

SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. – Tuesday, June 10, 2025

MINUTES

- 1. CALL TO ORDER:** Burby called the meeting to order at 6:00 p.m.
- 2. ROLL CALL:** Noah Burby Chair, Chapin McFarland Vice Chair, Carolyn Ball, Natasha Johnson, Dan Norwood, Town Manager Karen Reddersen, Becky Gatcomb.

A. Excused Absences (*if any*): None.

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

Johnson motioned to adopt the agenda as presented. Seconded by McFarland. Vote: 5 | 0 | 0

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

A. May 27, 2025

Johnson motioned to approve the minutes as presented. Seconded by McFarland. Vote: 5 | 0 | 0

5. APPROVAL OF WARRANTS:

Town Payables: W#130

School Payroll: W#128

Town Payroll: W#0529, 0605, 0612

Conservation: W#0610-1, 0610-2

Trust & Agency: W#126, 127, 129

Johnson motioned to approve the warrants as presented. Seconded by McFarland. Vote: 5 | 0 | 0

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.*

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

Johnson motioned to recommend approval of the application of HR Beal & Sons, Inc. on behalf of Beal's

Lobster Pier, 182 Clark Point Rd., SWH for a Class D Special Amusement Permit. Seconded by McFarland. Vote: 5 | 0 | 0

C. Liquor License Renewal- Eat-A-Pita/Cafe 2 *Request of Cafe 2 Maine, LLC on behalf of Eat-A-Pita/Cafe 2, 326 Main Str., SWH for an On-Premises Beer, Wine, and Spirits liquor license renewal.*

The board discussed a complaint that the business was charging a credit card surcharge fee, which is not compliant with Maine's Title 9-A M.R.S. § 8-509 law, and whether that would affect the approval of its liquor license renewal. Town Manager Reddersen explained that Town Clerk Jennifer LaHaye had reached out to the Liquor License Enforcement Agent, who explained that neither the municipality nor the Liquor License Enforcement Agency has the authority to enforce this, and that there are circumstances in which this may be allowed. The proper channel would be to file a complaint with the Bureau of Consumer Protection, where it would be investigated. The board felt that filing a complaint would be too harsh for a first step. They recommended that Town Manager Reddersen write the business owners a formal letter from the town first, reminding them of Title-9 and asking that they comply.

Johnson motioned for Karen Reddersen to write a letter to remind local business owners not to charge a credit card fee against state statute. Seconded by Norwood. Vote: 5 | 0 | 0

Johnson motioned to recommend approval of the application of Cafe 2 Maine, LLC on behalf of Eat-A-Pita/Cafe 2, 326 Main Str., SWH, for an On-Premises Beer, Wine, and Spirits liquor license. Seconded by McFarland. Vote: 5 | 0 | 0

6. REGULAR BUSINESS:

A. MAIN STREET IMPROVEMENT PROJECT: *Request of contractor R.F. Jordan and Sons Construction, Inc. for an extension of time to complete project and to extend "one-way" alternating traffic.*

Annaleis Hafford with Olver Associates and Devon White with R.F. Jordan gave an update on the status of the Main Street Project, and asked for an extension on one-way alternating traffic up to June 20th. Hafford acknowledged the disruption it creates for the town and local businesses, but expressed concern that delaying the paving could result in increased costs for the town. She also explained that the number of days in the contract ran out on May 30th, which means that the town could begin collecting liquidated damages each day that the work extends past that date. Johnson expressed her disappointment that the board was not made aware of this date previously. Local business owners and residents expressed their concern with this proposed extension, as it negatively impacts their businesses. A resident noted that they'd never seen night or weekend work taking place, despite the board previously voting to allow R.F. Jordan to work on weekends. Johnson expressed her disappointment that this was not taken advantage of. McFarland stated that he felt that the extension should be granted to get the project wrapped up, and noted that R.F. Jordan seemed to have made a good faith effort to get it done. Norwood noted that, although he is frustrated that the town is in this position, the road can't remain in the current condition for another summer, and it would be in the best interest to grant the extension. The board, manager, and residents attending the meeting all felt that there needs to be some sort of plan in place to make this project a priority and discussed setting a date to collect liquidated damages. The board was divided on whether liquidated damages should, or could, be collected on June 21st whether the one-way traffic continued or not, as the project would still not be completed.

McFarland motioned to allow an extension of the Main Street Improvement Project timeframe, to include “one-way” alternating traffic, through Friday, June 20th, 2025 with liquidated damages to begin June 21st and with a good faith effort to do all other work by June 30th. Seconded by Norwood. Vote: 2 | 3 | 0 (Ball, Johnson, and Burby voted no). Motion failed.

Ball motioned to allow an extension of the Main Street Improvement Project timeframe, to include “one-way” alternating traffic, through Friday, June 20th, 2025 with liquidated damages to begin June 21st if the traffic continues one-way, and with a good faith effort to do all other work by June 30th. Seconded by McFarland. Vote: 4 | 1 | 0 (Norwood voted no).

