

Selectmen's Meeting Minutes
April 14, 2016
Harpswell Town Office
Approved May 12, 2016 & revised September 1, 2016

At 5:00pm, Chairman Daniel moved, seconded by Selectman Multer to enter into executive session pursuant to 1 M.R.S.A. 1 § 405 (6)(c); motion passed 3-0.

At 6:00pm, the Board returned to open session.

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:05 p.m.

Selectmen Present: Richard A. Daniel, Elinor Multer and Kevin E. Johnson

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

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended with the addition of Committee Formation under item 18; motion passed 3-0.

2. Public Comment: Robert McIntyre noted Harpswell apple trees will be planted in another town's orchard; he asked the Board to consider the dangerous areas in Harpswell where power poles are very close to the edge of the roads; he requested the speed bumps be placed back in the same areas on Basin Point Road as last year. Ronald Ponziani, Road Commissioner, stated he is exploring other options for speed control on Basin Point Road including road striping and painting the speed limit on the road.

3. Administrator's Report: Administrator Eiane reported plans are being assembled for remodeling the employee's bathroom and may cost \$5,000 - \$8,000, which was included in the capital budget. Additionally, Alexander and Allen will be shingling the hearse building (located next to the Old Town Meeting House) roof at a cost of \$1,900. Administrator Eiane stated there are two grants relating to Mitchell Field that staff is working on and they are due May 12. One is to further explore the infrastructure plan costs and the other is to develop a replacement facility at the pier which may also include traffic circulation and parking plan around the administrative building. Administrator Eiane reported the Energy Committee will be meeting with Central Maine Power on April 28 to discuss connecting the Town's major electrical lines via the Mountain Road Bridge. Administrator Eiane stated Coastal Trans will no longer be offering public transportation and while Western Maine Transportation Services will continue the Brunswick Explorer, it is unable to offer services to Harpswell. She will meet with Waldo County Public Transportation in early May to discuss what it can offer for public transportation services in Harpswell and she expressed concern that something may not be in place for summer. David Chipman announced that roadside clean up is Saturday, April 23. The local stores are donating trash bags and lunch for the volunteers at the Grange at noon. The bags can be left on a main road for pick up and disposal.

4. Selectmen's Announcements: None.

5. Consent Agenda: Selectman Multer suggested removing the Water Tower Task Force from David Chipman's resignation letter. With that change, Chairman Daniel moved, seconded by Selectman Multer to adopt the consent agenda [March 31 minutes; officials appointments all with May 1 – April 30, 2017 terms (Fernando Cantu as Addressing Officer; Gail Federico as Animal Control Officer; Judith Arndt as Alternate Animal Control Officer; Robert McAleer as Emergency Management Agent; James Hays as Harbormaster; Terri-Lynn Sawyer as Health Officer; Franklin True Jr. as Harpswell Neck Fire Chief; Benjamin Wallace Jr. as Cundy's Harbor Fire Chief; Frank Hilton as Fire Warden; Linda Strickland and Charles Perow as Deputy Fire Wardens; Kristi Eiane and Linda Strickland as General Assistance administrators; Kyle Neugebauer and Samuel Cafone as Shellfish Conservation Wardens; Timothy Vail as Tree Warden]; acceptance of David Chipman's resignation from the Energy and Mitchell Field Committees; authorization of warrant #16 in the amount of \$771,649.22 and payroll warrant #16 in the amount of \$14,298.45); motion passed 3-0.

6. Old Business

Donald Wilson Wharf Application, 112 West Cundy's Point Road, Map 65, Lot 25: Bill Wells, Code Enforcement Officer, stated this application was at the last meeting to allow the Town to obtain legal input regarding the applicant's right, title and interest as required to construct a wharf system, which the Town attorney has confirmed the applicant satisfies. Chairman Daniel moved, seconded by Selectman Johnson to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others to fish, fowl and navigate; motion passed 3-0. Administrator Eiane noted the Town attorney requested that he applicant's attorney revise his written opinion, which he subsequently did and it was deemed satisfactory by the Town attorney.

Consider Minor Roof Repairs at Administrative Building: Chairman Daniel stated the Code Officer and Selectman Johnson met the contractor to review the roof. Selectman Johnson stated the proposed repairs are adequate for now. Selectman Johnson moved, seconded by Chairman Daniel to proceed with the G&E Roofing proposal; motion passed 3-0.

7. Stephen Rowe Wharf Application, 498 Harpswell Islands Road, Map 47, Lot 11: Mr. Wells reviewed the proposal for a 8.5' x 12' float and 44' ramp. Chairman Daniel moved, seconded by Selectman Johnson to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others for fishing, fowling and navigating; motion passed 3-0.

8. Public Hearing Regarding Amending Certain Conservation Closures: David Wilson, chair of the Marine Resources Committee, stated the Committee recommends amending the existing conservation closures in Quahog Bay, Dog's Head Cove, Gun Point Cove, Ridley Cove, Oakhurst Island and Indian Rest to include quahogs. Therefore the digging of both soft shell clams and quahogs should be prohibited to limit the amount of mud flipping to allow seeds to grow. Selectman Multer stated quahogs were discussed at the original hearing. Deputy Administrator Sawyer stated a quahog digger attended the prior hearing and asked that quahog harvesting not be limited. There was no one from the Committee at that hearing and the Board agreed to apply the conservation closures to soft shell clams only. Mr. Wilson stated in order to give the juvenile shellfish a chance to grow; digging of both species needs to be prohibited. Chairman Daniel asked if worming is an issue too. Mr. Wilson responded yes and throughout the entire Town. He said wormers killed all the clams in Long Cove and that it is essential to limit the wormers. Selectman Johnson stated that has to be done at the State level and that is one reason why the Town should join the Tidelands Coalition. There was a discussion regarding the damage caused by wormers and the seriousness of the issue. Mr. Wilson noted the only way to keep wormers out is by placing nets in conservation areas. Nets were placed in several areas last fall and recently in a few additional areas. Administrator Eiane asked if permits are needed for the nets; Mr. Wilson responded yes and that Darcie Couture amended the Town's permit from last fall. The hearing was closed at 6:45pm. Selectman Multer moved, seconded by Selectman Johnson to add quahogs to the current closures on the coves previously listed; motion passed 3-0.

9. Consider Draft Letter of Interest to Property Owners Near Town Properties: Chairman Daniel stated the Town Lands Committee has prepared this draft letter and he suggested the Board meet with the Committee in a workshop to discuss the letter and other matters. The Board agreed to schedule a workshop.

10. Selection of Contractor and Approval of Contract for Long Point Road Project: Administrator Eiane stated this project to stabilize the embankment on Long Point Road has been in process for a couple of years, including having to obtain a special permit. Three responses were received [Hagar Enterprise \$95,257, Atlantic Mechanical \$109,397 and Labbe \$82,059] and the Town engineer and staff are recommending contracting with Ray Labbe & Sons for \$82,059. Chairman Daniel moved, seconded by Selectman Multer to contract with Ray Labbe & Sons as stated; motion passed 3-0.

11. Authorize Request for Proposals for Capital Road Project: Administrator Eiane stated Lookout Point, Stover's Cove Road and Stover's Point Road have been identified for a capital road project. Due to available funding, the responses to the request for proposals will include a price for completing all three roads, one price for Lookout Point Road and one for Stover's Cove and Point Roads. Selectman Multer moved, seconded by Selectman Johnson to authorize the request for proposals. Mary Ann Nahf asked if the project included any culvert work. Ronald Ponziani, Road Commissioner, responded there are a couple at Stover's Point/Cove Roads which will include installing a catch basin. Motion passed 3-0.

12. Consider Waiving Bid Policy & Selecting Vendor Re: Emergency Vehicle: Administrator Eiane stated the Town's bid policy requires items costing over \$4,000 be competitively bid. In the past with emergency vehicles, it was a very long process with a lot of effort by the volunteers and would often result in only a couple of responses. The Emergency Vehicles Committee is recommending the Town work with the Fire Chiefs Association of Massachusetts (FCAM) Fire Apparatus Cooperative Group Purchasing pricing and sole source with Greenwood for the fire apparatus for Cundy's Harbor Fire Department. Selectman Multer stated she wants the contract term "purchase date" defined at the time the purchase paperwork is finalized. Chairman Daniel moved, seconded by Selectman Johnson to waive the bid policy and award the contract to Greenwood for the Cundy's Harbor pumper at a price not to exceed \$420,000; motion passed 3-0.

13. Adopt Health Reimbursement Account Plan, Approve Service Agreement, and Appoint Plan Administrator: Deputy Administrator Sawyer stated in order to proceed with the new higher deductible health insurance policy with a health reimbursement account; the Town is required to adopt a health reimbursement account plan and appoint a plan administrator. Additionally, the third party processor (Group Dynamic, Inc.) of the health reimbursement payments requires the Town to sign a service agreement. The Town Attorney has reviewed the documents and is working with Group Dynamic to make a few amendments. The Attorney suggests the Board could adopt the plan and approve the agreement pending finalization by the Attorney. Selectman Multer so moved, seconded by Chairman Daniel; motion passed 3-0. Selectman Multer moved, seconded by Chairman Daniel to appoint Terri Sawyer as the plan administrator; motion passed 3-0.

14. Consider Request for Proposals for Wood Grinding: Deputy Administrator Sawyer reviewed Charles Perow's, Recycling Center/Transfer Station Manager, memo regarding sending out a request for proposals for the demolition wood and brush grinding. It is similar to the past except there is no longer an option for contractors to grind on site. Instead the wood is to be removed and the contractor is responsible for the testing. There are two vendors in the industry that bids would be solicited from. Chairman Daniel moved, seconded by Selectman Multer to approve the request for proposals; motion passed 3-0.

15. Consider Mobile Food Handler's License for Juanita Greenleaf: Deputy Administrator Sawyer stated Ms. Greenleaf has applied for a mobile food handler's license again this year to sell food during the bandstand concerts. Both the Planning Office and the Code Office have reviewed and approved the application with the final approving authority being the Board of Selectmen. Chairman Daniel moved, seconded by Selectman Multer to approve the license to sell food at Mitchell Field from June through September; motion passed 3-0.

16. Consider Renewal Liquor License for Estes Lobster House, 1906 Harpswell Neck Road: Deputy Administrator Sawyer reported the Code Office states the establishment is compliant with local ordinances and Cumberland County reports there have not been any alcohol-related calls at the establishment. Chairman Daniel moved, seconded by Selectman Multer to approve the license; motion passed 3-0.

17. User Agreement with State Governing the Accessible Voting System: Administrator Eiane stated this agreement comes from the Town Clerk and is to replace the accessible voting equipment. Chairman Daniel moved, seconded by Selectman Multer to approve the agreement with the State; motion passed 3-0.

18. Committee Appointments: Selectman Multer moved, seconded by Selectman Johnson to appoint the listed persons to the listed committees; motion passed 3-0. Robert Modr 4/30/19, Bryan Foster 4/30/19, Chris Huber 4/30/18, Chris Hall 4/30/18, Rick Meisenbach 4/30/17, William Muldoon 4/30/17, Daniel McMahon 4/30/17 to the Bandstand Committee; Ellen Lebauer 4/30/19, Patricia Lawson 4/30/17 to the Board of Appeals; Allan LeGrow 4/30/19, Don Miskill Jr 4/30/19, Jane Meisenbach 4/30/19, Ellen Shillinglaw 4/30/19 to the Budget Advisory Committee and the Committee size was increased to 6; Ann Nemrow 4/30/19, Burr Taylor 4/30/19, Ann Perry Associate 4/30/17 to the Conservation Commission; Benjamin Wallace Jr. 4/30/17, David Mercier 4/30/17 to the Emergency Vehicles Committee; Daniel Huber 4/30/19, Paul Desjardins 4/30/19 to the Energy Committee; Benjamin Wallace Jr. 4/30/17, Sheila Lucas 4/30/17, Gail Hart 4/30/17 to the Fire and Rescue Committee; Jack Dostie 4/30/19, Alison Hawkes 4/30/19, Peter Darling 4/30/17 to the Harbor and Waterfront Committee; Weston Watts 4/30/19, Alison Hawkes 4/30/17 to the Marine Resources Committee; Nate Wildes, Jane Covey both 4/30/19 to the Mitchell Field Committee; David Chipman 4/30/19, John Papacosma 4/30/19, Burr Taylor 4/30/19, Frank Wright IV Associate 4/30/17, Allan LeGrow Associate 4/30/17 to the Planning Board; Mike McCabe 4/30/19, Alison Hawkes 4/30/19 to the Recycling Committee; Hope Hilton 4/30/19, Jane Smith 4/30/19, Ellen Shillinglaw 4/30/19 to the Town Lands Committee; Don Miskill Jr, Jane Smith, Kenneth Oehmig, Ellen Shillinglaw, Jean Richter, David Hackett, Hope Hilton, Jane Jukes as Town Lands Stewards all until 4/30/17.

Committee Formation: Chairman Daniel stated the Board was informed at the April 4 Fire & Rescue Committee meeting, that one of the three fire and rescue stations is in need of day time coverage within the next three years. The Board is considering forming a new committee to investigate the options for providing coverage. Chairman Daniel stated he and Ben Wallace, Jr., Fire Chief for Cundy's Harbor and Orr's/Bailey's Island Departments, reviewed possible memberships. Administrator Eiane stated a mission statement also needs to be formalized and noted the Selectmen may want the committee to look at rescue coverage in addition to fire. Chairman Daniel moved, seconded by Selectman Multer to appoint Richard Daniel, Kevin Johnson, Ben Wallace, Jr., Gail Hart, David Mercier, Jonathon Burbank and Allan LeGrow to the Fire and Rescue Planning Committee; motion passed 3-0.

19. Other Business: None.

20. Public Comment: None.

21. Administrative Matters: The Board scheduled a workshop with the Town Lands Committee for April 28 at 4:30pm; and the Board approved a catering permit.

22. Adjournment: At 7:37 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator