

Special Selectmen's Meeting
Thursday, May 23, 2013

Members Present: Elinor Multer, Chair; Alison Hawkes and Richard Daniel

Staff Present: Kristi Eiane, Town Administrator; Marguerite Kelly, Treasurer

Call to Order

The meeting was called to order at 9:00 a.m.

Adoption of the Agenda

It was moved by Chairman Multer to add item 4.5 to the agenda regarding questions for the Town Attorney concerning Board of Appeals procedures. The motion was seconded by Selectman Daniel and passed 2-0. [Selectman Hawkes joined the meeting].

Consider Selection of Banking Institution for Tax Anticipation Financing

Treasurer Kelly reviewed the attached memo with the Board, recommending that the Board accept the low bid from Bath Savings of 0.74% interest on a borrowing not to exceed \$2,965,000, to be drawn down as needed. It was moved by Chairman Multer to accept the recommendation, seconded by Selectman Daniel and passed 3-0.

Progress Report on Lease with Harpswell Coastal Academy

Town Administrator Eiane reviewed the latest lease term sheet (which the Town's legal counsel had reviewed) with the Board of Selectmen. Harpswell Coastal Academy (HCA) was having its legal counsel review same. In summary, HCA would make lease payments to the Town to cover certain agreed upon improvements and also pay for operating costs. In the first year only, the Town would make several improvements prior to occupancy and would use an amount, not to exceed \$10,000, from the \$40,000 appropriation approved as part of the warrant during the March, 2013 Town Meeting, to offset operating expenses. There was a provision for HCA to express its interest in purchasing the property by January 2015. Since Board members did not have any substantive issues with the term sheet, the parties will now proceed to developing a detailed lease.

Board of Appeals Procedures

Attorney Sally Daggett joined the meeting. Chairman Multer asked if there is any role for the Board of Selectmen in reviewing the procedures of the Board of Appeals based on correspondence she received about what occurred at last night's Board of Appeals meeting. Attorney Daggett indicated that a Board of Selectmen does not intervene in procedural matters involving a Board of Appeals. An aggrieved party may appeal the decision of the Board of Appeals to Superior Court. She did note that the Town through its Board of Selectmen is always a party to any Board of Appeals decision and that there have been instances in other communities where municipal officers have taken a decision of their Board of Appeals to court.

Executive Session

At 9:37am, it was moved by Chairman Multer to enter executive session pursuant to 1 MRSA § 405 (6) (C) regarding the acquisition of public easements and 1 MRSA § 405 (6) (E) to consult

with the Town Attorney, seconded by Selectman Hawkes and passed 3-0. At 11:58am, the Board returned to open session.

Executive Session

At 11:59am, it was moved by Chairman Multer to enter executive session pursuant to 1 MRSA § 405 (6) (C) regarding the possible acquisition of real property, seconded by Selectman Daniel and passed 3-0. At 12:08pm, the Board returned to open session.

Authorization of the Warrant

It was moved by Selectman Daniel to approve Warrant 25 in the amount of \$67,410.45, seconded by Selectman Hawkes and passed 3-0. Payroll Warrant 21 in the amount of \$15,001.08 was noted for the record.

The Board signed a catering permit and thank-you letters for Committee volunteers.

Adjournment

Without objection the Chair declared the meeting adjourned at 12:16 p.m.

Respectfully submitted,

Kristi K. Eiane
Town Administrator