

BOARD OF SELECTMEN
Town of Southwest Harbor
9-27-11 - MINUTES

- I. Call to Order/Roll Call: The meeting was called to order at: 6:02 p.m. Present: George Jellison, Jr., David Minctons, Tom Benson and Interim Town Manager, Donald Lagrange. Excused late: Ralph Dunbar, Jr. – (arrival at 6:05).

Visitors: Sandra Johnson, Kristin Hutchins, Pat Biegler, Mark Good, David Chapais, Jason Wimbiscus, Meredith Hutchins, Dan Norwood, Don Lodge, Salisbury Cove Associates Rep.

II. PUBLIC HEARING

- a. Question I: Discussion – Lodge asked if that was the quote for the design work and Biegler said it is, with a small amount added for contingency.
- b. Question 2: Discussion – Lodge asked about the dry hydrant – is there a hold harmless clause from Sanborn? Lagrange said the easement gives the Town a path to the dry hydrant and the Town attorney will craft the appropriate language to protect the Town.

- III. Adjournment: It was Moved Benson and Seconded Minctons to close the public hearing at 6:05 p.m. Vote: 3 – 0.

Regular BOS Meeting

- I. Call to Order – 6:05 p.m. meeting opened – all members present.

- II. Visitors to be heard not on the Agenda: Johnson asked where the Town was in reference to a Town Manager hire. Chairman said he would hope to make an offer within the next month and as soon as possible the Board will disclose information.

III. Approval of Minutes

- a. September 12: It was Moved (Dunbar) and Seconded (Benson) to approve the minutes of September 12, 2011 as presented. Vote 4 - 0
- b. September 13: It was Moved (Minctons) and Seconded (Benson) to approve the Special Board of Selectmen Minutes of September 13, 2011. Vote: 4 – 0. It was Moved (Dunbar) and Seconded (Minctons) to approve the regular Board of Selectmen Meeting Minutes of September 13, 2011. Vote: 4 – 0
- c. September 14: It was Moved (Benson) and Seconded (Minctons) to approve the minutes of September 14, 2011 as presented. Vote: 4 – 0

- IV. Manager’s Report: Lagrange referred to the Auditor’s letters which addressed water department funds and the SHIP grant funding. If there any other questions, he suggested waiting till the audit is complete for further discussion and not bring them in prior as it is an added expense. The Town has the money from the loan that closed on the 20th and has opened a dedicated account for the fire truck fund. The Town received a dividend from MMA Risk Management in excess of \$4,000 – one of the larger amounts given to Towns in this area. This winter, the Fire Chief has agreed to provide space in the fire station to store the bobcat for plowing purposes and in return they may use it to clear their parking lot . Penury Hall was doing work on their railroad ties abutting the sidewalk on Main Street, and was asked to move the ties into the property by 6 inches to allow the sidewalk plow better access. Mrs. Strong agreed and the Town Crew assisted. There are two unused bike racks in storage at the Town Garage. Biegler said the racks are about 6’ long. The Library would like to have one rack

next to Library on Main Street. It was Moved (Mincntons) and Seconded (Benson) to allow the unused bike rack to go to the library. The Board suggested that the motion be revised to include a second undesignated spot for the second bike rack. Mincntons agreed to amend the motion as follows: It was Moved (Mincntons) and Seconded (Benson) to approve both bike racks being donated to appropriate organizations, at the discretion of the Public Works Director. Vote: 4 – 0.

V. Warrants:

- a. Administration 43-48
- b. Water 22
- c. Sewer 12
- d. Mansell/Wesley 7

Chairman said the Board would take new business under consideration at this time. 6:20p.m. It was Moved Benson and Seconded Mincntons to take up New Business: Liquor License Salisbury Cove Associates.

- e. Liquor License: Permission granted from the Bar Harbor Bank in Southwest Harbor to use their parking lot - he provided an insurance binder for the Selectmen. Went well last year. It was Moved (Dunbar) and Seconded (Mincntons) to approve the Liquor License Off Premises catering application from Salisbury Cove Associates. Vote: 4 – 0 The Board returned to Old Business – Wesley Mansell

VI. Old Business

- a. Wesley/Mansell: Jim Wilson came to walk through the update to the Main Street Storm water, having received a cost of \$85,118.94 from Goodwin as opposed to the original estimate of around \$73,000. Wilson said the design was coordinated with M-DOT and they have secured the 50% financing based on the price they had at the time. Topography and boundary survey is completed. Woodard Curran are going to propose to the State that they increase their match, and are hoping to get approval from the Board tonight to allow Goodwin to move ahead with this increased price. Wilson said he would like to write a change order for \$85,118.95. Wilson said that would be the add to the contract instead of the \$73,000 quoted before – a difference of approximately \$12,000. The benefit is that ultimately he hopes to get the M-DOT match higher, the Town is getting better storm water drainage for a larger area, plus escrow is waived because we are in partnership with M-DOT. Dunbar: does this include the savings if M-DOT agrees? Benson asked if there was a number for the work involved that is “our” work hitting Main Street? Wilson said the original project was expected to be \$73,000 for the Town half of the work. Originally Wilson said they were not going to the shore and not doing Three Rod Road. That would have required an escrow account of \$130,000. Wilson said there are added benefits to continuing with this project as it is with M-DOT. Wilson said he would like to have permission to sign the change order for \$85,118.95. To reduce the storm water problems, the out of pocket costs today would be about \$85,000. He can’t give a firm number of how much additional funds he can get from the State, but he said it will be a number the Town is happy with. Johnson said her only concern is that going back to the first plan will not serve her property. Dunbar said a project of this caliber is a work in process, and we need to put our confidence in the engineer and the contractor – hoping to get as much money out of the State as possible. Wilson said unit quantities tend to run under what was anticipated, which has kept the numbers down. He said the final change order will balance it out. It was Moved (Dunbar) and Seconded (Benson) to approve a change order of \$85,118.95 for the Wesley/Mansell project as recommended by Woodard & Curran Engineering Firm. Vote 4 – 0.

- b. Clark Point Lower Town Dock: Biegler said she has talked with contractors and has some prices and is analyzing those in an effort to be close to the estimate. USCG showed Biegler documents that dated to 1967 which indicate the parking along the wall is USCG property. Biegler said she told them she would not pave their property. The plans showed a clear 8 ½ ft. area. The CG Parking Only signs will remain along the wall, and their portion of the paving appears in good shape. Dunbar asked if we would be able to get the project done this fall. Biegler said yes. Dunbar asked if there was any solution to Kings Lane. Biegler said she can't come up with a scenario that would work other than reclaiming the road.
- c. Water Meter Project: The final count of suspect meters is 230. The Town has installed 260 meters of which 212 are on the suspect list: 6 more suspect meters are already scheduled for replacement. There are an additional 6 on Wesley, and 6 others still need to be rescheduled. It leaves us with 278 – 22 fireflies, some of which were installed to be repeaters. We can schedule 12 more in the next month or so. We can read at least 80-85% from the office at the present time.

VII. New Business

- a. Special Town Meeting Warrant: It was Moved (Benson) and Seconded (Dunbar) to accept the special town meeting warrant dated November 8, 2011 as presented. Vote: 4 – 0.
- b. HCPC Appointment(s): Dunbar said he would serve. It was Moved (Mincions) and Seconded (Benson) to appoint Dunbar as the representative to the Hancock County Planning Commission. Vote: 3 – 0 – 1 (abstain Dunbar)

VIII. Other Business: Dunbar asked about the weight limits for the dock – Lagrange said the engineer hasn't been out there yet – Dunbar said it needs to be a priority – Lagrange said no heavy vehicles have been allowed on the dock recently. Dunbar said this needs to be addressed – the engineers need to follow up, and asked Lagrange to include the extension on the lower town dock when getting the weight limits. Engineers should be able to provide the weight, as they designed it. Lagrange will follow up and report at the next meeting. In answer to a question from the Board, Biegler said the application for funding of the water tank has been submitted.

IX. Sign Warrants: It was Moved (Benson) and Seconded (Mincions) to approve the warrants as presented. Vote: 4 – 0

X. Executive Session pursuant to 1 M.R.S.A. 405 (6) (A) Personnel Matters: It was Moved (Dunbar) and Seconded (Mincions) to go into Executive Session pursuant to 1 MR.S.A 405 (6) (A) Personnel Matters at 7:04 p.m.

It was Moved Mincions and Seconded Benson to come out of Executive Session at 7:27 p.m. Vote: 4 – 0.

XI. Adjournment: It was Moved Dunbar and Seconded Benson to adjourn the meeting at 7:28 p.m. Vote: 4 – 0.