

**Board of Selectmen's Meeting Minutes**  
**December 1, 2011**  
**Harpswell Town Office**  
Approved on December 15, 2011

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

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

The meeting was videotaped and broadcast live 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:** Chairman Multer moved, seconded by Selectman Henderson to remove item 5.3; motion passed 3-0. Chairman Multer moved, seconded by Selectman Henderson to add Reconsideration of the Goodall Contract Extension under item 17; motion passed 3-0.

**2. Public Comment:** None.

**3. Town Administrator's Report:** Administrator Eiane stated that the Town was not satisfied with Goodall Landscaping's performance of winter road maintenance during this last storm and that she, the Road Commissioner and the Deputy Administrator met with Ben Goodall and his new crew chief on Tuesday to discuss the problems. The Town called out another vendor to sand the roads as Mr. Goodall was unable to fulfill that obligation. Mr. Goodall assured staff that he is working on the issues and will be prepared for the remaining winter storms. Mr. Goodall was put on notice by the Town Administrator that the Board may reconsider the contract extension due to the recent performance issues.

Administrator Eiane reported that Central Maine Power has completed 39% of the smart meter installation project. Administrator Eiane announced that Curt Lebel will not be renewing his contract for assessing services in 2012 as he will be pursuing other opportunities. This will be a great loss to the Town and Administrator Eiane will meet with the Assessing Office Department Head to plan for the future which will most likely include preparing a request for proposals for a certified assessor. Administrator Eiane announced for the Clerk's Office that 2012 hunting and fishing licenses are available and that 2011 dog licenses expire December 31, 2011. If dogs are licensed after January 31, 2012, a \$25 late fee will apply. Administrator Eiane reported there were two recent dog bit incidents involving unlicensed dogs in the Town and the Animal Control Office will provide a report at the next meeting. Cook's Lobster House will hold a benefit dinner and silent auction on December 17, beginning at 4:00 p.m., that will benefit the Harpswell Heating Assistance Program and the Harpswell Santa Fund.

**4. Selectmen's Announcements:** Chairman Multer stated it is the law to license and vaccinate your dogs against rabies. Chairman Multer stated that it adds insult to injury when someone is bitten by an unlicensed dog with no proof of rabies vaccination resulting in the person who was bitten being possibly subjected to a series of rabies vaccination shots. Chairman Multer stated she has no patience for irresponsible pet owners and encouraged owners to license their dogs.

**5. Consent Agenda: 1) Approval of Minutes; 2) Acceptance of Two Safety Enhancement Grants; and 3) Committee Appointment:** Selectman Henderson moved, seconded by Chairman Multer to approve items 1 and 2; motion passed 3-0. [Item 3 was removed from the agenda.]

**6. Wharf Applications**

- 1. Gary Vincent,** Tax Map 37, Lot 65, 439 Long Point Road: Bill Wells, Code Enforcement Officer, reviewed the proposal to replace a float and add another one onto a recently Town-approved wharf system. Jim Hays, Harbormaster stated that he typically can determine whether there is a hazard to navigation by

looking at the site. Mr. Hays handed out a map and reviewed how he determined the navigable channel at this proposed location and stated he has determined there is no issue with navigation. The hearing was opened and closed at 6:22 p.m. Selectman Henderson asked about the Assessing Office's memo from Debbie Turner stating that the applicant's deed is not sufficient for right, title or interest to the intertidal zone. Administrator Eiane responded that the Board approved the existing system under the previous process for determining sufficient right, title or interest, and the proposal now is only to replace a float and add another one. Mr. Wells stated the floats are outside the intertidal zone and do not exceed 500 square feet size, therefore a Submerged Lands Permit is not required. Selectman Henderson moved, seconded by Selectman Hawkes to approve the application and cited the specific findings in the Notice of Decision; motion passed 3-0.

2. **Aaron Smith**, Tax Map 7, Lot 111, 425 High Head Road: Bill Wells, Code Enforcement Officer, reviewed the proposal and the recent proposed amendment to reduce the float from 12x20 to 12x16. The hearing was opened and closed at 6:29 p.m. Selectman Henderson noted the scaled drawing indicates sufficient area under the wharf for the public to pass. Selectman Henderson moved, seconded by Chairman Multer to approve the application and cited the specific findings in the Notice of Decision; motion passed 3-0.

**7. Watercraft Task Force Report:** Jim Knight, Chair of the Watercraft Task Force, reviewed the report from the Watercraft Task Force regarding the Town's three boats. Mr. Knight explained the Task Force's recommendation in detail to purchase a 20-foot fiberglass Maritime boat, 130 hp Evinrude outboard and trailer (total estimated cost of \$54,000) for the marine wardens to replace the existing boat that is no longer safe for use. The recommendation includes purchasing the outboard by December 15 which will save \$2,400 and to sole source. Additionally, it is recommended the Town's boats be stored inside a secure building, a regular maintenance schedule be followed and that the Board adopt a policy regarding appropriate operator training. The Board thanked the Task Force for its thorough work. Administrator Eiane noted the Town currently has \$38,000 in reserve which is insufficient until Town Meeting when voters could consider authorizing additional funding. Administrator Eiane noted the Board has a Competitive Bid Policy that provides a procedure for purchasing items over \$4,000 in value. Chairman Multer suggested speaking with Bamforth to see if the deal could be held until Town Meeting. Selectman Henderson expressed concern about moving so quickly and suggested that waiting until Town Meeting may be best. Mr. Knight recommended sole sourcing with Bamforth as it is a sound local business that can offer service after the purchase. Bamforths is offering a 15% discount and \$2,400 in exchange for other items needed. Chairman Multer asked staff to obtain the specific details from Bamforth and contact other Evinrude dealers for comparison.

**8. Strategic Plan for Emergency Medical Services Report:** Cricket Tupper, Rescue Captain for Cundy's Harbor, stated that due to the decrease in the number of volunteers, there is an evolving need for dedicated medical services in Harpswell. The Town has three viable volunteer organizations with great support and energy but not enough volunteers during the work day. The proposal is to hire a dedicated paramedic to provide the highest level of care Monday – Friday 6:00 a.m. to 6:00 p.m. The paramedic will respond in addition to the respective Fire and Rescue Department for transport and will also provide administrative support. This proposal includes the need for heated space for the vehicle and medications; the Orr's/Bailey Island Fire Department has offered to temporarily house the car and paramedic until the Town can provide a garage. Ms. Tupper stated the Committee, after hearing responses to its needs from four organizations, recommends sole sourcing with Midcoast Hospital as there has been a long standing successful relationship. Chairman Multer suggested the Board authorize staff to talk with Midcoast Hospital to obtain the specific options and details for report back to the Board. **Chairman Multer moved, seconded by Selectman Henderson to accept the Expanded Fire and Rescue Committee recommendations and authorize staff to pursue more information.** Len Freeman, member of the Expanded Fire and Rescue Committee, stated he concurred with the majority recommendation for a dedicated paramedic but he does not agree with sole sourcing as there are other providers that expressed an interest. Mr. Freeman believes this proposal is a short term resolution and that a long term plan is still needed. Mr. Freeman recommended the Board adopt the report as interim; require the three Departments to standardize

their equipment; require the Departments to bill for medical services and form a new committee, including members of the Board of Directors of each of the three Departments, to complete a strategic plan. Selectman Henderson thanked Mr. Freeman for his thoughts and added that a strategic plan could also consider the cost to attract families to Harpswell as potential volunteers. Ed Sparks, Rescue Captain for Orr's/Bailey's Island Fire and Rescue Department, stated the Committee was charged with solving the short-term issue as it's difficult to know where the trends are going and what the needs of Harpswell will be in 5 to 10 years. The Town needs this daytime coverage on Monday through Friday and the administrative support and training that this paramedic will perform. Currently volunteers often lose about 4 hours of work to respond to a call, do the transport and follow up paperwork. With the dedicated paramedic, the volunteer's time will be less per call which will result in being able to attract more volunteers. Mr. Sparks stated the Committee did speak with several providers and Midcoast Hospital offers the total package. Ms. Tupper noted how much training is required and Midcoast Hospital will be able to offer it locally to Harpswell volunteers. Marguerite Kelly, Treasurer, stated the Fire & Rescue Committee chair, David Mercier, presented the report and recommendations to the Budget Advisory Committee (BAC) and the BAC unanimously supported the recommendation for a dedicated paramedic to be located centrally and to sole source with Midcoast Hospital. The BAC had several questions regarding the garage component but recommended the proposal. Ms. Kelly stated that Midcoast Hospital was clearly the best alternative for many reasons including the experience with the paramedic "fly" car program and considering the existing relationship with the Town. Chairman Multer agreed that Midcoast Hospital's response was outstanding. **The motion passed 3-0.**

**9. Consider Contract for Mitchell Field Infrastructure Study:** Administrator Eiane reported the Board previously approved a request for proposals for a consultant to evaluate the infrastructure at Mitchell Field; three responses were received: Wright Pierce, Deluca Hoffman and GZA Environmental (GZA did not attend the mandatory site visit). The Deluca Hoffman response contained more specificity and there were some concerns of conflict with Wright Pierce since it is performing work for Harpswell Oceanic Center. Deluca Hoffman's proposal initially exceeded the Town Meeting appropriation of \$20,000; however, its proposal was revised to meet the needs of the Town within the existing budget. The schedule proposes the project will be completed in the February timeframe. Selectman Henderson asked if the findings are needed in time for the March Town Meeting. Administrator Eiane responded it would be helpful to have the information to apply for an Economic Development Agency (EDA) grant in March and for Town Meeting, and she will continue to work with the consultant toward that goal. Selectman Henderson moved, seconded by Selectman Hawkes to approve the contract with Deluca Hoffman for a preliminary infrastructure study; motion passed 3-0.

**10. Consider an Abatement, Tax Map 52, Lot 160:** Administrator Eiane stated that the Assessing Agent, Curt Lebel, agreed that the property assessment needed a reduction and made the change for the 2012 taxes. State Statute allows up to a 10% deviation in valuation and since the needed reduction was less than 10%, Mr. Lebel did not recommend approving a change for the current tax year which is consistent with past practice in Assessing. Chairman Multer noted the abatement results in a reduction in taxes of \$149 and that is substantial enough to process. Chairman Multer moved, seconded by Selectman Hawkes to grant the abatement for map 52, lot 160 of \$25,800 in value effective 2011; motion passed 3-0.

**11. Consider Award for Winter Sand:** Administrator Eiane reported the Board authorized sending winter sand out to bid and 6 responses were received. The lowest bid was \$10.28 per yard from Copp Excavating, next lowest was \$11.45 from Country Fare, the Town's previous contractor. The Town uses approximately 2500 yards per year. Selectman Henderson moved, seconded by Chairman Multer to accept the bid from Copp Excavating; motion passed 3-0.

**12. Community Development Block Grant Pre-Applications:** Deputy Administrator Sawyer stated that the Town is allowed to submit two general grant applications for a Cumberland County Development Block Grant and staff has prepared two pre-applications for the Board's review. One request is for funding to assist with the

demolition of the two houses at Mitchell Field and the other is for funding to assist with the construction of the emergency services garage. The proposed budget for 2012 includes money for the garage including a feasibility study to help determine the best location for it. Chairman Multer made a change to the language in the application for the demolition of the houses. Chairman Multer moved, seconded by Selectman Henderson to approve submission of the two pre-applications; motion passed 3-0.

**13. Responses Re: Selling of Town-Owned Vehicle:** The following bids were opened: Richard Moody \$777; Roger Landry \$689; Tri-State Auto Brokers \$583; and Chicago Motors, Inc. \$707. Selectman Hawkes moved, seconded by Selectman Henderson to accept the bid from Richard Moody for \$777; motion passed 3-0.

**14. Set Town Meeting Date for Saturday, March 10, 2012:** Selectman Henderson moved, seconded by Selectman Hawkes to set March 10, 2012 as the annual Town Meeting date; motion passed 3-0.

**15. Consider Contract Extension for Generator Building Contract:** Deputy Administrator Sawyer stated the Board authorized a request for proposals for the removal of the contents of the generator building and as a result, the Board entered into a contract with Richard Graves and Eric Field for the work with a completion date of December 31, 2011. Mr. Graves and Mr. Field have requested a contract extension to April 30, 2012 due to the reduction in salvage prices which according to them should increase in the spring. Chairman Multer stated she favored the extension but did not want to be asked for another extension. The Board discussed the matter and agreed that general language be included in the letter, accompanying the extension, that indicates the Board may not be receptive to further extensions. Chairman Multer moved, seconded by Selectman Henderson to approve the extension; motion passed 3-0.

**16. Old Business: Memorandum of Understanding with Curtis Memorial Library:** Selectman Hawkes clarified that this Memorandum commits the Board to place a certain amount on the warrant but that she would have an opportunity to recommend a different amount or not to recommend it at all. Selectman Henderson added Town Meeting has the authority to reduce the amount if voted on the floor. Selectman Henderson moved, seconded by Chairman Multer to approve the Memorandum; motion passed 3-0.

**17. Other Business: Reconsideration of the Goodall Landscaping Contract Extension:** Chairman Multer stated that there is one winter season remaining in the existing contract with Goodall Landscaping and the Board previously voted to extend the contract for another three years. As a result of recent performance issues during the last storm, primarily that there was not sufficient plowing and sanding equipment, the Board discussed the possibility of reconsidering its previous decision to grant a 3-year extension to Goodall. Selectman Henderson moved, seconded by Selectman Hawkes to reconsider the contract extension; motion passed 3-0. Chairman Multer moved, seconded by Selectman Henderson to rescind the extension, proceed through this last year of the current contract and reconsider how to proceed by April 1, 2012; motion passed 3-0. Selectman Henderson asked for information on how Goodall plans to address equipment, personnel and training this year.

**18. Public Comment:** None.

**19. Authorization of the Warrants:** Selectman Henderson moved, seconded by Chairman Multer to approve warrant #62 in the amount of \$223,658.83; motion passed 3-0. Chairman Multer moved, seconded by Selectman Henderson to approve warrant #63 in the amount of \$60,586; motion passed 3-0. Payroll warrant #48 for \$13,891.58 was noted for the record.

**20. Administrative Matters:** The Board scheduled an executive session with the Lease Negotiator for Mitchell Field on December 7 at 10:00 a.m. and provided tentative time slots on December 9 and 14 from 10:00 a.m. to 12:00 noon to meet with developers re: West Harpswell School. The Board discussed the Property Tax Deferral Ordinance option and was in consensus not to pursue implementing it at this time.

**21. Adjournment:** The meeting was unanimously adjourned at 9:07 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments: Watercraft Task Force Report

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