

Board of Selectmen's Meeting Minutes

June 9, 2011

Harpswell Town Office

Approved June 23, 2011

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

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; and Marguerite Kelly, Treasurer

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

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:05 p.m.

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

2. Public Comment: Robert McIntyre stated the Harpswell Heritage apples are for sale on Sunday. Mr. McIntyre asked the Board to consider not commenting on subjects at public hearings. Mr. McIntyre commented on the advertisement that Elinor Multer and another person ran in the Anchor. Ms. Multer, speaking from the podium, stated the figure of \$300,000 annually used in the ad was a reality when a Harpswell student at MSAD was placed in residential schooling and costs would have been that high but the student did not remain for a year.

3. Town Administrator's Report: Administrator Eiane announced there will be a vote on June 14, regarding the MSAD 75 budget and a municipal referendum with three issues: 1) a petition to appropriate \$55,000 and to create a withdrawal committee to consider withdrawing from MSAD 75; 2) creation of a historic district on Eagle Island that will allow a visitor center to be constructed closer to the shore than in other districts; and 3) a \$2,400 appropriation for a phase I environmental assessment at West Harpswell School before the Town votes on whether to accept the property. Absentee ballots are available at the Town Clerk's Office. Administrator Eiane reported that Representative Olsen informed the Town that the LD 69 (An Act to Restore the Historical Town Boundary Line between Harpswell and Brunswick) bill was defeated in the House by 88-56 and later terminated in the Senate. Administrator Eiane stated she attended the Devil's Back Trail opening on Saturday and thanked the volunteers for creating such a beautiful Town asset. Administrator Eiane stated the Board has been provided with the State statute and a proposed Property Tax Deferral Ordinance for Senior Citizens from the Town of Wells and asked if the Board wanted staff to work on developing an ordinance for Harpswell. State law allows a municipality to defer property taxes for residents over the age of 70 who have lived in the municipality for the prior 10 years with income that does not exceed 300% of the poverty rate. Wells is the first municipality to consider adopting an ordinance and will vote on June 14. The purpose is to allow someone who meets the requirements who cannot pay their taxes to remain in their home by deferring the taxes until the property ceases being used by the resident. Administrator Eiane reported a resident contacted her and asked that this topic be brought before the Board. Selectman Henderson asked if the Town could set the interest rate at a level to cover administrative costs for the program. Administrator Eiane noted the interest rate cannot be more than ½% than the rate for delinquent taxes that Town Meeting sets. The Board concurred with staff working on an ordinance for the Board to later review. Chairman Multer stated that she had concerns about some items in the Wells Ordinance and that she and the other board members should note any such issues to administration.

4. Selectmen's Announcements: Selectman Hawkes announced the Harpswell Neck Physical Education Association's annual program for children begins July 5. Applications will be available at the Town Office and both schools. Chairman Multer announced she and staff met with Liz Doucette, Director of the Curtis Memorial Library (CML) and Chris Goodwin, CML Board member, to discuss the Memorandum of Understanding between CML and the Town. Due to the difference in fiscal years between Brunswick and

Harpswell, Harpswell's Town Meeting votes on a budget figure that is finalized in July of the prior year. Two proposals were discussed: 1) to have CML provide its budget to Harpswell at the same time it does to Brunswick so that Harpswell may have some input in the process; and 2) to place a cap on the amount of increase to Harpswell. Chairman Muller stated CML was open to the budget review request and hesitant about the cap. The Board agreed to place this topic on the next agenda for further discussion.

5. Consent Agenda

1) Approval of the Minutes: Selectman Hawkes asked that section 3.1 of the minutes from May 26 better clarify that the vote on withdrawal does not cause withdrawal to occur; just the beginning of the process by forming a committee and expending \$55,000. Administrator Eiane noted under section 11 of the minutes that the generators at Mitchell Field may not have reuse value but may have scrap value. Selectman Henderson moved, seconded by Selectman Hawkes to approve the minutes of May 26; motion passed 3-0. Selectman Henderson moved, seconded by Selectman Hawkes to approve the minutes of May 23; motion passed 3-0.

2) Authorization of the Warrants: Selectman Henderson moved, seconded by Selectman Hawkes to approve warrant 33 in the amount of \$697,195.52 (\$587,332.96 to MSAD 75); motion passed 3-0. Selectman Henderson moved, seconded by Chairman Multer to approve warrant 34 in an amount not to exceed \$1,365; motion passed 3-0. Payroll warrant #23 for \$14,440.56 was noted for the record.

6. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for May (attached as further reference).

7. Consider Contract with Baker Design Consultants Re: Boat Launch Feasibility Study at Mitchell Field: Jim Hays, Harbormaster, stated that requests for proposals were sent out and one impressive response was received from Baker Design Consultants for \$20,000. The funding is from a State Planning Office grant. Administrator Eiane noted Barney Baker has been involved with the Town in the past with the Master Plan of Mitchell Field and brings experience to this proposal. Barney Baker stated he is a marine consultant and that he has involved other consultants with this proposal. Selectman Henderson asked if there was any conflict with MER Associates, Chris Heinig, participating in this project since he has a proposal for business use at the Mitchell Field Marine Business District; Mr. Baker responded no since they are all professionals and the apparent business proposal has nothing to do with a boat launch. Selectman Henderson moved, seconded by Chairman Multer to authorize the Town Administrator to sign a contract with Baker Design Consultants for \$20,000; motion passed 3-0.

8. Request for Proposals for General Road Maintenance Plan: Bob Venard, Road Commissioner, stated this year's budget has funding for planned maintenance and at this time the request for proposals (RFP) is seeking responses for certain road work, primarily in Cundy's Harbor. Selectman Hawkes asked how the responses will be compared since the RFP seems general. Mr. Venard responded the request does not include engineer specifications and each response will include what work is being specifically proposed by the contractor. This is the first time utilizing this process and if it is not successful, a more specific process can be developed. Chairman Multer moved, seconded by Selectman Hawkes to approve the request for proposals; motion passed 3-0.

9. Energy Committee's Recommendation Re: Street Lights: John Monaghan, chair of the Energy Committee, stated the Committee reviewed Tad Bond's report regarding the Town's street lights and his recommendations for removals and additions. The Committee submitted a memo with its changes in recommendations from Mr. Bond's report. Mr. Monaghan noted there are several lights that are staying on 24 hours a day. The Board asked staff to check with CMP regarding its process with street lights and whether they know which are working or not and to prepare a proposal based on the Committee's and Mr. Bond's reports, including a process for informing the public of possible street light removals.

10. Retro-Commissioning Pilot Program Application with Efficiency Maine: John Monaghan stated that Thayer Corporation has completed certain energy efficient improvements at the Town Office and during that project, discovered certain issues with the heating, ventilation, and air conditioning (HVAC) system. The State is offering an incentive program under which it will match up to \$10,000, or 50% of the costs (whichever is less) for retro-commissioning HVAC's. The State has approved 4 contractors for this pilot program and the work must be done by September 1. Mr. Monaghan stated the Town's project is estimated to cost \$10,000 to \$15,000 and recommended applying to Efficiency Maine and upon approval, hire Thayer Corp. to conduct the work. Bede Wellford, from Thayer Corp., stated the project costs would be less if the original system disks could be located; apparently Webb, the original installer, passed the discs on to the Town's current service provider who states they do not have the discs. The Board asked Administrator Eiane to contact the company in an effort to retrieve the discs. Chairman Multer moved, seconded by Selectman Hawkes to file the necessary paperwork for this program as presented tonight; motion passed 3-0. Selectman Hawkes asked about the mold issue on the second floor related to the HVAC system; Mr. Wellford responded he submitted a proposal to insulate the "boots" that will prevent air leakage and correct the moisture and mold issues. Deputy Administrator Sawyer stated that a purchase order proposal for \$1,515 regarding this work is listed on the agenda under administrative matters.

11. Consider Letter of Support for Harpswell Oceanic Center (HOC) Grant Proposals to the Maine Technology Institute: Chairman Multer stated she asked Chris Heinig to explain the relationship between HOC and RAS. Chairman Multer read the email with Mr. Heinig's response explaining that RAS is a for profit arm of the non-profit HOC. Chairman Multer moved, seconded by Selectman Hawkes to sign the recommendation letter; motion passed 3-0.

12. Consider Initial Request for Partial Closure of Lowell's Cove Road: Administrator Eiane stated she was contacted by a resident on Lowell's Cove asking for a portion of the road to be closed to accommodate a street dance fundraiser for the Orr's Island Cemetery Association. Administrator Eiane stated the Board could consider enacting an ordinance or could direct the Cumberland County Sheriff's Department to close the road. The road would be opened for emergency vehicles and the portion proposed for closure would not affect any individual residences. A representative from the Orr's/Bailey Fire and Rescue did not have specific concerns with the proposal. Chairman Multer stated she inquired and was told that there would not be any structures such as booths in the roadway. Chairman Multer moved, seconded by Selectman Hawkes to ask law enforcement to close the road on Saturday August 13 between 5:30 p.m. and 11:00 p.m.; motion passed 3-0. The Association will be asked to notify the neighbors and required to provide insurance.

13. West Harpswell School

- **Consider Special Town Meeting to Vote on Acceptance:** Chairman Multer noted the costs to hold a special Town Meeting by secret ballot at three locations is approximately \$4,200 and to hold a Town Meeting with a vote on the floor is approximately \$300. Selectman Henderson noted that the Friends of Cedar Beach indicated they may wish to ask the Town for an adjustment of a prior decision. Selectmen Henderson and Hawkes noted that they want the most participation which tends to be a vote by secret ballot and acknowledged the extra costs. Selectman Henderson moved, seconded by Selectman Hawkes to set August 23 as the vote regarding acceptance of West Harpswell School by secret ballot at three locations; motion passed 3-0. Administrator Eiane noted the deadline for ballot questions is July 7.
- **Consider Request from MSAD 75 Regarding Intercom:** Chairman Multer stated MSAD 75 has requested to remove the intercom system from West Harpswell School for use at the Harpswell Community School as it is a better system. Chairman Multer moved, seconded by Selectman Henderson to authorize MSAD 75 to remove the intercom system after the school is closed; motion passed 3-0.

14. Consider Contracts for Energy Improvements Pursuant to the Cumberland County Development Block Grant (CDBG) Program: Deputy Administrator Sawyer stated the Town received a \$10,000 grant

from Cumberland County for energy efficient improvements for qualifying residents. Six home energy audits were conducted and the Board previously approved sending out a request for proposals for specific work on residences in Harpswell and only one company responded. Deputy Administrator Sawyer recommended the Board enter a contract with Insulation Systems for \$7,300 to conduct certain improvements. Chairman Multer moved, seconded by Selectman Henderson to approve the contract; motion passed 3-0.

15. Committee Appointments and Resignations: Chairman Multer moved, seconded by Selectman Henderson to accept the resignation from Karin Blake and Chris Duval from the Mitchell Field Implementation Committee; motion passed 3-0. Chairman Multer moved, seconded by Selectman Henderson to appoint Rick Meisenbach to the Recreation Committee; motion passed 3-0. There was no action on Weston Watts's application as the Marine Resources Committee is full. His application will remain on file.

16. Other Business: There was none.

17. Public Comment: Robert McIntyre asked the public to watch the full meeting video with Jim Rier and stated reasons, in his opinion, for withdrawal. Ann Standridge stated she was excited for withdrawal as that increases the options for education. Glenn Gott stated the Brunswick School System is a good one and his family has benefited from such. Joanne Rogers commented that Harpswell residents have representation now with its school board members and that past stories of students that were tuitioned were reality. Leon Ogrodnik commented that Harpswell has the oldest schools and wondered if the district would close Harpswell Community School given also that, in his view, it is not ADA compliant. David Johnson thanked the Town for his term of service as a school board member and stated the entire Board supported the commentary piece by Superintendent Wilhelm in the Times Record regarding withdrawal. Alison Hawkes, from the podium, noted that transportation could be an issue with withdrawal and that without Harpswell's funding, programs will be cut. Ms. Hawkes stated the funding formula cannot be changed by the District and she is thankful to the District for detecting and helping her son overcome some learning issues. Also noted was that the Harpswell Community School is ADA compliant. Ellie Multer, from the podium, stated that if withdrawal occurs, Harpswell will get State funding for elementary students as far as what is received now; which is zero. There may be a small \$200,000 amount for special education. Kay Ogrodnick stated the withdrawal law is different than it was years ago and she now supports it and fears that maybe the District will close Harpswell Islands School too. Selectman Hawkes noted the District should not be blamed for closing West Harpswell School as it is a matter of low enrollment and budget costs.

18. Administrative Matters: 1) Selectman Liaisons; 2) Action List; 3) Procedure Re: Right, Title or Interest for Wharf Applications; 4) Audit Services; 5) Scheduling; 6) Purchase Orders: Selectman Henderson agreed to be the liaison for the Solid Waste Committee and Selectman Hawkes for Recreation; the action list was reviewed; the Board added that either the Administrator or Deputy review the deed prior to seeking legal advice process for right, title or interest regarding wharf applications; the Board agreed to remain with the current auditors and to send the service out to bid every 10 years if satisfied; and purchase orders were signed.

19. Adjournment: The meeting adjourned by unanimous vote at 9:03 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Treasurer's Report

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