

Selectmen's Meeting Minutes
February 17, 2016
Harpswell Town Office
Approved March 3, 2016

At 4:00pm, Chairman Daniel moved, seconded by Selectman Multer to enter executive session pursuant to 1 M.R.S.A. § 405 (6) (C) and (E) concerning a possible lease of Town property at Holbrook Landing; motion passed 3-0.

The Board recessed at 5:20pm.

Call to Order and Pledge of Allegiance: The meeting was called to order at 5:30 p.m.

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

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; and Rosalind Knight, Town Clerk

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Johnson to adopt the agenda as amended with the addition of 7d. Mitchell Field warrant article; motion passed 3-0.

2. Public Comment: None.

3. Administrator's Report: Rosalind Knight, Town Clerk, stated she is considering changing the mainland voting location from the Merriconeag Grange to the Fellowship Hall at the Elijah Kellogg Church. The Hall has better lighting and is larger and will better accommodate the workers and voters. Additionally, if needed, the site could be used as a consolidated voting location. Ms. Knight stated she has completed the required paperwork with the Secretary of State's Office and it was approved. The Church's Board has also approved the proposal. Ms. Knight is prepared to notify the voters of the change prior to 60 days before the June vote. A postcard will be sent to all District one voters and the change will be advertised in other ways as well such as the paper, channel 14, and the bulletin.

4. Selectmen's Announcements: None.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Multer to adopt the consent agenda [February 11 and 12 minutes; appointment of Catherine Doughty as warden and Megan Hubbard as Deputy Warden, both for March 12; authorization of warrant #8 in the amount of \$25,371.94 and payroll warrant #8 in the amount of \$13,836.18]; motion passed 3-0.

6. Old Business: Tax-Acquired Property Matter: Deputy Administrator Sawyer stated Marguerite Kelly, Treasurer, attended last week's meeting to advise the Board regarding the recently tax-acquired property at Graveyard Point. One of the four previous owners requested the Town transfer the property to him. At last week's meeting, there appeared to be consensus with Chairman Daniel and Selectman Multer declining the offer and having the Town retain the property; and Selectman Johnson wanted to table the matter until this meeting. Selectman Johnson stated he is prepared to agree to retain the property as well. The Board took no action regarding the request by one previous property owner.

7. Town Meeting Warrant Articles

A. 50% Determination of Assessed Value Ordinance Amendments: Administrator Eiane stated the Board previously approved these amendments to the process regarding when a non-conforming structure application is to include Planning Board review or only the Code Officer. Since then, additional language was added authorizing the Board of Appeals to hear an appeal of the Board of Assessors', or its designee's determination. Chairman Daniel moved, seconded by Selectman Johnson to approve the amendments for the warrant; motion passed 3-0.

- B. Proposed Amendments to Shoreland Zoning Ordinance and the Insect Growth Regulator and Insecticide Application Control Ordinance:** Mary Ann Nahf, Conservation Commission Chair, reviewed the proposed amendments and recent changes. The final version is expected this week. Chairman Daniel moved, seconded by Selectman Johnson to tentatively place an article for the amendments on the warrant pending the final version; motion passed 3-0. The amendments will be available at Town Meeting.
- C. Possible Long-Term Lease at Holbrook Landing for Commercial Fishing Wharf:** Chairman Daniel stated the Board has been considering a warrant article regarding a proposed use of a portion of the Holbrook Town Landing to build a wharf out to a private fish house. The Board has been working with the Town Attorney on a lease proposal and is close to submitting a proposal to the other party for review. The Board will consider placing an article on the warrant and Chairman Daniel read it:

To see if the Town will vote to authorize the Board of Selectmen to enter into a long-term lease with Dain A. Bichrest and Mark C. Bichrest for the construction, operation and maintenance of a private commercial wharf, within the limits of the existing Town ordinances and applicable state and federal law, at the Holbrook Town Landing; provided that: (a) the term of said lease shall not extend for more than twenty years, and (b) said lease shall provide reasonable compensation to the Town in the form of yearly lease payments, and (c) the terms of said lease shall not inhibit public access to and from the town landing and down to the ocean; and (d) the remaining terms and conditions of such lease shall be in substantial compliance with a proposed lease agreement dated _____, 2016, a copy of which is on file at the office of the Town Clerk.

Selectman Multer stated copies of the lease will be available in advance of and at Town Meeting once the parties agree. Chairman Daniel moved, seconded by Selectman Multer to tentatively place the article on the warrant. Hope Hilton, Town Lands Committee member, expressed concerns regarding the proposal and provided detailed reasons. Ellen Shillinglaw, Town Lands Committee member, expressed concerns as well. Joe Leblanc, Bichrests' representative, stated many of the concerns are not valid and he assumes the parking is being addressed in the lease and he asked if the 20-year term is flexible. Chairman Daniel stated the Board previously heard the concerns and included them in the discussions. The proposed lease will be provided to Mr. Leblanc and the Bichrests soon. The motion passed 3-0.

- D. Reconsider Mitchell Field Warrant Article:** Selectman Multer stated she wants to modify the Mitchell Field warrant article, specifically the water tower piece, to remove the reference to 'related buildings'. The price may come in lower than \$22,000 and she prefers to focus on the water tower only. Chairman Daniel thought if the cost was less, then the remaining funds could be used to remove the related buildings. Selectman Multer stated she wants to focus on the tower only as the Board has not made clear to the public why the related buildings need to be included. The Board agreed to remove the reference.

8. Other Business: None.

9. Public Comment: None.

10. Administrative Matters: The Board agreed to not meet on February 25 – next regular meeting will be March 3.

11. Adjournment: At 6:15 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator