

Board of Selectmen's Meeting Minutes
June 25, 2009
Harpswell Town Office
Approved on July 9, 2009

Page 1 of 4

Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

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

At 5:30 p.m. the Board met to handle administrative matters; Bob Venard, Road Commissioner, reviewed two proposed change orders for the Ash Point Road capital project and the Board signed the requests; Bob Venard explained another request to remove ledge for drainage purposes on the Basin Point Road and the Board agreed; the Board requested that staff seek information from other towns regarding their road projects specifically the role of engineering services; the Board's July and August meeting schedule was reviewed; the Board agreed to a workshop with the Budget Advisory Committee at 3:00 p.m. on one of the Fridays in July; it was discussed that at the end of July or early August it would be necessary for the Board to meet and set the mill rate; a letter from Superintendent Wilhelm regarding the closing of West Harpswell Elementary School was discussed and the Board agreed to encourage the coordination of a vote at the November referendum; the Board was informed of the right to nominate a candidate to the MMA Board by petition and declined; catering permits were signed; the Board signed a purchase order to have items removed from Mitchell Field and brought to the Transfer Station provided that everything that may need to be removed in the foreseeable future is removed at this time and not left behind for "possible reuse"; Chairman Henderson submitted a letter he received from a resident regarding the sale of their land to the Town; and Chairman Henderson gave Administrator Eiane permission to read all of his mail and distribute appropriately.

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: Item not addressed.

2. Public Comment: None.

3. Approval of the Minutes: Chairman Henderson suggested clarifying that the Board reviews the minutes prior to the meeting and suggests changes for review at the actual meeting by changing the word 'amended' to 'edited' in the approval of minutes section. Chairman Henderson moved, seconded by Selectman Wallace to approve the June 10 minutes as printed and the June 11 minutes as edited earlier via e-mail; motion passed 3-0.

4. Town Administrator's Report: Administrator Eiane reported that the Midcoast Economic Development District (MCEDD) has voted to accept Harpswell as a member and the next step is to coordinate with the Governor's Office to complete the process and withdraw from the Southern Maine Economic Development District (SMEDD). Administrator Eiane announced that syringes washed up on the west shore on a private beach and that law enforcement addressed the situation. The public was encouraged to call 911 immediately if any syringes are discovered and to be very cautious. Administrator Eiane reminded the public that the Town Office is closed on Friday, July 3 in observance of Independence Day and the Recycling Center/Transfer Station is closed on Saturday, July 4. Administrator Eiane stated that the Pott's Point dock is open and that Bob Waddle did an excellent and timely job. Administrator Eiane thanked the staff and members of the public for being flexible and patient during the Town's transition to a new accounting and tax system. Deputy Administrator Sawyer announced that the Giant's Stairs trail improvement project was awarded an annual achievement award by the Coalition of Recreation Trails in recognition of outstanding use of Recreation Trails Program funds (the Town received \$20,000) in the education and communication category. The project was so successful due to the 3-person Maine Conservation Corps. team and all the volunteers and committee members that were so dedicated to the project. Administrator Eiane reported that Paul Strout, of Tower Specialists, has informed her that the communications tower may not be completed until August/September.

5. Selectmen's Announcements: Selectman Wallace announced the Transfer Station has reclaim for use in driveways and other spots that may have been washed out due to the heavy rains.

6. Old Business: None.

7. Wharf Applications: Chairman Henderson opened and closed the hearing for each application.

- **Dino Spugnardi, Map 12, Lot 60, Sunset Cove Road:** William Wells, Code Enforcement Officer, reviewed the application and reported there were no objections at the public hearing. The system is a 100% seasonal apparatus and Mr. Wells is seeking a clarification from the Department of Environmental Protection (DEP) as to whether the eye bolts are able to remain in the ledge and be considered a seasonal apparatus. Mr. Wells and Mr. Forrester, representing the property owner, believe the clarification will support that the eye bolts are acceptable.
- **John Ruid, Map 54, Lot 33, 56 Brickyard Cove Road:** William Wells reviewed the application for a series of walkways for shore access and explained he asks DEP for their input even though the only required approval is of the Code Enforcement Officer. Selectman Wallace questioned if the pressure treated lumber was a concern and Mr. Wells responded no as it is allowed.
- **William Morris, Map 34, Lot 154, 50 Ledgemere Road:** William Wells explained this application is for a float haul out and will be shared by two properties. Chairman Henderson encouraged the sharing of wharves as well.

Chairman Henderson moved, seconded by Selectman Multer to approve all three wharf applications; motion passed 3-0.

8. Planner's Report: Carol Tukey, Planner, updated the Board on what she is working on, including a request for proposals for a consultant for Mitchell Field performance standards; ordinance changes; and attending multiple meetings. The Board asked for a summary of the pros and cons of each of the suggested ordinances for further review. Ms. Tukey informed the Board of the Midcoast Business Development and Planning's name changed to Midcoast Council of Government (MCOG) and that there are two Harpswell Selectmen positions available on the Board. Selectman Wallace moved, seconded by Chairman Henderson to elect Chairman Henderson and Selectman Multer to the MCOG Board; motion passed 3-0. The Board discussed the change and requested the By-Laws of MCOG.

9. Midcoast Regional Redevelopment Authority Update: Carol Tukey, Planner, introduced Jeff Jordan of the Midcoast Regional Redevelopment Authority. Mr. Jordan provided an update on the closing of the Brunswick Naval Air Station and what the Authority is working on for redevelopment including the airport, housing, environmental review, traffic review etc. (attached).

10. Volunteers in Policing Presentation: Paul Pettingill, VIP coordinator for the Cumberland County Sheriff's Department (CCSD), explained the program and how successful it has been in Standish. CCSD performs background and criminal history checks on the volunteer applicants and trains the volunteers in an intense 18 week course. The volunteers supplement law enforcement by assisting in many areas, including searching for missing persons, senior call in programs, traffic control and child identification programs. Mr. Pettingill stated that CCSD is responsible for the VIPS program and the associated liability (volunteers sign waivers). Deputy Jay Ward would facilitate the VIPS program in Harpswell and be responsible for communicating with the Town, volunteers and CCSD. Mr. Pettingill suggested providing a vehicle for the volunteers to patrol in which can be a returned Sheriff's patrol car instead of the Town selling it by auction. Cricket Tupper, Cundy's Harbor Rescue Chief, encouraged coordination with all three Fire Departments first and expressed concern about the program's volunteers and the Town's Fire & Rescue volunteers. Mr. Pettingill provided reassurance that the VIPS are highly trained and answer to the responding agency during an incident (i.e. Deputies, Fire Department personnel, etc.). Chairman Henderson moved, seconded by Selectman Wallace to recommend to CCSD that it establish a VIPS in

Harpswell and coordinate closely with the Harpswell Fire and Rescue and Town Emergency Management Agent; motion passed 3-0.

11. Consider Sole Sourcing for Cundy's Harbor Ambulance and Approve Contract: Administrator Eiane explained the Town followed a public bid process in 2008 for the Orr's/Bailey Island ambulance and Sugarloaf Ambulance/Rescue Vehicles was awarded the contract. Sugarloaf Ambulance is essentially offering the same vehicle at about the same price and Cundy's Harbor and the Emergency Services Vehicles Committee is recommending the Board authorize sole sourcing with Sugarloaf. Chairman Henderson moved, seconded by Selectman Multer to sole source with Sugarloaf Ambulance/Rescue Vehicles for an ambulance for use by Cundy's Harbor Fire & Rescue Department and to execute the agreement for \$147,056; motion passed 3-0.

12. Consider Request for Action Regarding Cribstone Bridge Utilities: Connie Barker expressed concern about the safety of the power poles in the water alongside the Cribstone Bridge and stated it is critical to remove the poles and wires from this historical bridge site. Ms. Barker submitted a petition signed by many showing support for removing the utilities. Ms. Barker encouraged the Board to form a committee to investigate alternatives and to seek funding sources. Administrator Eiane reported the Town has committed \$13,000 to the Department of Transportation to reinforce the sidewalks, which would leave about \$22,000 available either for use or to lapse to the general fund, depending on how the Selectmen interpret what the voters at Town Meeting wanted. Both Selectman Multer and Chairman Henderson agreed that voters voted to not spend any more money on the relocation of the utilities project and they would not be comfortable spending any more money without a Town vote. Administrator Eiane reported she spoke with DOT to see if it was too late for the Town to continue on the sidewalk preparation project and DOT suggested it may be but that at a certain cost, anything can be done at a later time. David I Chipman stated the current utilities are a safety issue and encouraged the Board to use the remaining \$22,000 towards an alternative plan to relocate the utilities. Selectman Wallace stated the Town voted against continuing this preparation project. Mr. Chipman stated the group that wants the utilities relocated needs to partner with the Town to accomplish the task. Chairman Henderson suggested if the volunteer group can raise the additional funding needed to complete the preparation project, he would be willing to go to Town Meeting and ask for permission to spend the \$22,000. The Board asked Administrator Eiane to obtain the ultimate deadline to continue with DOT's preparation work and if DOT's estimates are still valid.

John Chiquoine stated Town Meeting voted against proceeding with the DOT plan and it is not worth going back. Mr. Chiquoine suggested looking at the topic anew and propose a well thought out new plan (perhaps funding for an engineering study) at Town Meeting next year or the year after. Ms. Barker recommended educating the public and putting out a questionnaire asking people's position on the project. Selectman Multer expressed doubt about Town Meeting approving any funding even for an engineering study in this difficult economy and she encouraged interested parties to raise the funds. Chairman Henderson suggested the public outreach would be more effective if done by volunteers instead of Town officials. The Board confirmed its request to have the Town Administrator ask DOT for the deadline, prices and any estimates for how much more it would cost to do the sidewalk work after DOT is done with the bridge project.

13. Power Outage Issues with Central Maine Power: Chairman Henderson explained that he went to the Public Utilities Commission a couple years ago regarding the amount of outages and as a result, CMP was supposed to do more tree trimming. However, Harpswell continues to experience too many power outages. Selectman Multer stated she (as an individual) sent a letter to CMP on Monday after the Sunday and Monday outages expressing her dissatisfaction. Chairman Henderson suggested the Town find the best method for filing a complaint. Administrator Eiane reported that CMP offered to meet with the Board. Both Chairman Henderson and Selectman Multer declined as it is time for more action. Selectman Wallace stated that CMP's district is much larger than it used to be and they are short handed. Chairman Henderson asked the Town Administrator to find out the best audience to direct a letter to, draft a letter and include copies to our representatives. Selectman Multer suggested

checking with Gordon Weil and she encouraged citizens to submit complaint letters to the PUC with copies to CMP as they make a difference.

14. Consider Forming an Animal Control Task Force for Mitchell Field: Chairman Henderson read the proposed mission statement for the Animal Control Task Force. Chairman Henderson moved, seconded by Selectman Wallace to adopt the mission statement with a report date of November 1 and to include at least one Mitchell Field Implementation Committee member on the Task Force; motion passed 3-0.

15. Committees

- **Appointments:** Chairman Henderson moved, seconded by Selectman Wallace to appoint Hilde Bird with a term to 2011 to the Affordable Housing Committee; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Wallace to appoint John Monaghan, Jr. to the Energy Task Force; motion passed 3-0.
- **Mission Statements:** The Board agreed to make the Energy Task Force be the Energy Committee. Chairman Henderson moved, seconded by Selectman Multer to approve the revised Energy Committee mission statement and to remove the date reference; motion passed 3-0. Mary Ann Nahf, chair of the Conservation Commission, reviewed the revised Commission mission statement. Chairman Henderson moved, seconded by Selectman Wallace to approve the revised Conservation Commission mission statement and project goals; motion passed 3-0.
- **Guidelines:** Tabled to the next meeting.

16. Consider Maine Municipal Association Safety Enhancement Grant Application: Administrator Eiane reported the Town Office and Recycling Center/Transfer Station had a worker's compensation audit and it was suggested that the Recycling Center have a specialized cabinet for flammables. Fred Cantu, Facility Manager, has prepared a grant application to Maine Municipal Association (MMA) for \$750 to purchase the cabinet. Chairman Henderson moved, seconded by Selectman Multer to seek the MMA grant; motion passed 3-0.

17. Consider Amendment to the Petty Cash Policy: Town Administrator Eiane explained the amendment is to reduce the Recycling Center Manager's petty cash to \$25 and to eliminate the substitute tax collector's petty cash as it is no longer needed. Selectman Multer moved, seconded by Chairman Henderson to approve the amendment; motion passed 2-0 (Selectman Wallace abstained).

18. Poverty Tax Abatement Decisions: Chairman Henderson explained the Board met in executive session, as permitted by law, yesterday to review poverty abatement applications. The Board agreed with staff recommendations to deny one application and approve one. The third application will be further reviewed in another executive session, date to be determined. The identities of the applicants are confidential under law and they were invited to the meeting yesterday. Administrator Eiane noted the Town charges simple interest (on principal only).

19. Authorization of the Warrant: Chairman Henderson moved, seconded by Selectman Multer to approve warrant #44 in the amount of \$442,363.54; motion passed 3-0. Selectman Multer moved, seconded by Chairman Henderson to approve warrant #45 in the amount of \$3,878.24; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #26 in the amount of \$18,089.32 was noted for the record.

20. Adjournment: The meeting was adjourned by unanimous vote at 9:43 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: MRRA Information Sheet

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