

**AGENDA**  
**Board of Selectmen**  
**June 10, 2008 @ 6:00 P.M.**  
**Southwest Harbor Town Offices**

I. **Call to Order/Roll Call:** Chair called the meeting to order at 6pm  
Roll Call: Skip Wilson, Whitney Granholm, Trudy Bickford, Berten Willey, Kristin Hutchins.

**Attending:** Robin M. Bennett, Town Manager

**Visitors:** Representatives from the 5<sup>th</sup> Grade class at Pemetic Elementary School: Maeve Geary, Gabe Grasz, Ralph Magnani, and Clare Johnson. Other visitors: Jim Geary, Michael Magnani, Anne Welles, Fran Howley, Diane Helprin, Skip Strong, Mark Good (BH Times) Ann & Charlie Bradford, David Kelley, Missy Kelley, Nahm Kelley, David Chapais ( Police Chief), Dan Stewart (D.O.T.), Dick Broom(BH Times), Susan Whitby, Ralph Dunbar, Jr. (Selectman elect), Sue Shaw, Nathaniel Shaw, Jackie Carroll, Hannah Carroll, Stephanie Clement.

II. **Visitors to be heard not on the agenda** - none

III. **Approval of Minutes: May 27, 2008** It was moved (Hutchins ) and Seconded (Granholm) to approve the minutes of May 27<sup>th</sup> 2008 as presented 4 – 1 (Wilson abstained)

IV. **Warrants:** Administration 157-162 Water 13 Sewer 28, 29

The Chair moved the **5<sup>th</sup> Grade Bike Presentation** to the first item on the Agenda after Warrants: Fran Howley introduced Clare Johnson, Maeve Geary, Ralph Magnani, and Gabe Grasz, 5<sup>th</sup> graders from Pemetic School who had specific roles in the presentation. Clara Johnson explained to the Board why the class began this project; Maeve Geary explained the new bike law that was passed and summarized the points of the new law; Gabe Grasz and Ralph Magnani gave a visual and verbal presentation explaining the survey they used, and results. While Gage handled video/computer graphics, Ralph explained that SWH center is the most dangerous area and why; he also discussed the section of road from head of the harbor to the Manset corner and the fact that there are no shoulders, likewise the intersection of Manset corner is difficult to cross; Ralph and Maeve read stories of close calls from bikers; and Clare Johnson read the recommendations made by the class. Ralph Magnani thanked the Board for listening to their presentation. The Chair thanked the class and said the Town hopes to work with the State to correct these problems. Chief Chapais noted to the Board and the presenters that there is a bike rodeo on June 14<sup>th</sup>, and free helmets will be given out. Dan Stewart, M.D.O.T., said this was the best presentation he has seen, and congratulated the class for being specific on their recommendations. He encouraged the Town and the kids to attend all M.D.O.T. meetings and continue to communicate with letters to M.D.O.T.; Chair said the Town should continue to see that they are on the 6 year plan and hopefully get on the 2 year plan. Stewart encouraged the Town to communicate with Senator Damon as well. Fran Howley asked how to get “Share the Road” signs – Stewart said that they must

identify specific areas and have the Town work with them and contact Stewart. Wilson said one issue he sees is that paved shoulders usually only get one layer of hot top, and keeping shoulders patched appropriately is important. Stewart said it is important to continually communicate with the State. He asked that he be e-mailed with specific areas for Share the Road signs and he will attempt to help. Jim Geary asked if there were any communities in the State that have worked in partnership with M.D.O.T. and would be a stand-out example. Stewart said the most successful towns work with groups, like these students. If towns are willing to come to the plate with some funding, it helps even more.

#### V. **Old Business**

a. Facilities update – Bennett said there were a couple of letters of interest in the committee and board openings. She has also had a couple of calls asking if the committee was open to taxpayers who were not voters. The suggestion was for 3 people who were taxpayers but not voters could be included as part of the building committee. It was Moved (Willey) and Seconded (Hutchins) that taxpayers who are not registered voters may be included as members of the building committee Vote in favor: 4 – 1 (Wilson abstained saying “I don’t know anything about it”.)

b. School consolidation – Hutchins handed out materials, the documentation shows what has been accomplished and nothing else is expected until July. Skip Strong, representing the School Board, said Trenton is meeting tonight and is the only Town showing interest in joining the Island. Regarding the monies to support the legal costs of the committee working on the school consolidation, Strong said three towns have authorized \$5,000 each to do that; the second page indicated the budgeted legal expenses paid out so far and the balance available. All schools will contribute \$2000 and SWH will contribute \$4000. With the exception of SWH, all Towns will have contributed \$7000. He encouraged the Selectmen to find \$3000 tax dollars to contribute. Hutchins feels that the money should be contributed but not from the Town side of the budget. Bickford said the money should come out of the Union 98 Budget. Strong said he is strongly urging the Town to contribute the additional funds. Bennett said the Town is at zero funding, and she is a strong advocate of the school funding this expense. At the end of the year the school has a carry over and the Town does not. Bickford said the Town should not contribute money unless it is voted for. Wilson asked what legal funding might be available in the Town budget. Bennett said that legal funds have been overrun for many years. We are in a budget crunch and overall it will be a squeaker to end up in the black. Bennett will check the specific line item for legal. Wilson expressed concern that this expense was not brought to the Selectmen during March while budgeting was being done. If so, it could have been part of the budget, “rather than having to sit here this evening and look for money that isn’t there”. Wilson said it doesn’t matter how it’s addressed, money is still coming out of the taxpayer’s pocket. Bickford said the Selectmen voted to have the Pemetic School fund the legal expenses in their budget, and “they had time to increase their Budget”. Hutchins thought it was obvious that it should come from the Pemetic School budget and while sympathizing with Strong’s position, said “it oughtn’t to effect the perception of Southwest Harbor’s support...”.

## VI. New Business

1. Dark Skies – the meeting was attended by several Selectmen – Bickford felt is a good presentation and motivational as well. Hutchins said it is a good presentation, and people who see it are impressed. Bennett agreed, and said it seems like an easy to do thing. “This Town is in a unique area with a unique opportunity to make an impact on things in the future.” She suggested that the Selectmen endorse the efforts of the Planning Board to continue with the lighting ordinance.

2. Solid Waste Committee – Bennett said this is a committee she would like to see formed for the Town of Southwest Harbor. It will be a great benefit to the Town. There has been no overwhelming response, but there are things like recycling that the Town would like to promote to reduce our costs, and she would like to get support from the Board to form a Solid Waste Committee. Hutchins asked about the recycling rate in this Town. Bennett said she checked and it was higher than she expected, around 30%. Lee Worcester commented that “Southwest Harbor is actually a better-than-average recycling rate”. Bickford said a Solid Waste Committee was one that Acadia Disposal District (A.D.D.) wanted the Towns of Tremont and Southwest Harbor to combine. Willey said “it has been tried for years and never worked”. Wilson asked if there was money to start that committee. Bennett said there were no real costs to form a committee, but typically boards and committees have about \$500/year for incidental expenses/mailings, etc. Lee Worcester would like to put his name on the committee. It was Moved (Hutchins) and Seconded (Granholm) to advertise and start a search for people who would like to be on a Solid Waste Committee. Vote in favor: 4 – 1 against (Willey).

3. Street Name Request – David Lloyd subdivision submitted Beaver Lodge Lane as the street name into the subdivision. It was Moved Bickford and Seconded Hutchins to accept Beaver Lodge Lane as the street name for the Seawall subdivision developed by David Lloyd. Vote in favor: 5 – 0.

4. Fuel Oil Bids – Bennett reported that there were only two bids received for fuel oil. One company would only bid for rack, plus. The other gave both a fixed rate and a rack plus. Diesel was not included in the fixed price, but would be rack plus. The fixed price firm was Hancock Oil. Mt Desert has signed with them. It was Moved (Wilson) and Seconded (Hutchins) to accept Bennett’s recommendation for a fixed fuel rate from Hancock Oil. Vote in favor: 5 – 0.

VII. **Manager’s Report:** Bennett said there has been limited boards and committees response from advertisements; Bickford suggested the sign-up sheet be circulated. Granholm suggested the Town Manager do a meet and greet at the Post Office area and encourage people to sign up for committees. Bickford said she would join Bennett in that effort. Wilson said beside that, just make up the forms and post them on the bulletin boards. Bennett asked about building committee persons and asked the Board if they want those members who sign onto the building committee to come to the next Selectmen’s meeting to learn what is expected. Members agreed this was a good idea. Hutchins circulated a timeline of what has been done to date on renovation/rebuild/space needs based on her records and research.

Bennett discussed the resignation of Harbor Master Gene Thurston. There has been some response and some interest expressed. Bennett is searching for an interim Harbor Master. Granholm questioned whether there will be a “send off” for Gene. A tentative plan is in the works. Bennett said the Pier project may be slowed slightly by Gene’s departure, but we are in between the phases currently. The Harbor Committee will be part of the search process.

We received a small safety grant for traffic safety equipment – signage, cones, vests: that type of equipment. This is primarily for directing traffic at scenes of accidents.

Bennett noted that there are still two vacancies in the Police Department and second interviews are taking place shortly.

There is a monthly overview financial report in the Select packages. Hutchins asked about contracted services figures and Bennett said that figure is not firm as it did not include May and June. She also said that thirty day notices going out have generated calls and letters.

VIII. **Other Business** – Wilson said, regarding the 5<sup>th</sup> grade presentation tonight, that the Board should continue to follow up on M.D.O.T. and Bennett said she will follow up with Monson as well. Bennett will double check the M.D.O.T. schedule and the 6 year plan. Wilson said if we are on M.D.O.T.’s ‘09 budget year we must get ready to do the piping for the water lines.

Bickford: would like to see the Town work on conserving all types of fuel – gas; heating; diesel. It would be good to give the information to the Town. Bickford asked where we are on the High Road. Bennett said the vendors will not have asphalt until July. Wilson said the curbing needs to be stabilized by backfilling in order to keep it in place when the plows are in service in the winter. Bennett will follow up with that, and with any cosmetic repairs that may need to be made after the work is done. Bennett has heard that some of the residents do not want the Town to do anything to the sidewalks. Granholm asked if that would be something that would just happen, or would it be discussed before a decision was made. Wilson said he walked the area last week and thought it was the worst job he has ever seen and the Town should not accept it. Willey said the Board didn’t know that the construction on the sidewalks wasn’t planned for the whole sidewalk, but only part which was built back into that which was untouched. Bickford agreed. Wilson referred to Clark Point Road where the sidewalks were completely rebuilt and said there is no comparison in the work. Bickford said the Board needs to look at the budgets to make sure the upcoming work may be done properly. Wilson suggested that rather than have Lane paving do Town work, we must look at others, like Ring paving. Bennett said that the sidewalks were sub-contracted, and now from an economic standpoint it might not be feasible to go to another contractor. Wilson said it might be possible to get the contractor to opt out of the \$7000 and put more money with that to hire someone else.

It was Moved (Wilson) and Seconded (Granholm) to go into Executive Session, re: 1 M.R.S.A. § 841 (2) at 7:35 P.M. In favor: 5 – 0.

- IX.           1.       **Executive Session**, Re: Abatement in pursuant to 1 M.R.S.A. § 841 (2)  
It was Moved (Wilson) and Seconded (Hutchins) to come out of Executive Session at 8:34 p.m. In favor 5 – 0.

It was Moved (Wilson) and Seconded (Willey) to go into Executive Session re: 1 M.R.S.A. § 405 (6) (A) at 8:35 p.m.

2.       **Executive Session**, Re: Personnel Matters in pursuant to  
1 M.R.S.A. § 405 (6) (A)

It was Moved ( Hutchins) and Seconded (Wilson) to come out of Executive Session at 9:21 p.m. In favor 5 – 0.

X.       **Adjournment**

It was Moved (Wilson) and Seconded (Hutchins) to adjourn the meeting at 9:22 p.m. In favor 5 – 0.

Submitted by: Carol Walsh           \