

Board of Selectmen's Meeting Minutes
October 18, 2012
Harpswell Town Office
Approved on November 1, 2012

Page 1 of 4

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

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

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.

1. Adoption of the Agenda: Chairman Multer moved, seconded by Selectman Hawkes to adopt the agenda; motion passed 3-0.

2. Public Comment: John Boomer stated utility poles were recently installed on the west side of Route 24 near the Long Reach marsh impacting the scenic view of the marsh. The poles and lines have always been located on the east side. Mr. Boomer asked the Board to preserve the views in Town and require Central Maine Power to follow the existing utility corridor. Administrator Eiane stated she has informed CMP of the concerns. CMP indicated the poles were relocated to the west side for public safety reasons. The Board agreed to ask CMP to stop work associated with the poles and to request a meeting. Selectman Henderson noted the poles could impact economic development associated with the scenic views. Robert McIntyre stated Harpswell Heritage Apples will have material available on controlling winter moths at the Harpswell Heritage Land Trust from 6:00 pm to 8:00 pm on October 22, 29, November 12 and 19. Mr. McIntyre asked the public not to use pesticides on the moths as it will not work and could harm shellfish.

3. Town Administrator's Report: Administrator Eiane reported the Town's 2012 local property tax assistance program has refunded 75 households (73 property owners and 2 renters) that paid property tax or rent in 2010, a total of \$24,381. The Town's program is modeled after the State's program. In order to be eligible for the Town's program, an applicant must have received a refund from the State. A notice of the program was sent with each tax bill and posted on the Town's website. Administrator Eiane stated she attended a Department of Transportation corridor planning session that included a discussion of the issues with Route 24. Tony Barrett, Conservation Commission and Recreation Committee member, was invited as a focus point is to ask DOT to pave the shoulders for bicyclists and pedestrians when it paves the road. DOT was encouraged to add more signs highlighting Harpswell's historic and scenic vistas. This process is ongoing and the public is invited to participate and attend upcoming meetings that will be posted on the Town's website. Administrator Eiane reported she attended a meeting held by the United Way regarding heating assistance programs. Harpswell offers a local program in addition to a general assistance program and the Federal heating program. Administrator Eiane expressed concern to a representative from Senator Collins office regarding the length of time that applicants have to wait until they receive the federal heating assistance funds. Administrator Eiane reported, as requested by the Board, the Town has (1) received a proposal from the Greater Brunswick Housing Authority; and (2) a market opinion from a commercial realtor regarding the value of West Harpswell School. Administrator Eiane announced the Town is hosting an economic development forum on October 25 at 7:00 p.m. to solicit input on economic development ideas including, but not limited to, the appropriate Town role in economic development. Additionally Selectman Hawkes has worked with the Town's consultant to organize additional meetings to reach out to the fishing community on October 24 at 6:00 p.m. at Cook's Lobster, October 29 at 6:00 p.m. at West Harpswell School and October 30 at 6:00 p.m. at Watson's Store. Chairman Multer requested an update regarding the Town's email issues. Deputy Administrator Sawyer stated the Town was unable to send emails to anyone with a Comcast.net address and after a lengthy process, the Town determined it was blacklisted by Comcast despite Comcast's support personnel stating that was not the case. Chairman Multer expressed dissatisfaction with Comcast.

4. Selectmen's Announcements: None.

5. Consent Agenda: 1) Approval of the Minutes; 2) Election Appointments: Selectman Henderson removed the election appointments from the consent agenda. Chairman Multer moved, seconded by Selectman Henderson to approve the October 4 minutes; motion passed 3-0. Selectman Henderson asked Rosalind Knight, Town Clerk, if there were other election workers as the list for appointments is not balanced between political parties. Ms. Knight stated there were additional workers and she is aware of the law of balancing the parties and Harpswell's elections comply. Selectman Henderson moved, seconded by Chairman Multer to make the appointments [Election Ballot Clerks: Monique Coombs, Jane Gott, Linda Hall, Tracy Johnson-Colby, Ellen Lebauer, Terri Sawyer, Marilyn Strout; Warden: Susan Lowery; Deputy Warden: Signe Daniel, Patricia Leary, Megan Hubbard, Thomas Rothwell, Janet Coombs and Margaret Bonarrigo]; motion passed 3-0.

6. Consider Entering Discussions with the Harpswell Coastal Academy Public Charter School for Use of the Former West Harpswell School Building: Joe Grady, chair of the Harpswell Coastal Academy (HCA), stated HCA is applying to the State to form a charter school beginning in the fall of 2013. HCA has looked into Harpswell sites to locate the school and West Harpswell School may be an option but there is a complication with the Town's time frame. John D'Anieri stated the HCA Board is looking for a one-year lease for June 2013 to June 2014 and he understands that the time frame crosses two fiscal years for the Town. Mr. Grady explained that since the Charter school would begin with two grades (six and nine) in the first year a large space is not needed. Chairman Multer stated that Town Meeting would have to authorize. Mr. D'Anieri suggested HCA could find an alternative space for the first year and an article go before the March 2013 Town Meeting. Mr. Grady stated his concern is that Town Meeting would vote on feelings about a Charter school and not about the use of the building. HCA expects to hear from the State on its application by January 31, 2013 and HCA would need to know it can use the building by then. Selectman Henderson suggested the Board could conceivably enter a one-year lease on condition the State approves the Charter school in January 2013. Selectman Henderson asked what HCA is willing to consider for rent; Mr. D'Anieri responded a lease amount from \$25,000 - \$50,000 could be paid for two years for a turn-key site. Selectman Henderson stated a risk of entering a lease before Town Meeting is that voters may reject a multi-year lease. Administrator Eiane stated she is not sure if the Board has the authority to enter a one-year lease within HCA's timeframe without Town Meeting approval. The Board agreed the Board's authority has to be made clear and to seek input from the Town attorney. Administrator Eiane noted the Town of Cornville voters authorized the transfer of a former school to a charter school group for one dollar with the condition that the school reverts back to the town upon termination of use by the Charter school. The Board will get back to HCA once it investigates its authority and options.

7. Consider Ash Point Community Library (APCL) Request Re: Town-owned Books: Lisa Nelson asked the Board to consider donating the Town-owned books located at APCL to APCL for two main reasons: 1. the Library is the natural home; and 2. APCL has received so many donated books from Brunswick that it is difficult to keep APCL's book separate from the Town's. Chairman Multer stated that when the Town disposes of excess property; the items need to be offered on the market, including offering to the other two libraries. There was a discussion regarding the difficulties with labeling the books and maintaining the separation of the books. Donna Frisoli stated APCL wants to sort through the books and retain a collection and donate the rest to the Harpswell Community School. Administrator Eiane stated Town Meeting authorizes the Board to sell excess property through a public bid or competitive process and the Town Attorney has advised that the other libraries should be allowed to participate. The Board discussed how to involve the other libraries. Selectman Hawkes prefers to send a letter to the other libraries stating the books are going to APCL and to notify the Town if there is a conflict. Chairman Multer moved, seconded by Selectman Henderson to allow APCL to offer 2/3 of the books to the other libraries [\$1 from each] and to transfer the remaining books to APCL for \$1; motion passed 3-0.

9. 7:00 PM Public Hearing on the November 6 Secret Ballot Re: Treasurer Position: The hearing was opened at 7:08 p.m. Gordon Weil expressed concern about the proposal and asked certain questions: 1. Can an

appointed treasurer carry out functions with independence? Chairman Multer responded there will be no change in the Treasurer function and input from the auditors will be sought on how to keep functions without interference. 2. Can an appointed treasurer be removed by the Selectmen during the three-year term? Chairman Multer responded "Yes," with cause". Mr. Weil stated Town Meeting needs to adopt the details involved with an appointed treasurer such as discharge with cause and ability to remain independent. 3. Will the Treasurer's pay be part of the administrative budget and no longer listed separately for the voter's knowledge? Administrator Eiane stated there is a pay increase proposed and perhaps an appointed treasurer's pay could be listed in the treasurer's office budget. 4. What will the relationship between an appointed treasurer and the Town Administrator be? Chairman Multer responded the treasurer would report to the Town Administrator. Mr. Weil stated the Board has not thought this proposal all the way through for such an important vote that will change Harpswell's way of doing things. Given that the question is going before the largest electorate, with a majority that do not follow local issues, Mr. Weil encouraged the Board to mail out a bulletin detailing the full issue, including the questions he raised tonight. Mr. Weil asked the Board, assuming the article passes, to place implementing steps on the March 2013 Town Meeting warrant. Selectman Henderson agreed that it would be reasonable to place ordinance language on the Town Meeting warrant. Selectman Henderson asked if Mr. Weil thought sending a bulletin would be promoting the Selectmen's position to vote in favor of the change; Mr. Weil responded more information is needed for the voters. Selectman Hawkes agreed the Board did not send out enough information detailing the pros and cons. Selectman Henderson noted the Board agreed to place this question on the November ballot to allow it to take affect in March 2013. Linda Hall stated she has a lot of the same questions as Mr. Weil and additional questions. 1. How will the process work? 2. Does a chosen person have to live in Harpswell? No, neither does an elected treasurer. 3. Will the hiring process be transparent or in executive session? Administrator Eiane responded the interviews of candidates could be in executive session and the final outcome would be in public session. Judith Redwine stated that 4 or so years ago, the Board formed the Governance Committee and it made a recommendation to maintain the elected position and she asked what has changed. Chairman Multer stated she recalls the Committee made the recommendation due to Town Meeting recently defeating an article to change multiple positions from elected to appointed. Ms. Redwine stated the position should be kept in the public forum and not up to three people [Selectmen]. Selectman Henderson asked Ms. Hall if she thought sending out information would be promoting the Board's position; Ms. Hall responded both sides of the issue need to be provided to the voters. Mr. Weil offered to provide a written statement in opposition to the Selectmen's position. The Board agreed this issue was important as anyone could be elected treasurer without qualifications and expertise is a must in this position. Marguerite Kelly, Treasurer, stated she had nothing to do with bringing this vote forward as it is was one of the Board of Selectmen's goals and objectives for 2012. Ms. Kelly agreed bringing some aspects to the March 2013 Town Meeting is sensible. The hearing was closed at 8:05 p.m. The Board discussed sending a bulletin and adding historical information from past votes and the Governance Committee findings.

8. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed monthly report for September (attached).

10. Reschedule Public Hearing Re: Conservation Closure of Quahog Bay: Administrator Eiane requested the Board re-schedule the hearing on the proposed conservation closure of Quahog Bay to November 1 at 7:00 pm as the hearing scheduled for tonight was not properly advertised in a local newspaper. Selectman Henderson moved, seconded by Chairman Multer to set the hearing as proposed; motion passed 3-0.

11. Recommendation for Winter Sand Vendor: Administrator Eiane reported three responses were received to the Town's request for proposals for winter sand: Glen Dube \$10.24/yard; Ray Labbe & Sons \$12.50/yard; and Copp Excavating \$10.73/yard. Chairman Multer moved, seconded by Selectman Henderson to accept Glen Dube's bid for winter sand; motion passed 3-0.

Administrator Eiane stated there were three responses to the Town's request for proposals for culvert replacements/repairs: Ray Labbe & Sons \$18,965; R.A. Webber & Sons \$19,286; and Country Fare \$23,445. Chairman Multer moved, seconded by Selectman Henderson to authorize Labbe to do the work; passed 3-0.

12. Other Business: Administrator Eiane stated the Town received a letter from the Sebascodegan Road Association concerning the safety at the intersection of Oakledge and Cundy's Harbor Road. The Board agreed to forward the letter to the Department of Transportation for review.

13. Public Comment: None.

14. Authorization of the Warrants: Chairman Multer moved, seconded by Selectman Henderson to approve warrant #50 in the amount of \$732,117.53; motion passed 3-0. Payroll warrant #43 in the amount of \$14,756.36 was noted for the record.

15. Administrative Matters: Administrator Eiane stated she spoke with Captain Goulet and clarified that only 16 – 20 coves will be completed this year; Selectman Hawkes stated she would prefer a change in the contract for future years detailing that the clam flats will be surveyed in all coves. The Board agreed to meet with Scott Culture regarding the marine patrol services proposal when Selectman Henderson returns and with CMP next week if need be.

16. Adjournment: The meeting was unanimously adjourned at 8:45 p.m.

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 harpwell@town.harpwell.me.us]