



SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. ~ Tuesday, June 11, 2024

MINUTES

- 1. CALL TO ORDER:** Chair Carolyn Ball called the meeting to order at 6:00pm.
- 2. ROLL CALL:** Chair Carolyn Ball, Vice Chair Natasha Johnson, James Vallette, Chapin McFarland, Noah Burby, Town Manager Marilyn Lowell.

A. Excused Absences: *NONE*

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

Ball moved to have (EMR) under Reg. Bus. placed before the Public Hearings and to discuss Seawall Signage & Parking & Northern Light Medical Center under the managers' report. McFarland motioned. Seconded by Johnson. Vote: 5-0-0.

- 4. PUBLIC HEARING:**

A. Liquor License Renewal – HR Beal & Sons, Inc.: *Request of HR Beal & Sons, Inc. on behalf of Beals Lobster Pier, 182 Clark Point Rd., SWH for an On- Premises Beer, Wine, and Spirits liquor license renewal.*

McFarland made a motion to recommend approval of the application of HR Beal & Sons, Inc. on behalf of Beal's Lobster, 182 Clark Point Rd., SWH, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by Johnson.

Discussion was made regarding parking and any agreements made. Beal's has spoken with Community Sailing Center and are allowed to use 2 spaces. They also have workers & patrons that park in the UTD. They also have 3 moorings of their own. They mentioned they had not received any complaints from patrons about parking.

Vote: 5-0-0.

B. Special Amusement Permit – HR Beal & Sons, Inc.: *Request of HR Beal & Sons, Inc. on behalf of Beals Lobster Pier, 182 Clark Point Rd., SWH for a Class D - Special Amusement Permit.*

Burby made a motion to recommend approval of the application of HR Beal & Sons, Inc. on behalf of Beal's Lobster, 182 Clark Point Rd., SWH for a Class D Special Amusement Permit. Seconded by Johnson. Vote: 5-0-0.

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

- C. Liquor License Renewal – Clark Point Catering, LLC:** *Request of Clark Point Catering, LLC on behalf of Clark Point Catering, 54A Clark Point Rd., SWH for an On-Premises Beer, Wine, and Spirits liquor license renewal.*

McFarland made a motion to recommend approval of the application of Clark Point Catering, LLC on behalf of Clark Point Catering, 54A Clark Point Rd., SWH, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by Johnson. Vote: 5-0-0.

- D. License for an Incorporated Civic Organization – Harbor House Community Service Center** *Request of Ingrid Kachmar on behalf of Harbor House Community Service Center, 329 Main Str., SWH for an Incorporated Civic Organization License for Lobsters on the Sound Fundraiser.*

Johnson made a motion to recommend approval of the application from Ingrid Kachmar, on behalf of Harbor House Community Service Center, 329 Main Str., SWH, for an Incorporated Civic Organization License for Lobsters on the Sound Fundraiser. Seconded by McFarland. Vote: 5-0-0.

- E. License for an Incorporated Civic Organization – Harbor House Community Service Center** *Request of Ingrid Kachmar on behalf of Harbor House Community Service Center, 329 Main Str., SWH for an Incorporated Civic Organization License for Polo & Yacht Club Party Fundraiser.*

Johnson made a motion to recommend approval of the application from Ingrid Kachmar, on behalf of Harbor House Community Service Center, 329 Main Str., SWH, for an Incorporated Civic Organization License for Polo & Yacht Club Party Fundraiser. Seconded by Burby. Vote: 5-0-0.

- F. Liquor License Renewal – Lindenwood Inn, Inc.:** *Request of James King & Milan Rodic on behalf of Lindenwood Inn, 118 Clark Point Road, SWH for an On-Premises Beer, Wine, and Spirits liquor license renewal.*

Johnson made a motion to recommend approval of the application of James King & Milan Rodic on behalf of Lindenwood Inn, 118 Clark Point Road, SWH, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by McFarland. Vote: 5-0-0.

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

- A.** May 28, 2024 – SB Minutes- Tabled to 6.25.2024 meeting.

Tabled to 6.25.2024 meeting to make suggested corrections.

- B.** May 28, 2024 – Executive Session Minutes

Burby motion to approve the May 28, 2024 minutes. Seconded by Johnson. Vote: 5-0-0.

- 6. APPROVAL OF WARRANTS:**

Town Payables; W124
Town Payroll: W#0530, 0606

Conservation: W#0611
School Payroll: W#123

Trust & Agency: W#120, 121

Main Street Project: W#122

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

7. APPOINTMENTS:

- A. Associate Conservation Commission Member:** *Request of Town Clerk to appoint Kathryn Strand as an Associate Conservation Commission Member.*

Postponed until 6.25.24 meeting to allow Ms. Strand to be present.

8. REGULAR BUSINESS:

- A. (EMR) Solid Waste Contract:** *Request of SB to review the DRAFT contract with SB suggestions and verbiage edits.*

Burby made a motion to approve and sign the Solid Waste Contract as presented with a term of this agreement being for (5) years beginning July 1, 2024, and ending June 30, 2029. Seconded by Johnson. Vote: 5-0-0.

- B. Anne Napier Storm Water Drainage:** *Request of SB for Scott Alley & Town Manager to look at property and report back to SB.*

- C. Harbor Fee Schedule Classifications:** *Request of Town Manager & Harbor Committee for fee classification clarification.*

McFarland made a motion to approve the Harbor Fee Schedule as presented and authorize the over payment refund to the 2 businesses who paid the non-resident fee. Seconded by Burby. Vote: 5-0-0.

