

**Selectmen's Meeting Minutes**  
**March 31, 2016**  
**Harpswell Town Office**  
**Approved April 14, 2016**

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

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

**Staff Present:** Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurer; Gina Perow, Recreation Director; and William Wells, Code Enforcement Officer

**1. Adoption of the Agenda:** Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended with the addition of Appointments and Property Visit Update, both under other business; motion passed 3-0.

**2. Public Comment:** None.

**3. Administrator's Report:** Administrator Eiane reported there were 74 people at the food mobile earlier today. It has been a great program and there are additional dates scheduled. Administrator Eiane stated Coastal Trans, Inc. will cease its public transportation service in April. Western Maine Trans will take over the Brunswick Explorer. Administrator Eiane left a message with the Western Maine regarding the Town's public transportation plans and she will keep the Board informed. Administrator Eiane reminded the Board of the Fire and Rescue meeting on Monday at 7:00pm.

**4. Selectmen's Announcements:** Selectman Multer stated the Mitchell Field Committee is interested in meeting with Casco Bay Ferry. She asked her colleagues if they wanted to be informed of the meeting; they responded affirmatively. Selectman Multer stated she called the Director of the Maine Municipal Association (MMA) to relay that it would be good if seasonal residents of municipalities could have a way to exchange ideas through MMA.

**5. Consent Agenda:** Chairman Daniel moved, seconded by Selectman Multer to adopt the consent agenda [March 17 minutes; authorization of warrant #14 in the amount of \$150,788.91 and payroll warrant #14 in the amount of \$14,166.12]; motion passed 3-0.

**6. Auditor's Report on 2015 Financial Statements:** Greg Chabot, RHR & Company auditor, reviewed the highlights of the Town's 2015 financial statements and complimented the staff on its efficiency.

**7. Consider Authorizing Fundraiser for Bandstand:** Gina Perow, Recreation Director, reviewed the Bandstand Committee's fundraising idea to sell t-shirts during the concerts and she stated controls will be in place. 100 shirts will be purchased for sale and there will be about a \$10 profit per shirt. Selectman Multer asked what the total investment is. Deputy Administrator Sawyer responded the purchase costs total about \$1,900 for the fundraising shirts, volunteer shirts, volunteer sweatshirts and the hats. Chairman Daniel moved, seconded by Selectman Multer to approve the proposal as presented; motion passed 3-0.

**8. Wharf Applications**

- **Donald Wilson, 112 West Cundy's Point Road Map 65, Lot 25:** Bill Wells, Code Enforcement Officer, stated there was a site visit and introduced Tim Forrester, applicant's representative. Mr. Forrester reviewed the proposal for a 6'x120' pier, 3'x40' ramp, and a 10'x20' float. Selectman Multer stated the Town Assessor's Agent could not confirm the applicant has the right, title or interest required for building the structure. Consequently, the applicant's attorney submitted an opinion in support of the applicant's right, title or interest. Selectman Multer moved, seconded by Selectman Johnson to table the application so the applicant's attorney's opinion could be reviewed by the Town's attorney; motion passed 3-0.

- **Lilita Gusts, 129 Tondrea Point Road, Map 48, Lot 88:** Joe Leblanc, applicant's representative, reviewed the proposal for a 4'x6' platform, 4'x8' stairs, 6'x16' pier, 3'x32' ramp, 10'x16' float, and 8'x30' float haulout. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others for fishing, fowling and navigating; motion passed 3-0.

**9. Consider Lifting Posted Road Restrictions:** Ronald Ponziani, Road Commissioner, stated he has checked each road and they are all solid. He recommended removing the postings tomorrow. Chairman Daniel asked if the upcoming weather would impact the roads; Mr. Ponziani responded he believes they will be fine. Chairman Daniel moved, seconded by Selectman Multer to lift the postings; motion passed 3-0. Mr. Ponziani reviewed some complaints relating to maintenance of Department of Transportation roads.

**10. Set Public Hearing for Amending Certain Conservation Closures:** Administrator Eiane recommended holding a hearing on April 14 at 6:30pm to consider amending certain conservation closures to include quahogs. Chairman Daniel moved, seconded by Selectman Johnson to set the hearing; motion passed 3-0.

**11. Consider Next Steps Re: Speed Calming Measures:** Administrator Eiane stated the Town is scheduled to receive the Department of Transportation speed trailer at the end of May – early June and the Road Commissioner can make recommendations for its placement. Mr. Ponziani stated he wants to avoid using speed bumps on the roads where speeding is an issue and instead use signage and the Sheriff's deputies. Additionally, Mr. Ponziani will arrange for pin striping on Basin Point Road and also have the speed limit painted in certain areas. The Board discussed whether a workshop was necessary and agreed instead to obtain a summary of the Road Commissioner's recommendations for review.

