

*Town of Chebeague Island
Regular Meeting of the Board of Selectmen
Wednesday, August 13, 2008
Island Hall & community Center*

*Present: Mark Dyer – Chair, Herb Maine Vice-Chair, Donna Damon, Chris Rich and Scott Seaver Town Administrator.
Leon Hamilton – absent.*

1. Call to order:

Meeting called to order at 7:05AM.

2. Approval of prior minutes:

Minutes of Special Town Meeting, June 7th, 2008.

Herb Maine – moved to accept minutes as presented.

Chris Rich - seconded.

Discussion – none.

Vote - Unanimous.

Minutes of Regular Selectmen Meeting, June 9th, 2008

Herb Maine – moved to accept minutes as presented.

Chris Rich – seconded.

Discussion – none.

Vote – Unanimous.

Minutes of Executive Session & Special meeting of the Board of Selectmen.

Herb Maine – moved to accept minutes as presented.

Chris Rich – seconded.

Discussion – none.

Vote – Unanimous.

3. Approval of Warrants.

Warrant 02-2009:

Herb Maine - moved to accept Warrant 02-2009 dated August 11, 2008 in the amount of \$53,054.28.

Chris Rich – seconded.

Discussion: Donna Damon asked for clarification of policy on when she has questions on warrants. Mark Dyer stated that if any of the Selectmen have questions that they should contact the Town Office before the meeting and then have a brief discussion at the meetings. This should cut down on discussion time and maybe help stream line the meeting.

Vote – Unanimous.

Warrant 26-2008:

Chris Rich – moved to accept Warrant 26-2008 dated August 13, 2008 in the amount of \$5,808.00.

Herb Maine – seconded.

Discussion: Mark Dyer asked if this was the last warrant for 2008. Scott Seaver, yes.

Donna Damon asked why we were charged for three trips to get the chipping equipment to the island.

Scott Seaver advised it was due to the weight and size of machinery.

Vote – Unanimous.

4. Public Comments:

None.

5. Town Administrator Report.

Scott Seaver advised that the balance of the checking account is \$788,000. He advised that if the tax bills come in, there will be no need of a tax anticipation note.

Scott discussed:

- *The Division Point stair project. He advised that the stairs are not in the right of way. He advised that he had a contractor and Public Works Department look at the project and will need approximately \$2,000 to make repairs. In the mean time a sign will be posted to use at your own risk.*
- *Advised that the speed signs are here. We are working with Officer Secord to finalize placement of the signs.*
- *Working with David to run water to the Transfer Station. This will be a seasonal water system.*
- *Advised that the payroll system has been activated and will start October 1, 2008.*
- *Advised that a BYOB permit was issued August 12th, for an event at the CIBY.*
- *Stated that Public Works Department, digging of gravel had no intent on doing anything wrong. It will give better access to the brush area.*
- *Next month we have a brush cutting machine coming for one week. This will mow as well as cut brush.*
- *We will start working with the Town of Yarmouth on a new wharf agreement.*
- *Stone Pier work will be done in September.*
- *Advised of receipt of a letter from the Chebeague Recreation Center. This letter is regard of the condition of the ball field. They are asking for crew, equipment and top soil to redo the in-field. The School has agreed to buy the seed. Scott advised that the town does not have a stock pile of top soil, may have 20-30 yards. We need to meet with the Recreation Center. Donna Damon asked if it was only the in-field. Scott stated that was the request in the letter. Donna also asked if anyone had spoken to the donor of the field. Scott advised he was not sure. Donna wants to make sure the donor is notified of request.*
- *Bob Konczal will be ready for a meeting to set the mil rate on August 20th. Donna Damon asked is Bob would be here all day Wednesday. Scott stated he would find out. HERB MAINE – MOVED TO SET, AUGUST 20TH, 2007 @ 7:00PM FOR A SPECIAL MEETING OF THE BOARD OF SELECTMEN. THE AGENDA WILL BE TO SET THE MIL RATE FOR THE TOWN OF CHEBEAGUE ISLAND FOR THE TAX SEASON 2009. Chris Rich – seconded. Discussion: Mark Dyer asked that a mailing be done notifying residents of meeting. Vote: Unanimous.*
- *Doug Ross discussed information about training on the National Incident Emergency Management. This is an online course that takes about four (4) hours. Also that there is an October 1st deadline. Donna Damon asked what this is. Doug explained that it has to do with the need of knowing coordination of disasters and how it all comes together. Also it has to do with grant money.*

6. Old Business:

6.1 To see if the Selectmen will discuss and/or consider adopting a policy to deal with BYOB (bring your own bottle) requests within the community.

Mark Dyer discussed that an individual can apply for a BYOB permit. Do we have or need a policy in place that someone within the Municipality can sign off on the permit ?

Donna Damon stated that there should be one (1) process for the Island Hall and now we will have a different process for others.

Old Business continued:

That seems simpler than doing individual permits. Scott Seaver advised that event licensing and is really issued by the State. All we are doing is being notified that an event will be happening. Donna Damon asked about who is responsible if something happens. Scott Seaver advised that it would be between the owner of the facility and the person taking out the permit. Paul Belesca of the Chebeague Island Boat, LLC, stated that legal counsel and State Liquor Licensing Representative advised "not" to hold a Bottle Club Permit. Mark Dyer asked to confirm that conversations have been held between the Town and Dan Smaha (State Liquor Licensing Agent for Cumberland County), Scott advised he had spoken to Mr. Smaha's supervisor. Scott Seaver explained the differences in the permits that have been requested during the last year. Herb Maine stated the differences are that you are taking on liability. We need an attachment to be given to each individual requesting a permit explaining liability exposure. Scott Seaver advised of what is called a "liquor policy" you can get from your insurance company to protect the renter. Paul Belesca explained the difference between BYOB permits and what the Island Commons applied for that required a Licensed Caterer. Mark Dyer stated that an attachment would be a good idea of the risk that the individual is taking on. Donna Damon asked if Boat Yard personnel on site during an event. Paul Belesca and Vicki Todd both stated that there is always someone there when an event is happening. Scott Seaver reminded everyone that the Boat Yard has a facility to protect. Mark Dyer asked who would have the authority to sign permits? Chris Rich stated it should be the Town Administrator. Mark Dyer stated we should have a back up person. Herb Maine stated the Town Clerk should be the authorized back up.

Donna Damon asked if anything will come to the Board of Selectmen. Scott Seaver advised that as functions are applied for the office will let everyone know, including the Public Safety people.

**HERB MAINE – MOVED TO DIRECT THE TOWN ADMINISTRATOR TO DRAFT A POLICY STATING THAT THE SELECTMEN DESIGNATE THE TOWN CLERK AND/OR TOWN ADMINISTRATOR TO APPROVE APPLICATION FOR BYOB FUNCTIONS FROM A RESIDENT OF THE STATE OF MAINE AND TO INCLUDE THE REQUIREMENT TO REPORT THESE AT THE NEXT PUBLIC MEETING OF THE SELECTMEN; THE POLICY AND PROCESS SHOULD INCLUDE A STATEMENT OF LIABILITY TO BE SIGNED BY THE APPLICANT AND FILED AT THE TOWN OFFICE; AND TO GIVE THE TOWN CLERK AND TOWN ADMINISTRATOR PROVISIONAL AUTHORITY UNTIL THE POLICY IS APPROVED.
CHRIS RICH – SECONDED.**

Discussion: Donna Damon asked if we say "no" does it make a difference? Scott Seaver advised, no. This permit is issued by the State, the permit form is just a formality to inform the State that the Municipality knows the events are being requested. Mark Dyer asked that Scott Seaver draft a policy and bring it back to the next meeting of the Selectmen.

VOTE: THREE (3) IN FAVOR, ONE (1) OPPOSED (DONNA DAMON – OPPOSED).

6.2 To see if the Selectmen will discuss changes in the following ordinances.

Shellfish Commission Ordinance:

No discussion was held on this matter as a Public Hearing is scheduled for August 14, 2008.

Zoning Ordinance:

Mark Dyer recognized Beth Howe. Beth asked the Selectmen if they had any questions about the proposed zoning changes. Donna Damon asked for clarification of camping and/or camp site. Beth stated that camp grounds are usually for profit. She advised that the State mentioned that we had no wording on camp sites. If we do not have something stated you can not do it. Also, this is required by law.

6.2 Ordinance discussion continued:

Mark Dyer asked if shoreland zoning only? Beth stated, yes. Mark asked if the State is asking for wording. Beth advised, yes.

Herb Maine asked if we can strike this. Beth advised that we are required to have something.

Donna Damon asked if fuel storage pads are required.

Beth stated yes, all storage will need concrete pad, not containment.

Beth discussed non-conforming lots. Donna Damon asked about frontages. Beth read zoning on frontages and all requirements.

Parking/Traffic Ordinance:

Scott Seaver discussed the parking/traffic ordinance, advised it has no float related issues.

He advised added a Section 4.1 – Speed Limit. Also, added wording not to park a certain distance of an intersection.

Scott also advised that page 4 will be snow/slush removal and page 5 (6.2) Chandlers Cove.

7. New Business:

7.1 To see if the Selectmen will discuss and possibly act in the funding of the replacement of stairs at Division Point.

Scott Seaver discussed the replacement of the stairs down to the beach. Mark Dyer asked if it would be the same amount as discussed in the Town Administrator report. Scott advised, yes. It would cost approximately \$2,000 to replace stairs. Scott also advised that he will need to talk to Paul White to make sure that it is done by code.

HERB MAINE – MOVED TO APPROPRIATE \$2,000 FROM THE CONTINGENCY FUND.

DONNA DAMON – SECONDED.

VOTE: UNANIMOUS.

7.2 New Non-agenda items to be presented by Selectmen.

Mark Dyer asked about signs for the Town Office. Scott advised they have been ordered.

Mark also asked about mowing and trimming in front of the Office. Scott stated he will look into it.

Donna Damon asked about the stop signs. Scott advised that they are at the Public Works Garage. Also, asked about cones in front of the Store and Library and mowing of the sides of the road. Scott advised he had looked into a machine to mow and should hear from it soon.

Donna Damon discussed in making our version of the Boston Cane.

Beth Howe asked for a slot on the next agenda for scope of work of the Comprehensive Planning.

Mark Dyer asked for unfinished business be printed on the back of the agenda.

8. Adjourn Meeting.

Herb Maine – moved to adjourn meeting at 9:27PM.

Chris Rich – seconded.

Vote: Unanimous.

Respectfully submitted by Susan Campbell