

TOWN OF TREMONT  
REGULAR SELECTMEN'S MEETING  
TREMONT TOWN OFFICE  
HARVEY KELLEY MEETING ROOM  
MONDAY MAY 21, 2012  
6:00 PM

1. CALL TO ORDER

Chairman Chris Eaton opened the May 21<sup>st</sup>, Selectmen's Meeting at 6:00 PM.

2. ROLL CALL

Present were Chairman Chris Eaton, Selectmen Lester Closson, Bobby Lee and Town Manager Millard Billings.

Members of the public present were Keith Higgins Tremont Volunteer Fire Department and Jim Davis of Colwell Diesel.

3. ADJUSTMENTS/ADOPTION OF AGENDA

**Motion** by Bobby Lee to move Agenda Item 10B to be after Agenda Item 3 and to move Agenda Item 10A to after Agenda Item 13, with a second by Lester Closson. Motion passed 3-0.

Jim LaPrade arrived at 6:02 PM.

4. Report of Pending Projects (formerly Agenda Item 10B)

Town Manager Millard Billings presented the Board with a revised quote from Colwell Diesel and introduced Jim Davis sales representative from Colwell Diesel. Town Manager Billings mentioned that the lowest quote was for an International from a Bangor Dealer but for a 2013 SFA and the next lowest quote was for an International from a Bangor Dealer for a 2012 SBA neither being exactly what the Town had requested in the specifications. Town Manager Billings recommended that the Town go with Colwell Diesel for an International, 2013 SBA like the specifications requested. The Town Manager felt that the \$3,000.00 difference in the total price of two trucks would be offset in less than 3 years by the savings in cost to transport vehicles to and from Bangor and the availability of parts at the Ellsworth Garage.

**Motion** by Bobby Lee to purchase two International 2013 SBA Trucks, from Colwell Diesel for \$154,650.00 with a second by Jim LaPrade. Motion passed 4-0.

5. WELCOME NEW BOARD MEMBERS (formerly Agenda Item 4)

Annual Town Meeting of May 14 & 15, 2012 elected both Chris Eaton and Robert Lee III for another term as Tremont Selectmen.

6. ELECTION OF OFFICERS (formerly Agenda Item 5)

**Voted** by written ballot for Chairman of Select Board, Robert Lee III received 3 votes and Chris Eaton received 1 vote. Robert Lee III was declared the winner and gravel was passed by Chris Eaton to Robert Lee III.

**Voted** by written ballot for Vice Chairman of Select Board, James LaPrade received 2 votes, Chris Eaton received 1 vote and Lester Closson received 1 vote. James LaPrade was declared the winner.

7. ADOPTION OF POLICIES (formerly Agenda Item 6)

**Motion** by Chris Eaton with a second by Lester Closson to adopt the Policy Regarding Check Disbursement Prior to Expenditure Warrant Approval, which allows one Board Member to sign payroll or state warrants and approve payment of funds prior to the full Board's approval. Motion passed 4-0.

**Motion** By James LaPrade with a second by Chris Eaton to Adopt the Order of Municipal Officers, directing the Tax Collector and Treasurer to apply any tax payment received to the oldest outstanding bill. Motion passed 4-0.

**Motion** by Robert Lee with a second by Chris Eaton to approve the General Policies of the Board of Selectmen. Motion passed 4-0.

8. APPROVAL OF MINUTES (formerly Agenda Item 7)

A. MINUTES OF MAY 7, 2012

**Motion** by Lester Closson with a second by James LaPrade to approve the Minutes of May 7, 2012 as written. Motion Passed 4-0.

9. APPROVAL OF WARRANTS (formerly Agenda Item 8)

**Motion** by Chris Eaton with a second by Lester Closson to approve Warrants 121 and 122. Motion passed 4-0.

10. NEW BUSINESS (formerly Agenda Item 9)

A. LAW ENFORCEMENT CONTRACT

**Motion** by Chris Eaton with a second by Lester Closson to approve the Law Enforcement Contract with Hancock County Sheriff's Office for the period July 1, 2012 through December 31, 2012. Motion passed 4-0.

