

Board of Selectmen's Meeting Minutes
February 5, 2009
Harpswell Town Office
Approved on March 5, 2009

Page 1 of 4

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

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

Call to Order and Pledge of Allegiance: The meeting was called to order at 5:35 PM.

The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Haible moved, seconded by Selectman Henderson to add the following items to the agenda: 9a. consider fuel bids; 9b. acceptance of historical facilities grant; and 9c. consider Maine Power Options contract; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane reminded everyone that Town Meeting is Saturday, March 14. Administrator Eiane encouraged members of the public to attend the public hearing for ordinance changes, the open space plan and other potential Town Meeting warrant items on Monday, February 9 at 6:30 p.m. at Harpswell Islands School. Handouts concerning the items are available in the Town Office lobby and on the Town's website.

3. Selectmen's Announcements: Chairman Haible stated the Board received a well written letter from Jackie Merrill, bus driver, stating that there is not enough snow removal/winter treatment on the Town's secondary roads. Chairman Haible suggested looking at which secondary roads are used by school buses and consider increasing the winter treatment on those roads. Chairman Haible noted the Town's budget for road and winter maintenance is significant and stated that sprawl within the Town creates greater expenses and that the Town voter may wish to consider whether the cost of general road maintenance is worth having unregulated development that requires more investment per mile.

4. Consider Mitchell Field Location for Contract Laydown Area for Pipeline Removal Project: Administrator Eiane stated the contractor evaluating the pipeline removal project has requested a 200' x 200' area at Mitchell Field to use throughout the project. The site will be fenced in, have parking and a contractor trailer for approximately one year. Administrator Eiane has provided this request to the chair of the Mitchell Field Implementation Committee for review at the March 2 meeting. Chairman Haible suggested contacting Tom Allen regarding possible effects on Fishing Families and the Harpswell Festival. Selectman Wallace questioned the location and impediment to the walkers and rare birds. Selectman Henderson asked if the project includes an appropriation already and whether the Town would receive any compensation. Administrator Eiane was directed to look for alternative locations within Mitchell Field or on the houses property for later review by the Board.

5. Cumberland County Community Development Cooperative Agreement: Chairman Haible explained the Town entered into a 3-year Cooperative Agreement at the end of 2006 with 24 other municipalities to participate in the Cumberland County Community Development Block Grant Program. The Agreement enabled a smaller pool for competition of CDBG HUD funding instead of having to apply directly to the State Department of Economic Community Development. The Town previously received \$65,000 for the replacement of failing septic systems and has submitted three applications for this year's funding. Chairman Haible moved, seconded by Selectman Henderson to authorize the Town Administrator to indicate the Town's continuation in the program; motion passed 3-0.

6. Approval of Road Name: Chairman Haible moved, seconded by Selectman Wallace to approve Fiddlehead

Way as there are no conflicts with existing road names for Map 38, Lot 80 that now has two houses; motion passed 3-0.

7. Contingency Policy Amendment: Administrator Eiane explained she proposed an amendment to the contingency policy and brought it to the Budget Advisory Committee for review. Chairman Haible expressed concern about not having time to check with the BAC in the case of an emergency. Selectman Henderson was concerned about having to get a recommendation from the BAC since using contingency was a decision of the Board. He did not mind consulting the BAC but did not want it to be a requirement. Administrator Eiane stated she added a sentence at the end to allow asking for Town Meeting approval for certain cases. The Board expressed concern about asking Town Meeting for contingency use instead of raising and appropriating what is known. Chairman Haible wants to ask Town Meeting about the issue as the ultimate project for utility relocation is six figures and very well may never happen. The Board agreed the last sentence of the proposed amendment is not needed. Chairman Haible moved, seconded by Selectman Henderson to approve the contingency policy amendment as amended; motion passed 3-0.

8. Response Re: Neil's Point Road Request: Chairman Haible stated she preferred the second drafted response to the property owner's surveyor. The letter offers information regarding Neil's Point Road layouts approved by Town Meeting and places the burden of any costs on the property owner to further the research regarding extinguishing prior road layouts. The Board concurred on sending the letter.

9. Consider Renewal Liquor License for Cook's Lobster House, Map 26, Lot 2: Deputy Town Administrator Sawyer stated there are no known code violations or complaints with the Cumberland County Sheriff's Department. Chairman Haible moved, seconded by Selectman Henderson to approve the license for Cook's Lobster House; motion passed 3-0.

9a. Consider Fuel Bids for July 2009 through June 2010: Administrator Eiane stated the Board inquired about fuel prices and expressed concern with the Town's participation in the group bid through MCBDP. In response, the Town sent out request for proposals to six local fuel supply companies for the July 1, 2009 to June 30, 2010 period and four companies responded. Administrator Eiane recommended entering into contracts with CN Brown for (1) #2 fuel \$2.059 per gallon and; (2) kerosene \$2.309 per gallon and recommended no action on the responses for diesel and propane. Orr's/Bailey Island Fire Department is the largest user of propane and felt there wasn't adequate time for the process. Chairman Haible moved, seconded by Selectman Wallace to authorize the Town Administrator to sign contracts with CN Brown for #2 and K-1 fuels at the fixed bid prices and to not take action on propane or diesel; motion passed 3-0.

9b. Acceptance of Historical Facilities Grant: Deputy Town Administrator Sawyer explained the Board previously authorized the submittal of the grant application to make improvements to the Town's vault by replacing the door and the \$5,000 grant has been awarded to the Town. Between the \$5,000 grant and the Town's carryover of \$3,185, the project should be accomplished and provide fire protection for important Town records. Chairman Haible moved, seconded by Selectman Henderson to accept the \$5,000 grant and authorize Deputy Sawyer to sign the grant agreement; motion passed 3-0.

9c. Consider Authorizing Town Administrator to Sign Contracts with Maine Power Options: Administrator Eiane stated the Board previously authorized a contract for a fixed kilowatt price for medium electricity (commercial use at a certain level) use at the Town Office and Recycling Center/Transfer Station with Constellation New Energy. The Town is now being offered a fixed kilowatt supply price for street light use to under .08 as compared to almost .10 now. Additionally, the Town can extend its existing contract to December 2010. Selectman Henderson moved, seconded by Chairman Haible to authorize the Town

Administrator to sign the street lights contract and a 1-year extension to the medium agreement; motion passed 3-0.

10. Review Draft 2009 Town Meeting Warrant: The Board acted on articles 31 – 60 in the draft warrant as follows:

31 – Cultural: Selectman Henderson moved, seconded by Chairman Haible to place the article on the warrant; motion passed 3-0. Each Selectman recommended the article.

32 – Curtis Memorial Library: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 2-1 (Selectman Wallace opposed). Chairman Haible and Selectman Henderson recommended the article at \$116,000 and Selectman Wallace did not recommend any amount.

33 – Harpswell Community Broadcasting: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

34 – Recreation Department: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

35 – Recreation Programs: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

36 – Joyce Brown Swim Fund: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

37 – Harpswell Heating Assistance Program: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

38 – Capital Reserves: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

39 – Emergency Services Vehicles: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

40 – Capital road borrowing: Article was previously approved to be placed on the warrant. Each Selectman recommended the article.

41 – Debt Service: Tabled for the addition of the capital road project interest payment.

42 – Mitchell Field maintenance: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

43 – Mitchell Field zoning performance: Selectman Henderson suggested moving the article towards the end with other items recommended for vote to exceed LD-1. Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

44 – Accept bench: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

45 – Municipal accounting software: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

46 – Town dock improvements: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Selectman Wallace expressed concern about appropriating \$15,000 from the marine hazards account. Each Selectman recommended the article.

47 – Cribstone Bridge: Selectman Henderson moved, seconded by Selectman Wallace to table this article to allow Administrator Eiane to draft language and incorporate it into the main stream budget; motion passed 3-0.

48 – Northern boundary line: Chairman Haible moved, seconded by Selectman Henderson to table this article until it can be revised into two articles; motion passed 3-0.

49 – Orr's Island Library expansion: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

50 – Hamilton Place: Administrator Eiane was asked to draft the article for next meeting and the Board reached a consensus to place it on the warrant and recommend it.

51 – Wind Turbine: Chairman Haible moved stated she was informed by David Chipman, chair of Energy Task Force, that \$25,000 would be sufficient instead of \$50,000 and she recommended the Energy Task Force meet

and formally vote on the requested amount. Chairman Haible moved, seconded by Selectman Wallace to table; motion passed 3-0.

52 – Taxes due date and interest %: Selectman Henderson suggested reducing the proposed 9% rate to 8%. Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

53 – Prepayment of taxes: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

54 – Abated Taxes: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant at 4%; motion passed 3-0. Each Selectman recommended the article.

55 – Sell tax-acquired property: Chairman Haible moved, seconded by Selectman Wallace to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

56 – Gifts of money: The Board asked the Town Administrator to investigate whether donated items could be included in this article. Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant as written with the option to revise later if the Town Administrator finds that items can be added; motion passed 3-0.

57 – 3/12 of the budget: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant at 4%; motion passed 3-0. Each Selectman recommended the article.

58 – Public bid of personal property: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0. Each Selectman recommended the article.

59 – Use of other funding sources: Chairman Haible moved, seconded by Selectman Wallace to table this to confirm the figures; motion passed 3-0.

60 – Increase LD-1: Chairman Haible moved, seconded by Selectman Henderson to place this article on the warrant; motion passed 3-0.

11. Authorization of the Warrant: Selectman Henderson moved, seconded by Selectman Wallace to approve warrant #8 in the amount of \$129,372.90; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve warrant #9 in the amount of \$3,299.14; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #6 in the amount of \$13,399.62 was noted for the record.

The Board discussed different options and reasons for the start time of the business meeting at Town Meeting. Administrator Eiane suggested cancelling the February 19 meeting and instead meet on February 26 with a possible meeting time on February 17 at 5:30 to complete the warrant if need be.

12. Approval of the Minutes: Selectman Henderson amended a section. Chairman Haible moved, seconded by Selectman Wallace to approve the January 29 minutes as amended; motion passed 3-0.

13. Public Comment: Howard Nannen, of Harpswell Housing Trust, thanked the Board for placing the Hamilton Place article on the warrant and recommending it. The Trust will be reaching out the community regarding the project from now to Town Meeting. Mary Ann Nahf, chair of Conservation Commission, encouraged public attendance to the hearing on February 9 at 6:30 p.m. at Harpswell Islands School. The final Open Space Plan will be available on-line tomorrow morning and is available at the Town Office.

14. Adjournment: The meeting was adjourned by unanimous vote at 8:10 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer
Attachments: Contingency Policy