

Selectmen's Meeting Minutes
September 29, 2016
Harpswell Town Office
Approved November 3, 2016

At 5:00pm, the Board held a workshop regarding signage at Cedar Beach. The Board recessed at 5:40pm.

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; Chuck Perow, Recycling Center Manager; Ronald Ponziani, Road Commissioner

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 announced the food mobile will be at the Town Office on October 6 from 10am-11:30am. The annual flu clinic will also be on October 6 from 9am-noon and 5pm-7pm. Administrator Eiane stated the Clerk's Office is accepting absentee ballot requests and the ballots should be available as early as next week. The Mitchell Field Committee will host a public forum on October 4 at 6:30pm at the Town Office to gather input on the pier, including possible replacement options.

4. Selectmen's Announcements: None.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Johnson to approve the consent agenda [September 5 and 20 minutes; appointed Walter Moody Sr. to the Marine Resource Committee and Candis Hine Bandstand Committee as an associate; accepted Anne Perry's resignation from the Conservation Commission and Nancy Sohl's resignation from the Mitchell Field Committee; approved Periwinkle Point Drive road name; appointed Mary Ann Nahf as the Town's representative to the New Meadows River Watershed; approved an abatement for total value of \$16,800 to Dish Net Satellite Broadband LLC; approved a supplemental assessment for the total value of \$21,000 to Claude and Colleen Rioux; approved the 2016 Maine Municipal Valuation Return; authorization of warrant 40 in the amount of \$156,039.85 and payroll warrant 40 in the amount of \$19,729.12]; motion passed 3-0.

6. Old Business: Consent Agreement, 2 Lobster Lane, Map 45, Lot 67: Chairman Daniel stated the owners of this property have been found in violation because of cutting trees and as a result of discussions at the last meeting, the proposed consent agreement has been simplified. Jane Waddle, property owner, handed out an email from Mabel McClain supporting that some trees were removed by previous owners. Ms. Waddle asked what happened to the good faith effort clause that was discussed as being part of the agreement. Administrator Eiane stated that the Maine Department of Environmental Protection (DEP) has responsibility to oversee all towns to assure compliance and enforcement of the Shoreland Zoning Ordinance. DEP representative, Mike Morse, reviewed the draft consent agreement and did not find the 'good faith' clause to be acceptable, and while most agreements have the replanting level at 100%, Mr. Morse agreed to 80% in this case. Ms. Waddle stated she is not certain 80% can be complied with due to the ledge and minimal soil. Selectman Multer stated she believes the language requires one inspection at the end of the three-year period. John Powers, property owner, reviewed the history as he believes it occurred. Selectman Johnson stated if the trees do not survive in one area, move them around in the area to comply with the 80%. Chairman Daniel moved, seconded by Selectman Multer to enter into the consent agreement with John Powers and Jane Waddle as written [including \$1,500 and \$262.50 for reimbursement for the Town's legal fees] motion passed 3-0. The agreement was signed.

7. Solid Waste Contract with Pine Tree, Inc.: Charles Perow, Jr., Recycling Center/Transfer Station Manager, stated in the past, the Town has entered into one-year agreements with two one-year extensions. The current contract expires at the end of 2016 and he negotiated a one-year contract for 2017 with the current vendor. Mr. Perow recommended approving the one-year contract and asking Town Meeting for authority to enter a multi-year contract. A longer contract will allow better planning such as the capital items needing attention in the near future and other budget items. The recycling market has decreased dramatically, causing the Town to have to pay for the disposal of recycled material. This year's contract was negotiated at \$10 per ton, which will increase, up to \$28 per ton, for the 2017 contract, which is more in line with surrounding communities. That rate is capped at \$28 per ton and will go down as the recycling market improves. The market is about 6-8 months behind the oil trend. Selectman Johnson asked why contract in the future for three years. Mr. Perow responded that bidding the service out next year for a multi-year contract will help with the vendor for a longer commitment and helps the Town plan, knowing what its costs will be. There are basically three vendors that can offer this service. Selectman Multer asked if the mediation clause is acceptable since it is not typical in Town contracts. Administrator Eiane responded that the language has been in the past contracts and could save the Town only if there were disputes. Chairman Daniel moved, seconded by Selectman Johnson to approve the one-year contract with Pine Tree Waste; motion passed 3-0.

