

**Selectmen's Meeting Minutes**  
**April 19, 2018**  
**Harpswell Town Office**  
**Approved May 3, 2018**

**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; and Fred Cantu, Code Enforcement Officer

**1. Adoption of the Agenda:** Chairman Daniel removed item 8 and added under item 17 discussions regarding the Planner assisting the Energy & Technology Committee, past conservation project relating to brush and the situation on the corner of Allen Point Road and Route 123.

**2. Public Comment:** Mary Ann Nahf, Conservation Commission Chair, stated with the warmer weather people are getting out and clipping the browntail moth nests. The Town has been working on the browntail moth issue and how to address them including working with the University of Maine on a research project. The University will study the nests and explore less toxic controls with regard to impacting people and shellfish. A number of residents have offered their property as test sites and the work will begin soon. Ms. Nahf encouraged the public to review the browntail moth information on the Town's website. Ms. Nahf announced Saturday is the Town clean-up day and the Conservation Commission will have a table at the Town Office with snacks and garbage bags. People can also sign up for the Adopt-a-Road Program. Chairman Daniel stated his fruit and oak trees were hit hard last year by the browntail moths and they do not seem as bad this year. Ms. Nahf noted the browntails may have moved to the next property.

**3. Selectmen's Announcements:** Selectman Chipman announced Saturday is John Gilliam Day and the stores are providing free trash bags for roadside cleanup. He asked people to collect the trash on their favorite stretch of road and leave the bags on the side of a main road for him to pick up later. There will be a pizza lunch at the Grange at noon.

**4. Town Administrator's Report:** Administrator Eiane reported the MSAD 75 Superintendent is stepping down and the District is looking for input from communities on what attributes people are looking for in a new superintendent. There is a survey on the District's website. Administrator Eiane stated the Town has been working with the Department of Environmental Protection and a Navy Contractor regarding testing for perflourinated compounds (PFC) at Mitchell Field. The tests are slated to take place next week. Rosalind Knight, Town Clerk, reported that rank-choice voting will be used for the June 12 primary election and possibly November. Ms. Knight reviewed the costs relating to rank-choice voting, which could be upwards of \$7,000. Such costs were not budgeted for and may require use of contingency. There has been no State funding approved, but the Secretary of State's Office noted there is a possibility that the Legislature may consider some amount of financial support which may help offset some of the extra costs. Representative McCreight and Senator Carson have been contacted regarding the matter.

**5. Consent Agenda:** Selectman Chipman moved, seconded by Selectman Johnson to approve the consent agenda [April 5 minutes; appointments for May 1, 2018 – April 30, 2018: Fernando Cantu as Local Plumbing Inspector, Gail Federico as Animal Control Officer, Ray Schlotterbeck as Alternate Animal Control Officer, Arthur Howe III as Fire Warden, Linda Strickland, Charles Perow, Richard Griffin, Frank Hilton and Richard Whyer as Deputy Fire Wardens, Kristi Eiane and Linda Strickland as General Assistance Administrators, Benjamin Wallace Jr. as Fire Chief of Cundy's Harbor & Orr's/Bailey Islands Fire Department, David Mercier as Harpswell Neck Fire Chief, Paul Plummer as Harbormaster, Timothy Vail as Tree Warden, and Stephen Welsh and Raymond McIntire as Shellfish Wardens; warrant #16 in the amount of \$738,912.89, warrant #16a in the amount of \$75,379.43, warrant #16b in the amount of \$402.40 and payroll warrant #15 in the amount of \$18,112.25]; motion passed 3-0.

**6. Selection of Banking Institution for Tax Anticipation Note Financing:** Marguerite Kelly, Treasurer, reviewed the four responses received to the request for proposals for tax anticipation note financing: Androscoggin Bank 2.31% interest rate, Bath Savings Institution 2.24%, Bangor Savings Bank 2.27% and The First National Bank 2.15%. All four banks will maintain their interest rate for either borrowing as a lump sum or on an as needed basis. Ms. Kelly recommended the Board accept the low bid on an as needed basis from The First National Bank. Chairman Daniel moved, seconded by Selectman Johnson that the vote entitled, "Vote to Authorize Issuance of a Tax Anticipation Note for Fiscal Year 2018," in the form presented to this meeting, and an attested copy of said Vote be included with the minutes of this meeting; motion passed 3-0.

**7. Treasurer's Report:** Ms. Kelly, Treasurer, reviewed her monthly report for March (attached).

**8. Bond Point LLC Wharf Application, 44 Bond Point Road, Map 34, Lot 70:** Removed.

**9. Requests for Proposals for Demolition of the Water Tower:** Administrator Eiane reviewed the proposed request for proposals for removal of the water tower and she suggested changing the submission date to May 14. There are two alternates as well but the primary purpose is to remove the tower. The soil around the tower was tested and is within the acceptable lead limits for residential properties. Selectman Chipman stated he wants people to know that he wants what's best for all the people of Harpswell and he does not have a pecuniary interest in saving the tower. Chairman Daniel stated if a petition comes in, legal advice will be sought and he noted Selectman Chipman called the Town attorney regarding a possible petition already without agreement from the Board. Selectman Chipman clarified he did so for clarification on how a petition would be handled. There was a discussion regarding what Selectman Chipman's involvement with the possible petitioners was including why Selectman Chipman supports a petition to overturn the Town Meeting vote to demolish the Tower. Chairman Daniel noted every person had an opportunity to speak at Town Meeting adding that the moderator allowed more discussion even after the floor moved to a vote. Dorothy Rosenberg spoke against the vote to demolish the tower stating that there is new information that Town Meeting was not aware of. She stated a petition is coming with over 400 signatures for verification next week and it should be on the June 12 vote; Chairman Daniel noted if one comes, it has missed the required 60 day deadline for a vote, therefore it cannot be on June 12. There was a discussion regarding the history of the water tower and what transpired to bring the Board to its point of upholding a Town Meeting vote to demolish the tower. Chairman Daniel noted if the vote had gone the other way, he was more than willing to work with the 'Friends of Mitchell Field' on an agreement and those against the vote should also respect the vote. The discussion continued regarding Ms. Rosenberg's reasons to keep the tower and Chairman Daniel's reiterated the history of the research conducted and how things came to the March vote. Denis Gagnon stated he was a former pilot who had permission to fly into Farr Field and that air strip is not a problem to the tower or a taller replacement. Selectman Chipman stated he has read over the request for proposals and while thorough, he cannot support issuing it until the petition is addressed. Chairman Daniel stated there is a Town Meeting voting that has to be upheld and while there is talk of a petition, there has not been one and the Board has to proceed with following through on the Town Meeting vote. There was a discussion regarding what would occur if a petition comes in. Chairman Daniel stated legal advice would be sought and depending on that, the responses to the request for proposals could be held. Selectman Chipman stated he could agree to issue the request for proposals given the Selectmen will consider the petition. Robert McIntyre noted the "Petition" heading to the Anchor letter the editor was at the discretion of the editor. Terry Flanagan asked if the Energy & Technology Committee would be able to take into consideration the water tower as a site before it is demolished. Chairman Daniel noted that site has been considered for multiple years and the Town Meeting vote has to be upheld. Selectman Chipman noted the image of Mitchell Field with voters has to be worked on. Selectman Chipman moved, seconded by Chairman Daniel to approve the request for proposals with the May 14 date; motion passed 3-0.

**10. Harpswell Fisheries Needs Assessment Presentation:** Kendra Jo Grindell, of the Maine Coast Fishermen's Association, reviewed the assessment she conducted of Harpswell's fisheries needs – Beyond the Bow. A link to

the report and the summary are available on the Town's website. Ms. Grindell stressed that she and the Association are available as resources to help in any way. Selectman Chipman noted the Board should consider in the future allowing use of the old fire station at Mitchell Field by fishermen to work on their boats. Selectman Chipman suggested Harpswell Radio needs to be used to get information out to fishermen on their boats and that the Town needs more affordable housing. Selectman Johnson stated the fishermen are part of the communication problem between the fishing industry and others as fishermen used to be more active and involved. Chairman Daniel moved, seconded by Selectman Chipman to designate the Harbormaster as the Town's fisheries liaison; motion passed 3-0.

**11. Agreement with Stantec for Herbicide Applicator Services at Mitchell Field:** Administrator Eiane reviewed the proposal for a licensed applicator to treat some of the invasive species at Mitchell Field for \$4,500. The 2018 budget included up to \$6,000 for this purpose. Selectmen Chipman made some comments about the Mitchell Field Committee's work plan including that it may be getting too late to burn the field; noted that there is milkweed on the Field that he wants to preserve; and he wondered if there was a less potent solution such as saltwater that could combat invasive plants. Mary Ann Nahf, chair of Conservation Commission, stated before Stantec did some treatment last year, a natural resource assessment was conducted of Mitchell Field. This proposal is very specific and not near a water body and Ms. Nahf stated she is pleased with using a licensed applicator that is familiar with the site. Selectman Chipman suggested the Committee consider how to take care of the invasives in the upper field and how to clear out all the rocks so it could be hayed by a local farmer. Selectman Chipman moved, seconded by Selectman Johnson to sole source with Stantec for this proposal; motion passed 3-0.

**12. Mitchell Field Pier Demolition Requisition:** The Town's pier contractor submitted requisition #6 totaling \$321,487.25 less retainage equals \$305,412.89 for payment. Selectman Chipman moved, seconded by Selectman Johnson to approve the requisition [and pier warrant #12 in the amount of 333,425.89]; motion passed 3-0.

**13. Contractor Recommendation for Town Office Drainage Project:** Administrator Eiane reported on the two bids received in response to the Town's request for proposals for the drainage project:

	Phase I&II	Alt 1	Alt 2	Alt 3	Alt 4
Ray Labbe & Sons	\$16,800	\$2,975	\$10,200	\$3,470	\$4,950
Crooker Construction	\$18,500	\$3,000	\$6,000	\$2,750	\$4,500

Phase I & II is to address the poor drainage by cleaning out and reconstructing the perimeter drain and building a drain out towards Mountain Road. Administrator Eiane reviewed the alternate bid options regarding the walkway and drainage between the Town Office and Recycling Center. Selectman Chipman suggested the walkway between the facilities was supposed to be ADA accessible with a switchback since the overflow parking is in the Recycling Center Facility. Fred Cantu, Code Enforcement Officer, stated that the Department of Environmental Protection requires the entrance gate to the Recycling Center be locked after hours so overflow parking would not work. Selectman Johnson stated he didn't believe the walkway had to be ADA compliant. The Board scheduled a site visit at 5:30pm before its May 3 meeting.

**14. 2018 Salary and Wage Adjustments:** Administrator Eiane stated that after the annual budget season, Town Meeting, and personnel evaluations, the Board considers approving salary and wage adjustments. The Board previously agreed to an across-the-board increase of 1.75% and for certain positions to receive additional adjustments through the systematic approach to bring people closer to the midpoint as established in the Salary and Wage study. Administrator Eiane noted the increases also include a \$4 per day increase for the Animal Control Officer due to the complexity of issues that the position handles. Ronald Ponziani, Road Commissioner, stated the Salary and Wage study consultant told him that his position was difficult to establish since it was elected and now that he is appointed he wants to be where he believes he should be (he handed out information). Administrator Eiane stated the issue with the Road Commissioner position is determining how many hours are worked each week since the Study is based on full-time calculations. The Road Commissioner pay and

conversion from elected to hire maintains the existing Road Commissioner at the same salary plus 1.75%. Mr. Ponziani stated he wants to be at the minimum scale as determined in the study. Selectman Johnson noted the position is part-time and reviewed the history regarding the current Road Commissioner's pay and adjustments. Chairman Daniel agreed to look at the information. Chairman Daniel moved, seconded by Selectman Chipman to approve the 2018 wage and salary list; motion passed 3-0.

**15. Committee Appointments and Selectmen Liaisons:** The Board agreed to keep the same committee liaisons as last year. Deputy Administrator Sawyer reviewed each committee's composition and applications. Chairman Daniel moved, seconded by Selectman Chipman to make the following appointments: Candis Him and Christopher Hall to the Bandstand Committee; Kent Simmons, Ellen Shillinglaw, and Michael McCabe (Associate) to the Board of Appeals; Paul Ciesielski and Tom Bachman to the Conservation Commission; Benjamin Wallace Jr., Jonathan Burbank, David Mercier and Philip Taylor to the Emergency Vehicles; Brend Dudley and John Monaghan to the Energy and Technology Committee; Gail Hart, Benjamin Wallace Jr., Jonathan Burbank, Allan LeGrow, David Mercier and Kevin Johnson to the Fire & Rescue Planning Committee; Warner Price, Burton Taylor, William Saxton and Philip Conner to the Harbor and Waterfront Committee; Mary Ann Nahf (Associate) and Brian Soper to the Marine Resources Committee [4 members need to have licenses]; Donald Miskell Jr., Judith Stanton, Thomas Haible, Philip Conner and James Knight to the Mitchell Field Committee; Paul Standridge, Joanne Rogers and Burton Taylor Jr. to the Planning Board; David Brooks and Donald Miskell Jr. to the Recreation Committee; George Barker and Philip Conner to the Recycling Committee; Priscilla Seimer and David Morton (Associate) to the Town Lands; motion passed 3-0. There was a discussion regarding the 6 member composition of the Budget Advisory Committee with one opening and three applicants. Chairman Daniel moved, seconded by Selectman Chipman to appoint Burton Taylor Jr. to the Budget Advisory Committee; motion passed 3-0.

**16. Public Comment:** None.

**17. Other Business:** Selectman Johnson stated there will not be another brushing conservation project in the same location as last year. Regarding last year's project, there were errors with the permitting and it didn't have the success involving clam seed as hoped for. Administrator Eiane noted the Board previously agreed if there was another brushing conservation project, the Town would notify the property owners in the area before the project was undertaken. Chairman Daniel suggested the Planner be the staff support for the Energy and Technology Committee as they look into possible cell phone tower locations and new cell phone technologies; the Board agreed. The Board discussed the complaints received regarding the RA Webber business at the corner of Allen Point Road and Route 123. In addition to the noise issues, the trucks were driving on the posted Town road for which the Road Commissioner gave permission. The Board discussed whether the business has expanded and therefore required Site Plan Review. Fred Cantu, Code Enforcement Officer, reported the business has existed since 1996 and was not required to proceed through Site Plan Review and does not appear to have expanded based on photographic evidence. Selectman Chipman noted the Webbers want to be good neighbors and the Board will just keep an awareness.

**18. Administrative Matters:** None.

**19. Adjournment:** At 8:20 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Treasurer's Report  
Vote to Authorize Issuance of a Tax Anticipation Note for Fiscal Year 2018