B. RECYCLING UPDATES

Town Manager Millard Billings presented the Select Board with a spreadsheet from MRC that showed Tremont's 2010 GAT shipped as 1010.56 along with a

spreadsheet from Elliot Spiked of ADD that showed Tremont's GAT shipped as 977.39. The Town Manager had originally based on the 1010 tons shipped recommended lowering the GAT from 1056 tons to 1015 Tons but subsequent to receiving Mr. Spiker's spreadsheet asked that no action be taken until he could provide better information on what was the actual tonnage shipped.

Town Manager Billings also informed the Board that after he had received requests concerning boat shrink wrap being introduced into the recycling stream, he had submitted that request to Tony Smith of ADD who in turn had asked Leann Beal of the Ellsworth Recycling. The answer is that at the present time boat shrink wrap can not be considered a recyclable. Leann says it is an item that is being watched and they are trying to get quality standards in place so it can become a marketable product.

#### C. ANNUAL APPOINTMENTS (see attached)

**Motion** by Chris Eaton with a second by Lester Closson to approve the annual appointments as submitted for one year terms. Motion passed 4-0.

**Motion** by James LaPrade with a second by Lester Closson to appoint David Campbell to the Comprehensive Plan Committee. Motion passed 4-0.

The Town Manager explained that annually Boards and Committee members whose term had expired were called and asked if they would like to be reappointed for another term and an ad was run in the local paper asking for volunteers for Boards and Committees. He asked that no further action be taken at this time, by next meeting he would have answers to who would like to be reappointed.

#### D. NEW E9-11 ROAD NAME

Sara Yeterian submitted a written request that the road to her new house be named "Little Duck Lane".

**Motion** by Chris Eaton with a second by Lester Closson to approve "Little Duck Lane" as the road name requested by Sara Yeterian.

#### E. 2010 TAX LIENS

Town Manager Billings reported that he had submitted a certified letter as well as a letter in an envelope sent regular with no return address, to the property owner that was discussed at the last meeting, asking for a payment of back taxes along with a draft of the newspaper ad for their real estate auction. The Town Manager explained that on his way to the Post Office he attempted to hand deliver the letter. There were cars in the dooryard, the front door was open with only a storm door closed and a big Rotweiler was inside barking at him, but no one answered the door.

## 11. TOWN MANAGERS REPORT

1. The Tremont Wharf and Harbor Financial reports for April 2012 were submitted for the Boards review. (see attached)
2. LOT COLLABORATION MEETING WAS SCHEDULED FOR WEDNESDAY MAY 16, 2012 AT 5:30. (Minutes of that meeting were not available)

Fire Chief Keith Higgins was the only person from Tremont who was in attendance during that meeting. He spoke on the out come, which is that the various Town Managers are being requested to submit a list of available properties within their Towns that would be available for a Fire Training Facility. After discussion Chief Higgins, Town Manager Billings and the Select Board all concur that there is no suitable property in Tremont and that the Town Hill site would be the best option for a Fire Training Facility.

3. IF A SCHOOL BOARD MEMBER RESIGNS THEIR POSITION THE SCHOOL BOARD APPOINTS A RESIDENT TO SERVE THE REMAINDER OF THEIR TERM. IF THE SCHOOL BOARD DOES NOT ACT WITHIN 30 DAYS A TOWN ELECTION MUST BE CALLED. (SEE ATTACHED)

The Town Manager submitted copies of Maine Revised Statutes Annotated that explain the process for the appointment, by the School Board to fill an existing vacancy, within 30 days after the date of resignation. The School Board has a meeting scheduled for May 31, 2012 to address the vacancy.

4. LETTERS FROM MTCMA CALLING FOR AWARD NOMINATIONS. (SEE ATTACHED)

No action taken at this time.

### 5. OTHER

- A. An email from the Town Attorney expressing his and MMA Legal Services attorney Becky Seal opinions that because the school referendum vote was clearly a non-binding vote that the state law does not apply to Tremont's situation and there is no right of recount was submitted to the Board of Selectmen by Town Manager Millard Billings.

Town Manager Billings read a letter from Jennifer Horner into the Record concerning her desire for the Tremont School to stay the way it is. (see attached)

- B. Town Manager Billings reported to the Select Board that Hugh Gilley had told Bobby Lee and him, on the night of Town Meeting that he was going to be taking another class, which would make him unavailable for Selectmen meetings until mid August. Town Manager Billings explained to the Board

that with the Town's form of electing municipal officers by Australian Ballot it would take 85 days to schedule a Special Town Meeting for an election of a new Selectperson. Town Manager Billings explained that the earliest that a Special Town Meeting could take place would be August 15 or 16 and that Hugh Gilley's class would be over by that time.

**Motion** by Chris Eaton with a second by Lester Closson to accept the resignation of Hugh Gilley. Motion passed 4-0.

- C. Town Manager Billings reported that MDOT had scheduled a Public Hearing to discuss the future replacement of Clark Bridge to be held Tuesday June 19<sup>th</sup> at 6:00 PM in the Harvey Kelley Meeting Room of the Tremont Town Office. He also explained that MDOT would like to meet with the Select Board at 2:00 PM earlier that same day.

## 12. OTHER

- A. **Motion** by Chris Eaton with a second by James LaPrade to have all Town Property Posted with signs stating "Closed to the Use of Consumer Fireworks". Motion passed 3-1.
- B. **Motion** by Lester Closson with a second by James LaPrade to appoint Bobby Lee as Winter Road Czar. Motion passed 2-1-1, Chris Eaton abstained.
- C. James LaPrade requested that two Slow Children Playing signs be posted at McKinley Cemetery and Hopkins Store.
- D. Robert Lee requested that two School Area signs be posted near the school.
- E. Lester Closson asked if the moss had been removed from the Harbormaster boat, Robert Lee said he had seen the moss on the boat. Lester Closson said that after spending \$9,000.00 for a motor the boat should have been cleaned before it went in the water.
- F. Robert Lee asked if we had bought or if we had a punt. Fishermen had complained to him about the Harbormaster boat being tied up at the float all the time. Town Manager Billings explained that the Harbor Committee had authorized buying a punt and outboard motor but that the purchase had not been made as of this time. Lester Closson expressed his opinion that the punt should be bought and the Harbormaster boat put on a mooring not tied at the float all the time.
- G. **Motion** by James LaPrade with a second by Chris Eaton to excuse Lester Closson from attendance at Selectmen's Meetings for two months. Motion passed 4-0.

## 13. SUGGESTIONS/COMMENTS FOR NEXT MEETING

## 14. REPORT OF ONGOING PROJECTS (formerly Agenda Item 10A)

**Motion** by Chris Eaton with a second by James LaPrade that the board go into executive session pursuant to Title 1 Maine Revised Statutes Annotated, section 405, subsection 6, paragraph E, Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, in regards to pending or

contemplated litigation. Motion passed 3-1, Lester Closson voted against going into executive session. The Board entered executive session at 7:30 PM.

**Motion** by Chris Eaton with a second by Lester Closson for the Board to come out of executive session at 7:45. Motion passed 4-0.

15. SET DATE FOR NEXT MEETING: MONDAY, JUNE 4 & 18, 2012 (formerly Agenda Item 14)

16. ADJOURN (formerly Agenda Item 15)

**Motion** to Adjourn by Chris Eaton with a second by Lester Closson at 7:53. Motion passed 4-0.

Respectfully Submitted,

Millard Billings,  
Town Manager

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Christopher Eaton

\_\_\_\_\_  
James LaPrade

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Robert Lee III

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Hugh Gilley

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Lester Closson