

Board of Selectmen  
Thursday, February 16, 2012 @ 6:00 P.M.  
Southwest Harbor Town Office

AGENDA

- I. Call to Order/Roll Call: the meeting was called to order at 6:00 p.m.  
Present: Dan Norwood, Tom Benson, George Jellison, Jr., Ralph Dunbar, Jr., David Minctons, Town Manager: Donald Lagrange.
- Visitors: David Corrigan, Tabbetha Newenham, Michael Young, Pete Madeira, Donald Lodge, Dick Bloom, Dick Dimond, Sam Chisholm, Melissa Berry, Anne Welles, Michael Levesque, Jason Wimbiscus
- II. Visitors to be heard not on the Agenda: none
- III. Approval of Minutes of January 24, 2012 and January 30, 2012 : It was Moved (Minctons) and Seconded (Norwood) to approve the minutes of January 24, 2012 as presented. Vote: 5 – 0. It was Moved (Norwood) and Seconded (Dunbar) to approve the minutes of January 30, as presented. Vote: 5 – 0.
- IV. Manager’s Report (comments): Introduction of David Corrigan, new Public Works Director. Lagrange said Corrigan has all the qualifications needed to assist with the infrastructure work we have ahead of us. Christmas freeze up downstairs: Lagrange said the insurance had a \$1,000 deductible and repairs cost \$2,500. In the Select packets was a statement of loss for the Pemetic school sprinkler flooding. The pump at the Clark Point station went down and while the Town usually has a spare pump on hand Hayes did not return the last one sent to them for reconditioning and this caused a delay. Also burned out a motor, and had to call in an electrician. There was a need to monitor the pumping station to be sure the well didn’t overflow. This should be discussed fully at the Water/Sewer meeting. Scott Alley provided a Doctor’s letter indicating he can come back to work in 4 weeks. At that time, we will discuss his job parameters. Lagrange received a letter of resignation from Jim Snowe of the Harbor Committee – asked for a motion to accept. It was Moved (Dunbar) and Seconded (Norwood) to accept Mr. Snow’s resignation with regret, and stating for the record that Mr. Snow has served the community well for many years. Jellison also expressed regrets that he was resigning from the position, and agreed Mr. Snow had been a very effective member of the Harbor Committee, and would be missed. Vote: 5 – 0.
- V. Warrants: Administration 129,130, 132, 135 Water 2 Water Dept. Upgrade 3 Sewer 28 Mansell/Wesley 134 School 131, 133

V. Old Business

- a. Warrant Committee Ordinance (Dunbar): Jellison referred to the timeline in the packet which explains when items are due. Dunbar originally felt that the committee should look at the dates, but after reviewing the timeline, he feels there is no action to be taken. Dimond said the times required also pressured the school to get their figures to the Town. If future warrant committees were willing to complete their review in a week or two, it would allow the Board more time. Dimond said he commended Lagrange for getting the materials in order.

VI. New Business

- a. Warrant Committee report (Young): Compared to the current budget, the Warrant Committee recommendation provides larger critical reserves. Young referred to the spread sheet circulated, saying as a cost-saving measure, the Committee recommended eliminating the holiday party funds; the Committee would like to see the harbor more self-supporting, although this year it was better, and they recommended the flat-funding of the non-municipal applications excepting Island Explorer, Harbor House, Library and Ambulance. The Committee felt strongly that the Nursing Service be funded the same as last year. The Warrant Committee also felt the ambulance association should let the public know they are not a municipal service. Regarding the land acquisition, the Warrant Committee felt it was putting the cart ahead of the horse, to put money in a reserve fund for that specific property. The Committee came out less over the initial numbers presented, and felt they could add water and sewer infrastructure reserves. Dimond said budgets recommended by both the Board and the Warrant Committee, makes the tax burden goes down, but the Warrant Committee allows for two reserve accounts, and does not put money away for land acquisition. Dunbar said in the Board's budget the highway funding was increased to make that highway/infrastructure to include sewer and water. Young said having all non-municipal funding applicants travel to meet with the Committee puts a burden on them, when often the Committee requires no additional information. The Committee would like to change that stipulation to "if requested by the Warrant Committee" they appear before the committee. Lodge said they appreciated the effort of Lagrange and the Board in keeping the budget down this year – the results were impressive. Jellison asked the Board their thoughts on whether there should be a short budget meeting prior to the next Selectmen's meeting. Norwood said there should be a time to do that at the next meeting – Jellison suggested 5pm prior to the next meeting – Board agreed. Walsh will post.
- b. Municipal Appointment – Corrigan to ADD: It was Moved (Norwood) and Seconded (Benson) to appoint David Corrigan as representative for the Town of Southwest Harbor to the Acadia Disposal District. Vote: 5 – 0.

- c. Library Ex-Officio to Board of Trustees (Jellison): Norwood volunteered to be the ex-officio to the Library Board. Walsh will obtain the schedule of meetings.
- d. Liquor License Renewal – The Captains Galley (Madeira): It was Moved (Mincions) and Seconded (Benson) to approve the liquor license application for renewal from the Captain’s Galley. Vote: 5 -0.
- e. Volunteer application for Harbor Committee – Weldon Leonard; Lagrange said the applicant has withdrawn his application by memo.
- f. Quitclaim Deed: Lagrange said the land owner has paid all the taxes. It was Moved (Norwood) and Seconded (Benson) to execute a Quitclaim Deed for map 3 lot 8. Vote: 5 – 0.
- g. 1981 Ladder Truck Re-Gift (Chisholm): It was Moved (Dunbar) and Seconded (Mincions) to re-gift the 1981 ladder truck to the Town of Sorrento. Vote: 5 – 0.
- h. School Consolidation Warrant (from Liebow) [move to accept] : Michael Leveque said he would like to Board to reject this vote as it is too many choices, and doesn’t want the small children to be shipped to Tremont. He felt that the two options will not save any significant money or increase the educational prospects. Lodge said the Warrant Committee also felt the three questions were confusing. Dunbar said the problem in trying to change this means we need to mirror what Tremont does. He feels the ball is in the lap of Tremont to pursue this, and doesn’t feel three options are a good idea. Benson said the Tremont School property could revert to the Park if it is not used for school purposes. Benson said it is too soon to vote on this and it is set up for failure. Dunbar said it is a non-binding referendum to give direction on how to move forward. If we give them no direction, there is nowhere to go. It was Moved (Dunbar) and Seconded (Benson) to table the School Consolidation Warrant for Town Meeting vote on May 8, 2012 until the next Selectmen’s meeting and to discuss this with Tremont prior to that time. Vote: 5 -0
- i. Board of Selectmen Secretary (Dunbar): The Board agreed to continue Walsh in the position of Secretary to the Board of Selectmen.
- j. Infrastructure Committee report (Benson): First meeting discussed the Seal Cove Road. Benson said he was under the impression that the grant was for the westerly culvert near the town garage. Corrigan said he met with Inland Fisheries and Olver and the grant is for the smaller, east culvert and not the larger, west culvert by the garage office. Lagrange said a FEMA grant was started, but during the transition from him to Biegler, that seems to have gone away and the Inland Fisheries came forth with a grant which turns out to be the east branch. The Park is interested in doing that area in 2013, and we would qualify for a grant for that. Lagrange suggested doing the east branch of Marshall Brook this year with the State grant, and proceed up the hill on Seal Cove Road. In the meantime, the Town should work with the Park Service and DEP

to get on next year's schedule with as much grant money as possible. Lagrange pointed out that the culverts are going to raise the road elevation. He said that he and Corrigan would take this to the next infrastructure committee meeting and come back to the Board with a recommendation. Dunbar said to make sure the Inland Fisheries, DEP and the Park are all involved in this.

- k. Ballot Clerk Appointments: It was Moved (Benson) and Seconded (Mincions) to appoint Beatrice Grinnell as registrar of Voters. Vote: 5 – 0. It was Moved (Mincions) and Seconded (Benson) to appoint Dianne Norwood Frost as Warden. Vote: 4 – 0 – 1 (Norwood abstain). It was Moved (Mincions) and Seconded (Benson) to appoint the following ballot clerks: Kristin Hutchins, Debra Sanner, Richard Dimond, Virginia Holden, Kenneth Minier, Patricia Minier, Dorothea Mead, Mildred Thurston, Pauline Norwood, Bonnie Murphy, Elizabeth Gaiser, Elizabeth Radcliff, Jeffrey Forthofer, Kimberly Forthofer, Debra Alley, Laurel Norwood, Mary Jellison, and Nancy Cochran. Vote 4 – 0 – 1 (Norwood abstain).

- l. Water tank: Lagrange cited the 20% relief on the project and would like to have a direction on which option to go with to go out to bid on the project. Corrigan said there were quotes from 3 tank companies previously. He met with Olver, searched the internet and visited Seal Harbor's concrete tank, and everything he found cost wise is minor; together there is less than 5% difference in price. The concrete tank appears to be the favorable one based on all his conversations. Jellison asked if the foundation had to be that much different and does it add more to the cost. Corrigan said the concrete tank will require a larger staging area and will require some tree removal. However, he pointed out that more sunlight means less outside maintenance. Benson said it is a fairly steep site and drops off fairly quickly. Will that require more fill? Corrigan said they have visited the site and indicated that only trees needed to be removed. Dunbar questioned the ground work cost, and expressed concern about the space and cutting trees as that is a residential neighborhood. Will we need a bigger tank in 80 years and how much impact to the land are we talking about? Corrigan said the size of the tanks is very much similar to the existing. Olver reported that the tank personnel have been to the site. Mincions asked about the foundation that exists. Corrigan said it is not usable in either scenario. The Board needs a dollar price to take to the voters. Dunbar pointed out that there is a price that may be used to write the warrant article, that being around \$696,000. His concern is the impact on the land, cutting trees, etc. Benson said Olver should be able to rough out the impact for Board review. Dunbar asked Corrigan for a rough drawing from Olver for both scenarios to see the impact each would have. He also asked about being locked into the Bond Bank, and wondered if the figure should be lowered. Lagrange said we have asked them to proceed based on that figure, and we are on their preferred list – a letter went out. The Town is not obligated for the full

amount. There will be information on the two scenarios brought to the Board at the 28<sup>th</sup> meeting. Benson presented a quote from Butler to remove the old tank.

- IX. Other Business: Dunbar said he would like to make everyone aware of the substantial increase in the high school budget, and encourages everyone to go to the March meeting. Dimond said SWH and Tremont are minority shareholders in the decision process, and in his limited experience, the only way to influence everything is for the school committees to get 150 people to go to that meeting. Dimond suggested a petition could be started and forwarded to the regional school committee. The town will place an ad encouraging attendance at the April meeting at the High School.
- X. Sign Warrants: It was Moved (Dunbar ) and Seconded (Benson) to approve the warrants as presented. Vote: 5 – 0.
- XI. Adjourn Selectmen’s Meeting to open Water Sewer Board Meeting It was Moved (Mincions) and Seconded (Benson) to adjourn the regular Board of Selectmen’s meeting at 7:46 p.m. Vote: 5 – 0.

### Water/Sewer Board

- I. Call to Order: The Meeting was called to order 7:55p.m. All members present.
- a. Water budget: Lagrange said in-house Newenham and Lessard worked on this water budget and is on a calendar year basis based on expenses and potential wages. This is a guideline to proceed, and hopefully next year it will be more finely tuned and will be a better tool to operate the water department. Lagrange asked the Board to approve this budget for 2012. Dunbar asked if public fire protection was hydrant rentals – Newenham said yes, and that rate is set by the Public Utilities Commission (PUC). Dimond said it would be helpful to see the revenue after the new rate increase and the expenses. He would also like to see the same information on the Sewer side. Newenham has a spread sheet that provides revenues, and will provide that to the Board. Dunbar asked how many were involved in the payroll package. Lagrange said, the two workers, a clerk, Newenham, finance, and himself. Chemical expense is large – Newenham said the \$20,000 doesn’t come close to covering the cost of chemicals. Dunbar asked about UV light, and Newenham said UV light is very costly and may not offset the cost of chemicals. Corrigan will ask Olver that question. Dunbar asked about the \$30,000 to continue with the meter project – Lagrange said that figure is also in the sewer program. He said the Board signed a contract for the meters. Newenham said \$30,000 was projected for each department and said the 2014 legislation will require low lead meters, and therefore it doesn’t look cost efficient to repair meters that may not be put back into homes because of the new low-lead legislation. Corrigan said this is a federal mandate. Once a meter is removed for whatever reason, if it is not low-lead it may not be re-installed. Dimond suggested using the legislators to get some relief from this when the time comes. Corrigan said the water department is asking for one more year of testing. Lagrange asked Dunbar what he was requesting as an option. Dunbar said unfunded mandates are unconstitutional; however, we must do what is right for the citizens. The

