

Selectmen's Meeting Minutes
April 13, 2017
Harpswell Town Office
Approved April 27, 2017

At 4:30pm, Chairman Daniel moved, seconded by Selectman Johnson to enter into executive session pursuant to 1 MRS § 405 (6) (c) regarding economic development at Mitchell Field; motion passed 3-0. The Board recessed at 4:48 pm.

At 5:00pm, the Board held a workshop regarding concerns near the Town property, Giant's Stairs.

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

Selectmen Present: Richard A. Daniel, Kevin E. Johnson and David I. Chipman

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurer, Jim Hays, Harbormaster and Mark Eyerman, Planner

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Chipman, to adopt the agenda as printed; motion passed 2-0.

2. Public Comment: Robert McIntyre expressed concerns about the speed and related dangers on Basin Point Road where the road narrows near the end. He asked the Board for more signage and to reduce the speed limit in that area to 15 mph, understanding that it is not enforceable. Mr. McIntyre suggested if the Town informed Central Maine Power that it may consider relocating some telephone poles that are too close to the road for pedestrian safety. Ronald Ponziani, Road Commissioner, commented on the signs on Basin Point Road and the positive effects of the painted lines on the road where it narrows. Chairman Daniel asked for the Town's new radar speed sign to be placed in that area for Memorial Day. Mr. Ponziani suggested the road posting signs could be possible removed next Wednesday. Selectman Johnson suggested they be removed on Monday with the exception of the few Mr. Ponziani is concerned about. Selectman Chipman moved, seconded by Selectman Johnson to remove the road posting signs from all roads on April 17, except for Basin Point Road, Peabody Road and Upland Lane which can be removed on April 20; motion passed 3-0. The Board discussed reducing the speed to 15 mph at the road narrows location on Basin Point Road. Chairman Daniel moved, seconded by Selectman Chipman to reduce the speed limit for that short distance; motion passed 3-0.

3. Selectmen's Announcements: Selectman Chipman announced Earth Day is Saturday, April 22 and so is the Roadside clean up day, which has been renamed to John Gilliam Day. He stated volunteers can obtain free trash bags at the local stores for collecting trash and once full, they should be left on the sides of the main roads for pick up and disposal. There will be a lunch at the Grange at 12:30pm for the volunteers.

4. Town Administrator's Report: None.

5. Consent Agenda: Selectman Chipman moved, seconded by Chairman Daniel to approve the consent agenda [accepted David Mercier's resignation from the Water Tower Task Force with thanks; appointed the following from May 1 to April 30, 2018: Gail Federico as Animal Control Officer; Linda Strickland, Charles Perow, Richard Griffin, Richard Wyer as Deputy Fire Wardens; Kristi Eiane and Linda Strickland as General Assistance Administrators; Robert McAleer as Emergency Management Agent until June 30, 2017; Frank Hilton as Fire Warden until June 30, 2017; Benjamin Wallace Jr. as Fire Chief of Cundy's Harbor Fire Department and Orr's/Bailey Islands Fire Department; David Mercier as Fire Chief of Harpswell Neck Fire Department; James Hays as Harbormaster until replaced; Timothy Vail as Tree Warden; and Kyle Neugenbauer and Stephen Welsh as Shellfish Wardens; authorization of warrant 15 in the amount of \$706,855.03 and payroll warrant 15 in the amount of \$14,369.11]; motion passed 3-0.

6. Auditor's Report on 2016 Financials: Greg Chabot, of RHR Smith & Company, apologized for missing the last meeting as he had the incorrect start time. Mr. Chabot revised the highlights of the Town's 2016 financial statements.

11. Public Hearing Re: Estes Lobster House First Time Malt, Vinous and Spirituous Liquor License and Amusement License Requests: Deputy Administrator Sawyer stated Estes Lobster House is under new management and as such, the State considers it a first-time license requiring the Town to hold a public hearing. The Code Office confirmed the establishment is compliant with local ordinances and Cumberland County reports no alcohol-related calls in the last year. Additionally, the Town has an Amusement Ordinance requiring the Board to hold a hearing when a food establishment selling alcohol plans to offer entertainment and Estes plans to offer live music. The hearing was opened and closed at 6:40pm as no one spoke. Chairman Daniel moved, seconded by Selectman Chipman to approve both the liquor license and amusement permit; motion passed 3-0.

7. Wood Grinding Request for Proposals: Administrator Eiane reviewed the annual request for proposals to grind the Town's demo wood and brush piles. There are essentially two companies that offer the grinding service. Selectman Chipman moved, seconded by Selectman Johnson to approve the request for proposals; motion passed 3-0. Selectman Chipman asked where the pressure treated wood is disposed of and staff responded the material is deposited in the demo cans for disposal [at a landfill] by the Town's contractor, Pine Tree Waste.

10. Mitchell Field Matters:

- **Contract for Natural Resources Assessment:** Mark Eyerman, Town Planner, stated the Town's Master Plan that was developed years ago did not review the natural resources at Mitchell Field such as the wetlands and high value areas. The Town received a grant from the Davis Foundation to conduct a natural resources assessment to look at the entire property's resources and provide baseline information on the areas with significant natural resources and areas more suitable for development. A representative from the Mitchell Field Committee, from the Conservation Commission and Administrator Eiane interviewed the three firms that submitted proposals and are recommending the Town contract with Stantec. The contract would be paid with funds from the grant [\$8,050] and the balance from the Mitchell Field line [\$2,650] item for updating the Master Plan as this is part of that project. Chairman Daniel moved, seconded by Selectman Chipman to hire Stantec and authorize the Town Administrator to sign the contract (with minor amendments) for \$10,700; motion passed 3-0.
- **Consider Sole Sourcing with Baker Design Consultants for Pier Removal Services:** Mr. Eyerman reported Town Meeting authorized the demolition of the pier. Barney Baker of Baker Design Consultants prepared a work plan for review by Town Meeting and it contained an aggressive timeline. The first step is to finalize the design for the lay down area, including the permitting process for the lay down area and for the waterside demolition. Additionally the bid documents need to be prepared to seek a contractor. Baker Design Consultants prepared a proposed scope of service and staff recommends sole sourcing with the firm and, if approved, the contract could be prepared for the next meeting. Selectman Chipman stated he is in favor of sole sourcing as Barney Baker did win an initial bid and worked on this project and is very familiar with the site. Chairman Daniel agreed and moved, seconded by Selectman Chipman to sole source with Baker Design Consultants and to direct the staff to draft a contract not to exceed \$75,000; motion passed 3-0. Selectman Chipman asked if the debris from the dolphin could be used for the boat ramp; Mr. Eyerman responded maybe and one of the items in the scope of work is to identify material the Town may want to retain for future use.
- **Authorizing Open Field Burn:** Selectman Chipman stated he has burned the Field a couple of times and he hopes this is the last time as Jim Cornish should be taking over the management of the areas and making them harvestable for hay. Burning kills the weeds and ticks. Selectman Chipman proposes to have a fire truck from Harpswell Neck and a couple firefighters in attendance and to notify the neighbors. Selectman Chipman stated Chuck Huntington knew all about birds and advised burning should take place

before mid-April or after mid-July. The burn is proposed for Saturday, if the weather cooperates. Selectman Chipman moved, seconded by Selectman Johnson to approve the burning of the field; motion passed 3-0.

12. Harbor Management Access Grant Application for Mackerel Cove Boat Launch: Jim Hays, Harbormaster, requested the Board approve submitting a grant to the Bureau of Submerged Lands to rebuild the Mackerel Cove boat ramp. The ramp has deteriorated and, if approved, the lower 40-feet could be replaced with concrete boat ramps and the top of the upper part could be resurfaced and the entire ramp widened from 16-feet to 20-feet. Selectman Chipman moved, seconded by Selectman Johnson to approve the grant. Selectman Johnson noted a Bailey Island group is willing to contribute money to the project as well. Motion passed 3-0.

8. Resolution of Long Island Parcel: Deputy Administrator Sawyer reported the Board previously approved resolving the title issue with subdivision lot 32 on Long Island, including having the interested party pay half of the Town's legal costs related to this matter. Staff contacted the interested party and she disagreed with paying about \$1,600 and stated because it was the Town's error. Staff and asked for direction from the Board and suggested the Board consider \$1,000. Chairman Daniel and Selectman Chipman agreed to \$1,000 and Selectman Johnson was non-committal. Chairman Daniel moved, seconded by Selectman Chipman to offer that the interested party pays \$1,000 for resolution of this matter; motion passed 3-0.

9. Corrective Deed for Birch Island Parcel: Deputy Administrator Sawyer stated this lot has been on the tax rolls and there was simply a scrivener's error many years ago. This corrective deed clarifies the error. Selectman Chipman moved, seconded by Chairman Daniel to sign the corrective deed; motion passed 3-0.

13. Marine Resources Letter to Harpswell By The Sea: Administrator Eiane stated this letter was written by Monique Coombs, Town's Marine Resources consultant, and approving the Marine Resources Committee to send to the Harpswell by the Sea Association. There has been dissatisfactory activity on the private landing and since the landing is used by many harvesters, the Committee wanted to reach out to discuss the issues and develop a relationship. Selectman Chipman moved, seconded by Selectman Johnson to send the letter; motion passed 3-0.

14. Approve Job Description for Fire Administrator: Administrator Eiane reported the Fire and Rescue Planning Committee has worked diligently on this job description, and Selectman Johnson and Chairman Daniel have been part of the Committee. The Committee is comfortable with this proposed product and if approved by the Board, the position will be advertised. Chairman Daniel moved, seconded Selectman Chipman to approve the job description; motion passed 3-0.

15. Extension of Marine Resources Consulting Services Contract: Administrator Eiane reported the Town's current contract with RAI for marine resources consulting services, including subcontracting with Monique Coombs, expired March 15, 2017. The Town needs time to evaluate its marine resources needs and the Town's interview team for a new Harbormaster has been asking candidates about taking on a more active role in this area. The Town has had an effective arrangement for scientific and technical assistance. Administrator Eiane recommended the Board authorize a four-month contract extension and in the meantime the Town can determine what its future consulting needs are. Chairman Daniel suggested a workshop to discuss the Town's coming needs. Selectman Johnson moved, seconded by Selectman Chipman to extend the current contract; motion passed 3-0.

16. Committee Appointment and Selectmen Liaisons: The Board reviewed the committee compositions and appointments. Chairman Daniel moved to appoint Candis Hine, Richard Meisenbach, Michael Millius and William Muldoon to the Bandstand Committee; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Johnson to appoint Jim Knight and Patricia Lawson to the Board of Appeals; motion passed 3-0. The

Board discussed the applicants and available positions to the Budget Advisory Committee. Chairman Daniel moved, seconded by Selectman Chipman to appoint Linda Hall to the Budget Advisory Committee; motion passed 3-0. Selectman Chipman moved, seconded by Chairman Daniel to appoint Mary Ann Nahf and Sue Vachon to the Conservation Commission; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Johnson to appoint David Mercier and Benjamin Wallace Jr. to the Emergency Vehicles Committee; motion passed 3-0. Selectman Johnson moved, seconded by Chairman Daniel to appoint Brent Dudley to the Energy Committee; motion passed 3-0. The Board discussed the membership of the Fire and Rescue Planning Committee and that the new Fire Administrator will play a staff role to the Committee. Chairman Daniel moved, seconded by Selectman Chipman to appoint Gail Hart, David Mercier, Jonathan Burbank, Benjamin Wallace Jr. and Selectman Kevin Johnson to the Fire and Rescue Planning Committee; motion passed 3-0. The Board agreed to wait on Marine Resource Committee appointments. Selectman Johnson moved, seconded by Selectman Johnson to appoint Micahel McCabe and Scott Sheffer to the Mitchell Field Committee and to make the committee membership size ten; motion passed 3-0. Selectman Chipman moved, seconded by Chairman Daniel to appoint Monique Coombs, Richard Meisenbach, Anthony Barrett and Raymond Sohl to the Recreation Committee; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Johnson to appoint Jeff Stann to the Recycling Committee; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Johnson to appoint Edward Perry, Ken Oehmig to the Town Lands Committee and John Loyd as an Associate; motion passed 3-0. Chairman Daniel moved, seconded by Selectman Chipman to appoint Jane Smith, Anthony Barrett, Kenneth Oehmig, Edward Perry, Donald Miskill Jr., John Loyd and Brandi Bernier as Town Lands Stewards; motion passed 3-0. Selectman Chipman moved, seconded by Selectman Johnson to appoint Kent Simmons as an alternate to the Water Tower Task Force; motion passed 3-0. The Board discussed liaison rolls to the Committees and agreed to: Chairman Daniel to the Bandstand, Conservation Commission, Recreation and Town Lands; Selectman Johnson to the Emergency Vehicles Committee, Harbor & Waterfront, Marine Resources and Fire and Rescue Planning; and Selectman Chipman to Energy, Mitchell Field, Recycling and Budget Advisory.

17. Cumberland County Law Enforcement and Marine Patrol Contracts: Administrator Eiane reported these annual contracts are the same as in past years except for the costs. Selectman Chipman asked for clarification on the contract amount versus the budget approved amount. The difference is the Town's calendar year budget includes 3 months at one cost and 9 months at the new cost. Selectman Chipman moved, seconded by Selectman Johnson to approve both contracts; motion passed 3-0. The Marine Wardens priority is to cover the shellfish flats but they provide general law enforcement .

18. Approval of the Minutes: Chairman Daniel moved, seconded by Selectman Johnson to approve the minutes of February 6 and March 2; motion passed 2-0 (Selectman Chipman abstained). Chairman Daniel moved, seconded by Selectman Chipman to approve the minutes of March 30; motion passed 2-0. Chairman Daniel moved, seconded by Selectman Chipman to accept the March 15 and 22 minutes; motion passed 3-0.

19. Public Comment: None.

20. Other Business: None.

21. Administrative Matters: The Board scheduled a workshop to discuss goals and objectives for April 27 at 5:00pm.

22. Adjournment: At 7:45 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator