

Selectmen's Meeting Minutes
January 23, 2014
Harpswell Town Office
Approved on February 6, 2014

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; Jim Hays, Harbormaster; and Carol Eyerman, Planner

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 911 Enhanced Ordinance amendments as 6a and adding Consider Obtaining Legal Services under 15; motion passed 3-0.
 - 2. Public Comment:** None.
 - 3. Town Administrator's Report:** Administrator Eiane announced the Town received a letter from the Department of Interior following up on Eagle Island's nomination as a National Historic Landmark. The National Historic Landmarks Committee, of the National Park System Advisory Board, voted unanimously to approve the designation and now the Advisory Board will review, followed by the Secretary of the Interior. The letter also explained that the government shutdown contributed to asking the Board to waive the 60-day comment period. Administrator Eiane stated that Central Maine Power (CMP) will be performing some tree trimming work in 2014. Any public concerns should be directed to the Town or CMP, as CMP has a licensed arborist to answer specific questions.
 - 4. Selectmen's Announcements:** Selectman Daniel encouraged everyone to consider pets and livestock during this cold spell we are experiencing. Additionally, he reminded the public that the Town of Harpswell has a heating assistance program.
 - 5. Consent Agenda:** Chairman Multer moved, seconded by Selectman Hawkes to approve the consent agenda [January 9 and 16 minutes; accepted heating assistance donations, \$100 from Peter and Margaret Cowgill, \$150 from Patricia Lacey and \$250.37 from Cook's Lobster House; accepted a committee resignation from Brad Agius; approved two additional carryover items, \$7,001 for land acquisition and \$10,000 for building improvements at the former West Harpswell School; and warrant #4 \$116,731.05 and payroll warrant #4 \$14,428.65]; motion passed 3-0.
 - 6. Consider Cumberland County Development Block Grant Applications:** Carol Eyerman, Planner, stated there are two applications for review and approval by the Board for submission to the County next week. Dana Eidness, representing the Harpswell Community School (HCS) Parents and Teachers Organization (PTO), stated the request is for \$33,000 to aid in updating the HCS playground. The Board discussed several suggested changes. Chairman Multer moved, seconded by Selectman Hawkes to approve the playground grant application; motion passed 3-0. Chairman Multer stated she has a number of non-substantive suggested changes to the other grant application [for \$3,500 for outside support for the staff group reviewing the emergency services model] that she will review with Ms. Eyerman and Administrator Eiane. Chairman Multer moved, seconded by Selectman Hawkes to approve that grant application; motion passed 3-0.
- 6a: Consider 911 Enhanced Ordinance amendments:** Ms. Eyerman stated the Code Office has revised the 911 Enhanced Ordinance to make it consistent with other Town ordinances. She suggested the Board review it and set a hearing date at the Board level since this ordinance is not considered land use.

8. Harpswell Community Broadcast Corporation (HCBC) 2014 Budget Request: Tom Rothwell, HCBC Board member, stated that HCBC delivers quality services and programming, is very diligent with respect to operational costs and has made a reasonable and needed budget request. Mr. Rothwell noted the results of a Comcast survey demonstrated that HCBC is highly regarded. Mr. Rothwell or other present Board members were available to answer any questions the Board may have to resolve why the Board does not agree with the Budget Advisory Committee's recommended budget. Donna Frisoli, Station Manager, handed out an updated expense/revenue summary through 2013. Selectman Daniel asked if the franchise fees increase each year; Administrator Eiane responded yes. Ms. Frisoli reviewed past revenue amounts: 2009 \$7,198; 2010 \$7,800; 2011 \$4,779; 2012 \$7,090; 2013 \$12,811. In each of those years, \$2,000 was set aside for the transmitter project and the rest was used for operational costs. Ms. Frisoli reviewed some of the unexpected expenses experienced in 2013: Town appropriation reduced by \$3,000 for the computer warranty; internet service; \$500 for live streaming; raise for the part-time employee; a new computer to broadcast Selectmen's meetings; new monitors for the new digital equipment; postage; FCC registration fees. Currently there is \$34,000 in the transmitter fund and the total project will cost approximately \$60,000. Deputy Administrator Sawyer noted the \$3,000 towards the equipment warranty should not show as an expense since the Town paid the full \$6,390. The income from the Town reflects the \$55,000, reduced by \$3,000 towards the warranty, and by showing it as an expense also it is being reflected incorrectly. Mike Doyle, HCBC Treasurer, agreed. Mr. Doyle noted HCBC has many volunteers and multiple in-kind services such as the engineer. Chairman Multer stated HCBC could use help in fundraising. Dorothy Rosenberg, HCBC member, stated grant writing is her expertise and she has become a Board member recently. Chairman Multer stated she did not appreciate a personal attack on her by David I. Chipman that included sending a letter to the Anchor and she stated anyone with an issue with her can call her. She stated three years ago it was promised that no Town funds would be used for the transmitter and that fundraising for such project has not occurred until this last year. David I. Chipman stated that he too would appreciate being called if there is an issue instead of airing it publically. Mr. Chipman stated he took Chairman Multer's comments from last week personally and that the Board does not pick apart other entities that receive Town funding. Mr. Chipman noted the Town had previously appropriated \$5,000 a year for five years towards the transmitter. Then last year HCBC agreed to re-appropriate that funding for the digital conversion and then agreed to raise the necessary funds for the transmitter and noted this year will be a big campaign year. Chairman Multer stated that Mr. Chipman's letter and others in the past have eluded to a Town obligation to apply the franchise fees to HCBC and she noted there has never been a Town vote to do so or a pledge. Selectman Hawkes stated she understands HCBC employees and volunteers are working hard and agreed it could use some guidance. She stated the Town staff could assist HCBC staff with presentation and clarity and promote fund raising such as in the Bulletin. Selectman Daniel thanked everyone that makes HCBC possible and asked when the transmitter has to be upgraded. Mr. Chipman responded the FCC requires HCBC's transmitter to be digital or off the air by July 2015.

7. Green Crab Summit Update: Jim Hays, Harbormaster, reviewed his summary of the Green Crab Summit (attached). Sergeant Feeney from the Cumberland County sheriff's office reviewed his understanding of the Summit and stated that addressing the green crab issue is priority number one for the wardens. Deputy Bradbury reviewed this past year's experience with the green crabs and noted the Town needs a management plan that the County can provide input on. The main issue is the need for a market for the crabs and also a method of disposing of large quantities. Mr. Hays stated Nova Scotia implemented an aggressive program to save 285 acres at a cost of about \$160,000. Mr. Hays noted he was willing to assist in this issue and resolution. Selectman Hawkes thanked all the volunteers and Committee for the work related to this issue.

9. Consider Maine's Voluntary Municipal Farm Support Program: Sam Alexander asked the Board to consider bringing a warrant article to the March Town Meeting to authorize this Municipal Farm Support Program. This Program involves a qualifying farm giving the Town a non-development easement for 20 years and in return the Town will reimburse the Farm up to a year's tax bill for the farm owner. The State will be issuing a sample easement and list of rules in February which may be too late for this March. It is clear that Town Meeting has to approve the program and then each specific easement. The assessing staff is trying to get

specific information such as how much of the property qualifies and if compensation is reimbursement based or by an exemption. Mr. Alexander noted this is an attempt to help farmers survive. He believes only 3 Town farms qualify since you have to meet certain State program requirements – 5 acres, produce \$2,000 in product and be the owner's principle income. The Board agreed it was interested in supporting farms and that additional information is needed to make an appropriate decision.

10. Consider Renewal Liquor License for Dolphin Marine Service, Inc.: Deputy Administrator Sawyer stated the Code Office reported the establishment is in compliance with Town regulation and that Cumberland County does not note any alcohol- related incidents. Chairman Multer moved, seconded by Selectman Hawkes to approve the renewal license for the Dolphin Marine Service; motion passed 3-0.

11. Discussion of LD1452: An Act to Allow Municipalities with Shellfish Conservation Ordinances to Request Permission to Prohibit Marine Worm Harvesting: The state Marine Resources Committee supported this bill to apply a condition that wormers and diggers be restricted from digging in conservation areas, such as clam seeding. The Bill was discussed and determined that it is still being amended and the most updated version is still a work in process. The Board agreed to support the concept of the bill. Chairman Multer moved, seconded by Selectman Daniel to send a letter in support of the bill; motion passed 3-0.

12. Consider Secret Ballot Items for March 15, 2014 Town Meeting: Chairman Multer noted the Curtis Memorial Library (CML) appropriation could be on the ballot since it was on the floor the year before. The Board discussed whether changing the vote for the MSAD Directors is appropriate. A June vote was discussed and it was noted it does not have the voter turnout that March does. It was decided this topic should be on the floor. Chairman Multer moved, seconded by Selectman Hawkes to place the CML appropriation on secret ballot; motion passed 3-0. All three recommended the article.

13. Open Bids for Vehicle: Two bids were opened: Dave Hudson \$1,001 and Paul Desjardins \$1,000. Chairman Multer moved, seconded by Selectman Hawkes to award the vehicle to Dave Hudson. Selectman Daniel asked if the motion should cover what happens next if Mr. Hudson does not complete the deal. Chairman Multer amended her motion to include that if Mr. Hudson is unable to fulfill the terms of the award, the vehicle will be awarded to Mr. Desjardins; seconded by Selectman Hawkes and passed 3-0.

14. 2014 Budget Review: Passed over.

15. Other Business: Consider Obtaining Legal Services: Administrator Eiane stated that negotiations with Dain Allen require some specific legal input outside of the pro-bono assistance the Town has received. Using the Town's attorney is a conflict of interest since Mr. Allen has been a client of Jensen, Baird, Gardner and Henry. Administrator Eiane suggested the Board use Normand, Hanson and Detroy, specifically Paul Driscoll, at a cost of \$160 per hour. Chairman Multer moved, seconded by Selectman Hawkes to sign the representative letter with the firm; motion passed 3-0.

Selectman Daniel noted with the frozen rain, it is very difficult to get the sand provided by the Town and asked if a tarp covering the pile would help. Staff will consult the Recycling Center Manager.

16. Public Comment: None.

17. Administrative Matters: Administrator Eiane asked if the Board wanted to schedule Superintendent Smith as offered. The Board agreed to allow about 15 minutes at an upcoming Selectmen's meeting. Deputy Administrator Sawyer noted the Board recently received a proposal from the Energy Committee to expand the heating assistance program to include weatherization audits. Does the Board need the Energy Committee here for a report to reconsider its decision to cut the fund or is the written material sufficient. The Board agreed the written material is sufficient. Staff will check whether further Town Meeting approval is required to expand the

program. Administrator Eiane stated the Department of Transportation would like a workshop with the Board to review the alternatives and possible cost sharing plans regarding the jersey barriers on the Pott's Point causeway. The Board agreed to do 5:00 pm at a meeting in February.

18. Adjournment: At 9:47 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Green Crab Summit Summary

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