



Board of Selectmen
Tuesday, October 11, 2011 @ 6:00 P.M.
Southwest Harbor Town Office
PUBLIC HEARING
AGENDA

- I. Call to Order/Roll Call: The meeting was called to order at 6:01 p.m.
Present: George Jellison, Jr., Tom Benson, David Minctons, Ralph Dunbar, Jr., and Interim Town Manager, Donald R. Lagrange.
Visitors: Jason Wimbiscus, Jim Colquhoun, David Chapais, Jim Willis of Woodward Curran, Kristin Hutchins, Sandra Johnson, Dick Broom
- II. General Assistance Appendix Approval (motion): The Chairman opened the Public Meeting and asked for any public comment – there was none.
It was Moved Benson and Seconded Dunbar, to approve GA appendices A – C as presented and sign the document. Vote: 4 – 0.
- III. Close Public Hearing: It was Moved Dunbar and Seconded Minctons to close the public hearing at 6:04 p.m. Vote: 4 – 0.

Regular Selectmen's Meeting

- I. Call to Order: The Regular Selectmen's Meeting was called to order at 6:05 p.m. All members present.
- II. Visitors to be heard not on the Agenda: Hutchins said she appreciates the efforts of the engineers and contractors working on Wesley Avenue, as they have made every effort to accommodate the resident during the construction.
- III. Approval of Minutes of September 27, 2011 and October 5, 2011: It was Moved Dunbar and Seconded Minctons to approve the minutes of 9-27-11 as presented. Vote: 4 – 0. It was Moved Benson and Seconded Minctons to approve the minutes of 10-5-2011 as presented. Vote: 4 – 0.
- IV. Manager's Report: Lagrange said the Auditors will provide a draft audit the first week of November excluding the school information. Weight limit on the Lower Town Dock is 32,000 pounds, and the engineer is calculating the Manset Pier and will have it done by the October 25th meeting. Weight limits will be posted. Sewer plan: there are 26 lights with only 5 working creating a hazard. There had to be additional lights brought in when working on the clarifier. Biegler bought the inside lights for the tank room through Gillman Electric at wholesale prices and got a 20% rebate from the Maine Energy Commission – at the same time it was found that the outside mercury vapor lamp was causing difficulty and that was changed to comply with the LUO as it refers to dark sky. These lights

do not have a 20 year life span, and the sewer ordinance is specific that these do not qualify for the infrastructure funds; however, there are funds available. The electrician who services the sewer plant on an emergency basis was asked to give a price – it was \$75/hour, and this coupled with the rebate and wholesale price of the lights was a great savings. This should be an operational expenditure and the remaining balance from the clarifier funding should be paid back to buy down the loan for the clarifiers. Lagrange said \$9,816 was left from the clarifier loan. It was Moved Dunbar and Seconded Benson, to take the remaining funds of \$9,816 and pay down the clarifier loan. Vote 4 – 0.

The Engineer and Lagrange recommend that the Selectmen accept the easements required for the work on Main Street at the Ball property and Three Rod Road, since waiting for the State to work through their process and own the easements is a long and time-consuming effort. Copies of the easements the Town will take are in the packets. It is allowed by law that the Selectmen accept the easements. Kings Lane has had 545 feet of shim coat over the worst part of that road. Hutchins questioned whether Kings Lane was a priority, and suggested the Selectmen consider other places to put their funds. Lagrange agreed with this, pointing out that the fine shim coat has only temporarily fixed the road. Lagrange said water Terms and Conditions attached to the packets will be answered at the next meeting – if there are no concerns these will be forwarded to PUC – these changes reflect the PUC requirements. Dunbar asked for a copy of Chapter 660 which was referred to. Walsh will forward that information on Wednesday. There will be a water shut off on Thursday from the Bike Shop on Main Street to Apple Lane. Time frame is 4 – 6 hours. Notices have been passed out. Lagrange presented the Maine DOT agreement with the Town, received late this afternoon. This will be addressed by Mr. Wilson of Woodard & Curran. The State will be assisting with expenses by funding the Town around \$100,000. These monies are for the storm water project on Main Street requested by DOT.

- V. Warrants: Administration 49-55 Water 23-25 Sewer 13-16
Mansell/Wesley 8

- V. Old Business
 - a. Wesley/Mansell
 - i. Acceptance of Easements: Mr. Wilson presented an update on Mansell & Wesley saying Mansell is suspended for the season. At Wesley Avenue: water line and services complete, sanitary line and services are complete and storm drain work and paving are currently underway. On Main Street, the Ball tree was removed – the line under Three Rod Road was worked on today and water line relocation and storm-water work is underway. The 12” line on Wesley was found to have pressure in the line – the first of the week those involved will recommend shutting down water on Main Street to cap the main on the further (east) side of Main Street, which is the safest way to handle those pipes. Regarding the Budget, the original scope of service did not include Main

Street to the Ball property. MDOT asked to include the drainage of Three Rod Road, and extend the storm water run off down the Ball property to the shoreline. Additions to the budget were: Johnson to Ball at \$114,000. Discussions with MDOT added more costs with a total that would look like \$190,000. MDOT has agreed to fund up to \$100K for their portion of the project. Willis said the project is tracking under budget currently. At the last minute the easements changed from having the State hold the easements to having the Town hold those. MDOT will reimburse the Town in thirds. Woodard and Curran have already outlined the manner in which these will be submitted. Every easement has its own easement plan and Woodard and Curran have those on file. Dunbar asked about the curbing on Mansell. That will be priced and done in the Spring. The possibility of extending the sewer line up on the south side of Wesley will be brought before the Board next meeting. It was Moved (Dunbar) and Seconded (Minctons) to authorize the Interim Town Manager to sign the document with MDOT authorizing MDOT pay the Town \$100,000 towards the project. Vote: 4 – 0. Lodge expressed concern over what it would cost the Town to maintain the easements. Lagrange said this is a clarification and it is a benefit to the Town to own the easements – it is a safer avenue in the long term and Willis said the piping used will have at least a 70 year life. It was Moved (Dunbar) and Seconded (Minctons) to authorize approval of the easements needed by the Town for the storm water run off, as prescribed. Vote: 4 – 0. The MDOT document was signed and original given to Mr. Wilson.

- b. Clark Point/Lower Town Dock (PWD): Ring Paving will be doing the asphalt work at the beginning of the week or the end of this week. Dunbar said this is the best time of year to do the project. Dunbar suggested the Town should proceed. Dunbar said there was a bit over \$19,000 in the budget for this – prior CIP reserves are close to \$180,000 – discussing the Lower Town Dock – auditors said the project was overspent by \$7200.40 and they recommended that money come out of an older reserve account. Lagrange explained where the funds for these two projects would come from. He asked for authorization to continue paving the lower Clark Point Road and the Lower Town Dock for a total sum of \$71,655.00 which does not take into account the thickness of the asphalt. Dunbar said even with the \$3K increase the time is right and he doesn't see anything getting cheaper in the future – It was Moved Dunbar and Seconded Minctons to move forward with additional funds to do the Lower Town Dock and Clark Point paving as prescribed. Vote: 4 – 0. It was Moved Dunbar and Seconded Benson to take the auditors recommendations to take money from accounts 220-86 and 221-13, a total of \$7,230.40, which will close those accounts and pay off the Lower Town Dock overage. Vote: 4 – 0.
- c. Crack Sealing: Biegler got an estimate of approximately \$8900 to do the crack sealing. Dunbar said he was looking for more

information in terms of references/recommendations rather than an estimate. Benson agreed he would like to have more references before making a decision. This item tabled until warmer weather. The Board agreed to talk with other towns and see how they did their project and how they feel about the results.

- VI. New Business
- a. Shellfish Committee recommendations: Jim Colquhoun explained that on an annual basis they recommend the licensing proposal for the next year – if the Board approves the recommendation Jim will forward it to the Department of Marine Resources – this approval will allow selling shellfish licenses for 2012. The same recommendation has been made: \$20 resident adults, non resident \$40 and youngsters 15 and under are free. The Shellfish Commission does not recommend commercial digging at this time. It was Moved Dunbar and Seconded Minctons to approve the Shellfish Committee fee recommendations for the 2012 year of \$20 for residents, \$40 for non-residents, free for children under 15, and that no commercial digging be allowed at this time. Vote 4 – 0.
- b. Lower Town Dock Funding: discussed previously under item b, Old Business.
- IX. Other Business: Johnson asked if there was any progress with the Town Manager search. Jellison said the Board will have a conversation with a candidate tonight by phone.
- X. Sign Warrants: It was Moved Dunbar and Seconded Benson to approve warrants: Administration 23-25, Sewer 13-16, Wesley/Mansell 8, as presented. Vote: 4 – 0.
- XI. Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A), Personnel Matters. It was Moved Minctons and Seconded Benson to go into Executive Session at 7:13 p.m. Vote: 4 – 0.
- It was Moved Minctons and Seconded Benson to come out of Executive Session at 8:19 p.m. Vote: 4 – 0.
- XII. Adjournment: It was Moved Dunbar and Seconded Benson to adjourn the meeting at 8:20 p.m. Vote: 4 – 0.