

Selectmen's Meeting Minutes
March 5, 2020
Harpswell Town Office
Approved April 2, 2020

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

Selectmen Present: Chairman Kevin E. Johnson, David I. Chipman and Selectperson Jane G. Covey

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; and Paul Plummer, Harbormaster

The Board recognized Kevin O'Kelley and owners Jennifer and Nick Charboneau for raising \$9,275 for the Harpswell heating assistance program. The Cook's annual event brings the community together for a worthwhile cause.

1. Adoption of the Agenda: The agenda was accepted as printed.

2. Public Comment: None.

3. Selectmen's Announcements: Selectman Chipman stated he heard from a constituent requesting that Town Meeting be cancelled due to the corona virus. He encouraged everyone to take care of themselves and not to shake hands and keep personal distance from others.

4. Town Administrator's Report: Administrator Eiane stated that Town Meeting is March 14 with the polls open from 9am – 5pm and the business meeting beginning at 10am. Town Reports have been mailed. Administrator Eiane thanked the Town Clerk, Deputy Town Clerk and election workers for their work at the March 3 election – it was very busy and ballots had to be copied and counters were needed. Administrator Eiane stated the review team reviewed 5 responses to the Town's request for qualifications for a communications tower at Mitchell Field. If the associated warrant articles are approved at Town Meeting, the team recommends the Board negotiate with Blue Sky from Reading Massachusetts. Blue Sky will cover all the costs to build the tower and the proposal includes revenue for the Town. Administrator Eiane suggested a workshop next week to review the responses and recommendation.

5. Consent Agenda: 1. Committee Resignation; 2) Authorization of the Warrants: Selectman Covey moved, seconded by Selectman Chipman to approve the consent agenda (Sandra Allen's resignation from the Planning Board; approve warrant #10 in the amount of \$52,227.06 and payroll warrant #9 in the amount of \$19,980.82]; motion passed 3-0.

6. Request for Plaque at Town Office in Honor of Doc Philips: David Taft introduced himself and Carolyn Bruner of the Brunswick Rotary Club. The Rotary has created a new annual award to be presented to a member of our general community to honor Walter "Doc" Phillips. Doc was dedicated to our community, education and to the environment. Mr. Taft asked the Board to approve placing the 11'x15' plaque with twelve plates (for the names engraved for each year's honoree) here at the Town Office at no cost to the Town. The first honoree is Linda Blanton. Selectman Chipman moved, seconded by Selectman Covey to approve the request; motion passed 3-0.

7. Wharf Applications:

- **Joseph Quinn & Elizabeth Dann, 58 Spaulding Lane, Map 17, Lot 137:** Bill Wells, Code Enforcement Officer, reviewed the application for a 4'x6' platform, 4'x12' access ramp, 6'x70' pier, seasonal 3'x40' aluminum ramp, 10'x20' wood float. Selectman Chipman asked if the small subdivision lots depicted on the map with the application are still in existence. Joe Leblanc, owner's representative, responded no, the lots have been merged and owned by his client. Chairman Johnson moved, seconded

by Selectman Covey to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others; motion passed 3-0.

- **Hermitage Clark Shore LLC, 111 Clark Shore Road, Map 12, Lot 142:** Bill Wells, Code Enforcement Officer, reviewed the application for a 4'x9' access platform, 4'x18' access stairs, 6'x28' dock, seasonal 3'x50' ramp, 12'x12' tank float. Selectman Chipman asked about the eel grass and the Harbormaster recommendation that the ramp be constructed of light permeable material. Paul Plummer, Harbormaster, acknowledged that both the Dept of Environmental Protection and Army Corps have reviewed the application but noted that he does recommend the light permeable material due to the eel grass. Chairman Johnson moved, seconded by Selectman Chipman to approve the application with the light permeable material condition as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others; motion passed 3-0.

12. 6:15pm Public Hearing Re: Driftwood Inn First Time Liquor License Application: The hearing was opened at 6:18. Deputy Town Administrator Sawyer stated the Driftwood Inn has applied for a first-time liquor license for malt and vinous. The abutters were notified of this hearing and an ad ran in the Times Record. If approved by the Board, the State is the entity that issues the license and it will also address the proximity of a church to the establishment. Mr. Wells, Code Enforcement Officer, indicated the Code Office has no issues with the establishment but that the State is working with the owner regarding the overboard discharge. There was a discussion regarding the entity's licensed overboard. Mr. Conrad stated he received a five-year renewal license last year for the inn and 60 person dining facility and that serving alcohol will not increase the customer base. He also noted that the water usage was metered last year and did not exceed the gallons per day on the license [1800gpd]. The hearing was closed at 6:25pm. Selectman Covey moved, seconded by Selectman Chipman to approve the application; motion passed 3-0.

8. Request to Department of Marine Resources (DMR) to Halt Dredging in All Harpswell Waters: Paul Plummer, Harbormaster, stated this is the same situation that occurred in Brunswick a year and half ago and Brunswick successfully petitioned DMR to stop the dredging. The people dredging are moving from town to town and the effects to the environment and species need to be better understood. Selectman Chipman moved, seconded by Selectman Covey to approve sending the proposed letter to the DMR with some grammatical changes. Selectman Covey suggested some changes to the last paragraph. Selectman Chipman amended his motion to include Selectman Covey's changes, seconded by Selectman Covey; motion passed 3-0.

14. 6:30pm Public Hearing Re: Posting Roads: Ronald Ponziani, Road Commissioner, stated he has checked all Town roads and this year's snow and frost melt has come very quick. Last week, the four gravel roads were posted and Mr. Ponziani recommends posting the remaining Town roads. He does not think it will be for an extended period of time for the roads to dry out. Selectman Covey moved, seconded by Selectman Chipman to post Town roads restricting vehicle weight from March 6 to April 3 unless removed sooner; motion passed 3-0.

9. Harbor & Waterfront Ordinance Amendments: Paul Plummer, Harbormaster, reviewed the proposed amendments to the Harbor & Waterfront Ordinance. After Town Meeting approval, the Board would then adopt the referenced Rules and Regulations. Town Administrator Eiane stated the amendments were not printed in the Town Report but will be available at Town Meeting.

10. Accept Maine Community Foundation Grant for Upweller: Paul Plummer, Harbormaster, stated the Maine Community Foundation has approved the Town's grant application for \$15,000 for a tidal upweller and seed. Selectman Chipman moved, seconded by Selectman Covey to accept the grant; motion passed 3-0. Chairman Johnson stated the Committee and other volunteers will construct the upweller. There was a discussion regarding the warrant article requesting \$10,000 for conservation measures which was intended for the upweller and given the grant award, does the Board want to reduce the article. The Board agreed to reduce that article on the floor by \$6,000.

15. 6:45pm Public Hearing Re: Wireless Telecommunications Ordinance Amendments: The hearing was opened at 6:45pm. Article 31 proposes to amend the Wireless Telecommunications Ordinance since the water tower at Mitchell Field is gone; the proposed language allows a tower within 400-feet of the prior water tower location. The hearing was closed at 6:46pm.

11. Offer of Conditional Gift: The Board received a letter from Leblanc & Young, Attorney Matie Little, representing an anonymous benefactor interested in renovating the administrative building at Mitchell Field. The Selectmen held several executive sessions regarding this topic and the Town Attorney worked with the benefactor's attorney to draft a warrant article, which is in the Town Report. There are conditions on both sides of this proposal. The Town would be responsible for infrastructure costs for the building such as septic and water supply and staff is gathering estimates. Naji Akladiss, of the Department of Environmental Protection (DEP), the Town Planner, Town Administrator and Board Chairman met regarding water supply options. There is a deed restriction on the property that limits the withdrawal of gallons per day of water unless lifted by the DEP in writing, which Mr. Akladiss is willing to do. That allows a possible new drilled well, which will require certain tests such as for PFAs. Selectman Covey stated the Mitchell Field Committee did not make a recommendation regarding the administrative building but noted that any reuse may impact other things such as parking. Selectman Chipman noted the earlier Committee discussions were whether to keep or tear down. The benefactor is not interested in the garage, just in rehabilitating the existing administrative part of the building versus building a new structure.

13. Consider Support for LD 433 Maine Equal Rights Amendment: Selectman Covey stated she asked for this item to be on the agenda after Representative McCreight approached her about supporting LD433, which proposes to amend the State Constitution giving equal rights to women. This year is the 100 year anniversary of women voting and 200 years of the State of Maine. Selectman Covey read portions of the proposed resolution and suggested the Board adopt and sign it. Selectman Chipman so moved, seconded by Selectman Covey; motion passed 3-0.

16. Place Town Vehicle for Public Bid: The County just returned another Tahoe to the Town and the 2012 is proposed to be sold by public bid. There was a discussion whether there should be a minimum bid or not. Chairman Johnson moved, seconded by Selectman Chipman to place the vehicle out for public bid with a minimum bid of \$3,000; motion passed 3-0.

17. Committees – 1. Consider Expanding the Energy & Technology Membership: Deputy Administrator Sawyer stated this is no longer needed as Matthew Kennett has resigned from the Energy & Technology Committee. Therefore, if the Board appoints Jeremy Jones, the membership will remain at 5. Selectman Chipman moved, seconded by Selectman Covey to accept Mr. Kennett's resignation and to appoint Mr. Jones to the Committee; motion passed 3-0. **2. Consider Appointing New Committee Members:** Selectman Chipman suggested appointing Kyle Catlin to the Marine Resources Committee. Chairman Johnson stated he wants to speak with the alternates before appointing new members as the alternates may want to become full members.

18. Contract for Additional Emergency Communications Consulting Services: Administrator Eiane stated this is back before the Board as Selectman Chipman had questions that have been perhaps resolved. Selectman Chipman stated he still has questions regarding whether the costs include climbing the tower and whether replacing the antennae is necessary. This item will be delayed since there is a workshop tomorrow with the consultant.

19. Sign 2020 Town Meeting Warrant: Administrator Eiane stated the 2020 proposed budget is \$5,795,018, a 3% increase from 2019. Administrator Eiane reviewed the proposed final warrant for Town Meeting. Selectman Chipman moved, seconded by Selectman Covey to sign the warrant; motion passed 3-0.

20. Public Comment: None.

21. Other Business: The Board will attend the MSAD 75 budget meeting on March 10.

22. Administrative Matters: The Board agreed to meet Tuesday March 17 at 5:00pm instead of March 19 at 6:00pm.

23. Adjournment: At 7:13 p.m. the meeting was adjourned without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator