

Board of Selectmen's Meeting Minutes
August 20, 2009
Harpswell Town Office
Approved on September 3, 2009

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Special meeting called to order at 5:15 p.m. Chairman Henderson moved, seconded by Selectman Multer to enter into executive session pursuant to 1 M.R.S.A. § (6)(A) regarding a personnel matter; motion passed 3-0.

At 6:00 p.m. the Board returned to open session to handle administrative matters; Bill Wells, Local Plumbing Inspector, reviewed a holding tank application and a first time system variance application; the Board scheduled workshops and agreed to schedule an off-site meeting in Cundy's Harbor and at the Old Town Meeting House; Information on the use of engineering services by other municipalities was provided to the Board and will be placed on a future agenda for discussion; the Board was provided an updated Continuity of Operations Plan and Administrator Eiane will check into the concerns expressed about using the television studio building for use as a short term office setup; a proposed Hamilton Place article was handed out and will be placed on the next agenda to schedule a vote; Selectman Multer suggested adding "in cooperation with the Harpswell Housing Trust" at the end of the Hamilton Place article and Chairman Henderson suggested spelling out the acronym HUD; the Board signed a purchase order exceeding \$1,000 in value.

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:45 PM.

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

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 printed; motion passed 3-0.

2. Public Comment: None.

3. Approval of the Minutes: Chairman Henderson added "tax" in item 9. Chairman Henderson moved, seconded by Selectman Wallace to approve the July 30 minutes as edited earlier by email and amended tonight; motion passed 3-0. Selectman Multer moved, seconded by Selectman Wallace to approve the August 13 minutes as printed; motion passed 2-0 (Chairman Henderson abstained).

4. Town Administrator's Report: Administrator Eiane recommended Sabrina Drouin for the part-time position (average of 12 hours/week) of Bookkeeper at \$19.50/hr. Selectman Multer suggested the Board consider amending its health insurance policy to allow part time employees to participate in health insurance provided they pay 100% and that Maine Municipal Association allows it. Chairman Henderson moved, seconded by Selectman Wallace to hire Sabrina Drouin as presented; motion passed 3-0. Administrator Eiane announced that the Federal Emergency Management Agency (FEMA) recently proposed updates to Cumberland County's Flood Insurance Rate Maps (FIRMs), resulting in possible major impacts to cities and towns, such as Portland that have been reported in the news. The Harpswell Code Enforcement Officer and Code Assistant attended the meeting regarding the map changes. Administrator Eiane suggested that the Board may want to consider contracting for expertise to see what, if any, appeals the Town may want to file during the 90-day comment period. Administrator Eiane encouraged property owners to come to the Town Office and view the proposed maps to see if they may be affected. Administrator Eiane suggested that perhaps the GIS budget in the Planning Office could be used to hire the engineer Portland has hired to compare the existing and proposed zones. Chairman Henderson stated he wanted a scientific response and not political. Selectman

Multer suggested talking to our legislative delegation about extending the timeframe. Administrator Eiane read the email she received from Gerber (Portland's consultant) that suggested towns should work together to hire him and then depending on how many towns, the price would be about \$2,000 to \$5,000. The Board agreed to first consider mapping the existing and proposed changes through GIS and if the changes are widespread to then consider obtaining technical information. Selectman Multer asked that a comprehensive letter be sent to the delegation explaining the Town's concerns and to push for a time extension and a basic summary of the proposed changes.

5. Selectmen's Announcements: None.

6. Old Business

- **Consider Statement Re: West Harpswell School Closure Matter:** The Board discussed whether this item would be on the November 3 ballot and Administrator Eiane is to further investigate as there is concern that the question is required to be provided to the Clerk 45 days before the day of the vote. Chairman Henderson explained the Board is looking to make a statement to voters and he read Selectman Multer's revised statement: "The Board of MSAD #75 has indicated that if the school closes, the school board will offer the building to the Town at no cost. This, in turn, would require the Town to decide whether it wants to incur the costs associated with operating the building for public purposes (e.g. recreation, supplemental educational program, etc.) or chooses to sell or lease the building to some other entity, public private or not-for-profit. A vote to keep WHS open will obligate the Town to pay the amount that SAD #75 would save by closing the school. That amount would be based on data from the FY 2009 audit of MSAD #75, as approved by the Commissioner of Education, and in conformity with a State formula. Should the Town vote to keep the school open, there would be a new vote in each successive year. At this time, the preliminary estimate of the added cost to Harpswell to keep the school open is \$___. That amount would come from 1) a ___% increase in the Town's portion of the property tax bill, or 2) a reduction in Town services, or some combination of the two. It was noted that while Town Meeting also needs to approve the budget to keep the school open, MMA has said that amount would not count in the Town's LD1 limit. The Board agreed to post the draft on the web for comment.
- **Consider Selectmen Position on Reduction to Excise Tax Referendum:** Administrator Eiane reported that non-residents could register vehicles in Harpswell but that it was difficult to determine how many do. Chairman Henderson stated a cut in excise tax revenue would result in either an increase in property taxes or a reduction in services. Administrator Eiane reported that the reduction in revenues could raise the mill rate by about .20/thousand and by about .26/thousand for both the decrease in revenue and to cover the WHS costs for half a year, should the Town vote to do so. Chairman Henderson stated that since it is likely that non-residents pay minimally in excise tax, then Harpswell residents would directly save money and the increase in property taxes will be shared between residents and non-residents which will result in a potential savings for Harpswell residents. Selectman Multer stated this referendum is state-wide and will impact all taxpayers. Ms. Kelly, Treasurer, noted that the first year could impact Harpswell by \$350,000 but will result in greater declines over future years and may eventually be eliminated, which would result in a \$900,000 revenue loss.

7. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for July (attached).

8. Consider Amendment to Tax-Acquired Property Policy: Tabled.

- **Update on Hildreth Road Tax-Acquired Property:** Tabled.

Chairman Henderson announced that the Curtis Memorial Library is offering an emergency community preparedness day on September 12 at the Library. He also noted that the Library has instituted a job search section, with dedicated computers, to assist those seeking employment.

9. Lease Agreement with Harpswell Neck Fire Dept. for Use of Town Boat: Administrator Eiane explained the Town was prepared to put out to bid the 1995 16-foot aluminum boat, trailer and motor and Selectman Wallace suggested the Fire Department could use it. This lease allows the Department to use it once it is insured and the Department will cover the operational expenses. The boat will be stored on Town property. Selectman Multer moved, seconded by Chairman Henderson to approve the lease with the Harpswell Neck Fire Department with insurance; motion passed 3-0.

10. West Harpswell School Physical Conditions Work Group Proposal: Selectman Multer stated it was timely to assess the land and condition of the building considering the soon-to-be Town vote regarding the WHS closure. If the Town votes not to keep the building operating as a school, we should be prepared with information about its condition and what possible uses it has. Selectman Multer suggested forming a group with expertise to work with SAD #75 to prepare a summary of the building. Chairman Henderson stated he understood the function of the work group and was pleased that the group would evaluate what the building could be used for. Administrator Eiane noted that the law allows either Town Meeting or the Board to accept the building. Administrator Eiane was directed to speak with Superintendent Wilhelm to discuss a timeline and Selectman Multer will revise the work group proposal for the next meeting.

11. Open Bids for Winter Road Maintenance Proposal: The following bids were received:

Contractor	Perf bond?	2010	2011	2012
R.A. Webber	yes	348,019.72	348,019.72	348,019.72
Goodall Landscaping	yes	286,000.00	294,340.00	302,930.00
Goodall Landscaping	no	278,000.00	286,340.00	294,930.00
Labbe & Sons	yes	380,000.00	387,600.00	395,350.00
Labbe & Sons	no	372,000.00	379,440.00	387,000.00
Whorff	yes	396,150.00	396,150.00	396,150.00
Whorff	no	384,150.00	384,150.00	384,150.00

Chairman Henderson moved, seconded by Selectman Multer to refer the bids to the workgroup for review; motion passed 3-0.

12. Request for Proposals for Municipal Solid Waste Disposal: Administrator Eiane explained the Town currently has a one year agreement with Pine Tree Waste for removal of solid waste and demolition debris from the Recycling Center and Transfer Station which will expire at the end of this year. Last year, when the Town went out to bid, one- year and three-year bids were requested but due to the instability of oil prices, the Town chose to proceed with a one-year contract. Selectman Multer moved, seconded by Chairman Henderson to authorize the Town Administrator to send out the request for proposals; motion passed 2-0 (Selectman Wallace abstained).

13. Consider Use of Recreation Carry-Over Funds: Administrator Eiane explained the Recreation Director and the Recreation Committee are recommending use of the Recreation special revenue fund (carry-over) for two invoices: 1) for the Bowdoin College pool rental fee for \$2,250 and 2) for the Favreau Electric bill for \$1806.08. The pool rental fee increased after the registration flyers were sent out, the number of level one children was higher than expected, causing an increase in staff costs as level one children require one to one supervision, and new water safety instructor material was required and not anticipated. In addition, the Favreau Electric bill was not anticipated but due to the power arching at the concession stand, it became necessary to enlist the help of an electrician. Selectman Multer moved, seconded by Chairman Henderson to approve the use of recreation carry-over funds in the amount of \$2,250 for the Bowdoin College pool rental fee; motion passed 3-0. Selectman Multer moved, seconded by Selectman Wallace to approve the use of carry-over funds in the amount of \$1,806.08 to correct the power surge problems; motion passed 3-0.

14. Appointment to Midcoast Council of Governments: Administrator Eiane explained that the Town just received a letter from Jennifer Verplanck, who seeks an appointment to the Midcoast Council of Governments as a local business owner. Previously, the Town received an application from Bill Ewing for the same appointment. Chairman Henderson stated he is not familiar with Mr. Ewing and while his resume is very impressive, he believes having a Member of the Harpswell Business Association may be an advantage. Chairman Henderson moved, seconded by Selectman Wallace to appoint Jennifer Verplanck as the public member of the Midcoast Council of Governments for Harpswell; motion passed 3-0.

15. Central Maine Power Application for Pole Location: Deputy Administrator Sawyer explained this application is for Central Maine Power to add one pole near Reach Road on the Mountain Road to assist with the existing wire span. The Board noted the two different references in the required height above wires within the CMP paperwork. Chairman Henderson moved, seconded by Selectman Multer to approve the pole application; motion passed 3-0.

16. Authorization of the Warrant: Selectman Wallace moved, seconded by Selectman Multer to approve warrant #57 in the amount of \$78,987.53, including the use of contingency for general assistance in the amount of \$309.01; motion passed 3-0. Selectman Wallace suggested that perhaps there was a local landlord that would allow short-term use of an apartment for homeless circumstances. Chairman Henderson noted he passed on job resume information to the general assistance staff to provide to clients. Chairman Henderson moved, seconded by Selectman Multer to approve warrant #58 in the amount of \$32,825.12; motion passed 3-0. Payroll warrant #34 in the amount of \$14,117.76 was noted for the record.

17. Adjournment: The meeting was adjourned by unanimous vote at 8:30 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report

[Attachments are available at the Town Clerk's Office or by email at harpswell@gwi.net]