

Selectmen's Meeting Minutes
July 10, 2014
Harpswell Town Office
Approved on August 7, 2014

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 Johnson

Staff Present: Kristi Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurer; and Bill Wells, Code Enforcement Officer

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 12 and adding Consider Legal Services under Other Business; motion passed 3-0.

2. Public Comment: None.

3. Town Administrator's Report: Administrator Eiane reported the Emergency Medical Services Workgroup assembled by the Board issued its report. She suggested the Board hold a workshop with the Workgroup to discuss the details of the report. Administrator Eiane stated a figure and table were mislabeled as representing costs relating to emergency medical services only however the costs relate to all emergency services. The report has been shared with the three Departments and she hopes it will generate discussion and interest.

4. Selectmen's Announcements: Selectman Multer acknowledged the passing of two major figures in Town: Bob Sammons and John Chiquoine, noting they will be missed. Chairman Daniel reminded the public the access to the easement for Cedar/Robinhood Beach is by boat or special invitation only. Selectman Multer stated the easement is for a very narrow path and a limited portion of the beach with no road access. The Town's responsibility is only for the easement area. If there are other issues such as trespassing on other properties, those property owners should call the Sheriff's Office. The Town is not enforcing use of the Cedar Beach Road. Selectman Johnson reiterated that access is by water only and not via the road.

5. Consent Agenda: Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [June 5, June 19 and June 26 minutes; donations for the bandstand fund - \$50 from Julia Stevens, \$100 from Elizabeth Scully, \$50 from Fay and Pete Scheren, \$100 from Doc and Joan Phillips, \$25 from Richard Moseley, \$50 from Lucas-Hausch, \$100 from Rob and May Ann Roark, \$203 from the parents of Harpswell Community School for recreation in memory of Kert Brown and \$10.36 from summer swim parents for summer swim; warrant 30 \$779,052.98 and payroll warrant 29 \$25,939.21]; motion passed 3-0.

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

7. Consider Action Relative to Land Use Matter at Tax Map 52, Lot 186: Deputy Administrator Sawyer reported the owners, Drake Chisholm and Dorothy Spahr, of tax map 52, lot 186 recently discovered their camp is closer to the water than allowed with their special exception approval from 1979. The owners were first informed to apply to the Board of Appeals and completed an application. The matter is before the Board of Selectmen as the Board previously decided to handle such matters involving violations that the Code Office does not recommend enforcing. Mr. Chisholm explained their permit allowed the camp to be 52-feet from the water and it is located 32-feet apparently due to the measurement being taken along the slope of the land instead of horizontally. There was a discussion regarding the measurement practice in 1979. Deputy Administrator Sawyer asked the status of the deck that has not been discussed since it appears to be 15-feet from the water. Mr. Wells responded it will be required to be removed or the Board may consider it as part of the request for resolution. After discussion, the Board agreed it could consider a resolution relating to the camp, to seek information on the deck, and to proceed with legal input on both matters.

8. Lee Theberge Wharf Application, Map 27, Lot 31, Osborne ROW: Mr. Wells stated this proposal is to add two floats to an existing system within a setback that has been approved in writing by the abutter. Chairman Daniel moved, seconded by Selectman Johnson to approve the application as the Harbormaster has indicated there is no issue with navigation and the owner has provided evidence to his rights; motion passed 3-0. Selectman Multer asked if the material data sheets were received; Lee Theberge will follow up with the Code Office. Deputy Administrator Sawyer asked the Board if it wanted to keep the phrase relating to CCA material in the notice of Decision; the Board agreed to remove the language.

9. Consider Agreement for Pasturing Horses in the Upper Field at Mitchell Field: Selectman Johnson stated that Jim Cornish needs to meet with the Mitchell Field Committee to discuss his proposal details. Mr. Cornish agreed to a meeting. Mr. Cornish noted he wants to keep 3-4 horses at Mitchell Field and that he is unable to name the Town as an additional insured. He stated he could sign a waiver releasing the Town of any liability. Staff will check with the Town's insurance agent.

10. Consider Request for Proposals for Ambulance For Use By Harpswell Neck: Dave Mercier, Harpswell Neck Fire and Rescue Department Deputy Chief, answered several questions from the Board that resulted in some changes to the RFP. The Board discussed what percentage of the contract should be withheld upon delivery of the vehicle and for how long. Selectman Multer moved, seconded by Chairman Daniel to approve the RFP as amended and with a 30-day response time and withholding 10% for 60 days; motion passed 3-0.

11. Consider Accepting an Easement Release Deed from Joan Lester: Administrator Eiane reported Joan Lester had rights to the property known as the Aspatore property of which Town Meeting accepted an easement for public use. Ms. Lester has submitted a release deed to the Town specifically releasing her rights for a haul out and for a private dwelling. Selectman Multer moved, seconded by Chairman Daniel to accept the release deed with thanks; motion passed 3-0. Administrator Eiane noted Ms. Lester also indicated in a cover letter that for 2014, the public can use her interest in Cedar Island and the shore in front of her lot. Administrator Eiane noted access remains by water and Cedar Beach/Cedar Island Supporters will erect signs as requested by Ms. Lester.

12. Consider Lease with Harpswell Coastal Academy: Removed.

13. Maine Municipal Association Matters

- **Vote for Legislative Committee Member:** Chairman Daniel moved, seconded by Selectman Johnson to vote for Elinor Multer for the Legislative Policy Committee; motion passed 2-0 (Selectman Multer abstained).
- **Department of Transportation (DOT) Business Directional Sign Rule:** The Board discussed a proposal from DOT to allow business directional signs at intersections and in towns where the business is not located. Chairman Daniel and Selectman Johnson expressed concerns about sign proliferation and allowing Brunswick businesses to have signs in Harpswell. Since comments on the amended rule are due by Monday, there is no time to seek more information. The Board's general comments will be submitted, such as the rule change could be beneficial to businesses and that parts of the rule are not clear and may cause sign proliferation.

14. Other Business: Legal Services: Chairman Daniel stated 7 firms responded to the Town's request for proposals and 4 firms were interviewed. Selectman Johnson stated he was impressed with two firms, Drummond Woodsum and Berstein Shur and recommended Drummond Woodsum. Chairman Multer agreed and moved, seconded by Selectman Johnson to extend a contract to Drummond Woodsum to represent the Town; motion passed 3-0. The Board agreed a letter accepting Drummond Woodsum's proposal would be sufficient.

15. Public Comment: None.

16. Administrative Matters: The Board agreed to hold a open house at the new emergency services building on the first Saturday in August and for the building sign to read Emergency Medical Services. The Board agreed to schedule two meetings: one with Harpswell Coastal Academy and one with the Mitchell Field Committee on Tuesday and/or Wednesday next week. Selectman Multer expressed concern about scheduling a meeting with Barbara Whitten regarding branding the Town; instead Administrator Eiane will seek more details about what she might do for the Town.

17. Adjournment: At 8:12 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Treasurer's Report

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