

Board of Selectmen's Meeting Minutes
October 11, 2011
Harpswell Town Office
Approved on October 27, 2011

Page 1 of 2

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

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

The meeting was videotaped for later broadcast 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: Administrator Eiane requested the Board amend the agenda to consider a request from the West Harpswell Baptist Church to use the former West Harpswell School property for a benefit dinner for Cameron VanVlack's family on Saturday, October 15, 2011. The agenda was amended by adding 1.5 Consider Use of West Harpswell School for a Benefit Dinner and adopted by a vote of 3-0. Chairman Multer introduced Sally Daggett and Mark Bower, both attorneys from Jensen, Baird, Gardner and Henry.

1.5. Use of West Harpswell School for a Benefit Dinner: Chairman Multer moved, seconded by Selectman Henderson to approve the request to use the property for the benefit dinner. Selectman Hawkes expressed concerns that this is the second request to use the former School and the Board doesn't have a policy or rules regarding such uses. Administrator Eiane stated Town voters approved a minimal budget and that while policies and procedures should be developed; this request was due to a recent tragic accident. Selectman Hawkes asked if the Board can allow uses of the property and referenced communication from Katherine Chatterjee. Chairman Multer stated the question of uses is not a legal question but certainly could impact the budget. Administrator Eiane noted this one-night event appears to have less budgetary impact than the question of a more regular use such as the temporary library request. Selectman Henderson stated there will likely be several requests for use that the Board will have to review. Kay Ogrodnik stated this request is unique due to the untimely death of a teenager. The motion to approve the use passed 3-0.

2. Consider Amendments to the Public Participation Policy: Robert McIntyre read a statement; including that he believes the policy changes have been due to a personal crusade against him and that it is the public's right to speak and reach as many people as possible through the broadcasts of the Selectmen's meetings. Mr. McIntyre spoke against eliminating the public comment in the beginning of the meeting and only allowing a period at the end of the meeting. C. Matthew Rich stated this policy was developed after the LNG business proposal and it has been amended to make public comment easier, such as allowing two comment periods. Mr. Rich stated the Board has to address agenda items and suggested that if an item has been approved to not allow re-address and that comments need to be directed to the Chair. Kay Ogrodnik spoke against allowing only one public comment period at the end of the meeting as it is not conducive to allowing people to have input in government. Chairman Multer stated when she was elected, her first proposal was to move public comment to the beginning of the meeting for the same reasons expressed and she asked Attorney Daggett why she suggested eliminating the first public comment period. Ms. Daggett explained that the public has a right to attend, see and hear the Board's meetings but not necessarily the right to speak except on public hearing items such as when the Board considers liquor licenses. The Public Participation Policy contains the Board's rules on how the meetings will be conducted. Ms. Daggett stated the Chair expressed an interest in reducing the debate on issues not on the agenda and that is why she suggested allowing a comment period at the end only. The Board discussed continuing to allow both comment periods or only one at the beginning; Selectman Henderson and Selectman Hawkes agreed to allowing both. The Board worked its way through the policy and discussed each suggested amendment and heard additional comments from members of the public during its process. Consensus was reached on not restricting content-based comments and for limiting the public comment period to 5 minutes per speaker at each session. Chairman Multer moved, seconded by Selectman Hawkes to approve the Public Participation Policy (attached) as amended tonight; motion passed 3-0.

3. Executive Session Pursuant to 1 M.R.S.A. § 405 (6)(D) To Discuss Labor Negotiations: Chairman Multer moved, seconded by Selectman Henderson to enter executive session; motion passed 3-0.

4. Adjournment: The meeting returned to open session and was adjourned at 9:05 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Public Participation Policy

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