## **12. Mitchell Field Matters**

- **Water Tower Task Force: Consider Appointments and Adoption of Mission Statement:** Chairman Daniel stated he likes the proposed mission statement and read the names of people who have expressed an interest in being on the Task Force. The composition of the Task Force was discussed and agreed upon having 5 members, 1 Selectman and 4 citizens, and 2 alternates with staff support provided by the Treasurer and Planner. Selectman Johnson moved, seconded by Chairman Daniel to appoint Selectman Multer as chair and appoint David I. Chipman, Dorothy Rosenberg, Nelson Barter, and Jim Knight as members, and Donnette Goodenow and David Mercier as alternates; motion passed 3-0. Thanks were expressed to Ned Simmons for his interest. Selectman Johnson moved, seconded by Chairman Daniel to adopt the mission statement; motion passed 3-0. Mr. Chipman began to provide an update of the work he has been doing relating to Mitchell Field and Selectman Multer expressed concern about a volunteer acting on behalf of the Town.
- **Consider Minor Roof Repairs at Administrative Building:** Administrator Eiane reported G&E Roofing Company previously provided an estimate for replacing the entire administrative building roof at Mitchell Field – \$48,000 for the part that was proposed to be used by Harpswell Coastal Academy and \$25,000 for the part proposed for use by the Harpswell Community Library. When the Town did proceed with that estimate, the company came forward with an estimate to perform some minor repairs to extend the life of the roof and building. Bill Wells, Code Enforcement Officer, stated all the structures at Mitchell Field have been condemned by the building official and can only be worked on by OSHA certified people with sufficient insurance. Mr. Chipman stated the building has been reviewed by an engineer from Lincoln Haney and it was declared safe with a couple of minor issues. Mr. Wells stated the Code Office can review that report and noted Harpswell is governed by the International Building Code. There was a discussion on whether the minor repairs should be done. The Board agreed to table this matter to allow Selectman Johnson and the Code Office to meet with G&E at the site.
- **Issue Request for Proposals for Pumphouse Removal:** Administrator Eiane reviewed the request for proposals to have the pump house and debris removed from the water, which was reviewed by staff and

Barney Baker. The work is to be done within 60 days and by November 1. This project has some unique aspects, as it is difficult to gauge the amount of material and weight for removal. Bidders must have insurance, a performance bond and submit a bid bond with the bid. The Selectmen discussed the companies that the RFP should be sent to. Chairman Daniel moved, seconded by Selectman Johnson to authorize the RFP; motion passed 3-0. Administrator Eiane noted she has a call into Barney Baker regarding whether US Longshoremen and Harbor Workers Act Insurance should be required.

- **Consider Use of Bandstand and Mitchell Field for Shore Dinner:** Deputy Administrator Sawyer reviewed the Harpswell Coastal Academy's (HCA) request for use of the Bandstand and Mitchell Field for the shore dinner and accompanying concert for August 13. Chairman Daniel moved, seconded by Selectman Multer to approve the application noting that 4 additional porta-potties have to be provided by HCA for the event; motion passed 3-0.

**13. Consider Renewal of Giant Stairs Liquor License, 2118 Harpswell Islands Road:** Deputy Administrator Sawyer reported there were no alcohol related law enforcement calls for the past year at this establishment. Additionally, the Code Office issued a temporary certificate of compliance indicating the establishment is compliant with local rules and ordinances. Chairman Daniel moved, seconded by Selectman Multer to approve the renewal license; motion passed 3-0.

**14. Consider Cumberland County Law Enforcement and Marine Patrol Contracts:** Administrator Eiane reviewed the annual contracts with Cumberland County covering the April 1, 2016 to March 31, 2017 period. The general law enforcement contract totals \$324,842.93 and does not include a new vehicle. There was a discussion regarding whether the Board meets with Cumberland County Sheriff regularly and it was agreed to note that the Board wants to meet with the Sheriff prior to next year's annual contract. Chairman Daniel moved, seconded by Selectman Johnson to approve the general law enforcement contract. The marine patrol contract totals \$187,889.06 and does not include a new vehicle. The wardens will perform a minimum of 15 clam flat surveys but not all as the Marine Resources Committee has decided not to assist in this area. Selectman Multer asked Selectman Johnson why the Committee made that decision; Selectman Johnson stated he believes because they are already performing so many conservation activities. Chairman Daniel moved, seconded by Selectman Multer to approve the marine patrol contract; motion passed 3-0.

**15. Consider Amendment to Marine Support & Shellfish Conservation Services Contract:** Administrator Eiane stated this amendment is to continue the support services provided by RAI – Darcie Couture. Chairman Daniel moved, seconded by Selectman Johnson to sign the contract amendment; motion passed 3-0.

**16. Accept Donation in Lieu of Taxes from Maine Coast Heritage Trust:** Selectman Multer moved, seconded by Selectman Johnson to accept \$1,600 from the Maine Coast Heritage Trust in lieu of taxes for the Goslings and Whale Boat Islands; motion passed 3-0.

**17. Other Business:** Chairman Daniel moved, seconded by Selectman Johnson to appoint Ben Wallace Jr. as the new fire chief of Orr's/Bailey's Islands Fire Department and James Whittaker to the Emergency Vehicle Committee; motion passed 3-0.

Chairman Daniel stated a citizen raised concerns about the former Etnier property and asked the Board to visit the site. He stated he met with the Code Office and visited the site and finds there are no violations with the work taking place.

**18. Public Comment:** None.

**19. Administrative Matters:** Deputy Administrator Sawyer asked if the Board wanted to follow the same procedure as last year and renew the private wharf owners' leases for attachment to the Town property. The

Board agreed. Deputy Administrator Sawyer stated she would like to add some language to the leases regarding the fact that while the wharf owners have a right to restrict the public's access to their private wharves, they in no way have a right to restrict the public's use of the Town property. One wharf owner has posted a sign on the Town property stating it is private property despite being told not to by Town staff on several occasions. The Board agreed to add general language applying to all wharf owners. The Board scheduled an executive session for April 14 at 5:00 regarding elements of Harpswell Coastal Academy's propeller project proposal.

**20. Adjournment:** At 7:45 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator