SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. ~ Tuesday, March 22, 2022

Minutes

1. **CALL TO ORDER:** 6:02 p.m.

2. **ROLL CALL:** Chairman George Jellison Jr, Vice Chair Carolyn Ball, and Allen Willey were present in person. Chad Terry participated by Zoom. Manager Marilyn Lowell, and Town Clerk, Jennifer LaHaye.

   A. Excused Absences: Dan Norwood is excused.

3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented (or amended).*

Motion by Ball to adopt the agenda with an addition. Seconded by Willey. Vote 4-0.

~Ball advised the minutes of March 8, 2022 did not capture the discussion last meeting related to the comprehensive plan. She would like to have a discussion later in the meeting to capture what needs to be done.

Motion by Ball to amend the agenda to include discussion of the memorial and dedication later in the meeting. Seconded by Willey. Vote 4-0.

4. **PUBLIC HEARING:**

   A. **Liquor License (NEW) – Bubs Burrito:** *Request of Raechelle Sexton on behalf of Bubs Burrito, 18 Village Green Way, SWH for an On-Premises Beer, Wine,*

   Motion by Ball to recommend approval of the application of Raechelle Sexton on behalf of Bubs Burrito, 18 Village Green Way, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by Willey. Vote: 4-0

   B. Marijuana Retail License Renewal – Meristem LLC: *Request of Tyler & Natasha Johnson on behalf of Meristem LLC, 11 Seal Cove Road, SWH for a Marijuana Retail license renewal.*

   Motion by Ball to recommend approval of the application of Tyler & Natasha Johnson on behalf of Meristem, LLC, 11 Seal Cove Road, for an On-Premises marijuana retail license renewal. Seconded by Willey. Vote: 4-0.

   ~ Natasha Johnson questioned if the motion and language of "for on premises." Meristem does not allow for on premises consumption.

Ball amended her previous motion to recommend approval of the application of Tyler & Natasha Johnson on behalf of Meristem, LLC. 11 Seal Cove Road, for marijuana retail license renewal. Seconded by Willey. Vote: 4-0.

5. **APPROVAL OF MINUTES:** *Request of the Town Manager for a motion "to approve the minutes of….*

   A. March 8, 2022 SB meeting

   Motion by Ball to approve the March 8, 2022 Selectboard meeting minutes. Seconded by Terry. Vote: 3-0-1. Willey abstained. Willey not in attendance.

   B. March 16, 2022 SB meeting

   Motion by Ball to approve March 16, 2022 Selectboard meeting minutes. Seconded by Willey. Vote: 4-0.

6. **APPROVAL OF WARRANTS**

Town Payroll W# 0317, 0324
Town Trust & Agency W# 92, 95
Town Payables W#96
School Payroll W#93
School Payables W#91, 94

Motion by Willey to approve the warrants as presented. Seconded by Ball Vote: 3-1. Terry abstained, as he was not present in the room to view warrants.

7. **APPOINTMENTS:**

   A. Election Clerks: *Request of the Town Clerk for a motion to confirm nomination of Election Clerks.*

Motion by Ball to appoint, Election Clerk nominations for a 2-year term to be effective until April 30, 2024. Seconded by Willey Vote: 4-0.

8. **REGULAR BUSINESS:**

   A. Dan Norwood Resignation: *Request of Dan Norwood to present his written resignation for approval by the Selectboard.*

   Motion by Ball to recommend approval of Dan Norwood's resignation effective immediately. Seconded by Willey Vote: 4-0.

   ~ Chairman Jellison read Norwood's resignation.
   ~Manager Lowell noted that Norwood had paid back 109 days to the town for unearned days left in his term.

B. Town Warrant: *Request of Town Manager to present a final Town Warrant to Selectboard members, for approval.*

Motion by Ball to approve the FY 22/23 Budget Warrant as amended. Seconded by Willey. Vote: 4-0

~ Ball noted article 27 should be amended. A change of word. Currently article reads "Credit amount $55,298 for Administration Records & Documents is transferred to Property Revaluation Reserve Account." Ball noted it should read "from."

~ Manager Lowell would make this small amendment to the warrant and members of the board will still sign at the end of the meeting.

C. Seawall Road Safety Issues: *Request of Selectboard to review findings of Chief John Hall and volunteers of their Seawall Road safety issue recommendations.*

~Chief Hall presented the outcome of the subcommittee that was created. He reported the committee met 3-4 times.
~Property owners are going to prevent people from parking on their land. They will work with Scott from the highway department. This will ensure this does not obstruct town vehicles, such as a plow.
~ Charlotte reported there have things she has done to cut down on parking at the restaurant. She has purchased a delivery vehicle, purchased a low-speed vehicle to shuttle people from the hotel to the restaurant. She has explored other parking arrangements within the trailer park. They have also been added to the Explorer Bus route.

D. Landscaping Bids: *Request of Town Manager to inform Select Board of bid and award.*

~Manager Lowell reported they had only received one bid from Frost Farms for $8,450.00

9. MANAGER REPORT:

Harbor ~ Oliver has been working on Harbor Fees, and recently completed a three-day harbormaster course. He is also looking into Coast Guard grants.

Vacant Seats~ Jenn investigated the vacant status of a selectboard. It must be an elected position. If the municipal election were to coincide with the November State Election Nomination papers would be available August 1st. Manager Lowell recommended not doing a special town election for a two-year seat but to instead, have it at the same time as the State Election.

Versant Power~ requesting signature to travel over posted roads with line trucks for restoration purposes. Selectboard members are in consensus for the Manager to move forward in signing the paperwork.

Streetlights~ Mark Carter at RealTerm Energy about buying the town's streetlights and upgrading to LED lights. This has been discussed in years past. There is an average result of a 70 percent of reduction of energy use, and a 75 percent reduction in overall CMP cost. Standard supply costs have gone up for everyone. They are willing to conduct a free financial analysis. Selectboard members are in consensus of Manager Lowell moving forward on this.

Charter Communications~ Manager Lowell reported she is receiving programing updates with the TV Channels. There will no longer be any Russian channels on those satellite TVs. and a franchise fee reimbursement a bit over $2,300.00

Workers Comp ~2021 Audit is completed. The town received a premium adjustment check for $16049.00

Marijuana License ~ Ben Call was consulted, he advised it would be in the best interest to modify the license application. If the town wishes to be that restrictive it would need to be in our ordinance.

Recycling ~ Jim Vallette would like to use parking spaces on the upper lot behind the town office. Jim would like to collect cardboard and possibly cans from 8am-12pm. Jim himself would transport it. The trailer would not be left overnight.

All selectboard members are in favor of this this initially. Later questions arose if this would violate the town's contract with EMR. Manager Lowell will reach out to Lee Worchester to further investigate this.

Public Restrooms ~ Manager Lowell spoke with the town of Bar Harbor and provided information regarding their public restrooms and closure in the winter months. Manager Lowell advised with the cost of the propane, and pipes freezing in the winter months the decision to close the restrooms was made.

Mr. Carroll's Property ~ Michele Gurtler was approached by the conservation commission to see if the school had any funds to take the tree down. Chairman Jellison believed that that Jim Geary was going to come back to the town with further information. The Tree Warden has looked at the tree. Mr. Carroll has no interest in being involved but has given his permission to have the tree taken down. Chairman Jellison believes that Mr. Carroll has spoken to Jim Geary.

Town Garage ~ An engineer needs to be identified to review the Sand and Salt Shed.
As of July 1st, they will take the building off the insurance IF nothing has been done to address the concerns with the structure. Once the repairs are made, the engineer needs to sign off for the insurance to agree to insure again.

Motion by Ball for the Town Manager to move forward to secure an engineer for review of the Salt and Sand Shed and obtain an estimate. Willey seconded. Vote: 4-0

Quotes for the Town Truck~ they faxed out four quotes and have only heard back from one.

Fire Department ~ The Department is on track with trainings. They had a recent Ice Water

Rescue training with 19 members attending. They are looking to do a possible controlled burn of the blueberry field on Long Pond.

Water Sewer District ~ The District is finding that some people are still not getting bills, and They are not accepting trucked in wastewater, mainly Skips, because of the phosphates in the water. They are modifying the permit they have, and working with the DEP.

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

Motion by Ball to have Town Manager request the Water Sewer District to update the comprehensive plan in light of coastal erosion. Seconded by Willey.

~Discussion took place related to whether the town has the authority to require the Water Sewer District update the compressive plan.
~ Ball advised that the state may make town compete for money, and noted it is important to have an updated comprehensive plan.
~Ball noted the marine section in the comprehensive plan has information related to the docks and run off. It does not fall under the harbor committee.
~ Ball advised that the Water section in the plan really applies to the Water Sewer Department.

Motion by Ball to have the Town Manager form a committee to examine housing to update the comprehensive plan. Seconded by Terry. Vote 3-1-Terry not in favor.

~ Discussion related to developing a comprehensive committee.
~Terry questioned if there was a committee at this time that would address the compressive plan. In order to get any grants, it is important to stay on top of it. Terry suggested the committee should be looking into this further.
~ Ball presented that she would like to narrow it down to focus on what is needed to obtain grants. Housing is a need.
~Ball would not support doing a full compressive plan.
~ Ball would like to see a committee formed and investigate and report back by September.
~Chairman Jellison future meeting to discuss

Motion by Terry to amend the previous motion include a committee to look at the storm water runoff and ocean erosion on this committee for the compressive plan. Seconded by Willey. Vote: 3-1 Ball.

Memorial & Dedication:

Motion by Willey to dedicate the 2021 town report to Samuel Chisholm, and memorials for David Benson, Ralph Stanley, and Wilber Terry. Seconded by Ball. Vote 4-0

11. **NEXT MEETING DATE*:*** *Adoption of a motion to confirm the date of the next regular meeting for Tuesday, April 12 at 6:00 p.m. at the Fire Station meeting room.*

Manager Lowell :
Possibly will need an executive session for a harbor issue – possibly at 5pm.
Public Hearing – Liquor License
Public Hearing – 911 Ordinance change, and Shoreland Zoning map change.
~Terry suggested further discussion of the streetlights and switching to LED lights.
~Ball questioned if the Town Garage should be put on an agenda.

Motion by Willey to confirm the date of the next meeting for Tuesday, April 12th at 6:00 p.m. at the Town Office meeting room. Seconded by Ball Vote: 4-0.

12. ADJOURNMENT

Motion by Terry to adjourn the meeting. Seconded by: Ball Vote 4-0 Time: 7:38pm.

Respectfully Submitted,
Jennifer E. LaHaye
Town Clerk

APPROVED

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George Jellison, Jr., Chair Carolyn Ball, Vice Chair

_____ _____
Allen Willey Chad Terry

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Vacant