

**MINUTES OF MEETING**  
**Board of Selectmen**  
**June 23, 2009**  
**SOUTHWEST HARBOR TOWN OFFICE**  
**6:00 p.m.**

- I. Call to Order/Roll Call: The meeting was called to order at 6:00 p.m.  
Present: Kristin Hutchins, Ralph Dunbar, Jr., Bertin Willey, Trudy Bickford, Dorr Wilson, Town Manager: Robin M. Bennett.
- Visitors: Dennis Dever, Harbormaster; Donald Lagrange, CEO/Public Works; Hal Hall, Vaughn Clark, Rene Wellman, Bob McKenney, Sandy Johnson, Nick Madeira, Kenneth U. Hutchins.
- II. Visitors to be heard not on the agenda: Sandra Johnson spoke to the Board regarding the storm water drainage issues again, saying there had been two incidents of flooding again over these past weeks with the heavy rains. Dunbar suggested as an emergency step, to have the Town Crew check all the drains on Wesley Avenue. The Board asked the Town Manager to take Dunbar's suggestion to do an immediate check.
- III. Approval of Minutes: June 9, 2009: It was Moved (Bickford) and Seconded (Wilson) to approve the Minutes of June 9, 2009 as presented.
- IV. Warrants: Administration 140 - 150 Water 13, 14 Sewer 29-30  
Fire 2.
- V. Old Business:
- a. Facilities update:
- i. Police Department Renovations. Bennett said renovations started a week ago Monday. There are some "interesting" wiring problems, and this will necessitate telephone re-wiring. That box will have to be temporarily relocated while the work is done.
- VI. New Business:
- a. Harbor Committee Appointment, N. Madeira.
- John Wellington has decided not to renew his membership on the committee. It was Moved Dunbar and Seconded Willey to place Nick Madeira on the Harbor Committee for one year. Vote in favor: 5 – 0.

### Shellfish Commission Appointment:

William Carroll. Mr. Carroll did not attend the meeting and the appointment was tabled.

#### b. Harbor Committee: Kenneth Hutchins discussed the following:

- Harbor Committee Minutes are approved by the Committee
- The Committee would like a secretary to take minutes
- Harbor Committee would like to be solicited for advice periodically
- Define the parameters of the Harbor Committee more clearly
- Authority of the Harbormaster should be spelled out clearly for the Harbor Committee
- Harbor Ordinance revisions will not be ready for November 2009 vote
- Two hoists are needed, one at each Town Dock
- Some members of the Harbor Committee have expressed concerns over the Harbormasters hours and availability.

The Selectmen responded to Mr. Hutchins' concerns:

- Wilson said that the job of the Committee was to make recommendations to the Selectmen, and not to issue directives to the Harbormaster.
- Chairman Hutchins said it is the responsibility of the Town Manager to craft the job description for the Harbormaster
- Chairman Hutchins and Selectman Bickford said the Harbormaster's hours and availability are the responsibility of the Town Manager.
- Dunbar expressed support for secretarial services to the Harbor Committee. Bennett has advertised the position.

#### c. RCC Proposal:

Rene Wellman and Bob McKenney from RCC were present to answer any questions that the Board might have on the proposal they submitted for Dispatch services.

- Dispatchers have emergency medical training in addition to keeping credits updated for 911, policies & procedures, hostage training, State mandates and Metro and NCIC.
- Wellman said their inter-agency system works very well. McKenney said if someone calls the local 911 number after business hours, those numbers would be call-forwarded to the RCC dispatch.
- Selectman Willey stated he is against making the change, expressing concern about the quality of the service.
- Dunbar thanked the RCC staff for coming, saying it would be a voter's decision in the end.

- Wilson said the next move would be public meetings to explain the changes that would take place if the Town went with RCC dispatch. Bickford and Wilson suggested waiting until September for a public hearing.
- Hutchins said the Board would address the issue of setting public meetings on this subject at their first meeting in September.

d. Main Street – Manset Corner Sidewalk:

- Bennett said she and Lagrange haven't had appropriate time to prepare firm numbers, but could have those for the next meeting.
- Wilson wants to see the Clark Point sidewalk project proceed now. Dunbar feels it is an emergency situation. Wilson suggested a poll of the businesses to determine the timing of the repair.
- Ken Collins – filed a complaint yesterday with DOT on the safety hazard involved with the portion of the sidewalk in front of the Western Way Condos.
- Dunbar asked if the Clark Point section of sidewalk could have a money quote by Thursday. Wilson said it is now an administration issue, and the money is available so it should just be done.
- Hutchins directed the Town Manager to have the sidewalk on Clark Point fixed.
- Bennett will bring a recommendation on what should be done.

e. Annual Appointments:

It was Moved Dunbar and Seconded Bickford to approve the recommended Board and Committee re-appointments as provided, and attached to these minutes. Vote in favor 5 – 0

It was agreed that the Director of Public Works Oath for Lagrange, be adjusted to “Interim” Public Works Director.

