

**Board of Selectmen Meeting Minutes,  
April 24, 2018**

**The Board of Selectmen held a meeting on Wednesday, April 24, 2018 at the Island Hall, beginning at 6:00 PM**

**I. Call meeting to order**

Chairman Herb Maine called the meeting to order at 6:01 PM.

**Selectmen present:** David Hill, Jean-Louis "Bo" Beaupré, Herb Maine, Mark Dyer, John "Jay" Corson

**Also present:** Marjorie Stratton, Gloria Brown, Ron McKinnon, Chip Emery, Donna Damon, Dave Stevens, Paul Belesca, Binkie Boxer, Jeff Putnam, Nancy Olney, Gary Ross, Chris Loder, Susan Stranahan, John Rent, Pat Murray and Claire Ross.

**II. Public Comment for items not on the agenda**

John Rent reported that David Hill had testified on behalf of the Board earlier in the day at a hearing in Augusta regarding sales tax on the new CTC vessel.

**III. Regular Business:**

19-033 **Special Amusement Permits**

To review and approve Special Amusement Permits for the Chebeague Island Inn, Chebeague Island Hall, Chebeague Island Boat Yard and the Slow Bell Café.

**Motion:** Moved by Jay Corson, seconded by Bo Beaupré, to accept the Fire Chief's reports as delivered to the Town Administrator and approve the Special Amusement Permits for the Chebeague Island Inn, Chebeague Island Hall, Chebeague Island Boat Yard and the Slow Bell Café.

**Vote: Unanimous; Motion Carried**

19-034 **Review Tie Up Fees** (see Town Administrator's Memo attached)

**Motion:** Moved by Bo Beaupré, seconded by Jay Corson, to approve the tie-up fees as stated in the Coastal Waters Rules and Regulations to apply at Stone Wharf and Chandler's Wharf.

12' to 17' Boat: Resident - \$125    Non-Resident - \$375

Less than 12': Resident - \$50    Non-Resident - \$150

**Vote: Unanimous; Motion Carried**

19-035 **Review Property Tax Relief Program** no action

19-036 **Final Budget Presented**

To review and approve the final budget for the fiscal year 2020.

- Marjorie started the discussion with her estimate of the tax rate with the budget as it stands coming into this meeting as \$18.5 per thousand. This includes the Broadband Committee's request for \$350,000 to be set aside in a reserve account.
- Ron asked to reduce the amount of the Broadband Committee's request from \$350,000 to \$250,000. Bo asked why make the reduction. David replied: to make it more palatable to the voters and still achieve the committee's objective to have sufficient seed money to obtain the grant leverage the committee needs.
- Chris asked what would happen to the \$250,000 if the Broadband warrant article fails. Herb responded that it could be re-allocated during Town Meeting. Mark also spoke about re-allocation.
- Nancy asked how this project rose to the top of the capital plan. Herb explained the Board's process. Mark also spoke about the Broadband warrant article #4.
- Chris read aloud a letter from Claire Ross who was not in the meeting at the time (see attached). He and Chip both commented on the technology in question.
- Nancy spoke against funding this project, saying that she feels the project is being brought to the public prematurely and that it will negatively impact taxpayers who cannot afford a tax increase. David explained that this is a one-time request and that the state legislature is preparing to vote regarding allocation of \$120M in grant money that could help fund this project. There was additional discussion on this issue.
- Donna advocated for broadcast of Board of Selectmen meetings.
- Mark responded to a point in Claire's letter saying that there were not any cost overruns in the school renovation. Although contingency money that had been set aside for unforeseen costs during construction was used, the bond amount did not increase. Pat said the public was not as well informed about the proposed Broadband project as it was of the school renovation project.

**Motion:** Moved by David Hill and seconded by Mark Dyer to revise the amount for budget line 9034 Broadband Fiber to Premises \$250,000.

**Vote: Unanimous; Motion Carried**

- Marjorie asked about budget line 8800-0001 Outer Island Tax to the Town of Cumberland under the terms of the separation agreement. The amount is figured based on the entire tax valuation. Donna pointed out that the Assessor is not expected to submit that number until August. Marjorie reported that she has talked to Assessor Jackie Robbins who has given an estimate of approximately \$500,000 increase in the valuation.

- Responding to a question from Herb, Marjorie said that her estimate of the total budget without passage of the Broadband question would produce a tax rate of about \$16.50 per thousand.
- Mark asked about how changes in electricity delivery have changed the way figures are shown in the budget. Marjorie said all electricity on the municipal side of the budget is now shown on line 3100 in the Public Services section of the budget. Electricity on the school side of the budget is figured on at 32% of the entire electricity budget based on school usage figures from two previous years.
- Herb pointed out a change under debt service because of the school bond. Also, the School Board has to vote on the school budget before we have correct figures for the warrant.
- Discussion about the deadline for changes to the budget and warrant before printing for town meeting. The May 8<sup>th</sup> Board of Selectmen meeting would be optimal, with the possibility postponing to May 22<sup>nd</sup>.

**Motion:** Moved by David Hill and seconded by Mark Dyer to adopt the proposed budget as discussed at this meeting, including the payment to the Town of Cumberland for Outer Island taxes and the reduction of the Broadband reserve request to \$250,000.

**Vote: Unanimous; Motion Carried**

#### 19-037 **Approve Annual Town Meeting Warrant**

##### **Re: Broadband**

**Motion:** Moved by David Hill and seconded by Bo Beaupré to amend Article 4:

"Article 4: To see if the Town will raise and appropriate \$250,000 to be placed in Capital Improvements Broadband Reserve (9034)

*Explanation: This article provides for the initial funding to create an Island-wide fiber optic broadband Internet network with the capability of serving every home and business on Chebeague. The Broadband reserve account currently has zero balance. Providing significant reserves in this account positions the Town for grant funding as soon as it becomes available from the State of Maine and/or any other source. The funding plan calls for establishing a reserve at \$250,000 followed by grant seeking and fund-raising efforts by the Town's Broadband Committee toward the total estimated cost of the project of \$1,400,000. Should this project not come to fruition, the Town may vote to re-allocate some or all of the \$250,000 to other purposes."*

and to add to the explanation, a statement of the estimated mil rate if the article passes and the estimated mil rate if it fails.

**Vote: 3 – 2 (Corson and Beaupré opposed); Motion Carried**

- Chris suggested that the Broadband Committee develop an informational brochure to be distributed prior to Town Meeting.
- Also on Article 4: whether or not to include a Board of Selectmen recommendation for this article.  
**Consensus** of the Board was to remove the draft Board recommendation.

**Re: Sunset Landing**

A citizen petition was submitted to the Board just before the meeting began. The petition requested that a new article be added to the town meeting warrant regarding the Sunset Landing property:

“To see if the Town will vote to require that the Select Board, prior to June 1, 2020, shall act to ensure that the property known as Sunset Landing and shown on the Town of Chebeague’s tax maps at Map I05, Lot 9, is kept forever wild. In order to accomplish this mandate, the Select Board shall convey a deed to a land trust or other preservation entity, or ensure that such restrictive covenants are placed on the property, in order to guarantee that the property shall be protected from development and shall be retained for open space and non-intensive public outdoor recreational uses. The Select Board or its designee shall have the authority to enter any agreements, execute any deeds or perform any other executive or administrative duties necessary to accomplish this mandate.”

**Motion:** Moved by Bo Beaupré and seconded by Jay Corson to place the petition question on the warrant as Article 5.

**Vote: Unanimous; Motion Carried**

- Donna recommended working through a local land trust.
- David asked that the petition article be reviewed by legal counsel and then placed on the agenda for the May 8<sup>th</sup> meeting for the Board to discuss any proposed recommendation for the article.

**Re: Fireworks Ordinance**

The Board had previously (September 26, 2018) held a public hearing and approved two draft fireworks ordinances to be presented to the next town meeting.

**Motion:** Motion by David Hill, seconded by Bo Beaupré, to sign the certifications for the two ordinances to be transmitted to the Town Clerk.

**Vote: Unanimous; Motion Carried**

**Re: Article 18**

- Herb explained that when the school was audited by Maine Public Employees Retirement System (MainePERS), mis-classifications of school employees were found, going back to 2007. Retirement funds were sent to the Social Security System which should have been sent to MainePERS.

- The upshot is that there is in excess of \$100,000 owed to MainePERS. This estimated amount is included in Warrant Article 18.
- Jeff reported that the school's insurance claim has been denied, and the School Board is seeking advice from another legal team.
- David asked about possible recovery from the IRS. Jeff said his understanding is that only the last three years could possibly be recovered and that the process would be so arduous that it wouldn't be worth the effort.

**Re: Article 23**

Marjorie noted Article 23 approves a new ten-year tuition contract agreement with the Yarmouth School Committee commencing July 1, 2021. This article does not impact the FY2020 budget.

**Re: Article 40**

The Board discussed this Kid's Place article's placement as a separate article (not included with other non-profits in Article 39) and the continuing need for a Memorandum of Understanding. **Consensus** of the Board was to revise the draft explanation to indicate the change from last year's budget.

**Re: Article 48**

This article will be revised to conform to prior budget discussion in this meeting under item 19-036

**Re: Article 51**

Herb asked the Board to scrutinize this capital improvement article before the May 8<sup>th</sup> meeting.

**Re: Article 52**

The Board discussed the definition in Article 52. **Consensus** of the Board was to retain the current wording of the article.

**Re: Article 62**

Mark pointed out the merits of this article.

**Motion:** Moved by David Hill, seconded by Mark Dyer, to move this draft warrant forward for further discussion at the May 8<sup>th</sup> meeting.

**Vote: Unanimous; Motion Carried**

19-038 **Report of the Selectmen on the Concept Plans for  
Transportation Facilities at the Stone Wharf and Sunset  
Landing**

Herb presented his draft of the report. David said he liked the format and the approach. Bo concurred. Donna will submit comments to Herb.

**Consensus** of the Board was to post the draft on the town website and update it as future meetings occur. John mentioned the public's concern

with building expensive parking over the water. Herb is amenable to making changes.

**IV. Communications**

- In general, there were several comments regarding the Broadband project.
- David reported on his attendance at the state taxation committee meeting regarding a proposed bill that would exempt the \$60,000+ sales tax that will be due for the CTC's new vessel *Independence*. The bill still has to go to the appropriations committee.

**V. Review and approve prior meeting minutes of April 10, 2019 and April 15, 2019**

**Motion:** Moved by Bo Beaupré, seconded by David Hill, to approve the minutes of the Board's April 10, 2019 and April 15, 2019 meetings.

**Vote: Unanimous; Motion Carried**

**VI. Approval of Expense Warrant(s)**

**Motion:** Moved by Jay Corson, seconded by Bo Beaupré, to approve warrant #59 in the amount of \$1,337.

**Vote: Unanimous; Motion Carried**

**Motion:** Moved by Mark Dyer, seconded by Bo Beaupré, to approve warrant #61 in the amount of \$21,059.95.

**Vote: Unanimous; Motion Carried**

**VII. Other Business**

- Bo talked about his concerns regarding a metal post at the Stone Wharf at the top of the ferry ramp. The post is attached to two rocks which appear to be loose and moving away from the wharf. Bo recommended that the float attached to the post be permanently removed from the float and to rope off the area with a sign warning of the loose rocks.
  - Marjorie suggested that the matter be sent to the Coastal Waters Commission for their review and recommendation.
  - David reported that Public Works worked on the problem in the afternoon. They pinned down the rocks and filled in the hole.
  - Mark said he looked at what Public works had done; it looked like they did a decent repair job and took the strain away from the piling/post.

**Motion:** Moved by Bo Beaupré, seconded by Jay Corson, to put up a barrier or cones to mark it as a dangerous area and send the matter to the Coastal Waters Commission for review.

**Amendment:** Moved by David Hill, to amend the motion to motion to simply pass the matter to the Coastal Waters Commission.

**Amendment failed for lack of a second.**

**Vote on the original motion: 3 – 2 (Hill and Dyer opposed);  
Motion Carried**

- Bo presented proposed amendments to the town's Solid Waste Facility Rules and Regulations to provide more detail for the brush dump area (see attached).
  - Herb will add this as an item on an upcoming Board agenda.
  - Mark wants to know how many days and what hours will the brush dump be open.
  - David suggested that town staff be asked to come up with proposed revised language for the Solid Waste Facility Ordinance and/or Rules and Regulations.
  - Mark asked what days and hours are in effect now. Marjorie said the brush dump is open seven days a week, but the gate from Public Works to the Transfer Station is locked when the Transfer Station is closed. Mark expressed the need for proper signage and website visibility.
  - **Consensus** of the Board was to ask Marjorie to incorporate Bo's ideas into revised Ordinance and Rules and Regulations to be discussed at one of the next board meetings. That being step one, step two (probably after town meeting) is to evaluate the entire solid waste facility in wider terms such as current allocation of space for defined activities, future needs, equipment upgrades, etc.
  - Donna raised concerns regarding
    - a perceived need for user fees for the brush dump, similar to fees to contractors for construction and demolition debris
    - dealing with commercial waste that is not recyclable
    - the town's liability at the transfer station (answer: same as anywhere else in town)

**VIII. Adjourn Meeting**

**Motion:** Moved by Jay Corson, seconded by David Hill, to adjourn the meeting at 8:40 PM.

**Vote: Unanimous; Motion Carried**

Respectfully submitted,

Gloria Brown, Deputy Town Clerk

Claire M. Ross  
460 South Road  
Chebeague Island, ME 04017

April 24, 2019

Board of Selectmen  
Town of Chebeague Island

Re: Warrant Article 4

To the Board:

I was extremely dismayed to discover the Board of Selectmen voted to include Article 4 on tonight's Draft Town Meeting Warrant.

I request that the Warrant Article 4 be removed from the Town Meeting Warrant. As it is stated, the purpose is to raise and appropriate \$350,000 to be placed in the Capital Improvements Broadband Reserve (9034).

Reasons for removing this article:

1. The Broadband proposal is a \$1.6 million dollar project, not \$350,000.
2. This is a large expenditure that only those present at the Town Meeting would be able to vote on, as such, it has the effect of excluding taxpayers who must work, or need child care or have other obligations. It is exclusionary to a large segment of the Island Residents.
3. This project proposal is incomplete and has not received adequate public input.
4. The public does not understand the full cost. The request is only a portion.
5. At the last Public Broadband Meeting, which I attended, there was no mention made of the Committee intent to push this proposal forward in this manner. As such, this action could not be vetted even by those who attended the meeting.
6. The majority of public statements at the Broadband meeting were very concerned about tax burden and did not support this method of funding Broadband.
7. We do not know the impact of the cost overruns of the School building and that has not hit our tax rate yet.
8. The Board of Selectmen are ignoring the majority of people at the Broadband meeting and others that have asked for fiscal restraint.
9. Every voter needs to have a clear understanding and opportunity to vote on a project this large.
10. There are other options for Broadband that have not been fully explored but do not require heavy town investment in a 60 year old technology.

In Summary, I request the Board remove the Warrant article 4 from the draft Town Meeting Warrant. Thank you for your time.

Respectfully,  
Claire M. Ross

