

MINUTES
Public Meeting
Board of Selectmen
July 8, 2008 @ 6:00 P.M.
Southwest Harbor Town Offices

Roll Call/Call to Order at 6:00 p.m. Present: Trudy Bickford, Dorr Wilson, Ralph Dunbar, Kristin Hutchins, Chair, Bert Willey and Town Manager Robin M. Bennett.

- I. Public Hearing – USDA Pre-Application
Bennett said Town will submit application for funding for Town Office renovations – no obligations, but a mandatory public hearing. The Chair asked for comments – none. The Public hearing was closed at 6:03 p.m. and the regular Selectmen’s meeting began.

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Regular Board of Selectmen Meeting
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- I. Call to Order at 6:03 p.m.
- II. Visitors Present: Mark Good (MD Islander); John Burnham, Rebecca Burnham, David Broom (BH Times), Diane Willey-Ward, Erika Shriner, David Chapais (Police Chief), Janet Patton, Dennis Dever, Connie Dever.
- III. Visitors to be heard not on the agenda: none
- IV. Approval of Minutes: June 16, June 23, June 24, 2008 – It was Moved Bickford and Seconded Wilson to approve the minutes of June 16, 23 and 24, 2008 as presented. Vote in favor: 4 – 0 – 1 (abstain Dunbar)
- V. Warrants: Administration #'s 169-171 for FY 07/08 and for #'s 1 & 2 for FY 08/09.
- VI. Old Business

a. Facilities update: Bennett said the Building Committee has met twice, are progressing nicely and should be able to reach the goals the Selectmen have set out within the accepted time frame. Mike Young of Sewell will meet with them on the 23rd of July to discuss the cost estimates on three different scenarios. He will also do a Q & A at the meeting. Diane Willey-Ward affirmed the assessment by Bennett. The next regular meeting of the Committee will be on Wednesday 9 July, at the fire house at 6pm.

b. School consolidation – Hutchins said the last meeting voted to include Trenton, and they are at the table working with the MDI group. With the assistance of the attorney they will develop an inter-local agreement which will then be presented to the Department of Education and hopefully be accepted by them in order to go to vote on the November ballot.

VII. New Business

1. Harbormaster – Bennett has hired Dennis Dever as the new Harbormaster. has 20 plus years of Coast Guard experience and Bennett said he will be a tremendous asset to us. Dever said he will start the 28th of July and is honored to be selected and looks forward to building on the good things Thurston has done. Willey commented he was pleased with the choice, but asked if the top two candidates were supposed to come before the Board before they were hired. The other Board members agreed that the Town Manager had the hiring authority, and also agreed that the choice was a good one.

2. Annual Appointments – It was moved Willey and Seconded Wilson to appoint Dennis Dever as Harbormaster. Vote: 5 – 0 in favor.

J. Erika Shriner spoke to the possibility of serving on the Solid Waste Committee – she worked in the securities industry for 20 years, and about 10 years ago got involved in land use issues including waste issues. The most recent volunteerism was chair of the litter and recycling committee – which she refocused onto recycling with the help of a renewable State grant which in part focused on educating students. She has attended national and regional training sessions on the variety of types of recycling and waste issues. Moving here, to Maine, she has started three groups of citizens committing themselves to reducing waste, and writes for the BH Times about waste reduction and recycling. Waste reduction is primarily a matter of education. There is financial incentive to do the best job possible to keep recyclables out of the land fill. It was Moved Wilson and Seconded Willey to appoint J. Erika Shriner to the solid waste committee. 5 – 0 in favor

Bickford would like to be the Selectman representing the committee. Chairman suggested the committee publish meeting dates.

Diane Willey-Ward has been to two meetings, grew up here, has extra time and wants to put something into the community to help out. Chairman asked if there were any preliminary thoughts, as Ward has attended meetings of the Building Committee. Ward had no insights to share as yet, but is interested in working to help allow the townspeople to be informed. It was Moved Bickford and Seconded Wilson to accept Diane Willey-Ward to the Building Committee. 4 – 0 – 1 (abstain Bert Willey).

Linda Corson, Deputy Treasurer: It was Moved Wilson and Seconded Bickford to re-appoint Linda Corson as Deputy Treasurer: Vote in favor: 5 - 0

Doug Monson, Alternate LPI: It was Moved Bickford and Seconded Wilson, to appoint Doug Monson as Alternate Licensed Plumbing Inspector: Vote in favor: 5 – 0

3. Boston Post Cane: Janet Patton, introduced the Board to John and Becky Burnham, who as part of the Historical Society have taken on the project of the Boston Post Cane. They informed the Board that The Boston Post Cane began in 1909 as a publicity stunt of the Boston Post Newspaper. The canes were given out to all the towns in the New England area to be given to the oldest citizen as long as they were alive. Over the years the canes have been lost for various reasons. The Historical Society has proposed that replica's be made – John showed the Board a replica that has been made for Southwest Harbor – he said it is time to be giving the cane out to the oldest citizen – the Historical Society has come up with guidelines to follow the issuing of the cane and for nominating a recipient of the cane. In this particular case it is not quite ready because the replica has not been engraved with the Town's name. In the meantime, it may be possible to present the “real” cane to the oldest person in the Town. Mrs. Burnham said that it appears Elizabeth King will be the recipient of the cane. The first person to receive the cane was Jacob Mayo – the research will be put into a book for the Town – so far there are 7 people who have been identified as receiving the cane. The replica will be passed and returned the same as the original. The Burnham's are researching the history. Bennett told the Board that in their information packet, was the guidelines as a memorandum of understanding between the Historical Society and the

Town, on how to handle the cane. It was Moved Bickford and Seconded Willey to accept the Boston Post Cane guidelines as presented to the Selectmen. Vote in favor 5 – 0

Janet Patton spoke, asking: “did we ever discuss who was going to foot the financial bill on this?” The Chair said “No, we did not discuss that”. Board members asked the current expense of the cane. John Burnham said the two replicas without the engraving have cost a total of \$210 to date. Mr. Burnham said they have had some difficulty locating someone to do the engraving. Bickford said there had not been any money budgeted this year for the project. Patton said they would continue with the project, and would like to see this as a cooperate effort, and would revisit the issue at a later time.

4. Lower Town Dock Pier Extension Project – Bennett discussed two items related to this project ongoing: The Town needs a consent agreement from the Spoffords indicating that the Town may encroach on our setback to our reparian line. The Town’s Attorney has drafted an agreement and Bennett would like the Board to approve entering into the agreement by her signature, once the Spoffords have agreed. This is Army Corps of Engineer requirement. It was Moved Willey and Seconded Bickford to authorize the Town Manager to enter into an agreement with Spoffard that states the Town will not object to Spoffard building within the setback to their reparian line. Vote in favor 5 - 0

Secondly, Bennett told the Board that Kleinschmidt has been the engineers working on the preliminary design of the project and now the time has come to get into the final design, and bidding documents for construction. Bennett would like authorization from the Board to enter into the agreement with Kleinschmidt to carry on with their engineering portion of the Pier project. Cost will be approximately \$26,000 to go into the final design and bidding document stage required for permitting. There is still \$15,000 remaining of the SHIP grant which will pay 50% of these engineering costs. It was Moved Bickford and seconded Wilson to authorize the Town Manager to enter into an agreement with Kleinchmidt Engineering company, to enter into the final design and construction phase of the Town Pier Project. 5 – 0 in favor.

5. Freedom of Access Laws – Bennett said that there are two options available to Selectmen to come into compliance – one is to go on the web site and thoroughly review the FAQ’s portion of that site listed,

and the second option would be the MMA sanctioned training at the fall convention.

VIII. Manager's Report: Bennett said the Town is still in negotiations with EMR, and Hutchins asked if there was anything available for info – Bennett said the negotiating team has not yet provided the representatives anything to work with. A new Harbormaster has been hired; The Town is wrapping up the end of FY 07/08 and going into the new year – getting ready for the audit and some preliminary field work has been done by auditors already. Tax liens were filed last week. There are 44 which is about average. There is 18 months before an automatic foreclosure. Wilson asked how many water and sewer liens there may be. Bennett will come to the Board in the future with sewer liens that need to be dealt with – no number today.

IX. Other Business: Wilson has been approached by a citizen who is very concerned about winter's approach and wondered if the Town would begin to focus on fuel assistance funding. Wilson asked if there is enough in the subsidy fund and are there other sources – he said there is the Charlotte Lurvey fund – we might want to think about that money as a possibility to help people out. He believes the interest from the Lurvey fund that is accumulated in one year is to be used at the Selectmen's discretion. Hutchins said the Board should begin to gather the information. Bennett said that some Towns have started special accounts where people will donate to a "fuel fund". Various options were discussed including setting up an account and publishing in the newsletter for those who are able to donate funds. Wilson hoped Bennett could investigate how other towns have handled setting up accounts. Hutchins asked if GA money could go toward that – Bennett said yes, and they would apply the same GA standards to an application for fuel assistance as required to do for any other GA assistance.

Willey said he had a person complain yesterday about making a left turn from the Bank/Drugstore access out of Village Green Way. The sign is a problem – Wilson said that sign was positioned by the State. The reduction in the crosswalks has greatly helped. Wilson suggested that Chief Chapais and Doug Monson look at the left hand view from that spot to see whether it needs work. Bickford suggested the Code Officer look at the buffering and whether or not it has overgrown somewhat.

Wilson has been asked if the Town would like to approach the National Park Service to see whether or not they want to create the closing of Lurvey Spring Road and make it a bike trail only, and carry it through to Echo Lake. Bennett suggested that the people that approached Wilson come to the August meeting to discuss the proposal.

Hutchins said that during the negotiation of the Town Manager's contract the goals for the position were discussed. Since Dunbar was not on the Board and able to participate at that time, she thought it would be appropriate to have that discussion again. Bickford suggested that at the same time the Board review their manuals for their responsibilities to keep the lines clear. Wilson suggested writing down 5 goals and bringing them to the next meeting. Board members agreed.

Letter from Mr. Hodges was brought up and Wilson said it "looked like it had all been taken care of".

Dunbar asked if the recommendations in the MMA letter concerning this building, had been taken care of. Bennett said that the roof had been addressed and MMA is satisfied that there is no problem with that currently; the attic situation has been addressed, and the boiler issue has not been addressed. At the current moment there is nothing to indicate that there is any anticipated change in the insurance situation. Wilson said the beams have to be replaced and "no matter what happens that has to be done "...and wondered if there was money to do that. Bickford explained to Dunbar that the Sewall report addressed the many issues that would need to be done to bring the building into compliance. She suggested that we need to "deal now with reality". Dunbar said regardless of whether the Town builds a new building, we must maintain what we have. Hutchins said there is not an immediate safety issue with the building. Wilson said the beams ought to be done "point blank" as soon as possible, because regardless of what else happens it needs to be done. Dunbar asked how much money is set aside for the maintenance of the building. Bennett said there is in the range of \$42-44,000 and \$7,500 approximately put in the budget this year for general maintenance. There was money put in the capital improvement plan for design and preliminary work. Dunbar expressed the opinion that at least the beams should be addressed. Bennett will look into it to see what it will take to do that.

Bickford reminded the Board that Selectmen are supposed to serve on committees throughout their term. Bickford will do Planning Board and Solid Waste; Wilson will do Harbor; Hutchins will do Comp Plan and Bickford will assist by filling in; Bickford would like to see a list of Committees and get reports at least quarterly. Hutchins said the Comp Plan seems to be fizzling of late. Wilson said the Comp Plan committee should take on two or three small items each year and focus – then over a period of about 8 years, they will have covered the gamut. He feels there will be a lot less burn out if the plan is broken down into segments and people interested in those segments serve on the specific committee. Hutchins and Bickford thought that was a good plan.

Newsletter – Bennett has many articles needing to be edited – there is a good basis. Hutchins asked if there was anything else.

Bickford asked if the Board would thank those volunteers who go around and take care of the flowers in the various businesses and at the Chamber and the Post Office.

Willey said he agreed with Wilson on dividing up the portions of the Comp Plan that are addressed .

It was Moved Bickford and Seconded Wilson to accept the warrants as presented. Vote in favor: 5 – 0

X. Adjournment

It was Moved Wilson and Seconded Willey to adjourn the July 8, 2008 Selectmen's Meeting at 7:20 p.m. Vote in favor: 5 - 0