



SELECT BOARD MEETING

Town of Southwest Harbor

Town Office & Via Zoom*

6:00 p.m.

Postponed to Tuesday, March 21, 2023

Minutes

1. **CALL TO ORDER:** Called at 6:00 p.m. by Chair Carolyn Ball.
2. **ROLL CALL:** All present. Chair Carolyn Ball, Vice Chair Natasha Johnson, George Jellison Jr., Jim Vallette, Luke Damon, Manager Marilyn Lowell, and Town Clerk Jennifer LaHaye.
3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented.*

Damon motioned to adopt the agenda as presented. Seconded by Johnson. Vote: 5-0.

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

A. January 23, 2023 – SB Budget Meeting

Johnson motioned to adopt the January 23, 2023 Select Board Budget meeting minutes as presented. Seconded by Damon. Vote 5-0.

B. February 14, 2023 – SB Meeting

Johnson motioned to approve the February 14, 2023 Select Board meeting amended minutes. Seconded by Damon. Vote: 5-0.

Pg. 4 in bold – Replacement of 2004 Freightliner. Damon noted it should be changed to International.

C. February 28, 2023 – SB Meeting

Johnson motioned to approve February 28, 2023 Select Board meeting minutes. Seconded by Damon. Vote 5-0.

5. **APPROVAL OF WARRANTS:**

Town Payables – W#0309, 0316, 0323
Trust & Agency: W# 91, 93, 97

School Payroll: W# 90, 94
School Payables: W#92

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

6. APPOINTMENTS:

- A. Solid Waste Reduction Task Force:** *Request of Town Clerk to appoint Tony Davis, Ellen Pope, Patrick Welch, Craig Kesselheim, Kenneth Rozsahegyi, and Priscilla Ksionzyk to the Solid Waste Reduction Task Force.*

Johnson motioned to appoint Patrick Welch, Craig Kesselheim, Kenneth Rozsahegyi, and Priscilla Ksionzyk to the Solid Waste Reduction Task Force for remainder of a 1-year term, to be effective until February 1,2024. Seconded by Vallette. Vote: 5-0.

Tony Davis, and Ellen Pope were not able to attend tonight's meeting.

- B. SWH Housing Board of Commissioners:** *Request of Town Clerk to appoint Ann Heisey to the SWH Housing Authority Board.*

Johnson motioned to appoint Anne Heisey to the SWH Housing Authority for a 5-year term effective until March 15, 2028. Seconded by Damon. Vote:5-0.

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

Manager Lowell presented the financial reports. Insurance and Municipal are a bit over currently, they are paid quarterly and will reflect this. Account 435 is over, due to work completed on the Heat pumps and Generators. Municipal operations are running about 6.5% ahead.

Revenue Variance: Lowell said the Harbor will start to show more in the spring and summer. Harbormaster Kushla is working on sending notices out for mooring fees and will also work on fisherman permits.

Monthly Reserves: Lowell noted not a lot of change, however this spring they will use money from the Safe Routes to School grant towards the Main Street Project. There is still money left in the tree fund, and the Historic Cemetery has completed two projects and saved money with paying for the work quicky, so a balance will remain in account.

8. REGULAR BUSINESS:

- A. Warrant Committee Recommendations for FY24 Budget:** *Request of Warrant Committee to review recommendation for FY24 Budget with the Select Board.*

Priscilla Ksionzyk, Chair of the Warrant Committee was present in person. Ksionzyk presented the recommendations to the Board.

Discussion took place about the municipal solid waste. The Warrant Committee recommends adding \$3,000 to the budget to allow the town to join the Acadia Disposal District. It was noted that the Hampden facility will not reopen.

A discussion related to the Coast Guard paying taxes took place and if school received money for the Coast Guard students. Lowell recalled a conversation at the school Budget meeting about that but will follow up with the assessor and school.

B. Community Resilience Self-Evaluation: *Request of Carolyn Ball to review the Self-Evaluation with board members to ensure everything is captured.*

Johnson motioned to approve the completed Community Resilience Self-Evaluation as amended. Seconded by Damon. Vote 5-0.

C. Memorium and Dedication for Town Report: *Request of Town Clerk for input with Town Report Memorium and Dedication.*

Jellison motioned to dedicate the 2022 Town Report to Harold Hall, and memorial for Warren Worcester. Seconded by Damon. Vote 5-0.

