

Selectmen's Meeting Minutes
July 7, 2016
Harpswell Town Office
Approved August 4, 2016

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

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

Staff Present: Kristi Eiane, Town Administrator; Fred Cantu, Code Enforcement Officer; Ronald Ponziani, Road Commissioner; and Jim Hays, Harbormaster

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Multer to adopt the agenda as amended by moving item 14 to 7.1, adding 7.2 Adoption of the Emergency Operations Plan, and adding a discussion of Mitchell Field under other business; motion passed 3-0.

2. Public Comment: Mary Ann Nahf stated as a beach monitor for Cedar Beach, she is very concerned by the public lighting fires on the site, particularly with how dry the weather has been. She proposed sending a note to area property managers to remind renters and visitors that fires are not allowed. Robert McIntyre stated the browntail moths are most dangerous to one's health in June, July and August and therefore, now is not the time to try and get rid of them.

3. Administrator's Report: Administrator Eiane reported the pump house that had fallen off the pier at Mitchell field has been removed by Prock Marine and the work has been inspected by the Code Officer and Barney Baker (Town's consultant). There was more material than believed underwater which generated a change order of approximately \$8,500. The total cost of the project was about \$83,500, and was under budget. Administrator Eiane reminded the public that the pier is not safe and to heed the Town's fencing, buoys and warning signs and stay off and away from the pier. Administrator Eiane announced that there will be an event this Sunday at 2:00pm at the Town Office commemorating 40 years since the Ewing Narrows Bridge was opened. It will be a step back in history to hear how the bridge came to be and how it brought the two sides of Harpswell together. Following the ceremony, there will be a procession across the bridge led by former Selectmen, Ed Johnson and Laddie Whidden, who were both instrumental in getting the bridge. Administrator Eiane stated the annual non-resident taxpayer meeting is July 11 at 6:30pm at the Harpswell Community School and noted it is an opportunity for non-residents to meet and discuss concerns and ideas with the Selectmen. On Saturday, July 16 from 10am – 2pm, the Town is hosting a new event – "Tailgate and Recreate" at Mitchell Field. This will be an old-fashioned style celebration with a focus on recreational activities. The Town hopes to build on this event in the future. Selectman Multer asked about the legalities of the fires at Cedar Beach. Administrator Eiane noted the fires have been located on the Town's public easement, which prohibits fires. The Sherriff's Department was called and is reviewing the Town's easement rules.

4. Selectmen's Announcements: None.

5. Authorization of the Warrant: Chairman Daniel moved, seconded by Selectman Johnson to authorize warrant 28 in the amount of \$717,141.28 and payroll warrant 28 in the amount of 24,804.90; motion passed 3-0.

6. Old Business: Diane Loughlin Wharf Application, 36 Narrows Lane, Map 42, Lot 44: Chairman Daniel stated this application was tabled at the last meeting to allow the Board to read the letters from the people in the area, which has been done. Fred Cantu, Code Enforcement Officer, noted no State approvals have been received yet. Chairman Daniel asked for anyone from the public to speak on the matter; no one did. Chairman Daniel stated the Board's review is very limited but that many of the concerns expressed in the letters fall under the purview of the State agencies. Chairman Daniel stated the Town's Harbormaster indicates this proposal does not create a hazard to navigation. Chairman Daniel moved, pending approval by the State agencies, to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of

others relating to fishing, fowling and navigating. Selectman Johnson seconded the motion. Selectman Multer asked Jim Hays, Harbormaster, for clarification on what a hazard to navigation is versus a difficulty to navigation. Mr. Hays responded he looks at the navigable channel that provides passage for commerce and transportation and a hazard would be what creates a real danger to navigation such as ledge. Mr. Hays noted the person operating the boat is responsible for his/her safety and of the boat. Mr. Hays stated the Army Corps of Engineers' rules do not allow a system to extend more than 25% into the channel (from each side) to allow the channel to remain open. Mr. Hays stated this proposal does not constitute a hazard to navigation as it does not even extend into the channel but it may inconvenience someone. Motion passed 2-0 (Selectman Multer opposed).

7. Report on Harpswell Invasive Plant Partnership (HIPP): Jeff Stann, co-chair of HIPP, reviewed the activities of HIPP (information attached). Volunteers have already removed many invasive species from Town and Land Trust properties. HIPP has received a permit from the DOT to remove invasive plants from the four State Roads. Mr. Stann hopes that HIPP can send a postcard to property owners along the State roads informing them of the activity. HIPP has offered classes on invasive plants and has recently added two new invasive plants to the list that are fairly new to the State. Mr. Stann stated HIPP hopes to get a website established this year and get more information out to homeowners. Mr. Stann asked for permission for the volunteers to dispose of the plants that will be removed from the State roads at no cost at the Transfer Station. He also noted some towns are contributing town funds to address invasive species issues and he suggested the Town may want to consider that. Selectman Multer asked for a definition of native and of invasive. Mr. Stann stated native means the plant has been in Cumberland County and developed here for many, many years and an invasive is a plant that came from somewhere else, spreads quickly and can cause environmental, economic, or health problems or damage to humans. Selectman Multer asked with the climate change is there a role for non-native plants? Mr. Stann responded there is a change but the problem with invasive plants is they do not carry as many insects as natives, affecting the environment. Mr. Stann provided some references regarding the topic. Chairman Daniel asked how to prevent invasive plants and how they get here. Mr. Stann responded they are here as nurseries sell them and people plant them in addition to natural spreading via birds and the wind. The State of Maine is working on making a number of plants illegal in the State.

7.1 (14.) Recognition of & Report from Fire Chief Ben Wallace: Chairman Daniel introduced Ben Wallace, Jr., Chief of Cundy's Harbor and Orr's/Bailey's Islands Fire Departments, and thanked him and all the volunteers for their involvement in getting the fire on Sheep Island extinguished. Mr. Wallace reviewed the details relating to one of the largest fires in Harpswell history, which was on Sheep Island, an island not accessible by vehicle. Chief Wallace thanked all the personnel and departments that assisted the Cundy's Harbor Fire Department, including Orr's-Bailey Island, Harpswell Neck, West Bath, Brunswick, Topsham, Phippsburg, Bowdoin, Bowdoinham, Bath, Freeport, Cumberland County Sheriff's Department and Dispatch, US Coast Guard the Maine Forest Service, and the numerous boat operators. Chief Wallace stressed the importance of every structure needing a fire break around the structure. Chief Wallace again expressed gratefulness for all the volunteers who put in numerous hours. Selectman Multer asked if there is anything to learn from the blow downs; Chief Wallace responded there are a number of blow downs throughout Town that can cause issues. Chief Wallace stated the State Forest Service has a program called Firewise that explains how to have a defensible space around your home. He suggested a discussion should be started about making possible ordinance changes that allow a defensible space around your home. Chairman Daniel expressed appreciation over the response and how everything came together. He asked if there is anything that should be looked at or improved upon relating to the shuttling back and forth from the mainland to an island; Mr. Wallace stated that topic will be looked into. Chairman Daniel indicated he was informed that the Maine Forest Service will not be charging the Town for the helicopter service. Chief Wallace stated the two helicopters were instrumental. Chairman Daniel noted the helicopters were filling up with fresh water versus salt water as the salt spray would damage the helicopters' engines.

7.2 Adoption of the Emergency Operations Plan: Rob McAleer, Emergency Management Agent, requested that the Board approve two documents: A Letter of Promulgation for the newly revised Emergency Operations Plan (EOP) and a National Incident Management System (NIMS) Proclamation acknowledging that the Town will follow the standards that have been adopted nationwide. Mr. McAleer has worked on updating the EOP over two years and reviewed the proposed revised document at a workshop with the Board last week. Chairman Daniel encouraged the public to read the EOP. Selectman Multer moved, seconded by Selectman Johnson to adopt the revised EOP; motion passed 3-0. Chairman Daniel moved, seconded by Selectman Multer to adopt the NIMS resolution, motion passed 3-0.

8. Harpswell Neck Library Request: Donna Frisoli apologized for getting upset at the last meeting. She said she listened to Chairman Daniel's position of wanting to see community support for the library. Ms. Frisoli stated she spent about 5 hours at the Recycling Center and 150 people signed a statement supporting the use of the Administrative Building at Mitchell Field for a library. Since the last meeting, she has received permission to use a corner of the Scout Hall for a small reading library. Ms. Frisoli is meeting with the Elijah Kellogg Church minister tomorrow regarding use of the basement as storage but the minister did indicate the basement is very damp and that is concerning. Ms. Frisoli stated the Library Board asked her to find out exactly what the Code Office will require to use the Administrative Building and she was only provided the letter that says the garage portion could be used for storage. Ms. Frisoli stated the garage portion is too wet and cannot be used to store books. She researched storage requirements and building codes and learned that a desk and computer would be allowed in a storage area if it was incidental to the storage. She stated that sorting books a few hours a day would be incidental to storage and everything could be put away for the winter. Ms. Frisoli stated she obtained 300 signatures in total, including at Mitchell Field as well. Chairman Daniel expressed appreciation for Ms. Frisoli's passion and an understanding for her concerns. He stated he did ask where the show of community support was reflecting willingness to store the books before coming to the Town to use the administrative or generator buildings as they are not the best locations. Regardless of occupancy, Chairman Daniel stated the Board is still considering that both the library and Harpswell Coastal Academy (HCA) will be using the administrative building and storing books in the building now is putting the cart before the horse. As the Town works with interested entities and evaluates the building, it may lead to work being done on the building and books would be in the way. Chairman Daniel understands the Church is excited to work with the library and while the basement may be damp, perhaps a humidifier would help. While the roof at the administrative building was repaired, it will still need roof work along with a lot of other major work. For this reason, Chairman Daniel stated storing books in the building is not a good fit right now but they could be stored at the generator building. Ms. Frisoli asked the Board to consider not requiring the library to sub-lease with HCA as it does not leave the library in a secure position as HCA grows. Chairman Daniel stated how the building gets parsed up is not written in stone yet and there is time to further discuss those options. Ms. Frisoli stated she is only asking to store the books for a year and asked if work would be done on the building within one year. Chairman Daniel stated he is unsure of the timeline but asked why Ms. Frisoli wants this building only versus the generator building or other community buildings. Ms. Frisoli responded due to the space that the administrative building offers and also it would give the library a year to discover whether the building would work as a library and if so, funds could be sought to contribute to the costs for rehabilitating the building. Ms. Frisoli appreciates the use of the Scout Hall but it will not work as a permanent location for the library. Selectman Multer asked for clarification of what the library is asking for. Ms. Frisoli responded to store and sort books in a room in the southern end of the administrative building and to use the Scout Hall as a small library and perhaps start a mobile library. Ms. Frisoli stated the Library's 501(c)(3) status has been delayed due to changing the name that should be resolved soon. Selectman Multer stated, setting the occupancy issues aside, if books are stored in the building, they will have to be removed during any construction. Ms. Frisoli stated she understands but the collection will be pared down and she does not believe work on the building will occur in the coming year since Town Meeting did not vote on anything. Chairman Daniel reiterated using the administrative building right now is putting the cart before the horse and there seem to be viable other options. Selectman Johnson stated since the roof was repaired, it is drier in the garage. Ms. Frisoli expressed concern about other people using the garage and the site would not be secured for

use. Chairman Daniel asked Fred Cantu if he was aware whether vandalism is slowing down at Mitchell Field. Mr. Cantu responded in the last 15 months since he has been a Code Officer, he is aware of three incidents at Mitchell Field, not involving the administrative building. Mr. Cantu expressed concern about using the administrative building in its current condition and again, could compromise with allowing storage in the garage. Mr. Cantu stated without electricity, he could not allow occupancy and he read excerpts from the code books. Mr. Cantu stated the Code Officer and Board previously approved the generator building as use for storage. Selectman Johnson stated he could support allowing storage in the garage. Chairman Daniel referenced a memo from the Code Office that reviewed what needs to be done in the garage area to allow storage such as abating the trip hazards, fixing exposed wiring and blocking off access to the rest of the building. Selectman Johnson noted the administrative building is wet. Ms. Frisoli asked if the storage space at the generator building would be separate from the other users. Mr. Cantu stated there is about a 20'x30' space available at the generator building with metal grates on the floor that could be used for storage. Mr. Cantu noted any proposed use by any entity of the administrative building will be scrutinized as it has been vacant for over 15 years. Chairman Daniel moved, seconded by Selectman Multer to offer space to the library at the generator building to be used as storage; motion passed 3-0. Administrator Eiane asked if the Board anticipates an agreement being signed between the parties; the Board members responded in the affirmative.

9. Open Winter Road Maintenance Bids: The following bids were opened and referred to staff for review:

	Goodall Landscaping	R.A. Webber & Sons
2016 - 2017	\$354,582	\$388,310
2017 - 2018	\$365,220	\$399,959
2018 - 2019	\$376,176	\$411,958
	\$1,095,978	\$1,200,227
2019 - 2020	\$387,462	\$424,317
2020 - 2021	\$399,085	\$437,046
	\$1,882,525	\$2,061,590

10. Basin Point Road Matter: Administrator Eiane stated she placed this matter on the agenda as there were a number of email communications between a resident on Basin Point and the Road Commissioner. The resident expressed a sentiment that the Board needs to consider his ideas as part of a public policy decision. Robert McIntyre stated there continues to be hazards and high speeds on Basin Point Road that create a danger to life and limb. He stated the southbound signs are useless and the speed limit signs need to be more visible. He has spoken with other residents on the road and there is an agreement that the road is dangerous. Mr. McIntyre gave an example of an unsafe situation he witnessed. He stated some of his neighbors are thinking of buying or renting a speed gun but Mr. McIntyre stated the purpose should be to slow down drivers which can be accomplished with speed bumps. He stated the notion that the neighbors in the location of the speed bump, which was near his home, are bothered by the noise is false. Additionally, he stated the signage has to be improved upon. Chairman Daniel stated safety on the roads is a serious matter and the Board has been working on the matter, including meeting with the Cumberland County Sheriff's Office. Chairman Daniel noted how dangerous the entrance to Long Point Road is and when the Town inquired of the State about making it safer, the State would not consider it as there were very few or no incidents at the intersection. Chairman Daniel stated while the two situations are different, the Board is active on this topic and he noted the Sheriff's Office reports speeding is a County issue and he stated there needs to be a culture change. Liz Parker stated Washington Avenue is also a very dangerous road with high foot and vehicle traffic with visitors coming to the Giant's Stairs. She stated the Sheriff's Office cannot be everywhere and something needs to be done in certain areas such as speed bumps. Chairman Daniel stated the Town is trying methods including speed bumps which do slow down traffic and create noise. He stated he needs to know more about the Washington Avenue situation and regarding Basin Point, he spoke with Mr. McIntyre over the winter and let him know options are being explored such as the

line painting that was done on the road. He agreed, signage needs to be visible. Ronald Ponziani, Road Commissioner, stated two signs are on order for Basin Point Road: a “caution road narrows 1/10 mile” and another at the ½ mile and these signs are highly illuminated and if they work, they can be placed in other areas. Chairman Daniel stated if they work, great, if not, the Board will continue working on the matter and has not excluded considering speed bumps and ways to improve communication with the neighborhoods. Chairman Daniel wondered if the small child shaped signs that say slow down would be effective in certain areas. Joanne Williams stated the road narrows signs will help and that the speed limit sign after the narrowing area needs to be relocated to before and reduced to 15 mph. She understands it is not enforceable but it could help warn drivers how dangerous the area is. Ms. Williams stated if speed bumps are not to be used, she asked if rumble strips could be. Chairman Daniel stated he liked the idea of rumble strips. Norm Dobransky stated he is a member of a hot rod club and on Fridays they go to the Dolphin Marina and a year ago they encountered the speed bumps and many of their vehicles cannot cross over them and they had to stop going when the bumps were being used. He stated perhaps rumble strips would work. Mr. Dobransky stated he has known Washington Avenue for 28 years and there has not been an accident, even when the road was narrower. Linda Blanton stated she lives on Garrison Cove Road and she gave examples of how dangerous the speeding is on the road. She stated there are no posted speed limit signs and she asked that 15 mph signs be posted. Mr. Ponziani stated the Department of Transportation requires a minimum posted speed limit of 25 mph. He noted most drivers do not follow speed limits and stated that speed bumps do not work. Mr. Ponziani stated young drivers like to see how fast they can go over speed bumps. The situation is that Basin Point was an old hay road and the businesses and residents in the area have outgrown the road. The only way to fix that situation is to take some people’s lawns by eminent domain and widen the road. He said he would be willing to try using rumble strips and wants to give some time for the new signs to have an effect. Mr. Ponziani reviewed the recent painting of lines on Basin Point Road that help alert drivers to the narrowing of the road. Mr. Ponziani stated he thought of painting arrows on the road in the area where it narrows. He stated he is concerned for all the roads in Harpswell, not just Basin Point. Mr. McIntyre stated he believes the painted lines have worsened the situation by making drivers think they have plenty of room for traveling. He added speeding on Basin Point is very frequent, that speed bumps do work and that the Saxtons agree to whatever needs to be done to make the road safe. Mr. Ponziani stated Billy Saxton has said the bumpy portion of their road does not prevent speeders. Chairman Daniel stated the Town’s methods are not half measures but thoughtful and careful measures. Speed bumps are not all some believe they are and Chairman Daniel expressed an interest in obtaining costs relating to rumble strips. Additionally Chairman Daniel asked that signs be straightened out and that time be given to see how they work. He encouraged neighborhood communication and being mindful of one another.

11. Agreement for Horse Pasturing at Mitchell Field: Jim Cornish requested permission to pasture his horses at Mitchell Field. Chairman Daniel stated there is an existing contract that was ironed out a few years ago. Selectman Multer moved, seconded by Selectman Johnson to approve the contract; motion passed 3-0. Administrator Eiane reminded Mr. Cornish that the required insurance was needed prior to locating the horses.

12. Harpswell Vacancy on MSAD 75 School Board – Seek Candidate(s) for Appointment: Administrator Eiane reported Sarah Clemons has notified the Town and MSAD 75 that she is stepping down from the MSAD 75 School Board. The MSAD 75 Superintendent, Brad Smith, has offered to meet with anyone interested in completing Ms. Clemons’ term. The Selectmen have the authority to appoint a candidate to replace Ms. Clemons to complete her term and anyone interested should contact the Town.

13. Elect Maine Municipal Association’s Legislative Policy Committee Representative: Administrator Eiane stated the Board nominated her for this Committee and she is running unopposed. Selectman Multer moved, seconded by Selectman Johnson to vote for Kristi Eiane; motion passed 3-0.

15. Accept Donations: Chairman Daniel moved, seconded by Selectman Johnson to accept the following donations for the Bandstand: Sarah Moulton \$100, Maureen Anthione Orlandini \$25, Robert Weggel \$200,

Ronald & Jean LeClair \$25; Cook's Lobster & Ale House as a concert sponsor \$350, Howard Thorburn \$150, donation box \$176; motion passed 3-0.

16. Other Business: Selectman Multer referenced the issues detailed in Don Miskell's email relating to occurrences at Mitchell Field over the holiday weekend. She expressed concern about the Labor Day holiday and suggested the Town pay someone to monitor the site during that time if the weather is good. The Board concurred to proceed in a manner consistent with the Cedar Beach monitoring.

Administrator Eiane stated the Town was contacted by Pierce Atwood informing the Town that the Harpswell Coastal Academy (HCA) has retained the firm's services relating to the Propeller Project. Since Pierce Atwood represented the Town during the acquisition of Mitchell Field, the firm is asking the Town to sign off allowing the firm to represent HCA. Each Selectman agreed and signed the form.

17. Public Comment: None.

18. Administrative Matters: Administrator Eiane asked the Board to sign in approval of the change order to Prock Marine \$8,505, the Selectmen agreed. Administrator Eiane noted the Orr's Island Bridge lease was not yet ready for approval as the insurance has not yet been received.

19. Adjournment: At 8:55 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: HIPP Information