

Board of Selectmen's Meeting Minutes
January 3, 2013
Harpswell Town Office
Approved on January 10, 2013

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

Selectmen Present: Elinor Multer, James S. Henderson and Alison S. Hawkes

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; and Bill Wells, Code Enforcement Officer

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

1. Adoption of the Agenda: Chairman Multer moved, seconded by Selectman Henderson to adopt the agenda as amended by adding Consider An Amendment to the Town's Cafeteria Plan under #11; motion passed 3-0.

2. Public Comment: There was none.

3. Town Administrator's Report: Administrator Eiane thanked Cook's Lobster House for its benefit dinner and auction that resulted in a donation to the Town's heating assistance program in the amount of \$5,800. She thanked Cook's staff and the public for attending and make the event so successful. Administrator Eiane stated that every dollar goes directly to providing heating assistance. Administrator Eiane announced the Department of Transportation has notified the Town of paving projects scheduled for 2013, including Route 123 from Middle Bay Road to the end, Mountain Road, and Route 24 from the Orr's Island Bridge to the end.

4. Selectmen's Announcements: Chairman Multer thanked Terri Sawyer and Marguerite Kelly for their extra work hours this time of year.

5. Approval of the Minutes: Chairman Multer moved, seconded by Selectman Henderson to approve the December 13 and 28 minutes; motion passed 3-0.

6. James Gordon Wharf Application, 109 Sunset Cove Rd., Map 12, Lot 58: Bill Wells, Code Enforcement Officer, reviewed the proposal for a seasonal ramp and float – no fixed pier. The hearing was opened and closed at 6:10 p.m. Selectman Henderson asked what the ramp and float are made of. Tim Forrester, property owner's representative, responded that the ramp will have an aluminum base with cedar plank decking and the float will be made with pressure treated wood and cedar decking. Mr. Wells added that while the float base may contain pressure treated wood, it may not be chromated copper arsenate (CCA) treated wood as that is typically used with pilings since they remain in the water all year long. Mr. Forrester agreed that the float material is distinctly different than CCA material as the wood goes through a lighter pressure treatment. Selectman Henderson stated that due to this lighter treatment, he believes the regular Notice of Decision (NOD), without the CCA statement, can be used for this application. Selectman Henderson moved, seconded by Chairman Multer to approve the application and stated the findings for the NOD; motion passed 3-0. The Board agreed applications should indicate the amount and type of pressure treated wood that will be used in the system components.

7. Consider Proposal for Marine Engineering Services Re: Mitchell Field: Administrator Eiane stated the pier at Mitchell Field is experiencing great deterioration, including the collapse of the north cell in the spring of 2012. In the Town's infrastructure report, the consultants recommended closing the pier (except for the small boat basin) to the public as there could be a catastrophic event. Due to the pier's condition, there is no longer time to wait for a business to contribute to the costs for rehabilitation or removal. Administrator Eiane stated if voters are asked to fund a rehabilitation or removal project, more detailed information regarding the pier's condition and options is needed. She requested a proposal from Barney Baker, a marine engineer with experience at Mitchell Field ranging from the Master Plan process, boat ramp study and work he did for Harpswell Oceanic Center. Due to the timeline involved for this study, it is not practical to send it out to bid. Mr. Baker's first proposal included a cost of about \$18,000 that included two days for a diver. Administrator Eiane asked Mr. Baker to revise his proposal as two days of dives may not be needed since there is past dive

information and Mr. Baker reduced his proposal by about \$2,000. This information will be key to help voters make a decision on the disposition of the pier. Chairman Multer stated many past meetings were stymied on this topic without detailed condition information from an engineer. Chairman Multer moved, seconded by Selectman Henderson to approve the contract with Barney Baker. Selectman Henderson asked that the review of records detailed in Mr. Baker's proposal include reviewing Town documents. Selectman Henderson asked if any of the extras offered in Mr. Baker's proposal are needed, how will they be funded. Administrator Eiane responded some extras may be part of the different budget proposals for Town Meeting but if there is information critical to a Town Meeting decision, contingency may be needed. Motion passed 3-0.

8. Curtis Memorial Library Memorandum of Understanding (MOU): Chairman Multer stated she has had multiple extended conversations with Peter Lowe and Liz Doucett of the Curtis Memorial Library (CML) regarding placing a cap on the Town's contribution. Currently Harpswell's agreement requires Harpswell to place on the warrant a proposal for a Harpswell contribution equal to 10% of the total contributions by municipalities to operating cost. For 2013, that would equate to \$129,688. The current proposal to set Harpswell's contribution at the prior year's figure plus a cost of living adjustment (COLA) as determined by the Social Security Administration plus 2 percentage points would save the Town \$5,784 in 2013. Chairman Multer stated she feels a large increase in the COLA in 2014 is unlikely so the Town should benefit again. Chairman Multer moved, seconded by Selectman Henderson to approve the 2-year MOU with the new calculation of costs. Selectman Henderson noted the 10% costs previously mentioned for Harpswell does not include any capital, only operating. C. Matthew Rich asked the Board not to adopt the MOU and cited certain card figures and costs associated with CML. Mr. Rich questioned the Board's authority to approve a multi-year agreement and noted that CML stated in the Town Report that more programs would be offered in Harpswell in 2012 and he is unaware of any new programs. Mr. Rich stated Harpswell's cost should be tied to Harpswell's use and not to Brunswick's contribution. Selectman Henderson stated he believes CML calculates use based on the number of transactions and not the number of cards. He noted Harpswell's use is greater than 14% of the total use and while he is not aware of new programs there are a number of programs offered in Harpswell. Chairman Multer stated Harpswell's cards are actually up to 17-18% of the total cards. If Harpswell does not participate, she noted CML cannot assure the \$65/card fee and it is hard to estimate how high it will go. Chairman Multer stated voters can support CML for what it is or not. Selectman Henderson expressed concern for how complicated it may be for Library users to obtain access without Harpswell's arrangement. Chairman Multer noted Harpswell's arrangement allows for representation on CML's Board and a non-voting representative named by the Selectmen. Selectman Hawkes stated she has shared many of the same concerns as C. Matthew Rich but every year, Town Meeting approves this budget and that shows her a lot. She is concerned about the deterioration of libraries with today's technology and she is not willing to fight this anymore. There was a discussion about how cards could be abused by those living in other towns and the Board agreed a discussion with CML about the options on how to control is this warranted. The motion to approve the MOU passed 3-0.

9. Consider Town District/Mt. Road Corridor Plan as 2013 Budget Item: Deputy Administrator Sawyer stated the Board previously indicated at a workshop with the Conservation Commission that it wanted money budgeted in 2013 for a study of the Town Office property and potential other properties on the Mountain Road for future centralization. She stated Selectman Henderson and Hawkes were particularly interested in what the Town property on Mountain Road could handle and Chairman Multer was interested in the Town's needs in 5-10-15-20 years and whether additional property needs to be acquired. Deputy Administrator Sawyer stated the Budget Advisory Committee does not support a \$35,000 appropriation at this time and thought more details needed to be flushed out. Chairman Multer stated she does not support a \$35,000 plan and instead would like data on what land is vacant on the Mountain Road for the Town to keep an eye on if any of the lots become available for sale. Selectman Henderson and Selectman Hawkes agreed it would be helpful to know which areas of the Town-owned parcels are suitable for building and how many buildings could be constructed in order to address any future needs in a systematic way. Mary Ann Nahf, chair of the Conservation Commission, stated consultants from Normandeau Associates were hired to perform a natural resource assessment of the Town-

owned property on Mountain Road and generated a report that focused on areas for conservation etc. Ms. Nahf noted that while the report lists two areas ideal for building, other areas could be built on at greater costs. The Board agreed not to pursue a Town district planning process at this time. Instead, the Board will review the Normandeau Associates Report. Deputy Administrator Sawyer noted this topic has been one of the ideas discussed as an option for a planning grant for a Cumberland County Development Block Grant. The decision for what planning grant should be pursued will be at the next meeting.

10. Consider Setting Mileage Reimbursement Rate to IRS Rate: Administrator Eiane stated the Town's policy allows the Board to set the mileage reimbursement rate equal to the Internal Revenue Service rate and effective 1/1/13 that is .565/mile. Selectman Henderson moved, seconded by Chairman Multer to approve the rate of .565/mile; motion passed 3-0.

11. Other Business: Consider An Amendment to the Town's Cafeteria Plan: Deputy Administrator Sawyer stated the Selectmen approved a cafeteria health plan on December 28, 2006 that allows employee health insurance premium deductions to be done on a pre-tax basis. The Town's policy allows employees to participate in dental insurance at their own cost if offered by the Town's health insurance vendor. Maine Municipal Employees Health Trust has offered dental but always required 50% of eligible employees to participate. For 2013, the Health Trust eliminated that requirement. Several Town employees have elected to participate in 2013 and Deputy Administrator Sawyer asked the Board to amend the Town of Harpswell Cafeteria Plan to allow the dental insurance premiums to be deducted on a pre-tax basis. Chairman Multer moved, seconded by Selectman Hawkes to approve the amendment; motion passed 3-0.

12. Public Comment: C. Matthew Rich read a warrant article from the 2010 Town Report regarding giving the Board the authority to enter a multi-year lease with a business at Mitchell Field. Mr. Rich asked if the authority should continue or be revoked and asked the Board to make this an agenda item for discussion. Mr. Rich noted certain newspaper articles regarding issues with certain processes or personnel within municipalities. He noted that while the saying is it could be better, he says based on what we hear, it could be worse. Mr. Rich encouraged the Board to provide guidance to voters on which articles can be lowered or raised at Town Meeting.

13. Authorization of the Warrants: Selectman Henderson moved, seconded by Selectman Hawkes to approve warrant #64 (for 2012) in the amount of \$27,375.05; motion passed 3-0. Selectman Henderson moved, seconded by Selectman Hawkes to approve warrant 2 (for 2013) in the amount of \$71,296.40; motion passed 3-0. Payroll warrant #1 in the amount of \$14,793.73 was noted for the record.

14. Administrative Matters: The Board re-scheduled a meeting with Bill Wells to January 24 at 5:00 p.m. Selectman Henderson noted he would be available on January 17 if a meeting is necessary. Selectman Henderson asked that the Shoreland Zoning Task Force ordinance proposals be available to the Board in time to make changes for the January 30 public hearing. Administrator Eiane will seek a legal opinion on the Board's authority to change the proposals.

15. Adjournment: The meeting was unanimously adjourned at 8:05 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments:

[Attachments are available at the Town Clerk's Office or by email at harpwell@town.harpwell.me.us]