

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
HARVEY KELLEY MEETING ROOM
MONDAY, MAY 23, 2011**

1. CALL TO ORDER

Selectman Chris Eaton called the May 23rd Regular Selectmen's Meeting to order at 6:00 pm.

2. ROLL CALL

Present were Selectmen Chris Eaton, Lester Closson, Bobby Lee, Jim LaPrade, and Hugh Gilley, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

There were no members of the public present.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. WELCOME NEW BOARD MEMBERS

Selectman Chris Eaton welcomed the new members Jim LaPrade and Hugh Gilley.

5. ELECTIONS OF OFFICERS

The Board of Selectmen chose Chris Eaton as the new Chairman and Bobby Lee as the new Vice Chairman.

6. ADOPTION OF POLICIES

Motion made by Selectman Hugh Gilley, with second by Selectman Jim LaPrade, to accept the General Policies of Board of Selectmen (see attached). Motion passed 5 – 0.

Motion made by Selectman Jim LaPrade, with second by Selectman Hugh Gilley, to accept the Policy on Treasurer's Disbursement Warrants (see attached). Motion passed 5 – 0.

Motion made by Selectman Jim LaPrade, with second by Selectman Hugh Gilley, to accept the Policy for Tax Collector (see attached). Motion passed 5 – 0.

Town Manager Millard Billings gave the Selectmen a Quick Guide to Executive Session Motions and copies of the laws and associated fines (see attached). He also gave the Board of Selectmen information on the Freedom of Access and the training schedule for the Freedom of Access (see attached).

7. APPROVAL OF MINUTES

A. MINUTES OF MAY 2, 2011

Motion made by Selectman Lester Closson, with second by Selectman Bobby Lee, to accept the minutes of May 2nd. Motion passed 5 – 0.

8. APPROVAL OF WARRANTS

Warrant 126	\$7,834.42
Warrant 127	7,846.26
Warrant 128	290.63
Warrant 129	51,454.38
Warrant 130	9,886.35
Warrant 131	1,461.21
Warrant 132	8,070.52
Warrant 133	1,753.31

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to approve Warrants 126 – 133. Motion passed 5 – 0.

9. NEW BUSINESS

A. REVIEW BIDS FOR PORTABLE TOILETS

Bids closed on May 17th at 4:00 pm. At 4:01 pm bids were opened and were publicly read aloud (see attached). The bids were as follows:

Korey Goodwin	\$23.00
Additional bi-weekly if needed	23.00
Chad Terry	21.25
Additional bi-weekly if needed	20.00

Motion made by Selectman Lester Closson, with second by Selectman Bobby Lee, to accept Chad Terry's (G T Outhouses) proposal. Motion passed 5 – 0.

Motion made by Selectman Lester Closson, with second by Selectman Bobby Lee, to put a Wheel Chair accessible Port-A-Potty and the Town Wharf. Motion passed 5 – 0.

B. UNPAID WHARF GARAGE RENT

David Kelley has removed his belongings from the Wharf Garage. On December 27, 2010, the notice of small claims collection was sent to the former Wharf Garage Tenant. He did receive the notice of pending filing. Town Manager Millard Billings spoke with him and he asked for more time to pay. Town Manager Millard Billings told him he would have to speak to the Board of Selectmen.

The Board of Selectmen offered one more chance. Mr. Kelley signed an agreement stating he would pay \$50.00 per week beginning the week of January 7, 2011 (see attached).

Town Manager Millard Billings requests authority to file for collection in small claims court. Mr. Kelley has not lived up to his pledge.

Motion made by Selectman Jim LaPrade, with second by Selectman Hugh Gilley, to authorize Town Manager Millard Billings to file for collections in small claims court [against David Kelley]. Motion passed 5 – 0.

C. RECYCLING

Town Manager Millard Billings attended an ADD meeting on Thursday May 11, 2011 at Somesville. Beth Gott of Tremont Solid Waste Committee and Norman, one of Gott's Recycling drivers, were in attendance as well. They discussed loads of plastic that have plastic containers in plastic bags being rejected at Ellsworth. ADD representative will follow up with Ellsworth (see attached). Also discussed was the possibility of Tremont, with the help of Gott's disposal, starting to recycle glass, which will take a lot of weight out of the solid waste stream. Tremont's GAT was 1080 tons (see attached). We have been shipping 1009 & 1010 tons the last two years. Town Manager Millard Billings believes if we recycle glass and avoid wet cardboard & newspaper we could lower our GAT to 1000 tons for 2012.

Town Manager Millard Billings will have signs made for the plastic dumpsters to ask residents to please not put plastic bags in with the plastic recycling. Selectman Bobby Lee suggested flattening the area in front of the back parking lot and placing the recycling roll-offs there. The trucks could come in from the low side to pick-up and residents could recycle from the top side. Town Manager Millard Billings will investigate that area as well as the lot on the other side of the Town Office.

D. PURCHASE AND SALE AGREEMENT

Two drafts of the Purchase and Sale Agreement were available for the Selectmen to consider. The Board of Selectmen agreed with the Town's Attorney and chose the draft that does not have 3B included (see attached).

Motion made by Selectman Jim LaPrade, with second by Selectman Bobby Lee, to accept the draft with the contingency struck. Motion passed 5 – 0.

Motion made by Selectman Jim LaPrade, with second by Selectman Bobby Lee, to authorize Town Manager Millard Billings to sign the purchase and sale agreement. Motion passed 5 – 0.

E. APPOINTMENTS

Annual Administrative Appointments, all appointments are for one year unless otherwise specified.

Motion made by Selectman Bobby Lee, with second by Selectman Jim LaPrade, to appoint Millard Billings Town Manager, Tax Collector, Treasurer, Road Commissioner, General Assistance Administrator, Alternate E9-11 Coordinator, Alternate Code Enforcement Officer, and Alternate Local Plumbing Inspector. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to appoint Carl Young as Tax Assessor, E9-11 Coordinator, Code Enforcement Officer, and Local Plumbing Inspector. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint McKenzie Jewett as Town clerk, Deputy Tax Collector, Deputy Treasurer, and Deputy General Assistance Administrator. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to appoint Heidi Kelley as Deputy Town Clerk, and Deputy Registrar of Voters. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint Deborah Nickerson as Deputy Town Clerk. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint Keith Higgins as Emergency Management Director. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint Teri Lanpher as Health Officer. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint David Schlaefer as Harbormaster. Motion passed 5 – 0. Town Attorney Chad Smith has submitted his resignation for consideration.

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to appoint Chad Smith as Town Attorney. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to appoint Elliott Spiker for a three year term (2011 – 2014) to Acadia Disposal District. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to appoint Janet Patton as Registrar of Voters for a two year term (2011 – 2013). Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to appoint Jennifer Shaw as Animal Control Officer. Motion passed 5 – 0.

Motion made by Selectman Bobby Lee, with second by Selectman Hugh Gilley, to reappoint Francis Martin to the Tremont Housing Authority Board for three years (2011 – 2014). Motion passed 5 – 0.

F. LAW ENFORCEMENT CONTRACT

Renew the Law Enforcement Contract for the 2011 – 2012 Term (see attached).

Motion made by Selectman Bobby Lee, with second by Selectman Jim LaPrade, to accept the Hancock County Law Enforcement Contract for 2011 – 2012. Motion passed 5 – 0.

G. PROPOSED SUMMER ROAD MAINTENANCE

Richtown Road 2010 – 2011 Budget Year

Town Manager Millard Billings proposes to ditch and replace all culverts, then shim and overlay Richtown Road. After cutting into the road to replace culverts, Town Manager Millard Billings found that there was nothing there; where there should have been four to six inches of old pavement there was only 1 ½ inches of broken cracked pavement. After searching old road records, Mr. Billings found that there was 6 to 8 inches of pea gravel added and a layer of “Flex-Pave” installed when Tom Richmond was Town Manager in 1996. Town Manager Millard Billings recommends reclaiming Richtown Rd. and repaving with a 2 inch base this year, then next year adding a 1 inch finish layer. Town Manager Millard

Billings is recommending releasing bid packages for reclaiming and base paving (see attached) and carrying any unexpended balances forward to the 2011 – 2012 budget year.

Gravel Roads 2011- 2012 Budget Year

Gravel portions of Cape Road, Carter Road, Turner Road and Dodge Point Road with 6 inches of crushed inch minus and grade (see attached).

Fall Paving 2011 – 2012 Budget Year

Shim and overlay Lighthouse Road, McMullen Avenue and Ann’s Point Road (see attached). McKinley Lane and Marsh Road appear to far gone for shim and overlay; Town Manager Millard Billings recommends reclaiming and adding base next year.

Motion made by Selectman Jim LaPrade, with second by Selectman Bobby Lee, to go ahead and authorize Town Manager Millard Billings to submit the request for bids including the bid alternate of using reclaimed asphalt on the gravel roads projects. Motion passed 5 – 0.

H. MUNICIPAL RELEASE DEED

Municipal Release Deed on the Almeida property that the taxes have been paid in full (see attached).

Motion made by Selectman Bobby Lee, with second by Selectman Jim LaPrade, to release the deed to the Almeida property. Motion passed 5 – 0.

10. OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

1. DREDGE PROJECT:

Completed, no news from ACOE

2. MOORINGS:

85% to 90% of moorings have been reset

3. FLOATS:

Only Municipal floats can go in a federally dredged area. The Town must get a permit from ACOE for floats. The Town does not need to own the floats or except liability for them. The floats can not be rented or sublet.

4. HARBOR COMMITTEE:

The Harbor Committee is working on Harbor Ordinance amendments that will satisfy ACOE as the first phase in the Town acquiring permits for the floats.

5. SPECIAL TOWN MEETING:

A Special Town Meeting will be needed in the fall to adopt the Harbor Ordinance amendments. The Tremont Planning Board and Zoning Ordinance Advisory Committee will also have Ordinance amendments ready by fall.

B. REPORT OF PENDING PROJECTS

1. ACQUISITION OF REAL ESTATE

- a. HINTON ESTATE:
Loan closing is set for June 17, 2011, close with Acadia Wildlife after July 1, 2011
- b. FUDGE PROPERTY:
Waiting for Bankruptcy Trustee to quite Closson Lien

2. INTERNET EXPLORATORY COMMITTEE
Nothing new to report

11. TOWN MANAGER'S REPORT

- A. Sunday May 15, 2011 the Hiking Trail Clean Up was canceled due to rain. We have rescheduled for June 4, 2011 from 9:00 am to 12 noon when a lunch will be served.
- B. Wednesday May 25, 2011 at 5:30 in the Somesville Fire Station, League of Towns sponsored meeting for island wide collaboration. Four items for discussion are Solid Waste, Fire/Protection, Human Resources and Transportation. Town Manager Millard Billings asked who would be attending. Selectmen Lester Closson and Jim LaPrade agreed to go. Chairman Chris Eaton and Selectman Bobby Lee said they would go if they could.
- C. Thursday May 26, 2011 at 4:00 pm in Ellsworth a meeting with MERC to discuss the Future of Solid Waste management in Hancock County preparing for the post 2018 era. 2018 is when the contract with PERC run out.
- D. Hunter Safety Class sponsored by the Tremont Rec Board will be in the Harvey Kelley Meeting room on Friday, June 17th from 5:00 pm to 9:00 pm and Saturday June 25th from 9 – 4. Children 10 – 16 are invited with an adult sponsor. This class is a prerequisite to obtaining a first time hunting license.
- E. Enclosed in the Selectmen's packet is a letter from Prock Marine expressing their pleasure working with Tremont's Harbormaster David Schlaefer (see attached).
- F. Wharf/Harbor Expenses and Revenue for April 2011 (see attached) as well as the Dredge Project Accounts (see attached).
- G. Southwest Harbor/Tremont Chamber of Commerce Newsletter for May 2011 (see attached).
- H. Maine Municipal Association 2011 Wind Power for Municipal Officials Workshop (see attached).
- I. Curt Clawson of Fort Lauderdale sent Town Manager Millard Billings an e-mail regarding used fire trucks (see attached).
- J. June 26th is the Blessing of the Fleet at 10:30 am. There will be Lobster Boat races afterwards, sign-up starts at 9:00 am.
- K. Bass Harbor Library has requested old Town Reports. The Library is missing 21 Town Reports sense 1902. If anyone finds old Town Reports in their attics please donate them to the Town for distribution between the Library and the Historical Society.
- L. At the last Harbor Committee Meeting there was a discussion about dogs at the Wharf. A letter was sent to the Wharf House tenant in 2009 advising him to clean-up after his dogs and to keep them on a leash. The lease has not yet been

signed for this year and Town Manager Millard Billings asked the Selectmen if there should be something in it about the dogs. The Selectmen agreed to include a clause that the tenant and the tenant's dogs must abide by the Town's Dog Ordinance. The Selectmen also asked to mark the two parking spots and stress the fact that the tenant has only two reserved spots.

12. SUGGESTIONS/COMMENTS FOR NEXT MEETING

None

13. OTHER

Chairman Chris Eaton asked for Town Manager Millard Billings help in getting his culvert replaced. The person he was told was responsible for scheduling culvert replacement with the State is not calling him back. Mr. Billings will attempt to assist. Maine DOT is doing preliminary work for replacing the bridge near the Tremont Consolidated School and are willing to put in sidewalks.

14. SET DATE FOR NEXT MEETING

June 6, 2011 at 6:00 pm

15. ADJOURN

Motion made by Selectman Bobby Lee, with second by Selectman Lester Closson, to adjourn. Motion passed 5 – 0. The Meeting was adjourned at 7:40 pm.

Respectfully Submitted,

Debbi Nickerson
Recording Secretary

Chris Eaton

Robert Lee III

Lester Closson

Jim LaPrade

Hugh Gilley