



PUBLIC HEARING

Tuesday, April 12, 2016

Fire Station @ 6:00 PM

I. Call to Order/Roll Call

Chairman George Jellison called the public hearing to order at 6:00PM. In attendance: David Minctons, Tom Benson, Dan Norwood, Town Manager Don Lagrange and Town clerk Marilyn Lowell. Lydia Goetze was excused.

II. No visitors not on the agenda

III. Review Ballot Questions:

~ The repeal of the Floodplain Ordinance was discussed explaining the changes to the current ordinance as minor changes to comply with required by Federal Emergency Management (FEMA) updates. This will insure continued funding support due to any emergency disasters as well as maintain access to flood insurance. There were no public comments on this issue.

~ Chip Reeves, chairman of the Municipal Review Committee (MRC) and the public works director for Bar Harbor reviewed the current proposals for to deliver solid wastes to a new facility to be constructed in Hampden called the Fiberight facility by the year 2018. Currently, all solid wastes are being delivered to Penobscot Energy Recovery Company (PERC) in Orrington, however due to failure to negotiate a reasonable contract after the expiration of current contract in 2018 and the increased future costs, the MRC determined to establish a new efficient solid waste facility on behalf of its members. MRC is comprised solely of member towns and cities who appoint directors to the MRC board in the best interest of the Towns and Cities. The MRC have a small ownership stake in PERC.

Anticipated fees if towns remain with PERC after 2018 is \$86.50/ton compared to fees after revenue sharing with the Fiberight facility of \$65.00/ton. Currently, after PERC rebates, Southwest Harbor pays approximately \$56/ton. Southwest Harbor currently delivers an average 1800 tons of solid waste to PERC annually.

It has been recommended to approve the MRC contract for disposition of solid wastes after 2018.

~ The voters will be asked to approve assigning a total of \$126,382 from undesignated Surplus Funds to be placed in the Capital Reserve Plan which will be for road construction (\$41,761) and highway garage replacement (\$84,621). There were no public comments on this issue

~ Several members of the audience were concerned about the noise from the use of fireworks and defended the proposed ordinance to prohibit fireworks. Two years ago, the Selectmen adopted the State fireworks rules after the State legalized the use. The current ordinance would completely ban the use of consumer fireworks in Southwest Harbor.

~ Changes were made to the Municipal Budget that will be voted on at the Town Meeting being held at Pemetec School on May 2 at 7:00 PM. The Pemetec School budget was amended to reduce the request by \$35,000 due to actual insurance costs. Members of the Warrant Committee requested to review these changes prior to the printing of the Town Report. Manager Lagrange stated it will be a burden to print and distribute the report by the end of next week if needed to

- make changes relative to the request of the Warrant Committee since the Town was hoping to distribute by Tuesday or Wednesday.
- IV. George Jellison moved to adjourn public hearing at 7:27, seconded by Tom Benson and voted in favor 4/0/0.

SELECTMEN MEETING

Tuesday, April 12, 2016

- I. Call to Order/Roll Call Chairman
George Jellison called the public meeting to order at 7:33PM. In attendance: David Minctons, Tom Benson, Dan Norwood, Town Manager Don Lagrange and Town clerk Marilyn Lowell. Lydia Goetze was excused.
- II. Visitors to be heard not on the agenda
Tabbatha Newenham distributed a letter to the Selectmen for review and action. Chairman Jellison accepted the letter and did not recommend any action. Dan Norwood thanked her for her service to the Town as well as George Jellison and Tom Benson.
- III. Dan Norwood moved to approve the minutes of March 22, 2016 and seconded by Tom Benson. During the discussion, Jim Snow provided the Board with a letter to amend his comments in the minutes stating the wording was not representative of what was actually stated. Dan Norwood moved to table accepting the minutes until the next meeting to allow listening to the audio tape, seconded by David Minctons and voted in favor 4/0/0.
- IV. Manager's Report
- ~ There will be an elected official's workshop being held at the Atlantic Oceanside on April 28th, 4-8 PM. If you wish to attend, I will submit your request for attendance.
 - ~ The Bobcat developed a hydraulic leak on the rear so the driver was not aware until the damage was done causing a repair to replace one side of the hydrostatic on the transmission. Parts cost exceeded \$4,500 with a \$1,500 labor bill. There is \$13,000 in the Bobcat CIP line item where these funds can be taken from rather than the highway maintenance budget. Repairman claims not the fault of the accident nor from servicing the vehicle. The Selectmen approved payment from the CIP Bobcat account by consensus.
 - ~ We have again been denied a grant this year for the construction of Forest Avenue. The attached letter of denial from the State was attached
 - ~ It was discovered the Sailing Center has not been paying mooring fees, if at all. It was suggested in past discussions with the Harbormaster that any non-profit, regardless of property tax exemptions, is required to pay mooring fees since there is no distinction in the approved fee schedule absent of exemptions. Adam notified Glenn of the sailing center that the fees for the ten (10) moorings were required. The curiosity is from where the authority came from initially to have allowed this to exist.
 - ~ Tabbi requested to buy her chair she has been using for the past five years. Purchased at \$125 I would suggest selling to her for \$25.00. I have no authority to dispose town assets without approval.
 - ~ Attached is the proposal from MRC for tipping fees when Fiberite comes on line. Current PERC fees are 76.50/ton, not counting rebates.
 - ~ The utility pole has been removed at the public bathrooms and one of the bathrooms are open to the public until the summer activity at which time, the second bathroom will be opened.
 - ~ Olver Engineering, the Town and Department of Transportation (DOT) will review the area between Village at Oceans End and Apple Lane for a sidewalk. Manager Lagrange stated this was probably the most unsafe walking area in the Town and needed to be addressed. The expected cost will be in excess of \$350,000. It is hoped the Department of Transportation will help obtain a safe route to school grant which pays up to 75% of the cost.
 - ~ The annual town report should be completed and distributed by April 21-22.
- V. Old Business:
- ~ The Selectmen delayed the approval of the amended budget due to the request of the Warrant Committee to review the changes of the School Budget

resulting in a decrease of \$35,000. The Warrant Committee will have a special meeting on Monday, April 18 at 6:00 PM at the Town Office.

~ The Manager presented a policy draft to review use requirements of the fire station meeting room. This policy would allow non-profit and profit organizations to use the room which seats approximately 60 persons. The primary requirement is liability protection for non-municipal use of the facility. The average insurance cost for a one day use is \$77 and may be purchased on line. The fire chief was asked to review further and report.

VI. New Business:

~ Manager Lagrange requested a change to the Personnel Policy which would state no vacation or sick time could be paid in excess of a 40 hour work week. He stated the budget for full time staff was based on a 40 hour work week (2080 hours /yr) and that vacation and sick time is in place to insure the staff could maintain the 40 hour week. Time off requests should be applied against the budgeted line item and not be increased beyond the budgeted amount. There is also a budget amount for overtime if necessary. There has been an abuse of increase wages due to sick and vacation time being added without authorization which creates a deficiency in the budget. An audience member Jim Snow felt the personnel policy is looked at more than is necessary and we should try to look at the whole policy and leave it for a period of time.

~ Manager Lagrange presented this year's road projects as discussed during the infrastructure committee meeting. The areas include; 1,550 feet repaving Freeman Ridge from Seal Cove Road; the entire length of East Ridge and cul de sac; and the entire length of Spring Brook Road and cul de sac. Total funds which would be available subject to the voters' approval in May would be \$293,679. Current available funds are sufficient to begin Spring Brook immediately. Dan Norwood moved to authorize the expenditures of \$44,000 for Spring Brook, seconded by Tom Benson and voted in favor 4/0/0.

~ IF & W Clerk Appointment – in house

~ Motor Vehicle Clerk Appointment – Chairman approval

VII. Other Business (Selectmen)

~ The confirmation of Adam Babbit was not included in the previous approval at the March 22 meeting. Tom Benson moved to affirm the appointment of Adam Babbit for election clerk, seconded by Dan Norwood and voted in favor 4/0/0.

VIII. Tom Benson moved to accept the following warrants, seconded by Dan Norwood and voted in favor 4/0/0.

General Fund Warrants, FY 15-16; 128, 131, 132, 133

Special Projects FY 15-16:

School FY15-16: 129, 130

IX. Next Meeting Date:

April 14, 2016 Harbor Management Plan Committee

6:00 PM at the Town Office

April 26, 2016, Regular Selectmen meeting

6:00 PM at the Town Office

X. David Minctons moved to adjourn meeting at 8:34 PM, seconded by Tom Benson and voted in favor 4/0/0.