

Selectmen's Meeting Minutes
April 30, 2015
Harpswell Town Office
Approved on May 14, 2015

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:04 p.m.

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

Staff Present: Kristi Eiane, Town Administrator; Bill Wells, Code Enforcement Officer; and Ronald Ponziani, Road Commissioner

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

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended by removing item 9; motion passed 3-0.

2. Public Comment: David I. Chipman thanked everyone who helped on the roadside clean up. 500 pounds of trash was collected from the sides of roads and 23 dollars worth of returnables. Mr. Chipman thanked the stores for providing free trash bags, pizza, chips and soda. Mary Ann Nahf, chair of the Conservation Commission, stated that the Friends of Casco Bay has been conducting water testing in Harpswell for a number of years and in its recent annual report states that Quahog Bay water quality has been steadily improving. The report notes the Conservation Commission's guide that explains how to reduce run off and keep the bays healthy. There are a number of volunteers who perform water testing and it is great to find that results are improving based on efforts to keep the waters clean. Ronald Ponziani stated there were two responses to the Town's request for bids to sweep certain Town roads – one from Goodall Landscaping for \$2,625 and one from Labbe Construction for \$4,975. He noted he missed one road which can be done at an hourly rate with the response by Goodall. State roads need to be cleaned by the Department of Transportation. Selectman Multer moved, seconded by Selectman Johnson to accept Goodall's bid to sweep certain Town roads; motion passed 3-0. Chairman Daniel asked if the sand can be reused for winter maintenance; Mr. Ponziani responded it is too dirty to reuse but can be used for fill.

3. Town Administrator's Report: Administrator Eiane reported that LD131 is moving forward in Augusta. The bill will amend the law regarding public funding of charter schools. If it passes, instead of the funds flowing through the respective districts, the funds will go directly from the State to the charter schools. This bill could save \$1 million dollars in MSAD 75's budget and it looks like it will pass in time for the district to reduce its budget. Administrator Eiane announced the medication collection day held last Saturday was very successful. She thanked the Cumberland County Sheriff's Department as the program could not occur without a deputy being present. This is a popular event appreciated by the public. Administrator Eiane stated she was contacted by the United Way to see if the Town Office would serve as a drop off point for the collection of diapers to distribute to families in need. She plans to approve the request as it is similar to other requests such as collecting cell phones, printers, and food for pets.

4. Selectmen's Announcements: None.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [approval of the 4/16 minutes; authorize warrant #19 in the amount of \$129,621.52 and payroll warrant #18 in the amount of \$13,615.28]; motion passed 3-0.

6. Consider Selection of Banking Institution for Tax Anticipation Note Financing: Administrator Eiane stated the Board has a memo from the Treasurer reporting that there were five responses to the Town's request for proposals for a short-term borrowing. The respondents were Androscoggin Bank, Bath Savings, Bangor Savings, First Bank and TD Bank. The lowest bid was from TD Bank with an interest rate of .55 % and the Treasurer recommends proceeding with TD Bank. This interest rate is lower than what was paid in 2014. Chairman Daniel moved seconded by Selectman Multer to adopt the motion entitled "*Vote to Authorize the*

Issuance of a Tax Anticipation Note for 2015 be approved in the form presented at this meeting and that an attested copy will be part of the minutes. Administrator Eiane noted the lump sum of \$2.9 million borrowing will result in \$11,012.05 in interest. Motion passed 3-0.

7. Paul and Susan Ciesielski Wharf Application, Map 48, Lot 86, 139 Tondreau Point Road: Bill Wells, Code Enforcement Officer, stated there was a public hearing and no negative comments were received. The project was modified since the initial hearing. Joe Leblanc, applicant representative, reviewed the changes and new location. Mr. Leblanc stated the original location was to go straight out but due some dredging in the area, oysters were dumped where the original location was. Since the proposal was revised, the area was dredged again and now that the oysters are gone, it is planned to proceed with the revised design and location. Paul Ciesielski noted a commercial boat comes and dredges for oysters in the cove with large chains, which is a very destructive process and often results in dead oysters. The clams are not damaged but the oysters and environment take a hit. The Selectmen asked the Administrator to follow up on that matter. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others in relation to fishing, fowling and navigation; motion passed 3-0.

8. Consider Holding Tank Application: Bill Wells, Local Plumbing Inspector, stated this application is for a holding tank to service a comfort/wait station on the mainland, used as an access point to Snow Island. The waste is from a single bathroom without a bath/shower and no cooking facilities. Mr. Wells states the distance to the abutter's well indicates 49-feet but given the bathroom will be located in a bump out on the existing building, it will be greater than 50-feet. The Board can stipulate the tank's location. Administrator Eiane asked if this first-time holding tank opens up opportunities for others to have a first time holding tank. Mr. Wells responded this is allowed as a first time system only because it is non-residential and will never service a residence. Mr. Ponziani noted the State turned over review authority for placement of tanks to the local plumbing inspectors. Based on new technology with systems, the 50-foot or 100-foot setback is not as critical. Administrator Eiane asked what the Board's role was in this process. Mr. Wells responded since the Town does not have a local holding tank ordinance, the State requires all holding tanks to be approved by the municipal officers. Mr. Wells noted the tank is one piece and has an alarm that will sound if there are any problems. Selectman Multer asked if the pump records get submitted to the Code Office; Mr. Wells responded yes. Chairman Daniel moved, seconded by Selectman Multer to approve the holding tank under the recommendation of the Code Enforcement Officer and that the tank be placed a minimum of 50-feet from the abutter's well; motion passed 3-0.

9. 2016 Shellfish License Fees and Conservation Credit (License Fee Reduction): Deleted.

10. Consider Request from Harpswell Radio Project, Inc.: John Halpin, President of Harpswell Radio Project, stated the group hopes to build a community radio station – low power FM educational public access radio in Harpswell staffed by volunteers. To do so, a broadcast antenna needs to be installed and one of the Town's tower's would be ideal – the tower that hosts the television studio equipment on Mountain Road. Mr. Halpin requested the Board allow the installation of the antenna on that tower. There are two ways it can be set up – a single or double bay. Double bay gives a better signal and single bay would be a less costly alternative to get on the air. The Mountain Road location would provide the best service coverage in Town. Selectman Multer asked if there are legal aspects that need to be checked. Administrator Eiane responded a lease would be required and the Board has the authority for one-year leases only as multi-year would have to go to Town Meeting. Mr. Halpin stated he would like to start with a one-year lease and then ask Town Meeting for a multi-year lease. Chairman Daniel asked about the space on the tower. Mr. Halpin stated there is a mounting pole and brackets to hold the antenna. The TV studio's equipment is mounted at the top and this would be below that. The July 25, 2015 deadline is to get on the air which can be done via a laptop while they continue to explore places for a studio. It's important to meet the deadline to get on the air as the opportunity will not be available after that since it looks like the FCC will not be entertaining small radio station applications as frequencies are not available. It

may be possible to ask for an extension but it is unknown if it would be granted. Selectman Johnson suggested approving the request pending legal matters. Selectman Multer suggested authorizing staff to work with the Project and legal to line up what is needed, including a one-year lease. The Board agreed. Chairman Daniel asked if the station will be able to sell advertising; Mr. Halpin responded underwriting can be done under specific rules. Selectman Multer asked what the group intends to use the Town shed for near the Television Studio and whether a person will work from there. Mr. Halpin stated it will house equipment and people at different times will check on equipment in the building. The building is in fairly good shape but does not contain plumbing. David Chipman stated the building is insulated and has a baseboard heater and was used to house cable equipment. Selectman Multer asked that the Codes Office be asked what is allowed for use in that building. Selectman Johnson suggested the group give a list of what it needs in the building to the Code Office and see what is permissible. Administrator Eiane asked if the broadcast location is required by the July 15 date; Mr. Halpin responded no, only the antenna location as the office/studio is movable. A laptop can be located in the shed and information can be loaded remotely. Chairman Daniel stated the legal aspects will be worked on and the topic will come back to the Board.

11. Consider Agreement with Coastal Trans for Harpswell Public Transportation: Administrator Eiane stated the Board has a draft agreement from Coastal Trans for transportation services. The public transportation route will be one day a week and the Town's match is about \$9,000 for one-year of service. \$4,500 is due up front to cover 6-months and Coastal Trans will track use and work with the Town to evaluate the service. The bus route would start at 8:30 from Maine Street Station and go to Mitchell Field, then Harpswell Center, the Grange, the Town Office, Old Orr's Island Schoolhouse, Harpswell Community School then to Cook's Corner. The next route would leave Cook's Corner and go to Holbrook's in Cundy's Harbor and back to Cook's Corner. Then the two routes start again repeating each one in an alternating manner. Selectman Multer asked for a detail list of what the costs are in the Town's \$9,000 match. Administrator Eiane stated it will be provided but are primarily the driver costs, gas, and insurance. Selectman Multer asked that the routes be referenced in the opening paragraph; Administrator Eiane suggested the tentative routes can be attached. The Board agreed to run the routes on Tuesday, beginning May 19. The Harpswell Connector and the Cundy's Harbor Express are the suggested names to the Routes. Chairman Daniel moved, seconded by Selectman Johnson to approve the agreement with Coastal Trans as adjusted; motion passed 3-0.

12. Consider Approval of Fundraising Letter Re: Bandstand: Selectman Multer moved, seconded by Selectman Johnson to approve the letter; motion passed 3-0. Chairman Daniel stated there is a great lineup of concerts this year.

13. Consider Extension to Planning Services Contract: Administrator Eiane stated the current contract with Midcoast Council of Governments, that allows Scott Hastings to work a few hours a week reviewing Planning Board matters, ends on April 30. The Board has not yet determined how it wants to proceed with planning services so she recommended the Board extend the contract to June 30. Chairman Daniel moved, seconded by Selectman Multer to extend the contract to June 30; motion passed 3-0. Chairman Daniel noted that there will be a meeting scheduled with the Board and the committee and staff members who worked with planning to discuss how to proceed.

14. Appointments: Committees and Officials: Chairman Daniel moved, seconded by Selectman Multer to appoint the following: Robert Modr, Chris Hall, Rick Meisenbach, Chris Huber to the Bandstand Committee to 4/30/16; Kent Simmons and Ellen Shillinglaw to Board of Appeals to 4/30/18; Patricia Lawson as an Associate to the Board of Appeals to 4/30/16; Burr Taylor and Allen LeGrow to Budget Advisory to 4/30/18 and 4/30/16 respectively; Deirdre Strachen and Anne Perry, Associate to Conservation Commission to 4/30/18 and 4/30/16 respectively; Benjamin Wallace, Jr., Jonathan Burbank, Walter Johnson to Emergency Vehicles to 4/30/18; John Monaghan and David Chipman to Energy Committee to 4/30/18; Benjamin, Wallace, Jr., Cindy Watson, Sheila Lucas, Walter Johnson, Frank True, Jr., Gail Hart to Fire and Rescue to 4/30/16; William Saxton, Burr Taylor,

Jr., Jane Jukes to Harbor and Waterfront to 4/30/18, 4/30/18, 4/30/16 respectively; Jon Rogers, Weston Watts to Marine Resources to 4/30/16; Rob Roark, Don Miskill, Jr., Nancy Sohl, David Chipman, Nate Wildes, Associate to Mitchell Field to 4/30/18 for full members and 4/30/16 for the associate; Paul Standridge, John Papacosma, Frank Wright, IV, to Planning Board to 4/30/18, 4/30/16, 4/30/16; Don Miskill, Jr., David Brooks to Recreation to 4/30/18; John Holland, George Barker to Recycling to 4/30/18; Jean Richter, John Loyd, Jr. as Associates to Town Lands to 4/30/16; John Loyd, Jr., Donald Miskill, Jr., Edward Perry, Jane Smith, Chris Coffin, Jean Richter, David Hackett, Hope Hilton, Jane Jukes, Ken Oehmig as Stewards to 4/30/16; motion passed 3-0.

15. Consider Request from Energy Committee for a Resolution: David Chipman stated LD1215 restores the word “and” in the bill that funds Efficiency Maine and puts \$38 million back into the fund. The Energy Committee is asking the Town to support the bill. Efficiency Maine has been key in helping the Town and others keep costs down. Selectman Multer stated a few committee members are eligible for grants via the work they do and she is concerned they did not recuse themselves from voting or make clear their roles. Mr. Chipman stated he is the only member that does not make his living in the energy field. He agreed some members could be employed via funds through grants. Mr. Wildes stated any resident can benefit from the funds as well. Selectman Johnson agrees but understands and does not take issue with it. Selectman Multer asked that in the future, committee members indicate their roles in a recommendation letter to the Board. . Chairman Daniel asked if the Town could sign onto another town’s support letter. Chairman Daniel moved, seconded by Selectman Multer to send a letter to legislators to support LD1215; motion passed 3-0.

14.(continued) Official’s Appointments: Chairman Daniel moved, seconded by Selectman Multer to appoint the following: William Wells as Code Enforcement Officer, Local Plumbing Inspector and Maine Uniform Building & Energy Code Inspector; Frank Hilton as Fire Warden; Linda Strickland, Diane Plourde, Walter Johnson as Deputy Fire Wardens; George Johnson as Animal Control Officer; Judith Arndt as Alternate Animal Control Officer; Tim Vail as Tree Warden; Louis Levesque as Sealer of Weights and Measures; James Hays as Harbormaster; George Bradbury and Kyle Neugebauer as Shellfish Conservation Wardens; Frank True as Harpswell Neck Fire Chief; Walter Johnson as Orr’s/Bailey Islands Fire Chief; Benjamin Wallace, Jr. as Cundy’s Harbor Fire Chief; Kristi Eiane and Linda Strickland as General Assistance Administrators; Rob McAleer as Emergency Management Agent; motion passed 3-0. Administrator Eiane announced that George Johnson plans to step down as Animal Control Officer once the Town finds a replacement.

16. 2015 Wage and Salary Adjustments: Administrator Eiane stated the Board was provided a list of employees and positions showing the 2014 pay rates and the proposed rates for 2015 based on a schedule the Board adopted in December 2014. When the schedule was approved, in addition to other increases, it included longevity scaling such as .75% for over 5 years, 1% for more than 10 years and 1.25% for more than 15 years. Administrator Eiane noted three people will hit their respective benchmarks in 2015 and the budget was prepared to account for the pay as of January 1 and not the benchmark date. Selectman Multer thought the longevity scaling will apply each year when someone reaches the benchmark. Selectman Multer moved, seconded by Chairman Daniel to make the longevities apply in each benchmark year as of January 1. There is one change from the list, one employee is listed as \$16.98 and has worked for the Town over 20 years and she is asking the Board to consider going to \$17 per hour. Selectman Multer moved, seconded by Selectman Johnson to adopt the 2015 wage and salary schedule as presented with the one change to \$17/hour; motion passed 3-0.

17. Open Scale and Backhoe Tire Bids: The following bids were opened:

Acme Scale Company	\$58,900 plus shipping	\$10,300 software
New England Scale	\$57,050	\$12,000
Maine Scale LLC	\$32,400 #1	\$10,300
	\$36,425 #2	\$10,300
	\$41,625 #3	\$10,300
Fairbanks Scale	\$47,296	\$12,704

Selectman Multer moved, seconded by Chairman Daniel to refer the bids to the current and former Recycling Center Managers for review and make recommendation for the next meeting; motion passed 3-0.

18. Other Business: Administrator Eiane stated the dry hydrant maintenance budget of \$4,000 was intended to work on the Gagnon dry hydrant, and there is now an estimate of \$6,500. The estimate is from the company that has worked on it in the past and staff suggested the Board consider sole sourcing. While the cost exceeds the dry hydrant budget the article includes other budget lines so it may not necessarily require use of contingency. Selectman Multer moved, seconded by Selectman Johnson to sole source with RA Webber for the work; motion passed 3-0.

19. Public Comment: None.

20. Administrative Matters: The Board scheduled a special meeting to consider a grant application for marine resource work on May 7 at 4:00pm. The committee-wide meeting was scheduled for June 18 at 6:30pm and the non-resident taxpayer meeting for July 7 at 6:30pm.

21. Executive Session: At 7:57pm, Chairman Daniel moved, seconded by Selectman Multer to enter executive session pursuant to 1 M.R.S.A. § 405(6)(A) re: personnel evaluation; motion passed 3-0.

The Board returned to open session at 8:48pm. Chairman Daniel moved, seconded by Selectman Johnson to approve the Town Administrator's annual pay of \$75,700; motion passed 3-0.

22. Adjournment: The Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Vote to Authorize

[Attachments are available at the Town Clerk's Office or by email at harpwell@town.harpwell.me.us]