

Board of Selectmen's Meeting Minutes
September 4, 2008
Harpswell Town Office
Approved on September 18, 2008

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

Staff Present: Kristi Eiane, Town Administrator

The Board met at 5:35 p.m. to handle administrative matters; Chairman Haible said the Board would go into executive session immediately because Paul Strout of Tower Specialists was in attendance. She said that no decisions would be made in executive session; that only the final draft of the lease would be discussed. Chairman Haible made the motion that the Board go into executive session pursuant to 1 MRSA §405(6)(c); the Board voted unanimously to go into executive session. At 6:15 p.m., Chairman Haible stated that discussions had been completed with Tower Specialists; no decisions were made. She moved that the Board leave the executive session and continue with the regularly scheduled administrative meeting. The motion was seconded and passed. Administrator Eiane addressed expenditures over \$1000: 1) the Town Clerk had modified the amount asked for preservation of the older books of marriages and births, to \$2843; 2) the Town had received a catering permit because of liquor being served at an event at the Harpswell Inn on 9/20/08; 3) the Road Commissioner had been getting complaints of an area of Cooper Lane washing out, and there was a proposal from Goodall for \$1390 for repair. The Selectmen asked to get more information from the Road Commissioner; 4) the Clammer's Association matter of the last meeting was discussed, and Administrator Eiane stated that she had spoken with a DMR representative who said that anyone with a commercial shellfish license would not be eligible to volunteer to help take water samples for the water quality study as it was a conflict of interest; 5) she said that the Town received a letter from someone asking about how the TIF program in Topsham affected the school calculations in Harpswell; she said the superintendent would get numbers together, and be available to explain it.

Chairman Haible asked for any other administrative matters; there were none. She then addressed the issue of having more informal administrative meetings. Selectman Wallace said that after work would be best for him; the issue was left undecided.

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 and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Because Mr. Strout of Tower Specialists was in attendance, Chairman Haible made the suggestion to place Agenda Item 5 prior to Agenda Item 4. Chairman Haible moved, seconded by Selectman Wallace to adopt the agenda as amended; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane announced that the Town has requested a no cost energy audit through Efficiency Maine (part of the Maine Public Utilities Commission). They would do a walk through audit of the municipal building and compile a report about winterization/weatherization matters to consider. This program is also available to small business owners. She said that someone from the Energy Task Force Committee would be invited to participate in the walk through. Administrator Eiane also stated that the Recreation Director, Liz Bouve, had tendered her resignation, and she would be meeting with Ms. Bouve and the youth coordinator to discuss transitional strategies for that department. She also reported that the Holbrook Community Foundation received \$147,000 of Federal funding, and will be leaving documents at the Town Office as part of the process. She went on to discuss meetings in September: Thursday, Sept. 11th at 5:30 with members of DEP and GZA – DEP was prepared to lift the restriction in the Deed that limited the Town to 450 gallons a day of water draw at Mitchell Field. As part of holding the Selectman's meetings at different locations within Town in celebration of the Town's 250th year celebration, the next meeting would be in two weeks at the Old Orr's Island Schoolhouse, with the administrative session at 5:30, and the regular meeting at 6:30. Cundy's Harbor may be the next location, in October, at the Community Building. The

meetings held at locations other than the Harpswell Town Hall will not be broadcast live. On Thursday, Sept. 25 at 10:00 a.m. there will be a meeting at the Town Hall regarding Mitchell Field. Congressional delegates and/or their staff were invited to discuss funding opportunities for the Mitchell Field pier; Mitchell Field committee members were also invited. Chairman Haible suggested that, before the meeting, she and Administrator Eiane meet with the Town Planner and the Chair of the Mitchell Field Committee in order to prepare. Administrator Eiane said she had met with Jim Gordon, current manager of the Recycling Center and, due to a proposed 12% increase from Harpswell's current recycler of solid waste and demolition debris, Waste Management, and it is recommended to put the contract out for bid; Selectmen concurred. A Request for Proposal ("RFP") would be put out for bid and the results brought before the Selectmen in a few weeks.

3. Selectmen's Announcements: Chairman Haible mentioned the MMA Worker's Compensation Fund reimbursed \$673 to the Town from their risk management services.

4. Consider Lease Agreement with Tower Specialists: Chairman Haible stated that the Town had a proposed Lease Agreement; however, there is a Planning Board condition of approval that still needed to be met, of access/road construction. She said that Mr. Strout was working closely with the Town Planner regarding that issue. Chairman Haible then stated the major points of the Lease, and said that a copy of the complete Lease Agreement could be obtained from the Town Administrator's office. She then asked for any comments from those present. Selectman Henderson confirmed that the Town's attorney had reviewed the Lease. Chairman Haible thanked David I. Chipman for his assistance in getting the project underway. Chairman Haible moved, seconded by Selectman Henderson to sign the proposed Lease Agreement; motion passed 3-0. The Lease Agreement between Tower Specialists, Inc. and the Town of Harpswell was signed (two originals) and witnessed at that time.

5. Old Business

- **Town Boat Disposition:** Chairman Haible briefly asked the representatives who were present whether the Departments would have a use for the boat. Administrator Eiane reported the Harbormaster is preparing a report on the potential use of the boat and potential costs for repairs prior to the Town checking with the Departments. The item will come back on a future agenda.
- **Agreement with Harpswell Community Television:** The Board discussed the proposed Agreement that has been a work in process for HCBC and the Town for awhile. Selectman Henderson reviewed the few changes from the previously discussed draft and recommended the Board sign it. Chairman Haible moved, seconded by Selectman Henderson to adopt the Agreement between the Town and Harpswell Community Broadcast Corporation; motion passed 3-0.
- **Agreement with Maine Department of Transportation:** Administrator Eiane explained that at the November 2007 Special Town Meeting, the voters approved \$35,000 for preliminary work to the sidewalk on the Cribstone Bridge that will allow for the possible future placement of the utilities under the Bridge. At a previous meeting, Jim Wentworth, DOT, attended and explained that the complete project costs is likely to be closer to \$45,000. The Board previously expressed concern about exceeding the approved amount and instead agreed to consider covering the costs that DOT has already committed to on behalf of the Town. The Board discussed keeping this issue open for the voters and the importance of fulfilling the Town's commitment. Selectman Henderson moved, seconded by Selectman Wallace to authorize the Town Administrator to sign the Agreement with DOT for \$12,955 to cover the costs for design and material of the Cribstone sidewalk for the possible future relocation of the utilities; motion passed 3-0.

6. Open Bids for Emergency Services Vehicles: Chairman Haible opened the following bids:

- **Ambulance:** Sugarloaf \$146,203; Greenwood \$144,918 (plush \$3,000 for visit).
- **Fire Truck Tanker Cab/Chassis:** Portland North \$79,975; Morrison \$80,440; Kenworth \$80,890.60.

- **Remount of Cab/Chassis:** VTEC \$22,486.87; Northeast \$36,422.00; Dingee \$34,750.

The Board referred the bids to the Emergency Vehicles Committee for review and future recommendation to the Board at the September 18 Selectmen's Meeting.

7. Accept Donations on Behalf of Joyce Brown for Summer Swim Scholarships: Chairman Haible read a letter from Diane Petty regarding the great volunteer work performed by Joyce Brown and the recent sad loss of her. Ms. Petty suggested the establishment of a scholarship fund in the name of Joyce Brown to allow all children to attend the Summer Swim program. Chairman Haible suggested the Board establish this scholarship fund to allow members of the public to donate money for the fund and to send a thank you letter to Ms. Petty. Ms. Eiane explained the Board could accept donations on behalf of Joyce Brown without Town Meeting but would require Town Meeting approval if a specific fund were to be named for Joyce Brown. Selectman Henderson moved, seconded by Chairman Haible to accept donations on behalf of Joyce Brown for summer swim scholarships; motion passed 3-0.

8. Consider Contract with Ray Labbe & Sons for 2008 Capital Road Project: Administrator Eiane stated the capital road project beginning balance was approximately \$380,000 and \$59,000 was spent on engineering. The project was sent out to bid with 5 companies attending the pre-bid meeting and two ultimately submitting bids: Ray Labbe & Sons and Harry Crooker & Sons with Labbe coming in approximately \$20,000 less. The contract has been prepared for Grassy and Steamboat Roads only due to rising costs, with delaying Ash Point to 2009 at which time the Town will plan to work with Labbe for that project. The contract is for \$160,675 which may be more or less in the end as it is depended upon the actual unit amounts used. This will leave approximately \$150,000 to carryover to the 2009 budget. Paul Labbe stated that the Company is prepared to begin the project as soon as next week. Selectman Wallace moved, seconded by Chairman Haible to sign the contract with Ray Labbe & Sons for \$160,675.26 for Grassy and Steamboat Roads and to work with Labbe in the future on Ash Point Road; motion passed 3-0.

9. Consider Contract with Woodard & Curran for Construction Monitoring Services of 2008 Capital Road Project: Chairman Haible explained this was for part time construction monitoring services by Woodard & Curran for the 2008 capital road project to be performed by Ray Labbe & Sons. The Agreement is for limited services as Selectman Wallace and Bob Venard, Road Commissioner, are intending to field questions and be active in monitoring this project. Chairman Haible moved, seconded by Selectman Wallace to approve work order #27 in the amount of \$4,000 and to sign the agreement with Woodard & Curran; motion passed 3-0.

10. Consider Amendment to Policy For Use of Credit Card: Chairman Haible explained the Board had approved the use of the credit card for retrieving documents from the Cumberland County Registry of Deeds and now an amendment is proposed to the policy to allow the limited use of the credit card for other approved purposes. Administrator Eiane explained there is a need for limited use such as in the Recreation area. Chairman Haible moved, seconded by Selectman Henderson to approve credit card use, effective 9/4/08, for certain purchases that have been pre-approved by the Town Administrator, not to exceed \$1,000 in cases where the vendor will not accept purchase orders and the purchase is needed, and for a list of uses to be maintained and submitted to the Board regularly; motion passed 3-0.

11. Approval of the Minutes: The Board discussed the options for disposing of the fencing located at Mitchell Field and agreed to have Administrator Eiane check with Paul Strout, of Tower Specialists, to see if he has a use for it at the cell tower site and if not, to contact the animal farm and see if they do indeed want it and when they could get it. Selectman Henderson moved, seconded by Selectman Wallace to approve the August 21 minutes as printed; motion passed 3-0.

12. Authorization of the Warrant: Chairman Haible moved, seconded by Selectman Wallace to approve warrant #53 in the amount of \$56,809.89; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve warrant #54 in the amount of \$2,865.10; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #36 in the amount of \$14,341.47 was noted for the record.

13. Public Comment: There were no comments.

Selectman Henderson asked for an update on a few Assessing items; Administrator Eiane to follow up.

14. Adjournment: The meeting was adjourned by unanimous vote at 8:00 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Use of Credit Card Policy
Cell Tower Lease
Agreement with Harpswell Community Broadcast Corp.
Agreement with Maine Department of Transportation