

Board of Selectmen's Meeting Minutes

July 15, 2010

Harpswell Town Office

Approved on July 22, 2010

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At 5:30 p.m. the Board met to handle administrative matters: the action list was reviewed; the Board signed a first time system variance request; the Board agreed to not take action at the proposed mandatory building code hearing; the Board was informed of the interest from a cellular carrier to locate an antennae on the water tower at Mitchell Field; the Board agreed on a response to communication regarding island access; the Board discussed its meeting schedule including a tentative Federal Emergency Management Agency (FEMA) meeting; catering permits were signed; and Administrator Eiane explained the status of expenses for the Marine Patrol account.

Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurer; and Carol Tukey, Planner

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:35 PM.

The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Henderson moved, seconded by Selectman Multer to adopt the agenda as amended by adding a Request for Proposals for the "Welcome to..." signs under item 16; motion passed 3-0.

2. Public Comment: Chairman Henderson asked for any handouts to be provided prior to comment and reminded the public that comments are welcome on items not on the agenda but that defamatory comments about individuals or complaints about Town staff members are not permissible as such complaints can be filed with the Board separately. Comments regarding policy or board members are permitted and the comment period is designed for about 5 minutes. Greater than 5 minutes one should request to be placed on the agenda. Robert McIntyre stated he requested that MSAD post on its website the times, places and agenda for all of its meetings. Mr. McIntyre commented on some statements made by David Johnson, School Board member, at a previous Selectmen's meeting. Selectman Multer read from state statute regarding local school administrative units and stated that School Board members look after the welfare of the entire District. Selectman Multer handed out "Navigation Tips for MSAD #75 Website" and explained the information would help persons in locating meetings on the website. Mr. McIntyre stated that the CSPC sub-committee meetings were not posted on MSAD's website. Rick Daniels thanked Selectman Multer for the information but noted that the meetings are not always posted. Selectman Multer stated that people can spend time on attacking the School Board Members but that the members are hard-working volunteers who consider the best interests of all the children. Selectman Multer expressed disappointment that a certain group comes to every Selectmen's meeting to complain of the School Board members and stated now is the time to change the approach. Ms. Multer encouraged everyone to work more constructively instead of destructively for Harpswell. Mr. McIntyre responded that this was an excellent idea but that the anger is due to the lack of response by the School Board.

3. Town Administrator's Report: Administrator Eiane reported she attended a meeting in Portland with Federal Emergency Management Agency (FEMA) representatives, representatives from Representative Pingree's, Senator Snowe's and Senator Collins' offices and the Town's consultant, Robert Gerber. Mr. Gerber reported that his work discovered the largest discrepancies with FEMA's proposals and Mr. Gerber's values in Harpswell as compared with any other town. Administrator Eiane stated she pressed FEMA to look at Mr. Gerber's report before starting the 90-day appeal period; FEMA responded this was unlikely as they have already experienced a year's delay. The Town of Harpswell spent over \$17,000 on the data and report and FEMA was encouraged to look at the information closely. Administrator Eiane reported she is working on setting up a meeting in Harpswell with FEMA representatives in August. Administrator Eiane stated that at the

meeting last evening regarding Cedar Beach, the issue of parking tickets was raised. The Town does have the parking tickets and is working with the Cumberland County Sheriff's Department on clearance to obtain the registered owner information. The parking ticket process is expected to be active soon. Administrator Eiane reported that Cumberland County established a Board of Assessors to review appeals and an appeal from a Harpswell taxpayer is scheduled for September 2. Harpswell will be represented by Curt Lebel, Assessing Agent, and the Selectmen/Assessors may attend as well. Administrator Eiane explained at the last Board meeting, Fred Cantu, Recycling Center Manager, recommended and the Board agreed to hire an individual for the seasonal part-time position; the individual declined. The position was advertised again and interviews conducted. Mr. Cantu is recommending the Board hire James Allen for the seasonal, part-time position. Chairman Henderson moved, seconded by Selectman Multer to hire James Allen; motion passed 2-0 (Selectman Wallace abstained).

4. Selectmen's Announcements: Chairman Henderson reported that Wednesday's (July 14) meeting at the Old Orr's Island Schoolhouse regarding Cedar Beach was well attended, approximately 150 people, and a lot of great information and views were shared.

5. Consent Agenda: 1) Approval of Minutes; 2) Fishing Families Request for Use of Mitchell Field: Chairman Henderson moved, seconded by Selectman Multer to approve the consent agenda; motion passed 3-0.

6. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for June (attached). Ms. Kelly reported that she and Deputy Administrator Sawyer attended a fraud seminar and was pleased to say that the Town actively practices the three main recommended procedures. Ms. Kelly asked the Board to provide input regarding what the special advisory position to the Budget Advisory Committee entails.

7. Approval of Contract with Ferrara for Pumper Truck: Administrator Eiane stated the Town has established a process for acquiring emergency vehicles, including developing specifications and sending a request for proposals. Ferrara was the lowest bidder for this pumper truck and Harpswell Neck Fire & Rescue reviewed the response and determined it could meet the needs. The contract was vetted and legally reviewed, and if approved, Ferrara will provide a performance and payment bond within 10-15 days. Chairman Henderson moved, seconded by Selectman Wallace to approve the contract with Ferrara Fire Apparatus [for \$362,335]; motion passed 3-0.

8. 7:00 PM Public Hearing on Adjusting Voting Districts: Chairman Henderson stated the proposal is to change the voting districts to move the people located on the Mountain Road (and associated roads) [east of the Ewing Narrows Bridge] from the Great Island District to the Mainland District. Post cards were sent to all potentially affected parcel owners. Chairman Henderson opened the hearing at 7:12; no one spoke and the hearing was closed. Chairman Henderson moved, seconded by Selectman Wallace to adjust the Great Island voting district to send voters who reside between Rt. 123 and Rt. 24 from Great Island to the Mainland; motion passed 3-0.

9. Town Planner Update: Carol Tukey, Planner, reported that the high priority ordinance amendments are on the Planning Board's agenda next week for review with the exception of the small pad etc. exemption concept as the Code Enforcement Officer and Town Attorney do not recommend pursuing the idea. Chairman Henderson was opposed to pursuing the concept; Selectman Wallace and Selectman Multer agreed to pursue waiving the fee for outdoor fireplaces and certain size generator pads. Ms. Tukey reported there is a cellular carrier interested in locating an antenna on the water tower at Mitchell Field and if the Board wants to proceed, ordinance amendments would be required. Chairman Henderson expressed concern that the tower may not remain for the long term and that he would want the option open to more than one carrier. Selectman Wallace stated he would like to know the size of such an antenna as those on the communication tower are very large. Selectman Multer suggested an intermediary could assist with the requests from cellular carriers. Ms. Tukey will call Freeport to

obtain information on its process as it has several antennas on its water tower. Ms. Tukey stated the list of priorities in conjunction with the Mitchell Field and Comprehensive Plan proposals is a lot of work and the Board asked that all be worked on and that the Board be updated in November of the progress. Ms. Tukey reported the Comprehensive Plan Implementation Committee (CPIC) is continuing its work and is on schedule. A survey is located on the Town's website, at the Town Office, at public facilities within the Town and will be mailed to proposed focus area property owners for input about the draft proposals for village and rural areas. Ms. Tukey acknowledged that the Conservation Commission received the Citizen Planner of the year award from the Maine Association of Planners for all its hard work, including the Save Our Bay campaign. Ms. Tukey asked the Board members if they would consider appropriating a match for a grant application with the New Meadows River Watershed to correct erosion problems on private properties and roads. The parcels are not in violation of local ordinances and the property owners will be contacted to also contribute toward the grant match. The Board referred the matter to the Budget Advisory Committee.

10. Mitchell Field Committee and Consultant Report on Zoning and Performance Standards for the Mitchell Field Marine Business Zone: Carol Tukey, Town Planner, reviewed "housekeeping" ordinance amendments and proposals for ordinance changes regarding the zoning and performance standards for Mitchell Field. There was a very detailed discussion regarding the proposals and it was determined a workshop was needed to further address these proposals. A workshop was set up for Monday, July 19 at 7:00 p.m. with the Mitchell Field Implementation Committee, Planner and the Consultant.

11. Consider Formation of Education Committee: The Board reviewed the proposal submitted by Rick Daniels for the formation of an Education Committee. Chairman Henderson suggested some possible members such as a Parent-Teacher Organization member, Recreation Committee member, and a school board member and clarified some points made in the proposal. Selectman Wallace expressed an interest in such a committee to help research larger issues. Selectman Multer stated the liaison between the Town and the MSAD 75 is the school board members and that while there is potential for good things to come of such a committee, she would not support it with the current underlying intent of attacking MSAD 75. Selectman Multer stated she could not support the concept of reviewing MSAD 75's budget or withdrawal as they are so divisive and not in the best interest of the Town. Mr. Daniels stated he does not want to be divisive and that he prepared thoughts for discussion and amendment by the Board for a committee that can assist the Town with education matters. Chairman Henderson stated he would draft a mission statement, for the next meeting, taking into account everyone's concerns.

12. Set a Date and Time for Commercial Shellfish License Lottery: Administrator Eiane stated a license holder passed away and staff is not prepared to make a recommendation regarding the re-issuance of that license since there is currently no priority list. The Town attorney advises to wait to issue the license in March 2011 with the annual process. The Board passed over this item.

13. Committee Appointment: Chairman Henderson moved, seconded by Selectman Wallace to appoint Paul Standrige as an associate member to the Planning Board until March 2011; motion passed 3-0.

14. Maine Municipal Association Annual Election Ballot: The Board agreed to pass over this item and not cast votes on the ballot.

15. Consider Maine Municipal Safety Enhancement Grant Application: The application is for the purchase of a storage cabinet for propane cylinders at the Recycling Center and MMA will reimburse up to 2/3 of the costs. Chairman Henderson moved, seconded by Selectman Multer to authorize the application; motion passed 3-0. (Selectman Wallace abstained).

16. Other Business: Welcome to Harpswell Signs: Deputy Administrator Sawyer explained the Chair of the Committee contacted her stating the Committee is prepared to send out a request for proposals (RFP) for sign designs. The only differences between the Board's previous RFP and this one are the dates and the wording to allow all Harpswell property owners and residents to compete; the Board agreed on the final language. Chairman Henderson moved, seconded by Selectman Wallace to issue the RFP; motion passed 3-0.

17. Authorization of the Warrant: Selectman Wallace moved, seconded by Chairman Henderson to authorize warrant #45 in the amount of \$687,990.07 (\$587,335 for SAD #75 monthly payment); motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #46 in the amount of \$13,819.70; motion passed 2-0 (Selectman Wallace abstained). Selectman Wallace moved, seconded by Selectman Multer to authorize warrant #47 in an amount to not exceed \$150 for postage to mail the CPIC surveys; motion passed 3-0. Payroll warrant #29 in the amount of \$22,461.82 was noted for the record.

18. Executive Session Pursuant to 36 M.R.S.A. § 841(2)(E) Re: Infirmary or Poverty Abatement: Chairman Henderson moved, seconded by Selectman Multer to enter executive session; motion passed 3-0.

The Board returned to open session and Chairman Henderson moved, seconded by Selectman Wallace to approve an abatement amount arrived at in executive session; motion passed 3-0.

19. Adjournment: The meeting adjourned by unanimous vote at 9:55 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report
[Attachments are available at the Town Clerk's Office or by email at harpswell@gwi.net]