

**Selectmen's Meeting Minutes**  
**January 8, 2015**  
**Harpswell Town Office**  
**Approved on February 5, 2015**

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

**Selectmen Present:** Richard A. Daniel, Elinor Multer and Kevin E. Johnson

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

The meeting was recorded and broadcast live on Harpswell Community Television and streamed.

**1. Adoption of the Agenda:** Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended by adding use of contingency as 9.5 and moving item 9 to 6.5; motion passed 3-0.

**2. Public Comment:** Ronald Ponziani, Road Commissioner, stated that the Department of Transportation will be taking care of a hanging tree by Widgeon Cove Road and one on the telephone wires near Neil's Point Road.

**3. Town Administrator's Report:** Administrator Eiane reported that Jason Marshall, Code Enforcement Officer, will be leaving his position with Harpswell to join the City of Bath's Assessing Department. She noted Jason has been a valuable employee and will be hard to replace. Administrator Eiane asked the Board to authorize advertising for the position; the Board concurred. Administrator Eiane reported that she and the Deputy Town Administrator met with Don Spann, a commercial realtor, regarding Mitchell Field and he provided great insight, such as changing the zone, considering a TIF and addressing the pier. Mr. Spann offered to meet with the Board. Administrator Eiane asked if the Board wanted staff to speak with another realtor. Selectman Multer responded she wants Boulus spoken with. Chairman Daniel agreed and to move forward with meeting with Mr. Spann.

**4. Selectmen's Announcements:** None.

**5. Consent Agenda:** Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [minutes – October 7, December 17, two sets on December 18 and December 30; heating assistance donations from Elaine Bauer for \$30, Elijah Kellogg Church for \$500 and \$100 from Handy Harley; appointment of Frank True Jr. as the Harpswell Neck Fire Chief and to the Fire and Rescue Committee; contract with Bowdoin College for family swim; set the mileage reimbursement rate at the IRS rate of 57.5; warrant #1 in the amount of \$123,755.47, warrant #2 in the amount of \$71,771.72, warrant #59 in the amount of \$35,290.78 for 2014 expenditures and payroll warrant #2 in the amount of \$14,735]; motion passed 3-0.

**6. Wharf Applications:** Bill Wells, Code Enforcement Officer, reviewed the proposal for a 6'x16' pier, 3'x34' ramp, 10'x24' ramp and 8'x40' haul out for Equity Trust Co. at 7 Periwinkle Lane, map 63, lot 97. Joe Leblanc, owner representative, stated the wharf system will serve three cottages. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the Harbormaster indicates it does not create a hazard to navigation and there is no injury to the rights of others; motion passed 3-0.

Mr. Wells reviewed the proposal to rebuild, repair and augment the existing system for Equity Trust Co. on Gun Point Road, map 37, lot 50. Mr. Leblanc, owner representative, reviewed the proposal details to rebuild/repair and modify an existing upland access platform & ramp system to be converted into a platform and stairs system consisting of a PT wood 4'x10' platform, 4'x34' stairs, a 4'x8' curving platform, 4'x20' stairs, a 4'x6' platform, 4'x10' stairs and a 4'x4' platform and to install a 3'x40' aluminum ramp and 6'x25' PT float. Chairman Daniel asked what the size of the shed was; Mr. Leblanc responded 7'x7'. Chairman Daniel moved, seconded by Selectman Johnson to approve the application as the Harbormaster indicates it does not create a hazard to navigation and there is no injury to the rights of others; motion passed 3-0.

Selectman Multer stated the applications will often state that the system's location provides nice visibility from the home which is fine but not part of the Board's consideration under the wharves and weirs act.

Mr. Leblanc stated Jason Marshall is a great asset and he encouraged the Town to seek a very organized person like Jason. Mr. Leblanc added that the Department of Environmental Protection covers waterfront issues.

**9. Consider Preliminary Amendments to Shellfish Ordinance:** Darcie Couture, Town Marine Resources Coordinator, introduced the proposed amendments to the Shellfish Ordinance and stated that Denis Nault from the Department of Marine Resources has found the proposals acceptable. The amendments include adding language to give the Town to authority to issue aquaculture permits; adding language to strengthen the residency requirements; and raising the commercial shellfish license fees and allowing a credit toward the fee for conservation time and for attending Marine Resources meetings. The fee/conservation change would eliminate any labor issues for the Town and also allows the Committee a way to address those harvesters that did not complete conservation time by allowing the higher fee. The conservation time would have to be completed by October 1 of each year as the work should be done before the weather gets cold. Selectman Multer asked what the Town would lose if many choose to pay the higher fee instead of conservation time and whether the Town would have to hire someone to do the work. Ms. Couture responded the Committee's sense is that most will choose to do the conservation time except for a few so there will not be an excessive burden. Selectman Johnson agreed that the harvesters liked the idea and will do the conservation time. Ms. Couture stated if approved by Town Meeting, the changes will be effective at that time and harvesters will have until October 1 to do conservation time and until February 2016 to have the credit apply towards the 2016 fee. Selectman Multer stated she was opposed to giving a credit for attending meetings as it is in the best interest of the harvesters to attend the meetings. She suggested waiving the requirement for attending meetings. Ms. Couture responded the Committee really wants input from the diggers and the meeting requirement has been successful. Selectman Johnson added the meeting requirement has been a good approach and the Committee wants continued attendance. Chairman Daniel asked about the Town's liability if a harvester gets hurt performing conservation time; Ms. Couture responded by making conservation time voluntary it removes the liability. Ms. Couture noted the Town of Brunswick is making changes as well but to a more complicated point system. The Board conceptually approved the changes and authorized sending them to the Town attorney for review.

**7. Consider Three-Year Collective Bargaining Unit Agreement:** Administrator Eiane reviewed the main differences proposed in the new three-year contract with the Recycling Center/Transfer Station employees from January 1, 2015 through December 31, 2017. The changes include: new language in the health insurance area that could allow the Town to select a different health insurance plan; eliminating the Sunday/Monday floating holiday and instead closing the facility on Tuesday after Monday holidays; vacation accrual and carryover for non-grandfathered employees, is less than the previous contract; sick time for non-grandfathered employees is also a reduction; a 1% raise for 2015, 1.5% for 2016, 1.5% for 2017; the longevity scale percentages were reduced; and the 7-year level was removed with a 15-year level being added. Negotiations were relatively smooth and the contract represents a fair agreement for both parties. Chairman Daniel noted the changes bring the contract closer to the terms applied to Town Office employees. Selectman Multer moved, seconded by Selectman Johnson to approve the agreement; motion passed 3-0. Selectman Multer moved to authorize the Town Administrator to make the decision on whether to grant funeral time for persons not covered in the contract. Selectman Johnson seconded the motion and it passed 3-0.

**9.5 Use of Contingency:** Deputy Administrator Sawyer stated paying the last 2014 street light invoice requires use of contingency in the amount of \$727.48. In September, the unit prices increased and in December the Town's fixed kwh contract expired and now the Town is under the standard offer. Selectman Multer moved, seconded by Chairman Daniel to approve use of contingency; motion passed 3-0.

**8. 2015 Budget Review:** Administrator Eiane stated the Budget Advisory Committee recommended budget totals \$4,549,143 and represents less than a 2% increase and is about \$8,000 below LD1. The Governor's budget comes out tomorrow and we will see what changes are proposed to revenue sharing and excise tax. This Town

budget includes a 2% wage/salary increase across the Board and certain longevity increases. The Selectmen reviewed and concurred with the following budget unless otherwise noted:

| Department | Amount                                    | Department | Amount                         |
|------------|---|------------|--------------------------------|
| 1000       | \$339,317                                 | 1205       | \$6,300                        |
| 1100       | \$129,070                                 | 1210       | \$5,500                        |
| 1120       | \$76,360                                  | 1225       | \$3,000                        |
| 1130       | \$118,172                                 | 1226       | \$12,000 and carryover         |
| 1140       | \$32,415                                  | 1227       | wait to review a rate increase |
| 1150       | \$53,034                                  | 1230       | \$11,000                       |
| 1160       | \$78,318                                  | 1300       | \$57,840                       |
| 1170       | \$6,110                                   | 1310       | \$350,257                      |
| 1180       | \$28,269                                  | 1600       | 0                              |
| 1200       | \$73,850 (without an entry message board) |            |                                |

**10. Other Business:** None.

**11. Public Comment:** Mary Ann Nahf, chair of Conservation Commission, announced there will be a Sea Level workshop on Tuesday at 6:30 pm.

**12. Administrative Matters:** None.

**13. Adjournment:** At 7:35 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments:

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