- D. SWH/Tremont Contract for Police Services:** *Request of Town Manager & Chief Hall to review the SWH/Tremont Contract for Police Services.*

Burby made a motion to recommend approval of the Police & Dispatch Union Agreement dated January 1, 2023 through December 31, 2025 and authorize the Town Manager to sign with the correction of adding an "N" on the word know(n). Seconded by Johnson. Vote: 5-0-0.

- E. CD, CDARS, Brokered Non-Callable CD Investing:** *Request of the SB for Town Manager to bring back information on the re-investing of a \$250,000 Brokered Non-Callable CD.*

Johnson received additional information on the CD %'s and discussed them with the board.

Johnson made a motion to approve the manager to re-invest the 2-current Brokered CDs of \$125,000 + interest for 1-year and 2-years at the highest interest rate. Seconded by McFarland. Vote: 5-0-0.

- F. Dobbs Productions, Inc.:** *Request of Jeff Dobbs to receive permission to use Public Access channel 2 & 1301 on MDI for summer 2023 & winter 2024.*

Vallette made a motion to approve the use of Public Access channel 2 & 1301 on MDI for summer 2024 & winter 2025, to broadcast The Acadia Channel and all MDI TV Public Access related programming. Seconded by Johnson. Vote: 5-0-0.

Vallette also requested to have all old information removed.

- G. No Frills Oil & Propane Fixed Pricing:** *Request of Town Manager to authorize the signing of the new lock in price for heating fuel & propane for the 2024/2025 heating season.*

Vallette made a motion to approve the lock in price for fuel oil @ \$2.979, propane @ \$1.759 and authorize the Town Manager to sign the No Frills Oil Co., Inc. contract for the 2024/2025 heating season. Seconded by Johnson. Vote: 5-0-0.

- H. Seawall signage & parking:** *Request of Carolyn Ball to discuss signage & parking at the head of Seawall.*

- I. Northern Light Medical Center:** *Request of Susan Buell for more information & discussion regarding Northern Light Medical Center on Herrick Road.*

~Moved to Managers Report.

- J. Year End Closure:** *Request of Town Manager to receive authorization to close the office at 3:00 pm on June 28th for year-end close out of all financials.*

~Moved to Managers Report.

Johnson made a motion to authorize the Town Manager to close the Town Office at 3:00 pm on June 28, 2024 for Year End reporting completion. Seconded by McFarland. Vote: 5-0-0.

9. LIAISON REPORT:

~Burby noted the Harbor Committee discussion of a change to the fee schedule (for more clarity) to include Commercial Mooring Registration. The committee also agreed as a whole to reimburse the 2 businesses for the overpayment as non-residents, if approved by SB. There was also mention of a couple changes needed on wait list.-will discuss with new HM. The committee also spoke of looking at the Harbor Master Association for different salaries for HM's. Thinking of ways to keep a HM more than a year. Dep. HM Slater will look into this.

~Johnson advised the Conservation Commission has received results from the water testing at Chris' Pond and there appears to be life in the run-off water and could constitute it as a stream. This would change the dynamics of what can be done. With the end of the school year, the Pemetic science project, at Chris's Pond by the students, will carry over to the fall. They will give a presentation next year regarding the project.

~Ball has scheduled a meeting with the President & Vice President of N. Light to discuss the closing of the Clinic on Herrick Road. MDI Hospital is going to help but is not able to take over the clinic in its capacity since there are clinics in NE & Bar Harbor. They are not allowed to be within so many miles of each other.

Ball will also be having a ZOOM call with the Gulf of ME for research in November for the Vulnerability Assessment.

10. MANAGER REPORT: See attached.

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

*CC appointment	*ADD-Tony Smith
*EV Charger information	*Anne Napier Property
*Vulnerability Assessment	*Road Projects

12. EXECUTIVE SESSION:

Johnson motioned to enter executive session, following a short break, pursuant to 1 MRSA 405 (6) (d) to discuss Police Union Contract @ 8:25pm. Seconded by Burby. Vote: 5-0-0.

A. Police & Dispatch Union Contract: *(To be considered in executive session, as permitted by 1 MRSA 405 (6) (D).*

Johnson motioned to exit executive session @ 8:52pm. Seconded by McFarland. Vote: 5-0-0.

McFarland made a motion to recommend approval of the Police & Dispatch Union Agreement dated January 1, 2023 through December 31, 2025 and authorize the Town Manager to sign. Seconded by Johnson. Vote: 5-0-0.

13. EXECUTIVE SESSION: 1 MRSA 405 (6)(A) to discuss a town manager candidate.

Johnson moved that the Select Board go into executive session pursuant to 1 MRSA 405 (6)(A) to discuss a town manager candidate.” @ 8:54pm. Seconded by McFarland. Vote: 5-0-0.

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 the employment of an individual, as permitted by 1 MRSA.*

Ball moved that the Select Board exit executive session @ 9:06pm. Seconded by Johnson. Vote: 5-0-0.

14. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next meeting for Tuesday, June 25th at 6:00 p.m. in the Town Office meeting room.*

15. ADJOURNMENT:

Ball motioned to adjourn the meeting at 8:59pm. Seconded by Johnson. Vote: 5-0-0.

Respectfully Submitted,

Marilyn Lowell
Town Manager

APPROVED

Carolyn Ball, Chair

Natasha Johnson, Vice Chair

James Vallette

Chapin McFarland

Noah Burby