

Special Selectmen's Meeting Minutes
September 5, 2013
Harpswell Town Office
Approved on September 19, 2013

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

Selectmen Present: Elinor Multer, Alison S. Hawkes and Richard A. Daniel

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

The meeting was recorded and broadcast live on Harpswell Community Television and streamed.

1. Adoption of the Agenda: Chairman Multer moved, seconded by Selectman Hawkes to adopt the agenda as amended by adding Consider Press Release under Other Business; motion passed 3-0.

2. Public Comment: Kay Ogrodnik, MSAD 75 School Board Member, stated Harpswell School Board representatives are elected in March and do not take office until July 1 of the same year. Other Harpswell elected officials take office immediately. The representatives of other towns in MSAD 75 also take office immediately. Ms. Ogrodnik stated it is frustrating to see decisions being made without the ability to participate. Ms. Ogrodnik stated the reason given for the delay is that MSAD 75 is in the middle of its budget process and replacing a representative at that time could be challenging. If the reason is accepted, Ms. Ogrodnik suggested that Harpswell's representatives be voted on in June or November. Ms. Ogrodnik thanked everyone for the support she received from so many after Leon Ogrodnik passed, including the EMT volunteers. Chairman Multer stated she led the change to delay Harpswell's representatives taking office until July 1 due to one year when the chair of the MSAD 75 Budget Committee was replaced in March, in the middle of the budget process which was very difficult. Selectman Hawkes suggested reviewing whether the vote could be changed to June or November.

3. Town Administrator's Report: Administrator Eiane stated tax bills have been mailed and the first installment is due September 16. Administrator Eiane reported the preliminary schedule for the Town's capital road projects, on Shore Acres, Hildreth, Thompson, Wharf and Long Point Roads has been posted on the Town's website. Additionally, the Bethel Point Road culvert project will begin early October with start assembling equipment in the area in late September. A letter will be sent to the people in the area. Anyone with questions on either project is encouraged to contact the Town. Administrator Eiane introduced Darcie Couture who was here to review a grant opportunity relating to the green crab issue. Ms. Couture stated she started working with Freeport and obtaining grant funds to help address the green crab issue. She is applying for a Saltonstall-Kennedy Grant of up to \$350,000, which application is due the end of September and will be awarded January 14, 2014. Chebeague Island, Brunswick and Freeport have agreed to participate in the grant and Harpswell is invited to participate in this regional approach. Ms. Couture stated Canada has worked on a similar crab issue over the past 4 years and has been able to win back some bays. Each municipality may be at a different level and can determine what its crab program priorities are, such as fencing, more traps, paying harvesters to fish green crabs etc. Ms. Couture stated there is no commitment required from Harpswell, only that she hoped to get a letter of support. Ms. Couture's consulting company, Resource Access International, will apply for and administer the grant funds. Selectman Daniel asked for more information on Canada's program; Ms. Couture stated four years ago areas of Canada's habitats were destroyed, and after implementing its program, was successful in restoring the eel grass and shellfish. It is thought this cycle of green crabs that the area is fighting may be a new breed from Halifax and may not be affected by cold winter. Chairman Multer stated she is interested in reading more information on Canada's experience if Ms. Couture could provide the information. The Board agreed to support the grant and Chairman Multer moved to authorize staff to draft a letter of support. Selectman Hawkes seconded the motion noting the crabs are affecting not only the clams but many other areas. David Wilson, chair of Marine Resources Committee, agreed with participating. Motion passed 3-0.

4. Selectmen's Announcements: None.

5. Consent Agenda: Deputy Administrator Sawyer noted the possible appointment to the Mitchell Field Implementation Committee would increase that Committee to 10 members which has at most been 9. This item was removed from the consent agenda. The Board discussed whether the appointment should be as a full member or as an alternate. Chairman Multer move, seconded by Selectman Daniel to appoint Nancy Sohl as a full member; motion passed 3-0. Chairman Multer moved, seconded by Selectman Hawkes to approve the remaining items on the consent agenda [Jeffrey Conant appointment to the Marine Resources Committee; George Barker, John Holland and E. Jeffrey Stan appointments to the Recycling Committee; acceptance of John Holland's resignation from the Marine Resources Committee; Rock Cove Lane road name; warrant#40 for \$234,559.76 and payroll warrant #36 for \$14,887.92]; motion passed 3-0.

6. Old Business: None.

7. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for August (attached). Selectman Daniel asked for a review of how much money the Town is holding for the Harpswell Coastal Academy (HCA). Ms. Kelly stated HCA's lease payments (\$2,000 per month for 10 months) to the Town will be held in a special account and used for certain modifications items except the gym floor, the money (9,400) for which is set aside, to be used only if needed. Additionally, the Town will pay up to \$10,000 for utilities, etc. if available at the end of the year from the Town's \$40,000 budget. Chairman Multer added the \$10,000 is in lieu of determining how much of the building is being used by HCA.

8. Consider Letter of Support to Maine Natural Resources Conservation Project (MNRCP) for Casco Bay Estuary Partnership Grant Re: Wallace Shore Road: Mary Ann Nahf, chair of the Conservation Commission, stated she provided an update to the Board on this project at the last meeting. In follow up, Matthew Craig, of the MNRCP, stated this grant is a mitigation grant and a Town cash match will not add points towards receiving the grant. Therefore, Mr. Craig does not believe a match is necessary. This project to replace culverts could range from \$30 – 90,000 depending on the required engineering. The Town has received consent letters and letters of support from the property owners in the area. Many Conservation Commission members have offered to be stewards after completion of the project. Ms. Nahf reviewed the aerial map of the area and the two specific focus points. Chairman Multer moved, seconded by Selectman Daniel to send the letter of support; motion passed 3-0.

9. Consider Letter of Support for Harpswell Heritage Land Trust's Grant Application to the Maine Natural Resources Conservation Program Re: Liberty Farm: This letter is to support the Harpswell Heritage Land Trust's grant applications to acquire 13.3 acres from the Liberty Farm Trust near the Town line on Route 123. Deputy Administrator Sawyer reviewed a few suggested changes to the letter from the Conservation Commission. Chairman Multer, moved, seconded by Selectman Hawkes to send the letter of support; motion passed 3-0. Selectman Hawkes asked for a total acreage of land owned or monitored by the Trust in Harpswell; staff will follow up.

10. Consider Contract with Bowdoin College for Family Swim: Chairman Multer moved, seconded by Selectman Daniel to approve the contract for family swim; motion passed 3-0.

11. Consider Communication to State Legislators Re: Property Tax Assistance: Administrator Eiane reported when the State of Maine revoked its Maine Circuit Breaker Program, it also revoked local authority to offer local property tax assistance programs. If the State reinstates local authority, Harpswell will still need to modify its ordinance. The Board authorized sending a letter asking Harpswell's legislators to support reinstating local authority by a vote of 3-0.

12. Other Business: Consider Press Release: The Board reviewed a draft press release relating to the Board's efforts to obtain public access to Cedar/Robinhood Beach. The Board discussed the Kennebunkport case and the

reference in the press release. Selectman Daniel stated he believes if the Town was to be involved in a law suit, approval should be sought from voters. Selectman Daniel suggested the Town communicate to property owners with beaches that when and if the property owners contemplate selling them, that the owners consider notifying the Town. The Board discussed placing this idea in a future bulletin. Chairman Multer moved, seconded by Selectman Hawkes to approve the press release as amended; motion passed 3-0.

Deputy Administrator Sawyer handed out an aerial photo of Mackerel Cove depicting the recently installed parking, to be used by fishermen, and fence. She stated the property owner on the common property line to the west was informed of the fencing but since the erection of the fence, he has expressed concerns as well as have fishermen who use the immediate area near the line, that the fence will cause interference with use. Deputy Administrator Sawyer stated she has met with concerned parties on site and with Reed Coles, Executive Director of the Harpswell Heritage Land Trust. All involved agree that removing the two sections of fencing on the common property line and one section along the road near the line would allow use of the area and still protect the boat storage area from unauthorized parking. Deputy Administrator Sawyer stated the parking area change from 25'x50' to 22'x45' and the fence change differ from the signed Letter Agreement which amends the conservation easement. Mr. Coles will be sending a letter noting the approved changes. The Board agreed with the proposal.

13. Public Comment: None.

14. Administrative Matters: The Board reviewed the Maine Valuation Return and Chairman Multer reviewed the questions relating to the form that she asked of Debbie Turner, Assessing Agent and the answers. The Board agreed to sign the MVR. The Board rescheduled the Marine Resource Services meeting to September 12 at 4:00 p.m.; the Board agreed to cancel its October 3 meeting to attend the Jensen Baird, Gardner & Henry new law session, with the understanding that workshops and/or brief meetings to authorize the warrants may be needed. The Board agreed that a request for services should be the process used to consider selecting a realtor to sell the Town's Hildreth Road property.

15. Executive Session: At 7:35 p.m. Chairman Multer moved, seconded by Selectman Daniel to enter executive session pursuant to 1 MRSA § 405(6)(C) regarding acquisition of real property; motion passed 3-0.

16. Adjournment: The Board returned to open session at 8:10 p.m. and the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Treasurer's Report

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