

APPROVED
4/12/23

MINUTES

Members Present:

Chair Gabe Pendleton, Vice Chair Shey Conover, Phil Seymour, and Melissa Burns
Via Zoom: Lauren Bruce

Others Present:

Town Manager Janet Anderson, Richard Cavanaugh, Dick DeGrasse, Linda Gillies
Via Zoom: Maria Forney, Ken Smith, Menlo Waltheri, Maggy Willcox

Call to Order: Chair Gabe Pendleton called the meeting to order at 6:10 PM (due to Budget Workshop going overtime) and a quorum was established.

MOTION BY P. Seymour, seconded by M. Burns, to approve the minutes of March 15, 2023 Regular Meeting, as amended. S. Conover clarified a bullet point on the Email Hosting Service discussion: the annual cost of the Lighthouse website is not \$2000. Motion passed, 4 yes, 0 no.

VISITOR COMMENTS/PETITIONS

PUBLIC HEARING: Victualer: The Fen Café at ICC

MOTION BY S. Conover, seconded by M. Burns, to enter into Public Hearing. No discussion. Motion passed, 4 yes, 0 no.

J. Anderson stated all the paperwork is in order. Menlo & Leo Waltheri, owners of The Fen Café at ICC, spoke via Zoom regarding the opening of the Café, stating they are excited to be here and to provide this service to the community.

MOTION BY S. Conover, seconded by P. Seymour, to exit Public Hearing. No discussion. Motion passed, 4 yes, 0 no.

MOTION BY M. Burns, seconded by S. Conover, to approve the Victualer License for The Fen Café at ICC. No discussion. Motion passed, 4 yes, 0 no.

FERRY SERVICE UPDATE

G. Pendleton stated that Mark Higgins has resigned as the head of the Maine State Ferry Service, and they are actively seeking his replacement. John King, the island's representative on the Ferry Service Advisory Board, is returning soon, and the board is scheduled to meet with the DOT in Augusta to talk about the new ferry design and how the Town can meaningfully participate in the design process.

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SEA LEVEL RISE

S. Conover reported that there was a meeting last Thursday. Shri Verrill, the new planning consultant, was able to attend. The committee is in the orientation phase with her to get her up-to-speed. The next phase is data collection, largely environmental, before going through the RFP development process. Next meeting is Thursday 4/6 at 5:30.

MUNICIPAL BUILDING PROJECT

Linda Gillies gave a brief presentation on the history of the project, specifically regarding funding. On September 22, 2022, voters approved funding totaling \$3,500,00 in two parts: up to \$1,750,000 in general obligations bonds, and authorization to accept gifts from the private sector totaling \$1,750,000. Fundraising has been successful, and as of today, the campaign has exceeded its goal. \$1,758,036 has been raised. The committee will announce the status of the campaign via Constant Contact next week, as well as in the Islesboro Island News, and on the MBPC webpage.

UPCOMING MEETINGS AND SUBCOMMITTEE REPORTS

- Planning Board: April 10th – 5pm

TOWN MANAGER REPORT

Town Manager Janet Anderson shared via the packet:

- Minutes of 3/15/2023 Select Board Regular Meeting.
- 3/22/23 correspondence from Lincolnville Select Board—thank you for the \$15,000 harbor stipend.
- 3/27/23 email from Dave Kinney regarding Select Board Joint Meeting. Best for them after June 13.
- FY23 Warrant #20
- 3/27 Ad for Director of Ferry Service
- Copy of the FY24 Congressionally Directed Spending Grant Application prepared by Cressica Brazier
- 3/29 email from Melissa Olson inviting members of the Lighthouse Committee and Sea Level Rise Committee to gather April 4 at 3pm to meet Conservation Assessment Program (CAP) assessors who will evaluate the museum and collection.
- Minutes of the 3/16 Lighthouse Restoration Committee meeting.
- 3/27 Ken Smith Aquaculture Subcommittee proposal

DISCUSSION ABOUT PROPOSED AQUACULTURE SUBCOMMITTEE

Ken Smith spoke via Zoom and explained that the Harbor Committee and Shellfish Committee would like to have a subcommittee for the purpose of public transparency in

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the aquaculture lease application process, and to reduce potential future conflicts in aquaculture operations in the waters surrounding Islesboro.

She stated she is not opposed to the idea. She thinks the subcommittee would help increase communication; however, creating a local process does not change the process at DMR. She asked if the intention is that the Harbor Master would hold off on signing the lease application until applicants hold this meeting with the subcommittee. Ken answered that yes, the Harbor Master would sign after the subcommittee has a chance to go through the process. It would also give applicants a chance to explain what their intent is.

Gabe stated that he isn't clear that Select Board approval is needed to form a subcommittee, but since we're here, he would entertain a motion to approve the formation of the subcommittee as described.

MOTION BY P. Seymour to approve the Aquaculture Subcommittee as described. No second.

Discussion:

- M. Burns stated she liked the idea of transparency and everyone having a public forum, but asked if this would create more work for the Harbor Master and committees. Ken answered that it would not create more work for the Harbor Master. The idea is to create a forum so that everyone on the island has an opportunity to be aware of what's being proposed. There are bound to be issues in navigation, and we will have a chance to deal with these questions before they become conflicts.
- S. Conover stated she is hesitant to formalize a process that is outside of the State's explicit decision-making process. It's the responsibility of the Harbor Master to understand if an application can go forward with the DMR process. She is concerned about authorizing a process with the expectation that we leave a public hearing with 100% community consensus on every proposal.
- G. Pendleton added that in a situation where DMR does not see the need for a public hearing, but now Islesboro plans to put a hearing in place, we need to be careful; if we are trying to create a pre-permitting process, that perhaps is not legal. He doesn't want to interfere with the State process if we don't have the authority to decide, as the Town does not have jurisdiction. It could end up in court. This subcommittee could be good for information sharing to help inform the Harbor Master's decision, but not for providing a forum for things that otherwise would not be provided under the State's permitting process.
- L. Bruce added that if the intention of the subcommittee is to make sure the community is aware of what's going on, maybe there's another approach without having a formal hearing.
- G. Pendleton stated that we certainly could have an information meeting, and to the extent it creates a situation where folks are participating in the broader permitting process at the State level, that's fine, but if the process here interferes

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with the State process, that's a concern. We don't want to cross the line. If people don't want it a particular application to go through and the Harbor Master withholds approval based on that, we may not have the authority to do that. There is currently opportunity for folks to participate.

- J. Anderson added that folks may not be aware currently. The Town receives notification and it is posted in the lobby, but it may not be enough. Perhaps it should go out on Constant Contact.
- L. Bruce stated that perhaps using the terminology of "Public Hearing" could be a legal challenge.
- G. Pendleton stated that he is more concerned about what could happen at these meetings; the Harbor Master could make decisions outside the scope of his jurisdiction.
- Ken stated he has been talking with a representative from the DMR. We want to have a complete understanding as to what we can and can't do. We aren't going to do something beyond our jurisdiction.
- M. Burns suggested holding off on this until after Ken meets with the DMR and has a better understanding.
- G. Pendleton stated that if we tailor this to those things that the Town has authority over, he would support it. In the meantime, he supports the Town blasting application notifications on Constant Contact so people can be aware of public comment periods.
- S. Conover pointed out that people can find application information on the DMR website. People can also sign up for DMR alerts.
- G. Pendleton stated that when we have a more clearly defined proposal, we can move forward this. He thanked Ken for being proactive.
- **P. Seymour withdrew his motion.**

CORRESPONDENCE

3/22/23 correspondence from Lincolnville Select Board—thank you for the \$15,000 harbor stipend.

3/27/23 email from Dave Kinney regarding Select Board Joint Meeting. Best for them after June 13.

OLD BUSINESS

1. Municipal Power Update by Richard DeGrasse
 - Dick DeGrasse made a presentation to the Select Board with an update on his research into creating a municipal electric entity.
 - Dick received a quotation from Vermont Public Power Supply Authority (VPPSA) for wholesale power for the island that is very competitive.
 - The Maine Public Utility Commission has approved the idea of creating a municipal utility in some form so we can accept the wholesale power, which

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will be fed through Central Maine Power as it's done today with the Standard Offer.

- Dick doesn't see any expenditure, except for a lawyer to create a legal municipal entity that's acceptable to the Commission, so they can give us a license to buy wholesale power. He recommends Jim Cohen to be the lawyer. Dick is requesting the Town pay the legal fee to set up the entity. He provided a proposal.
 - Dick explained the process of suppliers and distribution.
 - This will be the first time that a municipality buys wholesale power in the State of Maine. This will save consumers in our Town a lot of money.
 - We'd be allowing VPPSA to be on the table with CMP.
 - The suppliers are willing to sell off-peak power to the extent we need it to charge a ferry battery in the future.
 - There are some municipalities in the State who have power entities and own their infrastructure. As far as Dick knows, there are no other municipalities that have power entities without owning the infrastructure.
 - Consumers will still have a choice if they prefer to stay with CMP's Standard Offer, as it is separated by meter.
 - S. Conover asked if there would be a minimum enrollment rate. Dick answered that they supply whoever signs up. There is no minimum enrollment.
 - L. Bruce suggested we assign someone to look into this further, or a workshop to organize this idea. We don't have enough info to make a decision tonight.
 - G. Pendleton suggested we run this by the Town attorney. We may need to have a Town vote on this.
 - S. Conover compared it to the creation of the Economic Sustainability Corporation. It seems complicated enough that we need a public process.
 - Janet will scan the proposal from Jim Cohen and distribute to Board members. She will also contact the Town attorney.
 - The Board thanked Dick for all the work he's done on this.
2. Update "Islesboro Looking Ahead" for 2023
- G. Pendleton stated he has not finished the draft yet.
 - S. Conover suggested streamlining this document, as it has become daunting.

NEW BUSINESS

1. None

OTHER BUSINESS

1. None

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APPROVE WARRANT: FY23 #20

MOTION BY M. Burns, seconded by S. Conover, to approve Warrant FY23 #20. No Discussion. Motion passed, 4 yes, 0 no.

APPOINTMENTS:

Bill Thomas, Lighthouse/Museum Committee, replacing Jeff Glotzl

MOTION BY P. Seymour, seconded by M. Burns, to appoint Bill Thomas as member of the Lighthouse/Museum Committee. No Discussion. Motion passed, 4 yes, 0 no.

CHAIR COMMENTS

None

VICE-CHAIR COMMENTS

None

INDIVIDUAL SELECT BOARD MEMBER COMMENTS

Melissa Burns: Junior Class Dinner April 11th, please come!

Phil Seymour had no comment.

Lauen: Weather is beautiful here. We'll be back April 11th.

MOTION BY M. Burns, seconded by P. Seymour, to enter into Executive Session at 7:23 PM. No Discussion. Motion passed, 4 yes, 0 no.

Respectfully Submitted,



Carrie Reed
Secretary