

**Board of Selectmen's Meeting Minutes**

**March 25, 2010**

**Harpswell Town Office**

**Approved on April 8, 2010**

**Page 1 of 4**

At 5:30 p.m. the Board met to handle administrative matters: a catering permit was signed; the Board agreed to send renewal leases to existing Orr's Island bridge lessees; a committee-wide meeting was set for May 13 at 6:00 p.m.; the Board concurred with staff working on a contract with Gerber to review the most transects (23) for review at the next meeting; purchase orders were reviewed and signed; and Bill Wells reviewed a request for a first time system variance for a septic system and will gather more information to return to the Board at a future meeting.

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

**Staff Present:** Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurer; and William Wells, Code Enforcement Officer

**Call to Order and Pledge of Allegiance:** The meeting was called to order at 6:30 PM.

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

**1. Election of the Chair:** Selectman Wallace nominated James Henderson as Board chair; there was a consensus.

**2. Adoption of the Agenda:** Chairman Henderson moved, seconded by Selectman Multer to adopt the agenda as amended by adding a discussion about Town Roads Posting under 17. "Other Business"; motion passed 3-0.

**3. Public Comment:** David I. Chipman announced the April 7 forum re: zoning and performance standards for Mitchell Field being held at 7:00 p.m. at Harpswell Islands School and he encouraged the public to attend.

**4. Town Administrator's Report:** Administrator Eiane reported that she and Rosalind Knight participated in the Meals on Wheels day and packed 114 meals for the local area, excluding Harpswell as there are no receivers in Harpswell. Administrator Eiane encouraged anyone who is home-bound or unable to cook to sign up for the program. There's information on the Town's website or one could call the Town Office or Spectrum Generations directly. Administrator Eiane reported that the meeting held on Tuesday with representatives from the County, Chairman Henderson and Fire & Rescue persons was successful by resolving the placement issues for the Town's emergency equipment in the County's shelter at the communications tower site. Thanks were given to Ed Sparks who has volunteered a lot of time and skill on this issue. Administrator Eiane announced the annual shellfish lotteries are being held on Wednesday, March 31 at 5:00 p.m. for residents and 6:00 p.m. for non-residents, if necessary, and interested persons must be present. For more information, contact the Town Clerk's Office.

**5. Selectmen's Announcements:** Selectman Multer complimented John Loyd on his capability as moderator at the Town Meeting and noted his fairness and ability to keep the meeting moving forward. Chairman Henderson and Selectman Wallace agreed. Chairman Henderson noted that recreational shellfish licenses are available for \$10. Chairman Henderson announced the Town is looking for volunteers for Town committees and boards.

**6. Treasurer's Report:** Marguerite Kelly reviewed her combined monthly report for January and February (attached). Ms. Kelly clarified her statement at Town Meeting about Cundy's Harbor Road by stating that if the State will allow the Town's \$200,000 to come from the quarterly Urban Road Initiative Program (URIP) payments then the Town could do both a portion of Cundy's Harbor Road and continue the Town's local road program. Ms. Kelly noted she provided the Board information regarding the Town's irrevocable letter of credit, which collateralizes our relationship with TD Bank.

**7. Authorize Request for Proposals for Tax Anticipation Financing:** Marguerite Kelly reviewed the request for proposals for the short-term borrowing of \$3,000,000 to cover the Town's commitments until tax funds are received. Chairman Henderson moved, seconded by Selectman Wallace to authorize the sending of the RFP; motion passed 3-0. In response to a question from Selectman Multer, Ms. Kelly commented on possible options relating to the fall borrowing for emergency vehicles.

**Additional Public Comment:**

Gareth Anderson thanked the voters for their support at Town Meeting. Mr. Anderson announced the Carrying Place Assembly installed a sign at the Carrying Place location after obtaining a sign permit from Brunswick and permission from the property owners. Mr. Anderson stated the Assembly would like to donate the sign to the Town and asked the Board to accept the sign on behalf of the children. Chairman Henderson asked Mr. Anderson to submit a letter outlining the details of the proposal.

**8. Sean Brown and Laura Filkins Wharf Applications, 101 Oakhurst Island Rd., Map 64, Lot 12:**

William Wells, Code Enforcement Officer, stated that this application has been revised from the earlier proposal after an additional on-site hearing with representatives from the Marine Resources Committee and the Board of Selectmen. The revised proposal does not extend as far into the water, resolving the previous navigational issues. Mr. Wells stated the proposal does not cause a hazard to navigation, or injury to the rights of others and it conforms to the Shoreland Zoning Ordinance. Chairman Henderson opened the hearing at 7:00 p.m. and upon no one speaking on the issue, closed the hearing. Selectman Wallace stated the Board entrusts applicants to not cross channels and asked that everyone be sure in the future. Selectman Multer stated the Town has to be sure of the channel's location before signing off that there are no navigational issues. The application was approved by a vote of 3-0.

**9. Consider Letter of Support for Harpswell Heritage Land Trust Grant Application:** Chairman Henderson reviewed the memo requesting the Board to support the Harpswell Heritage Land Trust's three grant applications. The Land Trust is trying to raise enough money to purchase the 71-acre Seth Williams property (on Harpswell Neck). Chairman Henderson moved, seconded by Selectman Multer to send the letters of support; motion passed 3-0.

**10. Acknowledge Letter from Friends of Harpswell Education:** Robert McIntyre, of Friends of Harpswell Education, noted that the letter stated that the group requests the Board negotiate with MSAD 75 to review and reduce the \$219,000 costs. Mr. McIntyre stated the Board previously agreed the number was inflated and the Town has a fiscal responsibility to not pay bills unless they are correct. Chairman Henderson questioned if the Group's law suit has been terminated and no longer in the court system. Mr. McIntyre responded that the suit has been dropped against the Department of Education and agreed by the DOE. The suit has been dropped against MSAD 75 and the School Board is meeting tonight regarding the matter. Mr. McIntyre stated that MSAD 75 worked through this referendum process with information that the Town's assessment would be reduced by approximately \$700,000 and didn't share the information which is unfair and he sees it as an attempt to make the referendum go poorly. Chairman Henderson suggested that once the Board gets confirmation that the suit has been terminated, the Board seek a response from Susan Gendron to its January letter and that in the meantime he was comfortable paying the Town's monthly school bills. Administrator Eiane was directed to contact the Department of Education (DOE) to confirm the suit has been dropped and then request a response to the January letter. Selectman Multer asked if it's a legal requirement that the defendant in a suit consent to the dropping of the suit, noting that Mr. McIntyre had indicated the Friends were waiting for consent from the defendants. Selectman Multer stated that MSAD 75 cannot do anything to change the figure and that she will not support pursuing the costs issues with the district but that she could support pursuing it through the DOE. Selectman Multer stated she resents the continual use of the Selectmen's meeting from this group to take shots at the SAD Board and administration. Elizabeth Davis, of the Friends of Harpswell Education, asked the Board

to work on obtaining accurate figures since the Board has acknowledged the total may be incorrect. Selectman Multer agreed to pursue the principal figure only.

**11. Consider Design Review Committee's Recommendation Re: Welcome Signs:** Chairman Henderson stated that there was an attempt to have two designs available for a vote by Town Meeting for welcome to Harpswell signs, which was unsuccessful. The Design Review Committee wanted to reject all designs as there wasn't enough time or a wide enough distribution. Chairman Henderson moved, seconded by Selectman Multer to reject all designs as recommended; motion passed 3-0. Chairman Henderson drafted a mission statement for the Committee to continue this year with the concept and reviewed it. Selectman Multer suggested the draft be sent to the Committee for comment prior to the Board adopting it; Chairman Henderson will forward the proposal.

**12. Consider Harpswell Islands School Request for Use of Mitchell Field:** Chairman Henderson stated the Harpswell Islands School has applied to use Mitchell Field for a walk-bike-a-thon on May 2 to raise money for a 5<sup>th</sup> grade trip. Chairman Henderson moved, seconded by Selectman Wallace to approve the application submitted by Harpswell Islands School for the use of Mitchell Field for a walk-bike-a-thon on May 2, and waives provisions of the Group Use Policy that require payment of an advance deposit fee and payment of a per person attendance fee; provided that proof of insurance, naming the Town as an additional insured, is received by Friday, April 30; motion passed 3-0.

**13. Consider Sponsoring an Energy Conservation Fair on May 1:** Administrator Eiane reported that the Harpswell Community Housing Trust approached the Town to participate in an energy conservation fair/forum. The Trust is taking the lead and the Town's Energy Committee will be participating in the Fair. The Trust has requested the Town sponsor the event in order for the Town's liability insurance to cover it. David Chipman, chair of Energy Committee, stated there will be many groups there offering a lot of helpful information, including available grants. Administrator Eiane reported the Trust wants the Board to be aware that it will get donations from the event. David Chipman stated the monies collected will be put in a fund for use to help someone make a down payment on a house, for example. Selectman Multer expressed concern about the aggressive schedule; David Chipman assured her it can be accomplished. Chairman Henderson moved, seconded by Selectman Wallace that the Town be a co-sponsor of the energy fair and to provide insurance coverage for the event; motion passed 3-0.

**14. Open Bids for the Replacement of a Failing Septic System:** The following bids were opened for project 10: Tupper \$8,430 plus \$1,750 if an additional pump station is needed; Ed Skillin \$6,847 plus \$900; John Davis Construction \$11,352 plus \$1,850; and JR Hill \$20,000 plus \$2,200. Chairman Henderson moved, seconded by Selectman Wallace to accept Ed Skillin's bid and if there are any issues to then authorize the next lowest bid; motion passed 3-0.

**15. Acceptance of Donations:** Chairman Henderson moved, seconded by Selectman Wallace to accept \$100 from Kellogg Church for the heating assistance program and \$275 in food cards for the Town's general assistance program; motion passed 3-0. Letters of appreciation will be sent. Selectman Multer moved, seconded by Selectman Wallace to accept \$400 from Maine Coast Heritage Trust in appreciation of its tax-exempt parcel, Whaleboat Island; motion passed 3-0.

**16. Consent Agenda Items: (1) Adopt Policy on Treasurer's Disbursement Warrants for Employee Wages & Benefits; (2) Approval of the Minutes; and (3) Release Deed with Lorna Kaufman:** Chairman Henderson moved, seconded by Selectman Wallace to approve the consent agenda items; motion passed 3-0.

**17. Other Business: Town Road Postings:** Selectman Wallace stated he has reviewed the roads and believes they are in good shape, frost is out of the ground, and the ditches are clean. Selectman Wallace suggested the

weight limits be lifted effective April 1, after the next rain expected on Monday. This would benefit the contractors waiting to do various small projects around Town. Administrator Eiane stated she contacted Brunswick earlier this week and they may consider lifting on Monday after evaluating the air temperature, road conditions, etc. Chairman Henderson stated he would be more comfortable waiting until the next meeting and Selectman Multer agreed. This item will be on the next agenda and staff was asked to obtain specific information on Brunswick's review process.

**18. Authorization of the Warrant:** Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #18 in the amount of \$2,399.32; motion passed 2-0 (Selectman Wallace abstained). Selectman Wallace moved, seconded by Chairman Henderson to authorize warrant #19 in the amount of \$34,957.48; motion passed 3-0. Payroll warrant #13 in the amount of \$18,348.21 was noted for the record.

**19. Adjournment:** The meeting adjourned by unanimous vote at 7:55 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report  
[Attachments are available at the Town Clerk's Office or by email at [harpwell@gwi.net](mailto:harpwell@gwi.net)]