B. UPDATE ON WWTP FUNDING LOAN: *Update on DEP srf loan by Interim Water/Sewer District Director regarding status of loan*

Town Manager Karen Reddersen and Interim Water/Sewer District Director Aaron Zurek updated the board on the status of the loan that was previously not closed on. They stated that it is currently in process, but the loan will be closed and added to the funding as is. Johnson questioned whether the prior error was that of the previous District Director or Olver Associates, but Zurek stated that he wasn't sure where the miscommunication happened, as he was not involved at that time. The board asked Karen to follow up and ensure it is closed properly this time around.

C. MDI SCHOOL REORGANIZATION: *Request by the Select Board Chair to discuss the designation of a Select Board Liaison to attend meetings related to this proposed reorganization.*

The board discussed the proposed reorganization and consolidation of schools on MDI. Several residents gave their input and asked questions. Burby noted that there are two separate issues – the consolidation of schools, and the reorganization to an RSU. There is a meeting being held at Pemetec School on June 30th, 2025 to take input and answer questions. The board opted not to designate a liaison at this time, as they felt it would be too premature. Several Select Board members plan to attend this meeting and will gather more information for a future discussion.

D. CONSIDERATION OF REMOVAL OF JULY 8, 2025 SELECT BOARD MEETING FROM SCHEDULE: *Discussion of the removal of a Select Board meeting set for July 8, 2025.*

In years past, the Select Board would often drop down to one meeting per month in the summer, although this has not happened in several years. To accommodate the schedules of the Select Board members, the board opted to remove the July 22nd, 2025 Select Board meeting from the regular meeting schedule. (*Please note that later in the meeting, the board decided to hold an Ordinance Workshop Meeting on July 22nd.)

Johnson motioned to remove the July 22nd, 2025 Select Board meeting from the schedule. Seconded by McFarland. Vote: 5 | 0 | 0

E. RECOGNITION OF VOLUNTEERS FOR MANSSET PIER DECKING PROJECT: *Request of the Town Manager to recognize those involved in the redecking of the Manset Pier.*

Town Manager Reddersen wanted to recognize and thank the harbor staff and volunteers involved in the redecking of the Manset Pier. The board thanked those that helped, and members of the audience expressed that it looked great and felt sturdier. Nick Madeira of the Harbor Committee noted that, although it looks great, this is a temporary fix, as the engineers stated it would need to be topped with marine grade pressure treated wood.

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

Town Manager Karen Reddersen presented the financial reports for the month of May. Members reviewed. No Action.

8. LIAISON REPORT:

- Norwood reported that the Harbor Committee is making headway on the Lobster Buyer Policy and are planning to make recommendations to the Select Board. They are also working on the Harbor Use Policy.
- Johnson reported that the Chris' Pond Celebration is being held on June 17th, 2025 on Chris' Lane.
- Ball reported that she received the signup to join the Pink Flamingo Parade, if there was any interest from the board members, employees, and families. Due to scheduling conflicts, there appeared to be no interest in signing up at this time.
- Burby reported that he'd begun researching signs that could be placed coming onto the island warning vehicles not to transport firewood, in response to the Emerald Ash Borer found on MDI.

9. MANAGER REPORT: See report filed at the Town Office.

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

- Chamber of Commerce
- Musson Group – Strategic Plan
- Highway Garage Plan update
- Proclamation for Library
- Harbor Committee selection process and appointments
- Parking Ordinance/RVs on Main St*
- Harbor Ordinance*

*The board discussed holding a special “Ordinance Workshop” meeting on July 22nd.

Norwood motioned to hold a working session for ordinances on July 22nd, 2025 at 6:00 p.m. at the Town Office Meeting Room. Seconded by Johnson. Vote: 5 | 0 | 0

11. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next meeting for Tuesday, June 24th at 6:00 p.m. at the Town Office Meeting Room.*

McFarland motioned to confirm the next meeting date for Tuesday, June 24th, 2025 at 6:00 p.m. at the Town Office Meeting Room. Seconded by Norwood. Vote: 5 | 0 | 0

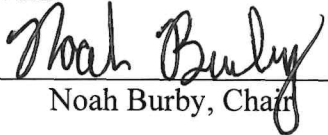
12. ADJOURNMENT:

Johnson motioned to adjourn the meeting at 8:15 p.m. Seconded by McFarland. Vote: 5 | 0 | 0

Respectfully Submitted,

Becky Gatcomb
Deputy Treasurer

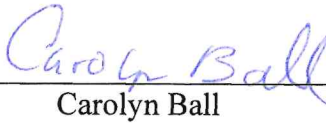
APPROVED



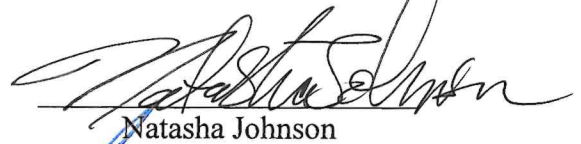
Noah Burby, Chair



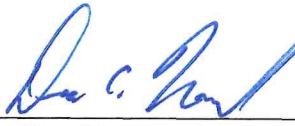
Chapin McFarland, Vice Chair



Carolyn Ball



Natasha Johnson



Dan Norwood