lead allowed is being lowered every year. Corrigan said there is a contract to buy 300 meters a year for three years. Newenham said the intention was to buy as much as was needed after the rebuild. Dimond asked if the new meters being putting in, were the low lead level. Corrigan said the first 300 were not low lead, and he is in contact with the manufacturer to provide low lead meters. Norwood asked if that was a method to get released from the contract. Dunbar said as soon as the mandate came out the manufacturer would have stopped making those and gone to a low lead housing. The low lead meter will cost \$83. Dunbar said it makes sense to buy the low lead meters and would like to see a copy of the mandate. Minctons asked how the Town disposes of the meters that are being taken out. Newenham said there are companies that are buying back the lead meters. The Board would like to see actuals in the budget going forward. It was Moved (Dunbar) and Seconded (Benson) to accept the Water Budget as presented. Vote: 5 - 0

b. Sewer budget: This is a fiscal year budget with 8 months past. The 11/12 numbers are the budgeted numbers, per Newenham; she will add actuals and re-present this to the Board. Dunbar suggested an energy audit as a possible choice to determine the cost of electricity. Newenham said there have not been any payments for the past due monies and that is being reviewed. It was Moved (Dunbar) and Seconded (Benson) to accept the Sewer budget as presented. Vote: 5 – 0. Lagrange will have the information in the next package, not for an agenda item, but for information purposes only.

c. New terms: Newenhan said the terms are those signed and approved to go to PUC – term 1, on page one was suspended, so the reference to seasonal property is in conflict and should be re-written in some form.

d. Chapter 660 – New PUC Legislation: the new legislation is the reason the terms were submitted.

e. Application for Service-Renter Agreement: Lagrange said there has been an issue of tenants not paying water and sewer bills, and liens going against the property owner. Newenham said with the new legislation the landlord is more included. She has done a separate application for service for tenants, and included on the back the warning to property owners of a lien for lack of payment.

f. Deposits from Tenants: With the new application for service, there is less need for deposits. It was Moved (Norwood) and Seconded (Dunbar) to approve and continued the revised application for service (sewer tenant renter agreement) as presented. Vote: 5 -0.

II. Other Business: Lagrange said the Town needs to start looking at \$4500 for inspection of metal water tanks, including cleaning. This should go in the maintenance book. Corrigan said 10 years is the maximum to go without, and there should be inspections at least 5 – 7 years. Board agreed. There is a 15 year old computer system at the filter plant. There has been a suggestion to look for a backup or replacement computer. Lagrange has given the Board materials to consider for replacement of that system. Norwood asked if all items need to be done, and Corrigan said

yes, but priority 3 could wait a year or so. Dunbar asked for information on funding sources that might be available.

- III. Lagrange asked the Board for an Executive Session pursuant to 1 M.R.S.A. § 405 (6) A. It was Moved (Dunbar) and Seconded (Benson) to go into Executive Session pursuant to 1 M.R.S.A. § 405 (6) A at 9:51p.m. Vote: 5 – 0.

It was Moved and Seconded to come out of Executive Session at 9:09 p.m.

It was Moved (Dunbar) and Seconded (Benson) to present a back-up plan for operation and personnel of the Water and Sewer Plants, within three to six months. Vote: 5 – 0.

- IV. Adjourn : It was Moved and Seconded to adjourn the meeting at 9:10 p.m. Vote: 5 – 0.