

**Board of Selectmen's Meeting Minutes**  
**October 4, 2012**  
**Harpswell Town Office**  
**Approved on October 18, 2012**

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

**Selectmen Present:** Elinor Multer and James S. Henderson. Selectman Alison S. Hawkes absent.

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

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

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

**2. Public Comment:** Mary Ann Nahf, chair of the Shoreland Zoning Task Force, stated the Task Force has held several public forums and heard a number of points that are being considered. The Task Force meets once a month and the public is invited to attend or contact the Town Planner with any ideas or concerns. Robert McIntyre stated Harpswell Heritage Apples will have material available on controlling winter moths at the Harpswell Heritage Land Trust every Monday in October and the second and third Mondays of November from 6:00 pm to 8:00 pm. Mr. McIntyre referenced an article in the Forecaster that reported the Maine Forestry Service is conducting a scientific study on the winter moths in Harpswell. Mr. McIntyre noted the apple tree at a property on Rt. 123 (Knight's corner) is historic and may be the first Maine Baldwins in Harpswell.

**3. Town Administrator's Report:** Administrator Eiane announced Thursday, October 11 is the Town's annual flu shot clinic from 9:00 am – 12:00 noon and 5:00 pm – 7:00 pm. The clinic is administered by CHANS (Community Health and Nursing) and donations are accepted.

**4. Selectmen's Announcements:** Selectman Henderson announced absentee ballots are available for the November 6 election at the Town Clerk's Office.

**5. Approval of the Minutes:** Selectman Henderson moved, seconded by Chairman Multer to approve the August 7, August 16, September 13 and September 20 minutes; motion passed 2-0.

**6. Old Business: Matthes Wharf Application, 365 Gun Point Road, Map 37, Lot 27:** Selectman Henderson moved, seconded by Chairman Multer to remove this item from the table; motion passed 2-0. Administrator Eiane stated at the last meeting there were specific conditions proposed by the applicant which the Town Attorney has removed. The Town Attorney has proposed in the Notice of Decision, the three normal conditions, one reworded condition regarding tying up of vessels and an additional condition regarding the location of vessels on the float. Deputy Administrator Sawyer noted Greg Coyne, the abutter who attended the last meeting, phoned today to ask if conditions will follow the property. Deputy Administrator Sawyer read the attorney's email to Mr. Coyne stating that land use permit conditions typically follow the property and that the Board could assure it by causing the Notice of Decision to be recorded. There was a discussion regarding recording the Notice of Decision. The hearing was opened and closed at 6:18 p.m. Selectman Henderson moved, seconded by Chairman Multer to approve the wharf system permit and stated the findings for the Notice of Decision, with the attorney's conditions, and a condition that the permit not be issued until proof of recording the Notice of Decision is submitted to the Town; motion passed 2-0.

**7. Wharf Applications**

- **John Libby, 270 Gun Point Road, Tax Map 38, Lot 58:** Bill Wells, Code Enforcement Officer, described the proposal for access stairs to a 6' x 8' access platform leading to access stairs to a 6' x 8' fixed pier, a 30' seasonal ramp and a 12' x 16' seasonal float. Selectman Henderson asked if the public could

pass by the structure to fish, fowl and navigate; Mr. Wells responded yes under the ramp at all tides. The hearing was opened and closed at 6:24 p.m. Selectman Henderson moved, seconded by Chairman Multer to approve the permit and stated the findings for the Notice of Decision; motion passed 2-0.

- **Susan & Sydney Smith, 37 Frostfish Cove Road, Tax Map 6, Lot 30:** Removed from agenda.

**8. Consider Placing Public, Education, Governmental Equipment for Public Bid:** Deputy Administrator Sawyer explained that with the recent replacement of certain Town-owned media equipment at the Town Office and TV Studio, bids for the removed equipment can be solicited. David Chipman stated Harpswell Community Broadcast Corporation is hosting this year's annual CTAM (Community Television Association of Maine) meeting which may generate interest in the equipment. Mr. Chipman stated the original equipment was purchased with franchise money and that he would like the Board to consider asking Town Meeting to allow for more equipment purchases in the amount of revenue derived from selling the equipment. Deputy Administrator Sawyer stated the equipment list could be put in bid form that could be provided to the meeting attendees. Chairman Multer moved, seconded by Selectman Henderson to authorize the bids; motion passed 2-0. Mr. Chipman indicated the digital conversion is almost complete.

**9. Consider Issuing Requests for Proposals:** Ronald Ponziani, Road Commissioner, stated he will address road maintenance issues on a case-by-case basis instead of sending a package out to bid.

- **Winter Sand:** Administrator Eiane stated there is a new specification added to the request for proposals (RFP) for winter sand that allows the Road Commissioner to randomly inspect the quantity of the delivered loads. Chairman Multer moved, seconded by Selectman Henderson to issue the RFP; motion passed 3-0.
- **Road Maintenance:** Removed.

**10. Consider Collective Bargaining Unit Agreement:** Administrator Eiane stated the prior contract for the Town's 4-person union at the Recycling Center and Transfer Station ended December 31, 2011. Negotiations for a new contract began in 2011 and in the end both sides compromised. The main changes include: a 5% health insurance contribution from the employees for the single rate; a wage increase of 2% in 2012, 2% in 2013 and 1.5% in 2014; Town contributions to the pensions at a rate of \$1.95 per hour worked per employee in 2012 and \$2.00 in 2013 and 2014; and a new training section. The contract continues to include longevity steps that were not changed. Chairman Multer moved, seconded by Selectman Henderson to approve the contract; motion passed 2-0.

**11. Consider 2013 Budget Directives:** The Selectmen discussed certain budget aspects and agreed to include a 2% raise for employees and that the Budget Advisory Committee (BAC) should comply with LD1 and prioritize any items above LD1 if needed. The Board agreed funding for the emergency services garage should be included and that the BAC should consider a bond issue to address the pier at Mitchell Field. Mr. Roark noted the generator building at Mitchell Field could house the Harbormaster and Marine Patrol boats. Marguerite Kelly, Treasurer, stated a 2013 borrowing will significantly impact the budget in 2014 and future years. Ms. Kelly noted the reduction in the Town's debt from paying off the Town Office building bond has been replaced with the borrowing for emergency vehicles. The Board discussed the boat launch at Mitchell Field and Chairman Multer was not in favor of appropriating or bonding until later; Selectman Henderson requested more specific State grant details and was hesitant to decide without knowing what amount the State would provide. Administrator Eiane stated she could start a reserve placeholder that could be removed later. The Selectmen discussed whether a capital reserve should be proposed for West Harpswell School and they agreed it should until the disposition of the building is determined. The Selectmen asked the public to communicate directly to the Board on ideas concerning reductions in the budget or changing operations.

**12. Signing of a Municipal Quit Claim Deed:** Marguerite Kelly, Treasurer, stated two tax liens were placed on this property for unpaid taxes in 1992/1994 and apparently not released upon payment of the taxes. Chairman Multer moved, seconded by Selectman Henderson to execute the deed; motion passed 2-0.

**13. Consider Amending the Mitchell Field Rules Re: Opening of the Main Gate:** Rob Roark, Chair of the Mitchell Field Implementation Committee, stated the Committee receives requests that the entrance gate be opened to vehicular traffic year round and the Committee is recommending the change. Mr. Roark stated the Committee understands plowing of the center road is not a priority compared to regular main roads but believes the snow plow contractor can make one pass down and one on the return which will be sufficient for traffic. Chairman Multer expressed concern that vehicles may attempt to access Mitchell Field before it is plowed and create issues. Selectman Henderson stated he was willing to consider the proposal. Chairman Multer moved, seconded by Selectman Henderson to table the issue until Selectman Hawkes is present; motion passed 2-0. Mr. Roark stated he reviewed the other proposed changes to the Rules of Mitchell Field suggested by Selectman Henderson and he will bring the changes to the full committee for review at the November 5 meeting.

**14. Consider Setting a Public Hearing for Conservation Closure of Quahog Bay:** Administrator Eiane stated the Marine Resources Committee is recommending a conservation closure of Quahog Bay and the Shellfish Ordinance requires the Board to hold a hearing to consider the closure. The Department of Marine Resources is supportive of the closure. Selectman Henderson moved, seconded by Chairman Multer to set October 18 at 7:30 p.m. as the hearing; motion passed 2-0.

**15. Consider Forming an Economic Development Strategy Committee and Adopting Mission:** Administrator Eiane stated the recommendation to form this committee and adopt its mission comes from the economic development plan consultants. The Board added “including but not limited to...” in the membership area. Chairman Multer moved, seconded by Selectman Henderson to approve the mission; motion passed 2-0.

**16. Other Business:** None.

**17. Public Comment:** None.

**18. Authorization of the Warrants:** Chairman Multer moved, seconded by Selectman Henderson to approve warrant #48 in the amount of \$547,664.58; motion passed 2-0. Payroll warrant #41 in the amount of \$14,843.18 was noted for the record.

**19. Administrative Matters:** Deputy Administrator Sawyer stated Carol Tukey, Town Planner, has provided the Board with proposed ordinance amendments for consideration at the March 2013 Town Meeting in a memo dated September 20, 2012.

**20. Adjournment:** The meeting was unanimously adjourned at 7:50 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Economic Development Strategy Committee  
[Attachments are available at the Town Clerk’s Office or by email at [harpwell@town.harpwell.me.us](mailto:harpwell@town.harpwell.me.us)]