

**Selectmen's Meeting Minutes**  
**February 12, 2014**  
**Harpswell Town Office**  
Approved on February 27, 2014

**Call to Order and Pledge of Allegiance:** The meeting was called to order at 2:00 p.m.

**Selectmen Present:** Elinor Multer, Alison S. Hawkes and Richard A. Daniel

**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 and streamed.

**1. Adoption of the Agenda:** Chairman Multer moved, seconded by Selectman Hawkes to adopt the agenda with the understanding the order of the items will be re-arranged; motion passed 3-0.

**2. Public Comment:** None

**3. Town Administrator's Report:** None

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

**5. Consent Agenda:** Chairman Multer moved, seconded by Selectman Hawkes to adopt the consent agenda [\$100 donation from Patricia Lacey for the heating assistance program; resignation of Brad Agius from Conservation Commission and Bill Beazley from Emergency Vehicles; warrant 7 in the amount of \$593,014.94 and payroll warrant #7 in the amount of \$14,273.83]; motion passed 3-0.

**8. Consider Road Use Agreement Amendment with Dirigo Timberlands:** Administrator Eiane stated the Town had entered into a Road Use Agreement with Dirigo Timberlands allowing use of Mitchell Field to access Elizabeth Childs' abutting property to harvest trees. Administrator Eiane stated Dirigo would like to continue using Mitchell Field after completing the Childs' project to harvest David Sparks' property. Administrator Eiane stated the Town is holding \$10,000 from Dirigo Timberlands for a year if there are long-term issues with the roads as a result of Dirigo's use. Additionally, the Town video taped the condition of the two roads being used by Dirigo prior to use. Chairman Multer suggested adding language to the Road Use Agreement Amendment that Dirigo would be subject to road posting rules and regulations if the Town posts the roads. Bob Bond, Dirigo representative, asked when the Town posts roads; typically second week in March. Chairman Multer moved, seconded by Selectman Hawkes to approve the amendment with the change; motion passed 3-0.

**6. Harbormaster's Report:** Jim Hays, Harbormaster, stated Harpswell has the most shoreline in the State and has two boats, one primarily for Marine Warden use and one for Harbormaster use. The two boats have different functions: the marine one is a utility boat for managing the marine resource and responding to emergencies. The harbormaster boat is used for surveying moorings, removing moorings and setting channel markers. Mr. Hays stated the Harbormaster's boat could be fit with a boat hauler to help with moorings and with green crab traps. Mr. Hays believes the two separate purposes could not be combined and served by one boat. Selectman Hawkes asked when the time comes to replace the Harbormaster boat, does Mr. Hays envision a committee review similar to the process when the marine boat was replaced; Mr. Hays responded affirmatively. Selectman Daniel noted when the Town hires a resource specialist, that person could conceivably go with the Marine Warden in the boat instead of the Harbormaster. Chairman Multer asked that copies of the use logs for each boat be provided.

Mr. Hays reviewed a comparison of wood floats versus composite floats. Mr. Hays stated wood is more stable, repairs more easily and attachments can be added to wood more easily than to composite. The price for a wood float without skids is \$10,800; wood float frame with composite decking \$12,384; and composite float \$30,925. Mr. Hays recommended the Town purchase wood floats without skids for the Pott's Point wharf.

**7. Request for Use of Mitchell Field and the Bandstand:** Not addressed.

**12. 2014 Budget Review:** Deputy Administrator Sawyer stated the Board had questions about the utilities and building maintenance lines in Harpswell Community Broadcast Corporation (HCBC) budget. Ms. Frisoli previously indicated a 10% increase in electricity is anticipated between the utilities and transmitter utility lines in addition to estimating an increase in propane. The building maintenance increase is planned for replacing three doors. Administrator Eiane noted HCBC has indicated it wants to keep the \$3,500 in its budget and be responsible for replacing the doors. Selectman Hawkes expressed concern about not being involved in the project on a Town building. Chairman Multer stated she can agree to HCBC being responsible for the door replacements with the understanding that HCBC works with Town staff throughout the process. The Board agreed to HCBC's budget request of \$63,750.

Administrator Eiane stated she drafted a cell phone reimbursement policy to reimburse employees that are out in the field, a nominal amount for using their personal cell phones for Town business. She has heard some disappointment that an employee's cell phone number may be made public. Selectman Hawkes asked if under the Freedom of Access law an employee needs to keep text messages etc. for public inspection. Administrator Eiane responded conceivably and will check. If the Board agrees to the concept, it is recommended that \$1,500 be added to the facilities budget. Bill Wells, Code Enforcement Officer, stated he uses his personal cell phone to communicate with Jason Marshall including texting and data sending. No other Code Enforcement Officer he has spoken to receives less than \$35 or has a policy to follow. Mr. Wells pays \$107 each month for his cell phone and he believes \$50 would be a fair stipend. Deputy Administrator Sawyer states the Town prefers to do what is right regardless of what other towns do. The Town auditors advise that a nominal (\$25 or less) payment can be made without tax consequences. Reimbursement other than nominal would require an employee to submit phone bills and evidence of business related calls, and this reimbursement method may be subject to tax reporting. Chairman Multer asked for further information on the tax implications, smart phone costs and how many field employees need a smart phone versus a regular phone. Chairman Multer stated ultimately an employee may have to make a decision to carry two phones or accept implications for one combined use phone. Selectman Daniel asked if one phone can have two different numbers. Selectman Hawkes asked why the draft policy is limited to certain staff and excludes Selectmen. Administrator Eiane responded she did not find any other municipality including Selectmen. The Board agreed to add \$2,000 to the budget and to continue working on the policy and alternatives.

Deputy Administrator Sawyer stated the Marine Resources Committee met last night and is proposing the budget for marine boat operations and conservation activities to be \$20,000 (\$6,000 for boat operations and \$14,000 for conservation activities such as purchasing green crab traps). Currently there is \$12,000 in the budget and \$8,000 would need to be added if the Board agrees; the Board agreed. The Board discussed the warrant articles for the marine specialist for \$30,000 and the \$20,000 for conservation activities and made suggestions to make the articles clearer.

Deputy Administrator Sawyer reported the Cumberland County Development Block grant application the Board approved on behalf of the Parents and Teachers Organization, to upgrade the playground at Harpswell Community School, has been denied. Due to the percent of children receiving free or reduced lunch at the school, the grant application met the federal standard of "poverty levels." However, the Town of Harpswell as a whole does not meet that federal standard. Therefore, since the grant application highlighted that the playground is not only used by the children, but by the community on a regular basis and is an attraction for others as well, the application could not go forward. Staff was not aware of how much the playground was used by others. The Board discussed whether it wanted to change its recommended appropriation of \$5,000 to \$15,000. Deputy Administrator Sawyer indicated the budget total after the changes made today and with increasing the playground to \$15,000 is about \$10,000 under LD-1. Marguerite Kelly, Treasurer, stated there was additional room with LD-

1 as well by using more fund balance and that she did not believe doing so would create an LD-1 issue next year. The Board agreed to \$15,000.

**9. Public Hearing Re: 911 Enhanced Ordinance Amendments:** The hearing was opened and closed at 3:30 p.m. The Board agreed the proposed changes are grammatical and should be held until a time when substantive changes are necessary. This item will not be on the 2014 warrant.

**10. Consider Cell Phone Reimbursement Policy:** Discussed under item 12.

**11. Discuss Possible Areas of Change to Cumberland County Marine Contract:** Chairman Multer suggested adding some generic language to the contract that expands the services to include marine conservation services and suggested a definition. Administrator Eiane noted that Cumberland County will likely want contract language that clarifies that the additional services may impact the tide coverage. The Board agreed that the Conservation Commission and Marine Resources Committees should review the proposed amendment. Selectman Hawkes noted the marine resource is quahogs and not just clams.

**13. 2014 Warrant Review:** The Board reviewed the draft warrant and Administrator Eiane noted the articles that changed from the last meeting or from legal review.

**14. Other Business:** None.

**15. Public Comment:** None.

**16. Administrative Matters:** None.

**17. Adjournment:** At 3:57 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator