

**Board of Selectmen's Minutes**  
**January 25, 2007**  
**Harpswell Town Office**  
Approved February 1, 2007

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**Selectmen Present:** Amy R. Haible, J. Katherine Chatterjee and Chairman Samuel W. Alexander

**Staff Present:** Kristi K. Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator and Marguerite Kelly, Town Treasurer

**Call to Order and Pledge of Allegiance:** The meeting was called to order by Chairman Alexander at 6:35 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Selectman Chatterjee moved, seconded by Chairman Alexander to amend the agenda by removing the Land Use Review from item 7; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to adopt the agenda as amended; motion passed 3-0.

**2. Town Administrator's Report:** Administrator Eiane announced that on January 16, she and two members of the Board of Selectmen met in Augusta with Senator Beth Edmonds, Representative Leila Percy, Policy Director for Senator Edmonds and Superintendent Wilhelm regarding proposed legislation that would allow Harpswell to receive State aid if there were a school capital project in the district. A first draft of the proposed legislation was received and there will be further review meetings to assure that the proposal does what is expected. Ms. Eiane announced that she will be attending a tour of the Cumberland County Jail on Monday at 4:00 and a meeting immediately after regarding legislative strategy. The County has hired a lobbyist to support legislative proposals that would address state funding for county services, particularly the jail. Ms. Eiane informed the Board that the cell tower work group met with Paul Strout, owner of Tower Specialist, last Friday and that they continue to work out the details for a cell tower proposal. Ms. Eiane stated that the Town has received the second installment of franchise fees from Comcast in the amount of \$26,000± which covers the period from July 1 to December 31, 2006. Ms. Eiane stated that the Town's annual audit is in process and should be complete in a couple of weeks.

**3. Selectmen's Announcements:** Selectman Haible extended an invitation for anyone to contact her at 725-9419 to schedule a meeting to review any concerns or ideas.

**4. Old Business:** There was no old business discussed.

**5. Consider Procedure for Disposition of Unknown Owner Parcels:** Marguerite Kelly, Town Treasurer, explained that when the Town maps were redrawn in 1998, five parcels were discovered to have no known owners. In 2004, the Town began the process to dispose of the parcels. The process was started over and completed at the end of 2006 which now allows the Town to release the parcels. Ms. Kelly stated that if the Board approves the proposed policy (attached as reference) for selling the parcels, she will make the information available to abutters and other interested parties on January 29. Ms. Kelly explained that the policy requires a minimum bid (10% of assessed value) which will exceed the taxes due for each parcel and the Town's costs for administering this process. Chairman Alexander moved, seconded by Selectman Chatterjee to adopt the Request for Bids and allow employees that may be direct abutters to these parcels to bid; motion passed 3-0.

**6. Marine Resource Committee Report and Mission Statement:** George Lee Bradbury, Town Marine Warden, stated that the Committee did not rework the mission statement as the existing one is fine. Administrator Eiane recommended adding a few words that came directly from the ordinance as the Committee is bound by the Shellfish Ordinance. Walter Ward, Committee member, responded that was acceptable. There was a discussion with the Board and Committee regarding the Town Marine Warden being the Committee liaison instead of a Selectman. Walter Ward was not in favor of this proposal as the Committee handles serious

issues with licenses and he believes it is in the Town's best interest to keep a Selectman involved. Selectman Chatterjee moved, seconded by Selectman Haible to approve the Marine Resource Committee mission statement; motion passed 3-0. There was a discussion regarding proposed ordinance changes to incorporate student licenses. Previously the Committee proposed to limit student licenses to 10 resident and 1 non-resident and require the license issuance to follow the same process as the adult licenses (conservation time and a lottery if needed). The student would be limited to 1 bushel and would have to be enrolled in school. The Committee informed the Board that they would track the proposed legislation about depuration digging. This issue is of most importance as it could result in the closure of borderline areas and allow a special harvester to dig in those areas, clean the clams by a special depuration process and sell the crop. The proposed legislation is to prevent the possible large area harvests and allow the towns to investigate and remedy the issues regarding possible closure. The Committee will keep the Board informed.

**7. Consideration of Annual Town Meeting Warrant Articles: Land Use Items and Budgetary Items:**

Dan Boland questioned whether it was too late to have the CPIC proposals voted by secret ballot. The Board responded that it was since they voted to have the proposals voted on Town Meeting floor previously. Chairman Alexander read each budget item category and the proposed 2007 budget amount noting the amounts are recommended by the Budget Advisory Committee. The Board acted on certain items and tabled others for further discussion. Selectman Chatterjee moved, seconded by Selectman Haible to approve the budget amounts for the items noted on the list (attached); motion passed 3-0.

**8. Authorization of 2006 Carryovers:** Administrator Eiane reviewed the proposed carryover list (attached), noting that it has been revised based on the Board's comments from this past Tuesday's administrative session. Selectman Chatterjee stated the Board removed the items that had no specific use. Selectman Chatterjee moved, seconded by Selectman Haible to approve the January 25 list of carryovers; motion passed 3-0. Selectman Chatterjee moved, seconded by Chairman Alexander to approve \$68,496 in carryover for contingency; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to approve \$155,625 in carryover for capital road reserve; motion passed 3-0. Selectman Chatterjee moved, seconded by Chairman Alexander to approve \$25,810 in carryover for grants; motion passed 3-0.

**9. Consider Setting February 15, 2007 at 7:00 PM as a Public Hearing for Proposed Ordinance Changes:**

- **Land Use Ordinance and Sign Ordinance Amendments**
- **Harbor and Waterfront Ordinance**
- **Shellfish Ordinance**
- **Emergency Management Ordinance**

Chairman Alexander moved, seconded by Selectman Haible to set February 15 at 7:00 PM at the Town Office as a public hearing on proposed ordinance amendments; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to set February 14 at 7:00 PM at the Town Office as a joint Planning Board and Board of Selectmen public hearing on the proposed land use and sign ordinance amendments; motion passed 3-0.

**10. Approval of the Cumberland County Community Development Block Grant (CDBG) Application:**

Administrator Eiane explained that as part of the Cumberland County entitlement district, Harpswell is eligible for Urban and Development funding. This application is requesting \$75,000 to be used to help establish a program to replace failing septic systems for low income residents. The application is due February 2 with funding available in the fall. Selectman Chatterjee moved, seconded by Chairman Alexander to approve the CDBG application; motion passed 3-0.

**11. Appointments:** Restoration Advisory Board, Registrar of Voters and Deputy Registrar of Voters: Chairman Alexander moved, seconded by Selectman Haible to appoint Susan Cary, Shirley Thompson, Pauline Toothaker, Catherine Graybill and Maureen Saxton as Deputy Registrar of Voters and Rosalind Knight as Registrar of Voters; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Chatterjee to appoint David W. Chipman to the Restoration Advisory Board; motion passed 3-0.

**12. Proposed Recall Ordinance:** Selectman Haible noted that she has worked with Chairman Alexander and Selectman Chatterjee to revise the recall ordinance and although they were unable to agree to move forward, she thanked them. Selectman Haible stated that in her opinion the existing ordinance is too restrictive by requiring an elected official to miss more than half of the regular meetings, or having the court determine that an official has violated the freedom of access law two times or has been convicted of a felon. Selectman Haible stated she investigated what other towns have for recall language and tried to develop language that would prevent frivolous recall attempts. Selectman Haible reviewed her proposal; the petition requires 20% of valid signatures to establish a special vote and then it must pass by a majority with a 40% turnout based on the last gubernatorial election for the vote itself. Selectman Haible stated that she wanted this proposal on this year's Town Meeting warrant and although it won't be, she respects Chairman Alexander and Selectman Chatterjee's decision. Selectman Haible stated her commitment to form a governance committee and anyone interested should contact the Town. Selectman Chatterjee stated her agreement for the need of a governance committee. Deb Levensailor commented that the process to bring an amended recall ordinance to the voters seemed to be shut down too quickly. Ms. Levensailor stated she would like Selectman Haible's proposal on the Town Meeting warrant.

**13. Board of Selectmen Draft Goals and Objectives:** Selectman Chatterjee read the draft goals and stated that the Board has been substantial progress on many of them. Chairman Alexander moved, seconded by Selectman Haible to codify the August 24, 2006 Goals and Objectives; motion passed 3-0.

**14. Authorization of the Warrant:** Kristi Eiane, Town Administrator recommended approval of Warrant 4 and Payroll Warrant 4. Selectman Haible moved, seconded by Chairman Alexander to approve Warrant 4 in the amount of \$102,217.37; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to approve Payroll Warrant 4 in the amount of \$17,317.93; motion passed 3-0.

**15. Approval of the Minutes:** Selectman Chatterjee moved, seconded by Selectman Haible to approve the January 11, 2007 minutes as printed; motion passed 3-0.

**16. Public Comment:** There were no public comments.

**17. Executive Session Pursuant to 1 M.R.S.A. § 405(6)(a) For Discussion of Employee Compensation**  
Chairman Alexander moved, seconded by Selectman Chatterjee to enter executive session pursuant to 1 M.R.S.A. § 405(6)(a) for discussion of employee compensation; motion passed 3-0.

**18. Adjournment:** The meeting was adjourned by unanimous vote at approximately 8:40 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Request for Bids  
Carryover List  
Proposed 2007 Budget Items  
Marine Resource Committee Mission Statement