

Board of Selectmen's Meeting Minutes

September 1, 2011

Harpswell Town Office

Approved on September 15, 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 Bill Wells, Code Enforcement Officer

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 6:00 p.m.

1. Adoption of the Agenda: Chairman Multer moved, seconded by Selectman Henderson to adopt the agenda as amended by deleting 7a; motion passed 3-0.

2. Public Comment: Chris Coffin stated that, in his opinion, Steamboat Wharf Lane is not being properly maintained with overgrown rose bushes, vegetation at the end of the road and poor road condition. Mr. Coffin expressed disappointment with the legal settlement involved with this particular site and other Town property settlements. There was a discussion regarding the maintenance of Town landings and the stewardship program.

3. Town Administrator's Report: Administrator Eiane announced the Town's website has been updated with a new design and she encouraged the public to use this resource-filled tool. Administrator Eiane reported that for the short term, Marine Patrol will be going out in the Harbormaster boat and that the radio has been installed in that boat. Administrator Eiane stated the Board will hold a public hearing two weeks from tonight regarding the proposed removal or addition of certain street lights and she encouraged the public to attend the hearing or submit written comments. Administrator Eiane reported that residents voted to accept the transfer of West Harpswell School and the District will prepare the deed. The District's Facilities Manager will be meeting with Bill Wells, Town Caretaker, at the property to tour the building and review the existing systems. The art collection currently at West Harpswell School will be part of the transfer to the Town. Administrator Eiane reported that after three follow-up letters, the Town has not heard from the abutter to the Town property and "Gravel Pit" Road off Hildreth Road and that research with past Road Commissioners has begun.

4. Selectmen's Announcements: There were none.

5. Consent Agenda: 1) Approval of the Minutes; 2) Consider Contract Extension with Thayer Corp.: Chairman Multer moved, seconded by Selectman Henderson to approve the consent agenda; motion passed 3-0.

6. L. David Brown Wharf Application, Cundy's Harbor Road, Map 56, Lot 5: Bill Wells, Code Enforcement Officer, reviewed the application to replace an existing wharf system for a same size system. Selectman Henderson asked if travel on the shore would be obstructed; Mr. Wells responded no. Mr. Wells noted the Harbormaster and Army Corps of Engineers determined there is no navigational issue. The Board discussed the Notice of Decision (NOD) and conditions. Chairman Multer opened and closed the hearing at 6:35 p.m. Selectman Henderson moved, seconded by Chairman Multer to approve the application and NOD; motion passed 3-0.

7. Mitchell Field

- **Consider Request for Proposals for Infrastructure Plan:** Removed.
- **Community Gardens Site Plan:** Rob Roark, chair of Mitchell Field Implementation Committee, stated the Committee has approved the Community Gardens plan, which includes three phases. Mr. Roark reviewed what each phase entails, including possible amendments, e.g. moving the parking area in phase 3, that will be determined later. Chairman Multer stated there are no budgeted funds for this use and approval would be contingent upon funding coming from other sources (such as extending the Harpswell Heritage Land Trust grant). Chairman Multer moved, seconded by Selectman Hawkes to approve the Gardens plan and authorize the Committee to proceed to the Planning Board; motion passed 3-0.

8. Consider Amendments to the Public Participation Policy: Chairman Multer stated the Town has received two contrasting opinions regarding the Public Participation Policy, one from the Maine Municipal Association (MMA) and one from the Maine Civil Liberties Union (MCLU) and at this point, the Town Attorney should review it. MMA suggests the policy complies with the law and the MCLU suggests that 50% of the policy needs to be revised. Chairman Multer stated she would like to send a summary of what her intent was with the Please Note section of the Policy. Selectman Henderson stated the Attorney needs to be informed of what has taken place and have her state what in the policy can remain and what needs to be removed and why. Len Freeman asked the Board to strike the section that asks speakers to identify what part of Town they are from as it accentuates geographic divisions in the Town. The Board agreed that section will be removed.

9. Consider Forming a Watercraft Task Force: Administrator Eiane reviewed the proposal to form a Task Force to review the Town's three boats, including conditions, disposition, uses and replacements. She spoke with four possible members, if the Board agrees. Selectman Hawkes stated she agrees with the proposal and would like the fifth member to be a member from the Marine Resource Committee and she will invite a member to join. Selectman Henderson noted the membership is not geographically distributed and asked that the Task Force solicit input from all areas of Town. The Board amended the mission statement to include "public comment and outreach will be encouraged by the Task Force". Chairman Multer moved, seconded by Selectman Henderson to approve the amended mission statement (attached as further reference) and appoint the four members [Jim Hays, David Mercier, Jim Knight and Lee Bradbury]; motion passed 3-0.

10. West Harpswell School – Next Steps: Chairman Multer stated that when the Board last met with Jack Sylvester regarding the Harpswell Oceanic Center proposal, she mentioned the Town needed expertise to help it consider how to manage a possible multiple use of the West Harpswell School. Mr. Sylvester suggested meeting with two specific real estate development specialists and Chairman Multer agreed with this suggestion. The Board agreed to schedule meetings with the two referenced experts. Selectman Henderson suggested that an interim use from now to Town Meeting may be desirable if the costs and liability levels allow it. Donna Frisoli reviewed her proposal to set up a temporary library at the West Harpswell School and utilize the room that was the School's library, which can be segregated from the rest of the building for heating and maintenance purposes. Ms. Frisoli stated the library could be setup and disassembled quickly and that its presence would deter vandals and provide a necessary economic benefit to the area. The Board agreed the concept is very favorable and agreed more information is necessary to make a decision such as a volunteer schedule, costs etc. Administrator Eiane stated the budget is limited through Town Meeting as heat and electricity were budgeted at a minimal level and the insurance company requires 33% of the building to be used to reduce insurance costs. Chairman Multer suggested that she and staff meet with Ms. Frisoli to develop a mission/direction and come back to the Board.

11. Member Access to Maine Municipal Association Website: Administrator Eiane reported the Town is a member of Maine Municipal Association (MMA) with dues being authorized by Town Meeting. As a member, the Town's staff, elected officials and the Chair of the Board of Appeals have had access to MMA's website. Recently the Town received a request for access from a committee member and since this deviates from past practice, she wanted to bring the request before the Board. Selectman Henderson questioned the legal advice access; Administrator Eiane noted that MMA has advised that such access could be limited. Selectman Hawkes stated she believes committee members should seek information from the committee liaison and not have access to the site. Chairman Multer stated she wants a legal opinion as to whether the password to the site is subject to the Freedom of Access law. Selectman Henderson suggested perhaps there should be a policy as to which committee members get access to the resource. Chairman Multer suggested also asking if the potential increase in use would cause an issue. The Board agreed to seek the information and Selectman Henderson suggested simple access to resources would be the best option.

12. Execute Cumberland County Tax Assessment Form: Chairman Multer moved, seconded by Selectman Henderson to execute the Cumberland County Tax Assessment Form for value of \$2,009,600,000 and tax of \$1,113,908; motion passed 3-0.

13. Maine Smart Meter Safety Coalition Correspondence: Chairman Multer stated she was in favor of linking to the Coalition's website to inform residents. Selectman Henderson questioned what the principal was since the Board would be considering a website link policy. Chairman Multer responded that if it is a significant issue then she would favor linking. Selectman Hawkes stated that Central Maine Power (CMP) should be linked to as well for both sides of the issue. Selectman Henderson asked for clarification on what issues would be posted, such as the gay marriage, pro and anti? Chairman Multer agreed that any issue of broad public interest should be posted, both positions. Selectman Henderson questioned if once allowed, will limiting any topics be subject to the Freedom of Access Law. Chairman Multer moved to post the links to the Coalition and CMP. The motion died due to a lack of a second. The Board agreed to consider a draft policy regarding linking on the Town's website and to see if there are any issues pertaining to developing limitations.

14. Economic Development Services: Chairman Multer stated she asked for this to be on the agenda as the Town has many attractions and she wonders if packages should be put together to attract tourists. She felt some expert assistance would be in order and this would require budget consideration. Administrator Eiane reported she has spoken preliminarily with the Midcoast Council of Governments (MCOG) and it has expressed an interest in assisting the Town with business negotiations and business promotion at a fee. Administrator Eiane asked for the tourism idea to be better clarified. Chairman Multer responded that business for summer and fall needs to be promoted and that the Town needs to seek input from the Harpswell Business Association (HBA). Selectman Henderson suggested that MCOG could facilitate a meeting with the HBA and small businesses to get input and form a basis for a budget. The Board agreed to hold a workshop and send invitations to the HBA, Clerk's business list and Assessing's list. Mary Ann Nahf stated she recently spoke with a HBA member and they were thinking along similar lines. Selectman Henderson stated the meeting would be a good venue to solicit input regarding office space at West Harpswell School.

15. Other Business: There was none.

16. Public Comment: There was none.

17. Authorization of the Warrants: Chairman Multer moved, seconded by Selectman Henderson to approve warrant 47 in the amount of \$68,148.55; motion passed 3-0. Payroll warrant #35 for \$19,569.26 was noted.

18. Administrative Matters: The Board approved two catering permits and set September 29 at 4:00 p.m. for a meeting to approve the warrant and a liquor license; Administrator Eiane stated that staff spoke with the State and was informed the Board can rely on the junkyard owner attesting to following the standards, Chairman Multer asked for the State to put that in writing; the Board discussed the annual junkyard permit process for Norm Stevens and agreed to designate the Code Enforcement Officer to hold the hearing and add to his checklist whether he sees anything requiring reporting to the Department of Environmental Protection; Selectman Henderson moved, seconded by Selectman Hawkes to hold a hearing and place the items on the 9/15 agenda; motion passed 3-0. The Board signed the Municipal Valuation Return prepared by the Assessing Office. The Board chose September 12 or 13 at 9:30 to meet with realtors regarding West Harpswell School.

19. Adjournment: The meeting adjourned by unanimous vote at 8:17 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Watercraft Task Force Mission

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