

Board of Selectmen's Meeting Minutes

January 6, 2011

Harpswell Town Office

Approved on January 13, 2011

Page 1 of 3

At 5:00 p.m. Selectman Multer moved, seconded by Selectman Wallace to move into executive session with the Town Attorney pursuant to 1 M.R.S.A. Section 405(6)(C) and (E) to discuss the possible acquisition and/or disposition of real property along the common boundary of Harpswell Neck and the Town of Brunswick; motion passed 3-0.

At 5:30 p.m. the Board returned to open session to handle administrative matters: the Board agreed to return non-finalists designs submitted in response to the Welcome to Harpswell sign request for proposal; the Board signed the memorandum of understanding with the Curtis Memorial Library; the action list was reviewed; the Board discussed potential items for secret ballot including some ordinances and Curtis Memorial Library; and Selectman Multer agreed to work with staff on a brief description of each ordinance item on secret ballot.

Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:30 p.m.

The meeting was videotaped and broadcast live on Harpswell Community Television.

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

2. Public Comment: There was none.

3. Town Administrator's Report: Administrator Eiane reminded the public of the public hearing being held on Tuesday, January 11 at 7:00 p.m. at the Town Office regarding land use ordinances, including village and rural zones, proposed for March Town Meeting. Administrator Eiane announced that MSAD 75 will hold a public hearing regarding the West Harpswell School (WHS) closure matter on January 18 at 6:30 p.m. at Harpswell Islands School. Absentee ballots are available at the Clerk's office for the February 1 vote on WHS. Administrator Eiane stated the Board will hold a reconciliation meeting with the Budget Advisory Committee on January 13 at 3:30 p.m. Administrator Eiane reported the Fire & Rescue Committee for strategic planning now has a full complement and is a quality group sharing information and moving forward in a productive way. The annual audit will begin on January 18 once the Board approves the engagement letter at its next meeting. Administrator Eiane announced that Town officials have been invited to attend a meeting on January 21 with Federal Emergency Management Agency (FEMA) representatives regarding the RISK MAP approach. The Town's consultant and Administrator Eiane will attend and report back to the Board. There will be a rabies clinic on Saturday, January 8, at the Town Office, sponsored by the Coastal Humane Society where dog owners can have their dogs vaccinated and licensed. Dogs must be licensed by the end of January or a late fee will be assessed.

4. Selectmen's Announcements: Chairman Henderson announced the Board held an executive session earlier regarding the Town line boundary issue and relationship with the Carrying Place Assembly in obtaining legal advice. This item will be further discussed at the Board's next meeting on January 13, 2011.

5. Consent Agenda: 1) Approval of the Minutes; 2) Set Mileage Reimbursement Rate at IRS Rate: Chairman Henderson moved, seconded by Selectman Multer to approve the consent agenda; motion passed 3-0.

6. Consider Issuing Requests for Proposals for Energy Efficient Improvements to Certain Town-Owned Buildings: Town Office, Recycling Center and Television Studio: Administrator Eiane noted a line needs to

be added regarding a site visit beginning at the Town Office and proceeding to the other facilities. Selectman Multer thanked John Monaghan, chair of the Energy Committee, for his dedicated volunteer work in preparing this RFP for the Town. Selectman Multer asked several questions regarding Lightolier fixtures, contractor markup on material, process of replacing lamp/ballasts, light equivalency and schedule. Mr. Monaghan responded to each item. The Board agreed to changing the RFP by including a site visit, clarifying that the markup limit on material is specific to change orders and to extending the response date to February 9. Chairman Henderson moved, seconded by Selectman Multer to authorize the Town Administrator to issue the RFP for energy efficient improvements as amended; motion passed 3-0. Chairman Henderson and Selectman Multer did not object to Selectman Wallace voting on this topic, notwithstanding that some work at the Recycling Center is included in the RFP.

7. Consider Animal Control Ordinance Amendment Re: Penalty for Nuisance Dogs: Selectman Multer suggested an amendment to the Ordinance to address the penalty, an option to adopting the State Statute reference as there is a concern with the statute's language regarding multiple offenses. Chairman Henderson questioned if the proposed language is for nuisance dog only or to replace other fine sections that reference State statutes. Administrator Eiane will send the proposed language to the Town attorney for review and integration into the ordinance.

8. Consider 2011 Contract with Assessing Agent: Administrator Eiane stated the Town has worked with assessing agent, Curt Lebel for several years and recommended continuing the relationship for 2011. The contract includes Mr. Lebel handling neighborhood adjustments, abatements and other tasks for approximately 28 days in 2011 at \$56.25/hour. Administrator Eiane noted the contract includes language that Town Meeting must approve the budget and if not, the contract can be modified. The Board agreed to two amendments: replacing "necessary" with "as requested" in the bullets on page 1 and removing language in a sentence regarding hiring as an employee. Chairman Henderson moved, seconded by Selectman Multer to authorize the Town Administrator to execute the contract with Curt Lebel for assessing services as amended; motion passed 3-0.

9. Committee Appointment: Chairman Henderson moved, seconded by Selectman Multer to appoint Helen Regan as the Harpswell Islands area member on the Education Committee; motion passed 3-0.

10. Other Business: There was none.

11. Authorization of the Warrant: Chairman Henderson moved, seconded by Selectman Wallace to authorize warrant #87 (2010 warrant) in the amount of \$37,716.23; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #88 (2010 warrant) in the amount of \$11,107.36; motion passed 2-1 (Selectman Wallace abstained). Selectman Wallace moved, seconded by Chairman Henderson to authorize warrant #1 (2011 warrant) in the amount of \$146,053.29; motion passed 3-0. Selectman Multer moved, seconded by Chairman Henderson to authorize warrant #2 (2011 warrant) in the amount of \$147.56; motion passed 2-1 (Selectman Wallace abstained). Payroll warrant #1 in the amount of \$14,265.51 was noted for the record.

12. Public Comment: Robert McIntyre stated he attended a MSAD 75 Strategic Planning Committee meeting tonight and the members agreed to implement a media campaign with public funds promoting the closure of WHS by mailing a postcard to each Harpswell address, mailing a 4-page mailer and running television ads. Mr. McIntyre asked the Selectmen to insist that MSAD 75 include a one page summary of the views opposing the school closure. Ann Standridge, of Friends for Harpswell Education agreed with Mr. McIntyre's position as MSAD 75's campaign is an improper use of funds. Chairman Henderson stated the Board should object to fund use in this way but if MSAD 75 should proceed, the information should be balanced with both sides of views. Selectman Multer stated she cannot support an action without reading the proposed mailing information from

MSAD 75. Chairman Henderson stated that he proposes to approach MSAD 75 with “if it is true” language, as citizens should know both sides and have balanced information to vote from. Selectman Multer stated there is a difference between promoting a position and stating facts and that MSAD 75 has no obligation to include the position of those opposed to the closing. Chairman Henderson stated there is a fine line between advocacy and information and he is concerned that voters should have both sides of information. Selectman Multer opposed telling MSAD 75 how to handle its affairs, including what to include in a mailing. Mr. McIntyre noted he believed Selectman Multer agreed at the 12/16 meeting that it may be improper to conduct such a campaign. Selectman Multer opposed Mr. McIntyre’s statements and stated he is incorrect in his quoting as he often is. Selectman Wallace agreed with Chairman Henderson as he does not like a negative campaign. **Chairman Henderson moved, seconded by Selectman Wallace to authorize the Town Administrator to communicate with the Superintendent of SAD #75 that if it is the case that SAD #75 is planning a media campaign to express reasons why the School Board wishes to close West Harpswell School without providing an opposing view, that the Select Board objects to that media campaign and would formally request space be provided for information as to why the school should remain open.** Selectman Multer questioned who would write the opposing position if the Board agrees. Chairman Henderson stated the Town will accept submissions from concerned parties. C. Matthew Rich stated the Board’s public comment policy states that issues brought up will be placed on future agendas for discussion and he hoped the Board would do this with Mr. McIntyre’s request. Mr. Rich stated that \$190,000 doesn’t just appear for Harpswell taxpayers and expressed concern the Board Chair has turned over the podium for discourse. Mr. Rich stated MSAD 75 has conducted business in accordance with State law and he asked the Board to table this topic. Chairman Henderson noted his motion is conditional as “if” the media campaign is true and it could have widespread impact if it is put off a couple of days and he desired to act while there may be an opportunity to balance the information for voters. Chairman Henderson reiterated the motion includes “if it is true” that has been seconded. **The motion carried 2-1 (Selectman Multer opposed).**

13. Adjournment: The meeting adjourned by unanimous vote at 7:45 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

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