



Board of Selectmen
Tuesday, February 12, 2013 @ 6:00P.M.
Southwest Harbor Town Office

MINUTES

- I. **Call to order/Roll Call:** The meeting was called to order at 6:00 p.m. Present: George Jellison, Jr., David Minctons, Ralph Dunbar, Jr., Dan Norwood, Tom Benson, and Town Manager, Donald Lagrange.

- II. **Visitors to be heard not on the agenda:** Dick Dimond addressed the BOS to comment on the great job the Highway Dept. crew has been doing with the plowing of the recent snowstorms. He wanted it to be on record that he thought that they had been doing a fantastic job of keeping the streets cleared from the beginning to the end of each storm. Don Lodge also commented on the good job that the Highway Dept. crew had been doing.

- III. **Approval of Minutes of January 22, 2013:** It was Moved Jellison and Seconded Minctons to approve the minutes of July 31, 2012 as presented. Vote 5 – 0.

- IV. **Manager’s Report:** Lagrange addressed the BOS about looking for a part time help to work anywhere from 6-10 hrs. a week on the meeting minutes and backup counter help. He spoke briefly about needing to purchase fireproof filing cabinets, in the amount of \$2600.00 each, versus spending \$40,000.00 for a fireproof addition. Dunbar, Jr. asked if everything would fit in these cabinets. Lagrange explained that other documents would be scanned and kept in storage that way. Dunbar, Jr. asked what items exactly needed to be kept in a fireproof storage. Lagrange will get back to him with a list of documents that are required for fireproof storage. SWH Police Dept. is looking to hire a new patrolman due to Aaron Arsenault resigned recently to move to Colorado. PT employees are filling in while the application process is going through. BOS asked if there was enough coverage with the police dept. while the process is going on and is it necessary to hire another officer. Lagrange will check into this for the BOS. He also spoke about a pipe that had frozen up during the construction in the Town Office, but luckily it was caught in time before any serious damage occurred. Lagrange spoke briefly about the sewer plants recent repairs to the sludge pumps. Lagrange spoke to the BOS about a late entry not on the agenda pertaining to the Warrant Committee and Comprehensive Impl.. Planning Committee. It seems that the committees would like to add \$10,000.00 to the budget and hire a temporary planner for the Town. It blindsided Lagrange and decided that he needed to bring it to the BOS’s attention. It seems those committees want the LUO checked over by this planner. The PB is having a special meeting on 02/14/13 in order to get the zoning changes finalized so it can be presented to the BOS. The Warrant Committee thinks that the PB and Comprehensive Impl.. Planning Committee should work together on the zone changes. Dunbar, Jr. added into the discussion that all the boards in Southwest Harbor work for the BOS. Don Lodge spoke up at this point and

added that the committees didn't plan on by passing anybody. He explained to the BOS that they feel that need to suggest language to the PB. Correct language and legalality of the issues are the concerns he expressed. Norwood added that no ordinances go through without legal advice and that MMA supports the Comprehensive Impl. Planning Committee.

V. Old Business:

a. Public Works Report (Public Works Director)

1) Pond Maintenance, Bids: Corrigan addressed the BOS about looking for 3 proposal prices for the ponds to be back washed and flushed. It hasn't been done for 4/5 years and the sludge needs to be cleaned out of them. He recommended Goodwin's proposal in the amount of \$6,500.00. Of the three bids, one contractor came into see the Town Manager that he would have to withdraw his proposal due to personal family issues that needed to be addressed in a timely manner. The BOS asked for a written bid form and Corrigan explained that the process was only verbal other than the proposals written out from the contractors. Corrigan noted that it was a "maintenance issue" to maintain the plant to work properly. Dunbar, Jr. would like to have a written bid form versus verbal bid form so they can see what is exactly specified of the contractor. Benson agreed with Dunbar, Jr. Lagrange explained that it is a FYI issue and next time it will be done in a written bid form. Dunbar, Jr. asked Corrigan what have the town crews been doing to stay busy with this mild winter. Corrigan explained that other than plowing, they have been doing maintenance on the equipment, getting ready for spring and his dept. tries to stay a season ahead on the equipment.

2) Sludge Pump Repair: Corrigan let the BOS know that the new sludge pump has been installed. The sewer dept. has 2 pumps working, one is newly rebuilt and the other one is going along but needs parts. Parts are on order.

VI. New Business:

a. **Transfer Reserve Account to CIP Accounts:** Lagrange gave the BOS handouts pertaining to elimination/consolidation of reserves. Dunbar, Jr. asked Lagrange if he had checked with legal about doing this. He answered by saying that he asked the auditors and was told it is the same intentions as CIP accounts. BOS were not comfortable enough to vote about this issue at this time until they have answers from legal.

b. Harbor **Ordinance Review:** Lagrange explained to the BOS that the Harbor Committee has been working on some changes to the Harbor Ordinance to place on the warrant to go to a Public Hearing. Adam Thurston, Harbor Master for SWH, explained the changes the Harbor Committee have been working on. After much discussion, the BOS have asked Adam to go back to the Harbor Committee and make some changes. A Motion by Minctons and Seconded by Norwood to accept the changes in the Harbor Ordinance, Section I., subsection C. Fairways and Anchorage as written. Vote 5/0. Norwood did suggest to Adam to have a special meeting and public hearing and get the changes made and back to the BOS before March 12, 2013. Lagrange will check with legal about the wording issues for the Harbor Master.

c. **Horton, McFarland & Vessey:** Lagrange presented the BOS with a copy of the Water Audit proposal agreement between the auditing firm and the SWH Water Dept. for the upcoming water audit. A Motion by Norwood and Seconded by Minctons to accept the proposed contract from Horton, McFarland & Veysey to audit the SWH Water Dept. in the

amount not to exceed \$4,125.0 and allow the Chairman of the BOS and the Town Manager to sign the contract. Vote 5/0.

d. Assessors Report: Lagrange spoke briefly about the assessors spending a week reviewing properties in Town to confirm what was physically on the property compared to what was indicated in the files. They found the changes to those properties amounted to a net increase in valuation of \$323,200.00.

e. Assets Management Seminar: Lagrange addressed the BOS about being summoned to attend an assets management (six hour session or (2) three hour sessions) to accommodate receipt of the water tank forgiveness loan (\$139,271). It appears the drinking water program has placed this provision before they allow forgiveness. After some discussion, Lagrange will check about establishing a schedule of 2 three hour sessions and get back to the BOS with some dates to finalize on.

f. Cable Contract Proposal: Lagrange presented the BOS with the Time Warner Cable Contract Proposal. It is for a 15 year contract as opposed to a 10 year contract. He explained that the surrounding Towns didn't want to go with the 10 year contract. If the Town stepped out and changed the contract to 10 years, we would have to pay all legal fees as opposed to combining the legal fees with the surrounding Towns. Plus the Town receives 5% revenue from Time Warner for our town subscribers to their business for services. A Motion by Dunbar, Jr. and Seconded by Minctons to accept the final contract with Time Warner Cable on behalf of the Southwest Harbor cable needs and authorize the Town Manager to sign final contract on behalf of the town. Vote 5/0.

g. Permit Renewal Fee: Lagrange spoke briefly about charging a renewal permit fee to residents when they come back in because there was no substantial start in construction and /or site operations are not completed within three years. A Motion by Minctons and Seconded by Norwood to move a permit renewal fee of \$20.00 be required to facilitate renewals as provided in Section VIII, subsection H-b of the Land Use Ordinance. Vote 5/0.

VII. Other Business: Lagrange informed the BOS that there was a School Bond Reduction. The Bond Co. reduced the interest of the life of the loan. The BOS asked to have a member of the Harbor Committee be present at the next Selectmen's meeting.

VIII. Accept & Sign Warrants: A Motion by Dunbar, Jr. and Seconded by Norwood to accept and sign all warrants presented. Vote 5/0. Administration: 116, 117, 120, 121, 124, Water (2012): 27, Water (2013): 2, Sewer: 125, School: 118, Special Projects: 122, 123.

IX. Executive Session pursuant to 1 M. R. S. A. 405 (6) (A) Personnel Matters: It was moved by Dunbar Jr. and Seconded by Minctons to go into Executive Session. Time in 7:47p.m.. It was moved to adjourn Executive Session by Dunbar Jr., and Seconded by Minctons. Time Adjourned 8:03 p.m.

X. Call to Order/Roll Call: Tom Benson, Dan Norwood, Ralph Dunbar, Jr., George Jellison, Jr., David Minctons and Donald Lagrange, Town Manager.

After coming out of executive session, the BOS has asked the Town Manager to draft a letter to the Comprehensive Planning Committee on their behalf regarding the request to the Warrant Committee for funds to create a new Planner's position. All policy decisions must be made through the Board of Selectmen. The Warrant Committee is not to exceed policy standard and they are an oversight committee.

XI. Next Meeting Date:

Water/Sewer Meeting, February 26, 2013 (6:00 PM)

- a. Firefly Opt Out
- b. Fluoride Usage

Selectmen Meeting, February 26, 2013 (6:30 PM)

**XII. Adjourn: A Motion by Norwood and Seconded by Minctons to adjourn the meeting at 8:10 pm.
Vote 5/0.**