



## TOWN OF VINALHAVEN BOARD OF SELECTMEN

### MINUTES

Monday, September 18<sup>th</sup>, 2017

IMMEDIATELY FOLLOWING PUBLIC HEARING (6:00 PM)  
TOWN OFFICE

1. **ROLL CALL** – Selectmen Eric Gasperini, Pamela C. Alley, Phillip Crossman, Donald W. Poole and Jacob Thompson; Town Manager Andrew J. Dorr, and Deputy Town Clerk Elizabeth Bunker.

*Also present were Gabe McPhail, Pat Lundholm, Amy Lear, Anna Poe, Del Webster, Gabe Harp, Jim Grumbach, Dan Ferguson and Bailey Moritz.*

2. **MINUTES – Approve the minutes from the August 25<sup>th</sup>, 2017 Meeting** – Pam Alley noted one typo. Motion by Eric Gasperini to approve the minutes from the August 25<sup>th</sup>, 2017 meeting as amended. Second by Donald Poole. Vote 5/0/0. Motion carried.

3. **APPROVE AND SIGN TREASURER’S WARRANTS #12** – Motion by Eric Gasperini to approve and sign Treasurer’s Warrants #12. Second by Donald Poole. Vote 5/0/0. Motion carried.

4. **APPROVE AGENDA** – There was a consensus to move #12 Executive Session up before communications to not keep the lawyer on hold until the end. There was also a consensus to move up the Aquaculture applications to allow for video conferencing with Caitlin Cleaver, and also to discuss Single-Stream recycling with those present from the Recycling Committee. Motion by Eric Gasperini to approve agenda as amended. Second by Pam Alley. Vote 5/0/0. Motion carried.

5. **COMMUNICATIONS**

- a. **James Bennett – Change in State Law: Liquor Service to Sidewalk/Street Seating** – There was a consensus of the board not to offer any communications on this matter.
- b. **Maine Revenue Services – Preliminary 2018 State Valuation** – Reviewed
- c. **Vinalhaven School – Yearbook Advertising** - Motion by Eric Gasperini to place an ad similar to last year (1/4 page). Second by Donald Poole. Vote 5/0/0. Motion carried.
- d. **Maine Municipal Association – Voting Delegate Credentials** – Motion by Eric Gasperini to authorize Andy Dorr to vote on behalf of the Board. Second by Pam Alley. Vote 5/0/0. Motion carried.

6. **SPEAKERS FROM THE FLOOR** –

*Del Webster asked if the Board would consider placing a float at Boy Scout Point in Indian Creek that could be used to store the school’s rowing gigs - allowing for an adult rowing group as well as the school group. Pam Alley was in favor of this but expressed concerns about this being solely for the rowing gig vs. public access, and also the proximity to Frank Laurie’s property. There was a*

*consensus of the Board to bring this to the Parks Commission first and they can make a recommendation to the Selectmen.*

## **7. COMMITTEE AND DEPARTMENT REPORTS/APPOINTMENTS**

- a. Accept & Appropriate Donations** – *Motion by Eric Gasperini to accept the donations and to appropriate them to the appropriate accounts. Second by Phil Crossman. Vote 5/0/0.*

**b. Board & Committee Appointments** –

*Motion by Eric Gasperini to accept Phil Crossman to the Sea-Level Rise Committee. Second by Donald Poole. Vote 4/0/1- Phil Crossman abstained. Motion carried.*

*Motion by Eric Gasperini to accept Lindsay Davis to the MSFS Advisory Board as an alternate. Second by Pam Alley. Vote 5/0/0. Motion carried.*

*Andy Dorr mentioned there had been some talk about creating a Housing Committee. Andy had a list of people who were interested. There was a consensus of the Board to ask them to create a mission statement and present it to the Board.*

**c. Ambulance Reports** – *Reviewed*

- d. Road Commissioner's Reports** – *Reviewed. There was discussion on a new dump body for the 8500. Andy Dorr said he has tried to find a used one but because of the unusual size of the body (9ft) they are hard to find - typically are 10 ft. It is his recommendation to shift funds budgeted for the grader to this truck as this need is more pressing. Motion by Eric Gasperini to approve the purchase of a new dump body. Second by Pam Alley. Vote 5/0/0. Motion carried.*

*There was also discussion on speed limit signs. The state will come out and review speeds on all public roads. Eric Gasperini asked if narrowing the focus would speed the process (ex. Focus on downtown/village area). Motion by Phil Crossman for Andy Dorr to draft a letter to the state requesting assessment of speed limits. Second by Pam Alley. Vote 5/0/0. Motion carried.*

*Motion by Eric Gasperini to post 25mph signs at Net Factory Hill and the Fire Department as you enter Main Street. Second by Donald Poole. Vote 5/0/0. Motion carried.*

- e. Transfer Station Layout/Single-Stream Recycling** – *Gabe McPhail gave a summary of the Committee's purpose and what the group has been working on. They presented several slides showing options for a new Transfer Station layout with Single-Stream Recycling included. Four options were discussed, with option 4 being the favored option so far - without input from an engineer. Phil Crossman asked for a brief explanation on the Single-Stream process, which was given by Pat Lundholm and Gabe McPhail. The next steps would be to finalize a favorable and approved layout, investigate costs, and finalize logistics of getting a container to and from ecomaine.*

*Motion by Eric Gasperini to further pursue Single-Stream Recycling. Second by Donald Poole. Vote 5/0/0. Motion carried.*

*Phil Crossman expressed much gratitude to the Committee for all their hard work in pursuing these options and presenting them to the Board.*

## **8. OLD BUSINESS**

- a. Indian Creek Lease Agreement – Earl Hamilton** – *A discrepancy was found in the Lease Agreement between the Town and Earl Hamilton. The Lease states that Earl Hamilton would not be held liable for any and all claims made for injuries on his Indian Creek property. After discussion with the lawyer, this was not currently in the Town's policy. They recommend wording that would only hold the Town liable for incidents occurring due to Town negligence. At this time there is no lease agreement. Andy Dorr will talk with Earl Hamilton and ask if paying more for the lease or if an easement would be satisfactory.*

- b. **Land Use Violation – Stevens Update** – *Andy provided a correspondence from David Sherman, Attorney, with the decision in the John Stevens case. The Town will need to submit a fee affidavit, the attorney will prepare an order restricting Stevens from using the structure for residential proposes, and Stevens must move the oil shed. Executive Session conference will determine next steps.*

## 9. NEW BUSINESS

- a. **Adopt the MMA Model Ordinance GA Appendices (A-D)** – *Motion by Eric Gasperini to accept Appendices A-D. Second by Phil Crossman. Vote 5/0/0. Motion carried. Passed for signatures.*
- b. **Open Fuel Bids** – *Received only one bid from Alternative Oil who offer 40¢ over rack price. Motion by Eric Gasperini to accept the bid from Alternative Oil. Second by Phil Crossman. Vote 5/0/0. Motion carried.*
- c. **Aquaculture Lease Application – Caitlin Cleaver – Marine Algae** – *Bailey Moritz attended the meeting and Caitlin Cleaver was via video chat. They gave a brief summary of their application and noted that at this time they are not pursuing the Sea Scallop Application and that this would be applications for two Algae/Kelp lines. They would eventually like to grow scallops and oysters after DMR testing and permits are complete. These would be for educational/research purposes only and they have no intentions of making anything commercial out of it - consumption would likely only be at farm-to-table dinners that they have on Hurricane. Motion by Eric Gasperini to approve the Aquaculture Lease Applications for Marine Algae. Second by Phil Crossman. Vote 5/0/0. Motion carried.*
- d. **Aquaculture Lease Application – Caitlin Cleaver – Sea Scallop** – *See Above.*
- e. **Liquor License Application for I. Torrey Pratt d/b/a The Haven Restaurant** – *Motion by Eric Gasperini to approve the Liquor License for The Haven Restaurant. Second by Phil Crossman. Vote 5/0/0. Motion carried. Passed for signatures.*
- f. **ICMC Building Transfer – Draft documents** – *The Board reviewed a draft document provided by Dinah Moyer. It has also been sent to the Town's lawyer for review. No action was taken at this time.*
- g. **Review and Revise Public Conduct Ordinance** – *There was discussion on narrowing the ordinance by location (downtown/village area) or time of day/night. Andy Dorr had gone back through old Selectmen's minutes to see if there was any other information on the creation of this ordinance but minutes were not very descriptive. Andy Dorr read what the State already has for Public Conduct laws and it was agreed that the wording of the laws already in place just needed to be enforced.*

## 10. REPORT OF TOWN MANAGER – Andy Dorr provided a Memo with updates:

1. *It was agreed that the Broadband Committee should pursue this on behalf of the Board.*
2. *Phil Crossman made a motion to look to combine the positions of CEO/LPI and ACO, and also to include the creation of a Constable. Second by Jake Thompson. Vote 5/0/0. Motion carried.*
3. *This brings the mil rate to 11.41*
5. *It was asked if Darlene could send a reminder to Board members as the date gets closer.*
7. *The Board was in favor of the draft agreement.*
14. *Andy was asked to look for samples from other towns on this ordinance. Andy added that the location in the Aquaculture Application the Board signed for Karen Cooper was*

*changed due to depth issues found by DMR. Motion by Eric Gasperini to approve these changes. Second by Pam Alley. Vote 5/0/0. Motion carried.*

**11. REPORT OF MEMBERS –**

*Pam Alley noted that some people are not stopping for pedestrians crossing in the crosswalk at the school - even with the flashing sign... But the signs ARE in working order!!*

*Phil Crossman express concern that the proposed repairs to Carrying Place Bridge were excessive and asked what caused the bridge to fail inspection? Andy said the inspector couldn't get a good view of the granite because it was covered and therefor they couldn't assess its condition. Core samples were taken of the approaches. There was a consensus to wait until the cost estimate comes in before making any changes to the project.*

*Phil asked about revisiting moving the eagle. If a suitable location can be decided, it can be done.*

*Phil asked how to get ahold of the Harbor Master. There is an abandoned boat that was up under the motel and now the tide has left it at the top of the launch ramp in the parking lot. It was asked that the Harbor Master investigate who the owner is. Phil asked the Town Manager to have it removed.*

*Phil mentioned that the city of Belfast has a plastic bag ordinance and if that would be something the Town might consider.*

*Eric Gasperini noted that Andy Dorr would not be able to attend the Selectmen Meeting next week, so the next meeting will be October 2, 2017, 6PM.*

**12. EXECUTIVE SESSION - pursuant to 1 M.R.S.A. §405(6)(E) to discuss a legal matter –Motion by Eric Gasperini to enter into Executive Session at 6:03 PM pursuant to 1 M.R.S.A. §405(6)(E) to discuss a legal matter. Second by Donald Poole. Vote 5/0/0. Motion carried.**

*Motion by Eric Gasperini to come out of Executive Session at 6:21 PM. Second by Phil Crossman. Vote 5/0/0.*

**13. ADJOURN - Motion by Eric Gasperini to adjourn at 8:54PM. Second by Phil Crossman. Vote 5/0/0. Motion carried.**

**Next Board of Selectmen's Meeting: Monday, October 2<sup>nd</sup>, 2017 at 6:00 PM**

*Respectfully Submitted,*

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*Elizabeth Bunker, Deputy Clerk*