

Selectmen's Meeting Minutes
September 14, 2017
Harpswell Town Office
Approved September 28, 2017

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

Selectmen Present: Richard A. Daniel, Kevin E. Johnson and David I. Chipman

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

1. Adoption of the Agenda: Chairman Daniel moved, seconded by Selectman Chipman, to adopt the agenda as amended by adding Maine Municipal Association Grants under Other Business; motion passed 3-0.

2. Public Comment: Gina Perow, Recreation Director, announced the new Harpswell Guides are available and they look great. She thanked Dee Miskell for her cover design. Chuck Perow, Recycling Center/Transfer Station Manager, announced that tomorrow is the deadline for waste disposal bids and also for the waste oil furnace. Mr. Perow stated there have been several natural disasters lately and he stated the Center has the capability to be a collection site. For example, a 53-foot can be filled with water and brought to a regional collection site for transportation to the areas in need, and the staff is willing to do the work. Chairman Daniel asked staff to reach out and see if there are any regional collections taking place now for the Town to participate in. Chairman Daniel stated he heard comments about the Center being closed Sunday – Tuesday and he explained it is staff's long (three-day) holiday weekend. Mr. Perow stated the closure information is on the Town's calendar, website, sign at the entrance to the Facility, on Channel 14 and on the answering machine. He believes the public is getting more familiar with the schedule.

3. Selectmen's Announcements: None.

4. Town Administrator's Report: Administrator Eiane stated in June, voters authorized stores in Harpswell to be agency liquor stores; the Bailey Island General Store is the first to apply. There will be a hearing on October 4 at 1:00pm at the Bureau of Alcoholic Beverages in Hallowell. Administrator Eiane announced the Board will hold a workshop on September 19 regarding short term rentals such as Airbnb. September 18 at 6:00pm is a forum regarding the pier demolition project at Mitchell Field.

5. Consent Agenda: Selectmen Chipman moved, seconded by Selectman Johnson to approve the consent agenda [August 3 and August 17 minutes; executed Cumberland County tax assessment form; appointed Frank Hilton as a Deputy Fire Warden; authorization of warrant 37 in the amount of \$2,000,910.49 and payroll warrant 37 in the amount of \$17,109.24]; motion passed 3-0.

6. Cedar Beach Monitor End of Season Acknowledgement: Chairman Daniel stated Cedar Beach and Cedar Island were accessible this year over Cedar Beach Road and its success is largely attributable to the work of the monitors. He thanked Gina Perow for her work overseeing the monitor program and for being a monitor. Gina Perow, Recreation Director, thanked the volunteers and staff monitors and reviewed what the monitors do on a daily basis. Chairman Daniel read the names of the monitors: Volunteer monitors: Lois Hale, Denise Saltman, Lee Cheever, Michael Helfgott, Barb Rondeau, Roberta "Bobbie" Helfgott, Sherri Duprey, Doug Warren, Nancy Lopes, Beth Eisman; Staff monitors: Mary Ann Nahf, Sierra Gilley, Sue Rich, Harley Douglas; and Town Office Staff: Gina Perow, Paul Plummer, Kristi Eiane, and Selectman Rick Daniel.

Chairman Daniel stated he will move item 15 to after item 9.

7. Open Long Island Parcel Bids: Chairman Daniel stated there was a \$5,000 minimum bid per parcel. One bid was received [Sean Ruel and Christine Hess for Parcel #35] and it was referred to staff for review.

8. Treasurer's Report: Marguerite Kelly, Treasurer reviewed her monthly report for August (attached). She reported there is consensus with the four staff members, who will be directly involved in the process, that the Town issue its own bonds for the pier demolition project. Ms. Kelly asked if the Board needs additional information to review such a written staff recommendation. The Selectmen were in consensus that it seems to be the best option for the Town.

10. 6:30pm Public Hearing Re: General Assistance Ordinance Maximums: The hearing was opened at 6:30pm. Administrator Eiane reported every municipality must have a general assistance program and the State reimburses 70% of the expenses. An ordinance is required and each year the State provides appendices with limits on how much assistance can be provided in different categories. Each applicant's situation is reviewed and the applicant is connected to other available resources as well. Staff recommends the Board adopt appendices A, B and D and not appendix C as Harpswell's rents tend to be higher than the proposed limits. Selectman Chipman asked how the limits were established as some things varied; Administrator Eiane responded they are established by State calculations related to the federal poverty limits. The hearing was closed at 6:35pm. Selectman Chipman moved, seconded Selectman Johnson to accept Appendices A, B, and D; motion passed 3-0.

9. Wharf Applications

- **Mackerel Cove Realty, LLC, 125 Abner Point Road, Tax Map 21, Lot 11:** Bill Wells, Code Enforcement Officer, stated there was an on-site hearing and the agent is here to answer any questions. The proposal is for an 8'x36' pier, 3'x40' seasonal ramp, and a seasonal 12'x24' float. Administrator Eiane asked if the Harbormaster's recommendation was taken into consideration. Mr. Wells responded yes, the system was redesigned by turning the float 90 degrees so that the 12' measurement extends into the water. Chairman Daniel moved, seconded by Selectman Chipman 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; motion passed 3-0.
- **Amber Mason, 137 Wallace Shore Road, Tax Map 53, Lot 59:** Mr. Wells stated this application is back before the Board for its decision. Deputy Administrator Sawyer noted the Board previously tabled this application until the Department of Army Corps (ACOE) made a decision on its application. Mr. Wells stated that the ACOE permit has been received. Selectman Chipman asked if the property dispute was still in court and whether Mr. Moody uses the side of the wharf. Selectman Johnson noted the area is completely tidal. Chairman Daniel moved, seconded by Selectman Chipman to approve the application [4'x6' access platform, 4'x8' access stairs, 6'x8' access platform, 4'x150' aluminum pier with batter pilings, 3'x40' aluminum ramp, 10'x20' float and 10'x14' flip up float haul-out] 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; motion passed 3-0.

Deputy Administrator Sawyer stated the wharf application for Paul and Donna Macri that the Board approved at the last meeting, has been modified as part of the ACOE's approval. The first 30 feet of the wharf has been reduced from 6' wide to 4' wide and is still made of light transmitting material. The Board agreed to initial the change on the Notice of Decision.

11. Legislative Update from Representative McCreight: Representative Jay McCreight reviewed legislative activities. See attached outline.

15. Warrant for Special Town Meeting November 7, 2017: Administrator Eiane noted the Town Attorney has made some minor wording modifications to the articles and Ransom Environmental sent a revised proposal today. Fred Cantu, Code Enforcement Officer and Floodplain Manager, stated last November the Federal Emergency Management Agency (FEMA) announced it would be issuing preliminary maps. This past February, the Town sent the draft maps to Ransom Environmental. In July, Ransom proposed a regional appeal for a new model at a cost of \$210,000. Last night, South Portland agreed to join the appeal so with 6 towns, the cost is

down to \$35,000 per municipality for the Phase I appeal. The next phase includes reviewing certain transects in Harpswell, running them against the new model created in Phase I and submitting that data to FEMA as part of the Town's appeal. Ransom's updated proposal offers several options and Mr. Cantu recommended the Town proceed with option 3 for 17 transects. There was a discussion regarding funding and the choices of transects. Administrator Eiane noted this is a systematic approach and timing is of the essence since the appeal period will be November – February. Chairman Daniel noted there will be a hearing on this warrant article. Chairman Daniel read the proposed article and moved, seconded by Selectman Chipman to approve the article and appropriate \$50,000 (from unassigned fund balance) for the FEMA appeal; motion passed 3-0. Administrator Eiane noted the second article is regarding an easement to allow the Town to place a culvert addressing drainage issues at Leeman Road. Selectman Chipman moved, seconded by Chairman Daniel to approve the article; motion passed 3-0. All three Selectmen recommend both articles.

12. Planning Board's Recommendation Regarding Paper Roads: Allan LeGrow, Planning Board Chairman, reviewed the Planning Board's recommendation for which paper roads to extend the Town's right to for another 20 years and which paper roads to vacate the Town's right to. Selectman Chipman stated he wished Sunset Cove, Birchmere Lane and Edgewater Colony would remain as an option for some future connection of the roads. Mr. LeGrow stated many people from the subdivisions attended and do not want the roads connected due to costs, etc. Administrator Eiane stated the Marine Resource Committee should be consulted for review of any paper roads that would enable access to shellfish flats; she noted the Town Planner was able to attend the next MRC meeting on September 26. Mr. LeGrow stated that was a good idea and noted the Planning Board's decisions regarding each paper road was based on geography, number of houses in the area, and parking. The Selectmen need to make a decision and have a document recorded by September 29. Ann Jones lives on Stover's Point and asked that the paper road between lots 384 and 386 [map 16] be retained. This is a right of way to the shore for people who live in the area and she says the neighborhood just lost another access. There was a discussion explaining that if the Town vacates, that does not change individual rights to a certain access. Ms. Jones expressed a concern as the Town's paperwork states that the owners on each side may petition for ownership and she noted this right of way is in many owners' deeds. Mr. LeGrow stated the Planning Board would be willing to take another look at this particular one.

