

**Board of Selectmen's Meeting Minutes**  
**February 7, 2008**  
**Harpswell Town Office**  
Approved on February 21, 2008

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**Selectmen Present:** Amy N. Haible, James S. Henderson and Chairman Samuel W. Alexander

**Staff Present:** Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator and Bill Wells, Code Enforcement Officer

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

Chairman Alexander moved, seconded by Selectman Henderson to exit executive session; motion passed 3-0. Chairman Alexander explained the Board met in executive session to review an enforcement matter with the Town Attorney and the possible acquisition of real property. The Board recessed from executive session at 6:15 p.m. and now begins open session.

**1. Adoption of the Agenda:** Chairman Alexander moved, seconded by Selectman Haible to adopt the agenda as printed; motion passed 3-0.

**2. Town Administrator's Report:** Administrator Eiane announced that Emergency Services Consulting has completed the Fire & Rescue Services Study and will present it at the Town Office on February 19, 2008 at 7:00 p.m. Administrator Eiane requested the Board consider meeting February 14 to complete the Town Meeting warrant and budget review if not completed tonight.

**3. Selectmen's Announcements:** Chairman Alexander thanked Harry Crooker & Sons and R.A. Webber for doing a good job maintaining the Town's roads. Chairman Alexander stated that he understood members of the public intended to write his name in on the ballot when voting for Selectman. Chairman Alexander stated that while he was honored, he wished people would not take that action as that would take away votes from others. Selectman Haible announced the Forecaster incorrectly ran an article stating the Sign Ordinance was being voted on by secret ballot and it is not; it will be voted on the Town Meeting floor.

**4. Wharf Applications:**

- **Roger & Betty Landry, 2306 Harpswell Islands Road, Map 21, Lot 37:** Bill Wells, Code Enforcement Officer, reviewed the application and recommended its approval as in his opinion; it does not interfere with the rights of others or hinder navigation. There was a discussion regarding the future of DEP's review of wharf application. Chairman Alexander moved, seconded by Selectman Henderson to approve this application as it does not impede navigation or cause injury to the rights of others; motion passed 3-0.
- **Carol J. Scott, Birch Run, Map 47, Lot 191-1:** Bill Wells, Code Enforcement Officer, reviewed the application and stated it meets the Wharf & Weirs Act standards. Chairman Alexander confirmed that there was 7-feet available for passage under the wharf at low tide. Selectman Haible moved, seconded by Chairman Alexander to approve this application as it does cause a navigable issue or an injury to the rights of others; motion passed 3-0.

**5. Announcement from Harpswell Community Housing Trust Re: Available at Hamilton Place:** Sudie Coles announced that Hamilton Place will begin construction in the spring and anyone interested needs to get their names on a list. People should contact Sudie at 729-3746. The list of those interested will be

prioritized based on: 1. Harpswell Residents; 2. Mt. Ararat graduates; 3. children and parents of Harpswell residents; 4. employees of the Town of Harpswell; and 5. First time home buyers.

**6. Marine Resources Committee Report:** There was no one present from the Committee.

**7. Discussion Regarding Bicycle Path Study:** Selectman Haible stated that Katrina Van Dusen informed her at a Midcoast Business Development and Planning meeting that the Town of Harpswell may qualify for a grant to study the feasibility of a bike path in the Town. While a bike path may be a great idea on the pipeline, the easement holders have been waiting a long time for the property to be returned to them. Selectman Haible stated that Tony Barrett, of the Recreation Committee, reported that many owners of the pipeline conceptually expressed an interest in having a bike path on the pipeline easement and many others did not. Selectman Haible suggested that the Recreation Committee meet with Katrina Van Dusen regarding this concept and grant money. The Board agreed that while a bike path is a difficult project, conceptually the Recreation Committee may further investigate.

**8. Mitchell Field Update:**

- Easements on Property: Selectman Henderson explained he would like a broad sense to stabilize the Master Plan at Mitchell Field with two areas of concerns. Selectman Henderson reviewed his written proposal (attached as further reference). Selectman Haible supported Selectman Henderson's proposal and asked for the Mitchell Field Committee to review it.
- Implementation Committee mission Statement: Judith Redwine, Chair of Mitchell Field Committee, stated the Committee welcomes the new mission statement for the Implementation Committee. Selectman Haible called for volunteers to serve on the Implementation Committee. The Board agreed to wait and appoint this Committee after Town Meeting and in the meantime volunteers could sign up.
- Grant Directive: This subject was not discussed.

**9. Set Date and Time for Public Hearing on Harbor & Waterfront Ordinance Amendments:**

Chairman Alexander moved, seconded by Selectman Haible to set February 21 at 7:00 p.m. at the Selectmen's Meeting to hold a hearing on the proposed Harbor and Waterfront Ordinance amendments; motion passed 3-0.

**10. Committee Appointments:** Chairman Alexander stated he preferred to appoint a member to the Marine Resources after the current expiration of April 30. Selectman Henderson moved, seconded by Chairman Alexander to appoint Alan Shaver to the Communications Advisory Committee; motion passed 3-0.

**11. Consider Action on Request to Public Utilities Commission:** Selectman Haible moved, seconded by Chairman Alexander to direct Administrator Eiane to draft a letter asking the Public Utilities Commission to take action with a carbon copy to Verizon; motion passed 3-0.

**12. Consider Position on LD2133 – An Act to Establish Consistent Consumer Protections for Cable and Video Programming Customers:** Selectman Henderson reported he submitted a personal letter of support to LD2133 which will give municipalities greater strength in franchising and provide competitive opportunities. Selectman Haible moved, seconded by Chairman Alexander to send a letter in support of the proposed legislation; motion passed 3-0.

**13. Amend Fixed Asset Policy for Dry Hydrants:** Administrator Eiane explained all the Town's infrastructure is recorded in the Town's financial statements, consistent with the Town's Fixed Asset Policy. Dry hydrants need to be added to the Town's Policy. Chairman Alexander moved, seconded by Selectman

Henderson to add dry hydrants with a 20-year depreciation life to the Town's Fixed Asset Policy; motion passed 3-0.

**14. Set Start Time for Business Portion of Annual Town Meeting:** Selectman Haible moved, seconded by Chairman Alexander to start the business meeting at noon with the polls being open from 9:00 a.m. to 5:00 p.m.; motion passed 3-0.

**15. Set Date and Time for Public Hearing on Secret Ballot Items**

- **Curtis Library Appropriation**
- **Subdivision Amendments for Cluster Development**

Chairman Alexander moved, seconded by Selectman Haible to set Tuesday, February 26 at 7:00 p.m., as the public hearing date at Harpswell Islands School on the secret ballot items and ordinance amendments: sign, flood, 40' buffer, road and septic; motion passed 3-0.

**16. Consider 2008 Budget Items: Selectman Haible moved, seconded by Chairman Alexander to approve \$113,414 for the elected officials; motion passed 3-0.** Administrator Eiane informed the Board that the Budget Advisory Committee met yesterday and voted to remain at \$84,570 for their recommendation for the Planning Office budget. Selectman Haible moved, seconded by Chairman Alexander to approve the revised debt figure which is \$25,000 plus interest less to account for a loan payment from Harpswell Neck Fire & Rescue Department; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to approve \$6,000 for maintenance at Mitchell Field; motion passed 3-0. Administrator Eiane explained the Budget Advisory Committee reviewed the generator issue at the Harpswell Islands School and recommends proceeding with the generator hookup. Chairman Alexander moved, seconded by Selectman Henderson to approve \$3,500 for a generator hookup. Selectman Haible stated she was not in favor of this item as she believes there should be another source such as a grant and based on the fact, the school has not been used as a shelter during an emergency yet. Selectman Henderson requested information on the availability of obtaining a generator in the case of emergency. Chairman Alexander withdrew his motion until further information is obtained. Selectman Haible moved, seconded by Selectman Henderson to approve \$5,000 for filming public meetings; motion passed 3-0. Administrator Eiane reviewed the different proposed warrant articles regarding the potential wind study. Selectman Henderson stated the Budget Advisory Committee was not in favor of the wind study article as the Committee determined that if there was a potential for wind then a private investor should fund the study. Selectman Henderson explained the Committee suggested having two warrant articles; one to ask if a windmill was wanted as this location and two to see about the \$10,000 appropriation. Dick Newman spoke in favor of this wind study and stated this was the first step in determining whether wind turbines would be feasible at this location. Mr. Newman stated that if the Town was not in favor of making any investment in this project, then it should not be brought to the voters. Rob Bryan stated his concerns about a wind turbine project at the Long Reach site due to the large natural space and that an extensive road would be required to reach the site. Debora Levensailor stated she believes many people would be favor of this proposal. Selectman Haible moved, seconded by Chairman Alexander to place the wind article she read on the warrant; motion passed 3-0. Administrator Eiane reviewed the proposed bonded articles; emergency communications equipment and the emergency services capital vehicle needs. The Board agreed to a 3-year term for the emergency equipment. Chairman Alexander moved, seconded by Selectman Haible to place a \$500,000, 10-year bonded term for emergency vehicles on the warrant; motion passed 3-0.

**17. Review Draft of 2008 Town Meeting Warrant:** Selectman Henderson noted he wanted an agreement with HCBC prior to Town Meeting and a warrant article to allow for a multi-year agreement with them. Selectman Haible moved, seconded by Selectman Henderson to place article 5 (CPIC 40' setback) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to place article 6 (flood) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to

place article 7 (septic) on the warrant; motion passed 3-0. Selectman Henderson moved, seconded by Chairman Alexander to place article 8 (road) on the warrant; motion passed 3-0. Selectman Haible moved, seconded by Selectman Henderson to place article 9 (Sign) on the warrant; motion passed 3-0. Selectman Haible move, seconded by Chairman Alexander to place article 10 (Harbor & Waterfront) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to place article 11 (Talbot easement) on the warrant; motion passed 3-0. Selectman Haible move, seconded by Chairman Alexander to place article 12 (French easement) on the warrant; motion passed 3-0. Chairman Alexander moved to place article 13 on the warrant as is; motion failed for lack of a second. Selectman Haible moved, seconded by Selectman Henderson to place article 13 on the warrant with the "To see what sum" language; motion passed 2-1 (Chairman Alexander opposed). Selectman Haible moved, seconded by Selectman Henderson to place article 32 (taxes in two payments) on the warrant; motion passed 3-0. Selectman Haible move, seconded by Chairman Alexander to place article 33 (tax prepayments) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to place article 34 (abatements) on the warrant; motion passed 3-0. Selectman Haible move, seconded by Chairman Alexander to place article 35 (sell real estate) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to place article 36 (gifts) on the warrant; motion passed 3-0. Selectman Henderson moved, seconded by Selectman Haible to place article 37 (3/12 budget) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to place article 38 (sell property) on the warrant; motion passed 3-0. Administrator Eiane reviewed the LD1 calculations. Chairman Alexander moved, seconded by Selectman Haible to place article 39 (167,000 revenue, 160,000 revenue and 225,000 undesignated fund balance) on the warrant; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to place article 40 (levy limit) on the warrant; motion passed 3-0.

**18. Authorization of the Warrant:** Selectman Haible moved, seconded by Chairman Alexander to approve warrant 6 in the amount of \$172,523.07; motion passed 3-0. Selectman Haible moved, seconded by Selectman Henderson to approve payroll warrant PR6 in the amount of \$13,370.93; motion passed 3-0.

**19. Approval of the minutes:** This was tabled.

**20. Public Comment:** There was no public comment.

**21. Adjournment:** The Board unanimously adjourned at 9:25 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer