

**Selectmen's Meeting Minutes**  
**July 18, 2019**  
**Harpswell Town Office**  
**Approved August 1, 2019**

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

**Selectmen Present:** Chairman Kevin E. Johnson, David I. Chipman and Jane G. Covey

**Staff Present: Kristi Eiane, Town Administrator;** Terri Sawyer, Deputy Town Administrator; Bill Wells, Code Enforcement Officer; and Marguerite Kelly, Treasurer

**1. Adoption of the Agenda:** The agenda was accepted as printed.

**2. Public Comment:** None.

**3. Selectmen's Announcements:** None.

**4. Town Administrator's Report:** Town Administrator Eiane asked the Board to consider loaning the "West Harpswell School" sign to the Harpswell Historical Society for the long-term. She explained when the Town took ownership of the school from MSAD 75 and then transferred it to the Harpswell Coastal Academy, the president of the Society, David Hackett, suggested the Town keep the sign, not necessarily for historical purposes but for sentimental value. Selectman Chipman moved, seconded by Selectman Covey to loan the sign to the Harpswell Historical Society; motion passed 3-0. Town Administrator Eiane reported the Town received a proposal from Goodall Landscaping to continue winter road maintenance. With permission, staff can review the proposal and come back with a recommendation that may include not going out to bid this year. The Board concurred.

**5. Consent Agenda: 1) Approval of the Minutes; 2) Committee Resignations; 3) Authorization of the Warrants:** Selectman Chipman moved, seconded by Selectman Covey to approve the consent agenda [approved the July 3 minutes; accepted resignations from Ellen Shillinglaw – Budget Advisory Committee, Burr Taylor – Budget Advisory Committee, Aaron Fuchs – Planning Board, Debbie Levensailor – Planning Board Associate, Michael McCabe – Board of Appeals Associate; authorized warrant #29 in the amount of \$831,510.34, and payroll warrant #28 in the amount of \$20,772.89]; motion passed 3-0.

**6. Wharf Applications**

- **Schooner Ventures, LLC, Pinecrest Road, Map 3, Lot 15:** Bill Wells, Code Enforcement Officer, reviewed the application for a community wharf system for a recently approved subdivision. The proposal is for: 4'x6' landing leading to a 4'x15' access ramp above mean high water, leading to a 5'x76' pile supported pier, a 3' x 36' ramp with two 12'x12' floats. The other permitting agencies have issued permits or approvals, including the Planning Board. The dock is to be used by all homeowners in the subdivision. Chairman Johnson moved, seconded by Selectman Chipman to approve the application as the Harbormaster indicates it does not cause a hazard to navigation or an injury to the rights of others with regard to fishing, fowling and navigating; motion passed 3-0.
- **Adam and Sarah Gravel, Long Island, Map 57, Lot 51:** Bill Wells, Code Enforcement Officer, reviewed the application for a 4'x12' access platform, 4'x14' access stairs, 6'x12' pier, 3'x40' aluminum ramp, 10'x20' float and a 10'x16' flip-up float storage frame. Chairman Johnson moved, seconded by Selectman Chipman to approve the application as the Harbormaster indicates it does not cause a hazard to navigation or an injury to the rights of others with regard to fishing, fowling and navigating; motion passed 3-0.

**8. Running Tide Lease Amendment to Establish Escrow Account for Restoration Security Including Deposit Account Control Agreement, Notice of Exclusive Control & Certificate of Authority:**

Administrator Eiane reported in November, the Board signed an agreement with Running Tide LLC to run an oyster hatchery at Mitchell Field. Section 6.5 of that agreement required a surety bond for restoration of the leased premises if not restored by Running Tide. Running Tide approached the Town to see if there were other options and agreed to pay the Town's legal fees of about \$1,200 for developing an alternative. Attorney Greg Im provided a brief overview of the proposal, which is to have Running Tide place \$50,000 in an escrow account that the Town has control over. If Running Tide restores the property themselves upon completion of the lease, the \$50,000 returns to Running Tide. Both Running Tide and Bangor Savings have seen and approved the proposed documents. Selectman Chipman moved, seconded by Selectman Covey to modify the agreement with Running Tide to replace the bond with an escrow account; motion passed 3-0. Marty Odlin, owner of Running Tide, provided an update on the land and building improvements and the business.

**7. Harpswell Inn Amusement License Hearing:** At 6:25pm, the hearing began. Deputy Administrator Sawyer stated the Town has a an amusement ordinance that requires entities, that sell alcohol and want to provide live entertainment, to obtain a permit from the municipal officers after a public hearing is held to hear any concerns. In this case, the live entertainment is music primarily for weddings. Rick Malec, owner of Harpswell Inn, stated most weddings use DJs but he wants to obtain a permit to cover weddings that may use live music. Selectman Chipman moved, seconded by Selectman Covey to approve the amusement license; motion passed 3-0.

**9. Ambulance Related Agreements: (1) Re-chassis & Specifications (2) Transfer (3) Lease Amendment & (4) Exhibit A Amendment to Vehicle & Facility Use:** Administrator Eiane reported the Emergency Vehicles Committee recommended the Town re-chassis the Orr's/Bailey Island Fire and Rescue Department's (OBI) ambulance. The Town of Brunswick recently did this and is satisfied with the results. This may allow the ambulance to be used for an additional 8-10 years. Administrator Eiane reviewed the documents. Ben Wallace, Jr., Chief of OBI, noted that PL Custom Emergency Vehicles was the same sub-contractor that built the original ambulance. This process costs about half of what a new ambulance would cost and should extend the life by at least 5 years and maybe up to 10. Administrator Eiane stated the Town has been paying for the emergency vehicles and one lift but this will be the first time the Town pays for a cot. Chairman Johnson asked if the power lift will be in the rental; Mr. Wallace responded no. Selectman Chipman moved, seconded by Selectman Covey to approve the Sugarloaf Agreement to re-chassis per specifications; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Covey to approve the transfer of the loaner to the Town; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Covey to amend the lease with OBI; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Covey to amend the Vehicle & Facility Use Agreement to add two vehicles (loaner and new chassised vehicle) so that Town paid emergency personnel can use the vehicles and equipment; motion passed 3-0.

**10. Treasurer's Report:** Marguerite Kelly, Treasurer, reviewed the monthly report for June (attached).

**11. Mitchell Field Committee Recommendations Re: Cell Tower & Solar Array Locations:** Don Miskell, Mitchell Field Committee chair, stated the Mitchell Field Committee (MFC) worked with the Energy & Technology Committee regarding possible locations for a cell tower and a solar array at Mitchell Field. The MFC recommends the Board consider option 2 for a cell tower location, tower at or below 200-feet, as it is further away from the Harpswell Neck Fire & Rescue Department (HNFR) and since it will be free standing, there will be no guy wires. The original location discussed for a solar array was in the lower meadow but the MFC recommends it be in the upper area field in an area where there would be less of obstruction in view. Additionally, the MFC recommends the array be restricted to Town municipal use or to offset equivalent use and it expanded as Town uses do.

Gary Vincent, of the Energy & Technology Committee (ETC), stated the ETC is seeking authorization for Town to send out an expression of interest to tower builders for a cell tower at Mitchell Field. If there is interest, a lease could be similar to Crown Castle's for the Tower located behind the Recycling Center. The ETC is not ready to proceed with the solar array recommendation as some more work needs to be done regarding size. Administrator Eiane stated the HNFR had comments about the cell tower location including, that the Town take any responsibility if there is any damage to HNFR and that emergency communication equipment be included. Selectman Chipman moved, seconded by Selectman Covey to authorize staff to send out an expression of interest for a communication tower; motion passed 3-0.

**12. Energy & Technology Committee Recommendation Re: Expression of Interest for Cell Tower at Mitchell Field:** Addressed above.

**13. Harpswell Community Broadcasting Extension:** Selectman Chipman stated he doesn't feel he needs to recuse himself and his colleagues did not disagree. Administrator Eiane stated that Selectman Covey had questions relating to the current agreement and a workshop was held with HCBC. There was consensus at the workshop to extend the current agreement to when the current franchise agreement ends with Comcast, which is September 2020. Selectman Covey moved, seconded by Chairman Johnson to adopt the fourth extension to the agreement between the Town and HCBC; motion passed 3-0.

**14. Budget Advisory Committee (BAC) Appointments:** Selectman Covey stated there were two new people who expressed interest in joining the BAC and two members have resigned. Selectman Covey reviewed the background of Marge Webster Warren and Stephen Pulsifer then moved, seconded by Selectman Chipman, to appoint them both to the BAC; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Covey to re-appoint existing members Allan LeGrow, Jane Meisenbach, and Donald Miskell Jr.; motion passed 3-0.

**15. Board of Selectmen's Goals and Objectives:** There was a discussion regarding the draft goals and objectives that were developed after the Board held a workshop. Selectman Covey stated she would like the ETC to help research modes of technology but not negotiate the new franchise agreement with Comcast; Mr. Vincent agrees the ETC will just gather information. Administrator Eiane noted the County is conducting a broadband study, including Harpswell, and when the report is available she will provide to the Board and ETC. The Board reached consensus on the 2019 goals and objectives.

**16. Public Comment:** Paul Kittle, Orr's Island property owner and Fire & Rescue volunteer, spoke in favor of a communications tower and hopes the coverage will cross the water and cover Orr's and Bailey's Islands. Mr. Vincent responded that based on a simple study, the Mitchell Field site is the best site and the site fits within Town ordinance. He indicated this process is just beginning and could take quite some time. Don Miskell noted the parking striping at Mitchell Field has been completed and there have been 40-50 cars a day at the Field.

**17. Other Business:** None.

**18. Administrative Matters:** None.

**19. Adjournment:** At 7:17 p.m. the meeting was adjourned without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Treasurer's Report