

Town of Chebeague Island  
Regular Board of Selectmen's Meeting  
January 19<sup>th</sup>, 2010 @ 7:00PM  
(meeting of January 12<sup>th</sup> was postponed until January 19<sup>th</sup>, 2011)  
Chebeague Island Hall & Community Center

Present: David Hill, Chris Rich, John Martin, Donna Damon, Mark Dyer & Eric Dyer

1. Meeting called to order at 7:04PM

2. Town Administrator Report.

Eric Dyer reported on the following:

- Transition and Training
- Meeting with Town Staff  
Thank you to the Staff & Board for helping in the transition.
- Meetings with Committees  
I have met with some of the Committees and/or Commissions and will be doing more.
- FEMA Projects  
Indian Point project is complete. Tree removal on Deer Point is still on going.
- Stone Wharf Repairs
- Budget process
- Fire Truck Financing
- Coastal Waters Commission  
Have seen the need to put Commission back in place as soon as possible.

Thank you to Wayne Dyer: Wayne did a lot of work for the Town as Road Commissioner. I think the Town should give Wayne a formal thank you for all his work.

**Stone Wharf Repairs:** Repair work is still going ahead. I met with Mark Dyer and Robert Anderson today. Current status is that significant completion of the seal wall is expected by mid February (advised by Mr. Anderson) again this is just the sea wall reconstruction, full side and front. This is the stone work not necessarily the rip-wrap the actual laying and drilling. Pouring the concrete cap corner replacement final fill, curbing and pile work will take place in the spring possibly April. The none suitable fill has been removed and filled with rock from Hope Island. The rock was secured from Hope Island thanks to Ron Tozier and the good will gesture from the Hope Island folks. I would like to thank both of them. The Town is working with Anderson in respect to the ramp replacement and I expect the our guys will do most of the work to do with the ramp replacement. There are some things they (Anderson Landscaping) are expected to do as part of the bid specification, but most of the work will be done by the town and need to be due to budgetary reasons. An inquiry has been made to the Town if we will be keeping the planks for ourselves or what we will do with them. There is interest in private use of those, so my question to the Board is what we will do. Do we keep them for our use or action them off?

Donna Damon: You are talking about the ones in use know?

Eric Dyer: Yes.

Donna Damon: Why would we replace them if they have value?

Eric Dyer: The value is it is no longer as a functional ramp. The value is if they are used as fill or crib work.

David Hill: Something to be aware of that we will be running up against barging season. I want to make sure that as much as possible of this work is done so there will be no interruption in service.

Eric Dyer: Absolutely.

Stone Wharf discussion continued:

Donna Damon: I want to go back to the planks. I think we should wait and think about what the town could do with them.

Eric Dyer: I agree.

David Hill: You have had a request in regard to the planks?

Eric Dyer: Yes.

Donna Damon: I have a couple of questions. One is the concrete cap. You do not mean that we are going to have concrete all along the top of the wharf, along the granite that has just been put in?

Eric Dyer: Yes, it will be poured.

Donna Damon: We talked about this and I thought we decided not to do that. It would just be a concrete barrier.

Eric Dyer: What you will have visually is the granite blocking going up four or five courses. There is about eighteen (18) inches of space between the existing side of the shoot is. That is the finish height for the concrete. There will be a eighteen (18) inch concrete cap of poured to meet the level and carried around and then we will be putting a final gravel layer up flush with that. On top of that we are still discussing 12X12 curbing out of wood so it will look similar to what exists on the rest of the pier.

Donna Damon: My other question is about Hope Island. I would like to know because I can't get a handle on it. All last summer with all the noise they've been quarrying and blasting for a long time. I guess my question is, does this put us in a position not able to enforce the laws we have. They have not acquired any permits for the quarrying. I understand that it is being done for construction, but we do not have a handle on it. We have had not control or input on what's going on. My concern is to have the Code Enforcement Officer over there when we are not sure how much rock they have taken. I do not want us to get in the position that we are looking the other way. This was a surprise to me. I hope this doesn't happen again unless the Board knows about it.

Eric Dyer: Ron Tozier was very comfortable with this arrangement. I trusted his judgment. He did mention that the Planning Board and Selectmen may want to look into this. He did assure me that none of the material came from the Shoreland Zone and was removed do the building process.

Wayne Dyer: Does anyone know if we got our two hundred (200) yards of stone?

David Hill: That's what the last change order called for.

Wayne Dyer: Has anyone seen it?

Eric Dyer: that's a question we need to ask. Ron has started looking into that for me and I will follow up with him. We will get an accounting from Anderson.

Mark Dyer: Some of it is not going into the wharf. In a meeting with Robert Anderson there's a lot still laying on the outside of the banking. I believe he told you and I that he intends to use some of the big stone to extend the rip-wrap as far as he can. Also use some of it to improve the width of the neck of the wharf and keep it within the contract.

Eric Dyer: yes that is right. It is one of the value things coming out of the project.

Mark Dyer: Ron Tozier will be talking to Robert Anderson on this.

Wayne Dyer: Who was hauling it from Hope Island?

Mark Dyer: Plante's barge, Anderson's truck's I believe.

Donna Damon: We need to get a handle on this. We have to explain this to the people.

Wayne Dyer: I keep hearing different prices for the stone. Robert Anderson told me that it will be more expensive to haul the rock from Hope Island. The trucks leave Portland go to Hope Island and come to Chebeague and back to Portland. They are charging for truck time.

Eric Dyer: We will ask for an accounting.

Donna Damon: We need an explanation.

Mark Dyer: One thing Eric is that we asked Robert Anderson specifically about pinning on the interior wall that is being built right know. The answer we got was that they will be pinning by drilling down through afterwards the construction four to five foot epoxy rebar and filling that with grout.

Eric Dyer: Yes, that's right. To his credit that is more than what is specified.

Ernie Burgess: Asked about moving the boulders along the side of the wharf due to loading and unloading of fishing gear. Also, we should consult with the Golf Course about the tee.

Mark Dyer: Most of the boulders have been removed. There's one more to be moved and Anderson will move it. As far as the tee is concerned there will be a meeting with the Golf Course.

Wayne Dyer: We did meet with Wink Houghton and we talked about making the tee smaller. Robert Anderson was in on that conversation.

**Purchase of Fire Truck:**

Eric Dyer: When the warrant was put together for the Special Town Meeting the intent was that it not be handled as a bond. However we find ourselves in that situation that the bank is going to give right now. In order to process a bond we have to have certain things in that warrant article that were not in place. One of them is language what our debt load is. We will have to go back to town meeting soon due to the nature of the borrowing change. I have talked to the Bond Agent and his fee is going to be \$2,000 to \$2,500 for a \$100,000 Bond. We could look for other financing, but the interest rate will change. This seems to be the only road right now. We need to set a Special Town Meeting date today. We need to write an article with the correct language.

Donna Damon: Have we already committed to the purchase of the truck?

David Hill: Yes, we have.

Donna Damon: I think we need to learn from this. Any thing that goes on a warrant needs to be reviewed by the Town Attorney. We need everything in place before we ask the town of fund projects or to approve ordinances.

David Hill: One thing I think caused the problem is that we thought we would be borrowing not bonding.

John Martin: The reason for another town meeting is that we have to bond and not borrow?

Eric Dyer: Yes.

Eric Dyer: I think we should set a town meeting date. We can always cancel it.

David Hill: We need to remember that we have not been a town for a long time. We may not be able to get a commercial loan.

Donna Damon: I have a question. If we borrow for this truck are we in a position that it will be difficult to borrow later on.

Eric Dyer: I cannot answer that. We get a credit rating from our audit. I can look into this.

Beth Howe: This is off the subject of the fire truck, but CICA is on the agenda tonight to set a town meeting date. If we could choose we would ask for February 12<sup>th</sup> we probably could do it on the 4<sup>th</sup>.

David Hill: I guess the room is how long the bank will hold the rate.

Beth Howe: We do need to do a mailing and hold a public meeting.

David Hill: Let's shoot for the 12<sup>th</sup> if we can.

Herb Maine: When we went to town meeting I was not for the financing. When ever we bond we need a clear assessment of the situation. What I will ask you when we go back to town meeting, when we produce another warrant please consider the undesignated fund balance be considered. That wasn't done at all. We need a clear view of the options. See what our resources are.

Donna Damon: Herb raises a very good point about our indebtedness. When we change over to Yarmouth we will have a payment to Yarmouth for our schools, we also have our last payment of \$285,000 which is our last bond payment before the schedule change. We also have payment approximately \$70,000 to \$100,000 to Cumberland to keep the students that are there. We need to look at this and start saving for this. We need to have a major financial discussion.

**Mark Dyer: Motion to hold a Special Town Meeting on Saturday, February 12<sup>th</sup> at 9AM at the Island Hall.**

**Donna Damon: Second with the stipulation that the warrant is only two articles. One being the fire truck and the other CICA, Affordable Housing**

Discussion: Beth Howe stated she does not know the status of the PACE Ordinance. I wonder if it will be possible to have that at town meeting. It basically to adopt an ordinance.

David Hill: We could wave the second reading.

Donna Damon: We have not has a first yet.

Beth Howe: We need to move ahead as other towns are applying.

Donna Damon: I will agree to three (3) articles.

**Donna Damon: Motion to move the PACE Ordinance to Town Meeting subject to legal review of the Town Attorney.**

**John Martin: Second.**

**Vote Unanimous.**

Eric Dyer: Could we set the date on the 26<sup>th</sup>? We need to know more about the financing situation.

**Donna Damon: asked to amend her first request and make the warrant a three article warrant with the truck, CICA and Pace Ordinance.**

**Mark Dyer: Okay with amendment.**

**Vote: Unanimous.**

### 3. Public Comment.

Herb Maine: there will be a meeting Friday the 21<sup>st</sup> at Cumberland Town Hall in regard to the Flood Plain Maps. It is from 9AM to 11AM.

Ernie Burgess: Asked the Board to reactivate the Coastal Waters Commission as soon as possible.

Claire Ross: A quick update on our dredging request to Congress. It would have gone into budget as an earmark. I have had an email from Senator Snows office thanking us for all our hard work and that the Senators office will not be voting for earmarks. We are sitting at the table with the DOT and Army Corp as a dredging need. There are other avenues through the Army Corp. It's not all lost. It is the political climate in Washington.

### 4. Old Business.

4.A To have the Selectmen discuss and possibly act on an Memorandum of Understanding with the Recreation Center RE: Communication Tower.

**Mark Dyer: Motion to approve Memorandum of Understanding as drafted between the Town of Chebeague Island and the Chebeague Recreation Center for the construction, operation and maintenance of the tower. Chairman of the Board authorized to sign the Memorandum of Understanding.**

**Chris Rich: Second.**

**Vote: Unanimous.**

4.B To have the Selectmen discuss and possibly act on the Personnel Policy for the Town of Chebeague Island.

**Mark Dyer: Motion to approve the Personnel Policy and/or Employee Handbook as drafted with appendices.**

**Donna Damon: Second.**

**Vote: Unanimous.**

#### 4.C Ordinance Readings.

- Capital Planning & Finance Committee Ordinance – Third Reading  
**Mark Dyer: Motion to move this to Town Meeting as drafted in ordinance form.**  
**Chris Rich: Second.**  
**Donna Damon: Motion to amend Section 4A to read “at the request of the Selectmen and to advise the Board of Selectmen”**  
**Mark Dyer: Does not agree with amendment. Leave the motion as stated.**  
**David Hill: Is there a second to Donnas’ amendment.**  
**David Hill: No second heard.**  
**Vote: Four (4) in favor with One (1) Opposed.**
- Dog Control Ordinance – Second Reading  
**Donna Damon: Motion to move to third reading.**  
**Mark Dyer: Second.**  
**Vote: Unanimous.**

#### 4.D To have the Selectmen discuss the Stone Wharf Project.

This discussion was held in the Town Administrator’s Report.

#### 5. New Business.

##### 5.A Nomination of Registrar of Voters for the Town of Chebeague Island.

**Donna Damon: Motion to nominate the Town Clerk to be Registrar of Voters for the Town of Chebeague Island.**  
**Chris Rich: Second.**  
**Vote: Unanimous.**

##### 5.B To consider Shellfish Commission recommendation for amended license allocation.

**Donna Damon: Motion to accept recommendation from the Shellfish Commission for the amended license allocation.**  
**John Martin: Second.**  
**Vote: Unanimous.**

##### 5.C To have the Selectmen discuss and possibly act on responsibilities and Job Descriptions of Municipal Employees and Appointees.

- Job Description - Town Administrator
- Job Description – Public Works Employees

David Hill: What we have here are revised job descriptions for the Town Administrator and Public Service Workers /Town Mechanic, Public Service Worker Full and Part Time. How do you want to proceed with this?

Donna Damon: Maybe Eric can give a general overview of this or have us just except this. Is that what you want to do?

Eric Dyer: I guess what I was looking for previously that these were to be draft documents for three or four months until we have a chance for me to fully understand what the positions include. To have a three month review of the employees under the direction of the employee handbook we now have in place. To have the employee contribute and make comments about their own job functions because I am walking into a situation that I do not necessarily know everything about and less than that about some of the jobs. I would like to give them a chance to comment on what it is they think they do and have a chance for all of us to consider this.

To work towards something that has been finalized that has input from all sides. To hold an Executive type meeting thing to finalize these.

David Hill: These are working documents.

Eric Dyer: These are working documents, but I would like to accept them as draft to guide discussion about employee activities and that type of thing.

Donna Damon: I think we need to give you the authority to use these as they are written until you amend them because if we just say we have a draft we have nothing to go by but if we say we are approving these subject to any future revisions I think that will really help you during the next three months because it will give you the authority. This kind of restructuring in some places and we are in charge of your job description so it puts us in a place where how do we hold someone accountable for the next three months.

Eric Dyer: We do have a three month review scheduled for me.

**Donna Damon: Motion to accept Job Descriptions for Public Service Workers, full and part time and the Town Administrator Job Description subject to a three (3) month review by Eric or any revision(s) he might want to suggest along the way.**

**John Martin: Second.**

Mark Dyer: Looking at the Town Administrator Job description draft it is almost identical to the one we had when we started this town. What it really is here that person is suppose to be the Treasurer, Road Commissioner, General Assistance Contact, Human Resource Manger, Personnel Director, Planner. All that stuff was in there day one and it has never been done. The only thing we are asking this individual to now do is to over see all of the employees in all divisions. That was supposed to be done by the first two managers. Am I wrong is saying that? I not trying to say that we are not doing anything different with the job description I guess we have tweaked it a tiny bit but when we hired somebody to be the Town Administrator he was suppose to manage the town and its employees and its divisions.

David Hill: That is a tweak because we also have Animal Control Officer and a revision to supervise.

David Hill: Motion on the floor and a second to accept these as working draft documents giving Eric the power to use these as he sees fit and to revise these as appropriate as he moves forward and to work with the employees to keep everybody together.

John Martin: I heard Public Services Workers as opposed to Public Works that's a new phrase that I have heard. Where or not you were wondering if you heard it correctly it is Public Service Workers, full & part time.

David Hill: It is public service.

Donna Damon: I think it is a way to expand not just the roads. It could be the whole community.

Claire Ross: Could I have a copy of those job descriptions? Are they public documents?

David Hill: yes and they are.

Wayne Dyer: Where is Eric going to get the time to do all this things?

Eric Dyer: the good thing is that I have deregulatory authority. So I hope to delegate some of this. This will be an ongoing discussion with the Board and other employees on how to get things done effectively. It might not be me doing everything. I hope to work with people and get this function and it will be a shared responsibility there's no question about it. It's a matter on how that gets done and I think vesting in me the authority to make that happen.

David Hill: It's a good question Wayne. It's building a system, it's building a structure and once that is built it should be maintained.

Wayne Dyer: There are a lot of things to look at. I never did get the chance to meet with Herb on the long range outlook. There's a lot to the Road Commissioner job. You need to be visible.

Donna Damon: I think the road part of this is that Eric is in charge and when he tells someone to do something we are going to back him up and this is the structure in which it will happen. If he comes to use and says he wants to change this section it's where we are going.

John Martin: Read the responsibilities of the Town Administrator (see attached exhibit). I think we have a good team.

Eric Dyer: This applies to any of the function I am charged with. It is something I will be very aware of I do not want to work fifty to sixty hours a week. That's not what I want to happen. We will be paying attention to this in all divisions.

**Vote: unanimous.**

#### 5.D To have the Selectmen discuss and possibly act on a proposed Budget Meeting schedule.

Eric Dyer: There is a draft of a meeting schedule. It also gives three important parts of the process Budget, Town Annual Report and Town Warrant. The Annual Town Report is a legal requirement and I would like to see it done. I would not expect it to be a full report that a scope to be discussed. Basically I am trying to get this wrapped up by April. It's ahead of schedule it would give everyone time to review it. It's an aggressive schedule, but I think it can work. We need to get last year's budget out to the Committee for their review and develop draft budgets with me. The draft will then come back to the Board.

David Hill: We have not had an annual report. This is required?

Erich Dyer: Yes.

David Hill: Are we at risk of fines?

Eric Dyer: I do not know, but I like to follow the rules.

David Hill: Basically this is a schedule to be worked into our personal schedules.

Donna Damon: Someone asked me if we could have Town Meeting later in June. That would be around the 11<sup>th</sup>. I know that we would have to hold a School Validation vote; would this be to our advantage?

Claire Ross: That is graduation weekend.

Donna Damon: That is Saturday and nothing going on for graduation.

Donna Damon: There is nothing on here about meeting with the School Board.

Eric Dyer: I will be speaking to Bump about a schedule.

#### 5.E To have the Selectmen discuss and set a date for a Special Town Meeting for the purpose of considering Affordable Housing issues.

Discussed earlier in meeting

#### 5.F To have the Selectmen discuss and set the date for a Selectmen's Workshop for the purpose of considering the Comprehensive Plan.

**Mark Dyer: Motion to hold a Workshop on February 16<sup>th</sup>, 2011 at 6PM at the Hall.**

**Donna Damon: Second.**

**Vote: Unanimous.**

#### 6. Non-agenda items to be presented by Selectmen.

Donna Damon: Advised that she has been asked if there will be a coffee and/or gathering for people to meet Eric.

6. Approval of prior minutes

**Mark Dyer: Motion to approve minutes of November 07<sup>th</sup> , Nov 10<sup>th</sup> and November 20<sup>th</sup>, 2010 as written.**

**Chris Rich: Second.**

**Vote: unanimous.**

7. Approval of Expense Warrant

**Mark Dyer: Motion to approve Expense Warrant Dated 12/17/10 for \$\$60,200, Expense Warrant dated 12/23/10 for \$43,859.89, Expense Warrant dated 1/07/11 for \$73,111.82 and Expense Warrant dated 1/14/11 for \$15,719.91.**

**Donna Damon: Second.**

**Vote: Four (4) in favor with One (1) abstention.**

8. Adjourn meeting

**John Martin: Motion to adjourn at 10:10PM.**

**Donna Damon: Second.**

**Vote: Unanimous.**

Respectfully submitted by Susan Campbell, Town Clerk.