

SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. ~ Tuesday, May 10, 2022

Minutes

1. **CALL TO ORDER:** George Jellison, Jr. opened meeting at 6:04pm.
2. **ROLL CALL:** George Jellison, Jr., Chair, Carolyn Ball, Vice Chair, and Allen Willey present.

A. Excused Absences: Chad Terry was not in attendance.

3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented.*

Ball motioned to adopt the agenda as presented. Seconded by Willey. Vote 3-0

4. **PUBLIC HEARING:**

A. Liquor License – Claremont: *Request of Tim Harrington on behalf of Claremont Hotel, 22 Claremont Road, for an On-Premises Beer, Wine, and Spirits liquor license.*

Ball motioned to recommend approval of the application of Tim Harrington on behalf of Claremont, 22 Claremont Road, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by Willey. Vote 3-0.

B. Special Amusement Permit– Claremont: *Request of Tim Harrington on behalf of Claremont Hotel, 22 Claremont Road, for a Special Amusement permit.*

Ball motioned to recommend approval of the application of Tim Harrington on behalf of Claremont, 22 Claremont Road, for a Special Amusement permit. Seconded by Willey. Vote 3-0.

5. **APPROVAL OF MINUTES:** *Request of the Town Manager for a motion “to approve the minutes of....*

A. April 12, 2022 SB meeting

Minutes tabled to next meeting due to not having a quorum present. Willey was excused from the April 12th meeting.

B. April 26, 2022 SB meeting

Ball motioned to approve the April 26th Select Board minutes. Seconded by Willey. Vote 3-0.

6. APPROVAL OF WARRANTS:

Town Payables W#112
Town Payroll W#0505, 0512
Trust & Agency W#109,111
School Board Payables W#110
Conservation Commission W#0510

Willey motioned to approve the warrants as presented. Seconded by Ball. Vote: 3-0.

7. APPOINTMENTS:

A. CEO, Plumbing Inspector, and Health Officer: *Request of the Town Clerk for a motion to confirm nomination of John Larson as CEO, Plumbing Inspector, and Health Officer.*

Ball motioned to appoint John Larson as CEO, Plumbing Inspector, and Health Officer for a one-year term effective until June 30, 2023. Seconded by Willey. Vote 3-0.

B. Assessor: *Request of the Town Clerk for a motion to confirm nomination of Matt Caldwell as Assessor.*

Ball motioned to appoint Matt Caldwell as Assessor for a one-year term effective until June 30, 2023. Seconded by Willey. Vote 3-0.

C. Shellfish Conservation Commission: *Request of the Town Clerk for a motion to confirm nomination of James Colquhoun as a member of the Shellfish Conservation Commission.*

Ball motioned to appoint James Colquhoun as a member of Shellfish Conservation Commission for a three-year term effective until June 30, 2025. Seconded by Willey. Vote 3-0.

D. Historic Cemetery Committee: *Request of the Town Clerk for a motion to confirm nomination of Katharine N. Walton, Joan Terry, Aimee Williams, Julie Fernald, and David Scull as members of the Cemetery Committee.*

Ball motioned to appoint Katharine N. Walton, Joan Terry, Aimee Williams, Julie Fernald, and David Scull as a Historic Cemetery Committee members for a one-year term effective until June 30, 2023. Seconded by Willey. Vote 3-0.

E. Harbor Committee: *Request of the Town Clerk for a motion to confirm nomination of Nicholas Madeira, Donald Sullivan, and Ronald Weiner as members of the Harbor Committee.*

Ball expressed her wish to review the Harbor Committee bylaws before confirming the nominations presented. Ball expressed feelings that the committee unceremoniously removed Anne Napier from her position as chair member. Jellison expressed that reviewing bylaws would not affect the appointments made. Ball disagreed.

Ball motioned to defer to the next Select Board meeting. Seconded by Willey. Vote 1-2 Jellison and Willey not in favor.

- F. Conservation Committee:** *Request of the Town Clerk for a motion to confirm nomination of Ellen Scull, Francine Mayhew Eleanor Park, and Ann Ratcliff as voting members of the Conservation Committee.*

Ball motioned to confirm nominations of Ellen Scull, Francine Mayhew, Eleanor Park, and Ann Ratcliff as voting members of the Conservation Commission. Seconded by Willey. Vote 3-0.

- G. Conservation Committee:** *Request of the Town Clerk for a motion to confirm nomination of Terese Powers and Elena Scotti as non-voting members of the Conservation Committee.*

Discussion related to the difference between a voting member, and associate member took place. It was the consensus of the members they wished to review further information and bylaws of committee.

Ball motioned to defer to next Select Board meeting. Seconded by Willey Vote 3-0.

- H. Shellfish Warden:** *Request of the Town Clerk for a motion to confirm nomination of Oliver Curry as Shellfish Warden.*

Ball motioned to confirm nomination of Oliver Curry as Shellfish Warden for a 1-year term effective until June 30, 2023. Seconded by Willey. Vote 3-0.

- I. Deputy Registrar:** *Request of the Registrar of Voters for a motion to confirm appointment of Adam Babbitt as Deputy Registrar.*

Ball motioned to appoint Adam Babbitt as Deputy Registrar for remainder of 2-year term effective until December 31, 2023. Seconded by Willey. Vote 3-0.

- J. Board of Appeals:** *Request of the Town Clerk for a motion to confirm nomination of Theodore Fletcher as a Board of Appeals member.*

Ball motioned to appoint Theodore Fletcher as a Board of Appeals member for a 3-year term effective until June 30, 2025. Seconded by Willey. Vote 3-0.

- 8. FINANCIAL REPORTS:** *Presentation of the monthly Budget Variance Report, Reserves Report and Revenue Variance Report.*

Manager Lowell reports everything is on schedule. The Highway Department is a bit higher than anticipated due to equipment and repair costs.

Manager Lowell reported the \$25,513 uncollected revenue, should be collected by July.

Manager Lowell advised she and Becky will continue to work with Amy Atherton to ensure the audit next year goes more smoothly.

Manager Lowell noted there are no changes with the CIP accounts.

9. REGULAR BUSINESS:

- A. Town Auditors:** *Request of Town Manager for Town Auditors, Amy Atherton, and James Wadman to give overview of town financials and answer questions about the 2021 audit.*

Town auditors James Wadman and Amy Atherton both attended the Select Board meeting. Mr. Wadman provided a basic overview of the audit and answered ordinary questions from the board.

Mr. Wadman noted there were a few revenues that did not hit budget expectations. This is something that is seen in a lot of other municipalities due to interest rates decreasing so quickly, and that towns and school systems did not earn what they have earned in previous years.

Ms. Atherton noted the interest to earn budget to actual is a significant variance. This appears to have been a trend over the years and coming through the budget process. Atherton noted this could be caused by former staff. Atherton and Lowell have discussed keeping an eye on this. This has happened the past couple of years. Mr. Wadman stated that this would tell him we would need to be more conservative with the budget on that line item in the future.

Ms. Atherton discussed in years past the district reimbursement variance is what the district forgave what was owned by the Sewer. There was previously one year in which a loan was forgiven from the district, in which the district forgave payments that were owed to the sewer.

Ms. Atherton noted the importance of when a decision is made to forgive money, everyone is aware of where the money is coming from within the budget, and exactly how much is forgiven.

Ms. Atherton discussed the importance of looking at the balance sheet account to make sure they are reconciled. There are several payable accounts. They spent a lot of time looking at those. Atherton advised that Becky continues to work on this.

Discussion related to Conservation Commission took place. Mr. Wadman advised

accounts should be working under the same operation procedures in which the town works under. Atherton noted there are similar challenges with other committees and towns. Mr. Wadman advised it is important the Board see the activity of the committee, and that it is approved by the Board. Ms. Atherton noted donations lends itself to risk that the town would want to have control over. These are accounts under the Town's name.

A full copy of the audit is available at the Town Office.

B. Town Warrant Minutes: *Request of Town Manager to review Town Warrant Minutes.*

Ball requested to debrief the Town Meeting along with the minutes. One suggestion Ball made was to have a discussion changing the time and date of the Town meeting next year to take place on a Saturday, if possible.

Ball questioned the greeting delivered at Town Meeting. Whether it is statute to say "A.D."

Ball requested Article 2 & 3 be changed to "Select person" as opposed to "Selectmen." Manager Lowell would make the changes.

Ball questioned Article 30 wording. Manager Lowell explained why that wording was the way it was. No action was taken.

Ball refereed to Article 36 and questioned if the Board needed to appoint a "Trust Officer." Manager Lowell advised a Trust Officer has never been appointed. It is often the same person who oversees the finances. No action was taken.

Ball questioned Article 37; She noted that former Interim Town Manager Dana Reed had always said there is no "Surplus Fund." She proposed that it should have been an undesignated fund balance. No action was taken.

C. Legislative Policy Committee Nominee: *Request of MMA to nominate a representative to the LPC.*

Willey motion to nominate Carolyn Ball as representative to the LPC. Seconded by Ball. Vote 3-0

10. MANAGER REPORT:

~Town Meeting and elections went very well. Jenn did an excellent job and is already prepping for the June election. Sarah is doing a wonderful job as well and is getting more comfortable each day with being left alone at the counter. Becky has all checking accounts, spreadsheets, and financial office matters, in general, working like a well-oiled machine. Trainings and workshops are still on the top of the list for all of us.

~Chief Hall reported the 2 new part time dispatchers are doing very well and about ready to start taking shifts on their own. Much to the pleasure of the full-time dispatchers who are ready to take some much-needed time off.

~Chief Chisholm reported that they are doing lots of training at SWH station and had an Annual Wildland Refresher/Burn with only their department on a Thursday night and with other fire fighters Saturday, April 23rd. Both went very well. During the SWH department training they also went over equipment, terminology, UTV Proficiencies, water supply, radio communications and interagency ops. He is still working with trying to get a truck to replace the small pumper. He is also going to be in contact with the three companies he received quotes from for the heat pumps to get updated quotes.



~Elion Zboray our Deputy Harbormaster started last Thursday and seemed to do well. It will take a few days working to get a feel of how things are done here and where to go for different things.

~I contacted Eric Hardy regarding the sand salt shed wall and he will be moving that project designs forward.

~Annaleis Hafford was in touch with Aurele Gorneau, Maine DOT Project Mgr. informing him of the passage of the Main Street vote. Once Prebid and bid dates are set and bid documents are updated, it will be a minimum of two weeks to get FHWA authorization to advertise. At this time Annaleis and I have agreed to June 10th @ 10:00 a.m. for Pre-bid, which will consist of MDOT required items and their normal explanation of the project. We would then go to the site to look over the project area with the contractors. Bid open date is July 1 @ 2:00 p.m. onsite at the Town Office.

~I was in contact with John Devin from the DOT about the road on 102. He gave permission for us to pave it to improve it until the project final pave takes place. I also talked with Jared Stanley from the DOT about the project being done on backside of Tremont hoping we could piggyback. He spoke with the head of the project, and they did not feel the .27 miles would be worth the time and energy for them.

~I met with Kurt Ridder, GM of Hinckley and he has been in touch with Ring's Paving about the project on Shore Road at Hinckley's which we will be coordinating with them on for paving. They need to do their groundwork before.

~I emailed Robbie Jardine, from Ring's Paving, to be in contact about Freeman Ridge Road project and to speak about the possibility of them paving 102 and what is to be done to receive a quote on Shore Road. I spoke with Scott, and he was able to be in contact with Robbie Monday morning and he is going to meet with us next week to look at the 102 road and is confident that he can do something. Freeman Ridge is a reclaim & binder project, and they are waiting for the machine to start that.

~George, Allen, Scotty & I met with Annaleis Hafford last Thursday to discuss the town garage. There were some innovative ideas and ways to cut down the cost of the project, but as we all know, materials, contractors and such are all going up. Even with the changes we may end up where we were before. Annalise reached out to Rhino and talked to Jimmy whom we worked with before. He stated to update the building drawings would cost \$3,000. This is what was charged before not the \$10,000 that was tossed

around. She also reached out to their subs on the ventilation, plumbing and electrical changes and will let me know all the added costs as soon as she gets the information.

~I contacted Mark Carter, concerning his LED Streetlight Conversion Proposal, to see if he could attend our next meeting either in person or via ZOOM. He may be in the Bangor/Ellsworth area and would be able to come in person. If something changes, he will attend via ZOOM.

~Also, I had the dumpster removed from the upper town parking lot. The dumpster was being abused. Friday's it would be empty and Monday morning overflowing. Someone had even left a chair and four tires. This will save about \$800.00. I received a call from MDI Porta-Potty regarding the UTD. Last year they had over booked the regular ones and put a handicap one there and charged us for a regular size. She wanted us to know it was \$250 per month for the handicapped potty opposed to \$100 for the regular potty. I went with the regular potty and if things changed, we could call to see if they have a handicapped one left.

11. SUGGESTIONS FOR NEXT MEETING: *No action will be taken, other than to place the requested item on the next agenda.*

Members discussed holding a possible special meeting next week to discuss funds and appropriating them before the next meeting on May 24th to move things forward. Jellison would reach out to Terry to see if he could attend a meeting next week.

12. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next regular meeting for Tuesday, May 24 at 6:00 p.m. at the Town Office meeting room.*

Ball motioned to confirm the next date of the next regular meeting for Tuesday May 24, at 6:00pm at the Town Office meeting room. Seconded by Willey. Vote 3-0

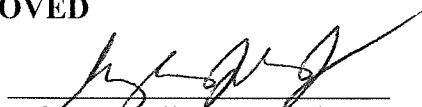
13. ADJOURNMENT:

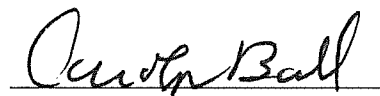
Ball motioned to adjourn @ 8:19 p.m. Seconded by Willey. Vote 3-0.

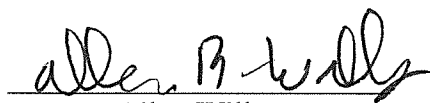
Respectfully Submitted,

Jennifer E. LaHaye
Town Clerk

APPROVED


George Jellison, Jr., Chair


Carolyn Ball, Vice Chair


Allen Willey

Chad Terry

Vacant