



Board of Selectmen
Tuesday, February 8, 2011 @ 6:00 P.M.
Southwest Harbor Town Office

MINUTES

- I. Call to Order/Roll Call: The meeting was called to order at 6:00 p.m.
Present: Trudy Bickford, David Minctons, Ralph Dunbar, Jr., Dorr Wilson and Town Manager, Robin M. Bennett. Excused: George Jellison Jr.

Visitors: Mark Good, Tom Benson, Dick Dimond, Pat Biegler, Greg Johnston, Mike Sawyer, Gordon Wissinger, Derek Wilber, Bill Trotter, Lydia Goetze, Don Lodge. Amy Young, Damon Leer, Sandy Johnson, Erika Lindquist, Eric Henry, Diane Helprin, Jim Wimbiscus, Nancy Thurlow, Rob Liebow, Donald Lagrange

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

- III. Approval of Minutes: Selectmen Minutes of January 19, 24 and 25, 2011: It was Moved (Wilson) and Seconded (Bickford) to approve the minutes of January 19, 2011 as presented. Vote: 4 – 0

It was Moved (Bickford) and Seconded (Wilson) to approve the minutes of January 24, 2011 as presented. Vote 3 – 0 – 1 (abstain Wilson – not present)

It was Moved (Minctons) and Seconded (Wilson) to approve the minutes of January 25, 2011 as presented. Vote: 4 – 0.

- IV. Manager's Report: the motor to be replaced in the pump house is here and will be installed next week. Lower Town Dock project: Bennett asked M-DOT for additional monies and was able to obtain over \$4,400 additional funding, which is in the neighborhood of \$19,400 above and beyond the original grant. LUO: the Planning Board will submit changes for Selectmen review and for the upcoming Town Meeting in May, at the next meeting; Crossman billing dispute is still unresolved and was submitted to PUC to reconsider – they declined today; sewer clarifiers – a pin was separating and was re-set, and we are watching that closely. The upcoming MDI HS budget meeting has been rescheduled for April 6.

- V. Warrants: Administration 122-127 Water 4, 5
Sewer 29, 30

VI. Old Business

VII. New Business

- a. Chamber of Commerce Proposal: Chairman referred to the letter from the Chamber that was in the packet. Sandy Johnson asked the Town to join the Chamber, as the Chamber may not apply for non-municipal funds since they are not a 501 (c) 3 corporation. Johnson said both Tremont and Southwest Harbor joining would be a good sign towards re-building the Chamber. Dunbar asked if the Town had ever been a member and what would the precedent be? Wilson said not to his recollection, but the Town had previously contributed funds in the past. Bennett said it is not unusual for a community to be a member of a Chamber of Commerce and it shows good support. Johnson said in the past the Town has given funding to the Chamber, as much as \$3,000 and most recently \$1,500. It was Moved Wilson and Seconded Bickford to approve the membership of \$500 to the Chamber.
Vote: 5 – 0.
- b. Churchman Sewer Proposal: Greg Johnston spoke saying Churchman has one of the few remaining overboard discharges in Southwest Harbor. The Town sewer is about 240 feet from the property. In order to lay that pipe in the right of way, the applicant must be a public works utility provider – Churchman would need the Town of Southwest Harbor to act for him and at the end of it, the Town would own the system. Wilson asked if Public Works has comments. Biegler said she has reviewed this, and it does serve a very good purpose and should not create any problems for the Town but asked that the Town Attorney review the language. Dunbar said it is a gain for the Town while doing away with the overboard discharge. It was Moved (Wilson) and Seconded (Bickford) to approve the project with the condition that the language in the agreement be approved by the Town Attorney.
Vote: 4 – 0.
- c. Pemetie Elementary School Budget Review: Helprin said the overall budget is lower. The Teacher contracts increased island-wide; Blue Cross & Blue Shield is estimated at 10% increase. There are two fewer class advisors. Town appropriation with debt service is down. Page 3: Special Education. Young said there are significant changes: \$14,000 decrease in professional services. The AOS has hired a social worker who will take over some of these duties. The other increases are: outside speech services and physical therapy, much of which is done over the summer. There are two fewer class advisors and one less coach in the sports programs. Projected enrollment will go down to about 130-135. Page 5 student and staff support – health services – no appreciable difference – library and audio visual – the librarian has been retained full time – the increase there is for salary and benefits. Office of the Superintendent is only up by 1.8%. Pg. 7: office of

the principal reduced one of the secretarial positions by one week. Bickford asked about the secretary reduction of a week, wondering if reducing that persons contract from 52 weeks to 51 weeks would be a significant savings. Bickford said she could find other areas in the school budget which would save more, and not impact an employee. Helprin said the employee had no problem with the change, and said thank you. Facilities maintenance of the plant – this section is up by 2.15 percent – a significant decrease is \$10,000 in the electric bill thanks to the solar panels on the roof and the turbine. There is concern that the heating oil projected price may be low. Bickford asked if it would save money to pay the head custodian as a salaried person rather than hourly. Liebow said that position could be a salaried position. The School Board will be looking at these types of things said Young. Pg 8: student transportation, transportation and busses – the decrease of 1 ½% is a result of personnel change and blue cross/blue shield plans. A new bus purchase is due in 2013. Facilities maintenance/capital outlay: the only increase is paving the back parking lot and a new tractor with a mower deck and snow blower. The total Town appropriation is \$8,000 less than last year.

Sawyer raised an issue, saying the school granted a sabbatical leave to the math teacher for one year, giving that teacher a year off with half salary and half benefits, and they claim it will cost \$1500 more in the budget. Sawyer said he had a copy of the teacher's contract and it states that it is up to the sole discretion of the school committee to grant or not grant a request for sabbatical, and the school contract does not require a teacher be paid. Wilson said that decision was the authority of the School Board and the Selectmen should not interfere. It was Moved (Wilson) and Seconded (Bickford) to forward the school budget to the Warrant Committee for further review. Vote: 4 – 0.

d. Plumbing Fee Schedule: Lagrange said the State raised fees from \$6 to \$10, and he would like Southwest Harbor fees to be consistent with the other island towns. The Chairman said raising the fee to \$20 per fixture is consistent with the island towns. Board members were reluctant to double the rate at this time. Chairman asked Board members if \$15/fixture would be more palatable and review this again next year. It was Moved (Mintons) and Seconded (Bickford) to raise plumbing fixture rates to \$15 per fixture. Vote: 4 - 0

e. Street Name Request: This is a street at the end of Forest Avenue within the second phase of Anna's Quieside Cottages project. It was Moved (Wilson) and Seconded (Bickford) to approve the request to name the Road in phase two of Anna's Quieside Cottages Rock Bound Lane. Vote: 4 - 0

f. Water Meter RFP: Bennett said after reviewing the results of the RFP, the recommendation is Ferguson at \$110,653. Biegler has talked with Bar Harbor as they have the same system and like it

very much. She also checked references for these. Two firms offered the identical product and this was the in-state firm with a lower price. Monitoring would be done at the Town Office. Bickford asked who owned the unit – Biegler said the Town would own it – this is for the remote read package and software – there is a separate invitation for bid that would go out for the water meters. This does not include installation. Biegler said discussion was held on using a temporary hire over the summer to install these. Wissinger asked – what is the cost over time for maintaining these – Biegler said those have a 20 year warranty including batteries – each has some annual maintenance for the software – that was not addressed in this RFP but the service cost is in the neighborhood of \$2-5,000 per year. This adds another \$20-40,000. He asked if the Town could justify this cost. Tom Benson - what will the water company do with the time that they save reading the meters. Bennett said they have plenty of work to keep busy. Benson asked if it would be cheaper to hire someone part time to read the meters. Bennett said this system allows for determining leaks instantly and there are tamper issues that can be addressed with this system – as well as disconnect issues. Dimond theorized that with \$110,000 for the system, plus \$4-5,000 maintenance/service and an estimate off 400 new meters at about \$100 each, the Town would possibly be looking at about \$200,000 for the entire project with installation. Bennett said one of the things this system will allow is give us the ability to get to everyone's meter to read it. Dimond asked if there was an estimate of revenue that could be gained from the 250 meters that are not functioning. Benson said the sewer bill being almost twice the water bill will increase the savings as well. Wilson asked for clarification on the recommendation, citing the reference to towers system. Biegler said a transfer would be placed on a building and no tower would be needed. Biegler said these systems have been used for several years and believes Bar Harbor has been using the system for three years. Chairman asked if the meters were repairable or would the head need to be replaced. Biegler said the head would need to be replaced. Don Lodge said in 20 years the technology would likely be very different. Chairman asked if it would be cost effective if the life of the product is 20 years. Chairman expressed concerns on the cost of meters to go with this and the potential pay back for this project. It was Moved Dunbar to postpone a decision until next meeting. No second. Bennett said she expects at least \$100,000 revenue per year at a minimum. Wissinger said we have known since June that 1/3 of the meters do not work and wonders why after 8 months these meters have not been replaced. Bennett said the funds have just come available from the Sewer rate increase. It was Moved (Wilson) and Seconded (Bickford) to accept the recommendation by the Public Works Director for remote meter reading. Discussion: Johnson – don't confuse increased revenue with the lack of a remote system – all you have to do to collect revenue is

get a working meter in the house. Minctons asked if the broken meters have been started to be replaced. Bennett said they have started some replacement. Biegler said our staff has been trained to repair meters. Vote 2 – 2 motion did not pass. More information needed for next meeting.

g Water/Sewer Ordinance Amendment: Bennett said in the packet was the Town Attorney's suggested wording for the water and sewer ordinance amendments. Chairman said he was disappointed as the wording in the water ordinance change was a duplicate of the sewer, and was incorrect as it is the right of people to get their water where they want and is not required in the water ordinance. That would need to be deleted. Wilson said he received a letter from people who have concerns about definitions. Dimond presented changes proposed for the water ordinance and encouraged the change to be as clear as possible, whether or not it is perfect. Don Lodge said the attorney suggestion was a cookie cutter response. They should at least get the language correct to match the ordinance language. Chairman said he doesn't necessarily agree with the five year life expectancy proposed by Dimond's changes. Dimond questioned the warrant article that was voted on in May of 2010, saying that it was contrary to the motion passed in the March water/sewer meeting. Bennett said the BOS discussed the intent, and the decision was made to word the warrant the way it was worded. Bickford suggested the Board come to a consensus as to their intent at the March meeting of the water/sewer board. Bickford said she felt the useful life should be something like 25-30 years rather than 5 years. Wilson sees infrastructure as a long term 20 year item. Bennett would classify the clarifier as a capital expenditure more than infrastructure. Johnson said capital expenditures don't necessarily have to be bonded. Chairman said the letter presented from Dimond could be published at the Public meeting and at the voting booth. Chairman asked if the Board agreed to change the 5 years life expectancy to the 20 years plus under item 1 capital expenditures and 2 Infrastructure expense and not limit a time frame for item 3 operational expenditures. It was Moved (Wilson) and Seconded (Bickford) to send the amended wording of the water ordinance from the Citizen's Group, back to the legal team for review with a request that an answer be sent back to the Board as soon as possible. Vote: 4 – 0.

Sewer ordinance: Wilson said, referring to the citizen's group deletion of Expenses incurred statement, that he wished to know what would be considered a capital expenditure. Bennett said large items. Johnson asked if money could be put away for capital expenses for the sewer since it is not regulated by the PUC. The answer was yes. Johnson said we should have a capital improvement plan for both the water and sewer departments and we do not necessarily have to fund it. Chairman: how does the

Board feel about the Citizen's Group striking the Capital Expenditure and Infrastructure Expense line from the document? Wilson said he would support striking that line. Johnson said the financing of an item should not be part of the discussion. Time frames to be changed to the same as water 20 years, and strike replacement under item 3 – It was Moved Wilson and Seconded Bickford to send the amended wording of the sewer ordinance from the Citizen's Group, back to the legal team for review with a request that an answer be sent back to the Board as soon as possible. Vote: 4 – 0.

Break at 8:55 p.m.
Resume at 8:58p.m.

- h. Annual Report Dedication : Chairman suggested a dedication of the Annual Report to Berten Willey, as he has worked tirelessly for the Town over many years, as a school bus driver, custodian, Selectman as well as Fire Department. The Board suggested a memoriam to Priscilla Trafton as well.
 - i. Sewer Clarifiers: Bennett update: submitted application to Maine Municipal Bond Bank. The DEP has reviewed the application and we should be notified within the next few days whether they will have specs that need to be resubmitted to vendors. It is not anticipated that there will be significant changes that would require a new RFP. The application is set to be voted on Wednesday this week at MMBB, and Bennett has sent proposals out to other local banks in order to see if a better rate is available. There will be a recommendation at the next meeting. Be prepared to vote at the next meeting.
- IX. Other Business: Wilson will take a two week break and return on Feb 26th.
- X. Sign Warrants: It was Moved (Bickford) and Seconded (Wilson) to sign the warrants as presented. Vote: 4 - 0
- XI. Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A), Personnel Matters: It was Moved (Wilson) and Seconded (Bickford) to go into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A), Personnel Matters at 9:04 p.m. Vote: 4 – 0.
- It was Moved Wilson and Seconded Bickford to come out of Executive Session at 9:15 p.m. Vote: 4 – 0.
- XII. Adjournment: It was Moved Wilson and Seconded Minctons to adjourn the meeting at 9:19 p.m. Vote: 4 – 0.