

**PUBLIC HEARINGS  
TREMONT BOARD OF SELECTMEN  
TREMONT TOWN OFFICE  
HARVEY KELLEY MEETING ROOM  
MONDAY JUNE 18, 2012  
6:00 PM  
MINUTES**

Chairman Chris Eaton called the Public Hearings to order at 6:00 PM on Monday June 18, 2012. In attendance were Board Members Robert Lee III and James LaPrade, Town Attorney James Collier and Town Manager Millard Billings. Members of the public present were Mark Good, Mount Desert Islander, Chief Keith Higgins, Volunteer Fire Department, Mel Atherton Harbor Committee and Cassiar Cousins Representing Cap'n Nemo's.

**THE TREMONT SELECT BOARD HAS SCHEDULED PUBLIC HEARINGS FOR THE CONSIDERATION OF APPLICATIONS FOR THE FOLLOWING:**

**1. AN ON-PREMISE LIQUOR LICENSES FOR ROBERT AND JUDY COUSINS D/B/A CAP'N NEMO'S, FLAT IRON ROAD, BASS HARBOR.**

Chairman Chris Eaton read agenda item number one and asked if there was any public comment. There was no public comment offered.

**2. A SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS D/B/A CAP'N NEMO'S, FLAT IRON ROAD, BASS HARBOR.**

Chairman Chris Eaton read agenda item number two and asked if there was any public comment. Fire Chief Keith Higgins asked about dancing. Town Manager Billings answered that the application was to allow dancing, vocal and/or amplified music. There was no further public comment offered.

**3. TO HEAR PUBLIC COMMENT ON THE MMA MODEL ORDINANCE GENERAL ASSISTANCE APPENDICES "A", FOR THE PERIOD JULY 1, 2012- JUNE 30, 2013, AS REVISED APRIL 2012.**

Chairman Chris Eaton read agenda item number three and asked if there was any public comment. Mel Atherton asked what a General Assistance Appendix was. Town manager Billings answered that every fall DHS submits General Assistance allowance standards for each county state wide and towns need to adopt them as the guidelines for their General Assistance allowances. This year DHS has issued an amendment in June to take effect July 1, 2012 and run until the fall appendices are approved. The DHS amendment to Appendices "A" is what is being approved tonight. There was no further public comment.

Chairman Chris Eaton closed the Public Hearings at 6:03 PM.

**TOWN OF TREMONT  
REGULAR SELECTMEN'S MEETING  
TREMONT TOWN OFFICE  
HARVEY KELLEY MEETING ROOM  
MONDAY JUNE 18, 2012  
IMMEDIATELY FOLLOWING PUBLIC HEARINGS**

**MINUTES**

**1. CALL TO ORDER**

Chairman Chris Eaton opened the June 18<sup>th</sup> Selectmen's Meeting at 6:03 PM.

**2. ROLL CALL**

Present were Chairman Chris Eaton, Board Members Robert Lee III and James LaPrade, Town Attorney James Collier and Town Manager Millard Billings. Members of the public present were Mark Good, Mount Desert Islander, Chief Keith Higgins, Volunteer Fire Department, Mel Atherton Harbor Committee and Cassiar Cousins Representing Cap'n Nemo's.

**3. ADJUSTMENTS/ADOPTION OF AGENDA**

There were no adjustments to the Agenda.

**4. APPROVAL OF MINUTES**

**A. Minutes of June 4, 2012**

**Motion** to except the minutes with the word "Lawson" on page one corrected to become the word "Closson" was made by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

**5. APPROVAL OF WARRANTS**

Warrant 132	\$ 5,866.50
Warrant 133	\$26,618.24
Warrant 134	\$ 8,285.58
Warrant 135	\$ 4,970.62
Warrant 136	\$11,292.23

**Motion** to approve Warrants 132, 133, 134, 135, and 136 was made by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

**6. NEW BUSINESS**

**A. RECYCLING**

Town Manager Billings stated that in the packets were the monthly recycling report from Ellsworth and copies of email correspondence from ADD. This is for information purposes only no action is needed.

**B. ON-PREMISE LIQUOR LICENSE FOR ROBERT AND JUDY COUSINS  
D/B/A CAP'N NEMO'S, FLAT IRON ROAD, BASS HARBOR.**

**Motion** was made to approve the Liquor License for Robert and Judy Cousins doing business as Cap'n Nemo's by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

**C. SPECIAL AMUSEMENT PERMIT FOR ROBERT AND JUDY COUSINS  
D/B/A CAP'N NEMO'S, FLAT IRON ROAD, BASS HARBOR.**

**Motion** was made to approve a Special Amusement Permit for Robert and Judy Cousins doing business as Cap'n Nemo's by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

**D. ACTION CONCERNING MMA MODEL ORDINANCE GA  
APPENDICES "A".**

**Motion** was made to approve the revision of the 2012 MMA Model Ordinance General Assistance Appendices "A" by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

**E. APPOINTMENTS**

**Motion** was made to appoint James Geary to the Warrant Committee for a three year term by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

**Motion** was made to appoint Gloria Bessette to the Tremont Housing Authority for another term by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

Town Manager Billings stated that Reva Weisenberg has asked to be reappointed for a three year term on the Board of Appeals and a five year term on the Comprehensive Plan Committee, Art Paine has asked to be reappointed for another two year term on the Harbor Committee and Christina Baker has asked to be reappointed for another three year term on the Recreation Board.

**Motion** was made to appoint the volunteers listed to the respective Boards by Bobby Lee with a second by James LaPrade. Motion passed 3-0.

## **7. OLD BUSINESS**

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

There was nothing new to report under Ongoing Projects.

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

There was nothing new to report under Pending Projects. Town Manager Billings asked the Board if they wished to continue the Internet Exploratory Committee now that a contract for fifteen years has been reached with Time Warner Cable.

**Motion** was made to disband the Internet Exploratory Committee for the time being, if a need arose at a later date it could be reactivated by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

## **8. TOWN MANAGERS REPORT**

- A. Elected Officials Workshop is scheduled for Thursday June 28, 2012 at Atlantic Oceanside Resort in Bar Harbor.
- B. Bass Harbor Lobster Boat Races are scheduled for Sunday June 24, 2012 at 10:30 registration starts at 9 AM. Selectman Bobby Lee requested that a roll off dumpster and a Port-a-Pottie would be made available for the Races.
- C. Maine Coastweek is scheduled for September 15 through the 22, 2012.
- D. Public Hearing with MDOT scheduled for Tuesday June 19, 2012 at 6:00 PM Tremont Town Office to discuss replacement of Clark Bridge.
- E. Meeting with MDOT, ANPS & Select Board at 2:00 PM Town Office to discuss Clark Bridge replacement.
- F. Assessor/CEO report for April and May was submitted.
- G. Wharf and Harbor Revenues and Expenses and Dredge Project Fund Balances for May 2012 were submitted.
- H. Town Manager Billings announced that the School Department has awarded the Fuel Bid for the 2012-2013 heating season to Acadia Fuel LLC for \$2.77 per gallon and that the Town has piggy-backed on this bid.
- I. Town Manager Billings asked the Board to set an amount they wished to receive from the sale of truck #2 the Ford F650. The consensus of the Board was to set the initial asking price at \$15,000.00.

## **9. Possible Executive Session {M.R.S.A. Title 1 § 405(6)E}**

Town Attorney James Collier explained that he would like to discuss the Town Manager form of Government and answer any procedural questions that the Board may have. He stated that if personal and personnel issues could not be discussed he would like to continue in open session. The Board agreed to continue in open session. Town Attorney James Collier stated that he had talked to the Town Manager and that he had watched the tapes of the last three meetings. Mr. Collier listed several informational packets available on the MMA website, the Town Manager Plan Legal Packet, a 1970 Maine Townsman article by Charles Jackson and Maine Revised Statutes Annotated section 2631. Mr. Collier stated that under the Town Manager Plan the business of running the employees rested with the Town Manager, The overall policies rested with the voters and individual policies rested with the Board of Selectmen.

Town Attorney Collier advised the Board not to be bias but to be impartial. Do not let personal feelings interfere with public thoughts; there should be no personal feelings involved or no personal agenda to grind. Municipal Officers are elected to serve the people you do not serve when you let personal feelings come in.

Town Attorney Collier discussed procedural issues: other. Mr. Collier stated that it is not required to have an agenda, but that it was a good idea to have an agenda. MMA suggests having other on the agenda for emergencies not for premeditated issues. Tell the Town Manager to put the issue on the agenda. If you must bring something up under other ask if it can be put on the agenda and discussed at the next meeting do not take action under other.

## **10. Personnel Matter {Possible Executive Session M.R.S.A. Title 1§ 405(6)A (2)}**

**Motion** that the Tremont Board of Selectmen go into Executive Session to consider a personnel matter pursuant to Title 1, Maine Revised Statutes Annotated section 405 subsection 6 paragraph A, was made by Chris Eaton with a second by James LaPrade. Motion passed 3-0. The Board went into executive session at 6:45 PM.

**Motion** was made to come out of executive session by James LaPrade with a second by Bobby Lee. Motion passed 3-0. The Board came out of executive session at 7:29 PM.

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

There were no suggestions for the next meeting.

## **12. OTHER**

There was nothing discussed under other.

**13. SET DATE FOR NEXT MEETING: JULY 2 & 16**

**14. ADJOURN**

**Motion** was made to adjourn at 7:31 PM by James LaPrade with a second by Bobby Lee. Motion passed 3-0.

**Respectfully Submitted,  
Millard Billings, Town Manager**

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Christopher Eaton

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

\_\_\_\_\_  
Robert Lee III

\_\_\_\_\_  
Hugh Gilley

\_\_\_\_\_  
Lester Closson