

Board of Selectmen Meeting Minutes June 11, 2014

The Board of Selectmen held a meeting on Tuesday, June 11th 2014 at the Island Hall beginning at 6:00 pm.

Selectmen present: David Hill, Susan Campbell, Bill Calthorpe, Mark Dyer, Donna Damon

Also present: Eric Dyer, Gloria Brown, Jack Rent, Doug Clark, Eldon and Betts Mayer, Sally Tubbesing, John and Rosemary Merchant, Michael Porter, Ernie Burgess, Lynne Priest, Dave Stevens, Ginny Ballard, Jane Frizzell, Jennifer Hamilton, Deb Bowman, Deb Hall, Mark Minckler, Ralph Monroe.

First Order of Business: Donna Damon called the meeting to order at 6:00 p.m.

Newly-elected Select Person, William Calthorpe, was sworn into office.

Donna apologized to Ernie Burgess for the Town's error in not placing his referendum question on the ballot and to Roger Haskell for the Town's error in not placing his boundary line agreement on the Town Meeting Warrant.

Taken out of order:

14-209: To elect a chair of the Board of Selectmen for FY 2015.

Donna made a brief statement of her concerns regarding the Town and the Board.

Motion: A nomination was made by David Hill and seconded by Susan Campbell for Mark Dyer to serve as Board Chair.

Unanimous, Motion Carried

Motion: A nomination was made by David Hill and seconded by Bill Calthorpe for Susan Campbell to serve as Vice Chair of the Board.

Unanimous, Motion Carried

Mark made a brief statement regarding his goals for the Town, including running efficient Board meetings and rebuilding community trust in Town leadership.

Second Order of Business: Town Administrator & Treasurer's Reports

- Eric presented his Town Administrator's report (see packet), beginning with a short remembrance of recently deceased employee, Louise Doughty.

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- Susan asked for a status report for the old back hoe; Eric will report back. Also, who from MMA Health Insurance is coming to speak to the employees at the employee meeting on June 17; Debbie Bridges is expected to attend.

Motion: Moved by Susan Campbell and seconded by Bill Calthorpe to accept the Town Administrator Report as written.

Unanimous, Motion Carried

- Eric presented his Treasurer's Report
- Questions were raised re:
 - Who is working on parking enforcement; Cecil Doughty, with Jessie Russo as alternate
 - Process followed for selling the old school bus; need for consistent policy for school and municipal sales
 - Why legal services expense line is so high; Hope Island enforcement action; will be offset by Hope Island fines and fees; accounts will be adjusted by journal entries
 - Collection of Hope Island fines and fees; town attorney is working on this as will the new code officer

Motion: Moved by Donna Damon and seconded by David Hill to accept the Treasurer's Report as written.

Unanimous, Motion Carried

Third Order of Business: Public Comment

- Ernie Burgess: three former handicapped spaces, currently public parking spaces, at the Stone Wharf requested to be added to the parking spaces allocated exclusively to lobstermen in June and November

Motion: Moved by Susan Campbell and seconded by Bill Calthorpe to hold a public hearing during the regular Board meeting in July to address the three parking spaces in question.

Unanimous, Motion Carried

- Jane Frizzell suggested that the Board consider hiring a part-time Town Planner. This is in the wake of the recent resignation of Beth Howe as Chair of the Planning Board.
- Claire Ross asked that Board minutes be posted on the Town's website
- Claire also asked about the possibility of a special town election to remedy the failure to include the referendum question on the last ballot.
 - Town Clerk Michelle Jackson (see attached memo to the Board) suggested that the Board schedule a special town election on June 25, 2014
 - Question: Can the omitted ballot question could be held until the next regularly-scheduled election?

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Motion: Moved by David Hill and seconded by Donna Damon to have the Town Administrator seek legal counsel to determine the legal requirements necessary to correct the failure to include the referendum question on the June 10 ballot and the failure to include Haskell boundary line agreement question from the Town Meeting Warrant on June 7 and to take action thereupon as soon as possible.

Unanimous, Motion Carried

Fourth Order of Business: Regular Business

14-191: To consider a request from the Great Chebeague Golf Club regarding signage on Wharf Rd.

- See letter from GCGC attached.
- The golf club asks to install, at its own expense, two signs on Wharf Road, one near the intersection with South Road, and the other near the Holmboms' driveway. The purpose of the signs is to alert folks from away that the public road cuts through an active golf course. Representatives from the golf club were available to answer questions. Specific language is proposed: "Caution. This road crosses an active golf course. Golf Club rules require that golfers wait for you. But please always be on the alert while in the roadway. Have a nice day."
- Question: if this would increase the town's liability. Eric reported that the Town Attorney's preliminary response is that the signs would not increase the town's liability.
- Suggestions included adding the signs to the sign posts already in use and using a shorter message: "Caution. Golf Zone".

Motion: Moved by David Hill and seconded by Susan Campbell to authorize the Golf Club to erect at their own expense two signs that say, "Caution. Golf Zone" to be placed on the back of the stop sign and near the Holmbom driveway.

Motion: Moved by Donna Damon and seconded by Bill Calthorpe to **AMEND** David's motion to say whatever the Golf Club wishes them to say as long as the Town Attorney approves of the wording.

Vote on amendment: 3-2 (David Hill and Bill Calthorpe opposed)

Amended Motion: To authorize the Golf Club to erect at their own expense two signs that say whatever the Golf Club wishes them to say as long as the Town Attorney approves the wording.

Vote: 3-1(David Hill opposed and Bill Calthorpe abstained), Motion Carried

14-192: To hear an update on the drainage project to redesign the side of South Road in front of the Library [and to address the drainage issue at Capps Road/Ben Webber Road]

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- Eric reported on Sevee & Maher study (see packet)
- Sevee & Maher proposes to do the engineering work for \$7,800. Just for engineering work; not the boundary survey, deed research and construction work.
- S&M recommends Nadeau for survey work
- \$7800 is for Library and Capps/Ben Webber; need to split so we can account for the two parts separately

Motion: Moved by Donna Damon and seconded by Susan Campbell to authorize the Town Administrator to enter into a contract with Sevee & Maher to design a drainage solution for the Library and Capps/Ben Webber, the engineering phase not to exceed \$7,800.

Unanimous, Motion Carried

Motion: Moved by Donna Damon and seconded by David Hill to authorize the Town Administrator to obtain an estimate from Nadeau (surveyor) to do the boundary line work outlined in the Sevee & Maher proposal; and if the estimate does not exceed \$2,500, to proceed with the work.

Unanimous, Motion Carried

14-193: To authorize the Town Administrator to use funds from the Coastal Access to contract for steps at the end of Cordes Road and Fenderson Road

Motion: Moved by Donna Damon and seconded by David Hill to authorize the Town Administrator to contract to build steps to the beach that are safe and easily accessible at the end of Cordes Road and Fenderson Road.

Unanimous, Motion Carried

14-194: To set a date to hold a Workshop/Meeting to discuss and set Transfer Station fees. (6-7 on June 18)

considered together with

14-195: To set a date to hold an executive session re: personnel (7pm June 18)

- Need for up-to-date costs at the Transfer Station
- Not enough time to assemble job description and relevant ordinances re: personnel matter

Motion: Moved by David Hill and seconded by Donna Damon to hold a workshop/meeting to discuss the Transfer Station fees on June 18 beginning at 6 p.m. followed by an executive session.

**Vote: 1-4 (David Hill, Susan Campbell, Bill Calthorpe, Mark Dyer, opposed)
Motion Failed**

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Motion: Moved by David Hill and seconded by Donna Damon to hold a workshop/meeting to discuss the Transfer Station fees on June 18 beginning at 6 p.m.

Vote: 4-1 (Mark Dyer opposed) Motion Carried

14-196: To appoint a Town Code Enforcement/Building, Plumbing, and Electrical Inspector and set hours of employment

- Eric presented the hiring committee's process; the committee came to consensus
- Expectation that the Code Enforcement Officer would work 8-10 hours on Fridays and additional hours as necessary
- Benefits of employment include boat fare and parking

Motion: Moved by David Hill and seconded by Donna Damon to authorize the Town Administrator to complete the hiring process with the recommended candidate.

Unanimous, Motion Carried

14-197: To appoint a Harbormaster/Shellfish Warden and set hours of employment

- Eric presented the hiring committee's process; the committee came to a unanimous recommendation
- Discussion of changing this to a salaried position
- Proposed schedule includes 40 hours per week in the summer, most of those on Friday, Saturday, Sunday
- Benefits of employment include boat fare and parking

Motion: Moved by Donna Damon and seconded by David Hill to authorize the Town Administrator to complete the hiring process with the recommended candidate.

Unanimous, Motion Carried

Motion: Moved by Donna Damon and seconded by Bill Calthorpe to authorize the Town Administrator to create a peak-season schedule for the newly-hired Harbormaster/Shellfish Warden that allows for 5 hours of flexible time, 5 hours on Thursdays, 10 hours on Fridays, 10 hours on Saturdays and 10 hours on Sundays.

Motion: Moved by David Hill and seconded by Susan Campbell to **AMEND** Donna's motion by adding that the hours are to be adjusted as appropriate for the position.

Vote on amendment: 4-1 (Donna Damon opposed)

Amended Motion: To authorize the Town Administrator to create a peak-season schedule for the newly-hired Harbormaster/Shellfish Warden that allows for 5 hours of flexible time, 5 hours on Thursdays, 10 hours on Fridays, 10 hours on Saturdays and 10 hours on Sundays, such hours to be adjusted as appropriate for the position.

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Vote: 3-1 (Mark Dyer opposed and Bill Calthorpe abstained), Motion Carried

Taken out of order:

- 14-201: To request the Coastal Waters Committee to review recommendations by the Town Attorney and report to the Selectmen before October 8.
- 14-203. To request the Road Committee to provide a recommendation before September 10 re: the next section of Town road to be paved.
- 14-204: To request the Shellfish Committee to report the Selectmen before October 8 re: closed/open areas; number and categories of licenses; and proposed fees effective January 1, 2015.
- 14-205: To request the Cemetery Committee submit a long-range plan to the Selectmen before December 10 re: enlarging the cemetery and stone repair.
- 14-206: To request the Zoning Board of Appeals make recommendations to the Selectmen re: potential changes in process for appeals and any zoning suggestions to the Selectmen before September 10.
- 14-207: To request that the Planning Board update the Selectmen re: Mineral Extraction Ordinance and other zoning issues before September 10.

- Re: item 14-205, Susan wants to know about the hearse

Motion: Moved by David Hill and seconded by Donna Damon to bundle items 14-201, 14-203, 14-204, 14-205, 14-206 and 14-207 and to authorize the Town Administrator to contact the entities listed in these items and request the information as listed.

Unanimous, Motion Carried

14-198: To discuss the process and set a date for the appointment of standing committee members for FY 2015.

- Donna explained the process used in prior years to solicit people to fill open positions on standing committees; to review the candidates in executive session; and make the appointments in public session.
- Advertising for candidates to take place immediately; close of application period to be July 3rd.

Motion: Moved by Donna Damon and seconded by David Hill to meet on July 16 to review the candidates for standing committees.

Unanimous, Motion Carried

Taken out of order:

14-200: To create a committee and a timeline for the establishment of guidelines for the Fire/Rescue Department per the newly adopted ordinance.

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- Standard Operating Guidelines vs. guidelines in relation to the newly adopted ordinance
- Suggestion that the committee of Susan, Herb Maine and Dave Stevens to meet with Fire Department to work out guidelines relative to the newly adopted ordinance.
- Suggestion that Eric and Ralph Munroe talk
- Ralph reminded town office about communication with department heads in conjunction with meeting agendas

Motion: Moved by David Hill and seconded by Donna Damon to table this item.

Unanimous, Motion Carried

Taken out of order:

14-202: To conduct a first reading of the "Rules and Regulations" document to support the newly adopted Coastal Waters Ordinance.

Michael Porter:

- "boats" should be amended to "vessels" throughout (including charts)
- On page 3, sections b) and c) should be sections c) and d) in section 6 on page 1
- Two substantive issues:
 - On page 2 in chart section C & D: "commercial boats" maybe should be worded "commercial purposes" or "commercial uses." Idea is to allow businesses to work on vessels for welding and other repairs; not for mooring for hours, unattended. Exceptions can be granted by Harbormaster. Definition of "commercial"?
 - Section 6.c) (formerly b) on page 3): 48 hours is too long; recommended to change to 24 hours. Enforcement at discretion of Harbormaster. Discussion to leave it at 48 hours.

Motion: Moved by Susan Campbell and seconded by Bill Calthorpe to accept the "Rules and Regulations" document to support the newly adopted Coastal Waters Ordinance as presented, subject to changes to be presented at the July 9th meeting.

Unanimous, Motion Carried

14-208: To consider creating a Zoning Review Committee to review the Town's Comprehensive Plan's recommendations and the Town's land use zoning ordinances to identify areas that are not aligned and to make recommendations re: which ordinances need to be considered for revision.

Motion: Moved by Donna Damon and seconded by David Hill to appoint 9-11 people a committee including representatives from the Planning Board, the Board of Adjustment and Appeal, the Board of Selectmen and at-large members of the community to review the Town's land use zoning ordinances and Comprehensive Plan Recommendations for areas that are not aligned and make recommendations regarding which ordinances or elements of the Comprehensive Plan need to be considered for revision.

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Unanimous, Motion Carried

14-199: To consider appointing a selectman to serve as a liaison for each of the Town's standing Committees (Shellfish, Coastal Waters, Planning Board, Cemetery, Board of Adjustment and Appeals, Road Committee)

Not considered

14-210: Review potential agenda Items for future meetings:

- Committee Appointments-July
- Appointment of Town Officials-July
- Meet with the Town Assessor to review the assessment-August?
- Consider approving any carry over funds recommended by the Treasurer-July
- Other Items

Fifth Order of Business: Communications

Motion: Moved by Susan Campbell and seconded by Donna Damon that if there is a committee or a department on an agenda, a copy of that agenda is to be sent to that chair or department head; this is to be done by the Town Administrator or his/her designee.

Unanimous, Motion Carried

Sixth Order of Business: Approval of Expense Warrant(s)

Motion: Moved by Susan Campbell and seconded by Donna Damon to accept the Expense Warrant dated June 11, 2014 in the amount of \$227,115.62 as presented.

Unanimous, Motion Carried

Seventh Order of Business: Approval of prior minutes

Motion: Moved by Donna Damon and seconded by Susan Campbell to accept the prior minutes as distributed by e-mail (May 7, 14, 21 and 28).

Unanimous, Motion Carried

Eighth Order of Business: Other Business

Ninth Order of Business: Adjourn Meeting

Motion: Moved by David Hill and seconded by Susan Campbell to adjourn the meeting at 9:40 p.m.

Unanimous, Motion Carried

Respectfully submitted,

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Gloria J. Brown
Deputy Town Clerk

Eric Dyer

From: Town Clerk <Clerk@chebeague.net>
Sent: Wednesday, June 11, 2014 1:22 PM
To: Eric Dyer
Cc: billcalthorpe@aol.com; David R. Hill; Donna Damon; Mark Dyer; Susan Campbell
Subject: Special Election

Eric,

An error was made by the Town Clerk in printing the referendum ballot for the June 10, 2014 Annual Election and the petition question was not printed. Therefore a Special Election will need to be scheduled by the Select board hopefully tonight they can schedule this under other.

If possible could we aim for scheduling this for Wednesday, June 25, 2014. That is a two-week window and will allow the seven days for posting the notice of election. The ballots will be printed in house and we can use the wooden ballot box. I will need at least one Democratic and one Republican to work at the polls and if it is on a Wednesday we won't have to close the office for this process.

I apologize for the error. In hopes to avoid this happening again I would like to have an additional person review any municipal ballots that are to be printed.

*Michelle J. Jackson
Michelle J. Jackson, CMC, CCM
Town Clerk
Tax Collector
Registrar of Voters
www.townofchebeagueisland.org
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ORGANIZED 1920
INCORPORATED 1923



MEMBER
MAINE STATE GOLF ASSOCIATION

Great Chebeague Golf Club

CHEBEAGUE ISLAND, MAINE 04017

Donna Miller Damon
Chairperson
Chebeague Board of Selectmen
13 Fenderson Road
Chebeague Island, ME 04017

June 8, 2014

Re: Additional Signs for the Golf Course

Dear Donna,

Per your recent conversation with Doug Clark, the Golf Club would appreciate The Board of Selectmen's consideration of the following request.

BACKGROUND

Golfers who come to play at Golf Club are well aware that the Golf Course crosses a public road. And, of course, all golfers are aware of the possibility of errant golf shots. Accordingly, commonsense – as well as the Golf Club rules - require that all golfers defer to vehicles and pedestrians on Wharf Road.

To reinforce this behavior, the Golf Club maintains signs on the tee box of each "road hole" admonishing golfers that vehicles and pedestrians have the right of way and that golf shots should not be attempted if pedestrians are within range.

All Island residents – as well as regular visitors - are aware that the Golf Course crosses Wharf Road. However, it is possible that newcomers to the Island – particularly first time visitors to the Inn – might not be aware of the presence of the Golf Course.

PROPOSAL

In the interest of safety, the Golf Club would like to install two new signs on Wharf Road to inform first-time pedestrians that Wharf Road does intersect the Golf Course. One would be placed on the north side of the Road just past the Holmbom's driveway and the other would be placed on the same side of Wharf Road right near the intersection with South Road. These signs might read something like this:

CAUTION

This road crosses an active golf course.
Golf Club rules require that golfers wait for you.
But please always be on the alert while on the roadway.
Have a nice day.

To fulfill their objective, these two signs should be reasonably close to the Road, and therefore they may be within the Town's right of way. That being the case, the Golf Club would like to request the Town's permission to erect the two signs.

If the Board of Selectmen would like any additional information before considering this request, please do not hesitate to contact me.

Thank you for your consideration.

Very truly yours,

John Rent
President
Great Chebeague Golf Club