

Board of Selectmen's Meeting Minutes
September 18, 2008
Old Orr's Island Schoolhouse
Approved on October 4, 2008

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

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer; Marguerite Kelly, Treasurer; Carol Tukey, Town Planner; and Bob Venard, Road Commissioner.

The Board met at 5:30 p.m. to handle administrative matters; the Board briefly reviewed the latest Tide Mill Cove Landing plan and agreed to place this item on the next agenda and to notify the abutters; Bob Venard updated the Board on a proposal to have a portion of the Cundy's Harbor Road rebuilt by DOT, with a Town contribution, sooner than if left entirely by DOT and the Board agreed to place this item on the next agenda; the Board agreed to amend tonight's agenda to add a discussion about household hazardous waste day; the Board agreed to place a discussion on the next agenda regarding issues important to the Town to convey to Cumberland County; the Board reviewed a summary from Michael Wilhelm regarding TIF's in Topsham and the effect on Harpswell and requested that a letter be drafted for review at the next meeting that will be sent to the legislative candidates; the Board scheduled Monday, October 20 at 4:30 p.m. as a workshop with the Energy Task Force; Administrator Eiane reported the Code Enforcement Officer has approval to remove the piles of sand at the Pott's Point Town landing; staff will visit the proposed dry hydrant location at Oakhurst Island and report to the Board; Administrator Eiane reported that the Code Enforcement Officer is responding to the Hildreth Road complaint even though it may not be a Town issue and that MMA does not recommend ordinances regarding drainage; the Board signed purchase orders exceeding \$1,000; and signed a catering permit and a thank you letter to Dian Petty regarding a fund on behalf of Joyce Brown for the summer swim program.

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:30 PM, and the Pledge of Allegiance was recited. The meeting was videotaped for later broadcast on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Haible moved, seconded by Selectman Wallace to add Household Hazardous Waste Day as item 19a; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to adopt the agenda as amended; motion passed 3-0.

2. Welcoming Remarks: Al Moren provided a history of the Old Orr's Island Schoolhouse and Lorna Stilphen spoke of fond memories of attending the school as a child.

3. Town Administrator's Report: Administrator Eiane reported that the Recreation Director has stepped down and that she recommended the youth coordinator be the interim recreation director until such time as recreation needs can be better analyzed. Administrator Eiane recommended increasing the Youth director's pay from \$13.75/hr to \$16.75/hr until Spring and that the current Recreation director complete a weekly hourly time card. The Board discussed the raise in pay and the Administrator's rationale for her recommendation. Chairman Haible moved, seconded by Selectman Henderson to accept the Town Administrator's recommendation; motion passed 2-1 (Selectman Wallace opposed). The Board agreed to send the Town's legal services out to bid and to include a brief summary of needs in the RFP. Administrator Eiane announced the Town Office will be a collection site for old cell phones for one month to allow TRIAD to collect phones and then program with 911 for the elderly. Deputy Town Administrator, Terri Sawyer, announced the annual flu clinic date as October 9 at 9 a.m. to 11 a.m. and 5:00 to 7:00 p.m. and that volunteers are needed at the Giant's Stairs project.

4. Selectmen's Announcements: There were no announcements.

5. Old Business: Positive Pay: Treasurer Kelly explained this is an added protective measure for the Town. Ms. Kelly explained she previously asked the Board for approval to proceed with this service, where the bank will confirm that checks presented for payment against the Town's bank account will be processed at the issued amount, and is now asking for authorization to sign the Positive Pay and Cash Management Agreements. Selectman Henderson questioned if there were associated costs with the service and if MMA or some other source could give examples of cases of fraud in the past that this service would protect against. Ms. Kelly responded that the cost is in interest to the Town as TD Banknorth would require a minimum non-interest bearing balance of \$120,000, an increase of \$60,000 over the previous required balance. Chairman Haible moved, seconded by Selectman Wallace to authorize Marguerite Kelly, Town Treasurer, to sign the positive pay and cash management agreements; motion passed 3-0.

6. Neal and Susan Favreau Wharf, 84 Abner Point Road, Map 22, Lot 36: William Wells, Code Enforcement Officer, provided a review of the application and recommended its approval. Chairman Haible moved, seconded by Selectman Henderson to open the public hearing; motion passed 3-0. There were no comments on the application. Chairman Haible moved, seconded by Selectman Henderson to close the public hearing; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve the application as it does not cause a hazard to navigation or injury to the rights of others; motion passed 3-0.

7. Treasurer's Report: Marguerite Kelly, Town Treasurer, stated the \$500,000 bond has been approved by the Maine Municipal Bond Bank and that the Town now needs the service agreements with Cundy's and OBI Fire Departments. Ms. Kelly then reviewed her monthly report for August (attached).

8. 2009 Budget Items and Guidelines: Administrator Eiane reviewed her handouts outlining a draft LD1 compliant budget and highlighted potential issues for the Board to consider in this budget season. A workshop to focus on the upcoming budget season was set for Tuesday, September 23 at 4:30 p.m.

9. Emergency Vehicles Recommendations: Chairman Haible read the memo from Marguerite Kelly which summarized the recommendations from the Emergency Services Committee for both the ambulance and chassis/remount. Ed Sparks, Rescue Chief for OBI, explained how the committee reviewed the bids and arrived to its decisions: Sugarloaf Vehicles to build a P L Custom ambulance; Portland North Truck Center for the international chassis; and Northeast Emergency Apparatus, LLC to the remount. Selectman Henderson moved, seconded by Selectman Wallace to proceed with the recommendations as outlined in the September 16 memo from Marguerite Kelly; motion passed 3-0 (attached).

10. Town Planner Report: Carol Tukey, Town Planner, reviewed her September 12 report (attached). The Board concurred with Ms. Tukey having submitted a grant application to the MCEDD for infrastructure improvements at Mitchell Field, which is a place holder. The Board agreed that Ms. Tukey should proceed with reviewing impact fees.

11. Mitchell Field Update: Judith Redwine and Scott Ruppert, Chair and Vice Chair, respectively, of Mitchell Field Implementation Committee, presented a summary of the accomplishments, pending work, the short term vision, long term vision and the 2009 project list of the Committee. Ms. Redwine stated the Board needs to consider how to proceed with dog control – is a leash law needed? Doggie clean-up stations have been donated and will be installed soon. Chairman Haible commented on how a financial road map for the site is imperative and an assessment of infrastructure in order to be prepared when businesses approach the Town. Mr. Ruppert responded that it is imperative for the Town to provide infrastructure to businesses to be desirable to them.

12. Disposition of Fencing from Mitchell Field: Administrator Eiane stated the Board previously directed her to see if Tower Specialists could use the fencing at the tower site and if not, to contact the interested animal

farm. Ms. Redwine requested that enough fencing be left at Mitchell Field for possible reuse around the pier. The Board tabled the item.

13. Consider Tobacco-Free Policy: Chairman Haible read the responses received by committees and staff. Selectman Wallace stated he understood no-smoking at schools and recreation areas with designated areas but was opposed to banning smoking at all Town properties. Selectman Henderson agreed that some sites might not be realistic and recommended developing a policy for the Old Town Meeting House, Town Office, Recycling/Transfer Station and Trufant-Summerton Ballfield. Staff was directed to come up with a recommendation for review by the Board.

14. Disposition of Town Boat, Outboard and Trailer: James Hays, Harbormaster, provided a memo to the Board outlining the existing and replacement values of the boat, outboard and trailer, and recommended the Board donated the items to the Harpswell Neck Fire Department. Administrator Eiane explained the Board cannot donate Town property but instead could consider entering a lease with HNFD or send it out to public bid. The Board directed Administrator Eiane to work on a proposed lease agreement with Harpswell Neck.

15. Agreements with Orr's-Bailey Island and Cundy's Harbor Fire Departments: Chairman Haible read the proposed agreements which are required as part of the Town leasing emergency vehicle equipment to the departments. Selectman Henderson moved, seconded by Selectman Wallace to sign both agreements; motion passed 3-0 (attached).

16. Appointments: Selectman Henderson moved, seconded by Chairman Haible to appoint Georgette Marie Moffett and Dorothy D. Carrier as election/ballot clerks; motion passed 3-0. Chairman Haible read the Town Stewards policy and moved the appointments as outlined in Terri Sawyer's 9/16/08 memo (attached); motion passed 3-0.

17. Proclamation of Constitution Week: Chairman Haible read the proclamation and moved, seconded by Selectman Wallace to sign it; motion passed 3-0.

18. Adoption of NIMS Resolution: Administrator Eiane reported that this resolution is needed for the Town to be NIMS (National Incident Management System) compliant, where all government entities are working under the same emergency preparedness plan. Although this can be difficult for small towns by asking its volunteers to attend certain trainings, the Board is asked to sign the resolution and the Town will continue to work towards compliance. Municipalities must be NIMS compliant to be eligible for homeland security grants. Chairman Haible moved, seconded by Selectman Henderson to sign the Resolution (attached); motion passed 3-0.

19. Permit for Pole Locations on Shore Acres Road: Administrator Eiane explained this permit request comes from Fairpoint to place poles in the Town's right-of-way on Shore Acres Road to the new subdivision, Hamilton Place. Administrator Eiane stated that MMA provided the statute that allows Fairpoint to do without notice and then when the poles are installed, abutters have 90 days to file a written objection. The poles appear to be located off the road and won't impede traffic. Selectman Wallace moved, seconded by Chairman Haible to sign the permit; motion passed 3-0.

19a. Household Hazardous Waste Day: As the spring event exceeded the budgeted amount, Jim Gordon, Recycling Center/Transfer Station Manager, recommended not participating in the fall event. The Board agreed this event is important to the public and to pollution control. Chairman Haible moved, seconded by Selectman Wallace to hold the October household hazardous waste day with the understanding that contingency may be needed if the Recycling budget cannot absorb the costs; motion passed 3-0.

20. Authorization of the Warrant: Selectman Henderson moved, seconded by Chairman Haible to approve warrant #56 in the amount of \$904,206.78; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve warrant #57 in the amount of \$15,108.86; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #38 in the amount of \$14,656.81 was noted for the record.

21. Approval of the Minutes: Chairman Haible moved, seconded by Selectman Henderson to approve the September 4 minutes as printed; motion passed 3-0.

22. Public Comment: There were no comments.

23. Adjournment: The meeting was adjourned by unanimous vote at 9:35 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report
Emergency Vehicles Recommendation
Town Planner Report
Mitchell Field presentation summary
OBI/Cundy's Harbor Agreements
Stewards memo
NIMS Resolution