

**Board of Selectmen's Meeting Minutes**  
**June 19, 2008**  
**Harpswell Town Office**  
Approved on July 10, 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; Carol Tukey, Town Planner; Marguerite Kelly, Treasurer; Bob Venard, Road Commissioner; and William Wells, Code Enforcement Officer

The Board met at 5:30 p.m. to handle administrative matters; the July meeting schedule was discussed; the Board set Wednesday, June 25 at 4:30 p.m. to take an employee photo for the Anchor; the Mitchell Field Committee's proposals for Mitchell Field were noted; Debbie Turner, Assessing Agent, reviewed the proposed assessing adjustments and Selectman Henderson requested there be a generalized communication with the public either through an Anchor add or interview; Chairman Haible discussed the Energy Task Force's progress and it was decided to place this item on the next agenda; and Selectman Henderson requested more detailed monthly reports from Cumberland County.

**Call to Order and Pledge of Allegiance:** The meeting was called to order by Chairman Haible at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Chairman Haible moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 2-0.

**2. Town Administrator's Report:** Administrator Eiane reported there was a meeting at the Town Office this past Monday with DOT, Bob Venard and the Orr's/Bailey Island Fire Chief, Bill Beazley regarding the reconstruction of the Bailey Island Bridge and she noted construction signs will be posted soon. By August, fill will be brought in for the temporary bridge and by December, the temporary bridge should be open with the reconstruction of the existing bridge taking place in the winter of 2009 and completed by August of 2010. DOT does not intend to stop traffic and there will be a project resident on site to take complaints. Chairman Haible questioned whether there would be compensatory pay to businesses that may lose business and Administrator Eiane responded that was a question for DOT. Bob Venard commented on the volume of trucks that will be traveling across Rt. 24 with fill and supplies. Administrator Eiane announced that the Town received a response from Senator Collins regarding the Iran petition and it will be made available on the website. Administrator Eiane explained the Town placed a small plaque in honor of Beverly Bibber, former Town Tax Collector for many years, near a lilac bush in the front of the Town Office and Ruth Weeks, along with others, donated \$35 for the cost of the plaque. Selectman Henderson moved, seconded by Selectman Wallace to accept the \$35; motion passed 3-0.

**3. Selectmen's Announcements:** Selectman Wallace announced someone dropped off a deer carcass at Bethel Point and encouraged the public to call IF&W or DOT instead. Chairman Haible noted that estimates for prepaying fuel are reaching \$6,000 for the season and encouraged those who may be in need of assistance to contact Kristi Eiane as the Town has a fuel assistance program and there is the Federal LIHEAP program. Chairman Haible requested that the Town's MRRRA representatives, John Moncure, Stephanie Slocum and Heather Collins, come to a meeting and provide an update.

**4. Old Business:** There was no old business.

**5. Treasurer's Report and Budget Advisory Committee Report:** Marguerite Kelly, Town Treasurer, reviewed her treasurer's report for the month of May (attached as further reference). Ms. Kelly, as Chair of the

Budget Advisory Committee, presented fee recommendations from the Committee: 1. to maintain the Transfer Station fees and; 2. increase internal plumbing permit fees from \$6 per fixture to \$12, retain the \$24 minimum fee, increase the septic system fee from \$100 to \$150 and the variance fee from \$20 to \$30. Selectman Wallace commented that taxpayers should not have to cover the entire costs to the Town for someone else's permit. Chairman Haible requested this item be placed on a future agenda with notice for comment. Ms. Kelly asked the Board what it wanted the Committee to do with the HCBC agreement and letter from Katherine Chatterjee; Selectman Henderson responded it was provided as information only. Ms. Kelly reported she attended a fraud seminar at TD Banknorth and stated that cases with check are increasing even though fewer checks are being used. Ms. Kelly recommended increasing the use of electronic transfers and is exploring the use of credit/debit cards.

**6. Wharf Application for James & Doris Ash, 18 Heather Lane, Map 35, Lot 108:** Chairman Haible moved, seconded by Selectman Henderson to open the public hearing at 7:02; motion passed 3-0. Bill Wells, Code Enforcement Officer, stated this application for platforms and stairs is before the Board due to the stairs going below the high tide. Chairman Haible moved, seconded by Selectman Wallace to approve the application as it does not cause a hazard to navigation or injury to the rights of others; motion passed 3-0. The hearing was closed at 7:10 p.m.

**7. Update Re: Notice of Violation:** William Wells, Code Enforcement Officer, stated that an automobile graveyard is a site that has three or more unregistered or non-inspected vehicles and he read the definition of a junkyard. Mr. Wells explained there are multiple sites within Harpswell that qualify as a junkyard and/or automobile graveyard, including Map 3, Lot 53, and the Code Office has worked with the property owners to get them into compliance. Most will cooperate and become compliant but then will acquire more cars and/or junk and slip back into violation, which can go on for quite some time. This is the case with this particular site and Mr. Wells asked the Board to authorize legal assistance to assist in making this site compliant with the rules. Selectman Henderson questioned whether this site had unique circumstances or whether Mr. Wells would be pursuing the same recourse for other properties. Mr. Wells responded he was seeking support for this case and to pursue others in the same fashion. Chairman Haible moved, seconded by Selectman Henderson to authorize the Town Attorney to take any and all action, including, without limitation, the filing of suit in state court, that is necessary and appropriate to enforce the Town of Harpswell's Basic Land Use Ordinance and the Automobile Graveyard/junkyard State Statute with respect to property located on Smokehouse Road (Tax Map 3, Lot 53); motion passed 3-0.

**8. Road Commissioner's Report:** Bob Venard, Road Commissioner, reported the survey work for the new capital road project is completed and that bid specifications are being developed so that the work can begin by fall. Mr. Venard reported that certain Town roads are being swept to clean up winter sand. Mr. Venard stated he was meeting with DOT concerning a program for minor collector roads, where DOT funds a portion of road improvement (2/3) and the Town funds a portion. Mr. Venard is investigating for the balance of Cundy's Harbor Road. Mr. Venard reported that at the mid-point of the Dingley Island Road capital road improvement project in late 2006, the Town received a credit towards the project for less ledge work under the road and the contractor performed what the Town wanted. Now the road is cracking in areas and Mr. Venard has received a price from Pine State to repair at .55/foot. Mr. Venard reported the Town replaced a culvert under the entrance to Spruce Cove Road and the residents are complaining about the fill and that he recommends placing stone in the area to correct the problem. Mr. Venard requested a decision by the Board whether to release the Dingley Island Road contractor's retainage. There was a discussion regarding estimates by the engineer on the project and how the Town agreed with the change order based on the engineer's recommendation. Samuel Alexander (Chairman of the Board at the time of the capital road project) stated the project had gone well and there wasn't an issue until the engineer missed certain estimates. The Board agreed to arrange a meeting with the

engineering firm, Woodard & Curran, to discuss Dinley Island Road and to proceed with correcting Lower Spruce Cove Road.

**9. Assessing Adjustments:** Administrator Eiane stated that the Board had a meeting about a week ago with the contracted Assessing agent at which he reviewed sales data to see if there are areas in Town that are over or undervalued to keep in line with the State's assessment. If the Town goes too low under the State's value, then the homestead exemption is devalued. The data resulted in showing some areas that will decrease and some that will increase. Administrator Eiane stated this is not a Town-wide revaluation but instead neighborhood adjustments. Administrator Eiane encouraged property owners to apply for the property tax and rent refund program and stated there is an abatement process for those in need. If the Board approves the adjustments then letters will be sent to the affected property owners. Chairman Haible noted there are two ways to measure value, one with street index and one with site index. Chairman Haible stated that staff did a good job providing information and justification for these adjustments and encouraged the recorded meeting with the Assessing agent be played on Channel 14. Selectman Henderson stated these adjustments are to be equitable and moved to accept the assessing office's presented adjustments, seconded by Chairman Haible; motion passed 3-0.

**10. Mitchell Field Update:** Judith Redwine, chair of Mitchell Field Implementation Committee, requested that the Board consider a two-week trial of opening the entrance gate to Mitchell Field for vehicular traffic, including, posting a speed limit, blocking off the outer roads and having the Sheriff's Department patrol the site. Administrator Eiane stated there is a call into the State to see what entity is required to set enforceable speed limits and she wondered if picnic tables would be deterrent enough to block the side roads. Administrator Eiane questioned whether it is time for the Town to hire a monitor for the site. Ms. Redwine stated the more accessible the site is to the public the more it will be policed the public. Bob Venard spoke against opening the front gate as it will increase vandalism. Chairman Haible suggested that a map showing exactly what the committee wants to do is necessary for the Board to approve a specific plan. Selectman Henderson questioned whether the road has to be accepted as Town road and what percent of parking is required to be handicap. Ms. Redwine stated the committee may have a source for telephone poles which can be used to replace the entrance fence with an attractive fence. Ms. Redwine spoke about the proposed change to the existing rules of use of Mitchell Field. Selectman Henderson stated concerns about the unfriendly tone and stated he would work on drafting an idea. Ms. Redwine proposed having a sub-committee called the Friends of Mitchell Field that would help with soliciting donations for the site and locating donations such as benches, picnic tables. The Board agreed this seems to require a separate group than the Mitchell Field Implementation Committee. Ms. Redwine reported the Committee met with the public regarding the pier and it was decided to make the pier aesthetically pleasing by removing the broken ladders, lights etc. Ms. Redwine stated she has volunteers that can perform these aesthetic type items; Chairman Haible agreed as long as Bill Wells is in charge of the project.

Chairman Haible moved item 20 up to 13a.

**11. Harpswell Scouting Association Request for Additional Use of Mitchell Field:** Bob Anderson and Dale McGlauflin explained they would like to expand upon the bean hole supper plans for Saturday, July 19. The proposal is to make it a weekend event, including camping on Friday and Saturday, boat rides, games and a bonfire Saturday night. In preparation for the bonfire, they will have Frank True, Fire Warden, direct them for the best location; Fred Perry is bringing a 1,000 gallon tank of water; and there may be a fire truck on site. There will be one or two recreational vehicles setup as emergency stations. Mr. McGlauflin asked the Board and the Mitchell Field Implementation Committee to consider having the scouts do a service project at Mitchell Field. The Board agreed that if this event needs more portable toilets than the two on site provided by the Town, the association would be responsible for fulfilling its needs. Selectman Henderson moved, seconded by Chairman Haible to approve the additional request by the Harpswell Neck Scouting Association for the Use of Mitchell Field for a Harpswell scouting camporee on Friday, July 18, Saturday, July 19 and Sunday, July 20 for

clean up, and waives provisions of the Group Use Policy that require payment of an advance deposit fee and payment of a per person attendance fee; allows the use of motorized vehicles to the site; and provided that arrangements have been made with HNF, allows a contained bonfire in the specified location on Saturday night; motion passed 3-0.

**12. Presentation Re: Midcoast Business Development and Planning Alliance Regional Business Park:**

Carol Tukey, Town Planner, introduced John Shattuck who will speak about the proposed Midcoast Business Development and Planning Alliance Regional Business Park. Mr. Shattuck explained that the region will be negatively impacted from the BNAS closure and the regional business park is an effort to minimize the impacts. See attachment for further information.

**13. Report from Restoration Advisory Board Representative:** David Chipman, Harpswell's representative to the BNAS Restoration Advisory Board, handed out a written report to the Board (attached as further reference). The Board agreed to review the report and have Mr. Chipman back at a future meeting to answer questions. Mr. Chipman provided a website address for the public to go to for more information on the BNAS clean up: <http://nasbrunswick.navy-env.com>.

**14. Request for Use of Mitchell Field by Fishing Families:** Deputy Administrator Sawyer stated this application is the same as last year and recommended its approval, provided an updated insurance certificate covering the date of the event is submitted. Chairman Haible moved, seconded by Selectman Wallace to approve the application submitted by Fishing Families for Harpswell for the use of Mitchell Field for a fundraising shore dinner on Saturday, August 23, and waives provisions of the Group Use Policy that requires payment of an advance deposit fee and payment of a per person attendance fee; and allows the use of motorized vehicles to the site; motion passed 3-0.

**15. Open Sealed Bids for Municipal Truck:** Chairman Haible opened the sealed bids received for the municipal truck: Stanley Williams for \$712.99; and Ed Skillin \$559.27. Chairman Haible moved, seconded by Selectman Wallace to accept the bid from Stanley Williams; motion passed 3-0.

**16. Committee Resignation:** Chairman Haible stated Richard Newman has resigned from the Energy Task Force and moved to accept it, seconded by Selectman Wallace; motion passed 3-0.

**17. Consider Contract with Vision Appraisal:** Deputy Administrator Sawyer stated the contract is the same as the year before for hosting the Town's assessing data on the website. Selectman Henderson moved, seconded by Chairman Haible to accept and sign the contract; motion passed 3-0.

**18. "Go Slow Children At Play" Signs for Route 24 and Basin Point Road:** Chairman Haible read the letter from Ms. Lanoue regarding the safety concerns in the area of the Orr's Island Library. Administrator Eiane explained that the DOT requires standards for a new crosswalk and that it is no longer being requested. Chairman Haible moved, seconded by Selectman Wallace to order and install 'Go Slow Children' signs; motion passed 3-0. The Board reviewed a letter regarding safety concerns in the area of the Basin Point Road entrance. Selectman Henderson moved, seconded by Selectman Wallace to order and install 'Go Slow Children' signs; motion passed 3-0.

**19. Consideration of Mark Wallace's Legal Bills:** Chairman Haible read the June 6 letter from James Katsiaficas, Mark Wallace's attorney regarding his invoices. Chairman Haible stated Mr. Wallace incurred legal costs of \$4,273.32 for March, \$2,760.70 for April; \$2,665.37 for May; totaling \$9,699.39. Selectman Henderson questioned how the costs can be determined reasonable. Chairman Haible disagreed with trying to determine if the costs are reasonable as the charges are real and stated that the invoices need to be paid.

Chairman Haible moved, seconded by Selectman Henderson to pay \$9,699.39 to Thompson & Parker as Town Meeting voted in Mark Wallace and the Town took action to protect the Town voters and now with the decision, it's over and let's move forward; motion passed 2-0. (Selectman Wallace abstained).

**20. (moved to 13a.) Correspondence from Carrying Place Assembly:** Samuel Alexander stated he was representing a group of people and read the letter that was submitted to the Board (attached as further reference) regarding the discrepancies with the Harpswell/Brunswick town line on the Rt. 123 side. Gareth Anderson commented how, in his opinion, inaccurate the line is. The Board set July 17 at 6:30 p.m. at the West Harpswell Elementary School as the date for the Assembly to present its findings to the Board and public.

**21. Bowdoin College Agreement for Summer Swim:** Administrator Eiane reviewed that this agreement is the same as last year which allows the Town's summer swim program to take place at the Bowdoin College pool. Selectman Henderson moved, seconded by Selectman Wallace to approve and authorize the Town Administrator to sign; motion passed 3-0.

**22. Authorization of the Warrant:** Chairman Haible moved, seconded by Selectman Henderson to approve warrant 36 in the amount of \$860,735.66; motion passed 3-0. Selectman Henderson moved, seconded by Chairman Haible to approve warrant 37 in the amount of \$18,092.51; motion passed 2-0 (Selectman Wallace abstained). Chairman Haible moved, seconded by Selectman Henderson to approve warrant 38 in the amount of \$9,699.39; motion passed 2-0 (Selectman Wallace abstained). Administrator Eiane stated that due to the Town's policy, one Selectman can sign the payroll warrant and therefore a vote is not needed for payroll warrant 25 in the amount of \$16,888.32.

**23. Approval of the Minutes:** Selectman Henderson moved, seconded by Selectman Wallace to approve the minutes of June 5; motion passed 2-0. Selectman Henderson moved, seconded by Chairman Haible to approve the June 9 minutes; motion passed 3-0.

**24. Public Comment:** Sam Alexander commented on fee increases and stated that the voters pass ordinances for the safety of all and that the fees should not cover more than 2/3 of the costs so that users don't pay for the full cost.

**25. Adjournment:** The meeting was adjourned by unanimous vote at 10:05 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report  
Carrying Place Assembly Letter  
Restoration Advisory Board Representative Report  
Midcoast Business Development & Planning Regional Business Park