

Board of Selectmen's Meeting Minutes
November 1, 2012
Harpswell Town Office
Approved on November 15, 2012

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At 5:30 pm, Chairman Multer moved, seconded by Selectman Hawkes to enter executive session pursuant to 1 M.R.S.A. § 405 (6)(c) to discuss Mitchell Field lease negotiations; motion passed 3-0. The Board returned to open session at 5:45 p.m. and recessed until 6:00 p.m.

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 Henderson to adopt the agenda as amended by removing item 7 conservation plan and adding an election worker appointment under item 10; motion passed 3-0.

2. Public Comment: None.

3. Town Administrator's Report: Administrator Eiane stated she understands all power in Harpswell has been restored. Harpswell was very fortunate based on the hurricane's devastation in other areas. Administrator Eiane asked if the Board wanted to consider waiving the brush disposal fees associated with the storm; a discussion regarding the topic was added under item 10. Administrator Eiane reported that a bulletin was mailed last week that primarily covered the November 6 ballot question relating to changing from an elected to an appointed treasurer and he encouraged voters to be informed of the issue. The Town will have three voting sites, based on voting districts, located at the Merriconeag Grange, Old Orr's Island Schoolhouse and Cundy's Harbor Community Building. The last day for voting by absentee was today; unless there is a hardship and more information can be obtained from the Clerk's Office. Deputy Administrator Sawyer announced there will be a free health clinic offered by University of Southern Maine School of Nursing's Casco Bay Community Partnership on Sunday, November 4 from 10:00 a.m. to 2:00 p.m. at the Old Orr's Island Schoolhouse. Certain services will be provided at no cost and all are encouraged to attend.

4. Selectmen's Announcements: Selectman Henderson announced he would not be running for Selectman in March 2013 and encouraged others to consider serving the Town. Chairman Multer noted to all candidates that have political signs posted that they must be removed within one week of the election.

5. Approval of the Minutes: Chairman Multer moved, seconded by Selectman Hawkes to approve the October 18 minutes; motion passed 3-0.

6. Status of Lease Negotiations with Harpswell Oceanic Center for Mitchell Field Marine Business District: Selectman Henderson read the Board of Selectmen's Statement (attached) regarding the status of negotiations with Harpswell Oceanic Center (HOC). **Chairman Multer moved, seconded by Selectman Henderson to approve the statement.** Joanne Rogers, President of HOC, read a statement (attached) regarding the status as well. Tony Barrett, HOC Board Member, stated that point one of the Town's statement implied that HOC asked the Town to put up Mitchell Field as collateral for HOC's loan agreement or undertake payment of HOC's loan if HOC defaulted. HOC has only requested to subordinate the Town's lease payments. Mr. Barrett stated banks have provisions to protect landlords. Selectman Henderson responded that the Town's legal advice was there was a risk of losing the Town's property. Selectman Henderson stated the concept of HOC's proposal was a wonderful idea and he has hope for the future that ultimately something may work out. The Board did try

to help the process succeed such as allowing HOC to apply for permits before a lease was signed and that the Board has not marketed the property since negotiating with HOC. Selectman Henderson stated several of Ms. Rogers' points other than the Town's four key points such as the lease fee, may have been able to be resolved. **The motion passed 3-0.**

7. Consider Draft Conservation Plan for Hildreth Road Property, Map 3, Lot 73: Removed.

8. Recommendation for Emergency Vehicles Garage Team: Administrator Eiane stated the Town issued a request for proposals seeking a project team to provide site selection, architectural, and engineering services for a two-bay garage on Town property. Five responses were received: Douglas Richmond Architects, Normand Associates Architects, Theodore & Theodore Architects, Sitelines, and Wright-Pierce. The Town's selection team (Selectman Multer, Treasurer Marguerite Kelly, Planner Carol Tukey, Deputy Administrator Terri Sawyer and Administrator Kristi Eiane) interviewed all five respondents and is recommending the Board contract with Normand Associates Architects of Topsham. Steve Normand is a Harpswell resident and a member of the Orr's/Bailey Fire Department. Mr. Normand's plan kept the project in scale and scope with future plans of expandability. Normand's team includes Tom Saucier, civil engineer, who will be key in the site plan issues and permitting. If the Board concurs with the recommendation, a contract could be prepared for November 29 meeting. Chairman Multer added the selection team interviewed Mr. Normand and Mr. Saucier and asked many specific questions. Chairman Multer moved, seconded by Selectman Hawkes to accept the recommendation for Normand Architects team to site and design the garage to house the paramedic, paramedic vehicle and other items; motion passed 3-0.

10. Other Business: A. Election Worker Appointment: Chairman Multer moved, seconded by Selectman Henderson to appoint Jane Meisenbach as an election ballot clerk; motion passed 3-0.

B. Consider Waiver of Storm-related brush disposal fees: Selectman Hawkes said she was satisfied accepting the Manager's recommendation to not waive the fees. Chairman Multer concurred stating that fees should be waived when associated with extreme storms. The Board did not take any action.

11. Public Comment: None.

12. Authorization of the Warrants: Chairman Multer moved, seconded by Selectman Henderson to approve warrant #53 in the amount of \$41,744.02; motion passed 3-0. Payroll warrant #45 in the amount of \$15,055.97 was noted for the record.

13. Administrative Matters: The Board scheduled a workshop regarding the 2013 capital road project for December 3 at 10:00 am to be followed by a workshop with Scott Couture regarding a proposal for marine patrol services. The Board scheduled a workshop regarding the Harpswell Coastal Academy's (HCA) proposal for December 5 at 10:00 a.m. HCA should be prepared with its proposal and details and staff was asked to prepare cost figures for use of the West Harpswell School building.

9. 7:00 p.m. Public Hearing Regarding Conservation Shellfish Closure of Quahog Bay: The hearing was opened at 7:00 p.m. Deputy Administrator Sawyer stated the Marine Resource Committee has requested the Board place a seasonal closure on the flats of Quahog Bay on an annual basis from October 1 to May 31 from Sunday through Wednesday of each week. David Wilson, Marine Resource Committee chair, stated there are no other conservation closures at this time in Town and the Committee is considering asking for two additional cove closures. Mr. Wilson stated implementing this scheduled closure helps preserve the resource and is best for the clamming industry. Quahog Bay is over harvested and has been impacted by a disease that has been identified in Harpswell. It has very little clam stock. The closure will also reduce the number of times the clams are flipped as clams can only survive 2-3 mud flips. Deputy Bradbury, Marine Patrol Officer, stated Deputy Kyle Neugebauer attended the Committee's meeting when this closure recommendation was discussed and stated that they both

support the closure and do not foresee an enforcement issue. Chairman Multer asked if there will be any ways of measuring improvements of the cove with the closure. Deputy Bradbury stated the cove was surveyed in 2010 and the next survey will provide improvement information. Mr. Wilson added any biologist could testify that closures result in positive gains. The time of closure was confirmed to be from 12:00 a.m. Sunday to 11:59 p.m. Wednesday. Chairman Multer moved, seconded by Selectman Henderson to approve the closure as outlined; motion passed 3-0.

14. Adjournment: The meeting was unanimously adjourned at 7:13 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Selectmen's Statement Re: Harpswell Oceanic Center Negotiations
Harpswell Oceanic Center Statement

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