

Selectmen's Meeting Minutes
February 7, 2019
Harpswell Town Office
Approved February 15, 2019

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

Selectmen Present: Richard A. Daniel, Kevin E. Johnson and David I. Chipman

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

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

2. Public Comment: None.

3. Selectmen's Announcements: None.

4. Town Administrator's Report: Administrator Eiane reported the Town received an email from the Community Television Association of Maine regarding a proposed bill "An Act to Ensure Non-Discriminatory Treatment of Public, Educational and Governmental Access Channels by the Cable Operator". The Maine Municipal Association's Legislative Policy Committee has endorsed the proposal and the CTAM is reaching out to municipalities for support as well. There is time to consider the proposal and a letter of support can be submitted. The Town is approaching the end of its franchise agreement with Comcast and there is a lot of change occurring in this area that could impact the Town's negotiations.

5. Consent Agenda: 1) **Approval of the Minutes;** 2) **Authorization of the Warrants:** Selectman Chipman moved, seconded by Selectmen Johnson to approve the consent agenda [approved January 31 minutes; warrant #6 in the amount of \$32,814.35, and payroll warrant #5 in the amount of \$18,520.51]; motion passed 2-0.

6. Harpswell Community Garden (HCG) Grant Requests to Harpswell Heritage Land Trust and University of Maine Cumberland County Master Gardener Association: Judith Stanton, HCG Coordinator, stated the Garden's water system with cisterns was completed this past year, including spigots throughout the Garden. The application to the Master Gardener Association is for a drip irrigation system for the common good garden. 2,375 pounds of produce was donated to those in need through Midcoast Hunger Prevention with 1,400 pounds going directly to the food mobile in Harpswell and to Harpswell Aging At Home's luncheons. The Land Trust application is for the Garden's operations and to address soil drainage issues in the common areas (the lawns, play area). At the next meeting, there will be an application to the New England Grass Roots Environmental Fund for addressing improvements to the fencing to try and keep the animals out. Selectman Chipman stated how pleased he is to see the Garden carry on with volunteers. Selectman Chipman moved, seconded by Selectman Johnson to approve the two grant applications; motion passed 3-0.

7. Contract Agreement, Offer and Award for Pott's Point Boat Launch Project: Deputy Administrator Sawyer stated the Town received 8 responses to its request for bids for the Pott's Point project (construct a new boat launch, fix erosion at the parking area by the wharf and add some gravel to that same parking area). The low bidder was Farley Inc. for \$77,050 and the Town has received its engineer's recommendation to accept the bid. The Town has a grant from the Department of Transportation (DOT), which it will cover 50% of the project costs with the Town covering the remaining 50%. DOT has approved proceeding with Farley Inc. and staff is asking for the Board's approval to countersign the contract with Farley. Selectman Chipman moved, seconded by Selectman Johnson to approve the contract with Farley for \$77,050; motion passed 3-0.

8. Draft Winter Parking Ban Ordinance: Chairman Daniel stated the Board held a workshop earlier this week with the Road Commissioner and Captain Stewart from the Cumberland County Sheriff's Office to discuss ways

to address vehicles that are obstructing snow removal. Captain Stewart indicated there is a state statute that gives Deputies authority to have vehicles towed and he would inform his Deputies of the process. Therefore, there was consensus of the Board members not to act on this proposed ordinance at this time.

9. 2019 Town Meeting Warrant:

- **Draft Firearms Ordinance:** Administrator Eiane stated the Board held a hearing on this proposed ordinance, which generated some changes. It is back before the Board to decide if it goes on the warrant. Jonathon Burbank expressed some concern about the proposed ordinance, particularly, he suggested an abutting property owner should be able to give permission to someone to be closer to a house or property lines; he suggested the black powder gun reference be changed to muzzle loading firearm; and the time to target practice should be later than 6pm. The Board tentatively agreed with changing these areas.
- **Draft Sport Shooting Range Ordinance:** Mr. Burbank suggested all references to archery should be removed from this ordinance and the Firearms one as well. Mark Eyerman, Planner, agreed.
- **Blasting Ordinance Amendments:** Administrator Eiane reported the reference to testing the quantity of water has been removed. The Planner had reached out to a blasting company and it was not aware of how to measure quantity. Mary Ann Nahf stated she spoke with someone as well and it is common practice to test water for quality but not quantity. Ms. Nahf stated that it seems a shame to remove the quantity completely but it's a positive move to add a quality standard since the existing ordinance doesn't mention any standards.
- **Shellfish Ordinance Amendments:** No comments.
- **Harbor & Waterfront Ordinance Amendments:** No comments.
- **Basic Land Use Historic Setback Amendment:** No comments.
- **Basic Land Use Side Yard Setback for Workforce Housing:** No comments.

Selectman Chipman moved, seconded by Selectman Johnson to place the blasting ordinance amendments, Shellfish Ordinance amendments, Harbor & Waterfront Ordinance amendments, Basic Land Use amendments regarding historic setback and side yard setback for workforce housing to the Town Meeting warrant; motion passed 3-0. Administrator Eiane reviewed some minor proposed changes to the warrant since last week. Selectman Chipman asked that article 58 regarding \$8,500 (to paint the outside of the Town building used by the TV Studio) be moved to article 31 – Town facilities maintenance. Selectman Chipman moved, seconded by Selectman Johnson to set the rate for interest on late tax payments and the rate on abated taxes at 6%; motion passed 3-0.

10. Public Comment: None.

11. Other Business: Selectman Chipman moved, seconded by Selectman Johnson to accept Michael McCabe's resignation, with thanks, from the Mitchell Field Committee; motion passed 3-0.

12. Administrative Matters: After the meeting, the Board will be reviewing Town Report cover photo options.

13. Adjournment: At 7:05 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator