

Selectmen's Meeting Minutes
May 15, 2014
Harpswell Town Office
Approved on May 29, 2014

At 5:15pm Chairman Daniel moved, seconded by Selectman Multer to enter executive session pursuant to 1 M.R.S.A. §405(6)(C) Re: Disposition of property followed by an executive session pursuant to 1 M.R.S.A. §405(6)(C) Re: Acquisition of property; motion passed 3-0.

At 6:10pm the Board returned to open session.

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:10pm.

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

Staff Present: Kristi Eiane, Town Administrator; and Marguerite Kelly, Treasurer

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 adding Appointments under other business; motion passed 3-0.

2. Public Comment: None

3. Town Administrator's Report: Administrator Eiane reported the Recycling Center Manager would like to advertise for seasonal help at \$8.50 per hour from June 25 to September 4. Selectman Multer moved, seconded by Selectman Johnson to authorize advertising; motion passed 3-0. Administrator Eiane stated the Town will be sending a postcard next week with important dates such as the Memorial Day wreath tossing ceremony at the Ewing Narrows Bridge at 10:30am followed by the Parade at 11:00am beginning at Lookout Point Road. There will be a public hearing on May 29 at 7:00pm for the municipal article to be voted on by secret ballot on June 10. This article proposes to appropriate \$5,200 from unassigned fund balance for the beach monitor and signage, which are obligations of the Town pursuant to its easement with the Aspatores. The school budget to be determined at a district-wide budget meeting on May 22, 6:30pm, at the Orion Performing Arts Center will then be voted up or down at a school budget validation referendum taking place on June 10.

4. Selectmen's Announcements: Chairman Daniel reminded the public that Harpswell has an ordinance restricting the use of consumer fireworks to time periods around July 4 and December 31. Use of consumer fireworks is not allowed at other times.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [4/17 minutes; donations for the Bandstand: Diane and David Norton \$25, Mary and Jack Deislinger \$25, Suzanne Bakewell \$75, Lindsay and Dave Deinzer \$100, Judith Redwine \$50, John Boomer \$100, Vegetable Corner \$200, Sunray Animal Clinic \$50, Wayne and Nancy Hurst \$250, Beth and Bill Muldoon \$250, Wendy Power Spielmann \$25, Ray and Nancy Sohl \$30, Robert McAfee \$100, Alan and Cynthia Sawyer \$50, Brackett Funeral Home \$100, Terri Sawyer \$25; picnic table donation for Trufant-Summerton Athletic Field from Claire Conlin; warrant 21 \$702,929.44 and payroll warrant 20 \$14,974.30]; motion passed 3-0.

6. Old Business: Committee Appointments: Administrator Eiane stated the Board has been provided with attendance and years of service for members of the Marine Resources and Recreation Committees as requested. She noted that Shelly Wilson has indicated she no longer wishes to serve on the Marine Resource Committee. Chairman Daniel moved, seconded by Selectman Multer to appoint Wendell Cressey to the Marine Resources Committee; motion passed 3-0. Selectman Multer moved, seconded by Chairman Daniel to appoint Frank Wright as an Associate to the Recreation Committee; motion passed 3-0. Chairman Daniel moved, seconded by Selectman Johnson to appoint Scott Sheffer to the Mitchell Field Committee; motion passed 3-0. Selectman Multer moved, seconded by Selectman Johnson to change Anne Perry's appointment to the Conservation Commission to an Associate and make Burr Taylor a full member; motion passed 3-0.

7. Treasurer's Report: Marguerite Kelly, Treasurer, reviewed her monthly report for April (attached).

8. Road Matters

- **Consider Crooker Proposal for Capital Road Work:** Ted Crooker, of Harry Crooker & Sons, Inc., reviewed a proposal he provided to the Board that includes rolling over prices from last year's public bid process into this year's proposed capital road project. Mr. Crooker stated he has Ian Messier, a USM Graduate, and Tom Sturgeon on board as engineers and they have reviewed each road for the proposal. The proposal outlines the suggested method for each of the four roads. Mr. Crooker noted rolling over is very common with other towns, noting Freeport has rolled over for five years in a row.

Selectman Multer asked how this process is different; Administrator Eiane responded usually the Town's engineering firm prepares the specifications and bid documents. Administrator Eiane asked if Freeport has a staff engineer; Mr. Crooker responded yes as some towns that roll over do and other do not. Mr. Crooker noted the roll over includes the same engineering standards such as culverts, MDOT fill etc. Selectman Johnson stated the roads are in poor condition and eliminating an outside engineer could save time which should be considered. Ronald Ponziani, Road Commissioner, stated Crooker's verbally made a similar offer last year which was not pursued, but Crooker was the lowest bidder. Mr. Ponziani spoke in favor of the proposal stating he has worked with the company for two years on two different projects with quality outcomes and the public was very happy on many levels. He stated the project last year was almost interrupted due to a tree removal issue that was not noted in the project by the engineers and neither were ditching specifications. Selectman Johnson stated he was in favor of following the Town Road Commissioner's recommendation. Administrator Eiane asked if the engineered specifications would be stamped by the engineer; Mr. Crooker responded affirmatively and noted if approved, some additional testing may be needed. Selectman Multer stated she would like information from other towns and is not prepared to make a decision tonight. Selectman Johnson stated time is a factor and he is prepared.

Mary Ann Nahf, Conservation Commission Chair, stated a major issue in the shoreland zone is erosion and asked if Mr. Crooker considered any mechanisms to slow down road run off. Mr. Crooker responded rip rap is an effective tool and bark mulch as well which needs to be maintained. Mr. Messier added that Crooker's employees are certified in erosion control as well as the company. Chairman Daniel asked if the Town has rolled over before; Administrator Eiane stated one year the Town did not have enough funds for a project and awarded the project to a contractor who performed the work the following year. Administrator Eiane suggested the Board take its time to consider the proposal and she could get a reaction from the Town's engineering firm. Selectman Johnson stated he was not in favor of spending additional funds to have the Town's engineer review the proposal. Administrator Eiane said she would have a general conversation about the concept. Chairman Daniel stated that while he is favor of the proposal, he would like to have some more information and wait to the next meeting. Mr. Crooker stated knowing sooner than later would be best but he could return in two weeks. Mr. Ponziani noted Mr. Sturgeon is subject to the same engineering standards as the Town's engineers.

- **Central Maine Power Request for Utility Poles on Laurel Cove Road:** Mr. Ponziani stated he viewed the plan and the site to check for wetlands or issues related to the pole locations. The poles are proposed to be located off the road 6 – 8 feet and he saw no issues. Administrator Eiane noted the poles are likely within the Town's right-of-way since the Town is being asked to approve the installation. Chairman Daniel moved, seconded by Selectman Johnson to approve the request for three new pole; motion passed 3-0.

12. 7:00 PM Public Hearing on Harpswell Inn Amusement License: Chairman Daniel opened and closed the public hearing concerning an amusement license for Harpswell Inn as there were no comments. Chairman Daniel moved, seconded by Selectman Multer to approve the special amusement license; motion passed 3-0.

8. (continued) Schedule Public Hearing for Amendments to Robinhood Road Parking Ordinance: Administrator Eiane suggested the Board set a public hearing for May 29 at 7:30 pm to consider changes to the existing parking ordinance on Robinhood Road. The changes are necessary to comply with the terms of the easement from the Aspatores which obligates the Town to provide up to 17± parking spaces on one side of Robinhood Road with certain areas needing to be designated as no parking. Selectman Multer moved, seconded by Chairman Daniel to set the public hearing for May 29 at 7:30 pm; motion passed 3-0. Administrator Eiane will have the attorney review if language needs to be added to strengthen the towing provision.

6. Committee Appointments: Chairman Daniel moved, seconded by Selectman Multer to appoint Connie Bernier, John Gormley and Jeff Conant to the Marine Resources Committee to 2017; motion passed 3-0. Selectman Multer moved, seconded by Chairman Daniel to appoint Rick Meisenbach, William Muldoon and Ray Sohl to 2017 to the Recreation Committee; motion passed 3-0.

Selectman Multer expressed concern about the sole source proposal with Crooker and if the Town proceeds she wants them to follow the same engineering process as the Town's engineer does such as meeting with the neighborhoods. Selectman Johnson stated he knows Crooker's engineers and Mr. Crooker stated he would follow the same process. Selectman Multer is concerned with changing from a competitive bid process. Chairman Daniel agreed the proposed savings is not confirmed without bidding the project. Administrator Eiane will check with other towns.

9. Consider Issuing Requests for Proposals (RFP)

- **Legal Services:** Administrator Eiane reported the Town last bid for legal services in 2008 when it opted to remain with Jensen, Baird, Gardner and Henry. Administrator Eiane reviewed the proposed requests for proposals that will be sent to firms. Selectman Multer stated Eaton Peabody will not bid as John Loyd is her attorney. Administrator Eiane noted she informed the Town's current legal firm that this will occur. Selectman Multer moved, seconded by Chairman Daniel to approve the request for proposals; motion passed 3-0.
- **Wage and Salary Consultant:** Administrator Eiane stated when the draft RFP was posted online; a consultant contacted her suggesting that the Town request specific information in the benefits area from the sample communities, as that affects total compensation. Administrator Eiane noted the RFP requests the fulfillment of several tasks and if the bids come in over budget, perhaps the updating of job descriptions could be done in-house. Chairman Daniel moved, seconded by Selectman Johnson to approve the RFP; motion passed 3-0.

10. Select Consultant For Marine Services Support and Consider Contract: Administrator Eiane stated the Town sent out requests for proposals and two responses were received; one from Resource Access International (RAI) and one from Monique Coombs. She and the full Board interviewed the two candidates. Based on the Board's decision, the sample contract can be completed. Chairman Daniel stated both candidates were great and his decision is based on experience, cost and that one respondent has an in-house lab to assess data. He believes Darcie Couture, of Resource Access, should be selected. Selectman Multer concurred and moved to contract with Resource Access International. Selectman Johnson stated it was a hard choice and the Marine Resources Committee needs some help and experience immediately. Chairman Daniel seconded the motion and it passed 3-0.

11. Consider Renewal Liquor License for the Harpswell Inn, 108 Lookout Point Road: Administrator Eiane reported the Code Office states the establishment is compliant with local rules and regulations and there have not been any alcohol-related calls with Cumberland County. Selectman Multer moved, seconded by Chairman Daniel to approve the license; motion passed 3-0. Chairman Daniel asked if the Town receives a percentage of the State license fee; response was no.

13. Consider Change Order for EMS Building: Administrator Eiane stated this is the third change order. The original contract price was \$116,270 amended to \$121,520 and then \$125,651. Tonight's proposal is to increase the contract by \$6,240 to \$131,891 as a result of adding electrical outlets, extending a culvert, installing curb stop near the well, replacing a broken well casing, receiving a credit for not using a vapor barrier, installing a fire wall in the attic area and for additional insulating and building of a platform over the lower concrete walls. The substantial date of completion is proposed to be extended from May 15 to June 15. Selectman Johnson noted the Energy Committee recommended insulating the exposed concrete wall and the work was done this week and looks good. The platform is to hold the lockers in an attempt to take up less space. After this change order, approximately \$1,100 remains. Selectman Multer moved, seconded by Selectman Johnson to approve the change order; motion passed 3-0.

14. Sign Special Town Meeting Warrant: Administrator Eiane stated the Board has already approved the warrant article and the Clerk has ordered ballots. The official warrant has to be signed by the Board before posting. Selectman Multer moved, seconded by Chairman Daniel to sign the warrant; motion passed 3-0.

15. Consider Adoption of Selectmen 2014 Goals and Objectives: Administrator Eiane stated the Board held two workshop meetings to develop its goals and objectives. She reviewed the draft goals. Selectman Multer stated she spoke with Carol Eyerman, Planner, regarding the economic development item about ordinance changes. Selectman Multer suggested amending it to be more general. Selectman Johnson stated he does not believe how it is currently written would

scare the public. The Board amended the item. Chairman Daniel suggested also adding working with the Harpswell Business Association, and other businesses, under economic development. Chairman Daniel moved, seconded by Selectman Multer to approve the goals and objectives as amended; motion passed 3-0.

16. 2014 Wage and Salary Adjustments: Administrator Eiane reported performance evaluations of non-union and non-elected officials have been completed, with the exception of hers which is scheduled tonight. The current proposal is essentially a 2% raise across the board with the following exceptions: 4% for the Recycling Center/Transfer Station Manager; stipend positions; the alternate Code Enforcement Officer/Local Plumbing Inspector as the Board recently addressed his raise; and it does not apply to the Town Administrator until her evaluation is completed. Selectman Multer moved, seconded by Selectman Johnson to approve the raises for the staff as outlined; motion passed 3-0.

17. Other Business: Appointments: Chairman Daniel moved, seconded by Selectman Johnson to appoint the following for the June 10 election: Cynthia Bush as an election ballot clerk; Susan Lowry, Megan Hubbard, Janet Coombs as wardens; Susan Daignault, Margaret Bonarigo, Tom Rothwell as deputy wardens; motion passed 3-0.

Administrator Eiane asked the Board to authorize a warrant up to \$510 for postage to mail the postcard with important dates. Selectman Multer moved, seconded by Selectman Johnson to approve the warrant; motion passed 3-0.

18. Public Comment: David Chipman stated there have been a number of complaints that the volume is poor on shows recorded at the Town Office. He made a number of changes and believes he fixed the problem and asked listeners to let him know if the issue continues. He reminded the Selectmen to speak into the microphones.

19. Administrative Matters: 1) Catering Permit: Administrator Eiane reviewed a catering application. Chairman Daniel moved, seconded by Selectman Johnson to approve the application; motion passed 3-0. Administrator Eiane will schedule a meeting with Darcie Couture of RAI early next week.

20. Chairman Daniel moved, seconded by Selectman Multer to enter executive session pursuant to 1 M.R.S.A §405(6)(A) to perform a performance evaluation; motion passed 3-0.

21. Adjournment: The Board returned to open session at approximately 8:45pm and signed off on a 2% pay increase for the Town Administrator. The Chair then adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Treasurer's Report
Board Goals and Objectives

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