



**SELECT BOARD MEETING**  
**Town of Southwest Harbor**  
**Town Office & Via Zoom\***  
**6:00 p.m. ~ Tuesday, February 13, 2024**

**Minutes**

1. **CALL TO ORDER:** Ball called the meeting to order at 6:00p.m.
2. **ROLL CALL:** All present, Chair Carolyn Ball, Vice Chair Natasha Johnson, Jim Vallette, Luke Damon, Chapin McFarland, Manager Marilyn Lowell, and Town Clerk Jennifer LaHaye.
  - A. **Excused Absences** (*if any*)
3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented.*

Johnson motioned to adopt the agenda as presented. Seconded by McFarland

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

**A. January 10, 2024 – SB Budget Minutes**

Johnson motioned to approve the January 10, 2024, select board minutes as amended. Seconded by McFarland. Vote: 5-0-0.

**B. January 11, 2024 – SB Budget Minutes**

Johnson motioned to approve the January 11, 2024, select board minutes as amended. Seconded by McFarland. Vote: 5-0-0.

**C. January 16, 2024 – SB Budget Minutes**

Johnson motioned to approve the January 16, 2024, select board minutes as presented. Seconded by McFarland. Vote: 5-0-0.

**D. January 17, 2024 – SB Budget Minutes**

Johnson motioned to approve the January 17, 2024, select board minutes as presented. Seconded by McFarland. Vote: 5-0-0.

**E. January 18, 2024 – SB Budget Minutes**

Johnson motioned to approve the January 18, 2024, select board minutes as amended. Seconded by McFarland. Vote: 5-0-0.

**F. January 23, 2024 – SB Regular Minutes**

Discussion related to Damon’s comments related to the Fire Department, and what was said. Ball suggested the recording be reviewed and this be tabled until the next meeting.

**G. February 6, 2024 – SB Ex. Session Minutes**

Johnson motioned to approve the executive session February 6, 2024, select board minutes as amended. Seconded by McFarland. Vote: 5-0-0.

**5. APPROVAL OF WARRANTS:**

Town Payroll: W#0201, 0208, 0215  
Trust & Agency: W#77, 79, 80  
Town Payables: W#81

Conservation Commission: W#0213  
School Payroll: W#78

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

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

~Manager Lowell reported December's overall budget is good. Highway will have expenses for more repairs coming next month and show a bigger percentage of expenses, for halfway through the year.  
~Revenues are still building up. We will see more of an increase in the Harbor revenues due to the moorings and commercial fisherman permits. Revenues increased by .8%.  
~Vallette notes the checking account interest percentage continues to look good.

**7. REGULAR BUSINESS:**

**A. Harbor Fee Schedule:** *Request of Harbormaster to get authorization from SB to update Harbor Fee Schedule for 2024.*

Nick Madeira was present representing the Harbor Committee. He provided basic history of why they asked are using a touch fee per use. Northeast Harbor and Cranberry have used a touch fee with lots of success. Former select board member Norwood suggested the touch fee be used for a trial. Currently the Harbor Committee continues to support the touch fee; now that we have a fulltime harbormaster who can enforce it.

Vallette ~ feels comfortable with raising the mooring rental from \$40 to \$60 per night from the proposed Harbor Fee Schedule. Other members agreed.

Vallette motioned to increase the mooring rental fee from \$40 to \$60. Seconded by McFarland. Vote: 5-0-0.

Johnson motioned to accept the remainder of the fee schedule as written. Seconded by MacFarland. Vote: 5-0-0.

**B. Policing Proposal:** *Request of Chief Hall to review Policing Proposal with the SB.*

Chief John Hall was present by Zoom. He provided a policing proposal to the Town of Tremont with 24/7 policing. He reviewed past, present, and potential future concerns. If submitted as proposed, the Tremont portion of the police budget would be \$402,000. The proposal breaks down the costs for labor and salary fees, repairs, vehicle maintenance, and dispatch. Chief Hall answered questions board members had. Chief Hall noted this would reduce the costs of what our town would be paying. He is not asking for the Town to fund more; he would be asking the Town to fund less. Chief Hall noted they would be increasing their patrol route.

~Damon – clarified the number whether we would be hiring two additional officers. Chief Hall notes the department would be working with what has already been established in the budget, hiring those positions that have not been able to be filled.

~Johnson – if we do not have our officers present covering our town 24/7 365, adding coverage for Tremont would be a burden on our officers with increased lengths of routes. Chief Hall clarified; the biggest problem for hiring, to fill our current positions, is that union negotiations are still taking place. Once union negotiations are finalized, the department will have the means to recruit and hire those

positions. The officers will have more complaints to manage, and Chief Hall is confident officers will be able to manage the increase in complaints.

~Johnson noted there were some hangups to effectually hire those positions because of the union contract. Johnson explored a timeline. Chief Hall hopes to see union negotiations finalized by June.

~Vallette and Damon and other members thanked Chief Hall for taking the time in putting this proposal together.

~Chief Hall would like permission to continue a conversation with Tremont Town Manager to discuss the actual transfer of funds. Isn't this to discuss the proposal rather than a transfer of funds?

~McFarland – the proposal is a band-aid for Tremont; he suggests having all town managers and police chiefs meet and discuss Island wide coverage. Damon echoes this and identified that Tremont and Southwest Harbor is a lot closer, and this is a very appropriate steppingstone. He does feel someday we will discuss Island wide collaboration. McFarland is afraid we will see challenges with hiring.

Johnson motioned to authorize Manager Lowell and Chief Hall to contact the Town Manager of Tremont Jesse Dunbar to further discuss the proposal for the SWH Police Department to provide coverage for the Town of Tremont. Seconded by Damon. Vote: 5-0-0.

Parking Ticket Machine: Chief Hall clarified Bar Harbor's parking tickets set up. The handheld device is part of their parking system. Chief Hall is not prepared to bring this item for the budget this year, but next year he could investigate and bring a proposal.

~ Johnson described "Digital Chalk" – an application that officers in Mount Desert use. They do not have parking meters in Northeast Harbor but can still use this app. Chief Hall will investigate it. It is not something that will make this budget cycle.

**C. EMR (Recycling) Cardboard:** *Request of James Vallette for Lee Worcester to bring information on recycling cardboard to SB to discuss in relation to Budget.*

~Vallette noted that this agenda item also includes the contract with EMR. Vallette noted the task force has worked hard on investigating solid waste. Vallette advised that currently the town pays a larger amount of solid waste than other towns. Taxpayers pay for the following: EMR to receive the waste, EMR for the transport the waste, tipping fee.

~ Lee Worcester (EMR Vice President) was present. He noted that in years past there has been discussion related to commercial waste and whether the town should be paying for it. He noted this is a political decision a town might choose to make.

~Vallette expressed this is not sustainable for the town, he added the town is committing to up to 1.5-2 million in expenses. This could be an opportunity for the town to look at the big picture and examine how the town should be paying for these expenses. Vallette suggested ending the current contract. Vallette wishes to have MMA conduct a legal review of the current contract to see if it is constitutionally sound. He realizes this sounds extreme but allows for the contract to be revisited and looks for opportunities for potential savings. The town could be able to continue to use the facilities of EMR and pay as you go as an option. Currently Acadia National Park does not have a contract, but still uses the facilities.

~The contract ends in June; March 5<sup>th</sup> is the deadline to put in writing that the town wishes to re-negotiate the contract.

~Ball expressed she is unsure what would need to change within the contract. Lee Worcester advised that it is something he could work with the town, if the town thought they wanted to move in that direction. Is this pay as your go.

~The Food Mart has their own cardboard baler; this could be something to explore in the future to see if there could be some type of collaboration.

Vallette motioned to formally request town by town figures (Tremont, SWH, and Trenton) for single sort recycling, month by month since the program has begun in January 2022. Seconded by McFarland. Vote: 5-0-0.

**D. Appointment Confirmation:**

- A. Health Officer:** *Request of Town Clerk to confirm Town Managers appointment for Katie Higgins as Health Officer.*

Johnson motioned to confirm the appointment for Katie Higgins as Health Officer. Seconded by Damon. Vote: 5-0-0.

- B. Emergency Management Director:** *Request of Town Clerk to confirm Town Manager appointment for Thomas Chisholm as Emergency Management Director.*

Johnson motioned to confirm the appointment of Thomas Chisholm as Emergency Management Director. Seconded by Damon. Vote 5-0-0.

- E. Town Manager Search:** *Request of Carolyn Ball to discuss the next step (advertising) in the Manager Search process.*

Members discussed the job description and what members wished to include in the ad that would be placed. Members agreed the salary range should be in the ad. This could help attract the right candidate. Members agreed on \$95,000-110,000. It was the consensus of the board that Ball would continue to work on the ad, and then send it out by email to the board. Board members will respond back directly to Ball with any feedback.

Board members will interview staff. Carolyn assigned selectboard members to each staff member. Once select board members have gathered feedback from staff, it will be discussed in an executive session.

**8. LIAISON REPORT:**

A Climate to Thrive- Johnson reported on an exercise looking forward in planning climate change events. Johnanna is willing to come in and facilitate this.

Vallette – ADD should be added to the next agenda; we should about whether we want to continue our membership. Board members agree that it may not be worth wild to continue the membership with the ADD. The Hazardous Waste station contract review was a large part of joining the membership.

Vallette noted there is no current ordinance that would prevent a hazardous waste station. the Town may want to consider the moratorium. Johnson also agrees this should be a topic of discussion.

~Johnson asked if the Harbor Committee could find ways to bring additional revenue in from the Harbor. Damon notes that the committee would be open to this. Damon reported the committee is in support of parking meters. Increasing the mooring fees by changing the definition of ‘resident’ will also bring more revenue.

- 9. MANAGER REPORT:** See attached.

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

- Discussion of impact fee for government entities.
- Discussion of reimbursement related to the Coast Guard.
- Discussion about moratorium related to hazardous waste facility.

**11. NEXT MEETING DATE:** *Adoption of a motion to confirm the date of the next special meeting for Tuesday, February 27<sup>th</sup> at 6:00 p.m. in the Town Office meeting room.*

Johnson motioned to confirm the next regular meeting for Tuesday, February 27<sup>th</sup> at 6:00

**12. ADJOURNMENT:**

Johnson motioned to adjourn the meeting at 9:10pm. Seconded by McFarland  
Vote: 5-0-0.

Respectfully Submitted,  
Jennifer E. LaHaye  
Town Clerk

**APPROVED**

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Carolyn Ball, Chair

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Natasha Johnson, Vice Chair

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James Vallette

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Luke Damon

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Chapin McFarland