

Board of Selectmen's Meeting Minutes
January 24, 2013
Harpswell Town Office
Approved on February 7, 2013

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At 5:00 pm, Chairman Multer moved, seconded by Selectman Henderson to move into executive session pursuant to 1 M.R.S.A. § (6)(a) regarding a personnel matter: motion passed 3-0.

The Board returned to open session at 5:45 p.m.

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; Jim Hays, Harbormaster; and Carol Eyerman, Planner.

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 removing items 7 and 21.1; motion passed 3-0.

2. Public Comment: There was none.

3. Town Administrator's Report: Administrator Eiane asked to schedule a meeting with the Cedar Beach/Cedar Island Supporters in executive session to review possible terms and conditions of an easement. The Board scheduled January 29 at 11:00 a.m. Administrator Eiane reported the auditors have completed the field work today and she thanked Terri Sawyer and Marguerite Kelly for the quality and volume of work they performed relative to the audit and financials.

Administrator Eiane noted the Town was approached by someone who proposed a different approach to marine patrol services. The Town has contracted with Cumberland County for marine services since 1999 and prior to, then, Town hired wardens. This proposal is for an employee/employer relationship for law enforcement and a scientific approach for marine services. Administrator Eiane noted she had laid out certain issues in the memo including why the Town changed from an employee/employer relationship to a contract relationship with Cumberland County. Administrator Eiane asked if there is any other information the Board needs in order to make a decision on how to proceed. She noted Cumberland County is aware of the proposal and Sheriff Joyce has asked for an opportunity to meet with the Board prior to its making any decision. Chairman Multer stated the question is how much law enforcement does the Town want and how much emphasis does it want to place on biological aspects of the work. Sheriff Joyce made a statement regarding the proposal and how it does not compare apples to apples with what the County offers. He noted how the County is responsible for training, liability, firearms training, policies, all reporting, radio frequencies, supervision, investigation and interaction with citizens. Sheriff Joyce stated the County treasurers its relationship with Harpswell and he hopes it will continue. The Board scheduled a workshop to further discuss this issue on January 31 at 5:00 p.m.

4. Selectmen's Announcements: Chairman Multer seconded Administrator Eiane's comments regarding Marguerite Kelly and Terri Sawyer's work performed on the audit and annual financials. She noted her appreciation for their work and for the support and work of the administrative staff regarding information provided to the Board.

5. Consent Agenda: 1) Dolphin Marine Liquor Renewal License; 2) Revision to the Fixed Assets Policy: Item 5.2 was removed from the consent agenda. Chairman Multer moved, seconded by Selectman Hawkes to approve Dolphin Marine renewal license; motion passed 3-0. Selectman Henderson asked for a summary of the proposed amendments to the fixed asset policy. Deputy Administrator Sawyer summarized that the Treasurer has

proposed changes including adjusting certain asset life schedules and amending the policy to match practice. Chairman Multer moved, seconded by Selectman Henderson to approve the policy as presented; motion passed 3-0.

6. Consider Engineering Services Contract for 2013 5-Road Capital Project: Tom Gorrill, of Gorrill-Palmer Engineers (GP), stated GP has previously inspected the Town roads and developed a pavement condition report for the roads and updated it a few years ago. Five roads (Thompson, Shore Acres, Hildreth, Wharf and Long Point) rise to the level of a capital road project for 2013 and this work order covers the engineering for the roads. The work order includes a centerline survey for four roads to establish benchmarks and elevation and a detail survey for Shore Acres since it is projected that that road will require more work. It is estimated GP will send the project out to bid in the spring and monitor the work. GP will maximize cost to benefits when possible and the work scope is estimated to be \$49,300 to \$53,100. Selectman Henderson asked for detail regarding a centerline survey; Mr. Gorrill responded this type of survey is used assuming the existing right of way area and primarily sets stations for the contractor to use as guidelines for the areas that require more specific repair. Mr. Gorrill stated overlay pavement is a useful tool if done at the right time. The Board discussed the budgeting and noted this project could be altered at some points. Chairman Multer moved, seconded by Selectman Henderson to approve the work order; motion passed 3-0.

7. Proposed Warrant Article Re: Cedar Beach: Removed.

8. Consider Harbor and Waterfront Ordinance and Town Dock Policy Amendments: Jim Hays, Harbormaster, reviewed the proposed amendments to the Harbor and Waterfront Ordinance. The Board discussed Section 8.1.13 regarding the Harbormaster's authority to remove boats obstructing use of the Town Dock to the Transfer Station or another location. The Board agreed the Harbormaster would locate removed items (after notice) to the Transfer Station unless a new location is determined at a Selectmen's meeting. Selectman Hawkes asked staff to recommend how long an item is to be stored before being destroyed or if in good condition, given away. Mr. Hays reviewed the proposed definition of slip and the intent is to clarify that dinghy tie up space at the Town Dock is not subject to the parking requirements in section 8.1.8. The Board asked that the definition and intent be reviewed by the Town Attorney. The Board discussed the policy for dinghy tie ups at the dock and asked that a deadline be added by which applications have to be returned in addition to the lottery process being clarified.

9. Consider Cumberland County Development Block Grant Applications: Carol Eyerman, Town Planner, asked if the Board had any questions on the final two applications for submission to the County. One is a planning grant to update the 1995 study regarding protecting Harpswell's marine resources and one is for general funding to remove the north and south cells at the Mitchell Field pier. The Board discussed the general application and suggested some changes. Chairman Multer moved, seconded by Selectman Henderson to approve the general application for the cells; motion passed 3-0. Selectman Hawkes asked if the update to the marine resources report will include what has occurred since 1995 to now; Ms. Eyerman responded it will update the information to current time and include some of what has occurred. The Marine Resources Committee was added to the application listing the groups that will be involved with the project. Chairman Multer moved, seconded by Selectman Henderson to approve the planning application for the report update; motion passed 3-0.

10. Consider Single Stream Recycling Concept: Chairman Multer stated that while the Town may pay slightly more in the beginning, in the long term there are savings and recycling will increase. Selectman Hawkes noted how much the tour of eco-maine impacted her. Selectman Henderson asked if the decision to change the current operation to single stream is a Board policy decision. Administrator Eiane responded the Solid Waste Ordinance may need to be amended and if so, would require Town Meeting approval. The Board expressed concurrence to proceed with this concept and ordinance review. Administrator Eiane noted a decision is needed before Town Meeting to adjust the revenues affected by no longer selling the recyclable materials.

11. Consider Revised 2012 Carry Over List: Selectman Henderson moved, seconded by Chairman Multer to approve the revised carryover list (revisions: insurance self reserve \$1,254, FEMA assistance \$3,529, Comcast technology grant \$10,800); motion passed 3-0. Chairman Multer stated she is unclear of the difference between reserves and special projects and the Board discussed the matter. Legislative agent funding was discussed and the Board agreed to carry this amount over. Deputy Administrator Sawyer explained there will be an article on the annual warrant of the Town Meeting that gives the Board the authority to carryover assigned funds.

12. Consider Legislative Communication Re: Governor's Budget Proposals: Administrator Eiane reviewed the Governor's budget proposals and the possible impacts to Harpswell. The Board discussed the proposals and Selectman Henderson and Chairman Multer agreed the proposals hurt ordinary people and that State budget gaps should not be filled with proposals that affect local property taxes. Chairman Multer moved, seconded by Selectman Henderson to send letters to Harpswell's two representatives and a copy to the Governor stating the Town's concerns; motion passed 2-0 (Selectman Hawkes abstained stating she prefers more time to think about the issues). The Board then agreed to have staff draft a letter for review at its next meeting. Chairman Multer withdrew her motion and Selectman Henderson withdrew his second.

13. Recommendation on Contractor for Heating System at Town-owned Building: Deputy Administrator Sawyer reported the Town received three responses to its request for proposals for a new boiler at the building used by Harpswell Community Broadcast Corporation. The Town's Energy Committee reviewed the responses and recommends contracting with M.W. Sewall for a new TriangleTube Challenger Combo and wireless thermostats totaling \$8,444.55. Selectman Henderson moved, seconded by Selectman Hawkes to accept the bid and enter a standard contract with M.W. Sewall; motion passed 3-0.

14. Consider Mitchell Field Committee's Recommended Revisions to Mitchell Field Rules: Deputy Administrator Sawyer stated the Board previously voted to amend the Mitchell Field Rules understanding the Mitchell Field Committee was in agreement. Since then, the Committee has submitted additional suggested changes to the Rules. The Board discussed the Rules in detail and changed "swim and kayak at your own risk" to replace kayak with boat and also removed the rule that feeding of wild animals is prohibited. The Board discussed whether simulated firearms should also be banned and agreed to remain silent at this time. There was a discussion regarding whether firearms, including concealed weapons, can be prohibited. Chairman Multer moved, seconded by Selectman Hawkes to approve the Rules, including the prohibition on firearms pending a legal opinion; motion passed 3-0.

15. Consider Design Options for Town Seal: Administrator Eiane reported Tom Allen, at the Board's request, has developed four Town seal designs for the Board's consideration. Selectman Henderson asked if the Board has the authority to adopt a Town seal. Administrator Eiane responded that Town Meeting action is required to authorize an official Town seal. Chairman Multer stated she wants to use the design for stationery for a year before considering authorization from Town Meeting. The Board agreed to ask Mr. Allen to add a heading to the lobsterman statue design, to provide a sample of the design in letterhead size and to advise on how to seek permission for use.

16. Acceptance of Donations: Chairman Multer moved, seconded by Selectman Henderson to accept with gratitude the \$200 for food cards from the Elijah Kellogg Church and \$400 from Patricia Lacey for heat assistance; motion passed 3-0. Selectman Henderson noted he wants to discuss the surplus of heat funds; Chairman Multer responded after the outcome of the governor's proposals.

17. Consider 2013 Budget Items: Administrator Eiane provided an overview of the proposed 2013 budget totaling \$4,341,363, a .38% reduction from 2012, and currently \$33,858 below LD1. The Board reviewed the following budget details and reached consensus for approval: administration & registrar \$269,520, Assessing \$74,946, public information \$9,000, Town Clerk \$52,452, planning \$77,352, treasurer \$21,950, employee

benefits \$317,172, risk management \$60,111, legal \$35,000, memberships \$15,863, and boards and committees \$6,431. The Board discussed the budget for elected officials that includes an increase in pay for the road commissioner and agreed to return to this item another time.

18. Other Business: Administrator Eiane asked the Board to approve a change order for under \$2,000 to the pumper tanker contract for use by Cundy's Harbor. Selectman Henderson moved, seconded by Selectman Hawkes to approve the change order; motion passed 3-0.

19. Public Comment: None.

20. Authorization of the Warrants: Chairman Multer moved, seconded by Selectman Henderson to approve warrant #5 in the amount of \$126,169.10; motion passed 3-0. Payroll warrant #4 in the amount of \$18,092.36 was noted for the record.

21. Administrative Matters: Deputy Administrator Sawyer noted that due to timing issues, a few items, in addition to budget review, are necessary on next week's agenda.

22. Adjournment: The meeting was unanimously adjourned at 10:35 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]