



**MINUTES OF MEETING
Board of Selectmen
May 27, 2008 @ 6:00 P.M.
Southwest Harbor Town Offices**

I. Call to Order/Roll Call: Excused: Skip Wilson; Present: Kristin Hutchins, Whitney Granholm, Bert Willey, Trudy Bickford, Chair. The meeting was called to order at 6:00 p.m.

Visitors present: David Chapais, Sharon Howard, Larry Hudgens, Ralph Dunbar, Jr., Sandy Johnson, Kathe Falt, Margy Vose, Mike Magnani, Mark Good, Molly Lyman.

II. Approval of Minutes: May 13, 2008. It was moved (Hutchins) and seconded (Granholm) to approve the minutes as presented. Motion carried 4 – 0.

Hutchins asked what the independent confirmation was in the comments concerning the Causeway Club water meter problem. Hudgens, Manager of the Causeway Club was present and said all in attendance had agreed at the meeting at Causeway Club when the meter was turned on. Present were: Town Manager, Water Department crew and members of the Causeway club

III. Warrants: Administration 151-156 Sewer 27 Water 12

IV. Visitors to be heard not on the agenda: Sharon Howard, representing the Planning Board, presented a letter of resignation from John Carr and a letter of interest from Sandy Johnson to fill that vacancy. The Chairman told Ms. Howard that all appointments will be made during one June Selectmen's meeting.

Michael Magnani asked the Board if they would have the Pemetic 5th grade class do a presentation to the Selectmen on bike safety at the first June meeting. They will go on the June 10th meeting agenda.

V. Old Business

a. Facilities update – Bennett said there was nothing new to add – will be talking about the Town Office/Police Station project later in the meeting..

b. School consolidation – Hutchins said since the last meeting, the group met twice and will meet Wednesday this week – trying to agree on the set of directions to go to the attorney that will form the inter-local agreement. Issues – Trenton and Lamoine are very interested in joining and the school reps want to put enough flexibility in the inter-local agreement to allow change if needed (opting out and opting in by other towns). Some issues: voting and the governance structure – currently it is a weighted voting structure. It is possible they may not have to have that structure in the future. It has been provisionally suggested that the members representing the Towns will be appointed by the Towns; there was a brief review of chapter XV, and the cost allocation formula currently in place works, but there might be some adjustment if Trenton and Lamoine join. The State recognizes only one entity and the special education subsidy will go to one entity, to be allocated out appropriately to the individual schools. Teachers will remain Southwest Harbor employees but the Town will not pay them – the unit will pay them – no one is sure exactly how that will work – there will be a uniform contract. The question is whether they have their contract with the regional school unit or with the Towns. Johnson said if there is a single contract and a single administrator of payroll and the Towns contribute their funds, with portability of teachers between schools it could reduce costs. Hutchins said a small concern would be how to divide the subsidy. There are also Federal Rural Grants that are available, and another question is how to be qualified for that in this configuration. Johnson asked if there was a position on the ballot for the high school committee and no one ran. Hutchins said there was, and that Eric Henry agreed to do fill that spot. Howard asked about the School Boards for the elementary schools. Hutchins said the local boards will always have the same authority. We will be voting reps to the local board and they will represent the Town on the inter-local board.

VI. New Business

1. Special Event Liquor License & Special Amuse. Permit Application:

a. Harbor House Community Svc. Center representative, Margy Vose, said this is for the Quieside Festival and for the gathering at the Harbor House facility with a band from 7 – 11 on Friday and

Saturday. HH has filed for a special license with the State for the poker night. It was moved (Granholm) and seconded (Willey) to approve the special amusement permit and special event liquor license for Harbor House. Motion passed: 4 – 0.

2. Street Name Request – Bennett presented the request for Seawall Pond Road. She pointed out that it is very similar to Seawall Point Road and that 911 recommends not having similar street names. It was moved Hutchins and seconded Granholm, to reject the name Seawall Pond Road based on the 911 criteria and to request the applicant submit an alternate road name. Motion passed: 4 - 0

3. Town Office/Police Station Project: Hutchins said she has been approached by several people encouraging the Town to purchase some of the current available real estate. She suggested that one of the first things that should be done is review the Sewall report again as it is very clear that the voters would like to see alternatives. Discussion was held on forming another building committee and perhaps expanding the members. Bickford said that there have been numerous committees. Willey agreed there have been many committees, and in the case of the Fire department the project ended up right back at the beginning. Hutchins suggested setting a time frame: there is also an opportunity coming up in November to bring the question back to the voters. Granholm cautioned putting too many options out before the public with not enough information. Bickford would like to see the Selectmen's votes on the web page, published in the newsletters, and listed on the cable channel. Granholm suggested assigning two Board members to re-organize the background material on the Police Station building, prior to further review. Hutchins asked if a committee should be formed, and for a breakout of what the dollar figure from Sewall's report of last year represented. Bennett said that figure was based on an average square foot price for normal office space; the report was nothing but an estimate on converting that space to an office; there was not a plan or design for the station downstairs. Bennett said the Town has identified all the Police needs and the Town office needs, including public restrooms, vaults etc. that need to be done. It would be good to narrow down the list to a few options that Sewall could cost out, and somehow come up with a couple of viable alternatives. She will advocate meeting the needs that have been outlined. In order to be A.D.A. compliant, Bennett pointed out that without changing anything there will have to be room for stairs and an elevator in the current building, and therefore we will lose some of the space that we have now, which is already inadequate. Hutchins suggested forming a building committee and advertising for members. She suggested

not trying to narrow the options down tonight – send it to a building committee. Granholm suggested cementing a timeline for the committee action. It was agreed that any building committee formed should review all of the information previously addressed by the Selectmen. Howard said that she took the recent vote as a mandate not to move the Police Station out of the center of Town, rather than the vote being for no police station at all. Johnson said that there was concern expressed over the cost, but that she also heard from a number of people that they did not think a thorough review had been done. She said that while it probably was done, the public wasn't aware. Johnson made the suggestion to start at the top, and funnel the information down, identifying the alternatives, selecting two or three viable options, and presenting that to the public and in the informative sessions, answer questions on why alternatives were not selected. Molly Lyman: expressed concern over the rumors about what it was going to cost. There were questions concerning options, priorities changing, and at Town meeting the questions were not answered. She agreed that at some point the Townspeople have to take responsibility and go to meetings and be informed. Granholm said that she agrees that people do not fully understand how the Board came to their decision; she suggested that tonight the Board should decide about a building committee and a mechanism for some broad information system to inform the public. Hutchins would like to see an expanded building committee and a deadline. Ralph Dunbar (Selectman elect) said the Selectmen should send out a flyer to the Townspeople before continuing. Magnani, said getting information out is a heart wrenching affair because no one cares. He suggested doing a brief factual statement in a mailing. Granholm asked how many members there should be on a building committee. Hutchins suggested a list of things to be accomplished or questions to be answered. Granholm suggested setting up a committee with a maximum number of people and Bennett suggested a respond by date be used when advertising for committee members. She said that after the call for members, at the next Selectmen's meeting, the Board can appoint members with a clear directive and deadline. Goals: timeline – advertise June 5th, cut off for expressing interest would be June 20th, and appointment of the members could be effected at the Selectmen's meeting following the 20th of June. Granholm suggested a goal be the November ballot timeline. Bennett asked, if the deadline is November, what is the goal for the November ballot? If it is an official ballot the vote of the day is law – if we are looking for an opinion, in a non-binding referendum it would then go to a Town meeting and that could be either a Special Town meeting or the May 09 Town meeting. For a binding referendum the 1st of October is a

deadline. At some point a Building Committee would have to kick back their recommendations in order for Sewall to price them out. Hutchins asked for a set of directions to give a committee. Information will have to be back to the Select Board by the last week of August. Granholm said that directions could include: review the information already available and present two options to the Selectmen (if there is a 3rd, the committee feels strongly about, they should present that also). Willey said we have all the information from the past two years, there is no need for another committee, and the Select Board should put together their suggestions and take it to the voters. Granholm said the Committee should come up with a method of disbursing information. Johnson suggested placing 4 items on the ballot and have the voters select two which would then go to Sewall for cost. Hutchins re-capped possible directions to a building committee, including the Select Board creating a time line, and advertising for Committee participants. The Committee should: review literature already on hand, narrow down recommendations, create informative public relations, and put the information before the Selectmen by the end of August. Bennett asked what November will encompass. Granholm said a non-binding referendum in November. Lyman asked if the Board has rejected a survey to the public about the public facilities building. Hutchins said the Board has not rejected doing a survey and it may be one of the things the committee elects to do. Bennett said the June 10th meeting would be a good opportunity for a poll of the public. This information may be useful to the committee. More specific questions could be designed for the poll. Granholm said it would seem that the Board could not clarify the list enough to be ready for June 10th. It was moved Hutchins and seconded Granholm, that the Board of Selectmen advertise to form a building committee, whose membership will not exceed 9, and whose mission is to address the public safety building scenario, and to present recommendations to the Board of Selectmen in a timely fashion to allow a non-binding referendum by a November ballot. Directions to a Building Committee should include reviewing the literature and studies to date and part of the charge to the Committee will be to do public outreach. Motion carried: 3 – 1 (Willey)

4. Joint Meeting w/Planning Board, May 29th, 6:00 p.m. Fire Station. This is a reminder – the presentation will last about an hour and a half.

VII. Manager's Report – Bennett said the Office is in the process of transitioning over the computer system from Gemini to TRIO. Willey asked when, if, there was a vote on converting to the TRIO system. He said he will

not sign that warrant when the time comes because there wasn't a Board vote. Board appointments have been advertised, and those who are up for term limits are being called and asked if they want to serve another term. The Pier Extension project will be on the next agenda and there will be a discussion; Bennett met with USDA Rural Development and did a pre-application for the Municipal Office building project. Bennett told the Board that it doesn't commit us any way but puts us in the pipeline for funds when the time comes.

The Town office may be able to get an intern this fall – there are a number of projects that could be done by the intern - personnel policy updates; research work; archival project downstairs; Comprehensive Plan work; as well as interest in conservation commission work.

Bennett told the Board that 30 day lien notices were sent out on Friday.

VIII. Sign Warrants: Warrants: Administrative #'s 151-156, Sewer #27, and Water#12. Motion to accept was made by Hutchins and seconded by Willey. Motion carried: 4 – 0.

IX. Other Business: Bickford questioned the policy concerning use of the cable channel 7, saying it should be Town government information only. She said that Channel 2 is available for private non-profit advertising.

Granholtm said during the Town Meeting recap at the last meeting of the Selectmen, there was controversy over the Capital Improvement plan from the Shellfish Commission that was not addressed. Bennett explained that money not used in a fiscal year goes back into the general fund at the end of the fiscal year, but the Town can vote to re-fund a committee or project again the following year. Lyman said that if the Shellfish Commission funds were not addressed in the proper way, the Selectmen should make the appropriate vote. Discussion was held on whether at the next Town meeting to address the defunct Reserve accounts.

Hutchins asked about the financial report that was in the packet. Bennett said this is just an overview and we are at essential spending only – from Municipal offices down, you can expect that to be 100% spent. Overall the statement will be close, but looks good.

Lyman asked when the Select Board will discuss the E.M.R. contract, at any point. She asked that when it is discussed could the potholes be addressed and the drive be improved. Bennett said the Town at this point in time does not have anything from E.M.R.

X. It was moved (Hutchins) and seconded (Granholm) to go into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A), at 7:59 p.m. Motion carried: 4 – 0.

It was moved (Hutchins) and seconded (Bickford) to come out of Executive Session at 8:15 p.m. Motion carried 4 - 0

XI. Adjournment: It was moved (Granholm) and seconded (Bickford) to adjourn the meeting at 8:17 p.m. Motion carried 4 - 0