

Selectmen's Meeting Minutes
March 5, 2015
Harpswell Town Office
Approved on March 18, 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; 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 Daniel moved, seconded by Selectman Multer to adopt the agenda as amended by moving item 11 to 7.5 and adding an executive session at the end as separately noticed; motion passed 3-0.

2. Public Comment: None.

3. Town Administrator's Report: Administrator Eiane announced that Town Meeting is Saturday, March 14 and Town Reports have been mailed to residents. Administrator Eiane stated the side of Route 24 in front of Harpswell Community School will be cleared for parking. She expressed concern about adequate parking and welcomed thoughts from the Selectmen on developing a backup plan. Selectman Multer suggested the public check the website for any parking updates. Administrator Eiane stated the Town just received the preliminary MSAD 75 budget reflecting a 10% increase to Harpswell's assessment in the proposed school budget. As a result, staff will be proposing an increase in use of fund balance later this evening. The Town will learn more details of the MSAD 75 budget at the district budget meeting on March 10. Administrator Eiane announced the opening of the Recycling Center/Transfer Station manager position as Mr. Cantu will move into the Alternate Code Officer position.

4. Selectmen's Announcements: None.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Johnson to approve the consent agenda [approval of the 1/14, 1/29, 2/5, 2/12 and 2/19 minutes; accept heating assistance donations from Ned Simmons for \$50 and \$30 from Elaine Baur; approve use of the Bandstand by Katie Merrill; appoint Fred Cantu as 911 Addressing Officer; and authorize warrant #11 in the amount of \$168,009.52 and payroll warrant #10 in the amount of \$12,470.99]; motion passed 3-0.

6. Auditor's Report on 2014 Financial Statements: Ron Smith and Greg Chabot were in attendance from RHR Smith & Company, Town's new auditing firm. Mr. Chabot stated Harpswell's year end is December 31 making this a very quick turnaround with the audit and financials completed in January. The process was smooth with an unmodified (clean) opinion. Mr. Chabot reviewed several handouts summarizing the Town's 2014 financial statements. Mr. Smith suggested the Board re-visit its fund balance policy as it may need adjustments as the Town has changed over the years; he will provide some fund balance policy examples.

7. Consider Setting Public Hearing Regarding Posting Town Roads: Administrator Eiane stated as spring approaches, the Board considers restricting vehicle weight on Town roads pursuant to Town ordinance. The ordinance requires a public hearing prior to implementing restrictions. Selectman Multer moved, seconded by Selectman Johnson to set Wednesday, March 18 at 6:30pm for the public hearing; motion passed 3-0.

11. Consider Change Order for Ambulance and Committee Recommendation: Administrator Eiane stated the issue of the liquid suspension proposed for the new ambulance for use by Harpswell Neck was discussed at the recent Emergency Vehicles Committee meeting. The Committee voted to eliminate the liquid suspension and

reduce the contract by \$8,840. Additionally the lettering “provided by the Town of Harpswell” was agreed upon, to be added to the sides of the ambulance near the rear. After the meeting, Administrator Eiane received a request that chevron striping be added to the change order as well for \$450. Administrator Eiane sent an email to the Committee members and two members responded with no objection. Chairman Daniel noted the lettering will be added to the next two ambulances as well. David Mercier stated the chevron striping improves safety by making the ambulance more visible. Selectman Multer stated she is not happy with the add-on but will agree to it for safety reasons. Chairman Daniel moved, seconded by Selectman Johnson, to approve the change order adjusting the contract price to \$209,198 (no liquid suspension, with lettering and striping); motion passed 3-0.

8. Consider Letter of Support for Marine Resources LD 178, LD 222 and LD 255: Administrator Eiane stated the Town’s consultant drafted a letter for the Board to submit to the Legislative Committee on Marine Resources in support of LD 178 (worming impact study), LD 222 (reduce State shellfish license fees for persons under 18 years) and LD 255 (increasing the penalty for those that interfere with permitted harvest). Selectman Multer suggested some changes to the letter. Chairman Daniel moved, seconded by Selectman Multer to submit the letter as amended; motion passed 3-0.

9. Approval of the 2015 Town Meeting Warrant and Municipal Budget \$4,530,983: Administrator Eiane stated the Town received a letter from Patrick Keliher, the Commissioner of the Department of Marine Resources, stating that the Town’s proposed Shellfish Aquaculture Ordinance has been rejected. Basically the Town proposed to give itself authority to issue a Town permit allowing use by Town harvesters. The State indicated that the municipality is authorized to issue a lease to an individual. This ordinance needs more time. Staff contacted the Maine Municipal Association to see how to handle the Aquaculture Ordinance article (#14) in the warrant. MMA advised the article must be removed in its entirety and not left in with a suggestion to pass over. There will be an errata sheet indicating that article 14 has been removed and each article number thereafter will be reduced by one. The Board expressed disappointment that the ordinance was rejected given that the Town received verbal indications that it would pass. Chairman Daniel moved, seconded by Selectman Johnson to strike article 14 from the warrant; motion passed 3-0. Administrator Eiane stated article 65 has been increased from \$6,400 to \$8,000 for a one-time increase to adjust a warranty coverage period to coincide with Town Meeting. Administrator Eiane reviewed the revenue article proposing use of \$306,000 of fund balance to reduce the tax commitment. Given the recent MSAD 75 budget information, the Town tax rate may increase by 7.23%. If the Board is open to using more fund balance, up to \$506,000, the possible tax rate increase would be 5.4%. Marguerite Kelly, Treasurer, explained using \$306,000 of fund balance would use all the excess and maintain 25% of last year’s expenditures pursuant to the Fund Balance Policy. Using \$506,000 would be an exception to the policy but would allow flexibility and provide time to see if the MSAD 75 budget is decreased. The additional \$200,000 of fund balance represents about 7 days of expenditures. Maintaining 25% of expenditures lasts the Town until May as spending is held at a minimum prior to Town Meeting. The Board could consider an exception to the policy or revisit the policy to increase its flexibility. Selectman Multer moved, seconded by Chairman Daniel to reflect up to \$506,000 of fund balance in the warrant article; motion passed 3-0. Chairman Daniel moved, seconded by Selectman Johnson to approve the warrant as discussed with total appropriations of \$4,530,983; motion passed 3-0.

10. Consider Estes Lobster House Renewal Liquor License, 1906 Harpswell Neck Road: Selectman Multer moved, seconded by Chairman Daniel to approve the renewal liquor license for Estes Lobster House; motion passed 3-0.

12. Other Business: None.

13. Public Comment: None.

14. Administrative Matters: Administrator Eiane stated the request for the Town to fund a flood plain appeal for a certain area has been tabled to the next meeting when the property owner could attend.

14a. Executive Session: At 7:15pm, Chairman Daniel moved, seconded by Selectman Johnson to enter into executive session pursuant to 1 M.R.S.A. § 405(6)(c) re: disposition of real property; motion passed 3-0.

15. Adjournment: At 7:34 p.m. the Board returned to open session and 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]