8. Request from Bandstand Committee to Seek 2017 Funding: Chairman Daniel stated the Committee sought input from him regarding requesting funds and he suggested the Committee come before the Board and then if agreed, to the Budget Advisory Committee. Selectman Multer stated the Committee will need to provide very specific information to the Budget Advisory Committee. Bob Modr, chair of the Bandstand Committee, stated this was a good opportunity to clarify the role of the taxpayers and donors. At the time of building the Bandstand, it was stated the construction would be completed at no cost to the taxpayer and the Town since then accepted it as a gift. The Bandstand Committee believes the Town should maintain the building. The Board agreed to have the request proceed to the Budget Advisory Committee. Chairman Daniel asked what type of maintenance is needed for the requested \$3,000. Mr. Modr responded that it has been the average maintenance costs such as the inverter upgrade, etc. Deputy Administrator Sawyer asked if the Committee has decided on the bleaching and coating of the ceiling. Mr. Modr responded not yet as he is not certain that will resolve the mold issue.

10. Next Steps Re: Lane Road Request to Limit Vehicular Traffic: James Jones stated Lane Road began as a footpath then became a dirt road with one lane traffic. Today it is paved and while it has two-way traffic, it is difficult for cars to pass one another. The posted speed limit is 25mph and Mr. Jones asked if it could be reduced to 20 and also that heavy traffic be limited. Trucks have a difficult time exiting Lane Road onto Lowell's Cove and often have to back up to make the turn. Mr. Jones stated in his opinion these issues could be avoided if the traffic was directed down Route 24 directly to Lowell's Cove Road. Mr. Jones obtained signatures from property owners on Lane and the associated roads showing support of restricting the traffic. Selectman Multer noted that speed limits under 25mph are not enforceable. Ronald Ponziani, Road Commissioner, stated he has spoken with local contractors and it would be a hardship for one to not be able to travel through Lane Road as it helps facilitate getting large equipment backed into the upper part of Lowell's Cove Road. Mr. Ponziani stated the Department of Transportation made the Town replace 20mph speed limit signs on Basin Point as that speed is not enforceable. Peter Dublin spoke in favor of limiting heavy traffic on Lane Road. Chairman Daniel asked if the traffic itself has changed. Mr. Jones responded yes when the road was resurfaced, vehicles travel faster and there is a narrow area that makes it quite dangerous. Selectman Johnson stated if the road is posted, notifications can be sent to contractors. Janice Adams spoke in favor of whatever can be done to reduce the speed of travelers. Selectman Multer noted with one Deputy on duty, it is difficult to have that person stay in one location. Selectman Multer suggested signs similar to those used on Basin Point by the Town and individuals in addition to appealing to vendors. Administrator Eiane suggested some road narrows signs. Chuck Perow suggested the road should be one-way traffic to the south, which may be a sacrifice but would make it safer. The audience suggested placing hoses across the road. Administrator Eiane stated signs can be on your own property and stated no one

should place anything in the road as if there is an accident, that person may be liable. Chairman Daniel summarized that the Town will place road narrows signs and an additional speed limit sign at the bottom of the road, and noted the Town has acquired a digital speed limit sign and it will make the rounds, including Lane Road.

9. Davis Conservation Foundation Grant Application: Deputy Administrator Sawyer stated Jane Covey, chair of the Mitchell Field Committee, prepared this grant application to develop a natural resource and invasive species management plan for Mitchell Field. Selectman Multer moved, seconded by Chairman Daniel to approve the grant application for \$7,500; motion passed 3-0.

11. 2017 Budget Directives: Administrator Eiane reported staff has been building the 2017 budget and information is being sought from the Board to include in the budget. One area on the horizon is the fire and rescue piece – discussions at the Committee level include developing some form of a municipal department such as a fire chief and a couple of fire fighters to supplement the volunteers. The Committee will provide a progress report early October. On the capital side – planning for some type of centralized fire and rescue building and the Mitchell Field pier. Time is of the essence with the pier and if a plan cannot be developed for the pier's disposition and/or replacement, there needs to be a reserve. Additionally there are roads, emergency vehicles, local property tax assistance program, land acquisition fund and other capital items to consider. Administrator Eiane stated input regarding wages and salaries is needed and she noted the Social Security Administration is expecting a 3% increase for 2017 and the town split that up last year with a 1.5% increase across the board. Staff prepared a couple of options for continuing the systematic approach to wage adjustments, including moving along employees who are further from the midpoint. Administrator Eiane assumed the Board wanted an LD1 compliant budget. Chairman Daniel responded yes LD1 compliant and suggested a workshop to discuss wages/salaries and other budget matters. There was a discussion regarding the buildings at Mitchell Field and the Board agreed removal of the sediment building needs to be included in the budget.

12. Accept Donations: Chairman Daniel moved, seconded by Selectman Multer to accept donations for the Bandstand: \$50 from Faye Scheren and \$87 from the donation box; motion passed 3-0.

13. Other Business: None.

14. Public Comment: None.

15. Administrative Matters: The Board scheduled a workshop for October 5 to review budget 2017 matters and an executive session for October 13 at 5:30pm.

16. Adjournment: At 7:32 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator