

SELECT BOARD SPECIAL MEETING
Town of Southwest Harbor
Town Office
1:00 p.m. ~ Monday, May 16, 2022

AGENDA

1. CALL TO ORDER:

2. ROLL CALL:

A. Excused Absences *(if any)*

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

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

A. April 12, 2022 SB meeting

5. APPROVAL OF WARRANTS:

6. REGULAR BUSINESS:

A. Juneteenth Holiday: *Request of Town Manager to discuss new State holiday, Juneteenth, June 19th, 2022.*

B. PW Garage Redesign: *Request of Town Manager to discuss updated costs, PW garage redesign & bidding.*

7. MANAGER REPORT:

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

9. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next regular meeting for Tuesday, May 24 at 6:00 p.m. at the Town Office meeting room.*

10. ADJOURNMENT:

Manager's Memo

To: Southwest Harbor Select Board
From: Marilyn J Lowell, Town Manager
cc: Staff, Media, Other Interested Parties
Date: 5.13.2022

Re: **Select Board Meeting of May 16, 2022**

CALL TO ORDER – 1:00 P.M.

Excused Absences

At this time, no Select Board member has advised us that they will miss the meeting. However, should that happen, it is best to pass a motion excusing anyone who advises us that they will be unable to attend.

APPOINTMENTS

Harbor Committee: I respectfully suggest passage of a motion to appoint Nicholas Madeira, Donald Sullivan, and Ronald Weiner as Harbor Committee members for a three-year term effective until June 30, 2025.

REGULAR BUSINESS

Juneteenth Holiday: The State of Maine has declared June 19th as state holiday. There have been questions regarding SWH observing the holiday. Four states are not recognizing the holiday and Bar Harbor is having a big parade. All but a couple of towns in Hancock County are recognizing and observing the holiday. Should you wish to allow SWH employees to take Monday, June 20th off, in observance of Juneteenth, I respectfully suggest passage of a motion to confirm the Town of Southwest Harbor following the State of Maine holiday schedule for full time employees.

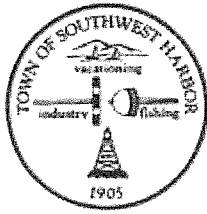
PW Garage Redesign: Annaleis Hafford, of Olver Associates, Inc., emailed updated costs, PW garage redesign and bidding information. Hewett & Whitney was the original plumbing, HVAC and electrical work subcontractor used on previous garage designs. All sheets are changing so redoing all calculations and work design is at a total cost of \$20,000. Olver will update all the sheets with changes, do bidding, review bids and prepare a bid letter. Their total cost for design and labor will be \$18,000. This will be an overall total cost of \$38,000 to complete this work. Should the board wish to authorize the Town Manager to accept these prices, I respectfully suggest passage of a motion to confirm the authorization of Town Manager to accept the Public Work's garage redesign updates in the total amount of \$38,000.

NEXT MEETING DATE

You have previously scheduled your next meeting for Tuesday, May 24th at 6:00 p.m. in the

Town Office meeting room. Should you wish to keep with this same schedule, I respectfully suggest passage of a motion to confirm the date of the next meeting for Tuesday, May 24th at 6:00 p.m. in the Town Office meeting room.

ADJOURNMENT
See You Tuesday!



SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. ~ Tuesday, April 12, 2022

Minutes

1. **CALL TO ORDER: 6:02pm.**
2. **ROLL CALL:** Chairman George Jellison Jr., Vice Chair Carolyn Ball, Chad Terry, Manager Marilyn Lowell, and Clerk Jennifer LaHaye.
 - A. **Excused Absences** (*if any*) Allen Willey was excused.
3. **ADOPTION OF AGENDA:** *Request of the Town Manager for a motion to adopt the agenda as presented (or amended).*

Ball motioned to adopt the agenda as presented tonight April 12, 2022. Seconded by Terry. Vote 3-0.

4. **PUBLIC HEARING:**

- A. **Liquor License – Beal’s Lobster Pier:** *Request of Matt Schwab on behalf of Beal’s Lobster Pier, 126 Clark Point Road, SWH for an On-Premises Beer, Wine, and Spirits liquor license.*

Ball motioned to recommend approval of the application of Matt Schawb, on behalf of Beal’s Lobster Pier, 126 Clark Point Road, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by Terry. Vote 3-0

- B. **911 Ordinance:** *Request of CEO, John Larson for proposed replacement of “Town of SWH Ordinance for Street Numbering and Identification” to “Town of SWH 911 Addressing Ordinance.*

No public comment.

- C. **Zone Map Change -Tax Map 4 Lots 41, 42, 43, and 44:** *Request of CEO, John Larson for proposed Zone change for Tax Map 4 Lots 41, 42, 43, and 44 from General Development Zone to Commercial Fishery/Maritime Activity Zone.*

~Kristin Hutchins asked the reasoning behind the request for this change.

~Terry provided information to answer her questions.

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

- A. **March 22, 2022 SB meeting**

Ball motioned to approve the March 22, 2022 select board minutes. Seconded by Terry. Vote 3-0

6. APPROVAL OF WARRANTS:

School Payables: W# 98.
School Payroll: W#99.
Trust & Agency: W# 97,100,101.
Town Payroll: W#0331, 0407, 0414
Town Payables: W# 102

Ball motioned to approve warrants as presented. Seconded by Terry. Vote 3-0

7. APPOINTMENT:

A. Shellfish Warden: *Request of the Town Manager for a motion to appoint Oliver Curry as Shellfish Warden for a 3-month term.*

Terry motioned to appoint Oliver Curry for a 3-month term to be effective until June 30, 2022. Seconded by Ball. Vote 3-0

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

~Manager Lowell reported financials look good and expenses should be within budget.
~Highway has had several unexpected vehicle repairs, which has made vehicle expenses more than normal. Scott has requested to purchase culverts and order what he can now, due to it taking longer to receive orders.
~Revenue: The town will still be receiving payments such as registration fees, homestead etc. to improve the income of revenue. Discussion took place related to harbor fees. Manager Lowell will speak with Harbormaster Oliver Curry to see if he has sent bills for payment of the commercial fisherman's permit, and per touch barge fees.
~Reserves: Manager Lowell reports there have been few expenses from reserves.
~There were recent bills for the police cruisers, around \$7,200.00 to fix both cruisers. One was being repaired in the shop, while the other cruiser broke down on its way to retrieve it.

9. REGULAR BUSINESS:

A. Memorandum of Understanding: *Request of Town Manager to review Memorandum of Understanding between SWH-Tremont Ambulance Service and Town of Southwest Harbor.*

Terry motioned to authorize the Town Manager to sign SWH-Tremont Ambulance Service & the Town of SWH Memorandum of Understanding. No second. No vote.

~Andrew Braley approached Manager Lowell to discuss a memorandum of understanding between the town and SWH-Tremont Ambulance Service. One had been completed in the past, at an unknown date. Braley advised that the town of Tremont recently signed one.

~Ball questioned if this is necessary and advised there is no contract between the town and the ambulance service.

~ Kristin Hutchins advised this would establish a document of understanding and allow for a paper trail to outline the understanding of what each does for one another. Hutchens advised that the ambulance service requests taxpayer funding for their organization.

~Chairman Jellison advised that he did not feel comfortable seconding a motion from in his position as the chair.

B. Highway Truck/Scott Alley: *Request of Selectboard to receive specification information on a new highway truck.*

Ball motioned to recommend approval of vehicle purchase not to exceed the amount of \$55,000.00. Seconded by Terry. Vote 3-0.

C. Marijuana Retail Application “Conflict of Interest” Section: *Request of Town Manager, to review amendment of this section of Marijuana Retail Application.*

Terry motioned to recommend approval of amendment of Marijuana Retail Application “Conflict of Interest” Section. Seconded by Ball. Vote 3-0.

D. State of Maine Salt Bid Offer to Municipal Towns: *Request of Town Manager to go forward with participating in the Statewide bid purchase for salt.*

Ball motioned to approve the Town Manager to go forward in notifying the State of Maine of Southwest Harbor’s interest in the salt bid process. Seconded by Terry. Vote 3-0

E. Carroll Tree: *Request of Town Manager to discuss any action on behalf of the Town in conjunction with Conservation Commission and Pemetic School.*

~Jim Geary provided an update regarding the Carroll Tree on Maple Lane. The school is willing to provide up to \$1,000.00 to trim the tree to ensure the children and teachers are safe. The Conservation Commission will match that if needed. There is enough money to trim the tree, so it no longer poses a risk.

~Terry expressed his concern that it may set a bad precedent. Terry agreed with trimming a hazard, but to remove it from a private property he did not agree with.

F. Town Garage: *Request of Town Manager to discuss infrastructure meeting schedule for Town garage.*

~Eric Hardy and Annaleis Hafford from Olver Associates are willing to come down to further discuss plans to move forward on the project.

~Board members discussed initial steps that should be taken before the public participated in the planning. Ideas of a possible new location were also discussed.

~Chairman Jellison expressed he would like to have a plan to put on the ballot in November.

G. Mask Mandate Removal: *Request of Town Manager to discuss removing the in-office mandate for masks.*

No motion made. It was determined that Terry had motioned to lift the mandate several meetings back and passed.

