

SELECT BOARD MEETING
Town of Southwest Harbor
Town Office & Via Zoom*
6:00 p.m. – Tuesday, June 24, 2025

Minutes

1. **CALL TO ORDER:** Burby called the meeting to order.
2. **ROLL CALL:** Chair Noah Burby, Vice Chair Chapin McFarland, Carolyn Ball, Dan Norwood, Town Manager Karen Reddersen, and Town Clerk Jennifer LaHaye present.

A. **Excused Absences** (*if any*) Natasha Johnson.

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

Norwood motioned to adopt the agenda as presented. Seconded by McFarland. Vote: 4-0-0.

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

A. June 10, 2025

No action taken, the minutes were not in the packet for review.

5. **APPROVAL OF WARRANTS:**

Town Payables: W#136

Town Payroll- W#0618,0626

Trust & Agency- W#132,135

School Payables: W#131,134

School Payroll- W#133

Conservation Warrant- W#0624

Norwood motioned to approve the warrants as presented. Seconded by McFarland Vote: 4-0-0.

PUBLIC HEARING:

- A. **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 motioned for 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 Norwood. Vote: 4-0-0.

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

McFarland motioned 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 Norwood. Vote: 4-0-0.

- C. License for an Incorporated Civic Organization:** *Request of Ingrid Kachmar, on behalf of Harbor House Community Service Center, 329 Main Street, SWH for an Incorporated Civic Organization License for Polo and Yacht Club Fundraiser.*

McFarland motioned 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 Norwood. Vote: 4-0-0.

6. REGULAR BUSINESS:

- A. Discussion of Harbor Committee Structure, Criteria for Appointment and Potential Appointment of members:** *Request of the Select Board Chair to discuss the structure of the Harbor Committee, the criteria for selection of members, and possible appointment of new members.*

Members of the board discussed the structure of the committee. Nick Madeira Chair of the Harbor Committee advised that many of the Harbor committee members believed nine members was a manageable number. He advised that Christopher Clark was present at all the meetings, Roni Musetti also has attended regularly, as well as Ryan Donahue. He noted that they had not seen Jad (Jonathan Dow) at recent meetings. Town Clerk LaHaye reported only hearing back from Christopher Clark and Roni Musetti when asked if they were still interested in being appointed. Mr. Clark was the only candidate present at tonight's meeting. Ball noted it was commendable that Mr. Clark has been so involved not only in the Harbor Committee meetings, but has continued to show interest and dedication to attending, other meetings, including the select board meetings.

McFarland motioned to appoint Christopher Clark as a Harbor Committee member for a three-year term effective until June 30, 2028. Seconded by Ball. Vote: 4-0-0.

- B. Presentation by Musson Group:** *Presentation by the Musson Group of proposed Island-Wide Strategic Plan and GIS Housing Software*

The Musson Group has been working with the League of Towns to identify strategic priorities that are facing the region. Two workshops have been conducted with elected officials to help identify both opportunities and challenges. A draft island-wide strategic plan is being developed, and to assist in this process, presentations are being conducted to Select Boards across the region, along with public information sessions to gather additional data. The Musson Group has also developed a GIS Housing Software Program that assists in identifying potential land locations that may support affordable and workforce-friendly housing.

- C. Presentation by Chamber of Commerce:** *Presentation by the Chamber of Commerce of upcoming activities and engagement with the Town of Southwest Harbor*

The Chamber presented to the Select Board. Many Chamber board members were present, as well as the president Holly Masterson. Masterson provided an overview of the projects they have been working on such as the recent flag project, fireworks, and the finish line celebration that joins with the MDI Marathon. She said the Chamber wishes to continue supporting the local businesses. They are also looking to build up the Octoberfest event to what it used to be prior to Covid. In the future, they hope to build the flag project and increase the number of flags. Currently the Chamber does not receive any funds from the Town. They have been able to fund some of their projects through donation and membership of local businesses.

D. Planning Board By-laws: *Request of the Town Manager to review and approve bylaws of the Southwest Harbor Planning Board*

No action taken. Ball shared several items that she felt needed to be updated. It was noted this was the second time the board members had reviewed a draft document. It was decided due to potential changes within the Planning Board ordinance itself; it would be best to table the By-Laws at this time.

E. Planning Board Ordinance: *Request of the Town Clerk to review the proposed changes to the current ordinance.*

No action taken. Ball shared several items, she felt needed to be updated. It was decided to review again during the Ordinance workshop. Several changes were suggested. Town Clerk LaHaye did request a review by the select board to provide a secretary to the Planning Board. Clerk LaHaye expressed having challenges with municipal staff attending Planning Board meetings, as they are lasting longer, more complex, and increasing the workload. It was discussed that all other committees aside from the select board have a secretary and provide the minutes to staff. It was suggested looking at other options or volunteers that may be willing to attend and record minutes.

F. Town CD Maturity: *Request of the Town Manager to review the proposed CD rate structure of current matured CDs*

McFarland motioned to invest in two certificates of deposit, one at twelve months, one at six months at the highest percentage rate with Bar Harbor Financial Services, with an alternative if not available, at the second highest rate. Seconded by Norwood. Vote: 4-0-0.

Town Manager Reddersen reports the Town currently holds two Certificates of Deposit that have matured on June 17th and June 18th with balances of \$129,000 and \$128,000 plus interest. Reddersen provided the current range of options at Bar Harbor Financial Services who offer 6-month CDs at 4.30%, 4.35% or potentially 4.40%; 9-month at 4.35%, 12 months at 4.10%, 4.20% or potentially 4.30% (depending on availability). Bar Harbor Bank and Trust offers 6-month CDs at 4.10% APY and 9-month CDs at 4.00%.

The CDs with Bar harbor Financial Services are limited, and then the bank would have an alternative. Reddersen confirmed Bar Harbor Financial Services is an affiliate of Bar Harbor Banking and Trust.

G. Alder Lane Easement: *Request of the Town Manager to review an easement request by Benny Boy LLC for underground pipeline on Alder Lane*

The Town received a request for an easement by Benny Boy LLC for an underground pipeline on Alder Lane, in the Town's right of way. This is a private sewer line request.

Town Manager Reddersen requested review and recommendation by the Southwest Harbor Water and Sewer District, as well as legal counsel review. At the last District meeting, June 18, 2025, the Water and Sewer District Board of Directors discussed this request, and with the recommendation of Aaron Zurek, District Director, acted to not support this request as presented. Reddersen reported there were concerns about a private sewer system utility in the Town's public right of way. Reddersen reported that legal counsel has determined that the request is not an actual easement and would need to be brought to the Town for a vote and would not be able to be authorized by the Select Board, as presented.

Greg Johnson, the engineer of the Benny Boy LLC project, was present in the audience at this meeting. Johnson reported about 15 years ago an element on Alder Lane, where it reaches Shore Road which has caused septic failures. He reports an individual was going to build a private lift station and came to the town around with this request in 2010. This line currently pumps up Alder Lane now and enters the public works line. At the time of design, the purpose was to design it to the size that allows other people to join. Currently there are four people connected. The purpose was to service a greater area. Johnson reports they know how much ledge to cut though, they need to open the road, and the contractors are familiar with this process. Johnson expresses concern about why it is not supported now. The residents requesting this are funding the project and would be responsible for it. He hopes the Select Board can keep an open mind when exploring this.

Ball wanted to know why the town does not take over the lift station, doesn't this solve the problem? She noted that there are residents that need septic and questioned if it should be the responsibility of the Town to take this one. Scott Alley expressed he has concern if something happens and someone else comes in and takes ownership of these homes and cannot afford to pay for any future failures. He expressed their concerns for the utility ditch being paved over and now showing reflective cracking on the road and creating ice on the road. Alley reports he had issues with this last year. Johnson reported there have been fifteen years of no problems. He expressed the Town should not be living in fear and believes there is evidence over the years there have not been problems.

Norwood stated there was a need to come up with a plan together that satisfies the need of the Town to protect the road, and the District's need for long-term protection of the line.

Outcome: Mr. Johnson will meet with the District again to have further dialogue of what could be agreed upon. The board will table this discussion until further information is provided to them.

Norwood motioned to table this action until further information. Seconded by McFarland. Vote: 4-0-0.

H. LD1920-Act to Prohibit the Sale of Potentially Intoxicating Hemp Products to a Person Under 21 Years of Age: *Request of the Town Manager to review the emergency legislation passed to Prohibit the Sale of Potentially Intoxicating Hemp Products to a Person Under 21 Years of Age*

Town Manager reported that LD1920 was approved by Maine Legislature, prohibiting the sale of potentially intoxicating hemp products to a person under the age of 21 by emergency legislation. She noted there are concerns that these intoxicating hemp-derived products (IHDPs) can be readily available to youth at this time. Reddersen reports she and Town Clerk, and Code Enforcement Office John Larson met in a phone meeting to speak to the Town's Attorney to further explore options if the board felt they wished to file a moratorium. The topic of vape products also was briefly discussed. Office staff have taken several phone calls related to a potential vape store within the Town.

Tyler Johnson, owner of Meristem LLC, was present at the meeting along with his manager. He stated that he has gone through many hoops to be able to legally sell cannabis products. He advised that these products that are being sold in convenience stores, or at restaurants are not regulated, and could easily fall into the hands of people that should not have it, including children. He reported that many of these products are lab created with no studies or lab records. Some of these products can be referenced with terms that are not acceptable in regulated cannabis products. He feels this has unintended consequences and wishes to attempt to mitigate public risk. Johnson suggested further research be conducted, and potentially amending the Marijuana Ordinance that is currently in place to include language identifying "intoxicating hemp derived products and or chemically derived THC products." He also recommends engaging with other towns and seeing what they have in place already or in the future.

Board members were shown various hemp derived products that were purchased within town. Members noted that many of the products were colorful and would pique an interest in younger aged children. It was noted those products could be sold anywhere, and there was no restriction on them at this time.

Town Manager Reddersen clarified that a special election would need to be called to have the moratorium it must be voted on by the voters. The Town cannot ban the sale of a legally sold product but can have some limitations of where an approved vender can sell, with possible changes made to The Land Use Ordinance and or amending the current Marijuana Ordinance. Board members wished for Manager Reddersen to further explore options with the attorney.

Norwood motioned to direct the Town Manager to explore options for placement of moratorium for intoxicating hemp derived products/ or chemically derived THC products. Seconded by McFarland. Vote: 4-0-0.

7. LIAISON REPORT:

No reports presented.

McFarland noted he had spoken to Chief Chisholm earlier in the day regarding the overtime rate that impacts two employees that work within the Town who are also volunteers with the Fire Department. He encouraged discussion with the Town of Mount Desert. Manager Reddersen advised she has consulted with the attorney with the specific language McFarland had provided to her and is waiting to hear back with an answer. She clarified to other board members that it was specific to employees' overtime rate of pay, and having to pay the overtime rate at the highest pay. She has asked for further clarification and will provide an update once she receives a response from the Town's Attorney. McFarland advised that Mount Desert has been able to pay regular wage rates for employees who also work for the Fire Department or employees who volunteer for the department.

8. MANAGER REPORT: See full report filed at the Town Office.

Manager Reddersen provided an update on the following topics:

- Wastewater Treatment Plan continues to move forward, they will meet Thursday for the monthly update.
- The Main Street project is substantially completed, and they will demobilize shortly, with punch list items still pending.
- The painting of the lines on the road is scheduled for tomorrow.
- Ordinance updates and a scheduled workshop will happen July 22nd with the Select Board
- The Celebration of Chris's Pond took place and was a successful turnout.
- League of Towns met earlier today, Jesse Dunbar Manager of Tremont will be Chair, and Manager Reddersen will fill the Secretary position.
- Library Proclamation has been drafted, a celebration will be held on July 21, 2025 at 4:30 to celebrate 130 years of operation.
- DOT has been contacted regarding the striping of lines near the IGA. They advised her to call back, Manager Reddersen has contacted them several times regarding this matter.

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

- Audit
- Mini Strategic Plans

10. NEXT MEETING DATE: *Adoption of a motion to confirm the date of the next meeting for Tuesday, July 8th at 6:00 p.m. at the Town Office Meeting Room*

Norwood motioned to confirm the next meeting for Tuesday, July 8th, 2025 at 6:00 p.m. at the Town Office meeting room. Seconded by McFarland. Vote: 4-0-0.

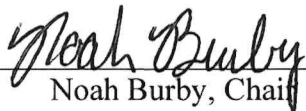
11. ADJOURNMENT:

McFarland motioned to adjourn the meeting. Seconded by Norwood. Vote: 4-0-0.

Respectfully Submitted,

Jennifer E. LaHaye
Town Clerk

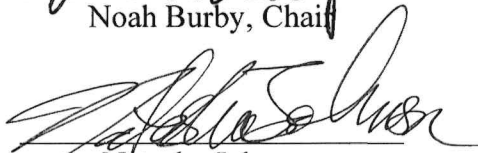
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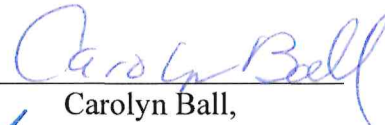
Noah Burby, Chair




Chapin McFarland, Vice Chair



Natasha Johnson



Carolyn Ball,



Dan Norwood