

SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. ~ Tuesday, February 10, 2026

MINUTES

1. **CALL TO ORDER:** Burby called the meeting to order at 6:06 p.m.
2. **ROLL CALL:** Chair Noah Burby, Vice Chair Chapin McFarland, Carolyn Ball, Dan Norwood, Natasha Johnson, and Town Manager Karen Reddersen present in person. Finance Manager Becky Gatcomb present to take minutes.
 - A. **Excused Absences** (*if any*) None.
3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented.*

Burby motioned to amend the agenda to include Item H: Discussion of Trundy Farm Subdivision. Seconded by Johnson. Vote: 4-1-0. (Norwood opposed.)

McFarland motioned to adopt the agenda as amended. Seconded by Johnson. Vote: 5-0-0.

4. **APPROVAL OF MINUTES:** *Request of Town Manager for a motion to “approve the minutes of...”*
 - A. *December 30, 2025 Ex Session Minutes*

Minor change to include first name of Chair.

McFarland motioned to approve the minutes as amended. Seconded by Johnson. Vote: 5-0-0.

- B. *January 6, 2026 Budget Minutes*

Minor grammatical changes and error corrections.

Johnson motioned to approve the minutes as amended. Seconded by McFarland. Vote: 5-0-0.

- C. *January 8, 2026 School Budget Minutes*

Minor wording change and correction of date.

Johnson motioned to approve the minutes as amended. Seconded by McFarland. Vote: 5-0-0.

- D. *January 12, 2026 Budget Minutes*

Minor grammatical changes and error corrections.

* *To access the meeting using Zoom, please click the meeting link on the home page of the Town's website www.southwestharbormaine.org.*

Johnson motioned to approve the minutes as amended. Seconded by McFarland. Vote: 5-0-0.

E. January 13, 2026 Ex Session Minutes

Johnson motioned to approve the minutes as presented. Seconded by McFarland. Vote: 5-0-0.

F. January 27, 2026 Select Board Minutes

Minor grammatical changes and error corrections. Revisions to wording to further clarify.

Johnson motioned to approve the minutes as amended. Seconded by McFarland. Vote: 5-0-0.

G. February 2, 2026 Ex Session Minutes

Johnson motioned to approve the minutes as presented. Seconded by McFarland. Vote: 5-0-0.

5. APPROVAL OF WARRANTS:

Town Payables: W# 76

Town Payroll: W# 0129, 0205

Trust & Agency: W# 72, 75

School Payroll: W# 73

School Payables: W# 74

Conservation: W# 0210

Johnson motioned to approve the warrants as presented. Seconded by McFarland. Vote: 5-0-0.

6. PUBLIC HEARING:

A. NEW Liquor License – Clark Point Catering, LLC: *Request of Clark Point Catering, LLC on behalf of Clark Point Cafe, 4 Clark Point Rd., SWH for an On- Premises Beer, Wine, and Spirits liquor license.*

Co-owner Jeannie Anderson spoke about plans to host dinners a few times a month, primarily during the shoulder season (March-May). They would serve wine, beer, and liquor, and street parking will be utilized for these events. No concerns had been raised by the Town, and no residents raised concerns or objections.

Johnson motioned to approve the application of Clark Point Catering, LLC on behalf of Clark Point Cafe, 4 Clark Point Road, SWH, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by McFarland. Vote: 5-0-0.

B. SPECIAL MUNICIPAL ELECTION: *Request of Town Manager to hold a Public Hearing to discuss and answer any questions related to the upcoming special election.*

Town Manager Karen Reddersen reviewed the proposed referendum language for the March 24, 2026 Special Municipal Election. The articles include authorization to accept and expend grant funds, issuance of up to \$618,000 in bonds for the Public Works Garage, and issuance of up to

\$197,000 in bonds for storm-damaged shore repairs. Annaleis Hafford of Olver Associates, Inc. provided an overview of both projects and answered questions from the Board, clarifying language and project costs.

- C. CDBG HOUSING ASSISTANCE GRANT:** *Request of Town Manager to hold a Public Hearing to discuss the application process and acceptance of a CDBH Housing Assistance Grant. The purpose of this grant is for Fire Safety Upgrades at Ridge Apartments, 24 Village Green Way.*

Town Manager Karen Reddersen introduced the CDBG Housing Assistance Grant application for fire safety upgrades at the Ridge Apartments. Matt Williams of The Musson Group further explained this grant and reviewed federal compliance documents.