H. FY21 AUDIT ADJUSTMENT: *Request of Town Manager to discuss auditor account questions.*

~Chairman Jellison presented information related to his work with Amy Atherton, and Manager Lowell on the audit.

~ When the budget was created in 2020 the previous manager miscalculated the debt service. When the 2021 budget was adopted, there was not enough allocated to pay the bonds.

~ Amy Atherton has collaborated with Manager Lowell to formulate specific motions.

Ball motioned to cover expenditure lines overage amount of \$51,322.07 from remaining netted under budget expense lines. Seconded by Terry. Vote 3-0

Ball motioned to allocate \$100,000 from FY21 General Fund account balance to Paving Reserve G-1-220-39 and transfer any remaining unexpended balances to the Undesignated Fund Balance to clarify the vote of 10/26/2021. Seconded by Terry. Vote 3-0.

10. MANAGER REPORT:

~The front office continues to run smoothly with both Jennifer and Sarah taking classes, Becky and myself are also finding workshops to attend. We are seeing the flux of people coming back into town and registering vehicles, boats, ATV's and purchasing fishing licenses. Jenn is getting everything prepared for Town Meeting and election.

~ I have been working on the Town Report and have started printing. I am disappointed that the pictures are not in color, but they were overexposed and just did not look as nice. I am in hopes to have them ready for distribution by end of week.

~ I spoke with Lee Worcester about James Vallette's collection of cardboard at the upper parking lot, and he said it would not breach our contract if what were collected is not presented from the Town or any money received on behalf of the Town.

~ I did not get a response from Greg Johnston, but Annaleis from Olver Engineering reached out to Tony Dumais from Trillium Engineering Group, and we have a meeting set up for 4.12 or 4.13 @ a visit cost of \$1,700. They will be here for WWTP and will wrap our site visit into that.

~I contacted Amy Atherton, after meeting with George, about the last few items of audit, which should be done by end of month. They have been waiting for the school. She has had extra time and will be laying out the financials a little differently. There are items listed as revenues and they are not, so this new layout will give a clearer picture of this portion of financials.

~I have let PD and Ambulance know we will be having the dumpster in the upper parking lot taken away at the end of the current billing period. We are seeing businesses, the Housing residents and others using it opposed to taking their trash to the transfer station.

~Oliver and I met with a candidate for the Deputy Harbormaster and felt it very promising. Oliver has completed his training for Shellfish Warden.

~ Chief Hall has 4 prospective candidates for part-time dispatch positions and a current part-time dispatcher will be filling the full-time position in June. Chief Hall and Lieutenant Miller will be working out a schedule for the Police Officers also to help alleviate Officer Bernhardt from working so much overtime.

~I had a video chat with Mark Carter about our streetlights. It was interesting and I have sent him our last bill from Versant. With the analysis teams schedule it may be a couple of weeks before we get our analysis back.

~Our League of Town meetings are going to be face to face starting in Tremont on the 26th. We will still offer ZOOM for those that are not ready for the face to face.

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

~ Ball would like to have Harbormaster Oliver Curry investigate the Manset town dock safety. This was outlined as a concern in Norwood's resignation.

~Ball would like to have further investigation of technology to better allow for Zoom to be more effective.

12. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next regular meeting for Tuesday, April 26 at 6:00 p.m. at the Town Office meeting room.*

Ball motioned to confirm the date of the next regular meeting for Thursday, April 26 at 6:00 p.m. at the Town Office meeting room. Seconded by Terry. Vote 3-0.

13. ADJOURNMENT:

Terry motioned to adjourn. Seconded by Ball. Vote 3-0. 7:43 p.m.

Respectfully Submitted,

Jennifer E. LaHaye
Town Clerk

APPROVED

George Jellison, Jr., Chair

Carolyn Ball, Vice Chair

Allen Willey

Chad Terry

Vacant

Marilyn –

We reached out to Hewett & Whitney who was our subcontractor for the original plumbing, HVAC and electrical work for the garage.

They indicated that they would charge \$20,000 to update their drawings. All sheets are changing and they need to redo all calculations and design all the work they did originally due to the building being a different size. This is a lump sum.

For us to update all the sheets, contract documents, etc. and make all the changes and do the bidding and review of the bids and prepare a bid letter, (this would be about 4 weeks of people time) we would need to charge \$15,000 for design labor plus \$3,000 expenses) – Lump Sum.

So unfortunately, this is a total of \$38,000 to complete this work.

Please let me know if you have any issues with these numbers.

municipal bldgs CIP

474,158
- 10,000 - Heat Pumps FD
464,158