

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
HARVEY KELLEY MEETING ROOM
MONDAY, MARCH 21, 2011
5:00 PM**

1. CALL TO ORDER

Chairman Charlie Dillon called the March 21, 2011 Regular Selectmen's Meeting to order at 5:05 pm.

2. ROLL CALL

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

Members of the public present were Wayne Patton – Tremont Volunteer Fire Department.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

A. MINUTES OF FEBRUARY 28, 2011

Motion made by Selectman Chris Eaton, with second by Selectman Lester Closson, to approve the minutes of February 28, 2011. Motion passed 5 – 0.

B. MINUTES OF MARCH 7, 2011

Chairman Charlie Dillon asked to have page 2, 8. Agenda Item 7. Old Business changed from "Without that approval, boats that will be going into the water April 1st have no wear to tie up." to "Without that approval, boats that will be going into the water April 1st have no where to tie up." And he also requested the results of 10. Agenda Item 9. Annual Town Meeting Budget Requests A. Municipal Requests 2. Insurances added.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve the Minutes of March 7, 2011 as corrected. Motion passed 5 – 0.

5. APPROVAL OF WARRANTS

Warrant 105	7,652.14
Warrant 106	4,725.25
Warrant 107	30,527.50
Warrant 108	1,317.25
Warrant 109	10,514.23
Warrant 110	7,929.75
Warrant 111	73.15

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Warrants 105 – 111. Motion passed 5 – 0.

6. NEW BUSINESS

A. RECYCLING PROGRESS REPORT

Town Manager Millard Billings gave the Selectmen Acadia Disposal District's March 17th Agenda, Minutes of ADD's January 15th Meeting, and their FY 2010 Annual Report (see attached). A sign, to be installed at the Town Office Recycling Center, has been done by a Public Works Employee explaining what can be recycled. Pictures of the sign will be mounted to the dumpsters now to assist residents with the recycling requirements.

B. APPOINTMENTS

Susan Higgins had requested to be appointed to the Warrant Committee.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to appoint Susan Higgins to the Warrant Committee for 3 years. Motion passed 5 – 0.

C. REQUEST FOR AD HOC COMMITTEE TO RECOMMEND CHANGES TO BRING EXISTING ORDINANCES INTO COMPLIANCE WITH NEW COMPREHENSIVE PLAN

Mike Ryan, Chairman Tremont Planning Board, sent the Selectmen a memo explaining his idea to create an ad hoc committee to review the entire Land Use Ordinance and compare it to the Comprehensive Plan (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to form an ad hoc committee to review the entire Land Use Ordinance to ensure compliance with the Comprehensive Plan, if the Comprehensive Plan is approved at Town Meeting. Motion passed 5 – 0.

7. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

The ACOE says blasting is finished and dredging will begin the week of March 14th. See attached e-mail for the intended schedule. Town Manager Millard Billings explained the plan to install floats in the approved area for Fishermen to tie up to when they are ready to put their boats in.

B. REPORT OF PENDING PROJECTS

1. HINTON ESTATE: Town Manager Millard Billings contacted the Maine Municipal Bond Bank (see attached). The Town has missed the spring deadline to file. The Town can file for the fall Bond issue. The Town's Attorney has informed Ann Rivers of Acadia Wildlife of the latest developments. Town Manager Millard Billings is in contact with local banks.
2. FUDGE PROPERTY: Town Manager Millard Billings received a counter offer for the Fudge Property (see attached). The Board of Selectmen would like to make a counter offer of \$30,000.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to offer \$30,000 for the property. Motion passed 5 – 0.

8. TOWN MANAGER'S REPORT

- A. Town Manager Millard Billings reminded the Selectmen the League of Towns is sponsoring a meeting at the Somesville Fire Station to discuss collaboration efforts on March 30th. The League of Towns is asking for a head count. Chairman Charlie Dillon and Selectman Lester Closson agreed to go.
- B. As part of Earth Day 2011 celebrations, the Hancock County Planning Commission is participating in a statewide backyard composting bin sale (see attached).
- C. Nomination papers are available at the Town Office for two positions on the Select Board. The date papers need to be returned is March 25, 2011.
- D. On Wednesday, March 16th, Town Manager Millard Billings conducted a NIMS 700 Class. Seven Firemen attended and all were able to receive a FEMA 700 completion certificate. Town Manager Millard Billings invited the Board of Selectmen to attend a class to get FEMA certified.
- E. February Wharf/Harbor Revenue and Expenses (see attached). Chairman Charlie Dillon asked to have the UIRP money that was approved at the Special Town Meeting shown on this report.
- F. There is an Elected Official Workshop in Augusta on July 7th and October 18th in Ellsworth. There is also a Workshop on the Rolls of Elected Officials and Managers on May 6th in Union.

9. ANNUAL TOWN MEETING BUDGET REQUESTS

A. MUNICIPAL REQUESTS

Motion made by Selectman Kathi Thurston, with second by Chairman Charlie Dillon, to give 2% raises to the Bookkeeper, Clerk, Public Works I, Harbormaster, Deputy Clerk, Pub Works II, Public Works III, and the CEO/Assessor and invite Public Works I, II, & III to come in and talk to the Selectmen. Motion passed 3 – 2. Chairman Charlie Dillon, Selectmen Kathi Thurston and Bobby Lee voted for, Selectmen Chris Eaton and Lester Closson voted against.

B. BOARDS AND COMMITTEES REQUESTS

The Planning Board has sent a memo to Town Manager Millard Billings asking for no change in their funding for FY 2012 (see attached).

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve \$6,350 for the Planning Board budget. Motion passed 5 – 0.

C. SCHOOL REQUESTS

The Draft Town Meeting Warrant is attached.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Articles 3 – 18 (see School Articles attached) from the School as presented. Motion passed 5 – 0.

D. ANNUAL WARRANT

A copy of the Draft Town Meeting Warrant is attached. The Selectmen need to act on all the Articles that are red.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to put Article 19 (to accept a gift from Hinton Estate to Bass Harbor Library) on the Warrant with the Selectmen recommend passage. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to put Article 20 (to purchase of the other half of the Hinton Estate from Acadia Wildlife Foundation) on the Warrant with the Selectmen recommend passage. Motion passed 4 – 1. Selectman Lester Closson voted against.

Motion made by Selectman Chris Eaton, with second by Selectman Bobby Lee, to put Article 21 (to purchase 2 Fire Trucks) on the Warrant with the Selectmen recommend passage. Motion passed 5 – 0.

Article 31 is tabled for now.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 32 (Insurance) with Selectmen recommend passage and \$25,300 from surplus. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve \$75,150 from taxation and \$88,140 from surplus (Article 33). Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Chairman Charlie Dillon, to approve on Article 34 (Debt Service) \$117,124 from taxation, \$39,132 from surplus and \$10,000 from reserve. Motion passed 3 – 2. Chairman Charlie Dillon, Selectmen Chris Eaton and Lester Closson voted in favor, Selectmen Kathi Thurston and Bobby Lee voted against.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 35 (Recreation) with \$40,275 from taxation and \$20,000 from surplus. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Chairman Charlie Dillon, to approve Article 36 (Public Works) with \$320,800 coming from Revenue. Motion passed 4 – 1. Selectman Kathi Thurston voted against.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 37 (Solid Waste) with \$193,900 from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 38 for Boards, Committees and Services for the sum of \$65,951 with \$30,951 from taxation and \$35,000 from surplus. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 39 for Reserves with \$25,000 from taxation and \$5,000 from revenue. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 40 (Comprehensive Plan) with \$4,000 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, for Article 41 (Island Explorer) to recommend from taxation the amount of \$3,000 for Island Explorer. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 42 for Bar Harbor Food Pantry with \$1,500 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 43 for Hospice o Hancock County with the \$600 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 44 for Downeast Horizons with \$1,600 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 45 for Island Connections with \$1,500 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve for Downeast Health Services \$990 coming from taxation (Article 46). Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 47 for Washington Hancock Community Agency with \$1,876 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 48 for Eastern Area on Aging with the \$200 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 49 for Harbor House Campfire Coalition with the \$2,500 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 50 for the American Red Cross with \$1,000 from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 51 for General Assistance with the \$6,000 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to approve Article 52 for Contingency with \$12,500 coming from taxation. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 53 To see if the Town will vote to apply all Harbor Revenue (mooring fees, boat excise taxes, harbor fines and any other harbor revenue) to the Harbor Management Reserve Account and appropriate funds from Harbor Management Reserve to pay Harbor Management Expenses (Harbor Management Repairs & Maintenance, 1/3 Harbormaster's Salary). Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 54 To see if the Town will vote to apply all Wharf Revenue (wharf use fees, wharf house rent, wharf garage rent, wharf impact fees, wharf fines and any other wharf revenue) to the Wharf Reserve Account and appropriate funds from Wharf Reserve to pay Wharf Expenses (Wharf Loan, repairs & maintenance to wharf, wharf house and wharf garage, 1/3 Harbormaster's Salary). Motion passed 5 – 0. Town Manager Millard Billings informed the Selectmen the Wharf Loan has been paid and will be removed from this Article.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 55 To see if the Town will vote to apply all Seal Cove Facilities Revenue (Wharf Use fees, Seal Cove Facilities impact fees, Seal Cove Facilities fines and any other Seal Cove Facilities revenue) to the Seal Cove Facilities Reserve Account and appropriate funds from Seal Cove Facilities Reserve to pay Seal Cove Facilities Expenses (repairs & maintenance to Seal Cove Facilities). Motion passed 5 – 0. Town Manager Millard Billings informed the Selectmen that Wharf Use fees will be changed to Ramp Use fees.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 56 To see if the town will vote to increase the property tax levy limit of nine hundred six thousand six hundred sixty-six dollars (\$906,666.00) established for Tremont by State law in the event that the municipal budget approved un the preceding articles will result in a tax commitment that is greater than that property tax levy limit. Written Ballot Vote Required. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 57 To see if the voters of the Town of Tremont shall adopt the “Town of Tremont Comprehensive Plan 2011”, and thereby replace the Comprehensive Plan adopted in 1997. An attested copy of said “Town of Tremont comprehensive Plan 2011” is available for review at the Town Office. Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend passage of Article 58 Shall the Tremont Zoning Ordinance, Section IV A. be enacted as amended below? Commercial towers shall be restricted to a height of ~~400'~~ *One hundred twenty-five (125) feet from the original grade.* Motion passed 5 – 0.

Motion made by Selectman Chris Eaton, with second by Selectman Kathi Thurston, to recommend Article 59 shall the Tremont Zoning Ordinance, Section III D be enacted as amended. Motion passed 5 – 0.

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, to recommend passage of Article 60 Shall the Tremont Zoning Ordinance Map be enacted as amended according to the amendment proposed in Item No. 1, to comply with the Mandatory Shoreland Zoning Act 30 M.R.S.A. Section 435 – 449 (Copies available at the Town Clerk's Office). Motion passed 5 – 0.

Motion made by Selectman Kathi Thurston, with second by Selectman Lester Closson, Article 61 Shall the Tremont Zoning Ordinance Map be enacted as amended according to the amendment proposed in Item No. 2, to comply with the

Mandatory Shoreland Zoning Act 30 M.R.S.A. Section 435 – 449 (Copies available at the Town Clerk’s Office), the Selectmen recommend passage. Motion passed 5 – 0.

Motion made by Selectman Kathi Thurston, with second by Selectman Chris Eaton, Articles 62 through 69 Shall the Tremont Zoning Ordinance Map be enacted as amended according to the amendment proposed in Items 3 through 10, to comply with the Mandatory Shoreland Zoning Act 30 M.R.S.A. Section 435 – 449 (Copies available at the Town Clerk’s Office), the Selectmen recommend passage. Motion passed 5 – 0.

10. OTHER

Selectman Kathi Thurston asked about the prescription card offered by Mount Desert to their residents. Town Manager Millard Billings will find out in time for next meeting.

11. SUGGESTIONS/COMMENTS FOR NEXT MEETING

The tabled Article 31

12. SET DATE FOR NEXT MEETING

March 28, 2011

13. ADJOURN

Motion made by Chairman Charlie Dillon, with second by Selectman Chris Eaton, to adjourn. Motion passed 5 – 0. The meeting was adjourned at 7:25 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Charlie Dillon

Katharine Thurston

Chris Eaton

Lester Closson

Robert Lee III