

Selectmen's Meeting Minutes
April 11, 2019
Harpswell Town Office
Approved April 25, 2019

At 5:00 PM, the Selectmen attended a workshop with the Conservation Commission re: Basin Point Road.

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 Jane G. Covey

Staff Present: Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer; and Fred Cantu, Code Enforcement Officer

1. Adoption of the Agenda: Item 15 was removed from the agenda.

2. Public Comment: None.

3. Selectmen's Announcements: None.

4. Town Administrator's Report: Deputy Administrator Sawyer reported the Pott's Point boat launch project is complete with the exception of the paving the entrance, which should take place the week of April 22. She noted how nice the project turned out and that the Harbormaster did a good job overseeing the project. April 27 is Household Hazardous Waste Day and anyone interested can obtain information on the Town website. Additionally, April 27 is Medication Collection Day from 10am – 2pm at the Town Office. Deputy Administrator Sawyer stated the Town contracted with the University of Maine for a study regarding the browntail moth and Dr. Groden, from the University, will share the results of the study on April 30 at 6:00pm at the Town Office. Selectman Chipman announced April 20 is roadside clean-up day.

5. Consent Agenda: 1) Approval of the Minutes; 2) Appointments; 3) Committee Resignation; 4) Approval of a Road Name; 5) Authorization of the Warrants: Selectman Chipman moved, seconded by Selectman Covey to approve the consent agenda [approved the March 28 minutes; appointed: Terri Sawyer as Health Officer, Paul Plummer as Harbormaster, Fred Cantu as Addressing Officer, Kristi Eiane and Linda Strickland as General Assistance Administrators, Gail Federico as Animal Control Officer, Ray Schlotterbeck as Alternate Animal Control Officer, Arthur Howe III as Emergency Management Agent and Fire Warden, Linda Strickland and Charles Perow Jr. as Deputy Fire Wardens, Benjamin Wallace Jr. as Fire Chief of Orr's/Bailey's Island Dept and Cundy's Harbor Dept, Stephen Welsh as Marine Shellfish Warden, and Tim Vail as Tree Warden; accepted Lee Cheever's resignation from the Bandstand Committee; approved Percys View as a road name; authorized warrant #15 in the amount of \$820,155.47 and payroll warrant #14 in the amount of \$18,752.08] motion passed 3-0. Deputy Administrator Sawyer noted Selectman Covey suggested some non-substantive changes to the minutes.

6. Wharf applications:

- **William & Pamalee Labbe, 65 Laurel Shore Drive, Map 52, Lot 144:** Bill Wells, Code Enforcement Officer, stated this application proposes to replace and modify a system that was removed due to ice damage. The system includes a 6'x35' wharf, 3'x40' ramp, 10'x16' float and a flip up float haulout. Chairman Johnson moved, seconded by Selectman Chipman to approve the application as the Harbormaster indicates it does not create a hazard to navigation and it does not cause an injury to the rights of others; motion passed 3-0.
- **William & Jacqueline McGee Wharf Application, 26 Elden Point Road, Map 20, Lot 22:** Mr. Wells stated he understands there is a concern about eel grass with this application. Ben Wallace of Redfish & Associates, owner representative, stated last summer he conducted a preliminary eel grass survey and there is no eel grass in this area. Mr. Wallace stated the Army Corps of Engineers (ACOE) expressed some concern because the new eel grass maps show eel grass in this area but the maps are wrong. Mr. Wallace noted even if there was eel

grass, the ACOE would not deny the application, the system just has to be put in the best location to be least intrusive. Chairman Johnson stated the Harbormaster recommends the Board not take action until the other entities do and agreed to table the application in case modifications are required.

7. Request to Solicit Options for the Purchase of a Town Vehicle: Fred Cantu, Code Enforcement Officer, stated it is time to replace the current vehicle the Code Office uses due to its condition. Mr. Cantu requested the Selectmen authorize staff to narrow down vehicle choices based on parameters (not to exceed \$20,000, vehicle must have less than 35,000 miles, seat 4 adults, 4 or all-wheel drive, small SUV or pickup, have air conditioning, must not have a CVT transmission and must have a suitable warranty). Staff will return to the Board with a vehicle recommendation. Chairman Johnson asked how much funding is available; Deputy Administrator Sawyer responded there is about \$26,000 available after accounting for our commitments to Cumberland County. Selectman Chipman moved, seconded by Selectman Covey to allow the staff to shop around and return with a recommendation; motion passed 3-0.

8. Lease with Pammy's Ice Cream Parlor for Use of Land at Mitchell Field Entrance: Deputy Administrator Sawyer stated last year the Board entered into a one-year lease with Pam Douglas to open Pammy's Ice Cream Parlor on Town-owned property near the entrance to Mitchell Field. This past Town Meeting authorized the Board to enter into multi-year agreements (up to three years) for this property. At its last meeting, the Board authorized staff to prepare a proposed agreement for three years, which is for review tonight. The proposed lease amounts in the Extension of the Land Lease Agreement with Pammy's Ice Cream are there for the Board's discussion. The amounts are in line with another lease the Board entered with a business within Mitchell Field and have been provided to Ms. Douglas. Selectman Chipman asked Ms. Douglas her thoughts on the proposal; Ms. Douglas responded she is so pleased to continue and she agreed with the proposal. Selectman Chipman moved, seconded by Selectman Covey to approve the Extension; motion passed 3-0.

9. Request for Pesticide Application to Town Trees at the Old Town House: Deputy Administrator Sawyer stated Deane VanDusen, an abutting property owner to the Town's property where the Old Town House is located, would like to treat his trees on his property. Mr. VanDusen is requesting permission to treat the Town's red oaks along the common property line as well. Mary Ann Nahf, Conservation Commission chair, stated she spoke with the property owner and the Town's ordinance regarding pesticides only governs the Shoreland Zone. However, the State does require that only applicators licensed with the State can work on public properties, which the property owner is. Selectman Chipman moved, seconded by Selectman Covey to allow Deane VanDusen to treat the trees on Town property as outlined in his email; motion passed 3-0.

10. Letter of Support for the Merriconeag Grange Nomination to the National Registry of Historic Places: Deputy Administrator Sawyer stated the Merriconeag Grange has applied to the Maine Historic Preservation Commission to have the Grange placed on the National Registry of Historic Places. The Commission has informed the Town and is allowing comment. Staff drafted a letter of support for the Board's consideration. Selectman Chipman stated he is a member of the Grange but there is no conflict. Selectman Covey moved, seconded by Selectman Chipman to send the letter of support; motion passed 3-0.

11. Maine Municipal Association (MMA) Safety Grant Application: Deputy Administrator Sawyer stated that Art Howe, Fire Administrator, has prepared a grant application to MMA seeking funds for some equipment at a total estimated cost of \$2,828. The grant could potentially cover 2/3 and the remaining 1/3 would come from the Fire Administrator's budget. Selectman Chipman moved, seconded by Selectman Covey to approve submission of the grant application; motion passed 3-0.

12. Agreement with Harpswell Community Broadcast Corp.: Selectman Chipman stated he will recuse himself due to his relationship with HCBC. Deputy Administrator Sawyer stated this proposed agreement was before the Board prior to Town Meeting and it was tabled to allow the Energy & Technology Committee to look

into options relating to live streaming. The Committee was unable to take on that task and staff is looking into the options. The Board asked for the agreement to be back on the agenda as the agreement does not prohibit the Town from live streaming. Currently, the Town and HCBC have an agreement extension until April 20. Selectman Covey stated this is the first time she has seen this agreement and she found parts to be confusing and suggested tabling this until the end of June to allow time for editing. Chairman Johnson suggested a workshop could be scheduled if needed. Tom Rothwell, Vice President of the HCBC Board, stated he would be willing to come to any meeting but noted an extension is needed. Chairman Johnson moved, seconded by Selectman Covey to extend the agreement between the Town and HCBC until July 31, 2019; motion passed 2-0 (Selectman Chipman recused).

13. Selectmen/Town Delegate to Harpswell Aging at Home (HAH) Steering Committee: Deputy Administrator Sawyer stated former Selectman Richard Daniel was the Town delegate to the HAH Steering Committee and the Town Administrator filled in when he couldn't make it. Kristi Eiane, Town Administrator, is willing to continue unless a Board member would like to serve. Selectman Chipman stated he would like to be the delegate.

14. Establishing a Late Fee for Mooring Registrations After May 1 and Guest Mooring Fee: Deputy Administrator Sawyer reported the Board was provided a memo that showed last year's and this year's mooring fees. The Board previously approved increasing the mooring fees in 2019 for the new mooring season. The late fee for those who paid after May 1 was listed in the Harbor & Waterfront Ordinance to be 'double the fee' until this Town Meeting when it was changed to say that the late fee will be determined by the Board of Selectmen. In addition, the Ordinance was changed to allow for a new category – guest mooring. The Board needs to set the late fee(s) and a fee for a guest mooring. The Harbor & Waterfront Committee recommended a \$50 fee for the guest mooring and did not make a recommendation regarding the late fee. Chairman Johnson stated he is willing to continue with doubling the fee if it is late. Selectman Chipman moved to set the late fee as double the original fee and set \$50 as a guest mooring fee. Selectman Covey expressed concern about doubling the fee on the new rates so close to May 1 without being able to get the word out. Chairman Johnson stated he could consider a \$25 late fee. Selectman Chipman amended his motion to change the late fee to \$25, seconded by Selectman Covey; motion passed 3-0. Deputy Administrator Sawyer stated while staff did not make a formal recommendation, staff does not believe \$25 to be a deterrent. If the Board remains at \$25, she asked the Board to consider increasing the late fee next year especially since the Town will be on its new mooring management software and each mooring holder will be receiving an invoice and will be able to pay online. The Board agreed to consider increasing the late fee for the 2020 season.

15. Request for Proposals for an Energy Audit Re: Town Office Building: Removed.

16. Public Comment: None.

17. Other Business: None.

18. Administrative Matters: None.

19. Adjournment: At 6:40 p.m. the meeting was adjourned without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator