

**TOWN OF TREMONT  
REGULAR SELECTMEN'S MEETING  
TREMONT TOWN OFFICE  
HARVEY KELLEY MEETING ROOM  
MONDAY JUNE 4, 2012  
6:00 PM**

**MINUTES**

**1. CALL TO ORDER**

Chairman Robert Lee III opened the June 4<sup>th</sup>, Selectmen's Meeting at 6:00 PM.

**2. ROLL CALL**

Present were Chairman Robert Lee III, Selectman Chris Eaton, James LaPrade and Town Manager Millard Billings.  
Members of the public present were Chief Keith Higgins of the Tremont Volunteer Fire Department, Mark Good of the Mount Desert Islander, Amy Murphy of the Tremont School Board, and Beth Closson of the Cemetery Committee.

**3. ADJUSTMENTS/ADOPTION OF AGENDA**

There were no adjustments to the Agenda.

**4. ELECTION OF OFFICERS**

Chairman Robert Lee III expressed his desire not to serve as chairman.

**Motion** to reconsider the election of the Chairman was made by Robert Lee with a second by Chris Eaton. Motion passed 2-0-1, Robert Lee abstained from voting.

Voted by secret ballot for the election of Chairman of the Select Board, Chris Eaton received two votes and James LaPrade received one vote. Chris Eaton was declared the winner and proceeded to conduct the rest of the meeting.

**5. APPROVAL OF MINUTES**

**A. MINUTES OF MAY 21, 2012**

**Motion** to except the minutes with the word "gravel" on page two being corrected to become the word "gavel" was made by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

**6. APPROVAL OF WARRANTS**

**Motion** to approve Warrants 123, 124, 125, 126, 127, 128, 129, 130 and 131 was made by Bobby Lee with a second by James LaPrade. Motion passed 3-0

## **7. NEW BUSINESS**

### **A. "WINTER CALL-OUT MAN"**

Town Manager Millard Billings presented the Board with a copy of the minutes of the Meeting of the Tremont Select Board on January 8, 2008 when the Winter Roads Call out-man had been discussed before, at that time MMA had said that the Town Manager has the authority to create and fill Public Works positions. MMA also suggested that the Selectmen rescind their decision that made a winter storm the equivalent of Selectmen's meeting, which would enable Town Manager Billings to create the Public Works position and hire whom ever he feels is qualified.

**Motion** made by James LaPrade to rescind the action of the last meeting of May 21, 2012 when they appointed Bobby Lee as the Overseer of Winter Roads in the Absence of the Town Manager. Chris Eaton abstained from voting, Bobby Lee said he could not second the motion. Chris asked if he abstained could he still make a second. Town Manager Billings stated that he felt both Chris and Bobby should abstain from voting on this issue. Motion died for lack of a second.

Chris Eaton stated that Bobby Lee seems to want it and two members of the Board think I am not qualified so let Bobby have it.

Bobby Lee expressed concern that after 20 years of plowing it hurt him for someone to think he was not qualified for this position.

Chris Eaton asked if the Board wanted to table this article.

Town Manager Billings stated that there was still plenty of time before snow flies to make a decision.

Town Manager Billings stated that he would like to get this settled if you are going to take my authority away as Town Manager, I would like to know.

Chris Eaton stated, I am not taking away your authority.

Town Manager Billings expressed that he had not intended to hurt anyones feelings or that Bobby Lee was not qualified for the position, only that someone has held that position for the past six years, and he saw no reason to make any changes.

Chris Eaton asked if the Board was done with this article.

Town Manager Billings asked what is the status, is this tabled, postponed or what.

Chris Eaton stated that the decision was the Town Managers and also stated that he would be willing to continue.

### **B. RECYCLING UPDATES**

Town Manager Billings distributed copies of emails between ADD and MERC, which were discussing the difference in ADD's totals of Tremont's solid waste tonnage for 2010 and 2011 and MERC's totals of Tremont's tonnage.

Neither group has a good explanation of what caused or why there are different numbers, but the question is still under review, because the difference means about \$3,300.00 in tipping fees to Tremont.

### **C. ANNUAL APPOINTMENTS**

Town Manager Billings announced that an advertisement for volunteers for Boards and Committees had been run in a local newspaper and it was posted on the event sign as well. Office staff had been calling members whose terms were up asking if they wished to be reappointed. So far those who have been contacted six wish to be reappointed and four do not wish to be reappointed. Those who wish to be reappointed are as follows: Spencer Ervin, Planning Board term 5 years; Marcia Madeira, Board of Appeals term 3 years; Jon Crossman, Michael Ryan and Dean Wass Harbor Committee term two years; Mike Ryan, Land Use Ordinance Review Committee one year term.

**Motion** to appoint the six members who wish to be reappointed was made by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

### **D. REVIEW ACTION CONCERNING RESIGNATION**

Selectman Hugh Gilley would like to continue to be a member of the Tremont Board of Selectmen. He is taking a class that will be over on August 16, 2012. He is asking the Board to reconsider their prior action of not granting a leave of absence. He stated that because of Tremont's Australian ballot system of electing municipal officers an election to replace him could not be held until August 29, at which time his class would be over and he would run for the position at that time.

**Motion** to reconsider there action concerning the leave of absence for Hugh Gilley was made by James LaPrade with a second by Chris Eaton. Motion passed 2-1, Bobby Lee voted no.

**Motion** to not accept Hugh Gilley's resignation was made by James LaPrade with a second by Chris Eaton. Motion passed 2-1, Bobby Lee voted no.

## **8. OLD BUSINESS**

### **A. REPORT OF ONGOING PROJECTS**

Town Manager Billings informed the Select Board that the School Board had met on May 31, 2012 and had agreed to the settlement offer with Viking Lumber. The settlement check had been forwarded to the attorney that MMA had furnished the Town. The final documents have not yet been signed, as soon as the release deed for the mechanics lien is signed, we will be able to discuss the terms of the settlement.

### **B. REPORT OF PENDING PROJECTS**

Town Manager Billings gave the Select Board copies of a quote for the sander bodies, plows and wings for the two new trucks. The quote was from H. P. Fairfield for \$62,954.00 per truck, outfitting two trucks will be \$125,908.00. The \$125,908 plus

the \$154,650 for the two trucks brings the combined total of the two trucks fully equipped to \$280,558.00. The Town is purchasing two trucks fully equipped for \$9,442.00 under budget.

**Motion** to purchase the sander bodies, plows and wings from H. P. Fairfield for \$125908.00 was made by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

## 9. TOWN MANAGERS REPORT

A. An Elected Officials Workshop is scheduled for Thursday June 28, 2012 at Atlantic Oceanside Resort in Bar Harbor. Jim LaPrade stated that he would like to attend, he will check his schedule to see if he is available. Chris Eaton said he would like to attend.

B. Bass Harbor Lobster Boat Races are scheduled for Sunday June 24, 2012 at 10:30 registration starts at 9 AM.

C. Maine Coastweek is scheduled for September 15 through the 22, 2012.

D. Request from Carey Donovan, Treasurer, Bass Harbor Memorial Library for carry forwards of funds generated through fund raising, donations and grants to be carried forward into the 2012-2013 Budget year. (see attached request)

**Motion** to approve the Library carry-forwards as requested, by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

E. Town Manager discussed signs banning the use of Fireworks on Town owned property as discussed at the last meeting to place signs on access points to all town owned properties would take 26 signs. The Select Board decided that six signs at Bernard Wharf, Seal Cove Ramp, Elementary School, Town Office, Bass Harbor Floats and Back Beach would be enough for now.

F. Town Manager informed the Board of emails he had received from the Tremont Fire Chief concerning the following:

- Traffic congestion on Flat Iron Road, a Fire Truck and a School Bus met on Flat Iron Road and the trailer loaded with lobster traps that was parked there caused a tie up of traffic. Town Manager Billings stated that he had asked Deputies to look at where the trailer was parked and they had informed him that as long as the wheels were beyond the white line there was nothing they could do about it. Town Manager Billings asked if there was an end in sight and if the traps going in the water so the trailer can be moved? Chris Eaton explained that the owner had asked to set them on Thurston's Dock but was told no they had to go directly onto his boat, he had just now got his boat launched. Chris Eaton offered to speak to the owner.
- Parking violations on Bernard, Rice & Steamboat Wharf Roads, Saturday night Chief Higgins received a call from a former chair of the Select Board to say he had difficulty getting his full sized pickup down the corner at Rice

Road. After much discussion about parking roadside on Rice, Bernard and Steamboat Wharf Roads the Board decided to place signs as follows;

“No Parking this Side” along the western or inland side of Steamboat Wharf Road, and “No Parking here to Corner” along the eastern or shore side of Steamboat Wharf Road from where the present No Parking sign is located to the three way intersection of Steamboat Wharf, Rice and Bernard Roads, along the northern side of Rice Road from Closson’s driveway to the corner and from Goddard’s driveway to the corner on Bernard Road.

- Concerns of abutter with truck washing at the Bass Harbor Fire Station; Chief Higgins stated that an abutter to the Bass Harbor Fire Station had expressed concerns about Firemen washing fire trucks and the water running onto her property. Chris Eaton asked if the water problem could have anything to do with the amount of rain that we have been having lately.
- The condition and maintenance of property at Tremont School. Town Manager Billings stated that in the lease with the School Department for the Community Center all maintenance was to be the responsibility of the School Department and project over \$5,000.00 was considered a Capital Improvement and was the responsibility of the Town. The Murphy Lot north of the Marsh Road was the Town’s responsibility.

## 10. OTHER

Selectman Bobby Lee said he some things he wanted to discuss under other.

- A. He stated that the Town Boat has not been cleaned and the Board had asked that it be cleaned. He also said the boat should be placed on its mooring and not left tied up to the dock. Bobby Lee said “I left my boat tied up at the dock one night and I got a warning and I’m not too God damn happy about it”.
- B. Bobby Lee asked why is the Town crew cleaning up the dock, picking up trash on the dock? The Town Manager said he would check into it.
- C. Bobby Lee stated that a Southwest Harbor fisherman had some traps on the dock but why didn’t the Harbor master notify the owner by the number on the trap.
- D. Bobby Lee stated that he would like to see the Town crew working the hours of 7:00 AM – 3:30 PM with a mandatory half hour lunch. They ride around in the morning checking roads. Bobby stated, “I saw one Public Works Employee at Back Beach at 7:30 on morning reading a newspaper.”
- E. Bobby Lee stated that the Harbormaster is talking to other Town Employees about Chris and Bobby and the snowplow call out position. Bobby Lee stated that he is not doing his 40 hour week job, when is he supposed to be on the dock. Town Manager Billings stated that he did not have the job description

with him he could not answer exactly but this time of year it was from 12 to 3, when the Harbormaster was at the wharf.

F. Town Manager Billings offered to invite the Harbormaster to the next meeting of the Select Board to meet in executive session to hear from the Harbormaster.

G. Bobby Lee stated that after August 29 meeting he will probably resign.

H. Chris Eaton asked if the Board wanted to invite the Harbormaster to the next meeting? James LaPrade asked the Town Manager; "The Harbormaster is supervised by you and so is the Road Crew?" Town Manager Billings answered yes. Bobby Lee stated, "I figured that Millard can straighten this problem out he is the Road Commissioner and Town Manager." James LaPrade stated that perception is reality, so if they aren't keeping busy or it doesn't look like they are kept busy we talking about time to re-evaluate the manpower on projects and what kind of hours are being dedicated to it.

School Board member Amy Murphy spoke on the school consolidation discussions and report that the School Board had voted 4-0 to stop discussing it for now. She had come to the meeting to let the Select Board know that the School Board will not be talking about consolidation anymore.

#### **11. SUGGESTIONS/COMMENTS FOR NEXT MEETING**

**Cap'n Nemos Liquor License Application**

**Approval of updated General Assistance Appendices "A"**

#### **12. SET DATE FOR NEXT MEETING: MONDAY, JUNE 18, 2012**

#### **13. ADJOURN**

**Motion** to adjourn was made by Bobby Lee with a second by Chris Eaton at 6:55 PM. Motion passed 3-0.

**RESPECTFULLY SUBMITTED,  
MILLARD BILLINGS, TOWN MANAGER**

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Christopher Eaton

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James LaPrade

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Robert Lee III

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Hugh Gilley

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Lester Closson