

**Special Selectmen's Meeting Minutes**

**August 8, 2013**

**Harpswell Town Office**

**Approved on September 5, 2013**

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

**Selectmen Present:** Elinor Multer, Alison S. Hawkes and Richard A. Daniel.

**Staff Present:** Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Bill Wells, Code Enforcement Officer; Fred Cantu, Recycling Center/Transfer Station Manager; and Ronald Ponziani, Road Commissioner

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

**1. Adoption of the Agenda:** Chairman Multer moved, seconded by Selectman Hawkes to adopt the agenda as amended by adding consider Sign Policy under administrative matters; motion passed 3-0.

**2. Public Comment:** None.

**3. Town Administrator's Report:** Administrator Eiane welcomed the U12 Ararat Allstar Baseball Team. Administrator Eiane reported she has spoken with two other towns with shellfish programs on how the programs are administered. Dan Devereaux, Brunswick Marine Warden, and David Corbeau, Scarborough Marine Resource Officer, have agreed to meet with the Board and review how their programs work. The Board agreed to hold a workshop. Administrator Eiane stated the Town implemented single stream recycling as of August 1 and she credited Fred Cantu, Recycling Center Manager, for the smooth transition and for educating the public. Over time, the Town will realize a savings with single stream. Administrator Eiane announced the tax bills will be mailed tomorrow and the mil rate was increased by .03%. The Town has one of the lowest mil rates in the State and staff works hard to keep it down. Anyone with questions regarding property assessments should contact the Assessing Office. The first half of property taxes is due September 16 and the second half on December 16. Administrator Eiane stated the Town has a Fireworks Ordinance that allows use of fireworks around July 4 and the end of the year; other times use is not legal. The Town has been receiving some complaints of continuing use. Cumberland County Sheriff's Department has tickets that can be issued to violators. Administrator Eiane asked the Board to consider if it wanted the topic on a future agenda and let staff know. The public was reminded to contact the Sheriff's Department during the activity.

**4. Selectmen's Announcements:** Selectman Hawkes introduced the U12 Ararat Allstar Baseball team and the coach Gerry Merrill. Mr. Merrill stated the team won the State Championship in Bowdoinham and proceeded to the New England Regional Championship where they won four games and became the runner up for all of the New England area. This has never been done before by a Maine team. Mr. Merrill stated the team played hard, right and with class. The coaches' objective is to teach each member to play baseball but also to be good young men for the community. The members were introduced: Jeff Kelly, assistance coach, Ben Freeman, Cole Kelly, Dakota Lopez, Cam Dutton, Nick Merrill, Hunter Lore, Austin Damon, Mike Rogers, Ryan Mello, Caleb Hawkes and two absent members Liam Houston and Cam Grant. Selectman Hawkes thanked Gerry Merrill, Jeff and John (absent) for what they have done.

**5. Consent Agenda:** Chairman Multer moved, seconded by Selectman Daniel to approve the consent agenda [7/25 and 8/1 minutes; Petty Cash Policy amendment; warrant#36 for \$672,461.87 and payroll warrant # 32 for \$15,487.79]; motion passed 3-0.

**6. Old Business: Consider Endorsing Rt. 24 Corridor Plan:** Chairman Multer stated she had asked to delay this item at the last meeting as she had a number of questions and concerns. Since then, she has met with Carol Eyerman, Planner, who forwarded Chairman Multer's points to the Midcoast Council of Governments (MCOG). MCOG will make the changes. Chairman Multer moved, seconded by Selectman Daniel to endorse the Plan; motion passed 3-0.

**7. Consider Trail Management Plan:** Gina Perow, Recreation Director, stated that in the past there has not been a management plan for Town trails and one has been developed considering the activity of the trails and addition of new ones. Selectman Daniel asked how much of an issue bootleg trails are. Ms. Perow responded there are several off the Cliff Trail and they appear to be part of the trail (without blazes) which is confusing to hikers. Logs have been put down to block the bootleg trails. Chairman Multer asked if the use is from sunrise to sunset; Ms. Perow responded she can add from “dawn to dusk” similar to the Harpswell Heritage Land Trust. Don Miskell, Recreation Committee member, noted volunteers sign a liability release from and follow chainsaw guidelines from the US Forest Service. There was a discussion about how often waivers should be signed and what the Town’s insurance company prefers. Administrator Eiane stated the forms could be reviewed every three years and the insurance company was consulted over the Community Garden waiver and the company indicated it wants to know there has been basic training. Ms. Perow stated she would consult with the HHLT about training session and Mr. Miskell stated he performs basic chainsaw training as well. Since 2003, the volunteers operating chainsaws have been Don Miskell, Tony Barrett or David Brooks. Selectman Hawkes thanked them plus all the other volunteers for their dedication and work. Mr. Miskell noted the Bangor Daily News reporter, Aislinn Sarnacki, wrote a great article on the Town’s June 1 hiking challenge. There was a discussion regarding the map boxes for the trails and Chairman Multer suggested the public could insert notes about blow downs. Chairman Multer moved, seconded by Selectman Hawkes to adopt the trail management plan; motion passed 3-0.

