



**SELECT BOARD MEETING  
Town of Southwest Harbor  
Town Office & Via Zoom\*  
Tuesday, August 13, 2024**

**MINUTES**

**5:30 p.m. EXECUTIVE SESSION**

1. **CALL TO ORDER:** Ball called the meeting to order at 5:30p.m.
2. **ROLL CALL:** Chair Carolyn Ball, Vice Chair Natasha Johnson, James Vallette, Chapin McFarland, Noah Burby. Town Manager Marilyn Lowell, Via ZOOM.

**A. Excused Absences:** None

3. **TAX ABATEMENT FOR REASON OF POVERTY** – *To be considered in executive session, as permitted by 36 MRSA 841 (2) E.*

Johnson made a motion made to go into executive session as permitted by 36 MRSA 841 (2) E to consider a tax abatement for reasons of poverty @ 5:32pm. Seconded by Burby. Vote: 5-0-0.

Johnson motioned to exit executive session @ 5:40pm. Seconded by Burby. Vote: 5-0-0.

**6:00 p.m. PUBLIC SESSION**

Johnson made a motion to deny the request for Tax Abatement for Reason of Poverty. Seconded by McFarland. Vote: 5-0-0.

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

Johnson motioned to amend the agenda to add a Public Hearing for Harbor Cottage Inn Liquor License Renewal, Causeway Club Liquor License and Auxiliary License Renewal. Seconded by Burby. Vote: 5-0-0.

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

**A.** July 23, 2024 – SB Minutes  
Tabled to 9/10/2024 SB meeting.

**PUBLIC HEARING**

Burby made a motion to approve Harbor Cottage, LLC Liquor License renewal until September 23, 2025. 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](http://www.southwestharbormaine.org).

Burby made a motion to approve Causeway Club Liquor License renewal until August 29, 2025. Seconded by Johnson. Vote: 5-0-0.

Burby made a motion to approve the Auxiliary License for the Causeway Club until December 2024. Seconded by Johnson. Voted: 5-0-0.

**6. APPROVAL OF WARRANTS:**

Town Payroll: W#0725, 0801, 0808 & 0815	Town Payables FY23/24: W#139
Trust & Agency: W#10, 11, 13 & 14	Town Payables FY24/25: W#15
School Payroll: W# 12	Conservation Commission: W#0813

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

**7. APPOINTMENT:**

**A. SWH Director for Acadia Disposal District:** *Request of Town Clerk to appoint James Vallette as SWH Director for the Acadia Disposal District.*

Johnson made a motion to appoint James Vallette as SWH Director for Acadia Disposal District for a term effective until June 30, 2026. Seconded by Burby. Vote: 4-0-1. Vallette abstained.

**8. REGULAR BUSINESS:**

**A. FY 2223 Audit Overview:** *Request of Town Manager for Auditor, Ron Bean to give an overview of the FY2223 Audit.*

Mr. Bean went over the FY2223 audit and answered any questions the SB had. Key points Mr. Bean talked about were:

- ~SWH is comparable to all other Towns except for Castine. They don't have CIP's & Reserves like SWH & other Towns.
- ~Our UDF balance is healthy @ 13.2%. The state recommends 10-12%.
- ~CIP & Reserves are used to help with unexpected expenditures & help offset UDF balances.
- ~3-5-year CDs are not a promising idea, 1-year are better.
- ~We cover bases with cash flow & interests.
- ~The opening balances were finished in January, but the school stuff was not completed, and the overall audit could not be completed until those figures were received to put into the calculations.

**B. Matt Caldwell with RDJ:** *Request of Select Board for Matt to go over the process of the revaluation and how it is applied to properties to determine the new values.*

Rescheduled to 9/10/2024.

**C. Police Coverage:** *Request of Chapin McFarland to discuss Police Coverage.*

Chief Hall updated the SB on the new 24-hour coverage schedule for the Police Officers. The officers developed it and worked the shifts before James went to the academy. They all like the schedule and feel it is working out well. John is collecting data of all calls to Tremont and SWH so if in the future he feels he needs to ask for additional officer(s) he has the data to support this request.

Johnson asked Chief Hall if there was something that has not been discussed or talked about to help support our officers and dispatch. John feels that SWH is in a perfect position to see that the officers are the highest paid in the county because we are the furthest away, hardest to get to, can't afford to live here and you have to drive by every other town/county including sheriff and state departments. You have to model the Police force towards what the town wants. This money spent is an investment in the officers to hire, train and keep officers here opposed to hire and train then they go somewhere else. This is a problem with most small communities. Housing is also a concern for new officers.

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

Burby made a motion to authorize Scott Alley to purchase said materials for the project, the town pay for materials and \$1,200 of labor and all work to be completed by Acadia Stone. Seconded by Johnson for discussion.

Johnson made a motion to amend the motion to authorize Scott Alley to proceed with option B up to the amount of \$2,000 for labor, stone, gravel, and loam with the work being completed by Acadia Stone. Seconded by McFarland. Vote: 5-0-0 opposing amendment.