D. Harbor Ave. Work: *Request of Natasha Johnson to receive input from Scott Alley regarding the culvert and shoreline erosion on Harbor Avenue.*

Johnson expressed concerns regarding Harbor Avenue. She advised the culvert is rusted; water is not running correctly through it. She noted the deck on the boat house nearby washed away and expressed concerns for infrastructure. Johnson wanted to discuss with Scott Alley if there were any projects lined up. Alley was present in person, he advised there are no projects lined up. Alley's opinion is the road needs to be redone. He discussed how they could do the first 100ft to take care of the erosion. The stairs may not be able to be used after this is completed. Alley could work with the contractors to see if this is a possibility. The stairs were originally donated by a resident to gain access to the water. Johnson wishes to maintain this area and provide residents with access to the water if possible. Other suggestions were discussed for creating a sitting area with a bench. Alley advised if a complete redo of the road is decided, possibly an engineer should be involved.

Ball asked the board with a minimal presentation do they wish to rebuild or improve the road. Johnson suggested to review/table until the board hears back from a climate to thrive. There could be possible grant money for a project.

Johnson motioned to table Harbor Ave. work until the board hears back from A Climate to Thrive. Seconded by Damon. Vote 5-0.

E. Town Warrant: *Request of Town Manager to present and review a draft of the Town Warrant with Selectboard Members.*

Manager Lowell reviewed the Warrant with the board. She noted changes that would be made.

Vallette motioned to accept the recommendations for the Warrant Committee of the addition of \$3,000 to join the ADD (Acadia Disposal District). Seconded by Damon. Vote 4-1 Ball Nay.

~Jellison expressed concern about the future debt service.

~Ball suggests moving \$100,000 from the undesignated fund balance to help reduce the mill rate in the current budget being discussed. Manager Lowell has spoken with the auditor, and reported the audit won't be to us until mid-May.

~Johnson expressed concerns with moving funds from undesignated fund balance.

~ Several members would like to further discuss potential investments in the future.

Jellison expressed concern with Article 48 about Chris' Pond. Jellison read aloud a letter to the board, he noted concern that this question is not on a ballot, and will be brought forth at town meeting. Jellison expressed concern about "no cost to the town" being presented to the voters. The application specifically states the town would be obligated to pay all costs of the project "up front." If the application is approved there would be federal funding to reimburse the town with costs, but potential need to authorize the borrowing of funds. Jellison expressed concerns with Chairwoman Ball, and his belief of a "Conflict of Interest" as outlined in the Conduct Policy that the board chose to adopt, and with note she should recuse herself from future discussion going forward.

Jellison motioned to remove Article 48 from the warrant. No second. No discussion.

Vallette noted that when Tony Smith from the ADD came to a recent meeting he discussed possible wording that would need to go on the warrant. Manager Lowell will follow up on this.

9. MANAGER REPORT: Please see attached report.

10. EXECUTIVE SESSION:

Johnson motioned for the Select Board to enter executive session pursuant to 1 MRSA 405(6)(A) to discuss personnel matters. Seconded by Damon. Vote 5-0 8:16 p.m.

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 individual's right to privacy, and therefore, to go into executive session to discuss personnel matter, as permitted by 1 MRSA 405(6)(A).*

Damon motioned to exit the executive session. Seconded by Johnson. Vote 5-0 8:31p.m.

Johnson motioned for the Select Board to go into executive session pursuant to 1 MRSA 402(3)(A) to discuss confidential matters. Seconded by Damon. Vote 5-0. 8:32 p.m.

B. Confidential Matter: *Possible adoption of a motion for the Select Board to find that public discussion of the confidential matter could be reasonably expected to violate the institute’s right to privacy, and therefore, to go into executive session to discuss confidential matter, as by 1 MRSA 402(3)(A).*

Johnson motioned to exit the executive session. Seconded by Damon. Vote5-0 8:45p.m.

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

- * Hancock County Mutual Aide
- * Community Resilience Tally
- * Adopt Town Warrant
- * Dept. Heads to complete- Community Resilience form.
- * Chamber dues
- * Cost Guard payment in lieu of taxes.

12. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next regular meeting for Tuesday, March 28th at 6:00 p.m. at the Town Office meeting room.*

Johnson motioned to confirm the next meeting to be held on Tuesday, March 28th at 6:00 p.m. at the Town Office meeting room. Seconded by Damon. Vote 5-0.

13. ADJOURNMENT:

Damon motioned to adjourn the meeting at 9:00 p.m. Seconded by Johnson. Vote 5-0.

Respectfully Submitted,

Jennifer E. LaHaye
Town Clerk

APPROVED

Carolyn Ball, Chair

Natasha Johnson, Vice Chair

George Jellison, Jr.

James Vallette

Luke Damon