13. Issue Request for Proposals for Winter Sand: Selectman Chipman moved, seconded by Selectman Johnson to approve the request for proposals for winter sand; motion passed 3-0.

14. Basin Point Road Study: 1) Coastal Communities Grant Agreement; 2) Contracts with Gorrill Palmer and University of Southern Maine: Deputy Administrator Sawyer explained the Town was approved for a \$20,000 grant several months ago, but it has taken time for the State, as a result of staffing cuts, to prepare the agreement. The agreement is in 95% of its final form with some minor details to be worked out with the Conservation Commission and Town Planner. Deputy Administrator Sawyer asked for the Board to approve the agreement and give authority to finalize the details. Selectman Johnson noted his concurrence as long as no Town funds were involved. Deputy Administrator Sawyer responded the grant application approved by the Board last April does include a \$1,000 match from the Committees budget and the rest is in-kind match. Selectman Chipman moved, seconded by Chairman Daniel to approve the grant agreement; motion passed 3-0. Chairman Daniel moved, seconded by Selectman Chipman to approve the contract with Gorrill Palmer for \$12,500 and University of Maine for \$8,500; motion passed 3-0.

16. Bids for Former Harbormaster boat, Motor and Trailer: No bids were received at the minimum bid of \$6,000. Chairman Daniel moved, seconded by Selectman Chipman to approve re-bidding the boat, motor and trailer with no minimum bid; motion passed 3-0.

17. Insurance Matters: 1) Policy Amendment to Offer Supplemental Life Insurance; 2) Proposed 2018 Health Insurance Policy Changes by the Health Trust: Deputy Administrator Sawyer reviewed the proposed

policy amendments to (1) allow offering supplemental life insurance to employees at their cost, (2) add language regarding the Town's health reimbursement account and (3) codify the Town's practice of allowing employees to purchase basic life insurance at their cost even if they do not choose to enroll in health insurance. Chairman Daniel noted he would like to have the Budget Advisory Committee review extending health insurance to the dependents of Selectmen, after the current Selectmen's terms. Chairman Daniel moved, seconded by Selectman Chipman to approve the presented policy amendments; motion passed 3-0. Deputy Administrator Sawyer reported that the Maine Municipal Employees Health Trust is increasing its out-of-pocket expenses for the PPO500 plan from \$1,500 to \$2,000 for single plans and from \$3,000 to \$4,000 for family plans. The Town currently covers the out-of-pocket expenses through a Health Reimbursement Account and she asked if the Board wanted to cover the additional costs through the HRA or have the employee pick up the additional amount. Selectman Chipman moved, seconded by Selectman Johnson to approve increasing the HRA by the additional amounts; motion passed 3-0.

18. Maine Municipal Association Annual Business Meeting Voting Delegate: Selectman Chipman moved, seconded by Selectman Johnson to appoint Kristi Eiane as the Town's voting delegate; motion passed 3-0.

19. Accept Donations: Chairman Daniel moved, seconded by Selectman Chipman to accept the following donations for the bandstand fund: Diane Lucas \$50 and the donation box for \$60; motion passed 3-0.

20. Public Comment: None.

21. Other Business: Maine Municipal Association Safety Grants: Administrator Eiane stated Fire Administrator Art Howe is looking to purchase fire turnout gear (\$2,000+) and self-contained breathing apparatus (\$6,800) for municipal firefighters. This grant will contribute up to \$2,000 for the purchase of gear and \$2,000 for the purchase of breathing apparatus with the Town using its funds to make up the difference. . Chairman Daniel moved, seconded by Selectman Chipman to approve the applications; motion passed 3-0.

22. Administrative Matters: None.

23. Adjournment: At 7:55p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Attachments: Treasurer's Report
Representative McCreight's Outline