

Board of Selectmen's Meeting Minutes

April 24, 2008

Harpswell Town Office

Approved on May 22, 2008

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Selectmen Present: James S. Henderson, Mark Wallace and Chairman Amy N. Haible

Staff Present: Kristi Eiane, Town Administrator

The Board met at 5:30 p.m. to handle administrative matters; the Board discussed the proposal by the Harpswell Festival Committee to have a 50-50 Raffle at Mitchell Field during the Festival; the Board signed the 2008 Insurance Company Renewal Rate Agreement; the Board discussed the different Town committees and Selectmen's responsibilities as liaisons and assigned committees to each Selectman; purchase order requisitions were signed; and wharf notice of decisions were signed.

Call to Order and Pledge of Allegiance: The meeting was called to order by Selectman Haible at 6:45 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

Chairman Haible noted the Board met earlier in executive session with Paul Strout, of Tower Specialists, and she announced the cell tower agreement should be reached very soon.

1. Adoption of the Agenda: Chairman Haible moved, seconded by Selectman Henderson to remove items 6 and 9 and add as 6. CPIC Services Agreement; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to adopt the agenda as amended; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane reported she attended the Public Utilities Commission meeting where it voted to investigate two issues in Harpswell: 1. the process for maintaining back up battery systems which became an issue on Basin Point and was ultimately corrected by Verizon; 2. situation in South Harpswell which caused phone outages for four days. Neither the Town nor the Emergency Management System was notified of the phone situation. The PUC vote was very pro forma and did not allow any participation from the public. There will be a case conference held on May 8 and if the Town is able to participate, Administrator Eiane will attend. Administrator Eiane reported she was contacted by the Harpswell Neck Fire Chief who requested to burn an area in Mitchell Field similar to the burn two years ago. Administrator Eiane stated the burn would be in the area enclosed by the roads and that the Department would only undertake the burn during favorable conditions. Chairman Haible expressed concerns about rare bird (bobolinks) nests and requested more information regarding this issue prior to approving. Administrator Eiane stated the drainage issue on Aucocisco Road has yet to be resolved and may need legal assistance. The issue is that a culvert, which is located partially in the Town's right-of-way and partially on private property, has been stopped up and is causing a drainage issue on a neighbor's property. Selectman Wallace suggested he take a look at the situation and suggest possible solutions. Administrator Eiane recommended Mary Ann Nahf be hired to videotape Selectmen's meetings and other meetings as needed and that HCBC concurs. Chairman Haible moved, seconded by Selectman Wallace to hire Mary Ann Nahf; motion passed 3-0.

3. Selectmen's Announcements: Selectman Henderson asked Administrator Eiane to explain the need in continuing with the Selectman/Employee case since the insurance company has responded that Selectman Wallace has coverage. Administrator Eiane responded that the Town Attorney recommended continuing since the insurance company's opinion is an unqualified response and has not been tested. Administrator Eiane provided an update on the case; Selectman Wallace's attorney has approximately 10 days left to file a response. Then the next step is to wait for the case to be scheduled, the request is for expedited service. Chairman Haible stated is has been a pleasure working with Selectman Wallace and hopes for the best. Selectman Wallace thanked the volunteers for the great work they did with the roadside clean-up. Selectman Wallace asked the public to not dispose of their tires on the sides of the roads and to instead bring them to the Transfer Station. Chairman Haible reminded committee members of the round table discussed planned for this Saturday at 9:30 a.m. at the Town Office.

4. Old Business: Selectman Henderson requested the Harpswell Community Broadcast Corporation Agreement be placed on the regular agenda under Old Business.

5. Update on Pipeline Removal Process: Steve Riesland, from Fay, Spofford and Thorndike, LLC, has been hired by the Naval Facility Midland to design the removal of the approximate 7 ¼ mile long pipeline. Two sub-consultants have been hired; Normandeau Associates and SMC Associates. SMC is a surveyor and has been laying out approximately 30 targets to assist in generating 2 foot contours for the maps. Mr. Riesland reviewed that there are two pipes, 1-6" and 1-8" from Mitchell Field to the scrapper pit and then 1-6" and 1-8" up to Brunswick Naval Air Station, for a total of about 15 miles of pipe. After the survey is completed, Normandeau will generate wetland mappings, a species analysis and a vernal pool analysis. Then the areas will be delineated to apply for a Tier 1 permit from the Maine Department of Environmental Protection and a 404 permit through the Department of Army Corps. By July, 35% of the removal designs will be submitted to the Navy for review; at which time Mr. Riesland would schedule a time to present the details to the Pipeline Advisory Committee. Then 100% of the designs will be done in October; at which time another presentation would be scheduled. The project will be sent to bid in November and bid awarded in February 2009; the contract will be for two years for the removal. There will be equipment in the 30' easement areas and property owners will be contacted for permission to use their driveways for easy access. The pipes will be removed in 20-30' sections; transported to a site for asbestos remediation; the asbestos will be hauled to a licensed landfill; and the salvaged pipe sold to whoever wants it. Chairman Haible asked if the project will definitely happen. Mr. Riesland responded he is fairly secure the project will take place as the Navy seems serious since they hired them to do this work. Selectman Wallace questioned when the targets would be removed; Mr. Riesland believes it will be sometime in May. Chairman Haible asked if the Town could have access to the information generated through this process; Mr. Riesland agreed. Administrator Eiane encouraged anyone with questions to contact the Town and then they will be provided Mr. Riesland's direct number. Chairman Haible thanked the Pipeline Advisory Committee and Administrator Eiane for their work in this process.

6. CPIC Services Agreement: Administrator Eiane reviewed that the Board authorized staff to draw up a contract with Beth Della Valle, the work scope has been modified and fits within the budget. Administrator Eiane recommended approval of the contract for \$25,020 and stated the Town Attorney has reviewed it. Chairman Haible commented this will give the Town a build out study and additional information for our GIS. Chairman Haible moved, seconded by Selectman Wallace to sign the agreement; motion passed 3-0.

7. Sign Special Town Meeting Warrant for May 12, 2008, 7:00 P.M.: Administrator Eiane read the proposed warrant. Richard Hornbeck will be the meeting's moderator. The Selectmen agreed not to print their recommendations on the warrant.

8. Sign Warrant for M.S.A.D. #75 Budget Validation Referendum for June 10, 2008: Administrator Eiane explained that MSAD has a new budget process and there will be a district wide budget meeting on Saturday, June 7 at 2:00 p.m. at the Orion Performing Arts Center in Topsham. At that meeting the school budget is adopted and then voted on by referendum on June 10, the ballot will refer to the amount adopted at the June 7 meeting. The Board signed the warrant. Administrator Eiane noted that voters cannot increase any budget items at the June 7 meeting; items can only be decreased.

9. Deleted

10. Contracts with Cumberland County: Administrator Eiane stated these are standard contracts with Cumberland County with the only change being that Sheriff Mark Dion was required to sign them. Administrator Eiane reviewed the contracts and after contacting Cumberland County a few changes were made. Selectman

Henderson moved, seconded by Selectman Wallace to approve both contracts; motion passed 3-0. Selectman Henderson questioned if there were any comments on the marine warden's performance from either the Harbor and Waterfront or Marine Resources Committees; Administrator Eiane responded she has handled some issues in the past but has not been recently contacted.

- **Law Enforcement:** Contract is from April 1, 2008 to March 31, 2009 and includes three full time deputies throughout the year and a new vehicle. Contract amount \$317,957.58.
- **Marine Patrol:** Same contract period and includes two marine wardens to cover 10 tides a week, water quality sampling, clam flat survey work and a new vehicle. Contract amount \$209,773.67.

11. Committees:

- **Appointments:** Selectman Henderson moved, seconded by Chairman Haible to appoint David Hackett, Ellen Lebauer and Helene Mandelbaum to the Library Committee for two years; motion passed 3-0. Selectman Henderson encouraged the public to apply for the Library Committee. Chairman Haible moved, seconded by Selectman Henderson to appoint Sally Carignan, Paula Conley, Hope Hilton, Dan Boland and Hildegard Bird for one year to the Affordable Housing Committee; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to appoint Rhonda Weaver as an associate to the Conservation Commission; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to appoint Richard Newman and Bob Bartley to the Energy Task Force for one year appointments; motion passed 3-0. Chairman Haible moved, seconded by Selectman Wallace to appoint Bob Waddle to the Governance Committee; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to appoint Judith Arndt to the Recreation Committee; motion passed 3-0. Chairman Haible moved, seconded by Selectman Wallace to appoint Roberta Flocher to the Planning Board as an associate; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to appoint Prescott McCurdy to the Solid Waste Committee; motion passed 3-0.
- **Accept Mission Statement and Nominees for Emergency Vehicles Committee:** Cricket Tupper asked how future appointees to the Emergency Vehicles Committee will be appointed. Ms. Tupper feels it is important to have the Fire Departments nominate the members since this is an important topic and the knowledge regarding the vehicles is needed from members of the Fire Departments. Administrator Eiane explained the nominees came as a result of Chief's recommendations after discussion at a Fire & Rescue Committee meeting. Selectman Henderson requested that the nominees complete a committee application as other committee applicants do. This item was tabled for further review until the next meeting.
- **Liaison Responsibilities:** This item was completed at the Administrative Meeting. (See attached list)
- **Committee-Wide Meeting for Saturday, April 26, 9:30 A.M. at the Town Office**

12. Appointed Officials: Administrator Eiane reviewed these appointments which are required by law. Chairman Haible moved, seconded by Selectman Henderson to appoint the officials (on the attached list) from May 1, 2008 to April 30, 2009; motion passed 3-0.

13. Selectmen's Schedule: Chairman Haible wanted to discuss a way to avoid a 5 – 6 hour day on Thursday between the administrative meeting and regular Selectmen's meeting. Selectman Henderson suggested possibly having the administrative meeting in different locations within the Town. Administrator Eiane stated she had been considering having the Selectmen's meeting in different Town locations instead of the administrative meetings especially with this year being the Town's 250th celebration. Chairman Haible suggested continuing with the current schedule for now and this item could be returned to if needed in the future.

14. Consider 2008 Wage and Salary Adjustments: Administrator Eiane explained she is responsible for performing the annual reviews which she has done and commented on having an outstanding, professional staff. The budget was prepared with mostly 3% wage/salary increases. As a result from the Salary Survey,

Administrator Eiane has prepared certain salary adjustments for certain positions, in addition to certain positions taking on additional responsibilities. Selectman Henderson questioned the linking of the Code Enforcement Officer and Deputy Town Administrator with the Planner and the future consequences that may bring. Chairman Haible questioned the linking as well since the Planner has a master's degree and it is not required of the other two positions. The Board discussed whether to continue this issue in executive session or to discuss the positions in a general overview. Selectman Henderson questioned if the new Code Office arrangement isn't successful and a second person is required, what happens with the increase to the first Officer. Administrator Eiane reviewed that her proposed raises fit within the current approved budgets, except for the general administration since Administrator Eiane's salary will be discussed in executive session. The Board agreed to table this item until the next meeting.

15. Open Bids for Municipal Vehicle: Chairman Haible opened the bids: 2007 Jeep Patriot for \$13,990 from Bodwell-Chrysler-Dodge and a Jeep Liberty available through an auction bid for \$13,890 for 2005 or \$13,860 for a 2006; 2000 Ford Explorer for \$9,218 from Harpswell Auto Sales; and a 2001 Subaru Forester for \$9,619 from Norm's Used Cars. The bids have been referred to staff for review. Glenn Gott asked why cars are being looked at instead of a 4x4 truck. Administrator Eiane responded that Code Enforcement participated in the preparation of the vehicle specifications.

16. Update Regarding Vendor for Fencing Work at Mitchell Field: Administrator Eiane reported that two weeks ago the Board voted to authorize Alder Fence Company to install the new fence on the pier and they were contacted after the meeting and they were unable to do the work within our timeframe. Staff received two other bids: Maine Line Fence and Aroostook Fence Company for \$5,750 and can work within the timeframe. Chairman Haible moved, seconded by Selectman Henderson to authorize Aroostook Fence Company to install the fence on the pier; motion passed 3-0.

17. Authorization of the Warrant: Administrator Eiane recommended approval of warrants 22, 23 and payroll warrant 17. Selectman Henderson moved, seconded by Chairman Haible to approve warrant 22 in the amount of \$167,237.83; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve warrant 23 in the amount of \$4,314.84; motion passed 2-0 (Selectman Wallace abstained). Selectman Henderson moved, seconded by Chairman Haible to approve payroll warrant 17 in the amount of \$16,347.96; motion passed 2-0 (Selectman Wallace abstained).

18. Approval of the Minutes: The April 10 minutes were tabled.

19. Public Comment: Glenn Gott asked how many Town committees there were, how members were chosen and when does the public hear from the committees regarding their work. Mr. Gott also asked when the Energy Committee would get started and commented on keeping the Town budget low. Selectman Henderson responded that committees report at different times at Selectmen's meetings; members fill out applications and there are minimal duplicate members between the committees. Mary Ann Nahf commented on the amount of telephone books that were picked up during the roadside cleanup and stated phone companies deliver phonebooks in January when many people are not here.

20. Adjournment: The meeting was adjourned by unanimous vote at 8:45 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer
Attachments: List of Selectmen Liaisons