



**Board of Selectmen**  
Tuesday, September 25, 2012 @ 6:00P.M.  
Southwest Harbor Town Office

**MINUTES**

- I. **Call to order/Roll Call:** The meeting was called to order at 6:00 p.m. Present: George Jellison, Jr., David Minctons, Ralph Dunbar, Jr., Dan Norwood, Tom Benson, and Town Manager, Donald Lagrange.
  
- II. **Visitors:** David Chapais, David Corrigan, Dick Broom, Bob Shields, Thia Renae Embers, Andy Cline, Jennie Cline, Carolyn Ball, Andrew Griffiths, Susan Griffiths, Jim Colquhoun, Lydia Goetze, Kristin Hutchins, Robert Hoyt, Janet Strong.
  
- III. **Approval of Minutes of August 28, 2012:** It was Moved Dunbar, Jr. and Seconded Minctons to approve the minutes of August 28, 2012 as presented. Vote 5 – 0.  
**Approval of Minutes of September, 11, 2012 Workshop:** It was moved by Dunbar Jr., and Seconded by Minctons to approve the minutes of September 11, 2012 Workshop as presented. Vote 4/0/1.  
**Approval of Minutes of September 11, 2012:** It was moved by Norwood and Seconded by Minctons to approve the minutes of September 11, 2012 as presented. Vote 4/0/1.
  
- IV. **Warrants:** Administration, 11/12 201, 12/13 37, 43, 47, Water, 20, Sewer, 39, 46, School, 40, 41, Special Projects 44, 45.
  
- V. **Manager's Report:** Lagrange spoke about the Water Dept. does not owe any money to the Town, it is self supporting. The Sewer Dept. is still in debt to the Town. Dunbar, Jr. inquired as to where we were at with the sewer changes. (Controlling costs, budget etc.). Lagrange also noted that the Town had received a dividend check in the amount of \$3050.00 for insurance premiums paid in and you receive a percentage back when there are no claims filed. Lagrange also noted that he had e-mailed Homeland Security about help with fencing & security but he hasn't heard back from them. He will follow up with another e-mail. He also stated that he hadn't heard back from legal council as of yet about the school warrant issues. He let the BOS that the Hancock County Commissioners Office would be having a meeting on September 26, 2012 at 6:00 p.m.in Ellsworth. Their meeting agenda is about the 2013 Hancock County Budget. Lagrange also invited the BOS to the October 10, 2012 School Board meeting. He will be attending the meeting. He also invited the BOS to the League of Towns Meeting to be held on October 17, 2012. Four members of the BOS elected to attend this meeting and Lagrange will email the agenda or hand delivery to the members attending. He also let the BOS that the Town of Southwest Harbor had been awarded a Water Fluoridation Quality Award. After a brief discussion about adding fluoride in our water system, Dunbar, Jr. commented on that Northeast Harbor didn't put fluoride in their drinking water. He asked the Town Manager to look into why and if we need to continue adding it to our drinking water.

**VI. Old Business:**

**a. Public Works Report:** David Corrigan addressed the BOS about the Seal Cove Road Project. 100 % is done except for a couple minor errors on his part. He talked about widening one corner and Ring's will be back to pave it. The construction on the water tank has begun. The Town crew is currently installing culverts on each side of Seal Cove Road to eliminate the deep ditches along the road. After experimenting heavy rains on September 19<sup>th</sup>, it confirmed that the drainage design did work as expected. Lagrange noted that the new pavement is very dark and needs to be striped. Need to get prices for the striping. Corrigan also talked about getting bids for seeding the project area in the ditches. If they come in too high, the public works department will probably end up doing it themselves. Dunbar, Jr. had asked about any ideas on maintenance repair work on the Herrick Street sidewalks had come about as of yet. He also asked how the public works department was coming along on their energy audit. Corrigan briefly talked about burning the vegetation out on the sidewalks due to using chemicals. The BOS thought that it should be dug out and fill the cracks to prevent future maintenance on the sidewalks. Corrigan suggested trying a test area and sees how it works and then move forward with the best results for the issue. Corrigan spoke briefly about conserving energy measures being taken at the public works department. Dave Chapais spoke up at this point of the meeting to let the BOS know what measures the Police/Dispatch Department had been doing to conserve energy in their departments. Corrigan also stated that construction would be starting on the Hillcrest Circle entrance road in the next few days. \$22,826.00 was budgeted for the construction but he believes the final costs will be around \$21,475.00

**b. Bicycle Shop:** Thia Renae Embers handed out proposals to the BOS for work to be done in the shop's basement. She reiterated that she had "no pre-existing" water issues in her basement until the Wesley project took place. The BOS asked the Town Manager if the two engineers had gotten together for a meeting to try to resolve the issues with the Bicycle Shop. Lagrange stated that the two engineers could not get together to meet. Corrigan spoke up and said that he didn't think that the Town should be held responsible for the entire repair job bill that was presented to the BOS from Embers. Dunbar, Jr. asked Embers if authorization for the bid of \$5,850.00 from Norwood Delaittre & Sons Inc. would resolve this problem and get it behind us. She stated yes. Motion by Dunbar, Jr. and Seconded by Norwood to accept the bid of \$5,850.00 by Norwood Delaittre & Sons Inc. to repair the basement floor as stated in estimate for Thia Renae Embers/Bicycle Shop.Vote5/0. Chairman Benson addressed Embers stating the Town of Southwest Harbor is not responsible for accepting the design of the repairs. Lagrange noted that he would have the Town's attorneys draw up an agreement and have signed between the Bicycle Shop owners and the Town stipulating that the Town will not be responsible for any further water, action or moisture in their basement. Chairman Benson also asked Embers to have the Bicycle Shop's window wells on Wesley Ave. covered with protection for preventing water to get into them and down the basement wall and into the basement.

**VII. New Business:**

**a. Demuro's, dba Top of the Hill (Special Amusement Permit) Motion by Norwood and Seconded by Minctons to accept the Special Amusement Permit as presented to the board for Demuro's dba Top of the Hill Restaurant. Vote 5/0.**

**b. Atlantic Brewing Co/Salisbury Cove Associates (Off premise liquor permit)**  
Motion by Jellison, Jr. and Seconded by Norwood to accept the Off Premise Liquor Permit as presented to the board for Atlantic Brewing Co/Salisbury Cove Associates. Vote 5/0.

**c. Shellfish Recommendations:** Jim Colquhoun, Chairman of the Shellfish Conservation Committee, addressed the BOS with some items for consideration by the BOS. He talked about the number of recreational licenses that should be issued in the upcoming year of 2013. He also talked about the process of transplanting of clams by the Pemetic School 6 & 7 graders in mid-April of 2013 in Lawler Cove.

Motion by Jellison, Jr. and Seconded by Norwood to issue an unlimited number of recreational licenses for 2013 including non-resident recreational licenses, limiting harvests to one peck per day and prohibit commercial licenses. Vote 5/0.

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Motion by Norwood and Seconded by Jellison, Jr. to allow removal of the immature clams from the head of the harbor and transplant to Lawler Cove in mid-April 2013 which requires the closure of the cove until mid-October. Vote 5/0.

**d. Alternate Plumbing Inspector:** Lagrange presented to the BOS a memo stating that Millard Billings has volunteered to be the Town's alternate plumbing inspector to ensure continuity in plumbing inspections. He thought it would be a great asset to have if he was absent when the Town may need a plumbing inspection. Motion by Norwood and Seconded by Dunbar, Jr. to approve Millard Billings as Alternate LPI. Vote 5/0.

**e. MRC Nomination:** Tony Smith of Mt. Desert has expressed an interest in being nominated to the MRC Board. He has sent in an application for his name to be on the nomination ballot. Motion by Dunbar, Jr. and Seconded by Norwood to submit Tony Smith of Mt. Desert as a candidate nomination for MRC. Vote 5/0.

**f. Warrant: Item Removed.**

**g. Reserves and surplus funds:** Lagrange presented the BOS with a memo detailing a Fiscal Year 11-12 Surplus Disbursement. He told the BOS that he was looking into the Hook lease property payment and he wasn't sure which account it may have come out of. Dunbar, Jr. suggested looking into the Harbor items of the budget for possibly coming out of there for the payment. Lagrange would like the BOS to look over the memo and think about what he has proposed and then vote on it at the next meeting. At the next BOS, Lagrange will have print outs of where all the departments stand (revenue/surplus). Dunbar, Jr. asked if the auditor's report was ready for this year yet. Lagrange stated that the auditors had been in the Town office working on the audit but he wasn't sure if they were done with the audit and he will find out more information and have it for the BOS at the next meeting. Lagrange also noted that he would like to fine tune the Town budget and not end up with a surplus for next year.

**h. Main Street & Seawall Road Infrastructure:** Corrigan and Lagrange both addressed the BOS about road repairs and water lines that are in need of replacement/repairs. Sam Chisholm also spoke on behalf of replacing the water lines on Main Street and about the restrictions in the current water lines. The water lines are

anywhere from 102-105 years old and need to be replaced. In case of a fire, there would be issues with the flow and back pressure of the water. This project needs to be done properly for the longevity of the streets of the Town. Dunbar, Jr. felt that this project may be too big to take on at one time. He felt that the Town should concentrate on the area of Seal Cove Road to Wesley. Have the State focus on the storm drainage and repaving and the Town does the water/sewer lines and repacks the road. Corrigan agreed with Dunbar, Jr.'s idea, but said that the state will not rebuild the road due to no money in the budget for it. Dunbar, Jr. suggested contacting our state legislators & local legislators and ask for help with the paving and storm drainage. Norwood also agreed with Dunbar, Jr. with needing to get Main Street fixed especially for the water & fire protection needed for the Town. It would be nice if we could get the state to do all they can do to help us. He also wondered if the state would take care of the sidewalks and curbing at the same time seeing that they are in bad shape as well. Corrigan stated that Main Street had a 6 inch water line and it should be bigger for the flow of the water. Dunbar Jr. suggested for him or Lagrange to check with Northeast Harbor because they had done a similar project of pipes last year in their town. Fire protection and water quality is our priority. This topic will be on the agenda for the next BOS meeting due to more information needed to be collected. Dunbar Jr. asked for information on the debts owed and how we are going to pay for this project. He stated that he didn't want to raise taxes next year.

**VII. Other Business:** None at this time.

**IX. Accept & Sign Warrants:** Motion by Norwood and Seconded by Dunbar, Jr. to accept and sign warrants as presented. Vote 5/0.

**X. Adjourn:** Motion by Jellison, Jr. and Seconded by Minctons to adjourn the meeting. Vote 5/0.