

Selectmen's Meeting Minutes
March 1, 2018
Harpswell Town Office
Approved April 5, 2018

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

Selectmen Present: Richard A. Daniel, Kevin E. Johnson and David I. Chipman

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Bill Wells, Code Enforcement Officer; and Ronald Ponziani, Road Commissioner

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Chipman, to adopt the agenda as amended by adding Interim Agreement under item 13; motion passed 3-0.

2. Public Comment: Joanne Rogers stated she is currently an M.S.A.D. Director and reviewed her activities on the Board. Ms. Rogers announced she is running for re-election as a write-in candidate and asked for the public's support. Donald Miskell, Jr. reminded the public that the construction area at Mitchell Field is off limits to people and pets and he encouraged everyone to follow the rules to be safe.

3. Selectmen's Announcements: None.

4. Town Administrator's Report: Administrator Eiane reported the Town had sent out a request for proposals or expression of interest regarding the water tower and the deadline was this past Monday. One response was received from a group named the Friends of Mitchell Field and copies have been provided to the Mitchell Field Committee and Water Tower Task Force members. Additionally, a copy has been provided to the Town Attorney for review. At this time there are a couple of questions – the group appears to want coverage by the Town for insurance and also for the Town to serve as the group's fiscal agent. The Board agreed to hold a workshop on Tuesday at 4:00pm. Selectman Chipman stated he is involved with the group but has no financial interest and he would leave it up to his colleagues to decide if he should recuse himself; Chairman Daniel stated he would like to think about that point. Administrator Eiane announced the Town just received its 2017 Annual Town Report and it will be mailed tomorrow to residents. She thanked the staff for its work on the Report and noted the dedication generates a very positive sentiment. Town Meeting is Saturday, March 10 with the polls open from 9am – 5pm and the business meeting beginning at 10:00am. Administrator Eiane stated the municipal officers and staff have been invited to a MSAD 75 District Finance Committee meeting on March 12 at 6:30pm regarding the 2018-2019 budget. Administrator Eiane stated the Town is issuing its own bonds for the pier demolition project and the Treasurer will review the details. Marguerite Kelly, Treasurer, reviewed the 6 repayment options for the 20-year bond provided by Moors and Cabot, Town's Financial Advisor. Staff recommends proceeding with the repayment plan with level principal payments with varying interest and interest payments only for the first two years. Additionally, there's an option for the Town to pay the 2018 interest payment out of proceeds which will be confirmed tomorrow during the due diligence meeting. Ms. Kelly stated she had been informed that the work seems to have progressed beyond where possible large contingency matters could arise. Therefore some of the 7.8% contingency funds could be used for the interest payment. Staff has reviewed several drafts of the Town's Official Statement which should be finalized in tomorrow's meeting. Two weeks from tomorrow is the phone call with one rating agency and she asked the Chair to attend; he agreed. The bond proceeds will be available on April 6 and then the bond anticipation note will be paid off.

5. Consent Agenda: Selectman Chipman moved, seconded by Selectman Johnson to approve the consent agenda [February 8 and 15 minutes; appointed Gail Federico and Tom Carr as associates to the Recreation Committee and Tom Carr as a Town Lands Steward; approved warrant #9 in the amount of \$112,277.61 and payroll warrant #8 in the amount of \$17,473.55]; motion passed 3-0.

6. Charles and Karen Sumner Wharf Application, 17 Twin Coves Lane, Map 47, Lot 179: Bill Wells, Code Enforcement Officer, reviewed the proposal to replace an existing 32' ramp with a 40' ramp and replace a

12'x12' float with a 12'x24' float. The permits from other agencies have been received and the Code Office recommends approval. Chairman Daniel moved, seconded by Selectman Chipman to approve the application as the Harbormaster indicates it does not cause a hazard to navigation and there is no injury to the rights of others; motion passed 3-0.

7. Recommendation for Amending the Mitchell Field Rules: Donald Miskell, Jr., Mitchell Field Committee, stated the pier demolition project is proceeding and the truck traffic is picking up. The current Mitchell Field rules only require dogs to be leashed from 11:00am – 1:00pm. With the increase in traffic, the Committee recommends that dogs be leashed at all times on the main road. After a discussion, Chairman Daniel moved, seconded by Selectman Chipman to amend the rules to require dogs to be leashed on the main road with a sunset date of November 1; motion passed 3-0.

8. Lease Agreement with Pammy's Ice Cream Parlor, LLC for Use of Town Property Near Mitchell Field: Pam Douglas reported she met with the Planning Board and received approval for the ice cream stand on the northern pad on the former Navy houses lot near Mitchell Field. Ms. Douglas proposes to remove the bush near the power pole, widen the driveway to allow two-way traffic and install power. She stated they found the septic system to the old house and asked if she could use it for gray water. Deputy Administrator Sawyer stated there wasn't a permit in the Town's files showing the design, capacity etc. Ms. Douglas stated she was willing to have the system inspected and work with the Code Office regarding the septic [which the lease allows if permits and approvals are obtained]. The lease prohibits use of water from the well due to a deed restriction. Administrator Eiane stated she contacted Brunswick to see what they charge for the carts on the mall and it is \$2,000 per season. Steve Levesque, MRRA, uses a square foot rate for an entire parcel. The Town's Mobile Food Handler's Ordinance assesses a \$500 fee for a season on Town property. The Board discussed what to charge for rent and agreed on \$120 per month for the 7 months in the lease. Chairman Daniel noted there is a second vendor interested which will be handled separately and the rent may be more. Ms. Douglas reviewed the parking and noted the area will be roped off to assure safety on Route 123. Chairman Daniel moved, seconded by Selectman Chipman to approve the lease with the stated rent; motion passed 3-0.

9. Public Hearing Re: Restricting Vehicle Weights on Town Ways: The hearing was opened at 6:40pm. Ronald Ponziani, Road Commissioner, stated he checked all the Town roads and suggested posting the roads from March 6 through April 1. Selectman Johnson asked how it will impact the pier project. Administrator Eiane stated Mitchell Field will be left open and there will be a separate agreement with the contractor regarding possible damage during the posted time period. The hearing was closed at 6:45pm. Chairman Daniel moved, seconded by Selectman Chipman to post Town roads from March 6 through April 1; motion passed 3-0. Mr. Ponziani suggested amending the Ordinance to allow him flexibility in the field to make decisions and not have to go to the Board. Administrator Eiane noted if the Board wants to consider amendments it needs to schedule a public hearing for that purpose. The Board agreed to hold a hearing at the next meeting at 6:30pm.

10. Communication from Comcast Regarding Franchise Agreement Renewal: Selectman Chipman stated the Town's Franchise Agreement with Comcast is coming up for renewal. He suggested that the Energy and Technology Committee begin the ground work on a new agreement that would come to the Board for a final decision; the Board reached consensus. The current Agreement expires in 2020.

11. Sign the 2018 Annual Town Meeting Warrant for March 10, 2018: Administrator Eiane reviewed the final Town Meeting warrant containing 68 articles. This is the first year in quite some time where there will not be an errata sheet as the final warrant is the same as what was printed in the Town Report. Selectman Chipman moved, seconded by Chairman Daniel to approve the warrant; motion passed 3-0.

12. Public Comment: None.

13. Other Business: Interim Agreement with Fire Departments: Arthur Howe, III, Fire Administrator, stated that not all three departments have signed the Vehicle and Use Agreement. We will be working to make a few changes based on comments from Harpswell Neck. Until then, this interim Agreement with Orr's/Bailey's Island Fire Department (OBIFD) allows the Town firefighters to operate OBIFD's vehicles etc. At the next meeting, he hopes to have a Vehicle and Use Agreement signed by all three departments. Selectman Chipman moved, seconded by Selectman Johnson to approve the interim agreement; motion passed 3-0.

14. Administrative Matters: The Board agreed to meet on March 13 then March 29. Selectman Chipman moved, seconded by Selectman Johnson to approve warrant 9a \$671.78 for the postage to mail the Town Report; motion passed 3-0.

15. Adjournment: At 7:04 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator