

Board of Selectmen's Meeting Minutes
November 20, 2008
Harpswell Town Office
Approved on December 4, 2008

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

Staff Present: Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer and Carol Tukey, Town Planner

The Board met at 5:30 p.m. to handle administrative matters; the Board scheduled a discussion regarding the responses to the legal services request for proposals on December 1 at 4:30 pm; December 9 at 5:30 p.m. was scheduled for a meeting with the Communications Advisory Committee; there was a discussion regarding proposed ordinance changes with Ms. Tukey and the Board requested a brief written explanation to each proposal highlighting the impacts; the Proclamation of Constitution Week and purchase order exceeding \$1,000 were signed.

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: Chairman Haible moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 3-0.

2. Town Administrator's Report: Deputy Town Administrator Terri Sawyer announced that the Good Morning Brunswick/Harpswell Program is extending the program to now include the towns of Bowdoin, Bowdoinham, Richmond and Topsham. The Program is a daily safety check-in program for those who are older, have disabilities, live alone or feel unsafe. The participant phones the Good Morning number every morning to check in and if a call isn't received by a participant, volunteers attempt to reach the participant or their contacts and if unsuccessful, a police officer will make a well check. Deputy Administrator Sawyer encouraged those who may be interested in participating or volunteering to contact Officer Terry Goan at 725-5521. Deputy Administrator Sawyer announced the trail rehabilitation at the Giant's Stairs has been completed and thanked all the volunteers and donors who contributed to this community project. The public was encouraged to visit the property and enjoy all it has to offer.

3. Selectmen's Announcements: Selectman Wallace stated a friend had a chimney fire and he encouraged the public to have their chimneys cleaned and inspected prior to use. Selectman Henderson stated the Board heard from a resident unsatisfied that the Board approved certain fee increases on November 6 without allowing appropriate time for public input. Selectman Henderson announced the Board does want public input and encouraged anyone to still comment on the issue if so desired.

4. Old Business: Selectman Henderson reviewed that the Carrying Place Assembly has requested an article be placed on the March 2009 warrant regarding the Town boundary issue. Selectman Henderson stated that in order to have a warrant article asking the voters to investigate the issue, a legislative bill is required. Selectman Henderson suggested contact be made with Leila Percy to begin the process to get a bill introduced and then when a vote is made in March, there is a vehicle to proceed. Selectman Henderson asked the other Board members to think about the issue and process.

5. Wharf Applications: Chairman Haible opened the public hearing at 6:47 p.m.

- Sundeep and Cecilia Amrute, 194 Mountain Road, Map 42, Lot 14: Bill Wells, Code Enforcement Officer, reviewed the application and recommended its approval as it meets the standards. Joe Leblanc, owner's representative, explained the wharf location was strategically placed to bypass the eel grass. Chairman Haible moved, seconded by Selectman Henderson to approve the application as it does not cause a hazard to navigation or cause injury to the rights of others; motion passed 3-0.

- Harold and Virginia Hallock, 28 Little Crow Point, Map 38, Lot 112: Bill Wells, Code Enforcement Officer, reviewed the application for the entirely seasonal proposal and recommended its approval. Selectman Henderson moved, seconded by Selectman Wallace to approve the application as it does not cause a hazard to navigation or cause injury to the rights of others; motion passed 3-0. The hearing was closed at 6:57 p.m.

6. Midcoast Economic Development District Designation: Carol Tukey, Town Planner, stated the Board previously requested her to investigate the process for the Town to leave the federally designated Southern Maine Economic Development District (SMEDD) and join the Midcoast Economic Development District (MCEDD) as it makes more sense to partner with the geographic and economic area closer to Harpswell (i.e. Brunswick). Ms. Tukey explained a letter will be needed from the Board to the Governor to proceed and the Board agreed for her to continue the process.

7. Cumberland County Community Development Block Grant Pre-Applications: Carol Tukey, Town Planner, explained that she met with Administrator Eiane and Terri Sawyer to brainstorm about ideas to submit for the pre-applications for the Cumberland County Community Development Block Grant. The ideas have been reviewed by the Mitchell Field Implementation Committee and were being presented to the Board for its comments, including additions or deletions. Deputy Administrator Sawyer explained the Town is not limited on its number of pre-applications but will be limited in the formal application process to one planning and two project applications. The Brunswick Housing Authority would like to submit a pre-application for infrastructure at Hamilton Place and would like to use one of the Town's two project applications. John Hodge, Brunswick Housing Authority, stated he agreed that this process is best to submit as many pre-applications as possible as the County assists by providing worthwhile feedback on which applications to proceed with at the formal application step. Mr. Hodge stated that he would return to the Board's meeting when it is decided which ideas to proceed with at the formal application step to provide reasons to allow the Brunswick Housing Authority to use one of the Town's project applications. Selectman Henderson questioned whether a Town match was necessary. Deputy Administrator Sawyer stated that no match was necessary for the planning application but that a 20% match was required for the project applications which could be in-kind, although the point system used to rate the applications does give higher points for available cash matches. Selectman Henderson moved, seconded by Selectman Wallace to authorize staff to proceed with the pre-applications; motion passed 3-0.

8. Discussion Re: Town-owned Property on Hildreth Road, Map 3, Lot 73: Chairman Haible stated the Town acquired this property through non-payment of taxes. The Town has many options to consider for what to do with the property and has considerable time to decide: 1. market the property to help defray taxes; 2. sell the property with conservation easements; 3. sell for affordable housing; 4. hold onto the property; 5. work with the Harpswell Heritage Land Trust. Chairman Haible read the Conservation Commission's recommendation (attached). Chairman Haible requested staff obtain an estimate to have the property surveyed including mapping the wetlands, and vernal pools and then with a survey, everyone would be better informed on what are the best options. Selectman Henderson expressed concern about the need for monitoring the property and perhaps implementing specific rules; Jim Fetters stated he and other abutters would watch over the property. Residents on Hildreth Road, Dick Bancroft, George Patterson and Sally Woodbury, spoke in favor of having the Harpswell Heritage Land Trust take ownership of the property.

9. Set Public Hearing Date for Shellfish Area Opening: Deputy Administrator Sawyer explained that the Marine Resources Committee is meeting on November 25 to form a recommendation to either lift the local closure on Long Cove or to keep it closed. According to the Shellfish Ordinance, the Committee makes the recommendation to the Board with a public hearing. Chairman Haible moved, seconded by Selectman Wallace to set December 4 at 7:00 p.m. as the public hearing date; motion passed 3-0.

10. Historical Facilities Grant Application: Deputy Administrator Sawyer explained this grant application is for \$5,000 for improvements to the Town's vault, including the replacement of the inadequate door with a specific vault door with a higher fire rating and to replace the wooden shelving with the preferred archival metal shelving. Estimated costs to accomplish both tasks are high and hopefully between the Town's approved funding of \$3,185 and the grant, the work can be accomplished. Selectman Henderson moved, seconded by Selectman Wallace to authorize the Deputy Administrator to submit the grant application; motion passed 3-0.

11. Acceptance of Heating Assistance Donations: Chairman Haible moved, seconded by Selectman Henderson to accept the \$350 donation for the Town's home heating assistance program; motion passed 3-0.

12. Consider Abatements: Chairman Haible stated the Board previously met with these property owners and that no decision were made. Chairman Haible moved, seconded by Selectman Henderson to deny David King's (map 10, lot 80) abatement request; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to deny Thomas and May Moser's (map 58, lot 72) abatement request; motion passed 3-0. Chairman Haible moved, seconded by Selectman Wallace to deny David and Phyllis Tondreau's (map 47, lots 183, 187, 189) abatement requests; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to deny Ann Nemrow's (map 39, lot 15) abatement request; motion passed 3-0.

13. Open Bids for the Installation of a Septic System: The bids for the replacement of a failing septic system were opened as follows: John Davis Construction \$13,344; J.R. Hill \$19,500; Ed Skillin \$12,350; Tupper Construction \$11,481. Chairman Haible moved, seconded by Selectman Henderson to approve the Tupper Construction bid pending a contract review for Project 8; motion passed 3-0.

14. Solid Waste Disposal Agreement with Pine Tree Waste: Deputy Administrator Sawyer explained that the Recycling Center/Transfer Station manager sent out requests for proposals and the Board previously agreed with the Manager's recommendation to proceed with Pine Tree Waste. The contract as been reviewed by the Town attorney and approved by Pine Tree Waste. Selectman Henderson moved, seconded by Chairman Haible to approve the contract as presented; motion passed 2-0. (Selectman Wallace abstained).

15. Authorization of the Warrant: Chairman Haible, seconded by Selectman Henderson to approve warrant #71 in the amount of \$121,095.46; motion passed 3-0. Selectman Henderson moved, seconded by Chairman Haible to approve warrant #72 in the amount of \$18,287.78; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #47 in the amount of \$13,859.57 was noted for the record.

16. Approval of the Minutes: Selectman Henderson moved, seconded by Selectman Wallace to approve the October 16 minutes as printed; motion passed 3-0. Chairman Haible moved, seconded by Selectman Henderson to approve the October 23 minutes; motion passed 3-0. Selectman Wallace moved, seconded by Selectman Henderson to approve the November 6 minutes as printed; motion passed 3-0.

17. Public Comment: There was no public comment.

18. Adjournment: The meeting was adjourned by unanimous vote at 8:25 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Conservation Commission Recommendation