

Selectmen's Meeting Minutes
November 30, 2017
Harpswell Town Office
Approved December 14, 2017

Selectmen present: Richard Daniel, Chair; Kevin Johnson and David I. Chipman

Staff present: Kristi Eiane, Town Administrator; Marguerite Kelly, Town Treasurer; Art Howe, Fire Administrator; Mark Eyerman, Town Planner and Ron Ponziani, Road Commissioner

Adoption of the Agenda: Chairman Daniel moved to adopt the agenda; it was seconded by Selectman Johnson and passed 3-0.

Public Comment: Mark Eyerman asked the Selectmen to consider some form of recognition of former Selectwoman Ellie Multer whose memorial service had been held recently. He was not certain what Town policy was with regard to this type of request.

Selectmen's Announcements: Chairman Daniel explained that State representatives would be attending the Selectmen's meeting later this evening at 6:30pm primarily to discuss CMP's response to the October windstorm. Chairman Daniel also noted that he had attended last evening's remembrance ceremony in honor of former Board member Ellie Multer, noting he had spoken with her most recently about CMP's poor response to the storm.

Town Administrator's Report: None.

Consent Agenda: Selectman Chipman moved to authorize approval of the consent agenda with a correction to the minutes [November 16 minutes; and authorization of Warrant # 48 in the amount of \$233,572.94 and Payroll Warrant # 48 in the amount of \$16,995.43]; it was seconded by Selectman Johnson and passed 3-0.

Recycling Center/Transfer Station Matters: As a result of the current contract expiring at year's end, Manager Chuck Perow noted that the Town issued a request for proposals for solid waste disposal. There were several responses, and Manager Perow is recommending that the Town contract with Casella [Pine Tree Waste], the current provider and low-bidder, for a new multi-year contract. He reported that the Budget Advisory Committee reviewed the matter and recommended that the Town opt for disposal with Casella by incineration rather than in a landfill. Selectman Chipman moved to endorse the recommendation; it was seconded by Selectman Johnson and passed 3-0.

Manager Perow reviewed an updated chart of tires and pricing (attached). He recommended that the new pricing be adopted with an effective date of January 1, 2018. Chairman Daniel moved to adopt the pricing schedule for tires effective January 1 per recommendation of the Manager. It was seconded by Selectman Chipman and passed 3-0.

Manager Perow announced that the Recycling Center/Transfer Station facility has new signage indicating that it is a smoke-free campus—a decision made earlier in the year by the Board of Selectmen. He also reported that 81 tons of storm-damaged brush had been collected to date and he thanked the staff for the help they have provided the public in this effort. The Board has

waived storm-related brush fees through December 16 to incentivize clean-up by property owners.

Mitchell Field

Contract Award for Pier Demolition: Barney Baker of Baker Design Consultants reported that the Town received three bids and he has assembled a bid package with the low bidder, Reed & Reed, for the Board's consideration. Baker recommended the Town award the contract to Reed & Reed in the amount of \$3,157,765, noting there were corrections to be made to insurance coverages. The proposed contract amount would allow for de-construction activities to occur through the summer of 2018. According to the schedule provided by Reed & Reed, the Contractor expects to have all marine work done by the spring. The Contractor will bring most demo materials on site for processing and the materials will then be trucked from the site. Reed & Reed expects to finish the project by September 2018, but the contract could go to May 2019 if the company experiences any delays. Baker noted there would be corrections to insurance, including for auto liability coverage and naming the Town and Baker Design Consultants as additional insured. Chairman Daniel moved to enter into the contract with Reed & Reed for the amount of \$3,157,765; it was seconded by Selectman Chipman and passed 3-0.

Amendment to Contract with Baker Design Consultants: Barney Baker explained that his April 2017 contract proposed construction and field administration tasks, for the pier demolition project, to which the Town had not yet agreed. Now that the Town was moving forward with a contract, Baker asked the Board to consider amending the contract between the parties to include those services. The total amount of the contract would be \$155,472. Selectman Chipman moved to approve the amendment; it was seconded by Selectman Johnson and passed 3-0.

Agreement with PlanME for Project Management: Administrator Eiane proposed that the Board consider contracting with PlanME, a company owned by Mark Eyerman, for project management services related to the pier demolition project. Such services would be separate from the general planning services contract the Town has with PlanME and would include serving as the Owner's representative, keeping the public informed and bringing issues to the Town's attention that need action. The cost of the agreement through June 2018 is expected to be \$9,100. It was moved by Selectman Chipman to approve the agreement, seconded by Selectman Johnson and passed 3-0.

Resolution Authorizing the Issuance of Bonds: Treasurer Marguerite Kelly informed the Board, that as part of the bond issuance process, it would have to approve a resolution (attached). Chairman Daniel moved that the Resolution entitled "Resolution Authorizing Issuance of An Amount Not To Exceed \$5,000,000 Of General Obligation Bonds For the Mitchell field Pier Demolition Project," be approved in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting; it was seconded by Selectman Chipman and passed 3-0.

Pier Breaking Ceremony at Mitchell Field: Barney Baker asked Selectmen to consider holding a ceremony as soon as next Thursday, December 7. The Board agreed to hold that date open.

Legislative Update Relating to Public Utilities: Harpswell's representatives to the State Legislature, Representative Jay McCreight and Senator Brownie Carson, as well as

Bowdoinham's Representative Seth Berry, attended the Selectmen's Meeting to discuss CMP's response during the October windstorm. Representative Berry was invited because of his position serving as House Chair of the State's Energy and Utilities Committee. All representatives were in agreement that this was a long and difficult outage for many CMP customers, noting that the areas of Harpswell and Freeport were especially hard hit, and that CMP should have been better prepared to handle the aftermath.

Representative Berry explained that the Committee he co-Chairs has an oversight role of CMP, and that he and many others are concerned about the lack of readiness and poor response of CMP, including the inaccurate information posted on its website. Chairman Daniel expressed appreciation for the representatives attending the meeting. He indicated that he had a special concern about the trees, entangled in wires, coming down across roads and interfering with emergency vehicle access and rendering people unable to leave their homes. In his opinion, clearing roads should be considered a priority. Chairman Daniel would like to see a mechanism whereby roads could be cleared much sooner. He was also very disappointed with the inaccurate information provided on CMP's website.

Selectman Johnson noted that there were a lot of trees on private property that fell during this storm creating major problems—particularly on Route 123. Representative Berry agreed that the State is heavily forested and rural, but he also noted that CMP had reduced its number of line workers and CMP could consider using a different coating that would hold up better and burying some lines underground to reduce outages. Representative Berry noted that a shortage of field assessors and trained personnel contributed to the delayed response in some areas. He shared concerns about safety, inaccurate website information, a poorly coordinated effort and lack of night-time work.

Harpswell resident Gordon Weil, a former member of the Harpswell Board of Selectmen, a Public Advocate and State Energy Director, addressed the Board. He advocated for CMP to use tree wire, which is coated and able to withstand more duress. Mr. Weil recommended that CMP have a much better field operation and assessment process, and that it consider a model which might rely more heavily on local officials, such as EMAs, to provide field reports. He agreed that pole installation and restoration of power efforts, particularly involving out-of-state crews, were not well coordinated, and that CMP's public information was terrible. He noted that CMP could inform when a line is not energized so that others could take action to clear roads and not be held up waiting for CMP's response. He encouraged the Board to make a lot of noise, go to the Committee meeting in Augusta and make sure that Harpswell's voices are heard. He also mentioned that people have to be more open to having trees cut near power lines if they do not want service to be lost so frequently. He explained that 10 customers could file a complaint and it will get the PUC's attention. He noted that CMP's response has been to its shareholders and pressure needs to be exerted to make sure that customers are a priority. He suggested that the Board consider requesting an appointment with the President of the company.

Road Commissioner Ron Ponziani explained that CMP was handling a major outage and he understood that CMP had run out of telephone poles which slowed down restoration efforts.

Representative Berry thanked the Board for the opportunity to have a public conversation and expressed his appreciation for getting feedback from the Board and the public. He invited

everyone to attend a public hearing in Augusta, likely in January, to make sure that their voices are heard; otherwise he noted that CMP will control the message about its response to the outage.

At 7:35pm, the Board took a 5-minute recess.

Orr's/Bailey Islands (OBI) Fire Department Request to Use Funding: Bob Garver, President of OBIFD, provided the Board with an update on the renovation project at the OBI Fire House. The Town had secured a \$60,000 CDBG grant for the project and appropriated an additional \$30,914 should that be needed. The Board had previously approved \$15,000 of the \$30,914 to be used for a sprinkler system, and Mr. Garver was asking the Board to allow the remaining funds to be used for upgrading the septic system—both the sprinkler and septic systems were not included in the original project scope. Selectman Chipman moved to approve the request; it was seconded by Selectman Johnson and passed 3-0.

Community Development Block Grant (CDBG) Pre-Applications: The Town Administrator explained that the Town has an opportunity to submit pre-applications to the County CDBG program to receive feedback on its concepts. The Fire Administrator is proposing a smoke/carbon monoxide alarm and house numbering program and the Town Planner is proposing an emergency electrical supply (portable generator) program. Chairman Daniel moved to have the Town submit the proposed grant concepts for pre-application review; it was seconded by Selectman Chipman and passed 3-0.

Proposed Amendments to the Subdivision and Wireless Telecommunications Ordinances: Planner Mark Eyerman indicated that based on recent experience the Town should consider revising its flexible lot size subdivision language with regard to open space to make it more workable. The proposed language will make this option more likely to be implemented by relying on deed restrictions and covenants rather than on conservation easements that have to be held by a third party. Chairman Daniel moved to put these proposed changes to the Subdivision Ordinance in front of the [2018] Town Meeting voters; seconded by Selectman Chipman and passed 3-0. With regard to the Wireless Telecommunications Ordinance, Mr. Eyerman explained that the Town's current ordinance is outdated and inconsistent with federal regulations. In the short-term, the Planning Board is recommending amendments be considered at the 2018 Town Meeting that would close some loopholes and clarify what constitutes an existing facility. In the long-term, the Planning Board would like to take more time to consider an overhaul of the ordinance that could be presented to the 2019 Town Meeting. Selectman Chipman moved to put these [short-term] amendments in front of voters; it was seconded by Selectman Johnson and passed 3-0.

2017 Engagement Letter for Audit Services: The accounting firm RHR Smith is proposing to provide audit services for fiscal year 2017. Chairman Daniel moved to engage, by contract, RHR Smith to provide audit services for the Town of Harpswell; it was seconded by Selectman Chipman and passed 3-0.

Orr's Island Cemetery Association, Inc. Request for Partial Road Closure: The cemetery is seeking the Board's permission to close a portion of Lowell's Cove Road on July 28 for a fundraising event. The organization has completed the Town's application for a Temporary Street Closing, and the Town has previously approved a similar request from the organization.

Selectman Chipman moved to approve the request; it was seconded by Chairman Daniel and passed 3-0.

Bids for Sale of Pick-Up Truck: The Town received two bids: one from Zachary Morse in the amount of \$2,500 and one from Ron Chipman in the amount of \$617. Selectman Johnson moved to award the bid to Zachary Morse for \$2,500, and if that did not happen, go to the next bidder; it was seconded by Chairman Daniel and passed 2-0 with Selectman Chipman abstaining since one bid involved his brother.

Acceptance of Donations: The Board approved the following list of donations: Maureen Zarnfaller, \$25 for bandstand; Islands Community Church, \$500 for heating assistance; Helen Norton \$1,000 for bandstand; Jim and Marijo MacAdam, \$500 for heating assistance; Elain Bauer, \$30 for heating assistance; and All Saints' Chapel, \$500 for heating assistance.

Public Comment: None.

Other Business: None

Administrative Matters: The Board was reminded of a Special Meeting on Thursday, December 7, 6pm, to consider proposals for Bond Anticipation Financing.

Adjournment: The meeting adjourned by unanimous consent at 8:18pm.

Respectfully submitted,

Kristi K. Eiane, Town Administrator

Attachments: Tiring Pricing
Resolution Authorizing the Issuance of Bonds