

Selectmen's Meeting Minutes
July 21, 2016
Harpswell Town Office
Approved August 4, 2016

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

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

Staff Present: Kristi Eiane, Town Administrator; Terri-Lynn Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer; and Marguerite Kelly, Treasurer.

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Multer, to adopt the agenda as printed; motion passed 3-0.

2. Public Comment: None.

3. Administrator's Report: Administrator Eiane reported the Maine Supreme Court rendered a decision this week regarding the Cedar Beach Road matter. The Court ruled that the public has not acquired a public easement. Administrator Eiane stated she received a call from the owner of the private road [Cedar Beach Road] indicating she is willing to keep the Road open under the same rules that apply to the Town's beach easement. The rules are posted at the easement and Robinhood Road parking area. The beach easement is open ½ hour before sunrise and ½ hour after sunset, no dogs, fires or vehicles are allowed and the Town has monitors checking the site. Administrator Eiane encouraged the users to be respectful and follow the rules. The road owner will make the decision on an annual basis whether to keep the road open based on how the public acts. Chairman Daniel stated he respects the court's decision and encouraged everyone to be respectful. Mike Helfgott, President of Cedar Beach/Cedar Island Supporters (CBCIS), stated CBCIS is disappointed but respects the court's ruling. He stated some supporters have expressed anger and CBCIS has tried to tamp the anger down by posting notices on-line. One or two posts on Facebook referenced justice and the Orr's/Bailey's Island Fire Department and Mr. Helfgott stated the Department will respond to fire alarms without asking whose home it is. Mr. Helfgott stated CBCIS is evaluating its options. The offer from Ms. Atkins [Cedar Beach Road owner] is a wonderful step and an option for evaluating. CBCIS will meet at Library Hall on Tuesday, July 26 at 7:00pm and all are welcome.

4. Selectmen's Announcements: None.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [June 23 minutes; acceptance of Chris Huber's and Dan McMahon's resignations from the Bandstand Committee; authorization of warrant 30 in the amount of \$191,971.92, warrant 26b in the amount of \$53,792.35 and payroll warrant 30 in the amount of \$15,316.14]; motion passed 3-0.

6. Consider Additional Terms for Harpswell Radio Project Lease and Tower Collocation Agreements: The addendums propose to extend the lease and agreement by one year and acknowledge that the payments required in both original documents have been made. John Halpin, President of Harpswell Radio Project (HRP), stated HRP is working to build a community radio station for everyone in Harpswell. Mr. Halpin stated the shed next to the television studio will be used as the start of the radio station for remote use. HRP has been raising funds and is close to purchasing quality equipment, as the better the antennae and transmitter is, the better the coverage is. If HRP raises an additional \$2,500 in the next ten weeks, HRP should be on air in September. Mr. Halpin stated the electrician has been to the shed preparing for the minor work that needs to be done; a few openings need to be patched or one may be replaced with a window; Central Maine Power has to install a new meter; and the shed needs a good cleaning and coat of paint. Administrator Eiane asked Mr. Halpin if HRP sees its future station on Town property; Mr. Halpin responded they do not know. Administrator Eiane noted the shed is not approved for occupancy, just for storage and incidental coming and going. Mr. Halpin agreed, stating that shows can be produced from remote locations and sent to the station. Mr. Halpin will have an updated insurance

certificate sent to the Town. Chairman Daniel moved, seconded by Selectman Multer to approve the addendums with HRP; motion passed 3-0. Mr. Halpin encouraged listeners to visit the HRP website at harpswell.radio.org.

7. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for June (attached).

8. Elizabeth Incze Wharf Application, 59 Long Point Road, Map 40, Lot 126: Mr. Wells stated the Code Office has reviewed the proposal and has tentatively approved it. Mr. Leblanc, owner's representative, reviewed the proposal for a 4'x10' access ramp, 6'x50' pier (including a 6'x16' light transmitting section), 3'x36' ramp, 10'x16' float with an 8'x40' haul-out. Mr. Leblanc noted the Army Corps of Engineers' permit was received. Chairman Daniel stated the Board approves applications pending permit approvals from the other entities involved. Selectman Multer asked how much height there was between the wharf and the shore; Mr. Leblanc responded 12'-14' feet and the public can pass under it. Mary Ann Nahf asked what type of marsh vegetation there is and for more information regarding the light transmitting design. Mr. Leblanc responded the vegetation is high marsh grass. He explained the other reviewing agencies require a minimum height above marsh grass to at least equal the width of the pier. The proposal is to use a material that will allow 70-80% of the direct light through. Additionally, as the sun moves throughout the day, the light will get under the wharf from the two sides as well. 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 in the intertidal zone; motion passed 3-0.

9. MSAD 75 School Board Appointment: Chairman Daniel stated an opening on the MSAD 75 School Board occurred and the Selectmen have the authority to appoint an interim replacement until Town Meeting. At this time there are two candidates and Chairman Daniel suggested interviewing each one. The Board agreed to accept other candidates, via resumes, until August 4 at 4:30pm.

10. Change Orders for Capital Road Project: Administrator Eiane stated during the original bidding of this project, there was a concern regarding the total costs, however, the project did come in less than expected. One item that was reduced to keep the costs down was the extent of the paving at Stover's Point Road. One change order is for \$14,262.90 to extend the reclaim and paving to around the corner, almost to Eider Road. Another change order is just under \$9,000 for Lookout Point as a result of miscommunication regarding drainage. The third change order is for additional rip rap and culverting around the natural spring area on Stover's Cove Road at a maximum cost of \$3,185. The total for all three change orders is \$26,346.90, for which there are sufficient funds. Chairman Daniel moved, seconded by Selectman Multer to approve the change orders as outlined; motion passed 3-0.

11. Accept Shore & Harbor Management Grant and Consider Sole Sourcing: Administrator Eiane suggested tabling this topic to allow follow up with the Department of Agriculture and Forestry regarding the payment schedule. Half of the funds (\$4,125) are to be provided within July 2016 – June 2017 and the second payment within July 2017 – June 2018. However, since the Town wants all the work done in time for Town Meeting, she will ask if the payment terms can be revised. The other matter is the Town has been working with Barney Baker on the Mitchell Field pier topic and would like to sole source with him for this grant. The State allows sole sourcing and the matter will be put forth for the Board's decision when the topic comes back.

12. Accept Donations: Chairman Daniel moved, seconded by Selectman Multer to accept the following donations for the Bandstand: Sheila Weeks \$50, donation box \$222, Ruth Weeks \$50, Dana Cary \$100; motion passed 3-0.

13. Other Business: Regarding the speeding matter, Chairman Daniel tossed out an idea to add sign riders to the Town's two "Welcome to Harpswell" signs asking drivers to slow down and enjoy Harpswell. Selectman Multer wondered if the message would wear off when drivers get further down the road. Selectman Johnson noted the

Department of Transportation does not use rumble strips to control speed and also noted they can be noisy. Selectman Johnson asked if the Road Commissioner has followed up on the missing speed limit signs on Garrison Cove Road; staff will check. Selectman Multer stated she wants an effective record of what the speeds really are and the County has a machine that can track that data. Administrator Eiane stated the County used the device to record speeds on Route 24 and the data showed the speeding was not as excessive as thought. She will follow up on use of the device. Selectman Johnson asked where the radar speed trailer that was on Lane Road came from; staff was not aware of it so perhaps it was private.

Selectman Multer suggested each Selectman prepare questions for the MSAD 75 Director interviews to provide to the candidates in advance of the interview.

14. Public Comment: None.

15. Administrative Matters: Deputy Administrator Sawyer reviewed the Local Road Assistance Program certification form for signature by the Board and an additional Orr's Island Bridge lease agreement.

16. Adjournment: At 7:02 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Enclosures: Treasurer's Report