

Selectmen's Meeting Minutes
Thursday March 25, 2021
Approved April 1, 2021
Harpswell Town Office
Via Zoom

Call to Order and Pledge of Allegiance: Meeting was called to order at 6:00pm.

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

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

Others Present: Christina Howe, Auditor; Victoria Boundy, Casco Bay Estuary Project; Martha Sheils, Director of New England Environmental Finance Center; Mary Ann Nahf, Conservation Commission Chair; Chloe Shields, New England Environmental Finance Center; John Facella, Panther Pines Consulting, LLC

Members of the Board, staff and presenters were participating by Zoom. The meeting was also being broadcast live on Harpswell Community Television and live streamed. The Chair read aloud the procedure for how members of the public could participate; such instructions were also included on the published agenda and on the website.

- 1. Adoption of the Agenda:** The agenda was amended to move Orr's Island Emergency Communications Tower to agenda item 8; moving Consider Support of LD 920 An Act to Promote Oversight and Competitive Parity Among Video Service Providers to agenda item 9. The agenda was accepted as amended.
- 2. Public Comment:** Gary Vincent, Harpswell, called in to ask how the Board and Town plan on using any American Rescue Plan Act funds from the federal government. Town Administrator Eiane stated it is too early to finalize the details but as more information becomes available, there will likely be a Budget Advisory Committee meeting to discuss how to use these funds. The amount of the funds is estimated to be approximately \$490,000 however, this number is not finalized.
- 3. Selectmen's Announcements:** Selectman Chipman read the 7th Amendment to the US Constitution.
- 4. Town Administrator's Report:** Administrator Eiane announced that the Road Commissioner will be removing the posted road restrictions (heavy loads) on Tuesday, March 30th for paved roads. Gravel roads will continue to remain posted.
- 5. Consent Agenda: 1. Approval of the Minutes 3/11 REV, 3/18; 2. Set Shellfish Lottery Dates; 3. Authorization of the Warrants.** Selectman Chipman moved, seconded by Selectwoman Covey, to approve the consent agenda [acceptance of the minutes 3/11 and 3/18; shellfish lottery dates 3/31/21 5:30pm residents, 6:00pm non-residents; approved warrant #13 in the amount of \$102,172.16, warrant 13a in the amount of \$6,100 and payroll warrant #12 in the amount of \$22,010.28]. Motion passed, 3-0.

6. **Auditor's Report on 2020 Financials:** Deputy Town Administrator and Treasurer Terri Sawyer introduced Christina Howe, Auditor for RHR Smith and Company. Howe reported on the Town's financials. The Board and Town Administrator commended Sawyer for a wonderful job done in her first year as Town Treasurer.
7. **Community Resilience Pilot Project:** Administrator Eiane introduced a collaboration between the Town and University of Southern Maine's Casco Bay Estuary Partnership (CPEP) and New England Environmental Finance Center (NE-EFC). Victoria Boundy from CPEP introduced the alliance with a cohort of neighboring Towns, including Phippsburg and West Bath. This alliance will work towards advancing local and regional climate resilience through a series of workshops and proposal development. Selectman Chipman moved, seconded by Selectwoman Covey, to submit the letter of support for the Community Resilience Pilot Project. Motion passed, 3-0.
9. **Orr's Island Emergency Communications Tower Update:** John Facella, consultant on the tower project, requested a final height decision for the tower. The Board had a brief discussion about additional possible future uses for the tower, and if these uses would alter the building requirements. The Board reached a consensus to leave the use of the tower for emergency communications. Selectman Chipman moved, seconded by Selectwoman Covey, to build the Orr's Island Emergency Communications Tower to a height of 100 feet. Motion passed, 3-0.
8. **Consider support of LD 920 An Act to Promote Oversight and Competitive Parity Among Video Service Providers:** Administrator Eiane reviewed the benefits of the legislation for the Town. The legislation would level the playing field for existing cable providers as well as new IPTV entrants that will provide cable-like video services using town rights-of-way. The bill offers a path to address several issues Harpswell faces with video services, such as those provided by Cable TV. The utilization of a standardized franchise model with the backing of the PUC allows smaller towns like Harpswell a stronger negotiation posture and would reduce negotiation costs, such as those for legal advice. LD920 requires all video service providers to obtain franchises and be licensed by the PUC, thus insuring parity with new IPTV entrants as well as traditional cable operators. It also increases franchise fees for all municipalities to 5%, paid quarterly from existing video service providers and new entrants, which will provide additional revenue to the Town. The legislation lends better support for Harpswell Community TV. Finally, dispute resolution will be improved through the proposed PUC role. This bill requires strong video service provider oversight by the PUC at the state level and enables Harpswell or its residents to escalate issues, such as non-compliance or customer service issues, to the PUC for resolution. A small regulatory fee is also provided to fund this new service. Selectman Chipman moved, seconded by Selectwoman Covey, to submit the letter of support for LD920. Motion passed, 3-0.
10. **Mackerel Cove Town Property matters:**
 - **Amend Fisherman Gear Annual Clean Out Date from 7/1 to 5/15:** Chairman Johnson stated that in order for Mackerel Cove to be clean and ready for the summer season, the clean out date should be earlier in the year. Chairman

Johnson moved, seconded by Selectman Chipman, to amend the Fisherman Gear Annual Clean Out date from 7/2 to 5/15. Motion passed, 3-0.

- **Set Public Hearing to Consider Parking Ordinance Amendments:** Selectman Chipman moved, seconded by Selectwoman Covey, to set the public hearing date to consider parking ordinance amendments to April 8, 2021 at 6:30pm. Motion passed, 3-0.

11. Cumberland County Contract Extensions: Administrator Eiane stated that in 2020 the Town of Harpswell and Cumberland County agreed to contract extensions for both law enforcement and marine patrol until Harpswell's new budget was adopted. The Town would like to make the same request in 2021, since our open Town Meeting did not take place in March due to the ongoing pandemic and concerns for public health. The term ending date for both contracts is March 31. The Marine Wardens have requested to amend their coverage schedule from five 8-hour shifts to four 10-hour shifts beginning with a trial period on April 5, 2021-July 11, 2021. The longer shifts would enable the wardens to cover both tides to watch for violations. Selectman Chipman moved, seconded by Selectwoman Covey, to authorize Administrator Eiane to amend the letter of support to include the trial dates of April 5, 2021 to July 11, 2021 and to sign the letter of extension on behalf of the Town. Motion passed, 3-0.

12. Bond Bank Resolution: RE: \$450,000 Borrowing for Recycling Center Phase I: Selectman Chipman moved, seconded by Selectwoman Covey, that the Resolution entitled, "Resolution Authorizing Issuance of \$450,000 General Obligation Bonds for Improvements to the Town Recycling Center," be approved in the form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting. A roll call vote was taken: Selectman Chipman voted aye, Selectwoman Covey voted aye and Chairman Johnson voted aye. Roll call vote passed, 3-0.

13. Public Comment: None.

14. Other Business: None.

15. Adjournment: The meeting was adjourned at 7:17pm without objection.

Respectfully Submitted,

Kayla Matthews
Recording Secretary

Attachments: General Obligation Bond Resolution