



TOWN OF VINALHAVEN SELECT BOARD

MINUTES

Town Office/Virtual Hybrid
Tuesday, August 30th, 2022
5:00pm

1. **Roll Call** – Selectmen Pam Alley, Jake Thompson, Leslie Dyer, and Don Young; Town Manager Marjorie Stratton; and Gabe McPhail. Donald Poole was absent.

Also Present: David Kallin, Town Attorney, Emily Lane, Crystal Canney, Wes Robinson, and Millie Martin

2. **Approve Agenda** – *Motion by Jake Thompson to address items under 8. Old Business after Speakers from the Floor. Second by Leslie Dyer. Vote 4/0/0. Motion carried. Motion by Jake Thompson to approve the agenda as amended. Second by Leslie Dyer. Vote 4/0/0. Motion carried.*
3. **Approve Minutes** – **Approve the minutes from the August 16, 2022 Select Board Meeting** - *Motion by Jake Thompson to approve the minutes from the August 16, 2022 meeting. Second by Leslie Dyer. Vote 4/0/0. Motion carried.*
4. **Approve and Sign Treasurer's Warrants # 9** – *Motion by Jake Thompson to approve and sign Treasurer's Warrant #9. Second by Leslie Dyer. Vote 4/0/0. Motion carried.*
5. **Communications** - None
6. **Speakers from the Floor** - None
7. **Committee and Department Reports/Appointment**
 - a. **Appoint Public Information Officer** – This has to do with the Freedom of Information Act. *Motion by Jake Thompson to appoint Marjorie Stratton as Public Information Officer. Second by Pam Alley. Vote 4/0/0. Motion carried.*
 - b. **Library Trustee Resignation – Maggie Olson** – *Motion by Jake Thompson to accept Maggie Olson's resignation. Second by Pam Alley. Vote 4/0/0. Motion carried.*
 - c. **Woodard & Curran Status Report** – None provided. Marjorie did meet with Brent on the 19th and got updated plans for the Transfer Station. It was discovered that the Town doesn't have a DEP license for the Transfer Station, so we will have to go through that process.
 - d. **Director of Public Works** – The road strippers called and said they will be coming next week. Millie asked to omit parking spaces in the parking lot. She will be in contact with them again to finalize details. Millie shared pictures of the mower and equipment. The final offer for that equipment is \$17,500. He is willing to come deliver the equipment and do training. Millie just wanted to make sure that was still something the Board wanted to do. There is \$10,000 in the Operating Account, and \$3000 that would have been payment for the mowing contract. There may be some funds left in the payroll line where they are no longer going to hire a foreman. *Motion by Jake Thompson to approve purchase of roadside mowing equipment from Jamie Oliver for \$17,500. Second by Pam Alley. Vote 4/0/0. Motion carried.* Millie will contact him and

arrange delivery and details. There was discussion on trimming back trees that are overhanging or extending into the traveled way, and what is allowable for the Town to cut back.

- e. **Downtown Project Update** – Gabe has been working through the environmental review process with someone from Woodard & Curran and NBRC to conclude that process. Just to be safe, they have asked for an extension on the Notice To Proceed due to timing of each piece of the puzzle. The SHIP grant has still not made any progress, and Gabe will meet with Brent tomorrow to check any action on that. At the end of September the stakeholder coffee hours will resume.

8. Old Business

- a. **Model Aquaculture Development Moratorium Ordinance** – David Kallin was present via zoom to answer some of the Selectboard's questions on what authority the Town would have to limit Aquaculture Leases. Jake asked if it was possible to limit areas and/or species. David said the leasing decision is solely the decision of the State. There may be zoning authority, but limiting species would be under State or DMR's umbrella. There may be ways to limit size of the activity in each lease site (for example on land, you may have a 40-acre lot, but your structure can't take up the entire 40 acres.) Marjorie asked the board how important this issue was to the board. If the moratorium is enacted there would be 180 days to write up an ordinance, and who would be tasked with creating the ordinance? Emily Lane asked David about the Town having anything authority in State waters; tidal lands being under Town authority but submerged lands under State authority. David's answer was the Town does have some authority in State waters ie. the Harbor Master has authority in/on the water. The distinction is in terms of property rights. Crystal Canney said the Protect Maine's Fishing Heritage Foundation will be offering an ordinance available in a few weeks. They know Town's could struggle with getting a committee together, wording, etc., within in the time limit. Emily reminded the Board that someone would also be tasked with monitoring this, presumably the Harbor Master. The Board agreed to review the ordinance to be offered by PMFHF.
- b. **Hurricane Island Abatement Request** – The Board reviewed the Overview and Findings of Fact provided by David and the Drummond & Woodsum team. David gave a summary of the abatement request. Wes's unmodified decision stands until the appeal has been settled. Marjorie asked about a time limit for approving this Findings of Fact and Decision. If no action is taken, it is deemed denied without explanation. Marjorie asked, based on the Superior Court decision, that HIF is a scientific institution, and therefor exempt from taxation, and based on the Town's decision to appeal due to the fact that HIF does not own the land, how should the property be assessed for the 2022/2023 year. David explained it is complicated while there are still appeals working their way through the system, but the Town has three options: proceed as usual, assess everything to the owner, or treat the buildings as exempt.
Motion by Jake Thompson to approve and sign the Findings of Fact and Decision for Hurricane Island Foundation tax account 582 and 777. Second by Leslie Dyer. Vote 4/0/0. Motion carried. Passed for signatures.

9. New Business

- a. **Tax Acquired Property – Hundley Map 30, Lot 004** – There was discussion on putting this out to bid, or offering it to Peter Warren (whose property surrounds this piece). *Motion by Jake Thompson to advertise sale of property at Map 30, Lot 004 through a sealed bid process. Bids have to be in by the close of business September 30, 2022, to be opened at the Selectmen's meeting October 4, 2022. Second by Leslie Dyer. Vote 3/1/0. Pam Alley voting no.*
- b. **Wastewater Budget** – Marjorie is proposing some increases to the Wastewater Budget. Increase the fixed fee for debt service and capital improvements from \$45 per quarter to \$63 per quarter, increase the fixed charge for operating and maintenance from \$76 to \$77, and volumetric charge from \$8 to \$9. *Motion by Jake Thompson to approve the Wastewater Budget with proposed rate increases as presented. Second by Leslie Dyer. Vote 4/0/0. Motion carried.*

- c. **Review Town Office Building Use Policy** – It was suggested to charge \$15/hr for a for-profit use of the meeting rooms. *Motion by Jake Thompson to approve the Policies Governing use of the Vinalhaven Office Building with an hourly rate of \$15. Second by Pam Alley. Vote 4/0/0. Motion carried.*
10. **Report of Town Manager** – Marjorie was able to contact Travis Gould about his interest in the Assessors position. See Town Manager Memo. Jake suggested he could come out at his earliest convenience and review the Town’s system and then set up a zoom meeting with the Board afterward. Marjorie will also follow up on dates to meet with Sheriff Polky. There was discussion on Patrick and Patience Trainor requesting adjustments to the rental contract for the rotating deputies. There was discussion on the Selectmen’s goals and priority of those goals. There was discussion on the Helicopter Ordinance, and the status thereof.
11. **Report of Members** – Don Young asked about fireworks permits. Jake said they are free, it was more to inform the people they would be going on. Don suggested a \$100 fine. The problem is the enforcement, but Don thinks this is something to be added to the discussion with Sheriff Polky.
12. **Executive Session - Executive Session pursuant to 1 M.R.S.A § 405(6)(E) – Consultation with Legal counsel** – No Executive Session Needed
13. **Adjourn** – Motion to adjourn by Pam Alley. Second by Leslie Dyer. Vote 4/0/0. Motion carried.

Respectfully submitted,

Elizabeth Bunker, Deputy Town Clerk