Town of Chebeague Island

Selectmen’s Meeting

Minutes of Meeting

July 18th, 2007

Meeting called to order: 7:08PM

Mark – Motion to approve minutes of meeting of 7/06/07 and 7/11/07.
Donna – Motion to approve minutes one at a time.
Leon – 2nd
Donna – Motion to approve minutes of meeting 7/06/07
Donna – Motion to table minutes for meeting 7/11/07. These needed changes and can be approved on 7/25/07 or at our next regular meeting.
Herb – 2nd.

Mark – We are trying to develop an agenda with the Vice Chair. We will be trying something similar to other meetings.

Comments from floor:

Cheryl Buxbaum – There is a truck on South Road that is sticking out into the road. This needs to be moved before someone gets hurt. Also, Robert Libby’s debris against the road needs to be cleaned up.

**Note: Scott Secord will handle these.

**Note: John Komlosy took down a tree on corner of South Road that was blocking view in road. Mark Dyer thanked John.

OLD BUSINESS:

Public hearing on Annex referred to Ron.
Ron – Article 103 was adopted at the town meeting of July 1st, 2007. This is an Annex to make the new town eligible for FEMA funds when another storm does damage like the one on Patriot’s Day. Coleman’s Cove and Sandy Point need to be repaired, but they will take longer because they need to be fixed right so another storm will not create the same damage.

Mark – Comments from the public?

Leon asked why is the Recreation Center not used as an evacuation facility?

Donna – There is no generator at Recreation Center. The hall has one. I think we should look into getting on for the center under the Emergency Management Plan.

Herb – Please explain the differences in the document from 7/11/07 & 7/18/07. This one has a couple of edits.

Beth Howe – I have made edits in Annex. The copy given out is not the right version. When the Board adopts this it will be on line. Time line for this is as soon as possible. The finished document needs to be finalized. I will add two pictures and public hearing information.

Leon – Is there any cost to the town for this?

Beth Howe – No.

Leon – We will be eligible for funds if we approve this Annex.

Beth Howe – Yes.

Mark – We should consider action on Annex as long as everyone understands. We could take action if we wish.

John Wilson – When annex is added can it be amended?

Beth Howe – Yes.

John Wilson – You should the Annex done now and then amend it.

John Wilson – I have a second concern. What about the removal of deadwood. We are in a very wet area, fire cover is very low. The canopy in the fall could be a problem.

Tom Calder – The State Warden Service has been here to review the situation. They have authority to have landowner’s to clean up. State Forester is coming out and they are also working with Long Island.

Donna – Dickie Clark said FEMA is helping. Can we add projects? South Shore Drive was redefined into private property, due to erosion. Do not make statements we cannot prove.
Mark – Floor is still open. Seeing and hearing no response I am closing the public hearing portion of meeting (7:55PM)

Leon – MOTION – We adopt and accept Annex. The Cumberland County Mitigation Plan as Beth has discussed and stated in public hearing.

Donna – 2nd.

Beth Howe – Information to go by:

- Page 10 – Flooding – Concerns at Boat Yard and Stone Pier.
- Page 12 – Cost to Cumberland for five roads to be repaired $140,000. I feel this is low.
- Page 7 – This needs to go in the Portland Press Herald when you set a date for public hearing.

Ron – Beth will you follow up on the Recreation Center being an Emergency Center?

Beth Howe – Yes.

Donna – Page 16, we need to strike statement about South Shore Drive.

Mark – We will consider it part of amendments. It will be stricken.

Mark – Any further discussion? Hearing none.

Vote: Unanimous.

Mark – MOTION – Approve Cumberland County Mitigation Plan to which this is written prior to Annex. This plan was adopted.

Chris – 2nd.

Ron – Next on the agenda is the renewal of Victualer’s license for the Sunset House Bed & Breakfast. The permit has been paid and all inspections are complete.

- Health Inspection – passed on new procedure for dating perishable foods. Advised need of new hand wash sink when remodel done. No follow up required.
- Fire Inspection – passed all requirements.
- Code Enforcement – found everything in compliance.

Ron – Request’s granting approval for new Victualer’s license.

Mark – Any comments? Seeing and hearing none.

Mark – Closed public comment.
Donna – Motion – Grant Victualer’s license for the Sunset House Bed & Breakfast for the 2007 to 2008 year.

Mark – Any discussion? Hearing none.

Vote – Unanimous.

Ron – Next on the agenda is the hearing on the Slow Belle Café. This includes Victualer’s license, Liquor License and Special Amusement Permit.

Ron – Permit’s have been paid and had the following comments from inspections.

- Health Inspection - Sinks not yet installed. Conditional approval if all completed. Will inspect again on 8/02/07.
- Fire Inspection – Needs to install Hood and Fire Suppression System. Conditional approval if all completed. Will inspect again when this is complete.
- Code Enforcement – Plumbing and cooking area not ready yet. Conditional approval. Asked Mr. Komlosy to contact Code Enforcement Office for another inspection.

Ron – What is the wish of the Board?

Donna – If we approve conditional. What would he have to do? All items would have to satisfy all requests of Fire, Health and Code Enforcement?

Ron – All reports with approval from all three departments and license will be issued.

Mark – Opened Public Hearing – Only on Slow Belle Café.

Herb – Jon, do you understand?

Jon – Yes, the plumber had been backed up for months. The sinks will be installed when he can get here. The fire suppression system is installed. The hood need protection system wires are in needs to be finished.

Mark – Any further comments? Hearing none.

Mark closed Public comments.

Donna – Motion – Motion to grant Victualer’s License to the Slow Belle Café subject to all conditions, Health & Fire be completed.

Mark – 2nd.

Vote – Unanimous.
Ron – Next is the Liquor License for the Slow Belle Café. This license is approved by the State of Maine.

Mark – Opened Public Hearing.

Cheryl Buxbaum – What kind of liquor license had Jon applied for?
Ron – Class II (wine, beer and malt liquor).
John Ash – Are the hours specified?
Jon Komlosy – Will only serve liquor from 1PM to 11Pm.
Barbara Marks – Is this on premises or can we buy it and take it home?
Jon Komlosy – No, this is strictly on premises. It’s a consumption license.
Mark – I think the State wants to see that the town backs this request.
Mark – Any further comments? Hearing none, closed public hearing.
Leon – Motion – Motion to approve Liquor License for the Slow Belle Café.
Chris – 2nd.
Mark – Any discussion? Hearing none.
Vote – Unanimous.

Ron – Next is the Special Amusement Permit. There is no ordinance or criteria for this within the town. You have the minutes from the May 21st, 2007 meeting that the Cumberland Town Council had on Chebeague Island.

Mark – Opened public hearing.

Ken Hamilton – How sensitive will Jon be to noise complaints? If it gets to loud will it be shut down?

Jon Komlosy – The live music inside and outside will be three days a week not seven. It will go from 1PM to 10PM. The café is surrounded by trees and projected towards my Grandmother’s house. You will hear the music, but not the whole island. If we are too loud we will shutdown. I will be fully responsible.

Herb – How long is this good for?
Ron – One year.
Barbara Marks – Are the night specified for music?
Jon Komlosy – There will be Rock N’ Roll once a week, maybe. It will change. It will not be three nights in a row.

Deb Bowman – Are non-profits required to get the same permits? What’s the penalty for not getting permits?

Ron – Yes and I do not know.

Mark – Any questions or comments?

Donna – Will live music be regulated for three days, any other entertainment is for seven days? We need to develop an ordinance over next few months for outdoor live music. Also, check on mass gatherings.

Barbara Marks – This permit is only good for one year?

Ron – Yes. Remember the ordinance can be suspended or revoked if this becomes a deterrent to the public.

Herb – Note the type of entertainment is only live music.

Leon – No more ordinances. If we have a problems we will take of it them.

David Stevens – I think Jon is responsible. I request that you approve permits.

Mark – Motion to close public hearing. Hearing no objection Mark closed hearing.

Mark – Motion to approve Special Amusement Permit for the Slow Belle Café.

Donna – Motion, approve music, dancing and entertainment with stipulation of live music 1PM to 10PM, restricted to three day a week.

Chris – 2nd

Donna – Discussion. Let the record show, that I feel strongly that this be done with respect of the neighbors.

Mark – Motion to vote, any further discussion?

Vote: Unanimous.

Ron – The next item on the agenda is the Chebeague Island Hall & Community Center’s renewal of Special Amusement Permit and Bottle Club Permit.

Ron – Special amusement permit requires no inspections.
Mark – Opened floor for public hearing.

Mark – Hearing none, motion to close hearing.

Chris – Motion – To grant Special Amusement Permit for the Chebeague Island Hall & Community Center.

Leon – 2nd.

Donna – Due to emergency situation we handled without hearing date set.

Vote – Unanimous.

Ron – Renewal of Bottle Club Permit for the Chebeague Island Hall & Community Center.

Donna – Recalls request of police coverage Oct. 2003/2004. Current permit has no stipulation. Vote for last Bottle Club Permit, island Hall has own policy for getting police coverage. The Hall either hires coverage or the person that is renting it.

Donna – Please read minutes to public from Cumberland.

Leon – What is the date on license that they have now?

Ron – August 2007.

Deb Bowman – She would be an advocate to look at permits to see if police need to be on site. Each case should be looked at individually. This requirements puts burden on fund raisers.

Cheryl Buxbaum – We now have a Cumberland County Sheriff, not town. We can hire the sheriff at a moments notice.

Mark – The Community Center should have their own responsibility to handle their own events. Let them look at each event. Let them make the call if they need police coverage.

Dianne Brewer – We were under the impression that all events had to have an officer.

Claire Ross – Having a sheriff on island will make a big difference.

Cheryl Buxbaum – When Scott is hear, he can shadow events. What happens during off season? We have agreements in place when alcohol is present.

Kenneth Hamilton – If they rent the hall. The hall is off the hook. The person renting it is responsible.

Mark – Closed public hearing.

Mark – Asked for motion to renew Bottle Club permit for the Chebeague Island Hall & Community Center.
Leon – Motion – Motion to recommend renewal of Chebeague Island Hall & Community Center Bottle Club permit.

Donna – 2nd.

Mark – Any discussion? Hearing none.

Vote - Unanimous.

Leon – We need to set the Coastal Waters and Shellfish Committees term limits. Can we do this or do we have to talk to the town attorney?

Ron – Yes, we can set term limits.

Leon – Motion: To have the Board of Selectmen set the Coastal Waters and Shellfish Committee have the following number of members and term limits.

- Total of five (5) people on each committee.
- Two – members have a three year term.
- Two – members have a two year term.
- One – member have a one year term.

Mark – so moved

Herb – 2nd

Mark – Any discussion? Hearing none.

Vote: Unanimous.

Ron – General Assistance for needs signatures, no motion required.

Ron – We need to vote on tax anticipation note. Each one needs an individual vote.

- Vote #1

  Herb – On TANS, are we within limits?

  Donna – Do we need a public hearing?

  Ron - No, no public hearing is necessary.

  Herb – Did we keep school in mind?

  Ron – Yes, $540,000 for the quarter we are in now. Also, real estate taxes will be coming in.

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• Vote #2
  Note is to operate by IRS code.
  Herb – Move to adopt paragraph #2.
  Donna – 2nd
  Vote – Unanimous

• Vote #3
  Donna – Move to adopt paragraph #3.
  Herb – 2nd
  Vote – Unanimous.

• Vote #4
  Mark – Move to adopt paragraph #4
  Chris – 2nd
  Vote – Unanimous.

• Vote #5
  Mark – Move to adopt paragraph #5.
  Donna – 2nd
  Vote – Unanimous.

Donna – Are Ron and Susan bonded?
Ron – Yes.
• Vote #6

Donna – Move to adopt paragraph #6.

Herb - 2nd

Vote – Unanimous.

Ron – Explained what will go on with Bulky Trash Weekend.

Ron – Explained volunteer committee appointment list.

Ron – Explained more about the payroll system that we are using.

Ron – Advised that we will be issuing our own tax bills. He had a meeting with Bill Shane and they agreed that we would do this. We will be saving the Town of Chebeague $10,000. We will have training with Bill Healey, Bill Shane and Trio.

Ron – Discussed that we need to in the near future post for an Assessor.

Herb – Will Bill Healey contract?

Ron – I do not know, but we can ask.

Ron – Also, Paul White will have assessor license the end of July.

NEW BUSINESS:

Donna – Bill Shane has agreed that we can copy town records. She is looking for some volunteers to go over to the Cumberland Town Office and help. This is free of charge.

Donna – Discussed the issue of speeding trucks. Maybe we need signs at Bennett’s Cove and a notice in the calendar. Also, we could do public hearing.

Donna – She has calls about the Hook.

Ron – He and Dave Campbell have looked at this problem. We have rock and gravel coming via the Storey Brothers in the near future.

Kenneth Hamilton - How did we hire Paul White?

Ron – With the recommendation of the Transition Committee.

Mark – Move to adjourn meeting at 10:15PM

Leon – 2nd.