



Board of Selectmen
Tuesday November 26, 2019 @ 6:00 P.M.
Town Office, Southwest Harbor

MINUTES

I. Chairwoman Lydia Goetze called the regular Selectmen's meeting to order at 6:00pm. In attendance Chad Terry, Kristin Hutchins, Ryan Donahue, Manager Justin VanDongen and Assistant Town Manager Marilyn Lowell. Snap Willey excused.

II. Questions were asked about the lights for the Williams' parking lot being turned off. The Code Enforcement Officer will follow-up with the owners. Mike Levesque stated the recorder was broken at the Planning Board meeting and inquired as to whether the Select Board would want to appeal a Planning Board decision. The Board deferred to the Appeals Board as the proper authority to hear the matter.

III. Motion made by Kristin Hutchins to approve the minutes from November 12, 2019, seconded by Lydia Goetze passed 4-0-0.

IV. See attached Manager's Report.

V. a. The Board opened the hearing on a new liquor and special amusement license for Next Level Sports Bar. Manager VanDongen reported the CEO requested that any approval tonight is contingent on planning board approval of the use. Questions about noise control were raised by the neighbors. The Board asked for clarification about the process of revoking a special amusement permit if noise becomes an issue. Kristin expressed concern that complaints from a previous venture would carry over to this location. Motion made by Kristin Hutchins, to approve the liquor license for Next Level conditioned upon planning board review, seconded by Chad Terry, approved 4-0-0. Motion made by Chad Terry to approve the Class D Special Amusement Permit indoors from 12pm to 1am conditional on planning board review, seconded by Ryan Donahue, approved 3-1-0, Kristin Hutchins opposed.

b. The Board discussed the implications of the new State requirement that all buildings conform to the MUBEC standards. The Board consensus was to continue to without local enforcement of MUBEC.

c. Town Manager VanDongen requested approval from the Board to authorize him to sign a temporarily agreement to house the SWH/Tremont Ambulance at the Fire Station as discussed at the previous meeting. Kristin Hutchins recused herself from the issue. Motion made to authorize Manager to sign made by Chad Terry, seconded by Ryan Donahue, approved 3-0-1, Kristin Hutchins recused.

d. Members of the Conservation Commission met with the Board to review the past year and discuss the upcoming budget process. Chad Terry expressed frustration with the lack of Board oversight on the fees charged for use of Town property. Manager VanDongen updated the Board as to the accounting requirements of municipalities and the Conservation Commission accordingly. Lydia Goetze asked the Commission to look at resource protection, wetland, and habitat maps for the Town.

VI. a. Manager VanDongen requested more time to form the committee to discuss the ordinances for adult-use marijuana. Ryan Donahue informed the Board that there was a presentation at the League of Towns meeting which made him feel that we needed more input from health professionals about the effect of marijuana use.

b. Motion made by Ryan Donahue to authorize the Town Manager to invest up to \$530k in the proposed investment account with The First, NA, seconded by Lydia Goetze, approved 3-1-0, Chad Terry against.

c. The Board discussed the RFQ for Maset Engineering. The sub-committee recommendation was to select CES for engineering services. Chad Terry expressed discomfort with choosing CES based on the extreme difference in price. Kristin Hutchins made a motion to accept the recommendation of the committee and award the project to CES, seconded by Lydia Goetze, a discussion ensued about the decision of the committee and that Chad was uncomfortable with the information he had. Kristin Hutchins withdrew her motion to allow Chad more time to gather information about the two proposals. Ryan Donahue made a motion to table the decision until the next meeting, seconded by Lydia Goetze, passed 4-0-0.

VII. Kristin will follow up on Fiberight visit.

VIII. Chad Terry made a motion to Accept & Sign Warrants:

General Fund Warrants: FY 19-20: 59

Payroll Warrants: FY 19-20: 55 and 58

School: FY 19-20: 54, 56 and 57

Seconded by Kristin Hutchins, approved 4-0-0.

IX. Next Meeting Date: Regular Selectmen Meeting, Tuesday December 17, 2019.

X. Motion made by Kristin Hutchins to adjourn at 7:45, seconded by Chad Terry, approved 4-0-0.