

**Selectmen's Meeting  
Minutes of September 20, 2018  
Harpwell Town Office  
Approved October 4, 2018**

**Board members present:** Chairman Richard A. Daniel, Kevin E. Johnson and David I. Chipman

**Staff present:** Kristi Eiane, Town Administrator; Marguerite Kelly, Town Treasurer; Fred Cantu, Code Enforcement Officer; Paul Plummer, Harbormaster and Rosalind Knight, Town Clerk

**Pledge of Allegiance:** Upon Chairman Daniel calling the meeting to order at 6:00pm, the Pledge of Allegiance was recited.

**Adoption of the Agenda:** Chairman Daniel moved to approve the agenda with the addition of a Letter of Interest for a Building at Mitchell Field to the item entitled Mitchell Field matters, seconded by Selectman Chipman and passed 3-0.

**Public Comment:** Robert McLyntre commented that the Town has spent vastly more on legal fees than repairs to the water tower would have cost noting it was a waste, disgrace and embarrassment.

**Selectmen's Announcements:** Chairman Daniel reported that as directed by the March 10, 2018 Town Meeting and by contract, negotiated and signed in the best interest of the Town, the water tower at Mitchell Field was removed. The Town's contractor began demolition early this morning as scheduled and around 10am the Town received a ruling from the Law Court that FMF's request for a temporary restraining order to prevent demolition had been denied. He hopes that this brings closure to the matter and attention can be turned to improving cell phone coverage in Harpswell.

**Town Administrator's Report:** Administrator Eiane expressed her desire to turn the chapter on the water tower conflict and work on improving cell phone communication in the community.

**Old Business: Recycling Center Public Use Policy:** Recycling Center/Transfer Station Manager Chuck Perow reviewed the proposed policy and its intent to make the use of the area safer for all. Mr. Perow indicated that not only did he observe recent petition drives creating safety concerns but he also received many complaints about how these activities interfered with people's ability to safely dispose of their household waste. The policy proposes to move activity such as bake sales, information tables, and petition drives to the rear of the building, but to allow those campaigning for office to be in the parking area, not the pedestrian area. Mr. Perow indicated that he would be willing to provide fluorescent vests for people. There was mention of how moving activity to the rear of the building would lessen the effectiveness of reaching people. However, Selectman Chipman stated he would be willing to try the policy and moved to accept it with the Town providing vests. Mr. Perow noted he did not want to interfere with the tradition of campaigning. Robert McIntyre inquired whether a person could still be in the parking area to let people know about the petition drive occurring at the back of the building. There was some discussion about how signage could be used more effectively. The Board asked for the policy to be cleaned up and it was suggested that MMA legal might also review it. Selectman Chipman withdrew his motion.

**Request for Reduction of Transfer Station Fees:** Recycling Center/Transfer Station Manager Chuck Perow reviewed the request from Norman Stevens for a reduction in transfer station fees for the dismantling of a mobile home that had been abandoned on his property, and for which the Town was owed back taxes by the former owner of the mobile home. Mr. Stevens was requesting the reduction to expedite removal of the hazardous structure. Given the unique circumstances of the situation, the

Manager recommended reducing the tonnage fee to \$80/ton. It was moved by Selectman Chipman to reduce the tonnage fee to \$80/ton, seconded by Selectman Johnson and passed 3-0. It was noted that the fee reduction applies to disposal of the mobile home only

**Treasurer's Report:** Treasurer Marguerite Kelly reviewed the Treasurer's Report for the month of August [see attached].

**6:30PM Public Hearing Re: Repeal Certain Shellfish Conservation Closures**

The hearing was opened at 6:30pm by Chairman Daniel. Harbormaster and Marine Resources Administrator Paul Plummer reviewed the list of conservation closures that the Marine Resources Committee has recommended be repealed: Dogs Head, Gun Point Cove, Indian Rest Cove, Oakhurst Island & Ridley Cove, and Quahog Bay. Mr. Plummer noted that a large area near Indian Rest and Bombazine Island has been closed recently to harvesting, so repealing these closures will open up much needed area for harvesters. The Department of Marine Resources has been consulted. There was no public comment. The hearing was closed and Selectman Chipman moved to repeal the closures as recommended, it was seconded by Chairman Daniel and passed 3-0.

**Tax Abatements & Supplements:** Assessor's Agent Deborah Turner reviewed the following: John Mohr aka Taxatoll.com, abate personal property of \$2,200 (\$14.26 in taxes) since he sold the property prior to April 1, 2018 and no longer runs the business; Elizabeth L. Eastman, Map 60, Lot 32, abate amount of \$386,600 (\$2,505.17) and supplement under different name; Elizabeth L. Eastman, Personal Representative of the Estate of John Eastman, Map 60, Lot 33, abate amount of \$389,400 (\$2,523.31) and supplement under different name; Elizabeth L. Eastman, Personal Representative of the Estate of John Eastman, Map 60, Lot 32; supplement amount of \$386,600 (\$2,505.17); and Elizabeth L. Eastman, Map 60, Lot 33, supplement amount of \$389,400 (\$2,523.31) in new name. Selectman Chipman moved to abate account number T0045P [personal property] in the amount of \$2,200, seconded by Selectman Johnson and passed 3-0. Selectman Chipman moved to abate Map 60, Lot 32 in the amount of \$386,600, seconded by Chairman Daniel and passed 3-0. Selectman Chipman moved to abate Map 60, Lot 33 in the amount of \$389,400, seconded by Selectman Johnson and passed 3-0. Selectman Chipman moved to supplement Map 60, Lot 32 in the amount of \$389,400 (\$2,523.31 in taxes), seconded by Chairman Daniel and passed 3-0. Selectman Chipman moved to supplement Map 60, Lot 33 in the amount of \$386,600 (\$2,505.17 in taxes), seconded by Selectman Johnson and passed 3-0.

**Alan Bakutis & Suzanne Hamilton Wharf Application, 33 Marquis Lane, Map 17, Lot 39**

Fred Cantu Code Enforcement Officer explained that the proposal was for a 6' x 36' fixed deck; 3' x 36' ramp; 12' x 20' float' and 6' x 30' haulout. An onsite hearing had been held on September 5 attended by Code Enforcement Officer Bill Wells. Given the Harbormaster has indicated there is no hazard to navigation and there is no injury to the rights of others in terms of fishing, fowling and navigating, Chairman Daniel moved to approve the application, seconded by Selectman Chipman and passed 3-0.

On a separate note, Mr. Cantu commented on the precision and efficiency of the contractor that removed the water tower, and offered to put together a letter of recommendation for Iseler from the Town.

**Mitchell Field Matters**

- **Pier Removal Change Orders & Requisition:** The Selectmen expressed that change order #13 for bollards was still too high at \$1,500. Chairman Daniel moved change order #14 for \$10,000 [return of ½ the original credit for allowing work through the summer], seconded by Selectman Chipman and passed 3-0. Selectman Chipman moved change order #15 for a reduction of \$500 [as there is no need to drag the sea bed], seconded by Selectman Johnson and passed 3-0. Chairman Daniel moved Requisition/Pier Warrant #17 for \$142,020.70 [components are Baker Design for \$13,678, Plan ME for \$997 and Reed & Reed for \$127,345.70], seconded by Selectman Johnson and passed 3-0.

- **Administration Building Condition:** Jane Covey, Chair of the Mitchell Field Committee, indicated that the Committee recommended the Town repair the southeast corner of the building where there is some water damage. The Board asked if the Committee had any recommendations regarding the future use of the building. Ms. Covey noted that the Committee is not aware of a specific use at this time. Selectman Chipman mentioned that the library is still interested. Ms. Covey suggested that the garage area be cleaned out so it could be used as storage space for now, and that as part of the Master Plan update, the future use of the building be discussed. She also noted that the Committee is working with a fishermen's group to understand where space at Mitchell Field might accommodate the needs of fishermen. There will be two upcoming public meetings to seek public input on implementing the waterfront vision at Mitchell Field—October 22 and November 8, 6pm, at the Town Office. The Board discussed the roof and building, and Selectman Chipman moved to seek two bids: one to repair the immediate problem and one to replace the roof for budgetary purposes. It was seconded by Selectman Johnson and passed 3-0.
- **Letter of Interest in Building:** Administrator Eiane reported on the Town receiving a letter of interest from Eric Field for a wooden building at the base of the water tower. The Board asked that the Mitchell Field Committee provide feedback on whether the Town has a use for the building before deciding if it should be put out to bid for removal.

#### **Updated November 6, 2018 Warrant and Set Public Hearing**

The Board was asked to update the Warrant to add language that the two referendum questions would be voted on by secret ballot. It was moved to do so by Selectman Chipman, seconded by Chairman Daniel and passed 3-0. Chairman Daniel moved to set Public Hearings on the Referendum Questions for Thursday, October 18, 7pm, at Selectmen's Meeting; seconded by Selectman Chipman and passed 3-0.

**Proclamation of Constitution Week September 17 – 21:** A Harpswell constituent had asked the Board to authorize this week as Constitution week on behalf of the Daughters of the American Revolution, Fort Halifax Chapter, Winslow, Maine. It was moved by Selectman Chipman, seconded by Selectman Johnson and passed 3-0.

#### **7:00PM Public Hearing on General Assistance Ordinance Maximums**

Chairman Daniel opened the hearing at 7pm. Administrator Eiane explained that the maximums were adjusted annually and provided to the Town by the Department of Health and Human Services. The Town needed to adopt certain maximums (not housing) to stay compliant with the program and remain eligible for 70% reimbursement by DHHS. There was no comment from the public. The hearing was closed. Selectman Chipman moved to adopt Appendix A, B & D [not C] as maximums, seconded by Selectman Johnson and passed 3-0.

**2019 Budget Directives:** Administrator Eiane reviewed the current year budgetary highlights and presented some of the areas of focus for the coming year's budget, including an emphasis on capital items. Selectmen will need to give guidance on salary and wage matters as well as on any other items to be included before the preliminary budget is presented to the Budget Advisory Committee in October. No specific directives were provided, but are expected at the next meeting.

**Issue Request for Proposals for Winter Sand:** Chairman Daniel moved authorization to have the request for proposal sent out for winter sand. It was seconded by Selectman Chipman and passed 3-0.

#### **Authorization of the Warrants:**

Selectman Chipman moved authorization of the Warrants [Payroll Warrant #37 in the amount of \$18,999.44; Warrant #38 in the amount of \$229,106.19, and Warrant #39 in the amount of \$40,725], seconded by Selectman Johnson and passed 3-0.

**Public Comment:** None

**Other Business:** None

**Administrative Matters:** None

**Adjournment:** The meeting adjourned by unanimous consent at 7:18pm.

Respectfully submitted,

Kristi K. Eiane, Town Administrator