

**Selectmen's Meeting Minutes**  
**August 18, 2016**  
**Harpswell Town Office**  
**Approved September 1, 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; Terri-Lynn Sawyer, Deputy Town Administrator; Marguerite Kelly, Treasurers; Bill Wells and Fred Cantu, Code Enforcement Officers

**1. Adoption of the Agenda:** Chairman Daniel moved, seconded by Selectman Multer, to adopt the agenda as amended by moving item 7 to after item 9; motion passed 3-0.

**2. Public Comment:** Robert McIntyre commented on the speed issues relating to Basin Point Road. He requested a copy of the speed study recently conducted by Cumberland County Sheriff's Office and he handed out speed data that he and other neighbors had collected in the area. Mr. McIntyre encouraged the Board to ask the Department of Transportation about bike paths on the roads. Mary Ann Nahf, Conservation Commission chair, stated the second workshop regarding private roads will be held on August 24 at 6:00pm at the Harpswell Heritage Land Trust building. The focus will be on how to form a road association and preparing for road maintenance associated with climate change.

**3. Administrator's Report:** Administrator Eiane reported the 2016 tax bills have been mailed and unfortunately due to a printer error, the August 2015 Bulletin was included as an insert instead of the correct August 2016 Bulletin. The printer mailed out the correct Bulletin earlier this week. Administrator Eiane thanked the Assessing Office staff and other staff for the work associated with establishing the tax rate and the on-line tax payment service. The Times Record reported on the Town's 2.6% tax rate increase noting Harpswell has the lowest tax rate in Cumberland County. Administrator Eiane thanked the Tax Office staff as well as there has been a high volume of tax payments.

**4. Selectmen's Announcements:** Selectman Johnson will provide an update regarding the Fire & Rescue Planning Committee at the next meeting. Administrator Eiane reported the presidents of all three Departments have been asked to invite their members to attend the September 12 meeting. Chairman Daniel stated the Selectmen have been meeting with the Departments on a quarterly basis over the last few years with a main focus on the status of volunteers. In March or April of this year, one Department informed the Board it was time to consider a municipal department. Since then the Planning Committee has been exploring options.

**5. Consent Agenda:** Chairman Daniel moved, seconded by Selectman Multer to approve the consent agenda [August 4 and 5 minutes; appointment of Steve Welsh as a Marine Patrol Warden; authorization of warrant 34 in the amount of \$842,061.36 and payroll warrant 34 in the amount of \$14,908.48]; motion passed 3-0.

## **6. Wharf Applications**

- **Martin & Christine Jenkins, 28 Acadia Road, Map 46, Lot 48:** Joe Leblanc, owner's representative, stated there is an existing pier which was built at a higher elevation than necessary. The proposal is to increase the length of the ramp to assist with the steepness from 3'x32' to 3'x40'. Also proposed is a 12'x16' float to replace the 12'x12' float. Mr. Leblanc stated the abutter to the south has approved the proposal. The Army Corps of Engineer permit has been received and the Department of Environmental Protection is not required as the ramp and float are seasonal. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the Harbormaster indicates it is not a hazard to navigation and there is no injury to the rights of others in relation to fishing, fowling and navigating; motion passed 3-0.
- **David Webb, 106 Harpswell Neck Road, Map 2, Lot 66:** Bill Wells, Code Enforcement Officer, reviewed the proposal to reconstruct a platform [approximately 65 square feet], a 3'x32' ramp, and 10'x16' float. Mr.

Wells stated since the proposal is to replace more than 50% of the existing system, a permit is required. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the Harbormaster indicates it is not a hazard to navigation and there is no injury to the rights of others in relation to fishing, fowling and navigating; motion passed 3-0.

- **Robert and Karen Bump, 161 Indian Rest Road, Map 50, Lot 88:** Mr. Wells stated the proposal is to replace an existing system with: 4'x6' approach, 4'x12' stairs, 4'x36' fixed pier, 4'x36' seasonal ramp, and a 12'x18' seasonal float. Mr. Wells stated the Indian Rest Association owns all the shorefront and the owner has received a letter of consent agreeing to this work. Additionally, the applicant's attorney provided a letter regarding right, title or interest [which was reviewed by the Town Attorney]. Chairman Daniel moved, seconded by Selectman Multer to approve the application as the Harbormaster indicates it is not a hazard to navigation and there is no injury to the rights of others in relation to fishing, fowling and navigating; motion passed 3-0.

**8. Financial Advisory Agreement:** Marguerite Kelly, Treasurer, stated when the situation with the pier at Mitchell Field worsened, she began inquiring about long-term financing options, including the Town issuing its own bonds, and she was put in touch with David Eisenthal, of Unibank Fiscal Advisory Services, Inc. (UFASI). Recently, she and the Deputy Town Administrator met with Mr. Eisenthal and he proposed reviewing the Town's five-year capital plan and providing up to three financial options at a cost of not to exceed \$3,000. Ms. Kelly stated she spoke with Lewiston's finance director who provided a great reference on Mr. Eisenthal. Ms. Kelly noted Lewiston has saved millions through refinancing and also terms can be more flexible. Between the potential upcoming debt for Mitchell Field and fire and rescue services, this advice could be helpful. Chairman Daniel moved, seconded by Selectman Multer to authorize the Town Administrator to sign the Financial Advisory Agreement; motion passed 3-0. The funds will come from contracted services in general government.

**9. Treasurer's Report:** Ms. Kelly reviewed her monthly report for July (attached). Ms. Kelly reported of the eight small lots not being assessed on Long Island, the Town has tax deeds and owns five and could consider selling the lots. Of the other three, there is no information on two and the Town attorney is looking into the third lot. Ms. Kelly stated she will start the process of foreclosure by public process on the three lots, which takes approximately 2.5 years. Additionally, she will include the lot in Indian Rest, that also does not have any documents, in the process. The Town Lands Committee has been advised of the Long Island situation.

**10. Public Hearing Re: Norm's Junkyard, Pinkham Point Road:** Fred Cantu, Code Enforcement Officer, reported the public hearing was held today at 3:00pm and only he and the owner were in attendance. Mr. Cantu reported everything is in order relating to the junkyard. The public hearing was opened and closed at 6:37pm with no one speaking. Selectman Multer moved, seconded by Selectman Johnson to approve the junkyard/automobile graveyard permit; motion passed 3-0.

**7. Planner's Update:** Mark Eyerman, Planner, reviewed his report (attached). Mr. Eyerman asked if the Board wanted to pursue increasing the maximum building height in the shoreland area. The Department of Environmental Protection Agency previously stated the Town would need to research the height of recently constructed buildings to determine their height as measured under the DEP approach to justify the increase. That process could occupy a fair amount of time of the Code Office. There was a discussion and the Board agreed it would want input from the Code Office and that there is not a push for accomplishing it this year. Mr. Eyerman asked if the Board wanted to consider possibly amending the Mitchell Field Master Plan regarding solar farms. The Plan is a guide and as such, there are no rules requiring amendments. Administrator Eiane stated the Town received an unsolicited proposal for a solar farm at Mitchell Field and the company would like to know by November if the Town is interested. The Master Plan calls for the proposed area to be undeveloped area. Chairman Daniel stated such a proposal should be sent out for competitive bid and based on the Mitchell Field Committee's workload right now, he doesn't see rushing this to meet a November deadline. It could be done for March. Selectman Multer had questions regarding the cash outlay for a solar farm. The Board agreed to have the

Energy Committee continue looking into solar options, including at Mitchell Field. There was a discussion regarding paper roads. In 1997, the Selectmen exercised the right to maintain the public's possible interest in certain paper roads for 20 years and the list was recorded at the Registry. The law allows extending the term for another 20 years or if no action is taken, the public's interest is extinguished. The public's interest does not affect private owner's rights but it could limit the use. The Board agreed to review the list and have the Planning Board review whether or not the Town should extend the term. Chairman Daniel asked Mr. Eyerman if he was aware of any possible grants for Mitchell Field; Mr. Eyerman responded not for removal of the pier but there are some for options relating to replacement of the pier. Obtaining detailed information relating to the debris – reef option is proving tough and is highly unlikely by Town Meeting.

**11. Consider Waiving Transfer Station Disposal Fees Relating to Harpswell Invasive Plant Partnership (HIPP):** Jeff Stann stated he provided an update to the Board a month ago relating the efforts of HIPP. He asked the Board to consider waiving the Transfer Station disposal fees for the invasive plants as volunteers have been paying out of pocket. To date, about 750 pounds have been disposed of which is about \$45 in fees. Deputy Administrator Sawyer asked if the Board was considering waiving the fees that it be very clear on which properties and roads the plants can be removed from and disposed of at no cost – such as Town roads, State roads, and public properties being just Town or Land Trust parcels as well. Additionally, she suggested each volunteer sign a waiver similar to what is used with the Town's Adopt-a-Road Program and the names could be provided to the Transfer Station. Selectman Multer stated she could not see including not for profits and there was a discussion. Chairman Daniel asked Mr. Stann if there were setbacks on the State roads; Mr. Stann responded the State provided him with the road layouts. If the volunteers are in an area where the right-of-way is 60-feet they will remove the invasives within 30-feet of the centerline on each side. Administrator Eiane stated the Transfer Station Manager asks that the disposal of the plants follow the Town's Invasive Plant Disposal Guidelines. Mary Ann Nahf stated the process for HIPP could be modeled after the Town's Adopt-A-Road Program. Chairman Daniel moved, seconded by Selectman Johnson to waive the disposal fees relating to invasive plants removed from Town roads, Town lands, State roads and the Harpswell Heritage Land Trust lands through October 31, 2016; motion passed 3-0.

**12. Appointment of MSAD 75 School Board Director:** Chairman Daniel stated Sarah Clemons submitted her resignation as a MSAD 75 School Board Director and he thanked her for her service. The Board interviewed two candidates and spoke with other School Board members and parents. Selectman Multer nominated Alison Hawkes. Chairman Daniel moved, seconded by Selectman Johnson to appoint Alison Hawkes until June 2017. In March, Town Meeting will elect someone for this position and another one that will become available. He encouraged both candidates to run for election in March. Motion passed 3-0.

**13. Accept Donations:** Chairman Daniel moved, seconded by Selectman Multer to accept donations for the Bandstand: Anna Salom \$50, Reinhard Adler & Donna Olson \$25, Elizabeth Childs \$300, donation box \$298.60; motion passed 3-0.

**14. Other Business:** None.

**15. Public Comment:** None.

**16. Administrative Matters:** None.

**17. Adjournment:** At 7:38 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Treasurer's Report  
Planner's Report