

AGENDA
Board of Selectmen
July 22, 2008 @ 6:00 P.M.
Southwest Harbor Town Offices

I. Call to Order/Roll Call: Present: Trudy Bickford, Berten Willey, Kristin Hutchins, Chairman; Ralph Dunbar, Jr., Skip Wilson (excused) Town Manager: Robin M. Bennett

The meeting was called to order at 6:00 p.m. by the Chairman

Visitors: Alan Willey, David Chapais, Scott Alley, Dick Broom, Mark Good, Doug Monson, Kate & Eric Henry, Marc Arkin, Gregory Crossley, Analeis Hafford and Bill Olver of Olver Associates.

II. Visitors to be heard not on the agenda: none

III. Approval of Minutes: July 8, 2008; It was Moved Bickford, and Seconded Willey to accept the minutes of July 8th, 2008, as presented. Vote in Favor: 4 – 0.

IV. Warrants: Administration: 3-1; Water: 15

V. Old Business

a. Facilities update: Bennett said the building committee hasn't met for two weeks and will meet with Mr. Frost, the Architect who worked with Sewall, at their next meeting on Wednesday, the 23rd of July, at the fire station.

b. School consolidation: no meeting since the last Selectmen's meeting. On Wednesday, the 23rd, the group will be working on the inter-local agreement.

VI. New Business

a. Olver Associates Presentation: Mr. Olver circulated hand-outs to the Board of Selectmen and interested visitors. The hand-out was the report concerning water quality that was sent out last week. Mr. Olver reviewed the report with the Selectmen. Willy said the Town has come a long way in a year; and with Olver associates help, it has been much improved. It was Moved (Bickford) and Seconded(Willey) that the Town

keep moving forward and follow the Olver Associates recommendation.

Vote: 4 – 0 in favor

b. 2008 Road Projects: Bennett said there is a list of potential road projects to be completed this year in the Select packet in the general order of priority. The number one priority is to finish High Road including a description of the project, and the cost. Some of the sidewalk money has been withheld and needs to be put back in at approximately \$7,000. Dunbar asked if the money withheld has resulted in corrective measures. Monson said the Town has told the contractor what must be done however, this doesn't hold up the Town's continuing with the road surface work. Monson said the walkways and driveways will be blended into the new road. Hutchins said there are two things going on: shimming and paving the roads, and repair of the sidewalk. High Road resident Marc Arkin said she is confused as to what is going to be done to the sidewalk. Is there anything else proposed to be done to the sidewalks? Monson said we are waiting to hear from the contractors and do not have an answer as to how they will address the sidewalks. Arkin said that at this point what is there is good enough and no one there wants repaving of the sidewalks. She said the idea of repaving and other serious work is a lot of disruption and perhaps the Town should ask for a discount on the job and put that money somewhere else. Hutchins asked what Monson expects to have happen and he said driveways and walkways need to be blended to be ADA compliant. He plans to meet with Mr. Hodge and try to address his needs concerning paving. Bickford said the man-hours involved in this project are huge, and it's still not really clear what the Town is trying to accomplish. She wants a plan on how the road will be finished, with a timeline, and notification in advance to residents, and she wants the Town to have some accountability. Hutchins reviewed the minutes of the meeting that was held with all the High Road residents. Bennett estimated that to date, about \$80,000 has been spent, and Hutchins said she remembered \$120,000 was anticipated for the project. Bennett confirmed that figure but said the estimated \$120,000 does not include the Town payroll. Bickford said that is where she wants the accountability and Monson agreed. Monson said again that there still needs to be curbing to avoid some eroding. Hutchins asked how much more curbing? About 600 feet, according to Monson. Monson could get the shim and curbing done within the same week after the summer season, but now we are discussing the price of paving rising considerably after mid-August. That piece of work should take about a week. Arkin discussed the upper curbing saying it surprised her that the Town brought in a back hoe, and leveled property without a contract in place to lay the physical curb. She felt

that seemed to reflect that this project has been done piecemeal without a contract and expressed the opinion that there was no need to dig out lawns until it is time to lay the curb. Bennett said it was miscommunication between herself and Monson. The curbing was available to be laid, and there was a contract. Bennett said, based on this information, albeit trying to accommodate the neighborhood during the summer season, and with the increase in cost of the paving, it makes sense to finish the road now. Monson believes post haste the project should be done, if only based on the cost of the materials. Bickford said if we know we are going to do this we must notify the residents immediately. Alley said we should have a workshop. Bickford and Monson believe written notice is appropriate. Eric Henry, High Road resident expressed anger and said there was no promise to do the curbing up at his end of the road and was startled by Bennett's statement asking for pricing. He feels there has been a lack of communication between the Town, Monson and the crew. Henry agrees with Bickford and does believe the road should be done as soon as possible. Kate Henry said that last year they were told their side of the road would not be dug and that promise was broken; at the same time it is important not to repeat this error with any other property owner. She indicated that they would like to have the project done immediately. Bickford would like to see, as a policy, that communication with residents be paramount – know what the project is, set the parameters and lay plans for the next projects. Keep a close watch on each project. Make a plan with a time frame. Arkin added that ad hoc changes, however well meant, to plans that were discussed at a joint meeting, is problematic for all road residents. She does not feel there is a consistent theme in what has been happening. The facts are not clear and it is disturbing. Monson said there was paving being done at the Medical Center on Herrick Road and that is why the curbing could have been done that week; however, it was necessary to come before the Board for approval. Henry will be putting a stone wall up instead of the curbing and asked the Town to put the curb in front of Henry's house and he will put his stone wall behind it. Commenting on the communication issue he suggested the Town communicate better with the contractors. Doing the job at the end of the season resulted in poor quality. The contractors need to know what is expected of them. Bickford said that on these projects, if we have curbing, the only thing we can do is say this is what we have going in – don't try to jump on another project – stop reacting and start being proactive and have a plan. Alley said there would have been a cost savings to the Town to take advantage of the curbing project at the Medical Center. Bennett said she felt the crew has taken a beating. Hutchins said that she

believes the Board Members all understand each others concerns, and asked for a motion to complete the project. It was Moved (Bickford) and Seconded (Dunbar) that the Town complete the High Road project to the standard of: shim and lay an inch of tar, and notify road abutters when the work will be done. Discussion: Dunbar asked if the hot top money was allocated last year and Bennett said it was. Arkin offered an amendment asking if the Town was done with the sidewalk. Hutchins reiterated the motion which included: shimming and paving the road, finishing the curbing, feathering into the driveways. Monson the curbing would go slightly around the corner of Dirigo. Vote in favor: 4 – 0.

Hutchins – there should be a drop dead date on the sidewalk. Monson said that when the feathering is done the sidewalk should be fine. Bennett said that the Board had expressed the opinion that they want it all dug up again but the contractor doesn't feel that is needed. The town has withheld money from the contractor, but now the residents are saying they don't want the sidewalk re-done. Discussion was held concerning the Hodges problem of granite stonework being removed. Monson said the stones were granite set on its face. There were likely three that were replaced Bickford reconfirmed that the Town withheld the \$7000 from the contractor, and said if we do nothing more with the sidewalk, can we hold the money. Bennett suggested trying to reduce the amount paid to the contractor. Alley said the stone heaves up and fetches up on the sidewalk plow, plus there are some ADA issues there. Arkin said no one will spill out of a wheelchair on those sidewalks. Monson said the ADA has been met It was Moved (Bickford) and Seconded (Dunbar) that the Town not do any further work on the High Road sidewalk, pending information from Monson Wednesday regarding granite pavers. Vote in favor 4 – 0.

Hutchins suggested the Board discuss some of the other Road projects. Bennett said the Town wants to define what we want to do and move on. The biggest project is Mansell Lane. Hutchins suggested going through the list. Bennett said the figures listed are the Town's cost estimates, but will not go out to bid until the Board and Staff agrees on the project parameters. Bickford said perhaps the Town should do work on Cable crossing first – based on the season. Bennett said it is a no-pave road, and would be easier to do. Monson said the grader will come in and make a small ditch to allow drainage to flow off the road. Hutchins asked how much money is left to do these roads. Bennett said she doesn't expect Mansell to be done this year and it is an expensive project. Hutchins said there is an opportunity to do a

bunch of smaller projects. Bennett said we are trying to combine the projects – there are a number of paving projects that could be done in the same time frame. Bickford said Fernald Point road would be a major road. Monson said at 53 Fernald Point Road there is a lot of washing. Trees were removed in order for the Town to work on the sides, and put in a replacement culvert, and a couple of others further down on Fernald Point Road, totaling 4 to be replaced. Dunbar said the proposal on Fernald Point Road is just for 1,000 feet of the road. He asked if we should get an estimate to hot top the whole road. Monson said 7 years ago the whole road was paved with the exception of the 1,000 feet, and the next time the Town would probably want to totally resurface that whole road. The road was shimmed and paved but it still cracks because it hardly gets sun.

Clark Point Road sidewalk: what is the difference between the options? It is cheaper to do it ourselves rather than have the vendor of the asphalt lay it. Bickford said to find out if it is more economical to have our crew do it rather than hire it out or have our crew do something else. Doug said a contractor said it is not necessary to tear it all out. It should have the same life span and only goes to the pole before Tom Cat.

Shore Road has some wash outs and needs replacement on the Kings Lane end. Bickford asked if the culverts were done this year, then the following year re-grind and do the rest of the road.

Dunbar said regarding the Mansell Road project, that water line should probably be replaced – Monson agreed. Bennett said the bigger part is to do inventory of all our systems, the line is well within its typical life expectancy but it may be the transit sewer pipe which has a 20-40 year life span and we may be at the point where we want to replace it. We don't have any money in the capital improvement plan. Alley said that over the winter the culverts have washed out in many places causing dangerous conditions. Bickford asked about King's Lane and having it built up above the side property. Monson said there are several that need to be lifted. Bickford said that on Mansell Lane curbing may not be a good idea because of the boat and trailer traffic. Hutchins brought the Board back to Salem Towne Woods Road – Monson said it is a coat of pavement to continue the 3 year old project. Hutchins asked how much money is available, as when she added up all the figures it was approximately \$215,000. Bennett estimated the High Road at \$30,000; \$27,000 for Fernald Point; \$55,000 for Shore Road; omitting Mansell this year; Culverts should be about \$5,000; Salem Towne Woods,

\$21,000; Manset Town Dock; taking out the Post Office and Mansell Lane, cost is about \$84,000, according to Bennett – there is about \$156,000 available to us this year. Hutchins asked what the Board wanted to do. Do we agree that these are the projects to be worked on.

Bickford said bids should be gotten. Jobs to be done include: Fernald Point; Shore Road; culvert project on Mansell lane; Manset Town Dock Parking; Salem Town Woods; Cable Crossing project. Monson said the plan was to do the jobs ourselves with the exception of Fernald Point Road. Monson said the crew would do the culvert jobs and most of those will be done out. Dunbar feels we are all in agreement. Bennett asked in regard to paving itself, do we want to disrupt things now and do that paving? Bickford said, and Willey agreed that the Parking Lot could be closed and done now. Monson's advice was to do it in September. Hutchins is inclined to take the advice of Monson. It was Moved (Bickford) and Seconded (Dunbar) to proceed with the following road projects: Finish the High Road for \$30,000, Fernald Point at \$27,000; Shore Road at \$5,520 culvert; Mansell Road culvert at \$4,788; Manset Dock parking at \$4,500; Salem Town Woods for \$21,000; Cable Crossing at \$1,050 and the Clark Point Sidewalk option B. Discussion – Bickford said to get the price of asphalt locked in soon. Vote in favor 4 – 0 Dunbar suggested getting as much information as possible out to the public when Doug Monson has the info on the individual projects.

d. Lower Town Dock Project – Bennett said there is a verbal ok from the Spoffords and that they have accepted a change in the agreement. The difference is that it should go with the deed of the property – there will be signatures and Bennett has the new agreement. It was Moved (Hutchins) and seconded (Bickford) that the Board enter into and sign the agreement with Spofford for reparation rights concerning the Lower Town Dock Project. Vote in favor: 4 – 0; Bennett said Kleinschmidt was in touch today and he will be amenable to the agreement changes – minor changes should be signed in the next few days.

c. Sand/Salt Shed Door - Bennett said the door needs to be replaced and has two estimates. Monson recommended that Overhead Door at \$6,870 be the selection. It was Moved (Bickford) and Seconded (Willey) to accept the bid for \$6,870 from Overhead Door for replacement of the Sand/Salt Shed Door. Vote in favor 4 – 0.

VII. Manager's Report: The Acadia Disposal District is still negotiating the solid waste contract, June financials in the packet; freedom of access training: Hutchins did hers and it appears there are no other

workshop other than the MMA training on this subject. Bennett encouraged the on line training; fire fighter training Seth Kneedler and Tom Chisholm have completed State certification; Beatty is a grandma. Annual elections for MMA Vice President; and three Co-Directors was received from MMA. It was Moved (Bickford) and Seconded (Dunbar) to sign the election forms for the nominated candidates. Vote in favor 4 - 0

VIII. Other Business – Bickford talked to people at the church about how we might help next winter. There is a summit next Wednesday in Old Town with multiple counties – food is an issue; Bickford will discuss with Debra Chalmers, a report to the Board; Willey asked that the Board check whether or not the meeting this evening should have been advertised.

Chapais said Quietside went well – good comments on the bicycles – no problems.

Hutchins: re: the Boston Post cane - it is a personal feeling that the Town pay for the Boston Post Cane. Bickford agreed but feels that when these situations come up the money issue should be addressed directly and up front. There is a question as to why two canes were bought. Hutchins will inquire why there were two canes replicated.

IX. Sign Warrants: It was Moved (Willey) and Seconded (Bickford) to sign the warrants as presented. Vote in favor: 4 – 0.

X. Adjournment 8:43 It was Moved (Willey) and Seconded (Bickford) to adjourn the meeting at 8:43 P.M. Vote in favor: 4 - 0