



**Board of Selectmen Meeting**  
Tuesday, November 13, 2012 @ 6:00 pm  
Southwest Harbor Town Office

- I. **Call to Order/Roll Call:** Dan Norwood, George Jellison Jr., Ralph Dunbar, Jr., Town Manager Don Lagrange. Excused: Tom Benson, David Minctons.
- II. **Visitors to be heard not on the agenda:** David Corrigan, Dave Chapais, Marsha Pilz, Trudy Bickford, Don Lodge, Sam Chisholm, Marc Chalfoun, Dick Broom, Jon Walker, Kristen Goodwin, Ann Dundon.
- III. **Approval of Minutes:** A Motion was made by Norwood and Seconded by Jellison, Jr. to approve the minutes of October 23, 2012 meeting as presented. Vote 3/0.
- IV. **Warrants:** Administration 63, 66, 67, 73, Water 23, Sewer 70, School 64, 65, 68, 69, Special Projects 71, 72. A Motion was made by Jellison, Jr., and Seconded by Norwood to accept and sign warrants as presented. Vote 3/0.
- V. **Manager's Report:** Lagrange addressed the BOS about inspection services from Olvers regarding the contract referencing inspection costs. Cost to date for inspection services of \$21,800 leaving a balance of \$13,000 for future inspections. He also presented the BOS with a copy of the sign ordinance for review. The Planning Board will have it on their agenda this Thursday, November 15. It will be on the November 27 BOS agenda. He briefly spoke to the BOS about the Town Audit and the auditors are saying that they are still working on it and it should be available in the first two weeks of December. He spoke briefly about the pros and cons of fluoride in the water system. After discussing the costs and state requirements, the decision to use it or not is up to the towns. Norwood asked Lagrange to contact Northeast Harbor and ask the question of "how was it put to the voters" to make the changes in their town. Lagrange will get back to the BOS with an answer. He told the BOS that Southwest Harbor made the primary list for loans from the drinking water program. Olver has also stated that this program is based on the Maine Bond issue. There are discussions at a 1% loan and a remote possibility of another 20% forgiveness, similar to our water tank project. Lagrange also mentioned that our Harbormaster is meeting with representatives of the Ames Engineering firm to discuss their programs for mooring plans and relative costs. We currently have \$10,646 in the CIP mooring account specific for this purpose.

**VI. Old Business:**

**a. Public Works Report**

**1.) Sand Bids:** Corrigan addressed the BOS with the two bids he received for the winter sand bid request. Doug Gott and Sons bid was \$9.00 per cubic yard. John Goodwin Jr. bid was for \$11.94 per cubic yard. A Motion was made by Norwood and Seconded by Jellison, Jr. to accept the bid from Doug Gott and Sons for the winter sand at \$9.00 per cubic yard. Vote 3/0.

**2.) Truck Replacements:** Corrigan presented the BOS with 10 bids for the two trucks that they are looking to replace. The Water Dept. and the Sewer Dept. will each pay for their own truck. After much discussion amongst the board and Corrigan, 2 trucks will be ordered and the old water truck will stay in the fleet but used not as a primary truck. He explained about how it will help to keep mileage reimbursements down and from having to use their personal vehicles. Two trucks will be ordered with one costing #31,467.00 with plow and the other one costing \$33,464.00 with plow and lift-gate. A Motion was made by Norwood and Seconded by Jellison, Jr. to accept the bid from Varney GMC to order two 2013 Sierra 2500HD 4x4 pickups, one costing #31,467.00 and the other with a lift gate costing \$33,464.00 as presented. Vote 3/0.

**3.) Water Tank:** Sargent's is on site installing the underground pipe work. Natgun has completed construction of the tank and has pulled off the site. They will return in the spring to paint the tank. Construction of the building will start next week. The engineer's inspector has been on site daily. Everything is going smoothly with the project.

**4.) Fuel Pumps:** Corrigan received an updated quote for the fuel pumps at the town garage from Gaftek Petroleum. The updated quote is for repairing the existing key system and upgrading the existing fueling system to bring it into compliance. Dunbar, Jr. asked where the monies would come from to pay for these repairs. Lagrange said the money could come out of the highway garage maintenance account. A Motion was made by Norwood and Seconded by Jellison, Jr. to accept the update quote from Gaftek Petroleum in the amount of \$6,680.00 to repair and upgrade the fuel pumps and key system at the town garage. Vote 3/0.

**5.) Completed Projects:**

**b.) Bike Shop:** Lagrange told the BOS that as of the today's meeting the town still has not received the signed legal documents from the owners concerning the repairs to their basement.

**c.) Fireworks Ordinance (Chapais & Chisholm):** Chapais addressed the BOS about recent complaints being called in to the Police station. They have received 50 complaints, all stating that they are concerned about the noise and concerns to pets that are scared of the noises going off. Chapais and Chisholm got together and made up suggestions for changes to the Noise Ordinance. They voiced their concerns about the repercussions of possible injuries and possible fires. The firework noise/disturbance in our town is all legal usage of the fireworks. Most of the complaints are noise related to late night usage of the fireworks. Visitors in audience voiced their concerns and how they are annoyed by the noise between 9:00-10:00 pm at night especially when they have to get up and go to work in the morning. Chapais stated that his department had zero complaints last year compared to 50 complaints this year since the State of

Maine passed the new law concerning fireworks in our state. Dunbar, Jr. thought that maybe the town should seek legal advice and ask the State of Maine for their list of rules & regulations concerning fireworks. Chapais noted that some towns ban fireworks and others allow fireworks. There was discussion about bring the issue to ballot and let the townspeople decide if they want to change the noise ordinance or even ban fireworks, or possibly stipulate certain times that fireworks can be used. Chapais & Chisholm both stated that there were no emergency injuries or fire related injuries concerning the fireworks. Dunbar, Jr. would like to get more information on the topic and let the concerned townspeople know when it will be on the upcoming agenda so they can attend the BOS meeting.

**d.) MRC Ballot:** Lagrange presented the BOS with a MRC Board of Directors election ballot. The BOS recently sent the name of Tony Smith as a nominee for the position and he was chosen to be on the ballot. Lagrange asked the BOS if they wanted to support Tony Smith, and if so, they need to vote on the ballot enclosed. After a very brief discussion, the BOS decided to vote for Tony Smith on the ballot.

## **VII. New Business:**

**a.) Liquor License- Jaydub's:** Jonathan Walker d/b/a Jaydub's addressed the BOS about approving his liquor license for his business. A Motion by Jellison, Jr. and Seconded by Norwood to approve the renewal application for a liquor license from Jonathan Walker d/b/a Jaydub's. Vote 3/0.

**b.) Hancock Count Planning Commission- USDA grants:** Lagrange addressed the BOS about supporting HCPC efforts to secure grants for technical assistance from the USDA. A Motion was made by Jellison, Jr. and Seconded by Norwood to agree to both requests to support HCPC in their requests for grants from the USDA for the purposes of solid waste related technical assistance and technical assistance & training for planning boards, code enforcement and local plumbing inspectors. Vote 3/0.

**c.) RFP – Main Street:** Lagrange provided the BOS with a spreadsheet containing a rubric matrix to assess the proposals. He would like for the selectmen to go over the spread sheet and come up with some questions for the engineer's interviews which will be set up in December. He feels that Tom Benson should not be member of the infrastructure committee. The infrastructure committee will make a solid recommendation to the BOS. Both Jellison, Jr. and Norwood agreed to be on the infrastructure committee and they will have questions ready for the engineers for the interviews scheduled for December 4, 5, 6, 2012 at 9:00 am..

**d.) Committee and Volunteer Banquet:** Lagrange presented the BOS for catering proposals for the upcoming Holiday party. Proposals were mailed out to 10 local businesses. Norwood mentioned to the BOS that the VFW also catered as opposed to just renting the hall from them for the party. He expressed that they were in need of funds. Dunbar, Jr. added that he had spoken to Jack Gilley about the upcoming party. He said that they have put on nice meals in the past. Jack was going to bring it up and check with other members about a proposal and Jack would get back to Lagrange in a couple of days. The BOS said that they would leave it up to Lagrange to make the final decision about the VFW proposal because he knew how the BOS felt about using their facility.

**VIII. Other Business:**

**a. Water Board Meeting – November 27, 2012 @ 5:30:** Lagrange would like to discuss budget issues at the next BOS meeting. All BOS present agreed to the meeting before their regularly scheduled meeting.

Dunbar, Jr. asked if there was any other business to be discussed. Norwood spoke up about his concerns with the culvert on Seal Cove Road on the southerly side of the road. He feels that it could be a potential accident problem in the future. Could there be big rocks placed there to prevent any future issues? Jellison, Jr. suggested a reflective sign to warn drivers. It is a potential hazard according to Dunbar, Jr. and he would like to discuss this further at the next BOS meeting.

**X. Adjourn:** A Motion by Norwood and Seconded by Jellison, Jr. to adjourn the meeting.