Ball stating original motion to approve the request of Anne Napier to correct the storm water drainage issue crossing her property in the amount of \$5,200 for materials and labor, with work being done by others. Vote: 2-3-0. Johnson, Vallette and McFarland opposing.

Vallette made a motion to pay an amount up to \$2,000 for labor and materials for placing an elbow at the end of the culvert, diverting water away from the fence area and culvert end to correct the eroded fencing area and hole with gravel and stone to help with erosion and protection of the fence post. Reinforce the exiting end of the owner's French drainage area with ground mating, gravel/crushed stone, and covered with loam. Seconded by McFarland. Vote: 4-1-0. Burby opposed.

Anne Napier was in attendance and spoke to SB that the decision was not acceptable.

Johnson thanked Anne for her time.

Vallette stated this option was the cheaper option but should be tried and if this did not solve the problem then it would be revisited at a later time.

**E. Kiosks Update: Request of the SB to have the Harbor Committee revisit Kiosks and get updated pricing.**

Steve from IPS and Nick Maderia from the Harbor Committee.

Key Points: ~Option 1 is free & only downloading the spaces by plate that are paid.  
~Option 2 is fully integrated with a hand full ticketing system. Several options for citation writing for Police Officer.  
~Electronic permitting. ~Control spacing/parking.  
~Ability to do plates only. ~\$7,500-\$7,800 p/Kiosk.  
~Permit parking M-F. ~Revenue option for Town.  
~Cellular & solar powered. ~Company will take care of everything and charge a monthly fee to the town.

LTD, UTD and Manset are the key places for the Kiosks. With LTD and Manset the primary areas. LTD has 52 spaces, UTD has 57 with Manset 57 undeveloped. Parking signs are not being adhered to. The board would need figures for FY2526 budget year development. If approved at the Town Meeting Kiosks could be utilized as soon as May.

**F. Harbor Ave., Shore Road & Cable Crossing:** *Request of Town Manager to review the quotes for the repair of the three areas and determine the next step.*

Vallette motioned to authorize expenditure of up to \$10,000 for design and permitting for the end of Harbor Avenue. Seconded by Burby for discussion.

Burby felt the motion should include shore access.

Burby motioned to authorize the expenditure of up to \$10,000 for design including shore access and permitting for the end of Harbor Avenue. Seconded by Johnson. Vote: 5-0-0.

Burby motioned to authorize the expenditure of up to \$20,000 for design and permitting for the Alder Lane/Shore Road area. Seconded by Johnson. Vote: 5-0-0.

Shore Road storm drain near Mansell Lane is corroded and causes flooding. This is excellent work for the adaptability work to be done.

Vallette would like to see the steps at Cable Crossing put back to where they were and not do anything at this time.

**G. Resignation Letter:** *Request of the Town Manager for a motion to confirm Franklin Burke's resignation.*

Johnson made a motion to confirm acceptance of Franklin Burke's resignation with a sincere thank you for his hard work, dedication and time spent at SW Harbor. Seconded by McFarland. Vote: 5-0-0.

**H. Goog's Pond:** *Request of Select Board for Town Manager to clarify the Conservation Commission Reserve funds as to their purpose.*

Discussion regarding the continuance of dredging Goog's Pond. Concerns of possible permits needed and the fast movement of going forth with the dredging. There were good points brought forth and discussed.

Ball motioned to retract the previous motion from 7.23.2024 to fund dredging of Goog's Pond. Seconded by Johnson. Vote: 2-3-0. Ball, Vallette, and McFarland oppose retraction.

Johnson looks at this as a pause to get more educated and then move on.

**I. MMA Annual Election of V. President & Executive Committee Members:** *Request of MMA to complete Annual Election Ballot.*

Burby made a motion to authorize the Town Manager to mark the official MMA ballot with the Select Board's choice for vice-president and executive committee members. Seconded by Johnson. Vote: 5-0-0.

**J. Vulnerability Assessment Task Force:** *Request of Carolyn Ball to review wording of announcement for other members' input.*

Tabled to 9/10/2024 SB meeting.

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

Tabled to 9/10/2024 SB meeting.

**10. LIAISON REPORT:** Vallette raised contact information regarding discussion at ADD meeting with conflict of interest of engineering firm used by ADD for HS Disposal site choice. There is talk of not looking at the first choice and looking at other sites. Great to consider a moratorium on siting a HW Facility in SWH.

**11. MANAGER REPORT:**

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

- \*Parking Ordinance
- \*Housing

- \*Vulnerability Assessment
- \*Kiosks

- \*ADD Moratorium
- \*Deer Population

**13. NEXT MEETING DATE:** *Adoption of a motion to confirm the date of the next meeting for Tuesday, September 10<sup>th</sup> at 6:00 p.m. in the Town Office meeting room.*

Johnson motioned to confirm the next Select Board meeting to be held September 10<sup>th</sup> at 6:00p.m. in the Town Office meeting room. Seconded by McFarland. Vote: 5-0-0

**14. ADJOURNMENT:**

Johnson motioned to adjourn the meeting at 9:18 p.m. Seconded by McFarland. Vote: 5-0-0.

Respectfully Submitted,

Marilyn J Lowell  
Town Manager

**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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Chapin McFarland

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Noah Burby