**8. James and Jennifer Talbot Wharf Application, Goose Ledge Road, Tax Map 14, Lot 14-1:** Bill Wells, Code Enforcement Officer, reviewed the proposal for a common use wharf system, Construct a common-use 4’x30’ aluminum or PT access bridge ramp, a 4’x12’ PT or aluminum access ramp, a 4’x30’ aluminum pier supported by a 10’x10’ rock-filled, PT crib with batter pilings, a 3’x34’ aluminum ramp, a 10’x20’ PT float and an 8’x40’ PT timberframe float haul-out, for 9 lots. There was a discussion regarding parking and Mr. Wells stated the right-of-way is 50-feet and built road is about 35-feet. There was a discussion of how the cove empties and how long a boat can access the pier; Mr. Wells indicated maybe 3-6 hours maximum depending on the size of the size of the boat but that kayaks and canoes could access. Selectman Daniel asked for clarity regarding the Selectman role and there was a discussion about the Wharves and Weirs Act regarding protection of the right for the public to fish, fowl and navigate. Deputy Administrator Sawyer asked Mr. Wells to respond to Jebito Farm’s concerns regarding the system. Mr. Wells stated passage under the pier and ramp with 6-foot clearance and in front of the float was possible. Chairman Multer stated she was not in favor of this proposal but it appeared to meet the standards. Chairman Multer moved, seconded by Selectman Daniel to approve the application given the Harbormaster’s input and that there is no apparent interference with fishing and fowling; motion passed 3-0.

**9. Consider Solid Waste and Recycling Request for Proposals:** Fred Cantu, Recycling Center/Transfer Station Manager, reviewed the proposed request for proposals (RFP) for solid waste and recycling disposal and noted two typos. Mr. Cantu stated he estimated the tonnage based on current usage and increased the recycling by 7% for the new items. Selectman Daniel asked if the Town could work with the Midcoast Regional Redevelopment Authority on the bio-wastes to energy idea. Mr. Cantu attended a class regarding that topic and the process cooks the methane off and it requires food wastes in large amounts. Our facility does not have the room to collect food wastes in large amounts due to setbacks and regulations plus the difficulty of then transporting the material. Chairman Multer moved, seconded by Selectman Hawkes to approve the RFP; motion passed 3-0.

**11. Consider Work Scope for Long Point Road Stabilization Project:** Will Haskell, of Gorrill and Palmer Engineering, stated he has developed a work scope plan to stabilize the entrance to Long Point Road by correcting the erosion from top and from below due to wave action. He has met with the Department of Environmental Protection (DEP) and the Army Corps. of Engineering (ACOE) to review permitting requirements. He reviewed the plan details and estimated the construction costs to be \$60-\$75,000. Selectman Daniel asked if the rip rap could be extended further to allow a better turning radius onto Long Point Road. Mr. Haskell responded permitting would be difficult and the project would be very costly. Mr. Haskell stated he met with Kyle Hall from the Department of Transportation (DOT) and Mr. Hall did offer a cost sharing program to

address the issues with entering Long Point Road. The Board agreed to table this item to review accident data at the intersection of Long Point Road and Harpswell Islands Road. Ronald Ponziani, Road Commissioner, suggested instead of rip rap, a concrete or sheet metal wall could be constructed; Mr. Haskell noted permitting concrete is very difficult and walls tend to be more expensive than rip rap and break down.

**10. Consider Abandoned Vessel Issue:** Deputy Administrator Sawyer noted the Harbormaster could not be here and reviewed the issue of an abandoned boat located on Sheep Island. The last listing of an owner is from 2000 and apparently that person no longer resides at the last known address. Mr. Hays has determined the boat does not constitute a hazard to health, safety, welfare or navigation as it is securely located on the shore and no fluids are evident. Mr. Hays estimates the costs to remove the vessel at \$1,500 - \$3,000 plus the cost of disposal. Deputy Administrator Sawyer asked the Board to consider how to handle abandonment of items, with unknown owner, on private property. The Ordinance states the Board “may” authorize the removal if it determines it constitutes a threat to public health, safety and welfare. The Board discussed the issue and agreed a letter should be sent to the last known address of the last known owner ordering the vessel’s removal. Also staff will check if there is any direction given in a State Statute. After 30 days, if the vessel is not removed, the topic will come back before the Board for review.

**12. Accept Resignation from Cundy’s Harbor Rescue Chief:** Administrator Eiane stated Helen “Cricket” Tupper after many years of volunteer service to the Cundy’s Harbor Fire and Rescue Department is resigning. Chairman Multer moved, seconded by Selectman Hawkes to accept the resignation with regret; motion passed 3-0. Administrator Eiane suggested Cricket be invited back for a special recognition.

**13. Consider Renewal Alcohol License for Log Cabin Island Inn, 5 Long Cabin Lane:** Deputy Administrator Sawyer stated the Code Office indicates the establishment is compliant with ordinances and Cumberland County reports there are no incidents relating to alcohol at the establishment. Chairman Multer moved, seconded by Selectman Hawkes to approve the renewal; motion passed 3-0.

**14. Communication to cemeteries Re: Maintenance Funds for Veterans’ Graves:** Administrator Eiane stated Town Meeting authorized a budget item to help with the maintenance of veterans’ graves at up to \$10 per grave. State Statute allows public funds to be used for that purpose. She is suggesting sending a letter to the five non-Town cemeteries asking for a list of the veterans’ names. Chairman Multer suggested a change to indicate the funding may vary based on the total number of graves. The Board agreed to send the communication.

**15. Other Business:** Administrator Eiane stated the Department of Marine Resources invited the Town to participate in a one day green crab survey. She has provided the information to the Marine Wardens and the chair of the Marine Resources Committee. Board agreed participation could be beneficial.

**16. Public Comment:** None.

**17. Administrative Matters:** The Board signed a purchase order for \$9,710 to Webber & Sons for the Devil’s Back parking improvements; an Orr’s Island Wharf Lease; and a catering license. Chairman Multer stated the Mitchell Field Committee is requesting several signs and she suggested developing a policy regarding what Town signs will look like. Selectman Hawkes agreed to join a planning session regarding Wharf Road on August 27.

**18. Adjournment:** The Chair adjourned the meeting without objection at 7:57 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator