

Board of Selectmen's Meeting Minutes

May 31, 2012

Harpswell Town Office

Approved on June 14, 2012

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Selectmen Present: Elinor Multer, James S. Henderson and Alison S. Hawkes

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Carol Tukey, Planner; and Marguerite Kelly, Treasurer

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

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:00 p.m.

1. Adoption of the Agenda: Chairman Multer moved, seconded by Selectman Hawkes to adopt the agenda as amended by: adding the Cumberland County finance committee and the letter received from Dennis Richards to item 31; adding a request for payment to Deluca-Hoffman under item 28; moving 19 to item 8.2 and 16 to 8.3; motion passed 3-0.

2. Public Comment: Susan Rich announced Camp Harpswell will begin the week of June 18 and she also asked for book donations for the Orr's Island Library book sale since many of its books were damaged in the lightning storm that caused a fire.

3. Town Administrator's Report: Administrator Eiane reported the Town received notification that the United States General Services Administration is announcing the availability of Halfway Rock Light Station. Certain entities, including the Town of Harpswell, could receive a no-cost transfer. If interested, letters of interest are due by July 16, 2012. The property is listed on the National Registry of Historic Sites and Administrator Eiane has relayed the information to David Hackett, President of the Harpswell Historical Society. The Board did not express interest in pursuing the offer.

4. Selectmen's Announcements: Selectman Henderson noted the MSAD 75 Budget Meeting was held last week and while the District includes four towns, only 26 people attended the meeting. He noted that over 300 people attend Harpswell's annual Town meeting and encouraged everyone to be more involved in the District's budget process.

5. Approval of the Minutes: Selectman Henderson moved, seconded by Chairman Multer to approve the May 17 and 21 minutes; motion passed 3-0.

6. Consider Contract for Assessing Services: Debbie Turner, Assessing Agent, recommended the Board contract with KRT Appraisal to review the sales data in preparation for the 2012 commitment. Ms. Turner explained that Curt Lebel, who was responsible for processing abatements and reviewing sales data, did not renew his contract with the Town. Ms. Turner stated she can absorb the abatement review and recommended KRT for the sales data review. The owners of KRT are familiar with Harpswell as they worked for Vision during the Town's reevaluation. The Town of Brunswick, which has utilized KRT's services, submitted a recommendation. Chairman Multer moved to approve contracting with KRT for \$2,500 for the sales work; motion carried 3-0.

7. Review Homestead Ratio Declarations and Reimbursement Application: Debbie Turner, Assessing Agent, stated the Maine Revenue Services has determined the Town's developed parcel ratio to be 97%. Ms. Turner explained the Town can use the State's ratio, adjust that ratio within 10% or petition to use a ratio greater than 10%. Ms. Turner recommended the Board adjust the 97% to 100% that will allow the full \$10,000 homestead exemption for residents. Selectman Henderson moved, seconded by Chairman Multer to declare the Town's ratio 100%; motion passed 3-0.

8. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her report for April (attached).

Ms. Kelly stated she understood the Board is considering asking voters to change the Treasurer position from elected to appointed. She asked the Board to consider doing this at the November election; Chairman Multer agreed and expressed her wishes not to lose Ms. Kelly as Treasurer.

19. Open Bids for the Removal of Houses/Garages at Mitchell Field: The Board opened the following bids:

Bidder	Cost or Revenue	House #162	Garage 162	House 163	Garage 163
Ronald Chipman	Revenue	no bid	\$1	no bid	\$1
Country Fare, Inc.	cost	\$12,108	\$925	\$9,580	\$1,380
Mitchell Construction	cost	\$13,030	\$500	\$5,530	\$500
Koncrete Creations	cost	\$11,162.24	\$1,700	\$12,427.12	\$2,700
Field's Auto	Revenue	no bid	no bid	\$100	no bid
Camcorp Excavation	cost	\$12,500	\$1,100	\$10,140	\$1,500
RA Webber	cost	\$7,075	\$500	\$10,225	\$500 plus \$4180 asbestos removal
Ray Labbe	cost	\$10,612	\$1,500	\$9,074	\$1,800

The bids were referred to staff for review.

16. Consider Lease Agreement with Ash Point Community Center Re: West Harpswell School: Elizabeth Davis stated that after the workshop with the Board, the Ash Point Community Center has decided to focus on the library and therefore the entity will be called the Ash Point Community Library (APCL). Donna Frisoli stated if the Board allows continued use of the building by the Library, the papers for incorporation will be submitted to the State. Ms. Davis stated APCL is in agreement with the proposed lease but is not able to pay \$300 a month or even \$50 a month. If a fee is assessed, APCL will have to pass it onto users. Selectman Henderson stated from 2007 to 2012, on average, the Town has appropriated \$20,000 (including capital) to the Orr's Island Library and \$13,000 to the Cundy's Harbor Library and he believes it is reasonable not to assess a fee to APCL. Selectman Hawkes stated if there is no fee then APCL will have to provide its own supplies and do fundraising. Selectman Henderson read his proposal for additional language that would allow APCL occasional use of the gym. Chairman Multer stated the Town should be scheduling open gym time and have a volunteer, under the supervision of the Recreation Director to oversee it and otherwise the gym is off limits. Ms. Davis agreed and will work with the Town to have volunteers available for the gym. Gina Perow, Recreation Director, stated it would be helpful to have volunteers for the gym, noting that the Town does background checks on all its volunteers. Chairman Multer stated there may be a small fee for supplies. Sue Rich expressed concern about one entity having a special rate. Ms. Rich asked how much of the building is used by APCL; the response was one room. It was noted other rental fees are being proposed for events and for long-term use under another agenda item. Chairman Multer tabled this topic until APCL completes the State registration.

12. Public Hearing Re: June 12, 2012 Secret Ballot Articles: The hearing was opened at 7:04 pm. Administrator Eiane stated the hearing is required for the items on the municipal secret ballot and there are three articles. One article is to consider adopting the Mobile Food Handler's Ordinance, one is to adopt the associated ordinance amendments to allow for the Mobile Food Handler's use and the third article is for a \$25,000 appropriation to make emergency repairs to the pier at Mitchell Field. In addition to the municipal ballot, voters will consider the State primaries and the MSAD 75 budget. Carol Tukey, Town Planner, stated the Mobile Food Handler's Ordinance would allow mobile food carts once a license is obtained from the Board of Selectmen and there are certain criteria for the cart and location. The hearing was closed at 7:07 pm.

15. Consider Adopting Fee Schedule for Use of West Harpswell School: Administrator Eiane stated staff was asked to obtain fee schedules from various entities in Town and reviewed the collected information with the Board at a workshop. The proposed fee schedule has two parts. Part one is for the event fees based on the length

of time of the use of the building and includes a cleaning deposit and the right for the Town to bill for any damages. A user would have to provide insurance naming the Town as an additional insured. Staff recommends closing down the east wing of the building in the fall and implementing certain weatherization steps. Selectman Hawkes asked for the heat to be shut off. Donna Frisolli suggested the Town's Energy Committee could look at ways to weatherize the east wing. Selectman Henderson suggested making the fees effective until October 1. Anne Standridge suggested the zone in that area could be drained and the water shut off. Joyce Thomas stated the West Harpswell Baptist Church had 18 youths at its last Friday night gym session and it has been a great place for the Youth Group. Ms. Thomas stated the Church brings its own supplies. Administrator Eiane stated part two of the proposed fee schedule is for rentals longer than a week and would require a lease and a per square foot charge of \$4.75. Leasing the gym is not recommended so as to not interfere with Town recreation programs. Ms. Thomas expressed concern about submitting a cleaning deposit every month and about how the gym will be inspected after the Youth Group's use late on Fridays. Signe Daniel asked for an example room size and what the rent would be; a classroom would be about \$300 per month. Marguerite Kelly, Treasurer, stated the \$4.75 per square foot rate includes the heating costs and suggested the fee schedule could extend beyond October 1. The Board discussed having the fee schedule effective June 1 through Town Meeting or until amended. Selectman Henderson moved to adopt the fee schedule parts I and II and to add that the Board reserves the right to make exceptions on a case by case basis. Selectman Hawkes stated she preferred a note on the fee schedule explaining exceptions and the criteria needed. Chairman Multer and Selectman Henderson agreed it should not be in the schedule but left to the Board to determine. Elizabeth Davis suggested exempting all non profits that provide a direct benefit to the children and people of Harpswell. Chairman Multer responded she would not consider on the basis of being a non profit. Kay Ogradnik noted that waivers will be up to the Board. Selectman Henderson's motion carried 3-0.

10. Consider Agreement with Maine Power Options: Deputy Administrator Sawyer stated Maine PowerOptions has offered fixed pricing with Constellation New Energy for the supply portion of the Town's power bills. The Town's current contract with Constellation New Energy for fixed pricing (.0571/kwh) on the Town's street light account, expires December 31, 2012. There are two contracts being offered, one for the main street light account (12 months at .0527, 24 months at .0534, 36 months at .0541 and 48 months at .0551) and one for the Town's remaining 11 accounts (5 months at .0551, 17 months at .0609, 29 months at .0630 and 41 months at .0647). Marguerite Kelly, Treasurer, noted that the Town has been informed that electricity pricing is at a 10-year low. The Board discussed the different terms. Chairman Multer moved, seconded by Selectman Henderson to approve the 24-month contract for street lights and 29 months for the remaining accounts; motion passed 3-0. Chairman Multer noted she spoke with Gordon Weil regarding this topic and he submitted comments the Board may want to consider for future contracts. For example, there is a clause that states the price cannot be disclosed; Ms. Kelly noted it continues to state "except as required by law". Selectman Henderson moved, seconded by Selectman Hawkes to cross out that particular clause; motion passed 3-0.

13. Consider Contract with Cumberland County for Grant Funds: Deputy Administrator Sawyer stated the Board authorized a planning grant application for the creation of an economic development plan to the Cumberland County Development Bock Grant Program in the amount of \$10,000 and the application was approved. This contract covers the grant and outlines the proposed work schedule, which Carol Tukey will work with the County on. Selectman Henderson moved, seconded by Selectman Hawkes to approve the contract; motion passed 3-0.

14. Consider Lease with Orr's/Bailey Island Fire Department for Tanker: Administrator Eiane stated the Town entered a contract with Crimson Fire for a tanker which is expected to be delivered next week. Before the Town accepts ownership, the lease between the Department and Town should be in place. Chairman Multer had a question regarding the statement in paragraph 4 and asked if the paramedic contract should be referenced. Marguerite Kelly, Treasurer, stated the Town's bond counsel is not available until Monday and she will check at that time. Ms. Kelly noted that prior to the new dedicated paramedic contract, the Town has had a paramedic

contract for many years for the 'fly car'. If counsel advises that a change is needed, the past five leases will also need to be amended. Chairman Multer moved, seconded by Selectman Hawkes to approve the lease pending legal input and the staff is authorized to make the required changes, if needed; motion passed 3-0.

11. Consider Conservation Easement Information Re: Hildreth Road Property: Reed Coles, Executive Director of the Harpswell Heritage Land Trust, explained various conservation easement options to the Board for consideration in protecting the stream and wetlands on the Hildreth Road property, map 3, lot 73. Mr. Coles stated the first step is to develop a conservation plan that outlines the details and then the easement is written from the plan. There was a discussion regarding how much of the land should be placed in conservation and how much should be sold and whether the right to install trails should be considered. Mr. Coles stated other than legal fees; there is no annual cost to the Town if Harpswell Heritage Land Trust monitors the easement, although a donation for the stewardship is suggested. The Board set June 18 at 9:30 am as a workshop to consider the details for the conservation plan.

17. Consider Issuing Request for Proposals Re: West Harpswell School Property Manager: Administrator Eiane reviewed the request for proposals for a property manager at West Harpswell School. The Board asked certain questions and made changes including requiring weekly inspections on a year-round basis. Chairman Multer asked that references include those from situations where similar duties were performed. Selectman Hawkes moved, seconded by Selectman Henderson to approve the RFP as amended; motion passed 3-0.

18. Consider Issuing Request for Proposals for Winter Road Maintenance: Administrator Eiane stated she prepared the winter road bid similar to past years with the addition of an annual review. Deputy Town Administrator Sawyer reviewed Chairman Multer's suggested changes presented earlier. The Board made certain changes including removing language that would allow the waiver of the bond and negotiations if gas prices increased. The Town will continue to state that no shoes shall be used on the plows. Chairman Multer moved, seconded by Selectman Hawkes to issue the request for proposals as amended; motion passed 3-0. Administrator Eiane noted it would be sent to several vendors including Goodall Landscaping. Chairman Multer stated if the Board would not consider Goodall, then the Town should not send an invitation to bid to Goodall. Selectman Hawkes and Henderson agreed all companies should be invited to bid, including Goodall as they are willing to consider the company, knowing improvements need to be made and past mistakes are in the past.

20. Countersign MSAD 75 District Budget Validation Referendum Warrant: The Board agreed to sign the MSAD 75 District Budget Validation Referendum Warrant.

21. Consider Next Step with Town Office Master Plan: Selectman Henderson stated he was not comfortable with the proposal to explore site locations for the paramedic garage without reviewing the whole plan for the Recycling Center such as single stream and how it would require less of a facility. Chairman Multer stated Selectman Henderson's request will delay moving forward with the garage for emergency services and she did not favor such action. Administrator Eiane stated the site location review for the garage can include looking at current and future functional aspects of the Recycling Center and associated layouts. Selectman Henderson stated he did not want to piecemeal this project and the full picture needs to be looked at – can the Recycling Center be rescaled and used differently? Selectman Hawkes agreed with Selectman Henderson's concept. Selectman Henderson asked for an updated presentation from the Recycling Center Manager to include present costs less capital and what other towns are doing. Administrator Eiane stated the funding was approved for the site plan of the garage which can include a general review of the Recycling Center but if there is to be an entire site plan review of the Recycling Center, and its operation, then maybe other funding is needed. Selectman Henderson asked for an update from the Recycling Center Manager and Eco-Maine, the Town's current trash disposal source. Selectman Hawkes added to review the Transfer Station scale building. Chairman Multer and Selectman Henderson stated if the Town went to single stream, the transfer station would still be required. More information is pending from the Recycling Center Manager.

22. Consider Request for Bus Stop Sign on Mountain Road: Administrator Eiane stated the Town received a request to install bus stop signs on Mountain Road at both directions approaching Holly Hill Road due to the hill and blind curve. Since Mountain Road is a Department of Transportation (DOT) Road there is a state policy governing such requests. The DOT will review the request and if it is determined to be needed, will authorize the signage installation for which the Town will be billed. Selectman Hawkes moved, seconded by Selectman Henderson to send the request to DOT; motion passed 3-0.

23. Set Public Hearing for General Assistance Ordinance Amendments: Administrator Eiane stated State law is requiring certain changes to the Town's General Assistance Ordinance and she asked the Board to set a public hearing to hear public comment on the changes on June 14 at 7:00 pm. Chairman Multer moved, seconded by Selectman Hawkes to set June 14 at 7:00 pm as the hearing; motion passed 3-0.

24. Committees

- **Appointments:** Selectman Hawkes expressed a concern about committee members being on multiple committees. Deputy Administrator Sawyer explained the application limits the choices to 3 and that in the past, Selectmen have allowed up to 4 committees and currently there are 3 or 4 members that belong to more than 3. The Board discussed that the Marine Resources and Harbor and Waterfront Committees are governed by Ordinances that each call for 7 members with no mention of associates. The Board agreed the listed applicants could be appointed as non-voting associate members. Selectman Henderson moved, seconded by Selectman Hawkes to appoint Andrew Donley to the Comprehensive Plan Implementation Committee to 2013; Andrew Donley and John Monaghan to the Energy Committee to 2013 and 2015 respectively; John Loyd as a Town steward to 2013; Ken Beebe and John Holland as non-voting associates to the Marine Resources Committee to 2013; Ken Beebe to the Harbor and Waterfront Committee as a non-voting associate member to 2013; Ken Beebe as an additional member (and revising the mission to allow 10) to the Shoreland Zoning Task force to 2013; motion passed 3-0.
- **Liaisons:** The Board reviewed the current liaison responsibilities and agreed to keep it as it.
- **Update to Watercraft Task Force Mission Statement:** Chairman Multer moved, seconded by Selectman Hawkes to adopt the revised mission statement (attached); motion passed 3-0.

25. Election Worker Appointments: Selectman Henderson moved, seconded by Selectman Hawkes to appoint Patricia Leary, Ellen Shillinglaw, Thomas Rothwell, Margaret Bonarrigo as Deputy Wardens for June 14; Susan Lowery, Megan Hubbard, Janet Coombs, Catherine Doughty as Wardens for June 14; and Sarah Theberge as Registrar of Voters; motion passed 3-0.

26. Consider 2012 Annual Salary Adjustment Re: Administrator: Chairman Multer moved, seconded by Selectman Hawkes to approve a 2% raise for Kristi Eiane, Town Administrator; motion passed 3-0. Selectman Henderson stated the Board conducted Ms. Eiane's annual evaluation earlier this evening and that is why her raise was isolated from that of the other employees.

27. Consider Rental Agreement with Bowdoin College for Summer Swim Program: Administrator Eiane stated the Recreation Director is requiring proof of insurance at the time of registration for the summer swim program since Bowdoin College's contract requires the Town to assure each participant has insurance. The Town used to accept "self insured" which left the Town exposed within this contract. Selectman Henderson asked how many families are not able to participate; the information will be provided once registration is complete. Chairman Multer moved, seconded by Selectman Henderson to approve the contract; motion passed 3-0.

28. Other Business: Consider Request for Payment: Administrator Eiane stated the Town had entered into a contract with Deluca-Hoffman for \$20,000 for infrastructure review at Mitchell Field. Deluca-Hoffman sub-contracted certain work and the pier consultant exceeded its \$1,500 allotment by \$1,900. Deluca-Hoffman has requested the Board consider the additional \$1,900 payment. Selectman Hawkes expressed concern about the

additional costs since there was a fixed price contract. Chairman Multer and Selectman Henderson agreed to consider splitting the additional costs. Chairman Multer moved, seconded by Selectman Hawkes to pay \$950 to Deluca-Hoffman; motion passed 3-0.

Consider Request to Show Town Emergency Vehicle: Administrator Eiane stated the Town contracted with Crimson Fire to construct a tanker for the Town (to be leased to Orr's/Bailey Island) and Crimson has requested permission to delay delivery to facilitate showing the vehicle at an exposition in Massachusetts from June 22 to June 24. This would require a contract extension since delivery was required within 240 days of contract signing and the Town will not own the vehicle until transfer. The Orr's/Bailey Island Fire Chief does not object to the request. Chairman Multer stated she would not object provided a professional sign is made and on display at the exposition stating it was built for Harpswell. Selectman Henderson agreed and added that Harpswell Business Association brochures need to be made available too. Chairman Multer moved, seconded by Selectman Hawkes to approve a contract extension to allow for the additional days and include a penalty clause if the extension is exceeded provided that a sign as discussed is also shown; motion passed 3-0.

Deputy Administrator Sawyer stated the Town received a letter from the State Department of Conservation requesting permission to park 2-4 cars at West Harpswell School on a daily basis from June 3 to September 9 from 8:00 am to 5:00 pm. This would enable the employees on Eagle Island to carpool to the Dolphin Marina in one car where they have a dedicated parking space. Selectman Henderson moved, seconded by Chairman Multer to allow the request for this season provided the requester is informed that the Town is not responsible for any damage to the vehicles and that the requestor is informed the Board meets every two weeks and that more time should be allowed for a response to any future requests; motion passed 3-0.

29. Public Comment: None

30. Authorization of the Warrants: Chairman Multer moved, seconded by Selectman Henderson to approve warrant #27 in the amount of \$234,423.78; motion passed 3-0. Payroll warrant #22 in the amount of \$14,001.28 was noted for the record.

31. Administrative Matters: Deputy Administrator Sawyer reviewed catering permits for Cook's Lobster House and Orr's Island Bridge Lease Agreements which were ready for Selectmen signature. Deputy Administrator Sawyer explained the Town adopted a Shellfish Ordinance revision in 2007 that allowed for student licenses for those from the age of 10 to 18 and that provision has not been changed since then. Other towns offer student licenses at different ages such as Brunswick from 13 to 21 and Freeport from 12 to 22. Chairman Multer asked for a letter with the findings to be sent to Dennis Richards. The Board will discuss what recommendations to send to the Marine Resources Committee at its next meeting. Chairman Multer stated Cumberland County will be holding a caucus for members to its Finance Committee and she expressed an interest to continue; Selectman Henderson and Selectman Hawkes agreed. The Board scheduled an executive session with Jack Sylvester on June 4 at 4:00 pm to review the negotiations with Harpswell Oceanic Center.

32. Adjournment: The meeting was unanimously adjourned at 10:30 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Treasurer's Report
Watercraft Task Force Mission

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