

**Selectmen's Meeting Minutes**  
**March 20, 2014**  
**Harpswell Town Office**  
**Approved on April 17, 2014**

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

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

**Staff Present:** Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

The meeting was recorded and broadcast live on Harpswell Community Television and streamed.

- 1. Election of the Chair:** Selectman Multer nominated Selectman Daniel to be chair. Nomination carried by a vote of 3-0.
- 2. Adoption of the Agenda:** Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended by removing items 10 and 11 and adding under other business: Consider Pending Amendment to Law to Join Dig Safe; motion passed 3-0.
- 3. Public Comment:** Carol Eyerman, Planner, explained that the recent Times Record article regarding the Great Island Boatyard stated the Town does not require notice to abutters of non-commercial applications. That is not correct as the Town's Site Plan Review Ordinance requires notice to abutters within 500 feet, of the proposed activity. Ms. Eyerman apologized to the previous owners of the Great Island Boatyard, Frank and Ellen Kibbe, noting that they worked hard to improve the site.
- 4. Town Administrator's Report:** Administrator Eiane welcomed Selectman Kevin Johnson and stated she and the staff are here to help him. Administrator Eiane thanked the Clerk's Office and election workers for their work at Town Meeting. Administrator Eiane announced MSAD 75 will hold a budget public forum at Harpswell Community School on March 24 at 6:30 pm. April 1 is the deadline for residents to apply for the homestead tax exemption. Anyone who thinks they may be eligible should contact the Assessing Office. Administrator Eiane stated she was invited to meet with Peter Joseph, Freeport Town Manager, and John Eldridge, Brunswick Town Manager, to discuss common marine-related issues and how to address them on a regional basis. She will report the results of the meeting to the Board. Administrator Eiane asked if the Board wanted to recommend someone to be on the Governor's Green Crab Task Force. It was previously mentioned that Dan Devereaux, Brunswick Marine Officer, may be a good regional contact or the Board could recommend another individual. Selectman Multer asked for a description of the Task Force's role and stated Alison Hawkes may be a good candidate. Selectman Johnson agreed noting he spoke with Ms. Hawkes recently and she indicated she wants to stay connected. This item will be discussed on a future agenda.
- 5. Selectmen's Announcements:** Selectman Johnson stated he feels a lot of responsibility to the voters as a new Selectman and he hopes he will not let anyone down. Chairman Daniel welcomed Selectman Johnson on board and Sarah Clemons and David Johnson as MSAD 75 School Board Directors.
- 6. Consent Agenda:** Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda; motion passed 3-0 [donations of \$30 from Catherine and Richard Guttman, \$75 from Vail's Tree Service, and \$330 from Thomas Ring for the Harpswell Heating Assistance Program; \$250 donation from James Coles for the Joyce Brown Swim Fund; acceptance of a tennis equipment grant; approved the policy for Treasurer's disbursement warrants; and warrant #12 in the amount of \$221,611.97 and payroll warrant #12 in the amount of \$16,111.04].

**7. Treasurer's Report:** Marguerite Kelly, Treasurer, reviewed her monthly report for February (attached). Ms. Kelly provided an update on the two properties the Town foreclosed on in December. The property owner of the second home has paid all but about \$200 of the 2011, 2012 and 2013 outstanding taxes. The property owner of

the primary home has made payments in February and March. The Board agreed to work with the primary home owner for a year. Ms. Kelly stated the Town has used Runyon, Kersteen & Ouellette to perform the Town's annual audit for 9 years. The Town's principal partner is reducing her workload and another partner will take her place. Ms. Kelly asked the Board to consider if it wants to go out with an RFP for auditing services. Ms. Kelly reported she received a call on Monday inquiring how quickly the \$220,000 borrowing for Cedar Beach Road could be completed. Ms. Kelly stated the normal process takes about 4 to 5 weeks but with sole sourcing the time could be reduced to about 2 weeks. The Town's bond counsel has issued an opinion on the validity of article 12 (from 2013 Town Meeting) and he states the mortgages must be released and other requirements in condition #2 fulfilled before release of the funds. Ms. Kelly was informed that mediation for the Abrahamson case is in early April.

**8. Request for Proposals to Solicit Tax Anticipation Financing:** Ms. Kelly stated that since tax payments are due in September and December, the Town needs to borrow money to cover operations on a short term basis. She asked for authorization to issue a request for proposals to borrow \$2.8 million, which can be drawn in one lump sum or on an as needed basis. Selectman Multer moved, seconded by Chairman Daniel. Selectman Multer asked if waiting until May might be a benefit on the interest rate. Ms. Kelly responded the banks, especially the small ones, need several weeks to process the request. Selectman Daniel noted the amount of the borrowing has been reduced over the years. Ms. Kelly stated there was an incentive in the past to borrow larger amounts for the interest income payable on the borrowed funds, which was within the IRS rules. Motion passed 3-0.

**9. Budget Review:** Selectman Multer stated with the obligation of Cedar Beach plus the increases in the MSAD 75 budget, she wants the staff to look at the municipal budget and make recommendations as to any actions that should be taken, such as use of more fund balance. Selectman Johnson stated he hopes the School Board will be able to make some cuts. Administrator Eiane stated the Town was aware of an increase with the school but not the magnitude until last Tuesday. Apparently the basic budget challenge is that SAD 75 has to build up its fund balance. Selectman Multer stated SAD 75 cannot afford any more cuts without compromising education. Selectman Multer asked staff to review the budget as a whole and come back.

**10. Consider Appraisal for Hildreth Road Property:** Removed.

**11. Consider Change Order for Emergency Medical Services Building:** Removed.

**12. Consider Interim Plan for Code Office Assistance:** Administrator Eiane stated one Code Officer is out on leave, creating the need for supplemental support for the second Code Officer. A former Harpswell Code Enforcement Officer, Roland Mayo, is agreeable to offering consulting services such as permit review and assist in field inspections. The contract is structured for up to 10 hours a week for a 12 week period at \$30 per hour. In 12 weeks, the Town should have a better idea of the long term needs. Mr. Mayo can review permits and make inspections but ultimately the signature approval is up to Jason Marshall. Selectman Multer expressed concern about #2 (providing a Town Office space) negating #3 (not being an employee) and suggested changing the language. Selectman Multer moved, seconded by Chairman Daniel to approve the contract conditional that changes to #2 be considered; motion passed 3-0.

**13. Consider Alcohol Renewal License for Giant Stairs Seafood Grille:** Deputy Administrator Sawyer stated the Cumberland County Sheriff's Office has no reports on any alcohol related issues at the Giant Stairs Seafood Grille and that the Code Office has not had the opportunity to review the establishment for compliance to local rules and ordinances. Selectman Multer moved, seconded by Selectman Johnson to approve the renewal license pending a positive response from the Code Office; motion passed 3-0.

**14. Consider Issuing Request for Proposals for Mowing Services for Town Properties:** Deputy Administrator Sawyer reviewed the request for proposals (RFP) for mowing services for multiple Town

properties. Selectman Multer asked to add a method by which contractors could provide pricing based on being awarded more than one geographic area and to add “liability” to the motor vehicle insurance section. Mary Ann Nahf asked that a statement in general be added about mulching. Deputy Administrator Sawyer stated the option for bagging is available but that mulching was preferred. Selectman Johnson asked if any fertilizing is done. Deputy Administrator Sawyer responded not on these properties but at Trufant-Summerton Athletic Field, which is not part of this RFP. The Recreation Director has stated she is extremely satisfied with the current contractor and has asked to continue with that contractor. Chairman Daniel moved, seconded by Selectman Multer to approve the RFP as amended; motion passed 3-0.

**15. Consider Accepting Two Dry Hydrant Renewal Easements:** Deputy Administrator Sawyer stated that three dry hydrant easements had to be renewed and Town Meeting authorized the Board to accept new easements. The property owners, (1) David Etnier and (2) Scott and Valerie Howard, have already returned signed easements both for 30- year terms. Selectman Multer asked if there is a list of how many hydrants the Town wants to have. Deputy Administrator Sawyer responded there is a list of existing hydrants and the Fire Departments recommend when new hydrants are needed. Chairman Daniel suggested the topic could be raised at a Fire Chief meeting. Chairman Daniel moved, seconded by Selectman Johnson to accept the Etnier and Howard easements; motion passed 3-0.

**16. Other Business: Consider Pending Amendment to Law Re: Dig Safe:** Selectman Multer stated she received notice from Maine Municipal Association’s Legislative Committee of pending legislation that would require municipalities to join Dig Safe, an organization including utility companies. She is concerned about costs and possible liabilities as Dig Safe could change the rules without checking with its members. This is an unfunded mandate and could be significant for some towns. Selectman Multer suggested informing the Town’s representative and senator that if the proposal reaches the floor to oppose it. She moved, seconded by Chairman Daniel that if the proposal receives “an ought to pass” that the Board send a letter opposing it; motion passed 3-0.

**17. Public Comment:** None.

**18. Administrative Matters:** The Board concurred with bidding for legal services; scheduled a Selectmen’s meeting for March 27 at 4:00 pm to address time sensitive matters; scheduled a workshop to review Cedar/Robinhood Beach matters for April 3 at 4:30 pm; and the purchase order for the Town Reports was approved.

**19. Adjournment:** At 7:16 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Treasurer’s Report  
[Attachments are available at the Town Clerk’s Office or by email at [harpwell@town.harpwell.me.us](mailto:harpwell@town.harpwell.me.us)]