 Subsection 6 Paragraph A. Motion passed 5 – 0. The Selectmen went into executive session at 8:39 pm.

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to come out of executive session. Motion passed 5 – 0. The Selectmen came out of executive session at 9:15 pm.

14. AGENDA ITEM 15 SET DATE FOR NEXT MEETING

Special Selectmen Meeting 10/25/2010 at 6:00 pm

15. AGENDA ITEM 16 ADJOURN

Motion made by Chairman Charlie Dillon, with second by Selectman Chris Eaton, to adjourn. Motion passed 5 – 0. The meeting was adjourned at 9:15 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Bobby Lee