



Board of Selectmen
Tuesday, January 10, 2012 @ 6:00 P.M.
Southwest Harbor Town Office
MINUTES OF MEETING

- I. Call to Order/Roll Call: The meeting was called to order at 6:00 p.m.
Present: Selectmen: George Jellison, Jr., David Minctons, Tom Benson, Ralph Dunbar, Jr., Dan Norwood, and Donald Lagrange, Town Manager.
- Visitors: Jim Wimbiscus, Dick Broom, Daniel Bartlett, Sue Lessard, David Chapais, Kristin Hutchins, James Geary, Don Lodge
- II. Visitors to be heard not on the Agenda: Dan Bartlett said the Harbor Committee received a preliminary survey from Army Corps of Engineers (AEC) and there is definitely some shoaling developing – a rough estimate is that 20% has shown some decrease in depth. The Harbor Committee recommends we leave it a federal project. Because it is a federal project the ACE has been in touch with our Harbormaster – some floats are encroaching and some moorings in the pool are potentially commercial moorings. There are 12 floats total to be moved and 7 that will require some serious removal. Letters will be sent to those individuals. ACR is aware of the mooring encroachment and asked the committee to start rectifying the situation. A brief will be presented after the next Harbor Committee meeting. They will stay in communication with ACR and get a depth survey as well as a time frame to request federal dredging. The floats are all moored floats – not all in the pool, some in the 10’ area and some over towards the ledge. Solutions will be offered that should work well.
- III. Approval of Minutes of December 13, 2011 – It was Moved (Dunbar) and Seconded (Benson) to approve the minutes of December 13, 2011 as presented. Vote: 5 - 0
- IV. Manager’s Report: the Town received a renewal letter from the Small Animal Clinic to continue the agreement for abandoned and surrendered animals: It was Moved (Minctons) and Seconded (Benson) to allow Chief Chapais to enter into the agreement with the Small Animal Clinic. Vote: 5 – 0.
Lagrange introduced Sue Lessard, the new Financial Director. Lagrange said there was a Christmas Eve freeze up at the police department which caused the loss of a printer and some minor damage. As of Friday last week we were still waiting for the heating coil. Dunbar asked if it was a heating problem or a construction problem. Lagrange said it was a freezing of the duct outside. He has contacted MMA Risk Management concerning insurance coverage. Dunbar asked about the manufacturer’s warrantee. Lodge asked if there was a design flaw. Chief said there was no audible alarm – there was a rep from the company who came in and shut down the system – they said they would be back to fix whatever was broken soon. The Planning Board is still reviewing changes to the Land Use Ordinance – there will be a public meeting and the Board is invited to

join that meeting. The next review will be workforce housing. Included in the Selectmen's packet was info for the Harbor Committee(HC) to review of riparian lines. There is nothing in the ordinance that explains riparian lines. This is a guideline for the HC to start with. Lagrange sent the personnel manual to the Town attorneys because it is 10 years old and there are changes in State and Federal law that should be addressed. Some items are in direct conflict with the union contract. Scott still out for 4 – 7 weeks with complications to his knee surgery. The current crew is doing well. Several drivers are available if needed for the storm events. No good response to the public works ad. Tozier is working as highway foreman – all are working together well and handling emergency situations well. Lagrange commended the four people who are working well together. The Town's new Fire Truck arrived on New Year's day. The Fire Department would like to hold the Selectmen's meeting at the fire station and have an open house on Jan 24th.

- V. Warrants: Administration 107-112, 114-120, 122; Water 35-36; Sewer 25-26; Mansell/Wesley 113, 121.

- V. Old Business
 - a. Wesley/Mansell (Lagrange): The warrant in the package had a question and is being held back until the next meeting. The warrant concerns retainage.

- VI. New Business
 - a. Conservation Committee (CC) (Geary): Jim Geary passed out two documents – one is the State statute giving the CC the authority to function and parameters guiding that function. Second document is the summary of the financial position of the Commission, to give you an idea of what they do. The Conservation Commission takes care of Rhodes Park (two tenants), take care of the building and maintain the gardens both there and the Veteran' Park and Chris' Pond. There is currently just short of \$100k in the account - \$67K is the reserve fund for the building. The long term plan is to get out of the rental business. The reserve fund is to act as an endowment fund for the park. Enormous effort from Ann Judd to maintain that park. The CC year fits better for a calendar year – this P/L shows contributions of 15K for the gardens; rental income on the building of approximately \$12K, and \$3300 from the Tree Fund. The third page is the summary of the CC for the last 12 plus years showing about \$244,000 in contributions; it includes the renovation of the Butterfly Garden at Rhodes Park, and a new century tree fund, raising about \$35K for Elm tree plantings. There are three voting members on the commission now. Monies in the account will begin to flow out during the next season. Hutchins asked the relationship between the CC and the Town. Geary explained that the CC is formed by state statute and there is an audit – the entire mission is defined through state statute. The funds from the Town cover things like trees that should be taken down. Dunbar said the committee goes unrecognized and commended the work they do for the Town. There is a great group of volunteers including Coast Guard who work at the Garden.

- c. Infrastructure Committee (Benson): Benson said with a major capital improvement infrastructure project over the next 20 years, his recommendation is for a sub committee of the Selectmen and other Town employees to help prioritize some of the work that needs to be ongoing in the future. Dan Norwood expressed interest in joining the effort. Lagrange suggested inviting the three foremen as well as the Finance director. He suggested trying to meet during the days to facilitate member attendance. Benson said they would be open to public input. Hutchins said a lot of information is in the Comprehensive Plan. Benson did indicate that the most recent Olver Associates infrastructure plan would be useful. Dunbar said the budget will drive the project needs. Benson said he would like to make a priority list and would prefer to not borrow if possible. Lagrange said this will help with future projects and asked if the Town would like to continue to borrow for the future or try to pay as you go? Dunbar asked about the Water tank: Lagrange said they did some borings today, and Willey had to fix another hole today. He expects to have some information back from three proposals sent out, today. Dunbar said the Town should try to get the tanks torn down for free. Benson has someone interested in doing that. Dunbar also asked if the slab could be re-used, and encouraged looking at that scenario. Benson said it is important to pose that question to them.
- d. Police Equipment Funds (Lagrange): Lagrange said there is an account that can provide the funds for tazers –CIP – Dunbar said there is no money in the CIP for tazers. There is an old reserve fund. Dunbar would like to see these old reserve funds go to the voters and be rolled back into the CIP. Lagrange said those funds may be rolled back into the current CIP if it is like items. Lagrange said he and Sue should work closely on this to give a better picture. Lessard said CIP and Reserves are distinctly different – the ones you may move around are those that are not reserves. If you want to combine things they need to be established through a voting process. For auditing purposes they are treated as two completely separate articles. Police equipment old reserve account: Norwood said it is police equipment and it should come out of that old reserve account. It was Moved (Norwood) and Seconded (Benson) give approval to the Town Manager to expend monies to purchase tazers out of the old reserve account for police equipment: # 1-220-71. Vote 4 – 1.
- f. USDA Municipal Loan (Lagrange): USDA is still carrying a balance of \$420,000, in order to remodel the municipal offices, at a rate of 3.75% for 29 years. Lagrange doesn't feel its needed to do this work, and he is asking to release the funds back to USDA. It was Moved (Dunbar) and Seconded (Benson) to release the funds back to USDA in the amount of \$420,000. Vote: 5 – 0.

Lagrange – The Library cannot make the budget information meeting on the 17th of January and he would like to schedule them on the 18th and do a wrap up of the budget process that evening. Hutchins pointed out that the Budget Committee must send their recommendation to the Warrant Committee by the 18th of January. Lagrange and Walsh will re-organize the Budget meeting schedule

in order to send the Select Board recommendations to the Warrant Committee by the 18th of January. Revisions to those recommendations are allowed after the 18th of January.

IX. Other Business: Benson: concerning the Seal Cove Road and the culverts he asked if there was an update. Lagrange said there is a short window to get the work done, and he plans to review those files, but does not have the information yet and will have it at the subcommittee meeting. There is a \$50,000 grant waiting on that project. Dunbar said he would like to see the water tower project move ahead and would like an update at the next meeting. He said that is next on the infrastructure punch list. Dunbar asked if the money for the Lower Town Dock has arrived. Lagrange said there has been no money yet and it is on the desk to pursue this week. Dunbar asked about the \$100K from the State for Wesley/Mansell. Lagrange has not received that yet. Will pursue.

X. Sign Warrants: It was Moved (Dunbar) and Seconded (Benson) to approve the Administration Warrants as presented. Vote: 5 – 0. It was Moved (Minctons) and Seconded (Benson) to approve the Water Warrants as presented. Vote: 5 – 0. It was Moved (Dunbar) and Seconded (Benson) to approve the Sewer Warrants as presented. Vote: 5 – 0. It was Moved (Dunbar) and Seconded (Norwood) to approve the Mansell/Wesley Warrants as presented. Vote: 5 – 0.

XI. Adjournment: It was Moved (Dunbar) and Seconded (Minctons) to adjourn the meeting at 7:01 p.m. Vote: 5 – 0.