

**MINUTES OF MEETING
BOARD OF SELECTMEN
November 12, 2008
Southwest Harbor Town Office**

I. Call to Order/Roll Call: The meeting was called to order at 6:00 p.m.
Attending: Kristin Hutchins, Trudy Bickford, Ralph Dunbar Jr., Berten Willey, Skip Wilson, Town Manager Robin M. Bennett

Visitors: Carolyn Maling, George Jellison, Jim Colquhon, Lydia Goetze, Mark Good, Nan Lincoln, Sam Chisholm, Sandy Johnson, David Chapais, Robert Bosserman.

II. Visitors to be heard not on the agenda: Ann Judd spoke about the Rhodes House roof project. An ad was placed in the newspaper asking for bids, with no response. There is serious leakage. Her question was whether the Selectmen could recommend/ask people to bid on this ASAP. A contractor looked at the roof and determined that the roof needed total replacement – it appears there are no structural problems. Kristin asked if Public Works could do it – Bennett said the best bet now would be to go out to get quotes from contractors. Hutchins moved and Bickford seconded the suggestion that the Town seek quotes to replace the roof at Rhodes House. Vote in favor 5 – 0. Judd said the overseeing of the Rhodes House has been done by the Town, not the Conservation Commission. Bennett said it is the responsibility of the Conservation Commission to oversee the Rhodes House. Judd disagreed. She wants someone from the Town to be the overseer of the project. Skip suggested the Public Works Director or the Code Enforcement Officer. Bennett reiterated her belief that the Conservation Commission is ultimately responsible for overseeing the project. Dunbar asked if the funds for this project is coming out the Conservation Commission funds – it is. Dunbar volunteered to oversee the job.

III. Approval of Minutes: October 28, 2008: It was moved Bickford and Seconded Willey to accept the minutes as presented. 4 – 0 – 1 (abstain Wilson).

IV. Warrants: Admin: Water: 21-28 Sewer: Fire:

V. Old Business

a. Facilities Update: Wilson said the Town has received its direction. He is concerned about going to the same engineering firm time after time and suggested there be a bid process. Dunbar asked about the preliminary drawings on that space from earlier discussions. Wilson has copies of the Jewett design from 2 years ago. Hutchins suggested listing the concerns and wants: there is 2400 sf – will it all be for the Police Station? Wilson thinks that 10 x 12 storage and public bathrooms could still be built in. Willey said Chapais should design his space, and see what is left for other uses. Hutchins asked if the electrical, plumbing and HVAC system would only be done for the downstairs – Wilson said that is what the public asked. Wilson also said the next step should be to put an RFP out for bids for an engineer. He believes the Selectmen should be more competitive with their engineering choices. Willey and Dunbar agreed. Bickford said we should invite the prospective engineers to meetings to discuss projects. Wilson said in prior projects the committee required the engineers to go out to local contractors, and that should be done again on this project. Prior projects were bid out piece by piece with one overseeing engineer. Bickford agreed with that approach. Chapais noted that we have almost come full circle and that he has given at least five “needs assessment” and has never been on board with a vault and public bathrooms downstairs. His professional opinion is that all the space is needed for Police Department functions. Hutchins agreed. Wilson reiterated that every job the Town does should be bid out. Moved Wilson that the Town advertise for an engineering firms to design and bid out the Police Station project, and oversee the work to completion of the project. It was seconded Willey. Vote in favor: 3, Opposed: 2 (Hutchins & Bickford). The motion passed. Wilson agreed along with Dunbar to be on the Building Committee.

VI. New Business

a. Warrant Committee Applicants: Robert Bosserman said he has retired from Virginia, and has about 35 years experience in the financial services industry. He would like to give back to the community. Bennett said there are two term limits – one year and three years and asked which he would like. Mr. Bosserman volunteered for the three year term. It was Moved Hutchins and Seconded Bickford to appoint Robert Bosserman to the three year term on the Warrant Committee. Vote in favor: 5 – 0.

b. Shellfish Committee: Mr. Colquhoun said this is the annual request to approve their recommendation for license fees in 2009. There are an unlimited number of recreational shellfish licenses @ \$20 for residents

and \$40 for non-residents. It was moved Wilson and Seconded Bickford to accept the Shellfish Committee recommendation. Vote in favor: 5 – 0.

Reserve account money: Jim Colquhoun asked the status of the license fees that have been put into their reserve account over the years, saying it should be about \$2450 available at the end of 2008. Bennett said she will go back through the bookkeeping to verify that money. She will work with the bookkeeper to make that whole and will ensure that the fees are assigned appropriately. She asked for a summary from the Committee by year to ensure their account is up to date by the end of the year.

Colquhoun suggested that the report in the most current Town Report will give accurate figures. Johnson asked about the consequences of collapsing the reserve accounts into a capital improvement account. Bennett is prepared to do the appropriate warrant articles to close out the appropriate accounts. Bennett said the current policy is to draw out of a reserve account first, and use the capital improvement fund if needed after the reserve account has been drawn down to zero. Bickford pointed out that the Select Board would have to approve the decision to use money in the capital improvement plan. If a warrant is not signed, no money can be spent. Wilson said that the Select Board needs to have a separate discussion on this issue in order to go before the public and make sense at the next Town Meeting.

c. Causeway Club Billing Dispute: tabled until the next meeting.

d. Comprehensive Plan – Hutchins introduced Lydia Goetze who discussed the Comprehensive Plan's goals and objectives. It is important to have an up to date plan in order to be recognized when applying for grants. Public outreach appears to be well worth the time spent – the next topic to be tackled by the Committee will be the capital improvement plan, where we are and what are the key issues to be analyzed. Perhaps the Selectmen would join with the Comp Plan Committee to hold a public outreach to inform the public about how this works. Bickford asked what the schedule of meetings would be to get this to the voters at the appropriate time. Goetze stressed that the Board needs a Chair, and is very short-handed, and she asked the Selectmen to go out of this meeting and encourage the public to join in the effort. The Committee is past the legal point where the plan can be updated in pieces. Sharon Howard said that it would be possible to put some of the pieces out in a non binding referendum. She asked for a copy of the checklist required by the State. Hutchins said the Comprehensive Plan Committee would like to meet with the Planning Board. Hutchins suggested the next and final newsletter of the year might focus on volunteers – the Board agreed. Wilson suggested asking for members to be on sub-committees with specific issues being addressed.

VII. Manager's Report – Bennett reminded the Selectmen that the school funding formula will be discussed at the High School on December 4th at 7pm. Sponsorship is by the League of Towns and she encouraged people to attend. Wilson suggested putting the notice on the cable channel, and advertise in the paper. Agreed.

Acadia Disposal District: every town except Trenton has been met – there will be further discussion.

Olver Associates has proceeded with the design phase of the water plant project. The Town has received a waiver from the State for further testing.

Lower Town Dock: all DEP pre-applications items are completed; FY 09-10 budget is in process; sand salt shed door has been installed.

VIII. Other Business: Chapais asked if the Board would entertain the possibility of enacting a curfew ordinance if presented. Wilson said he would be interested in listening to the proposal and would like to know why. Chapais explained that the older ordinance was not renewed, and re-enacting the ordinance would assist in keeping younger people off the streets very late.

Bennett spoke to DOT about the status of the road project and their representative said it never reached the status of "road project". He said money is tight and the State has \$150,000,000 in projects ready to go. The DOT representative said there is no possibility that the project would be done in the near future. Bennett said that if the Board has anything in writing, please provide that. Wilson and Bickford thought the DOT had said SWH was on the list to get the project done. Bennett said follow up hasn't stopped, and this project is being pursued through further contacts at DOT. Hutchins asked if it makes sense now to proceed with the sidewalks. Bickford asked for cost information on proceeding with the sidewalks. Wilson brought up the McEachern Hutchins drain which is under the recently demolished building. Bennett contacted the State about re-routing their portion of the drain, but they cannot, due to lack of funding. McEachern will repair their portion of the drain on their property. Wilson said it is worth working with McEachern and putting in a larger pipe. He said the Town and the Public Works Director should work with McEachern to ensure the pipe is improved to the best it can be, by adding money to

upgrade the drainage. It was Moved Wilson and Seconded Bickford that the Town of Southwest Harbor approach the owners of McEachern/Hutchins to discuss the possibility of working with them to increase the size of the culvert to accommodate more favorable drainage. Vote in favor: 5 – 0.

Bickford would like to see Dennis Damon here to discuss the Town's concern and the State's responsibility to fix the roads. Hutchins asked if the Board should issue an invitation to Senator Damon and the DOT representative. Yes – Town Manager will follow up.

Hutchins: Fire Truck vote. Hutchins suggested talking about what to do about this, as it is obvious that it cannot come before the May Town Meeting, based on the vote and comments. Wilson said to fix the current truck. Chisholm said it hasn't cost a great deal to do repairs to date, as it was done in house. By the end of the week the truck should go to Whited Ford for final work. Chisholm said, off the top of his head, about \$4,000 is needed to get a sticker on the truck. Wilson said the Board should consider how to meet the goal to purchase the new truck through the Capital Improvement Plan. People are really concerned about the spending of taxpayer dollars, and the Board needs to consider that. Discussion was held between Hutchins, Wilson and Johnson about the per \$100,000 cost of a project. Bickford said that the Town must fix the infrastructure. Wilson pointed out that this was the whole reason for the Capital Improvement Plan. Howard suggested that the Selectmen when presenting a project for voter approval, offer some tax relief in other ways, for instance, cutting health benefits, reducing dispatch, reducing the amount of police officers. Bickford said, referring to the School, that there is one very large item that costs the majority of the tax dollars. Howard said she is not excluding the school in her thoughts of cutting expenditures. Wilson said he has been asked about cutting expenses by tax payers.

IX. Sign Warrant It was Moved Wilson and Seconded Bockford to accept and sign the warrants as presented. Vote in favor: 5 – 0.

X. Adjourn: It was Moved Bickford, and Seconded Willey to adjourn the meeting at 7:59 p.m. Vote in favor: 5 – 0.