It was Moved Dunbar and Seconded Wilson to approve the Municipal Appointment List, attached to these minutes, and as amended and presented to the Board on June 23, 2009. Terms to be July 1, 2009 – to June 30, 2010. Vote in favor: 5 - 0

f. Board of Selectmen – Election of Chair/Vice Chair:

It was Moved Hutchins and Seconded Bickford to nominated Dorr “Skip” Wilson Chairman of the Board of Directors. Vote: 4 – 0 -1 (abstain Wilson).

It was Moved Willey and Seconded Hutchins to nominate Ralph Dunbar, Jr. Vice Chairman of the Board of Selectmen. Vote in favor: 5 – 0.

g. Special Town Meeting, July 14, 2009:

- Bennett said that since the Water Project bids came in higher than was budgeted, technically the Town must ask for approval even though they will not use the full funding. Mark Campbell will moderate that meeting. The Special Town Meeting will be at the Fire Station on July 14<sup>th</sup> at 6:00 p.m.

It was Moved Wilson and Seconded Willey to warn a Special Town Meeting at the Fire Station at 6:00 p.m. on July 14, 2009. Vote in favor: 5 – 0.

h. Police Station Renovation Financing:

Bennett said the Town needs to get interim financing through a construction loan. The lowest proposal was from Bar Harbor Bank & Trust Co. at 1.29 % on \$800,000. The Town Manager read the Document entitled “Town of Southwest Harbor, Meeting of Board of Selectmen”, copy of said document attached to these meeting notes in the permanent binder of the Board of Selectmen 2009.

It was Moved Wilson and Seconded Bickford to approve the Seven (7) Votes contained in the document read aloud by the Town Manager. Vote in favor: 5 – 0.

The Board of Selectmen of the Town of Southwest Harbor read and signed the document entitled “Signature and Award Certificate; No Litigation; Receipt.” as follows:

It was Moved Hutchins and Seconded Bickford to approve and sign the Signature and Award Certificate dated July 1, 2009. Vote in favor: 5 – 0.

The Board of Selectmen of the Town of Southwest Harbor read and signed the document entitled “Bond Anticipation Note” dated July 1, 2009, in the amount of \$800,000.00 as follows:

It was Moved Hutchins and Seconded Bickford to sign the Bond Anticipation Note in the amount of \$800,000. Vote in Favor: 5 – 0.

It was Moved Hutchins and Seconded Bickford to give the Town Manager authority to open an account with Bar Harbor Bank & Trust Company to draw down funds on the Bond Anticipation Note. Vote in favor: 5 – 0.

VII. Manager's Report:

- There is a Water Quality Project pre- construction meeting on June 25<sup>th</sup>. Bennett is working on financial paperwork.
- Lower Town Dock: working on the bid award and have the go-ahead from the State.
- Bennett has negotiated additional grant funding of \$10,000. The Town is right on budget.
- Town records have been moved up to the Fire Station nicely boxed and labeled.
- Harbormaster boat was delivered and the Town has advertised selling the old boat.
- 62 property tax liens have been filed.
- Advertisement placed for a new Water and Sewer Clerk to replace Mina.
- Doug Monson resigned and Don Lagrange is stepping in as Interim Public Works Director.
- The Staff is busy wrapping up end of year.
- Harbor Zone Public Forum will be held on the 25<sup>th</sup> at the Fire Station.

VIII. Other Business:

Dunbar commented on the public meeting last week concerning private use of public facilities, saying the people who had the most to say were not residents of the Town although as business owners they do pay taxes. It appeared that no one was looking for any change in the operation.

Bennett told the Board that the Water audit will be on the agenda for the next meeting

IX. Sign Warrants:

It was Moved Wilson and Seconded Bickford to approve Administrative Warrants 140-150, Water Warrants 13 and 14, Sewer Warrants 29 and 30 and Fire Warrant 2, as presented. Vote in favor: 5 - 0

X. Executive Session

- a. Executive Session: Personnel matters in pursuant to 1 M.R.S.A. § 405 (6) (A).

It was Moved Hutchins and Seconded Wilson to go into Executive Session at 8:01 p.m. Vote in favor: 5 - 0

It was Moved Hutchins and Seconded Bickford to come out of Executive Session at 8:08 p.m. Vote in favor: 5 - 0.

- b. Executive Session: Personnel matters in pursuant to 1 M.R.S.A. § 405 (6) (A).

It was Moved Hutchins and Seconded Dunbar to go into Executive Session at 8:09 p.m. Vote in favor: 5 – 0.

It was Moved Hutchins and Seconded Bickford to come out of Executive Session at 8:10 p.m. Vote in favor: 5 – 0.

- c. Executive Session: Personnel matters in pursuant to 1 M.R.S.A. § 405 (6) (A).

It was Moved Hutchins and Seconded Bickford to go into Executive Session at 8:11 p.m. Vote in favor: 5 – 0.

It was Moved Hutchins and Seconded Bickford to come out of Executive Session at 8:19 p.m. Vote in favor: 5 – 0 .

It was Moved Hutchins and Seconded Wilson to sign the two (2) year Town Manager's contract. Vote: 3 – 2 (Willey, Dunbar). Motion passed.

- XI. Adjournment: It was Moved Wilson and Seconded Hutchins to adjourn the meeting at 8:22 p.m. Vote in favor: 5 -0