

**Selectmen's Meeting Minutes**  
**November 12, 2015**  
**Harpswell Town Office**  
**Approved December 3, 2015**

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

**Selectmen Present:** Richard A. Daniel and Kevin E. Johnson

**Staff Present:** Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; and Bill Wells, Caretaker

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

**1. Adoption of the Agenda:** Chairman Daniel moved, seconded by Selectman Johnson to adopt the agenda; motion passed 2-0.

**2. Public Comment:** None.

**3. Town Administrator's Report:** Administrator Eiane reported Gail Federico, Animal Control Officer, received the State Animal Control Officer certification. Administrator Eiane recommended the Board continue her employment and increase her per diem rate from \$30 to \$34 effective the week following her certification. Chairman Daniel so moved, seconded by Selectman Johnson; motion passed 3-0. Administrator Eiane stated a couple of weeks ago, the Board held a hearing regarding a mooring that was located greater than a half mile from the owner's point of access. The person involved stated he had an alternative point of access within a half mile that he will use through the winter. The Harbormaster looked into the alternate access and is satisfied. Administrator Eiane reported that she, Chairman Daniel and Deputy Town Administrator met with Alan Brigham, of the Economic Development Administration, regarding possible grant opportunities relating to Mitchell Field. The main focus for these federal grants is economic development, specifically the creation of jobs, and a match will be required. Staff will continue to explore the options and opportunities.

**4. Selectmen's Announcements:** Chairman Daniel noted Selectman Multer is absent as she is not feeling well.

**2. Public Comment:** Dorothy Rosenberg asked the Board to pay attention to the speeding issues on Basin Point Road in advance of the summer season. Chairman Daniel stated the Town is exploring options such as flashing lights, painting options, etc. John Loyd stated speed bumps profoundly affect cyclists and if the bumps are placed back on the road, he asked that an 18" leeway be given for cyclists.

**5. Consent Agenda:** Administrator Eiane stated the warrant includes a payment of \$4,525 to the Harpswell Neck Library. She stated the Library is not open currently to the public and she asked the Board to consider holding the payment to allow staff an opportunity to discuss the Library's plans with its representatives. Chairman Daniel moved, seconded by Selectman Johnson to approve warrant 47 in the amount of \$672,205.64 [holding the Library payment]; motion passed 2-0. Chairman Daniel moved, seconded by Selectman Johnson to approve the road name of Harpswell Harbor Drive; motion passed 2-0. Deputy Administrator Sawyer asked the Board to consider approving warrant 47a to cover the permit expenses for the Pott's Point wharf parking plan and the Long Point Road stabilization project. Chairman Daniel moved, seconded by Selectman Johnson to approve warrant 47a in the amount of \$773.00; motion passed 2-0.

**6. Treasurer's Report:** Deputy Administrator Sawyer stated Marguerite Kelly, Treasurer, could not be here tonight and asked that Ms. Sawyer relay that since the Treasurer's monthly report was prepared, 9 property owners, subject to possible foreclosure, have paid the taxes.

**7. Consider Land Use Matter for Map 64, Lot 64, 931 Cundy's Harbor Road:** John Loyd, property owner's Attorney, clarified a point made in his letter to the Board that if the Prescotts swapped land with the Cundy's

Harbor Library, it would make the Library's building non-conforming. Donald Prescott stated he purchased the property September 17, 2013 and he inspected the file in the Code Office prior to the purchase. Mr. Prescott stated he believed the structure was compliant as there was a certificate of compliance in the file for the house. Also earlier this year, he received a permit to enclose one of the decks and a certificate of compliance. He recently applied for a mortgage and was denied due to setback issues. Mr. Prescott stated the house has been illegal for 11 years as the builder did not build it in accordance with the plans. He applied for a variance to the Board of Appeals and while the members were sympathetic, he was advised to approach the Selectmen. The Board discussed entering a consent agreement and Chairman Daniel noted he wants Selectman Multer's input at that meeting. Additionally Chairman Daniel noted he would give this topic further thought including possible penalties and he wants to consider the impact to the neighbors. A draft consent agreement will be considered at the November 25 9:30am meeting.

