

**Board of Selectmen's Meeting Minutes**  
**September 23, 2010**  
**Harpswell Town Office**  
Approved on October 7, 2010

Page 1 of 4

At 5:30 p.m. the Board met to handle administrative matters: the Board's meeting schedule was discussed; the Board was informed that one application has been received for the Education Advisory Committee and Board members asked staff to approach the PTO's; the Board provided guidance regarding the 2011 budget process by requesting a LD-1 compliant budget with a 2% raise included for employees and possible extra items such as HCBC capital, road maintenance and fire department assistance; the Board was provided a quote for appraisal services for Cedar Beach in an amount not to exceed \$5,400 and the legal budget was reviewed and its probable over- expenditure; the Board agreed with proceeding and signed the purchase order and Chairman Henderson requested a paragraph to summarize what the appraisal is intended to accomplish; another purchase order was signed; and several thank you notes were reviewed from entities receiving an appropriation.

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

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

**Call to Order and Pledge of Allegiance:** The meeting was called to order at 6:30 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 Strategic Planning for Fire & Rescue to 7a.; motion passed 3-0.

**2. Public Comment:** [Public comment heard during item 8]. Donna Frisoli, Harpswell Community Broadcast Corporation Station Manager, stated she has signed up for a year's subscription to a website (Vimeo) that allows her to post shows to that site for viewing by the public. There is a link on the Town's website for the public to access the posted shows. Ms. Frisoli has posted the FEMA meeting and plans to post the Selectmen's meetings. The subscription is limited in size and is a lengthy process and will need additional time and equipment that she will address with HCBC's Board. Deputy Town Administrator Sawyer stated the Board previously requested certain Town website improvements, including the possibility of posting meeting videos. Ms. Sawyer stated she previously discussed this particular feature with Ms. Frisoli and how HCBC and the Town could partner to accomplish this objective. Ms. Sawyer reported that initial cost estimates were quite costly and she stated how much she appreciated Ms. Frisoli taking the lead and accomplishing the goal so quickly to benefit many.

**3. Town Administrator's Report:** Administrator Eiane announced the Town's flu clinic is scheduled for October 14 from 9:00 a.m. to 12:00 noon and 5:00 p.m. to 7:00 p.m. The single dose vaccine will cover both seasonal and H1N1. Administrator Eiane announced that the proposed Cumberland County Charter will be voted on November 2 and she asked voters to be informed and to view the proposal through the Town's website.

**4. Selectmen's Announcements:** Selectman Wallace announced the Transfer Station has reclaim available for sale which is a great material for filling potholes. Selectman Multer announced she inquired of the State Department of Education as to the land size requirements to build a consolidated elementary school; the response was 8-10 acres. Chairman Henderson encouraged interested parties to apply to be a member of the Education Advisory Committee. Chairman Henderson acknowledged the Town received several thank you notes from entities that received an appropriation.

**5. Consent Agenda: 1) Approval of the Minutes; 2) Contract with Bowdoin College for Family Swim Program:** Chairman Henderson moved, seconded by Selectman Multer to approve the consent agenda; motion passed 3-0.

**6. Authorize Treasurer to Increase Compensating Bank Balance Amount:** Marguerite Kelly, Treasurer, explained she met with representatives of the Town's Bank, TD Bank, who requested an increase in the Town's compensating balance from \$120,000 to \$1,000,000. The need for such an increase results from the substantial decline in interest rates since June 2008 when the \$120,000 amount was set. The interest the Town would forego on the \$1,000,000 is \$2,500/year, while the fees for services received approximate \$5,000 under the current fee schedule. In response to a question by Chairman Henderson, Ms. Kelly explained that failure to maintain the \$1,000,000 balance does not result in the Town being charged fees, rather the Town will lose interest. She recommended increasing the Town's compensating balance to an amount not in excess of \$1 million. Selectman Multer moved, seconded by Selectman Wallace to authorize the Treasurer to sign the documents to increase the balance to not exceed \$1,000,000; motion Passed 3-0.

**7. Consider Two Grant Applications from the Conservation Commission:** Deirdre Strachan, of the Conservation Commission, explained that the 2010 Town Meeting approved a warrant article allowing the Town to seek funding to study the natural resources on five Town-owned properties in the Town Office area that may lead to a possible conservation easement on a portion of the property. These two grant applications are seeking funding for an ecological assessment of the property. The assessment will help determine which areas might be more appropriate for a possible conservation easement and also the areas that may be better suited for development. Ms. Strachan stated the application to the Senter Fund is for \$4,700 and the application to Davis is for \$7,500, which includes dissemination of the results that the other grant doesn't allow for. It was discussed that the applications are looked at more favorably from the Conservation Commission as applicant rather than the Town. Chairman Henderson moved, seconded by Selectman Multer to authorize the Conservation Commission to apply for the aforementioned grants to Davis and the Senter Fund; motion passed 3-0.

**7a. Strategic Planning for Fire & Rescue:** Chairman Henderson stated the Board has been informed of the need for strategic planning regarding fire & rescue and assumes the next meeting will review more detail as to what a committee will do. The main reason behind this proposal is to try and address the decline in volunteers for the Town's three volunteer departments. Selectman Multer stated she has attended the recent meeting regarding this topic and the focus is more on the difficulty of finding volunteers for rescue calls. The Committee voted to amend the Fire & Rescue Committee mission statement to include 3 members for the strategic planning part but she believes a separate committee is necessary due to scheduling and the associated complications with such a split committee. There was a discussion regarding the potential need of a facilitator or consultant for the strategic planning; Administrator Eiane noted the Committee felt no consultant was needed. Chairman Henderson suggested adding the staff involvement to this committee and its importance. The Board discussed a potential date for reporting to the Board; Chairman Henderson added 9/1/2011 to the proposed revised mission statement. Chairman Henderson suggested proceeding with this proposal and if the need is later determined that a separate committee is necessary, the change can be made. Chairman Henderson moved, seconded by Selectman Wallace to adopt the proposed mission statement with the amendment of staff and proposed 3 public members. Ben Wallace pointed out the proposal is for the additional members to just assist in the strategic planning for rescue and not the regular Fire & Rescue business. Chairman Henderson amended his motion to include only for the strategic planning purpose. Ben Wallace noted there is a lot of "crystal ball" work to be done and perhaps another committee will be needed in the future to implement recommendations from this new committee. Chairman Henderson read the proposed revised mission statement and moved, seconded by Selectman Wallace to adopt the statement with amendments from tonight; motion passed 2-0 (Selectman Multer abstained).

**8. Re-Consider Franchise Agreement with Comcast:** Selectman Multer moved to reconsider the Franchise Agreement, seconded by Chairman Henderson for discussion. Chairman Henderson read his background statement on the issue and stated that, based on the number of subscribers; the result of the capital disbursement will be about .20/subscriber. Selectman Multer stated his history doesn't note the fact the Board only became aware of the 11% interest at the 8/26/10 meeting and she finds it concerning that it is not detailed in the contract. Selectman Multer stated the capital funding should go through taxpayers as HCBC is available to all residents (cable subscribers plus others) and the Town could borrow at a much lower rate. If the Town doesn't take the \$60,000m capital and Comcast still raises rates; that will clearly be a Comcast responsibility. Donna Frisoli stated that while Comcast says it will charge 11% interest, it is not in the contract and no one knows for sure what it will charge, please don't re-consider the contract. Chairman Henderson stated he was open to considering the \$6,000/year for 10 years with no interest and place the money in a non-lapsing capital account, budget for the needs and then use the account to repay the appropriation. Administrator Eiane noted any proposal will have to be voted on by Town Meeting. David I. Chipman and Donna Frisoli spoke against this proposal as it is too difficult to plan and is reliant on Town Meeting approval. Chairman Henderson moved, seconded by Selectman Wallace to table the reconsideration to the next meeting; motion passed 3-0.

**9. File Formal Appeal to Federal Emergency Management Agency:** Administrator Eiane stated that Robert Gerber, the Town's consultant from Sebago Technics, informed the Town that the Federal Emergency Management Agency (FEMA) requested a letter of formal appeal to have FEMA consider Gerber's study in Harpswell. Administrator Eiane suggested the Board sign the proposed letter that includes the Town's former letter of July 16. Administrator Eiane noted that Senator Collins' office is taking the lead on this issue and there may be more to report at the next meeting. Chairman Henderson moved, seconded by Selectman Multer to formally urge FEMA to consider the Gerber research and data based on the September 23 letter; motion passed 3-0. Selectman Wallace requested a list of the Town's legislative contacts be available in the Code Office for members of the public that come in inquiring of the issue. Administrator Eiane noted that all appeals within the 90-day appeal period must be submitted through the Town.

**10. Consider Amendment to Competitive Bid Policy:** The Board agreed to another amendment by adding "bidders will be notified of the opening of the bids and are welcomed to attend". There was a discussion regarding the specific wording saying staff will open the bids or to be silent on who. Any purchase over \$1,000 will come before the Board pursuant to the Purchasing Policy. Chairman Henderson moved, seconded by Selectman Wallace to adopt the policy amendment; motion passed 3-0.

**11. Proclamation of Constitution Week:** While the timeframe may be late, this comes through a volunteer and the Board was encouraged to read and potentially adopt. Chairman Henderson read the Proclamation and noted that the Constitution has many provisions, many of which are unknown to the general public or whose meanings are debatable. Chairman Henderson commented on how surveys have shown the public doesn't support many provisions of the Bill of Rights when they are presented to respondents, so a well-informed citizen is wise to study the details. Chairman Henderson moved, seconded by Selectman Wallace to adopt the Proclamation for Constitution Week (9/17-9/23); motion passed 3-0.

**12. Accept Resignation:** Selectman Multer moved, seconded by Chairman Henderson to accept Paula Conley's resignation from the Town Lands Committee with regret and with thanks for her efforts; motion passed 3-0.

**13. Maine Municipal Voting Delegate Credentials for Annual Business Meeting:** The annual Maine Municipal Association (MMA) convention is October 12 and 13 with the business meeting on the 12<sup>th</sup>. The Town can choose to act or not to appoint a delegate for the meeting. Chairman Henderson moved, seconded by Selectman Wallace to authorize Elinor Multer to be the Town's vote; motion passed 2-0 (Selectman Multer abstained).

**14. Sign Special Town Meeting Warrant for November 2 and Set Public Hearing:** Chairman Henderson moved, seconded by Selectman Multer to authorize the November 2 warrant for the PACE question; motion passed 3-0. The Board requested staff advertise this item. Chairman Henderson moved, seconded by Selectman Multer to set October 7 at 7:00 p.m. as the public hearing for this warrant item; motion passed 3-0.

**15. Other Business:** There was none.

**16. Authorization of the Warrant:** Selectman Wallace moved, seconded by Selectman Multer to authorize warrant #61 in the amount of \$146,768.87; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #62 in the amount of \$30,066.94; motion passed 2-0 (Selectman Wallace abstained). Selectman Wallace moved, seconded by Selectman Multer to authorize warrant 63 in the amount of \$1,500 to Jensen, Baird, Gardner & Henry for \$1,500 as a retainer to start an appraisal of a Cedar Beach property; motion passed 3-0. Payroll warrant #38 in the amount of \$17,757.48 was noted for the record.

**17. Adjournment:** The meeting adjourned by unanimous vote at 8:40 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Fire & Rescue Committee Mission  
Chairman Henderson's comments re: Franchise Agreement  
Competitive Bid Policy

[Attachments are available at the Town Clerk's Office or by email at [harpwell@town.harpwell.me.us](mailto:harpwell@town.harpwell.me.us)]