

# Minutes

## Selectmen Meeting

Tuesday, November 11, 2014  
Southwest Harbor Town Office

### I. Call to Order/Roll

Call The meeting was opened by Chairman Norwood at 5:28PM. In attendance with Chairman included George Jellison, Thomas Benson, David Minctons, Lydia Goetze and Town Manager Don Lagrange.

### II. Visitors to be heard not on the agenda

There were no visitors to be heard

### III. Approval of Minutes: October 28, 2014

It was moved by Tom Benson to accept the minutes of October 28, 2014, second by Lydia Goetze and voted in favor 5/0/0.

### IV. Manager's Report

- ~ Chief Miller will be assessing the parking issues at the lower town dock. Complaints from permit holders that non-permit holders were occupying spaces causing the parking area to fill up. It is being suggested to post that area on the pier adjacent to the Yates property permit parking only. A proposal will be included in the next agenda.
- ~ Normal procedure for bulk fuel, approximately 20,000 gallons annually of diesel and gas, has been to contact three suppliers for market price of the day. Acadia Fuel, Coastal and Dead River were typical contacts, however, Dead River did not want to quote any further due to not getting orders (usually they were higher priced) and Acadia refused to quote because we did not give them the heating oil contract. With Coastal we also contacted Dysart's who was quick to price diesel at 10 cents less than Coastal at 2.79/gallon and gas at 2.46/gal (2 cents less than Coastal). Dysart's also rigged both diesel and gas tanks with wireless monitors at no charge which will signal when we need fuel. We will receive a 1% discount if paid within ten days.
- ~ A draft of the Wastewater Treatment license has been issued for public comments during the next 30 days. Prior to 2009, the town used Sewall Engineering to file the application, however, the 2009 application as well as the current application has been submitted by the town which saves approximately \$2,000 per application. A copy is included (minus 48 technical pages).

Lydia Goetze suggested the application does not contain the effective dates of the permit.
- ~ At the last Planning Board meeting, they discussed the possibility of amending the road ordinance to allow the Selectmen to accept a road as a town road if constructed to town specs. Current policy is for the voters to accept a road. The thought is that contractors will not invest in a road to town specs which is subject to voter approval. They may be satisfied just with a 9' wide gravel travel way. The warrant would ask the voters to allow the Selectmen provide the approval. Also, they discussed reducing the rear and side yard setback on smaller or non-conforming lots from 15' to 5'. Two recent applications before the Board of Appeals with minor expansions were denied due to not being able to

satisfy the criteria of a variance request. Smaller lots are handicapped to improve their standards.

- ~ Interviews begin Wednesday, November 12 to fill the position vacated by Nelia when she resigned a couple weeks ago because she accepted a new position with the Department of Human Services in Ellsworth.
- ~ Health insurance rates will increase 9% effective January 1, 2015.
- ~ The auditors should present their report on December 23
- ~ There will be a presentation of the 'Certified Business Friendly' certificate and signage on November 20 at 11:00 AM.
- ~ Financial update is provided to the Board including water, sewer and municipal as well as the updated CIP report.

The Chairman moved to take New Business before discussing Old Business due to the number of visitors in the audience.

#### VI. New Business:

- a. Chief Miller introduced Eben Richardson and Tom Benson moved to affirm the Manager's appointment of Mr. Richardson, second by George Jellison and voted in favor 5/0/0
- b. Warrant Committee Appointments
  - 1) Lydian Goetze moved to appoint Anne H. Napier to the warrant committee, second by Tom Benson for a three year term until 2017. Voted in favor 5/0/0.
  - 2) Chuck Bowers was not in attendance and will be placed on the next agenda.
  - 3) Jesse Dunbar was not in attendance and will be placed on the next agenda.
  - 4) Ryan Donahue arrived later and was reviewed after the presentation of Mr. Geary. Lydia Goetze moved to appoint Ryan Donahue to a three year term until June 30, 2017, seconded by Tom Benson and voted in favor 5/0/0.
  - 5) Tom Benson moved to appoint Eric Davis to the warrant committee for a three year until 2017, second by George Jellison. Voted in favor 5/0/0.

Manager Lagrange stated with the applications in place, there will be 10 members on the warrant committee. Lydia Goetze stated up to 12 members could be appointed.
- c. Manager Lagrange suggested to place \$400,000 into a higher CD certificate from .33% to a possible 1.5-1.6% account. George Jellison suggested to request proposals from different financial institutions to entertain alternate solutions.
- d. Jim Geary presented a proposal to remove the funds from The First trust and place with Maine Community Foundation to invest with increased revenue potential. Approximately \$100,000 exists in the account according to Ann Judd. It was moved by George Jellison to allow the SWH Conservation Committee to change its investment advisors from the First to Maine Community foundation, seconded by Dave Mincton and voted in favor 5/0/0.

V. Old Business:

a. Main Street Update

A sketch of Forest Avenue intersection was provided showing the new curbing on the south side of Forest Avenue attaching to existing curbing. Lagrange suggested to replace the existing curb from the intersection to the driveway which will provide a clean break from the existing curb on the other side of the driveway. It will present an improved appearance. A motion was not needed, however a consensus was given to proceed forward.

Lagrange suggested to re-line the transite sewer pipe from Seal Cove to Robinson Hill due to severe infiltration during storm events. He suggested doing in conjunction with the Main Street project at a cost of \$52 per foot. The length of the line is approximately 1,050 feet for a total cost of \$54,000. It is not imperative for an immediate decision since the sewer lining on Main Street will be in the spring. Benson questioned why the sewer lining cannot be done during the winter. Lagrange will inquire the status of sewer lining. Jellison questioned the source of funds and if there was sufficient monies in CIP. Lagrange stated approximately \$200,000 available.

b. Truck for Sand

The highway foreman checked the value of '#3' truck and the comments received was if we can get \$10,000 worth of sand for the truck, it would be a favorable deal for the Town. Tom Benson moved to accept John Goodwin's bid in trade for the #3 International truck, seconded by Lydia Goetze and voted in favor 5/0/0.

c. Mobile Vendor Ordinance

Chairman Norwood reflected on the increased use of mobile vendors at the intersection of 102/102A. Comments were received from visitors suggesting some standards be put in place however not as stringent at Mt Desert or Bar Harbor. Lagrange provided sample ordinances from Mt Desert, Bar Harbor and Boothbay. It was suggested the appearance of the equipment is objectionable especially to the property owners who are paying higher taxes for a water view being obstructed by the vendors.

Jellison stated historical use of fish vendors as well as other small seasonal vendors have continued and we should keep in mind these uses, especially considering we have just been certified business friendly.

Lagrange suggested the question should be type of activity since the current take out use has gas containers, propane tanks and generators outside the vehicle, that customers place orders and the orders are prepared to order and buyers consume the product on site which has the potential of traffic safety issues, which is distinctive to the other seasonal vendors where the consumer stops to buy a product and immediately leaves. Lagrange suggested changes in the parking ordinance would be preferable to changes in the land use ordinance. The Planning Board will be discussing this issue at their next meeting and the Selectmen will review again at their next meeting.

Chairman Norwood reiterated that this issue be continued due to the nature of the situation. Too many cars pulling off the soft shoulder causes damages to the road. Highway foreman suggested fire Marshall be questioned regarding fuel storage.

VII. Other Business  
None

VIII. Accept & Sign Warrants: Tom Benson moved to accept the following warrants, seconded by Dave Minton and voted in favor by Dave Minton. Voted in favor 5/0/0.

General Fund Warrants, FY 14-15; 66, 67, 70

Sewer FY 14-15: 69

Water FY2014: 22

Special Projects FY 14-15: 71, 72, 73

School FY14-15: 68

IX. Next Meeting Date:

November 25, 2014

Selectmen Meeting

6:00 PM @ Town Office

X. Adjourn Selectmen Meeting:

Tom Benson moved to adjourn the meeting at 7:28 PM, seconded by Lydia Goetze and Dave Minton. Voted in favor 5/0/0.