**8. Consider a Contract Amendment with Pine Tree Waste:** Administrator Eiane reported Charles Perow, Recycling Center Manager, worked with the current provider to extend the contract. The 2014-2015 contract did not include a per ton cost for the removal of recyclable material. However, the recyclable market is not what it was and this amendment includes a \$10 per ton cost, resulting in an increase of \$4,500 to the Recycling Center budget. Initially, the provider wanted \$30 per ton and the Manager negotiated the price to \$10 per ton. Chairman Daniel moved, seconded by Selectman Johnson to authorize the contract [extension] with Pine Tree Waste, Inc.; motion passed 2-0.

**9. Consider Contract for Town Office Roof Replacement and Use of Contingency:** Two bids were opened for the labor costs to replace the Town Office roof: APR, Inc. for \$14,280 and Long Cove Builders \$25,875. Deputy Administrator Sawyer asked Bill Wells if the materials are readily available and if a completion date of December 15 by the contractor is reasonable. Mr. Wells responded the materials are readily available and the December 15 date is workable. Chairman Daniel moved, seconded by Selectman Johnson to contract with APR, Inc. for the labor at \$14,280 and authorize Mr. Wells to coordinate the material costs (\$11,975.57) and authorize the use of UP TO \$9,000 of contingency for this project; motion passed 2-0.

**10. Consider Harpswell Coastal Academy's (HCA) Request for Use of Generator Building:** Administrator Eiane stated HCA has requested use of the generator building and the ground outside the building at Mitchell Field for storage, primarily of boats. The Board could authorize a one-year contract. Chairman Daniel noted HCA will plow for access as necessary. Chairman Daniel moved, seconded by Selectman Johnson to authorize use of the generator building as outlined in the contract. The Board discussed and agreed not to assess a charge at this time and would reconsider if the use expands. Motion passed 2-0.

**11. Review Proposed Ordinance Amendments – Non-Conforming Structures:** Administrator Eiane stated the Board met a couple of months ago to discuss ordinance changes relating to the 50% rule of removal or destruction of non-conforming structures. The discussion included having the Assessing Office involved in the evaluation of whether 50% has been triggered. The interim Planner prepared the proposed ordinance changes which now include requiring the Code Officer to consult with the Assessors or Assessor's Agent. The Planner has reviewed the proposals with the Planning Board, Code Officers and Town Attorney. If the Board agrees to place the proposals on the warrant, the Planning Board will hold a public hearing. Selectman Johnson stated the changes included more than he expected with the changes relating to the body of water. Administrator Eiane responded those changes were to make the ordinances consistent. The Board agreed to proceed.

**12. Set Annual Town Meeting Date for Saturday, March 12, 2016:** Chairman Daniel moved, seconded by Selectman Johnson to set March 12, 2016 as the annual Town Meeting date at Harpswell Community School with the polls open from 9:00am to 5:00pm and the business meeting to start at 10:00am; motion passed 2-0.

**13. Consider Town Office and Recycling Center Holiday Schedule:** Administrator Eiane stated the Town's policy manual and Union contract contains language allowing the Board to consider giving staff a half day holiday on Christmas and New Year's eves. The Board discussed that Christmas and New Year's days occur on Fridays and that the Town Office is regularly open from 1:00pm to 6:30pm on Thursdays. Chairman Daniel moved, seconded by Selectman Johnson to close the Recycling Center/Transfer Station on December 24 and 31 at noon and to not open the Town Office on those days; motion passed 2-0.

**14. Other Business:** Administrator Eiane reported the Town received a proposal through a representative of the Harpswell Neck Library to replace the Administrative building roof at Mitchell Field for \$73,000. She asked if the Board wanted to spend some maintenance money now to fix some cracks and holes in the roof. Chairman Daniel and Selectman Johnson stated they wanted to inspect the roof prior to considering at the next meeting. Administrator Eiane reminded the Board of a workshop at 12:30 on November 13 regarding planning services and of the continuance of a shellfish hearing on November 19 at 9:30am.

**15. Public Comment:** None.

**16. Administrative Matters:** None.

**17. Adjournment:** At 7:00 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Treasurer's Report

[Attachments are available at the Town Clerk's Office or by email at [harpswell@town.harpswell.me.us](mailto:harpswell@town.harpswell.me.us)]