

Board of Selectmen's Meeting Minutes
February 3, 2011
Harpswell Town Office
Approved on February 10, 2011

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At 6:00 p.m., Chairman Henderson moved, seconded by Selectman Wallace to enter into executive session pursuant to 1 M.R.S.A. § 405(6)(c) Re: possible acquisition of real property (Cedar Beach); motion passed 3-0.

The Board returned to open session at 6:30 p.m.

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

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

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

The meeting was videotaped broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Henderson moved, seconded by Selectman Multer to adopt the agenda as amended by adding a wood grinding request for proposals; motion passed 2-0 (Selectman Wallace abstained).

2. Public Comment: Cheryl Johnson stated she has been involved in education since her two middle school children began attending school. Ms. Johnson announced she was running as a write in candidate for the MSAD 75 school board director position and said she looked forward to the opportunity to serve Harpswell for quality education. Robert McIntyre stated that it would be useful for the Town to look at the connection to the withdrawal process and the West Harpswell School. Mr. McIntyre believes that the withdrawal process from MSAD 75 would not be supported unless it included operating West Harpswell School and that he believes there may be legal restrictions for up to a year on the West Harpswell School building. Elizabeth Davis stated she hopes the Town will accept the West Harpswell School building when it is offered as it holds many possible opportunities such as a senior center, recreational use, space for a home school cooperative, for early childhood education or a combination of uses. Selectman Multer stated she wanted to add a discussion regarding the West Harpswell School building under other business. Dee Carrier stated that she and Ms. Davis have not agreed on a lot of topics but she agrees with the Town accepting the school building. Ms. Carrier asked the Board to create a committee to look at the possible uses for the building and hopefully be prepared to act on a use immediately upon acceptance. Chairman Henderson asked if Ms. Carrier knew if the District had to hold onto the school for the year after closing; Ms. Carrier responded she did not believe that is the case.

3. Town Administrator's Report: Administrator Eiane reported the Town Clerk has verified the signatures on the petition submitted last week and it has met the threshold of required signatures. Administrator Eiane handed out a copy of the petition to each Selectman and stated it is now being reviewed by the Town Attorney to see that the action is legal to take. Upon completion of legal review, the Board will be provided with a schedule and outline of necessary steps. Administrator Eiane announced that the February 2 hearing in August on LD 69 – An Act to Restore the Historic Boundary Line between Harpswell and Brunswick was cancelled due to the weather and has been rescheduled for Wednesday, February 9 at 1:00 p.m. at the Cross Office Building in Augusta. There will also be a work session on February 16 at 10:00 a.m. regarding the matter. The public is encouraged to attend and can contact the Town Office for ride share information. Selectman Multer encouraged anyone attending to allow ample time as the process can be lengthy. Administrator Eiane reported there is a possibility of one of the representatives on the legislative committee coming to Harpswell for a more informal session. Administrator Eiane announced that the new Commissioner of the Department of Marine Resources is working through Representative Kim Olsen to hold a meet and greet session in Harpswell around mid-March.

4. Selectmen's Announcements: Selectman Wallace stated with all the snow we have had that he understands how difficult it is to keep driveways widened. Selectman Wallace encouraged people to have their driveways widened to allow access for rescue or fire calls. Selectman Wallace announced he is not running for re-election as he has his house in Harpswell for sale and is hoping to move to Topsham. Selectman Wallace stated he would love to serve again as being a Selectman has helped him understand the dynamic of the Town and he thanked his colleagues and the staff. Selectman Multer stated she would be sorry to see Selectman Wallace go and will miss him. Chairman Henderson announced the Board held an executive session earlier with the Town Attorney regarding Cedar Beach. Cedar Beach remains a live issue. The Abrahamsons' attorney and the Town attorney continue to communicate and the Board hopes to have something for the March Town Meeting warrant.

5. Approval of Minutes: Chairman Henderson moved, seconded by Selectman Multer to adopt the January 13 minutes as re-circulated; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Wallace to adopt the January 24 minutes; motion passed 3-0.

6. Welcome to Harpswell Sign Design Update: Deputy Administrator Sawyer reviewed that the Board previously approved a request for proposals for "Welcome to Harpswell" sign designs and 7 people responded with one or more submissions. The Design Review Committee reviewed all the designs and narrowed the selection to two designs with a strong third choice and has left it up to the Board to decide to proceed with the 2 or 3 designs. Deputy Administrator Sawyer stated the Committee members have agreed to be present during Town Meeting and administer the vote on the designs and she thanked the Committee for its work. Chairman Henderson suggested that Committee members mark registered voter's yellow slip as they vote on which design. Selectman Multer suggested setting up the table for the design vote near the voting registration table but not so close to interfere with the official process. Chairman Henderson moved, seconded by Selectman Wallace to accept the Committee's recommendation of the two designs; motion passed 3-0. The Board thanked all the people who submitted designs.

7. 7:00 PM Public Hearing Re: Norman Stevens Automobile Junkyard, Map 46, Lot 31: Chairman Henderson opened the hearing at 7:00 p.m. William Wells, Code Enforcement Officer, stated this application is for a renewal as the business has existed for a long time and that all the paperwork has been submitted along with the State permit being current. Mr. Wells reported an advertised site visit was held today and all abutters were notified. Chairman Henderson stated he understands that Mr. Wells is in communication with the State on this topic and asked when the last communication was; Mr. Wells responded last year. Mr. Wells reported the inspections of the site are cursory as there is reliance on the paperwork including Mr. Stevens attesting to complying with all standards. Chairman Henderson noted he attended the site visit and that no abutters attended. There was a discussion regarding the time period for which the permit is valid and Administrator Eiane clarified the State Statute requires a permit to be issued by October 1 of each year. Chairman Henderson closed the hearing at 7:05 p.m. Chairman Henderson moved, seconded by Selectman Wallace to issue the permit to Norman Stevens to operate a junkyard from October 1, 2010 to September 30, 2011. Selectman Multer stated she was content with the permit but wants the process to be more streamlined and performed earlier such as September. Selectman Multer stated the statute allows the municipal officers to assign a designee for the process and she suggested the Code Officer hold the site visit and sign off on the checklist. The Board asked for follow up in September 2011 for that year's permit. The motion passed 3-0.

8. 2011 Town Meeting Warrant and Budget Review: Administrator Eiane announced the Board will hold a public hearing at the Town Office on February 9 regarding certain ordinance proposals and have therefore, not formally voted to place articles 11-17 on the warrant. Administrator Eiane suggested adding \$5,000 to the budget for the Town's heating assistance program since the Town has experienced an increase in applications this heating season; the Board agreed. Administrator Eiane reviewed the proposed changes to the warrant from the Town Attorney. Staff will check with the State Planning Office if there are any restrictions regarding article

56 to accept \$20,000 in grant funds for a feasibility and design of a boat ramp at Mitchell Field. The Board noted any traffic could support local business. The Board agreed with proposing a 6% interest rate on delinquent taxes and a 5% rate for abated taxes. Chairman Henderson questioned if the petition to withdraw from MSAD 75 should be on the warrant; Administrator Eiane responded State Statute requires secret ballot and the petition was submitted after the deadline for secret ballot at Town Meeting. The issue may be able to be scheduled for a June vote. The Board concurred with the total budget of \$4,029,097. Administrator Eiane reviewed the LD1 calculation and its compliance based on estimated revenues. Administrator Eiane noted the Budget Advisory Committee will meet on Wednesday to be apprised of items the Board has added since the BAC recommended budget.

9. Set Start Time for Business Portion of Annual Town Meeting: Chairman Henderson moved, seconded by Selectman Wallace to set the start time for the business portion of Town Meeting as 10:00 a.m.; motion passed 3-0.

10. Set Public Hearing for Secret Ballot Items: Chairman Henderson moved, seconded by Selectman Multer to set February 15 at 7:00 p.m. as a public hearing on the secret ballot items at the Town Office; motion passed 3-0. The Board of Assessor's meeting starting at 4:30 p.m. must be completed by 6:00 p.m. Chairman Henderson suggested inviting the two candidates for Selectman to the Assessor's meeting.

11. Consider Maine Municipal Grant Application for Recycling Center: Chairman Henderson moved, seconded by Selectman Multer to authorize the submission of the grant application for two-thirds of \$847 for a storage cabinet to store aerosols and flammables within heated spaces; motion passed 2-0 (Selectman Wallace abstained).

11a. Consider Wood Grinding Request for Proposals: Administrator Eiane explained this request for proposals requires more information from vendors than in the past and the Town will require a contract with the selected bidder. Administrator Eiane noted that with the Recycling Center Manager's implementation of new procedures, the wood pile should pass the environmental test. Chairman Henderson moved, seconded by Selectman Multer to approve the request for proposals as amended by adding the insurance requirements; motion passed 2-0 (Selectman Wallace abstained).

12. Consider eco-Maine Nomination: Administrator Eiane explained that eco-Maine accepts nominations from each member community for an eco-award and last year the Town's Conservation Commission was nominated and acknowledged for its work with raising awareness about water quality. This year, the Recycling Manager is recommending Donna Frisoli, of HCTV, for her participation in developing a video for the Girl Scouts regarding the benefits of recycling and for her work with the Recycling Manager in developing a public service announcement regarding how easy and beneficial recycling is. Chairman Henderson moved, seconded by Selectman Multer to nominate Donna Frisoli; motion passed 2-0 (Selectman Wallace abstained).

13. Other Business: West Harpswell School Building: Selectman Multer suggested the Board needs to assemble information regarding the costs for maintaining the West Harpswell School building before the people vote on accepting it. There is a lot of information available in MSAD 75's report to the State and she asked that staff review and calculate the costs. Administrator Eiane reported the authority to accept the school can be the municipal officers or the legislative body of the Town (Town Meeting). Selectman Multer expressed her hopes that the question be put to the voters. Selectman Multer suggested a list of uses could be suggested and associated costs can be assembled. Chairman Henderson suggested there is time to assemble a committee to look at the uses. Selectman Multer suggested that MSAD 75 may offer the property to the Town in June. Administrator Eiane agreed that staff can look at the associated costs of the school but if the Board wants to look at potential uses, a committee would be best. Selectman Multer suggested the existing West Harpswell

School report be made available in the Town Office lobby. The Board will further discuss the potential mission of a committee to look at the uses of the building.

Chairman Henderson announced what committees the Town has and what vacancies are available.

14. Authorization of the Warrant: Selectman Multer moved, seconded by Chairman Henderson to authorize warrant #8 in the amount of \$115,238.12; motion passed 3-0. Payroll warrant #5 in the amount of \$13,709.10 was noted for the record.

15. Public Comment: None.

16. Adjournment: The meeting was adjourned at 8:19 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:

[Attachments are available at the Town Clerk's Office or by email at harpwell@town.harpwell.me.us]