

SELECT BOARD MEETING

Town Office Meeting Room

TUESDAY, NOVEMBER 21, 2023

6PM

Join Zoom Meeting
<https://zoom.us/j/96374295063>

Meeting ID: 963 7429 5063
 Passcode: 942416

1.	Call to Order:	Establish Quorum:
2.	Accept Minutes of the November 8, 2023 Regular Meeting.	
3.	Visitor's Comments:	<ul style="list-style-type: none"> • <i>Ferry Service Update</i> • Sea Level Rise Update • Update on Municipal Building Project
4.	Upcoming Meetings and Subcommittee Reports: Planning Board: November 27	
5.	Town Manager Report:	6. Correspondence:
6.	<u>Old Business:</u>	
7.	<u>New Business:</u> <ol style="list-style-type: none"> 1. Approve Sea Level Committee Recommendation for Engineering Firm for the Narrows Project. 2. 	
8.	<u>Other Business:</u> <ol style="list-style-type: none"> 1. 	
9.	Approve Warrant: FY24 #11	
10.	Appointments: Museum: Melissa Burns, ex officio	
11.	Chair Comments:	Individual Selectmen's Comments:
12.		
13.	Adjourn	

W: AGENDA 11 21 2023

MEMBERS:

CHAIR Shey Conover
2026

Lauren Bruce
2025

V A C A N T
2025

Melissa Burns
2026

Peter Anderson
2024

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DRAFT MINUTES

Members Present:

Chair Shey Conover, Vice Chair Lauren Bruce, Melissa Burns, and Peter Anderson

Others Present:

Town Manager Janet Anderson, Andrew (Pete) Anderson, Mark Ouellette (S.B. Architects), Dick DeGrasse, Carole Nichter, Paul Nichter, Ann Charlton, Linda Gillies, Murt Durkee, David Pendleton

Via Zoom: Fred Porter, Jennifer West, Peter Willcox, Derreth Roberts

Call to Order: Chair Shey Conover called the meeting to order at 6:00 PM and a quorum was established.

MOTION BY M. Burns, seconded by L. Bruce, to approve the minutes of October 25, 2023 Regular Meeting, as written. No discussion. Motion passed, 4 yes, 0 no.

VISITOR COMMENTS/PETITIONS.

None.

FERRY SERVICE UPDATE

S. Conover stated that she has not received an update from John King. M. Burns reminded everyone that we are now on the winter schedule. S. Conover added that we anticipate a formal rate increase proposal to be forthcoming.

SEA LEVEL RISE

S. Conover reported that the Engineering Request for Proposals for the Narrows Project went out, received one response from a firm that has a lot of experience. The next Sea Level Rise Committee meeting will be tomorrow, November 7th, at 6:00. The committee will discuss and decide next steps. We hope to have a recommendation for the Select Board to enter into a contract on the 22nd.

MUNICIPAL BUILDING PROJECT

L. Bruce reported that at the last Select Board meeting, the Municipal Building Project Committee (MBPC) and its team was asked to get a lower Guaranteed Maximum Price (GMP) with the Construction Manager (CM). The team worked with H. E. Callahan (HEC), and the GMP came in Thursday of last week. The MBPC quickly moved to have a meeting on Monday, November 6th, and had a good discussion. The committee voted unanimously to ask the Select Board to end our relationship with HEC. We felt HEC was

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not contributing enough good thinking about how to cut down expenses on the project. Most savings that were found were done by S.B. Architects (SBA) and Pete Anderson. L. Bruce added that they are planning to keep all three projects together, and we're trying to get the price for the whole project down.

Mark Ouellette from SBA stated that they've been working hard with HEC; they've been working towards a GMP, soliciting bids from subcontractors and using our 50% contract documents, which means we're halfway through our document, and then our 100%. We have done price checks at every point and have been working to come up with ideas to Value Engineer (VE) to save costs at each stage. The GMP went through two or three rounds of honing. We're seeing with multiple contractors that the bidding market has not recovered from the pandemic, with supply chain issues and labor shortages. Things are not rebounding. As a result, bids come in higher. We've come up with many Value Engineering (VE) items to try to reach our targeted budget.

Mark shared and discussed his budget spreadsheets. Hard costs are construction costs paid to the contractor. Soft costs encompass administrative costs, design fees for engineers, furniture, applying for building permits, etc. Mark broke down the numbers for each part of the project and the bids that came in. We are \$1.3 million over budget, even with many VE (deferred scope) items. We have not received enough cost-savings collaboration from HEC as we had expected, which was disappointing.

L. Bruce added that there are still areas where we know we can find savings.

Andrew (Pete) Anderson stated that the committee is asking the Select Board to move tonight to end the relationship with HEC. The next step to consider would be to hire a new CM. We'd look first at the other three outfits we interviewed. We reached out to one and they seem open to coming on board. We intend to put out information to the voters and donors to keep them informed.

L. Bruce stated that the committee is unhappy they haven't been more successful. HEC never worked with subcontractors to get them thinking creatively about cost savings that we repeatedly suggested. We apologize that we're not in a better place.

M. Burns asked where the initial estimates that were presented to the voters came from, seeing that it is almost half for a garage shell only. SBA put these numbers together for finished buildings, now it's double the cost for just the shell. Where did this go wrong? M. Ouellette replied that at the time the plans were prepared, this was based on the cost per square foot. The bidding market has not responded as anticipated, and has not returned to normal. It's now close to \$900/sf on the garage, and about \$600/sf for the Health Center. We could not in good conscience suggest proceeding with the project with these numbers.

M. Burns asked if HEC had come out to the island. L. Bruce answered that they came out after they were chosen.

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P. Anderson asked if we've paid HEC yet. A. Anderson answered that we don't have a signed contract, but we received an invoice for \$2,200 today, with included \$800 for someone who was going to be renting a house, which they broke the contract for.

P. Anderson asked if costs can be transferred to a different CM. M. Ouellette stated the firm who scored 2nd during the interviews is interested and available. They provide similar services, and their construction fees are built into the price of their bid.

The pre-construction process will be quicker. HEC initial percentage fee was 8%. We negotiated them down to 6% (which included island logistics), typical industry standard is 5%. The firm who scored 2nd is charging 5%.

S. Conover asked how the new CM would be able to anticipate being able to find cost savings for us, recognizing that it's farther down the road. M. Ouellette answered that many other contractors they've worked with are more in tune with the VE process and discussing that with their contractors. S. Conover asked how we avoid mistakes going forward. M. Ouellette stated we can explain to them some of the hurdles we've had in this process. Various contractors work with a smaller group of subcontractors and know their pricing, staffing and availability, which groups have better buying power, etc.

L. Bruce added that we are better educated on what to ask and conveying what we're looking for.

P. Anderson asked about the plan for deferred items. How will those be funded? L. Bruce stated that we will bring a request to add funds to the Select Board, and then take to the Town for a vote.

Paul Nichter stated he feels it's extremely important to get the Up-Island Public Safety Garage built. It would be a very negative thing to cancel any part of the project without going to public vote, because you destroy trust in government that way, and that's not a good way to get support for projects in the future. You've got to have trust in relationships to make them work. Everyone who works for the Town, in a volunteer capacity or as paid staff, needs to be aware they are serving the public, and keep that respect in mind. The meeting Monday night was at very short notice; the public wasn't notified until Monday morning. That gives the appearance of avoiding the intent of the Sunshine Law, which is that everything be done open and in front of the public so that we can understand what's going on. Paul believes that no project should be cancelled or delayed in favor of another without a public hearing. Some people donated for one project or the other, and would be disappointed to find out their donation was diverted in a different direction.

L. Bruce thanked Paul and responded that that is the position of the Municipal Building Project Committee. Although ideas have been tossed around about cutting parts of the project, the end result is always that we want to do the whole project. We may bring a phasing option to the Select Board to discuss, but we plan to do all of the project.

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MOTION BY M. Burns, seconded by P. Anderson, to exit relationship with H. E. Callahan. No further discussion. Motion passed, 4 yes, 0 no.

UPCOMING MEETINGS AND SUBCOMMITTEE REPORTS

- Planning Board: November 13th, 5:00pm
- Planning Board Subcommittee: November 9th, 4:30pm
- Energy Committee: November 14th, 5:15pm

TOWN MANAGER REPORT

Janet Anderson introduced Ann Charlton, who is one of the new Energy Coordinators, alongside Kizzi Barton, recently hired by the Energy Committee to manage the \$100,000 Prize. Ann explained that Kizzi will be the community outreach person, and Ann will be helping to find ways to help individuals and businesses fund energy projects. She just moved to the island on Saturday and is excited and happy to be here.

- Packet included Agenda for 11/8/23 and Minutes of 10/25/23 Regular Meeting.
- Minutes/Correspondence:
 - Municipal Building Project Committee draft minutes of 11/6/23
 - Municipal Building Project Committee approved minutes of 10/23/23
 - Islesboro results of the State Referendum Election of 11/7/23—282 voters
 - October Bar Harbor Wealth Management sub-accounting
- Old Business
 - Maine Power Options proposal from Constellation
 - Town Grant Preparedness Report by Jennifer Hayden
- New Business
 - None
- Warrant #10
- Manager Report
 - East Shore Drive work should begin 11/15 per Farley & Sons, Inc.
 - J. Anderson asked David Pendleton if she could speak with the Cemetery Committee about residents possibly using Maple Grove Cemetery to access East Shore Drive.
 - P. Anderson suggested responding to get them to nail down a date they know they will be here.
 - Kathy Johnson plans to retire February 2024. Our Auditors have a back-office service that they run to help towns, but they are unable to help as they recently lost two employees. Mark Roy from the auditor's office recommended we start with a payroll service. We are discussing whether the school should be involved. Investigating who other towns use. Will also advertise for a bookkeeper.
 - S. Conover suggested mapping out Kathy's responsibilities.

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- M. Burns suggested combining School and Town.
- Draft listing of committee chairs in preparation for future meeting
- Road maintenance plan: have not connected with Peter Coughlin at DOT, but have left messages for him. Turned over a notebook with information on the Road Ranger program to Steve Miller. He will come up with a summary of that notebook.

CORRESPONDENCE

Discussed in Town Manager's report

OLD BUSINESS

1. Maine Power Options – Dick DeGrasse & Energy Committee
 - Based on our meter-reading cycle, the earliest we could engage with them would be for a December 1st start date. They included in their packet pricing as of today.
 - The issue we will run into is that we need to sign by 5:00 to lock in a price based on the day's offer.
 - It makes the most sense to authorize J. Anderson to enter into a one-year contract based on the pricing she receives.
 - M. Burns asked to clarify that if we lock in for 24 months, we go up half of a cent point. It goes up the longer you lock it in for. After the 12 months, we're renewing at the one year whatever they are at that time. Dick DeGrasse confirmed this.
 - The Select Board previously discussed a one-year contract, and concluded to keep it at that. To be discussed again in November 2024.
 - Ask Energy Committee to take a look six months in to understand how things are trending.
 - Dick DeGrasse pointed out that other non-profit entities on the island will be able to benefit from the Town's commitment. He clarified that Maine Power Options is not broker; they have a separate contract with Constellation to work with municipalities and non-profits. There is no money coming out of our pocket for them.

MOTION BY M. Burns, seconded by L. Bruce, to authorize Janet Anderson to enter into contract with Constellation on behalf of our energy savings. No further discussion. Motion passed, 4 yes, 0 no.

2. Town Grant Preparedness – Jennifer Hayden, PhD, September 2023
 - Jennifer Hayden prepared a thorough report.
 - S. Conover provided background. When we first put money into the Town budget for grant-writing, we created a job posting for a grant-writing position, but didn't get much interest from the posting. We realized we needed to define what we as a community felt we wanted that person to do. At the same

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time, we realized several committees were working independently applying for grants. While it is helpful to receive grant funding for important community priorities, it comes with administrative work at the Town Office, reporting, etc. We also want to make sure we're holding ourselves accountable to the work that was proposed.

- About six months ago L. Bruce, S. Conover, J. Anderson, Cressica Brazier met with Jennifer Hayden. The Sea Level Rise Committee and the Energy Committee were the most active on the grant front. We discussed what's working, what's not working, where are the pinch points from a Town staffing perspective.
- Because of Jennifer Hayden's background as a professional grant writer, she offered to volunteer her time to explore what the Town's needs are and come up with a recommendation. Over the summer she met with committee chairs. She summarized those priorities, and made recommendations for us, both short-term and long-term for how we may want to consider adding capacity at the Town Office to support grant writing, grant reporting, and coordination.
- L. Bruce added that we know there are grant opportunities we're missing. Part of the idea is to have someone to anticipate grants, how they might fit into the Town structure, and whether they'd be beneficial to go after.
- Pre-Pandemic, the Arch Gillies had Committee chairs come to the Select Board every six months and do brief presentations on committee priorities. It was nice for the chairs to hear from each other and get cross pollination.
- S. Conover stated she'd like to do that again, and early winter would be a good time to start those conversations, prior to the budget process. Other members agreed.
- L. Bruce suggested a preliminary meeting/workshop to discuss the report with the committee chairs. January 10, 2024 at 5:00.
- S. Conover would like to discuss on the 10th possibly building a resource coordinator into the budget. Over the next couple of years, there should still be infrastructure funds coming down the pike, and there are many resiliency projects happening with the Sea Level Rise Committee and the Energy Committee. With the right investment we could see some returns in how quickly we can do community projects.

NEW BUSINESS

1. None
2. None

OTHER BUSINESS

1. None

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APPROVE WARRANTS: FY24 #10, includes the county tax.

MOTION BY L. Bruce, seconded by M. Burns, to approve Warrant FY24 #10. No discussion. Motion passed, 4 yes, 0 no.

APPOINTMENTS:

Maine State Ferry Service Advisor Board: Gabriel Pendleton (up for re-appointment)
Cemetery Committee: Crystal Fairfield

MOTION BY M. Burns, seconded by P. Anderson, to approve both appointments. No discussion. Motion passed, 4 yes, 0 no.

CHAIR COMMENTS

S. Conover: Thanks to everyone for coming out. It's nice to see people around the table.

Paul Nichter: In the past couple of months, and in the past week in particular, I've had occasion to interact with Carrie a number of times. I'm impressed with how tactful, thorough, and efficient she is. Now I've had a chance to read minutes she's written, and see that they're better minutes, more well written than any I've seen in any committee in dealing with the Town over the last 35 years. I think you should give her a pat on the back.

[Thank you so much! -Carrie]

VICE-CHAIR COMMENTS

L. Bruce: It's great to see everyone here. I appreciate Paul and Carole for reminding us of the Sunshine Law. Thank you for being here. We appreciate it.

INDIVIDUAL SELECT BOARD MEMBER COMMENTS

P. Anderson: Thanks to everyone who came out and voted yesterday. That's an impressive percentage of civic involvement for a town this size. It's great to see.

M. Burns: It's supposed to snow tomorrow. I'm excited!

MOTION BY L. Bruce, seconded by M. Burns, to Adjourn Meeting at 7:19 PM. No Discussion. Motion passed, 4 yes, 0 no.

Respectfully Submitted,

Carrie Reed
Secretary