

**TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT TOWN OFFICE
HARVEY KELLEY MEETING ROOM
MONDAY JANUARY 7, 2013
6:00 PM**

MINUTES

1. CALL TO ORDER

Chairman Chris Eaton opened the January 7, 2013 Selectmen's Meeting at 6:00 PM.

2. ROLL CALL

Present were Chairman Chris Eaton, Members Bobby Lee, James LaPrade, Lester Closson and Hugh Gilley, Town Manager Millard Billings also present were James Collier Town Attorney, Margaret Jeffery sellers attorney, Mark Good of the Mount Desert Islander and Fire Chief Keith Higgins. Members of the public present were Linda Gleason, and Peter Butler.

3. ADJUSTMENTS/ADOPTION OF AGENDA

Motion was made by Chris Eaton with a second by Bobby Lee to move agenda item 11 to immediately following agenda item three. Motion passed by vote 5-0.

4. (Formerly Agenda Item 11) POSSIBLE EXECUTIVE SESSION TO DISCUSS ACQUISITION OF LAND

Motion was made by Bobby Lee with second by Hugh Gilley 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. Motion was approved by vote 4-1, Lester Closson voted no. Board went into Executive Session at 6:10 PM.

Motion was made by James LaPrade with a second by Hugh Gilley to come out of executive session at 6:45 PM. Motion was approved by vote 5-0.

**5. (Formerly Agenda Item 4) APPROVAL OF MINUTES
A. MINUTES OF DECEMBER 17, 2012**

Motion was made by Hugh Gilley with a second by Lester Closson to approve the minutes as written. Motion passed by vote 3-0-2 both Bobby Lee and James LaPrade abstained because they were absent for that meeting.

6. (Formerly Agenda Item 5) APPROVAL OF WARRANTS

Warrant 67	\$ 1,130.33
Warrant 68	\$ 800.00
Warrant 69	\$ 166.86
Warrant 70	\$ 7,374.68
Warrant 71	\$ 4,075.05
Warrant 72	\$ 9,336.43
Warrant 73	\$ 2,955.50
Warrant 74	\$ 12,908.49
Warrant 75	\$160,876.82
Warrant 76	\$ 7,322.01

Motion was made by Bobby Lee with a second by Hugh Gilley to approve warrants 67 through 76. Motion passed by vote 5-0.

7. (Formerly Agenda Item 6) NEW BUSINESS

A. RECYCLING/SOLID WASTE UPDATES

The Select Board was given copies of a cover letter from Maine Review Committee Inc., and four pages listing 2013/2014 fiscal year cash distributions. The Select Board was given a copy of Tremont's recycling report ending December 2012. No action was taken by the Board as the documents were for information only.

B. SET DATE FOR WORKSHOP TO INTERVIEW APPLICANTS FOR TOWN MANAGER POSITION

The Select Board agreed by consensus to call an emergency meeting of the Tremont Select Board on Thursday January 10, 2013 at 6:00 PM in the Harvey Kelley Meeting Room of the Tremont Town Office, at which time they proposed to interview each candidate for not to exceed ½ hour per candidate scheduling one for 6:30 PM and one for 7:00 PM.

C. REVIEW DEER HERD MANAGEMENT QUESTIONNAIRE

The Select Board agreed by consensus to accept the draft questionnaire as written and to proceed with the mailing of the questionnaire to Tremont registered voters.

D. REVIEW TERMS OF CONSENT AGREEMENT FOR COMPLIANCE

Motion was made (with the advice of legal counsel) by Hugh Gilley with a second by James LaPrade to deny the request to amend the Consent Agreement. Motion was approved by vote to deny 4-1, Lester Closson voted not to deny the request.

8. (Formerly Agenda Item 7) OLD BUSINESS

A. REPORT OF ONGOING PROJECTS

The Bernard Ramp Boat Launch Facility, the Town Manager had nothing new to report on this project.

B. REPORT OF PENDING PROJECTS

The Town Manager reported that he was waiting for the Tommy-gate to be delivered to Bangor than the truck would be sent up there for installation.

9. (Formerly Agenda Item 8) TOWN MANAGERS REPORT

- A. Wharf & Harbor Revenue & Expense Report as of November 30, 2012 (see enclosed) Copies of the monthly Wharf & Harbor financial statement were given to the Board.
- B. November 2012 real Estate Ratio Study Tremont Tax Assessor (see attached) Copies of the ratio study and copies of the monthly Assessor CEO/LPI report were presented to the Board.
- C. County Commissioners Meeting Agenda for January 8, 2013 at 9 AM. (See Attached) A copy of the agenda for the County Commissioners Meeting was given to the Board.
- D. Concerns of the Auditor about how to close with the annual audit without the Fire Department tax data. The Select Board conceded that the Town needs the audit now with the start of budgeting process for next year starting at the next Board meeting. The Board agreed by consensus to authorize the audit to close out the 2012 fiscal year audit without the Fire Department data included.
- E. Concerns of a resident that abuts the Bass Harbor Fire Station about the snow that was plowed and pushed into the brook between the two properties. Linda Gleason was present to ask that the snow be removed because when it melted it ran into the stream and could possibly flood her basement. The Town Manager said he had visited the site and in his opinion it would not matter if the snow was on the edge of the bank or over the edge of the bank either way when it melted it would still run into the brook. The Select Board authorized the Town Manager to have Public Works Department take the backhoe and Dump Trucks and remove the snow from that side of the Fire Station.

10. (Formerly Agenda Item 9) ANY OTHER ITEMS THAT MAY COME IN LATE AND ARE FOR THE BOARDS INFORMATION PURPOSES ONLY, NO ACTION TO BE TAKEN, UNLESS BOARD REQUESTS IT BE PLACED ON AGENDA FOR NEXT MEETING.

Cape Road resident Peter Butler expressed concerns about the snowplowing on the Cape Road the past storm.

The Tremont Town Manager expressed the following:

The "Winter Call-out Man" is a position that is filled by the Town Manager who has the authority to create and fill Public Works positions. This was discussed at prior meetings of the Tremont Select Board and an opinion from MMA Legal Services, was submitted and discussed at the regular meeting of the Tremont Select Board on January 18, 2008.

- The “Winter Call-out Man” position was created by the Town Manager and a person was hired by the Town Manager to fill that position.
- The person who was hired to fill this position then became a Town Employee not an annual appointment by either the Town Manager or the Board of Selectmen.
- The “Winter Call-out Man” as a Town employee is subject to and protected by the Town of Tremont Personnel Policy and Maine State Statutes governing Fair Labor Standards.

The Town Manager explained the complaints about municipal employees could not be discussed in a public meeting.

The storm caught the Town by surprise the weatherman had reported that we would get 6 inches of snow and we got 16 inches of snow. At 11 o’clock Saturday night there was an inch of snow on the road, and then we got almost 16 inches of snow in the next three hours. The F 450 had blown a tire Friday morning and it got stuck and blew the spare during that three hour period when all the snow was falling. The “Winter Call-out Man” contacted a local contractor to get an additional truck but it took him a while to arrive on the scene. The Town Manager agreed that the Town had been caught by surprise but said he felt certain that it would not happen again.

11. (Formerly Agenda Item 10) SUGGESTIONS/COMMENTS FOR NEXT MEETING

To schedule an Emergency Meeting of the Tremont Select Board on Thursday January 10, 2013 at 6:30 PM for the purpose of a possible executive session to discuss land acquisition, possibly setting a date for and approving a Warrant for a Special Town Meeting and to interview candidates for the Town Manager position.

12. SET DATE FOR NEXT MEETING: THURSDAY JANUARY 10 at 6:00 PM & MONDAY JANUARY 21 at 6:00 PM

13. ADJOURN

Motion was made by James LaPrade with a second by Bobby Lee to adjourn at 7:40 PM. Motion passed by vote 5-0.

Respectfully Submitted,
 Millard Billings,
 Town Manager

 Christopher Eaton

 James LaPrade

 Robert Lee III

 Hugh Gilley

 Lester Closson