7. REGULAR BUSINESS:

- A. CDBG HOUSING ASSISTANCE GRANT:** *Request of the Town Manager to accept the following materials as part of the CDBG grant application (1) Standards of Conduct (2) the Fair Housing Resolution (3) the Section 504 Self-Evaluation Plan (4) the Anti-displacement/Relocation Plan (5) the Equal Opportunity Statement and (6) the Selectboard Resolution.*

McFarland motioned to accept the following materials as part of the CDBG grant application: 1) Standards of conduct; 2) the Fair Housing Resolution; 3) The Section 504 Self-Evaluation and Plan; 4) the Anti-displacement/ Re-location Plan; 5) The Equal Opportunity Statement; and 6) the Selectboard Resolution. Seconded by Johnson. Vote: 5-0-0.

- B. REVIEW OF DRAFT REMOTE PARTICIPATION POLICY:** *Request of Town Manager to review the updated draft of the remote participation policy.*

Board members discussed the draft Remote Participation Policy, which would apply to all Town Boards and Committees, including Executive Sessions of the Select Board due to the ability to password-protect Zoom meetings and ensure privacy standards are followed. This would not apply to the Southwest Harbor Water and Sewer District's Board of Trustees meetings, as they are a separate entity. However, the Town Manager can request that it be considered.

Johnson motioned to approve the Remote Participation Policy as presented. Seconded by McFarland. Vote: 5-0-0.

Johnson motioned to direct the Town Manager to request that the Remote Participation Policy be on the next Water & Sewer District Board of Trustees meeting agenda. Seconded by McFarland. Vote: 5-0-0.

- C. ANNUAL FEE FOR FLOAT AND MOORING WAITLISTS:** *Request of the Harbor Committee Chair for discussion of implementation of an annual fee for float and mooring waitlists.*

Harbormaster Robert Leavitt and Harbor Committee Chair Nick Madeira recommended implementing a \$25 annual fee for float and mooring waitlists. This could help maintain active lists, discourage inactive “sitters”, and provide a modest but predictable source of revenue for the town.

Johnson motioned to adjust the fee schedule to include a \$25 annual mooring waitlist fee. Seconded by McFarland. Vote: 5-0-0.

D. HARBOR COMMITTEE STRUCTURE: *Request of the Harbor Committee Chair for discussion regarding the number of committee members.*

Harbor Committee Chair Nick Madeira spoke about the number of committee members and the struggle to achieve quorum at the last two meetings. The Harbor Committee currently has nine active members, and the bylaws state that there should be 9-12. Board members discussed whether to amend the bylaws to change the number of members or change the amount needed for a quorum. Burby noted that the newly approved Remote Participation Policy could help improve attendance at future meetings.

Johnson motioned to amend the Harbor Committee bylaws to change the Committee to be composed of 5-9 town residents. Seconded by McFarland. Vote: 4-0-1 (Burby abstained).

E. PROPOSED SHORELAND ZONE ORDINANCE CHANGE: *Request of the Code Enforcement Officer for discussion regarding a proposed Shoreland Ordinance Change.*

Code Enforcement Officer Jarrod Kushla presented a request from Soundstone, LLC to increase the Shoreland Zone height limit from 30 feet to 35 feet to reflect the State’s maximum height limit. Johnson raised concerns about how this ordinance change would impact neighboring properties. Patrick Lyon with Soundstone and Greg Johnston, an engineer, spoke in support of making this change and provided information on the architectural impacts of measuring height from mean original grade. Natasha Johnson gave history of prior Town votes when the Town reduced the height limits from the maximum at the State level. Kushla noted that he spoke with the Fire Chief and there are no objections. Norwood stated that he would be abstaining because he is a caretaker for a neighboring property of Soundstone, LLC.

McFarland motioned to move the matter forward to the Planning Board for further review. Seconded by Ball. Vote: 3-1-1 (Johnson opposed, Norwood abstained).

F. INVESTING: *Review and discussion of CD renewal options.*

Town Manager Karen Reddersen presented CD renewal options.

Johnson motioned to authorize the Town Manager to invest CD funds in the amount of \$130,000 in a 3 year CD with Bar Harbor Bank and Trust in the amount of 3.70%, or in the alternative the best rate available for a 3 year CD as of February 11, 2026, with bond interest and account balance being deposited to SWH checking account as revenue. Seconded by McFarland. Vote: 5-0-0.

G. PAYROLL PROCESS: *Discussion of weekly vs. bi-weekly payroll process.*

Finance Manager Becky Gatcomb presented an analysis of weekly versus biweekly payroll, considering cost and time savings, risks, and the impact on the employees. The Board agreed to gather employee input before making a decision.

McFarland motioned to direct the Town Manager to conduct an anonymous survey to collect employee input on payroll frequency. Seconded by Johnson. Vote: 5-0-0.

H. TRUNDY FARMS SUBDIVISION: *Discussion of whether the Town has standing as an abutter to appeal a Planning Board approval related to the Trundy Farm Subdivision.*

The Board discussed a request from resident Jim Vallette regarding the recently approved Trundy Farm Subdivision and whether the Town may have standing to appeal the Planning Board's decision as a potential abutter. Vallette asked the Board to determine if the Town qualifies as an abutter and therefore has the legal ability to pursue an issue. Discussion focused on the location of Town-owned property relative to the development and whether the Town could be considered an aggrieved party. Lee Worcester spoke on behalf of Trundy Farm Subdivision. Johnson stated that at a prior meeting in November, the Board had directed the Town Manager to consult with legal counsel regarding the town's standing. Reddersen indicated that she did not have follow-up information from legal counsel. Johnson felt that the Board should still have the Town Manager consult legal before making a decision.

McFarland motioned to not pursue the process of appealing the Planning Board's approval of the Trundy Farms Subdivision. Seconded by Norwood. Vote: 3-1-1 (Johnson opposed, Burby abstained).

Johnson motioned to redirect the Town Manager to seek legal counsel to answer the questions from the November 19, 2025 meeting regarding the Town's status as a potential abutter. Seconded by McFarland. Vote: 2-3-0 (McFarland, Norwood, and Ball opposed).

8. LIAISON REPORT:

- Conservation Commission: Johnson shared that the Conservation Commission has submitted some information in regards to the Tree Policy, which will be reviewed at a later date.
- Planning Board: McFarland gave a brief update of items the Planning Board has discussed recently, including the Trundy Farms Subdivision and the yurts.

9. MANAGER REPORT: See attached Manager's Report.

10. PUBLIC COMMENT:

- Lee Worcester stated that he gave a letter to the Town Manager today, regarding the Land Use Ordinance soil testing requirements. This issue will be added to the next agenda.
- Jim Vallette asked why Select Board members that previously voted to seek legal counsel in November (regarding the Trundy Farms Subdivision abutter status) voted against it today.
- Tom Benson also spoke about the Land Use Ordinance soil testing requirements, stating that it is an unfair burden as soil testing can cost between \$5,000-\$20,000.

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

- Letter from Lee Worcester/Soil Testing Requirements
- Tree Removal Policy
- Multi-year Assessing Contract

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

McFarland motioned to confirm the date of the next meeting for Tuesday, February 24th at 6:00 p.m. in the Town Office meeting room. Seconded by Johnson. Vote: 5-0-0.

13. EXECUTIVE SESSION

- A. Personnel Matter:** *Possible adoption of a motion for the Select Board to find that public discussion of this personnel matter could be reasonably expected to violate the employee's reputation or right to privacy, and therefore, to go into executive session to discuss the employment of an individual, as permitted by 1 MRSA 405.6.A.*

McFarland motioned to enter executive session at 8:06 p.m., pursuant to 1 MRSA 405 (6) (A) for discussion of a personnel matter related to the employment of an individual wherein the discussion of this personnel matter could be reasonably expected to violate the employee's reputation or right to privacy. Seconded by Johnson. Vote: 5-0-0.

Johnson motioned to exit executive session at 9:08 p.m. Seconded by McFarland. Vote: 5-0-0.

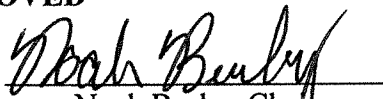
14. ADJOURNMENT:

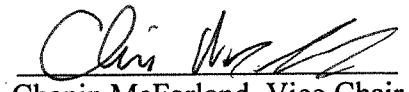
McFarland motioned to adjourn the meeting at 9:08 p.m. Seconded by Johnson. Vote: 5-0-0.

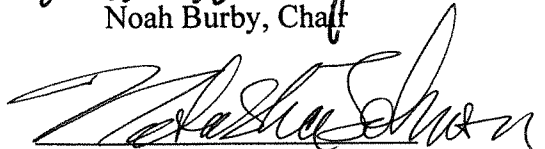
Respectfully Submitted,

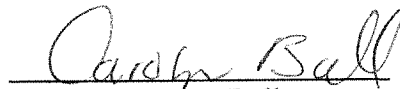
Becky Gatcomb
Finance Manager


APPROVED


Noah Burby, Chair


Chapin McFarland, Vice Chair


Natasha Johnson


Carolyn Ball


Dan Norwood