

TOWN OF TREMONT
REGULAR SELECTMEN'S MEETING
TREMONT COMMUNITY BUILDING
MONDAY, MARCH 13, 2006
6:00 PM

1. CALL TO ORDER

The March 13th Selectmen's Meeting was called to order at 6:05 pm by Vice Chairman Charlie Dillon.

2. ROLL CALL

Present were Vice Chairman Charlie Dillon, Selectmen Heath Higgins and Kathi Thurston, Town Manager Millard Billings, and Recording Secretary Debbi Nickerson.

Members of the public present were Mark Good – Islander, Laurie Schreiber – Bar Harbor Times, Steve Wilson, Mel Atherton, Kellie Reed-Carter, and Elliot Spiker.

3. ADJUSTMENTS/ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

Selectman Kathi Thurston asked to not have all the attachments with the copies of the Selectmen's draft minutes.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to approve the minutes of the March 6th, 2006 Selectmen's Meeting. Motion passed by a voice vote 3-0.

5. APPROVAL OF WARRANTS

Warrant 102	\$ 1,780.52
Warrant 103	46,247.10
Warrant 104	4,677.74

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to approve Warrants 102 – 104. Motion passed by a voice vote 3-0. Mel Atherton asked about the check for John Goodwin for \$46,247.10. It was explained that it was 30% of the total bid for the foundation.

6. NEW BUSINESS

A. UPDATE NEW TOWN OFFICE

On March 6, 2006 the Board accepted the plans and specifications for the Town Office Building as presented by CES.

Three Bids were presented for the Foundation, Septic, Utilities and Storm Water Project. The bids were opened and awarded to the low bidder, John Goodwin Jr. Constriction for \$154,157.00.

Ads have been submitted to the Bar Harbor Times and Mount Desert Islander to run for three weeks and the Bangor Daily News to run in two weekend editions, for the construction of the Town Office Building.

As of March 6, 2006 funds in the amount of \$238,776.43 have been committed on the project. Funds that have not yet been appropriated are:

1. The well, water line and pump
2. The building
3. Finish grading, roads, parking lots and lawns
4. Any paving

Town Manager Millard Billings reminded the Selectmen they had authorized him to contract with what ever well driller could do the work when the project was ready for the well. Goodwin's has started work on the foundation today.

B. CLERK OF THE WORKS

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to go into executive session pursuant to Title 1 Maine Revised Statutes Annotated section 405 subsection 6 paragraph A, to discuss the appointment of a Clerk of the Works. The motion passed by a voice vote 3-0. The Selectmen went into executive session at 6:24 pm.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to come out of executive session and return to the regular meeting. Motion passed by a voice vote 3-0. The Selectmen came out of executive session at 6:50 pm.

Motion made by Vice Chairman Charlie Dillon, with second by Selectman Heath Higgins, to hire Steve Wilson as the Clerk of the Works on the new Tremont Town Office at \$22.50 per hour as an independent contractor with insurance. Motion passed by a voice vote 2-1. Selectman Kathi Thurston opposed. Steve Wilson agreed to supply proof of insurance.

C. RESIGNATIONS

Frank Staley has submitted his resignation from the Deer Heard Management Committee (see attached).

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to accept this letter of resignation. Motion passed by a voice vote 3-0. Harvey Kelley has submitted his resignation from the Bass Harbor Memorial Library Trustees (see attached).

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to accept Harvey Kelley's resignation from the Library Board. Motion passed by a voice vote 3-0.

D. TOWN LINE

Response to Acadia National Park from Dick Day, Surveyor with Plisga & Day (see attached). Also attached are notes from Town Manager Millard Billings as he spoke to Mike Avery, CES. Mike Avery suggested the town retain attorney Knuit Hermanson, a noted authority on Survey law.

Motion made by Vice Chairman Charlie Dillon, with second by Selectman Kathi Thurston, to authorize Town Manager Millard Billings to contact Knuit Hermanson for legal advice on the town line survey dispute. Motion passed by a voice vote 3-0.

E. APPOINTMENTS

No appointments.

Motion made by Selectman Kathi Thurston, with second by Vice Chairman Charlie Dillon, to disband the Tremont Deer Management Committee. Motion passed by a voice vote 3-0.

F. LAND ACQUISITIONS OPTIONS

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to move that the meeting 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 passed by a voice vote 3-0. The Selectmen went into executive session at 7:13 pm.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to come out of executive session and return to the regular meeting. Motion passed by a voice vote 3-0. The Selectmen came out of executive session at 7:45 pm.

7. OLD BUSINESS

A. ANNUAL BUDGET

Motion made by Selectman Heath Higgins, with second by Vice Chairman Charlie Dillon, to carry forward \$5,321.00 for the Comprehensive Plan Committee. During the discussion of this motion, Selectman Kathi Thurston voiced her objections to the Selectmen carrying forward money for the boards. Selectman Thurston said she feels the boards should not expect their leftover money be carried over to the next fiscal year; it should be considered surplus and the boards should put in new requests for the Selectmen to approve. Selectman Thurston agreed to allow the Comprehensive Plan Committee's money to carry over this time. Motion passed by a voice vote 3-0.

Selectman Thurston said, "This would be a good time for me to make my point. When the audit is done next year, in July or August when ever they come, before the audit arrives in this office I would like the Auditor to hand us a single piece of paper with all the balances and say 'These are the balances. Is there anything here that the Selectmen would like to carry forward?' and we vote on it as a single vote." Vice Chairman Charlie Dillon pointed out that the Selectmen would not know if the boards wanted to carry any money over. Selectman Thurston suggested calling all the Chairmen and informing them how much money was left over and asking them if they'd like any carried over. Town Manager Millard Billings said, "But by then it's too late. If we get the audit done some time after the first of July, and it comes in usually in October, the Budget is already set in

May of this year. So if you don't carry it forward now, if you wait until October when the auditor comes, and then, if for some reason you don't carry it forward, they can't raise any money. Town Meeting has gone by and they can't raise this money." Selectman Kathi Thurston said, "I guess I disagree with the budgeting process. I think you send these [the budget requests] out. And [for example] the Rec Board [states] this is what we want to do this year. We're going to do this, this. We're going to do that, that. And they budget for that particular thing. Something doesn't happen during the budget year we're in right now. They budgeted \$4,000.00, this is what we wanted to do, and they didn't get a chance to do some project that they had planned on doing. At the end of the year, they have X amount of dollars left that was already budgeted for this project. Okay, you didn't do it for some reason, you can carry it forward. But to just carry money forward because it's there. I don't like that. It's a different way of budgeting and I don't like it."

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$4,000.00 for the Recreation Board. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to recommend the Historical Society's request for \$2,500.00. Motion passed by a voice vote 3-0.

Selectman Kathi Thurston asked to have all legal fees be charged to Office Operations not the individual Boards starting with the 2007 FY. All the Selectmen agreed.

Motion made by Vice Chairman Charlie Dillon, with second by Selectman Kathi Thurston, to approve for the warrant for the Planning Board \$5,395.00. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put on the warrant \$2,450.00 for the Animal Control Officer. Motion passed by a voice vote 3-0.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$25,600.00 for the Bass Harbor Memorial Library. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put \$8,000.00 for Dispatch on the warrant. Motion passed by a voice vote 3-0.

Motion made by Vice Chairman Charlie Dillon, with second by Selectman Kathi Thurston, to approve \$41,350.00 for the Fire Department. Motion passed by a voice vote 2-0-1. Selectman Heath Higgins abstained – he is a fire fighter.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$11,000.00 for Cemeteries. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to give Frank \$350.00 for Memorial Day Flags. Motion passed by a voice vote 3-0.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$1,500.00 for the Board of Appeals. Motion passed by a voice vote 3-0.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$5,400.00 for Acadia Disposal District. Motion passed by a voice vote 3-0.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$5,000.00 go to the Seal Cove Reserve. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put on the warrant the four items (for Debt Service - Town Wharf, Fire Truck, Municipal Garage and Construction Loan) recommend passage. Motion passed by a voice vote 3-0.

Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to recommend \$11,000.00 for the Community Building Budget. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to recommend \$10,000.00 for the Community Building Reserve. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to recommend \$3,000.00 for Town Equipment Reserves. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to recommend to put \$75,000.00 on the warrant for State Road Reconstruction Reserve. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to allow \$10,000.00 for Municipal Garage Reserve. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put \$150,000.00 on the warrant for Summer Roads. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put \$10,000.00 on the warrant for Town Equipment. Motion passed by a voice vote 3-0.

Motion made by Selectman Heath Higgins, with second by Selectman Kathi Thurston, to put \$12,800.00 on the warrant for Street Lights. Motion passed by a voice vote 3-0.

8. TOWN MANAGERS REPORT

1. Jessica Damon of DEP said aerial photographs scaled to show 7.2 acres would be okay. Tom Benson is willing to do the work but the aerial photographs that we have of that area are in multiple photos. He has contacted Aerial Survey, who does our tax maps for a photo of the area. Aerial Survey can provide him a single photograph of the area, suitable for his needs and will send it directly to Tom Benson.

2. Fidelity Investments account closure has been authorized by notarized letter, and we are awaiting the check.
 3. Bar Harbor Trust Services is now paying 4.77 % interest on the Town's Money Market Account.
 4. MMA is offering a Newly Elected Officials Workshop at Orono Wednesday May 10, 2006 from 4:30 to 8:30 at the Black Bear Inn; this is the day after Town Meeting.
 5. MDOT transportation project requests (see attached). Selectman Heath Higgins asked about the Ferry route change from Shore Rd. to McMullen Ave.
 6. OTHER
MMA has set up a Public Hearing at 1:00 pm March 16th for LD 2056, which is a bill to repeal Personal Property Tax.
9. SUGGESTIONS/COMMENTS FOR NEXT MEETING
Schedule the Selectmen Meetings at 5:00 pm instead of 6:00 pm. Also schedule a Public Hearing for a Liquor License for April 3, 2006.
10. OTHER
11. SET DATE FOR NEXT MEETING
March 20, 2006
12. ADJOURN
Motion made by Selectman Kathi Thurston, with second by Selectman Heath Higgins, to adjourn. Motion passed by a voice vote 3-0. The Selectmen Meeting was adjourned at 10:25 pm.

Respectfully Submitted,
Debbi Nickerson

Scott Grierson

Katherine Thurston

Heath Higgins

Charlie Dillon