

Board of Selectmen's Meeting Minutes
March 5, 2009
Harpswell Town Office
Approved on March 19, 2009

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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 6:35 PM.

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

1. Adoption of the Agenda: Chairman Haible suggested removing item 5. Abatements and replacing it with the Communications Contract. Chairman Haible moved, seconded by Selectman Henderson to adopt the agenda as amended; motion passed 3-0.

2. Town Administrator's Report: Administrator Eiane noted this was Chairman Haible last regular meeting and took a moment to thank her for her leadership and expressed appreciation for Chairman Haible clearly stating her objectives. Administrator Eiane announced that Comcast subscribers who experienced a prolonged cable outage may be entitled to a prorated credit and encouraged them to contact Comcast directly. Administrator Eiane announced that the Navy is holding a public informational hearing on Tuesday, March 10 at the West Harpswell School at 7:00 p.m. regarding the NRPA permit process for the pipeline removal and that the abutters have been notified. Administrator Eiane reminded everyone that Town Meeting is Saturday, March 14 at the Harpswell Islands School beginning at 9:00 a.m. with the election of the moderator. Residents should be receiving their Town Reports containing the Town Meeting warrant in the mail in the next day or two. Administrator Eiane noted that the Harpswell Anchor mistakenly printed that the Curtis Memorial Library is being voted on by secret ballot and it is not. This item is article 31 to be voted on at the Town Meeting; you must be present to vote. Administrator Eiane announced the Department of Transportation has selected Harpswell in a lottery to use the State's radar speed trailer for two weeks beginning May 11. The Board will have to decide in the near future where to place it.

3. Selectmen's Announcements: Selectman Wallace and Selectman Henderson thanked Chairman Haible for her service for the past 3 years and spoke kindly of her accomplishments. Chairman Haible reiterated that voters must be present to weigh in on the Curtis Memorial Library article and she encouraged residents to bring cushions to the meeting for comfort.

4. Old Business: None.

5. Communications Contract with Cumberland County: Administrator Eiane stated that Bill Holmes, Emergency Communications Director for Cumberland County, was present to answer any questions and she provided a brief summary of the proposed contract. The contract contains the same services as in the past plus the addition of Citywatch, which allows a message to be sent to all phone users in Harpswell to relay emergency information. Past agreements have been for one year with a one year automatic renewal and this proposed contract is for one-year with a four-year automatic renewal and provides for opt out options for the Town. Administrator Eiane stated she spoke with one Rescue Chief who prefers a one year agreement. The contract price was held at \$26,247 for 2007 and 2008 and is proposed to be \$28,647, a 9% increase. Bill Holmes stated that Harpswell is the County's longest standing client and he explained the history, including the formation of the Communications Board which includes a representative from Harpswell, David Mercier. Mr. Holmes stated the Board wanted to move to 5-year contracts, which is beneficial to Town budgeting with the known costs. Mr. Holmes explained the cost is calculated on a per capita funding formula, which all goes to staffing. David Mercier, Chief of Harpswell Neck Fire Department, stated any issues can be brought forward at the Board meetings such as the recent toning out issue which the County corrected within a few days. The Board asked a

few questions concerning the contract. The Board asked that each fire department be supplied a copy of the County's list of terms. Chairman Haible moved, seconded by Selectman Henderson to sign the Agreement Between Cumberland County and the Town of Harpswell as presented tonight with a one-year term and four-year renewal; motion passed 3-0. Selectman Henderson asked that the Fire Departments be solicited for comment in the fall before the one-year expiration and automatic renewal occurs.

6. Mitchell Field Community Gardens/Article: Administrator Eiane stated that the Board heard from members of the Mitchell Field Implementation Committee last week about creating community gardens at Mitchell Field. After the meeting, Town staff heard from a resident concerned that implementation of uses at Mitchell Field require Town Meeting approval as was presented in a note on the ballot with the vote on the Master Plan. Additionally, Administrator Eiane spoke with Naji Akladiss at the MDEP and before DEP gives approval for a community gardens use, he requires a lot more information. At this time, Mr. Akladiss had concerns about approving such a use without a risk assessment and required soil testings. Chairman Haible stated she agreed that implementation of businesses would require Town Meeting approval but the gardens would not be permanent and that Town Meeting is not critical. However, since Town Meeting is very near, she agreed with placing a question on the warrant. Sally Carignan, member of the Mitchell Field Implementation Committee, stated that Town Meeting approval was unnecessary and that the Committee understands that DEP approval is necessary. The Board discussed the possibility of the gardens qualifying under the Group Use Policy. Selectman Henderson moved, seconded by Chairman Haible to place the community gardens article on the warrant with the addition of 'pending all necessary approvals'; motion passed 3-0.

7. Lease with Harpswell Neck Fire and Rescue for Remounted Tanker: Administrator Eiane stated that the Harpswell Neck lease is prepared and contains language that has been previously discussed. In future leases, there may be some additional language as suggested by one of the departments. This lease allows the Town to opt out with cause and the Harpswell Neck Department to opt out with or without cause. The lease prohibits Harpswell Neck from making money from the use of the vehicle and limits the use to only emergency use. David Mercier, Fire Chief, stated the lease language evolved over a long time and that the Harpswell Neck Board of Directors has approved the lease for signature. Chairman Haible moved, seconded by Selectman Henderson to sign the Lease Agreement with the Harpswell Neck Fire and Rescue, Inc. as presented; motion passed 3-0.

8. Sign 2009 Town Meeting Warrant: Selectman Henderson moved, seconded by Selectman Wallace to sign the 2009 Town Meeting Warrant with article 61 (Mitchell Field community gardens) as amended earlier; motion passed 3-0. Administrator Eiane reviewed possible budget handouts for Town Meeting and explained that exceeding LD1 is only for emergency or catastrophic situations and all other reasons require a increase in the LD1 limit.

9. Consider Public Hearing on Road Postings: Administrator Eiane explained the Budget Advisory Committee recently decided in favor of posting roads, specifically the roads with recent capital improvements. Selectman Henderson agreed it would be good to get input from the public concerning the matter. Selectman Henderson moved, seconded by Selectman Wallace pursuant to the Town of Harpswell Ordinance restricting Vehicle Weight on Post Ways to hold a public hearing on March 19 at 7:00 p.m.; motion passed 2-0 (Chairman Haible abstained).

10. Moved to number 5

11. Authorization of the Warrant: Chairman Haible moved, seconded by Selectman Henderson to approve warrant #16 in the amount of \$127,651.71; motion passed 3-0. Chairman Haible moved, seconded by

Selectman Henderson to approve warrant #17 in the amount of \$1,922.97; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #10 in the amount of \$13,161.18 was noted for the record.

12. Approval of the Minutes: Chairman Haible moved, seconded by Selectman Wallace to approve the February 5 minutes; motion passed 3-0. Selectman Henderson moved, seconded by Chairman Haible to approve the February 26 minutes; motion passed 3-0. Selectman Wallace moved, seconded by Selectman Henderson to approve the February 12 minutes; motion passed 3-0.

13. Public Comment: Mary Ann Nahf, chair of the Conservation Commission, stated the Open Space Plan is on the Town Meeting warrant and reiterated that the Plan is not an ordinance, it is for guidance. Channel 14 will air a question and answer session after tonight's Selectmen's meeting and again on Saturday and Sunday.

14. Executive Session: Chairman Haible moved, seconded by Selectman Henderson to enter into executive session pursuant to 1 M.R.S.A. § 405(6)(D) to discuss labor negotiations; motion passed 2-0 (Selectman Wallace abstained).

15. Adjournment: The meeting was adjourned by unanimous vote at 9:25 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer