

Town of Chebeague Island
Minutes of Regular Meeting of the Board of Selectmen
Wednesday, September 10, 2008 @7PM
at the Island Hall & Community Center

Present: Herb Maine, Leon Hamilton, Chris Rich, Donna Damon & Scott Seaver. Mark Dyer, absent.

1. Meeting called to order at 7:02PM.

2. Approval of prior minutes.

Donna Damon moved to table minutes of August 13th & August 20th until the next regular meeting.

Leon Hamilton seconded.

Discussion- none.

Vote – Unanimous.

3. Approval of Warrant #3-2009.

Donna Damon asked how many warning tags were bought and how long will they last?

Scott Seaver advised around 500 and they should last a while.

Donna Damon asked if we could consolidate accounts such as Staples in office supplies. No need to itemize what was bought.

Scott Seaver advised we can consolidate items on next warrant.

Donna Damon asked how many road signs were purchased.

Scott Seaver advised eight.

Leon Hamilton asked about the parts for the back hoe. Is it in good shape?

Scott Seaver advised that the back hoe is in as good shape as it can be. David replaced pins and parts for the four wheel drive.

Scott Seaver discussed that combining Clean Harbor charges and barging hazardous waste day cost the Town \$370 per car that entered the Town Garage. David reported we had twenty-two (22) cars. May need to go to a two (2) year cycle. We have to remember that they charge by the box not how many items received.

LEON HAMILTON – MOVED – TO ACCEPT WARRANT #3-2009 IN THE AMOUNT OF \$162,427.47

DATED 9-04-08.

CHRIS RICH SECONDED. DISCUSSION – NONE.

VOTE: UNANIMOUS.

4. Public comment.

Beth Howe discussed if the Town had any interest in a fire pond on Cottage Road. Russ Crosby will be coming to the Planning Board for a sub-division request. There is a pond on the property and may be useful. Should someone contact Russ Crosby to see if interested? Beth advised that the Bisharat's paid for most of the cost for the fire pond on Littlefield Road and the Town of Cumberland paid for the dry hydrant.

Donna Damon stated the Fire Department should have some say in this. She also asked about long term care of the fire ponds, such as keeping them dug out. Beth stated she did not know.

Donna Damon asked if we have any kind of agreement with the Bisharat's about digging out pond?

Herb Maine also asked about Golf Course.

Doug Ross advised that they take care of their own ponds.

Herb Maine asked if any action needs to be taken.

Leon Hamilton stated, no. The Board to ask Fire Chief to contact Russ Crosby and find out what he is willing to do.

It was made clear that the issue of the fire pond was raised by Ms. Howe and that Mr. Crosby had not been approached. It was also clarified that there was no connection between Mr. Crosby's request for a minor sub-division and that pond which is on a lot that he previously developed. This was just an idea that Ms. Howe wanted to share.

LEON HAMILTON – MOVED – TO AUTHORIZE THE TOWN ADMINISTRATOR TO TALK TO FIRE CHIEF RALPH MUNROE IN REGARD TO CONTACTING RUSS CROSBY.

DONNA DAMON SECONDED.

DISCUSSION: *Ken Hamilton stated that this has been discussed before within the Fire Department. What has held it up is maybe cost. It has already been used for training.*

Scott Seaver asked if there are any requirements for ponds. Beth Howe advised, no.

Donna Damon asked if the pond is on the last lot. Beth Howe advised, no on first lot.

LEON HAMILTON ASKED TO WITHDRAW MOTION. HERB MAINE ACCEPTED THIS REQUEST.

Donna Damon stated that no harm done if Fire Department asked questions.

Chris Rich asked if Russ Crosby was the owner of the property when pond was developed.

Doug Ross stated, yes.

5. Town Administrator Report.

Scott Seaver advised that as of this date we have collected ten percent (10%) of the house taxes.

Excise Tax is at \$20,000 and Solid Waste stands at thirty-three (33%) year to date.

He stated he attended meetings with Army Corp of Engineers, Coast Guard & Coastal Waters Commission. He updated them on the Division Point stairs and parking area at the Stone Wharf.

Advised that due to the rain event in August 2008 he has filled out forms for any reimbursement from FEMA. He estimated we had around \$10,000 in damages.

Also, a reminder that the Auditors will be in the office on September 15,16 & 17th.

Referred to a letter received by Ann Bowman in reference to foreclosed properties. A reply letter has been issued. The Board now has to put committee in place.

We are waiting on information in regard to pay phones located at Chandlers & Stone Wharf.

Scott advised that the Cumberland County Sheriff Scott Secord service ends on Monday the 8th of September.

The deadline for NIMS training is coming up and Doug Ross will help coordinate training.

Donna Damon stated that you can see the difference with the Sheriff gone. The parking at the Stone Pier is worse. People are leaving their cars for days, weeks or more because they know Sheriff is gone.

We need to deal with this. Voluntary compliance is NOT working.

Donna Damon also asked Doug Ross for help with training for NIMS. Doug Ross advised that if we do not comply we will not be eligible for grant monies for things like protective gear and communications.

The Selectmen and School Board need to be in compliance. He is willing to meet at the Chebeague Island School on Wednesday the 17th at 6:00Pm for training.

DONNA DAMON – MOVED – TO SET A WORKSHOP MEETING WEDNESDAY, SEPTEMBER 17TH AT 6PM AT THE CHEBEAGUE ISLAND SCHOOL FOR NIMS TRAINING.

CHRIS RICH SECONDED.

VOTE: THREE (3) IN FAVOR (DONNA, CHRIS & HERB) – ONE (1) ABSTAIN (LEON)

6. New Business.

6.1 Request from Ursula King & Bob Whitman to discuss with Selectmen drainage problems on Capps Road.

Leon Hamilton asked what qualifications Paul White has to write a letter like the one describing the situation. Scott Seaver is the Road Commissioner and should deal with this issue. If the water needs to be dealt with and if the culvert caused the problem we need Scott and David to go down and see what can be done.

Ursula Kings stated that the culvert was put in by the Town of Cumberland under the Town road and another culvert was installed by an unknown individual on the private Ben Webber Road.. Ursula King said she was directed to Paul White for help on this.

Ursula King stated that ten (10) homes maintain the stairs to the shore. The culvert was put in by the Town of Cumberland in 2001. Culvert on Ben Webber Road added when a new sewer system was installed. The home owners contacted Erick Weiss to look at the stairs. Bob Whitman stated that stairs were put there 36 years ago and were in good shape until the road culvert was put in. This directed the water from the road over the right of way to the shore. Ursula King stated that stairs are about four (4) feet above ground. Ursula advised it's not just erosion from the sea, it's like a river when it rains.

Leon Hamilton discussed the Trower and Morgan properties on Hamilton Beach that once had fifteen (15) to twenty (20) feet more property out front than they have today and the work that is being done now to mitigate the problem. There has always been a problem with erosion the entire length of the beach. Leon also stated that it's not all erosion; it's water that runs off Chebeague.

Ursula King stated that it's a gully of clay and asked that the direction of the water be looked at.

LEON HAMILTON – MOVED – TO HAVE THE TOWN ADMINISTRATOR AND PUBLIC WORKS DEPARTMENT GO LOOK AT CAPPS ROAD AND BRING IT BACK TO THE BOARD.

CHRIS RICH SECONDED.

Discussion: Donna Damon asked where tax map came from? Susan Campbell advised it was an attachment that Paul White sent, and it was only to show locations of the lots not intended to show direction of the roads.

Donna Damon stated that probably the Town of Cumberland did not get a drainage easement and this has been a problem evolving over numerous years. How are going to deal with all of this? How do we drain off all the water.

Scott Seaver stated that with work and drainage easements along with a lot of money it can be fixed. We need to remember that no matter what we do, it will affect somebody.

Ursula King stated that the stairs have been there along time. With the culvert changes the bank is gone. If water drainage is not changed the stairs will be gone.

Donna Damon asked if they are requesting the Town to rebuild the stairs.

Ursula King stated, no. The neighbors do not want the Town involved.

Donna Damon advised that the Town owns some rights of ways to the shore and maintains them. This ROW is not owned by the abutters or the owners of the lots who are proposing to build the new steps.

Ursula King advised that a sign stating "use at your own risk" will be posted. Neighbors will continue taking care of the stairs.

Scott Seaver stated that what he can do with David and Tom is look at the way the water drains on both sides for the road and hopefully decide how to deal with it. This will not be a simple solution.

Leon Hamilton asked where are the stairs on the island that the Town is responsible for.

Donna Damon stated Division Point and , Soule Road between Morgan's and Turner.

Donna Damon asked that Ursula go look at the work that FEMA did after the Patriot Day Storm.

Leon Hamilton asked if this is a Town right of way, why doesn't the Town maintain stairs.

Donna Damon discussed the unregistered sub-division in this area. It's not Town property. It's heirs of the Webber family.

VOTE: UNANIMOUS.

6.2 Request from Doug Ross to report on memorandum's of understanding.

Doug Ross discussed the need of the MOU's and the requirements of NIMS. He also advised that the MOU presented to the Chebeague Transportation Company has been signed. He has not received the MOU from the Town of Long Island yet, but expects to shortly.

LEON HAMILTON – MOVED – TO APPROVE THE TOWN OF LONG ISLAND AND CHEBEAGUE TRANSPORTATION COMPANY MOU'S AS WRITTEN.

CHRIS RICH SECONDED.

Discussion: Donna Damon asked if the MOU's had been review by legal. Doug Ross stated, no. Donna asked to have them reviewed by legal.

Donna Damon asked if this includes CTC in search and rescue.

Leon Hamilton stated it's the law on the water that you help.

Susan Campbell asked if these agreements included Cumberland County?

Doug Ross stated that he is waiting on an agreement.

VOTE: THREE (3) IN FAVOR (LEON, HERB & CHRIS), ONE (1) OPPOSED (DONNA)

6.3 Request from Claire Ross to report on DMR Proposal for weather station.

Claire Ross reported that this is to develop a rain fall system. The purpose is to help DMR when closing and opening clam flats. This is a \$600 unit, cost to the Town if for two "C" batteries and if any damage to the unit the Town will repair it. This system needs to have a computer on twenty-four (24) seven (7). Herb Maine asked the life expectancy of the unit. Claire advised she does not know. Herb Maine asked about replacement. Claire advised that if the unit is damaged, the Town will be responsible for repairs and unknown about replacement. Leon Hamilton stated he would like clarification of responsibility. Claire advised she will look into it.

6.4 Request to set a date for public hearing for Orchard Inn B&B victualer's renewal.

Leon Hamilton - Moved – To set public hearing date for Orchard B&B for the next Regular Selectmen's Meeting on October 8th, 2008.

Donna Damon seconded.

Discussion – none.

Vote: Unanimous.

6.5 Request to set a date for public hearing for the Chebeague Island Hall & Community Centers, Bottle Club License renewal.

Leon Hamilton – Moved – To se public hearing date for the Chebeague Island Hall & Community Centers, Bottle Club License renewal at the next Regular Selectmen Meeting on October 8th, 2008.

Donna Damon seconded.

Discussion – none.

Vote: Unanimous.

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6.6 Request from Beth Howe to report on scope of work for Comprehensive Plan Consultant.

Beth Howe reported that we have two consultants. They have experience in the local area and islands. She reported that the scope of work will take longer than anticipated. We will go into 2010 to get work completed. The estimated cost will go up by \$5,350. She will look in budget for over-run maybe using the account for producing reports.

Donna Damon asked what will happen when Thea Youngs is gone. Beth Howe advised that part of her job is to train someone to use the GIS System.

Leon Hamilton asked about the two possibilities, were the others not qualified?

Beth Howe advised that given the scope of the project these consultants were the best choice. This choice was made due to experience. Leon Hamilton discussed that it was more costly to the Town and shouldn't this have been okay'd and voted on by the Selectmen.

Herb Maine asked if the consultants were aware that only \$15,000 had been allocated?

Beth Howe stated, yes.

Scott Seaver stated he was not aware of any contract.

Ursula King stated that you will want an agreement. You will want consultant obligated to the Town. In this agreement if consultant leaves they need valid reasons for doing so. There are standard contracts on the web.

Donna Damon stated that any agreement should be reviewed by legal.

6.7 To have Selectmen issue quit claim deed for B. Daniel Kidd.

Leon Hamilton – Moved – To sign quit claim deed as presented.

Donna Damon seconded.

Discussion: Donna Damon stated that there should have been a meeting with the Selectmen and property owner before payment was accepted. Scott Seaver stated that he and the Clerk both agreed after reading policy that the meeting was not necessary. He stated that only when a payment plan was requested that a meeting would be held. Donna commented that she wrote the policy and the intent was that property owners would meet with the Selectmen.

Vote: Unanimous.

6.8 To see if the Selectmen will discuss and possibly act on need of pay phone.

This item was tabled until further information can be obtained.

7. Old Business.

7.1 Policy for (BYOB) Bring your own Bottle Permits.

Scott Seaver presented the policy that will be handed out with all permits issued by the Town.

Leon Hamilton – Moved – To accept proposed policy as written.

Chris Rich seconded.

Discussion: Donna Damon asked if this had been reviewed by legal. Scott advised, no.

Vote: Three (3) in favor (Herb, Leon & Chris), One (1) Opposed (Donna)

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

1. Leon Hamilton asked that a letter be sent to the Cumberland County Sheriff Department saying thank you for the great service provided by Officer Secord and that he is a good fit for the Island.

Herb Maine asked that letter comes back to Board for approval before it is mailed.

2. Donna Damon discussed the Planning Board's upcoming town warrant. Also, discussed the issue of registered and unregistered sub-divisions before 1975. We need to be consistent and we need to hold a public meeting to discuss this issue. This should be referred to the Planning Board.

9. Adjourn meeting.

Herb Maine – moved – To adjourn meeting at 8:50PM.

Chris Rich seconded.

Vote: Unanimous.

Respectfully submitted by Susan Campbell, Town Clerk