

Selectmen's Meeting Minutes
October 1, 2020
Harpswell Town Office
Approved October 15, 2020

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

Selectmen Present: Chairman Kevin E. Johnson, David I. Chipman and Selectperson Jane G. Covey

Staff Present: Terri Sawyer, Deputy Town Administrator/Treasurer; Rosalind Knight, Town Clerk; Mark Eyerman, Planner; and Tim Clark, Code Officer

1. Adoption of the Agenda: The agenda was accepted as printed.

2. Public Comment: None.

3. Selectmen's Announcements: Selectman Chipman stated the Board was made aware by Bob Anderson that MSAD 75 parents are frustrated with the current education system and Mr. Anderson suggested the Selectmen hold a forum. Selectman Chipman stated a forum would be appropriate for MSAD 75 and its School Board Members to hold, not the Town. However, he did contact the Superintendent, who could not attend tonight's meeting with such short notice but Selectman Chipman was referred to the District's website, Link75.org. Selectman Chipman found the website extremely helpful and recommends people view the site.

4. Town Administrator's Report: Deputy Town Administrator Sawyer expressed the importance of everyone being vaccinated against the flu every year, particularly this year. Flu-like symptoms can be mistaken for COVID19 and take away resources from COVID19. Additionally, contracting the flu can lower one's immune system and make him/her more susceptible to COVID19. CHANS is offering drive-thru flu shot clinics at the Parkview campus every Saturday and Sunday beginning October 3 through November 8. The Town will be hosting a medication collection day on October 24 from 10am – 2pm where you can bring your unused medications for proper disposal. Deputy Administrator Sawyer reported that Administrator Eiane and Fire Administrator Howe are recommending hiring Sean Hall for the position of part-time firefighter with benefits. Mr. Hall is a Town per diem firefighter. Selectman Chipman moved, seconded by Selectman Covey to hire Sean Hall as a part-time, benefitted, firefighter effective October 7; motion passed 3-0.

Rosalind Knight, Town Clerk, stated ballots were just received and about 90% of over 1,400 absentee ballots requested were mailed today. The Secretary of State's Office has implemented a 'track your ballot' on-line system and there is a link on the Town's website. Beginning Monday, people can vote here or take ballots with them. Ballots can be returned to the outside drop box, mailed or returned to the Clerk's Office. The drop box is secure and is monitored by video. Clerk Knight stated she had a lot of help with the drop box and thanked Chairman Johnson and Deputy Town Administrator Sawyer. She also thanked Harpswell Community Television for posting the election information and the Anchor for the coverage on the ballot box. Clerk Knight stated the workers at the polls are evenly Democrats and Republicans and are great poll watchers. She showed everyone a ballot and stated the instructions are clear on how to vote for the rank choice candidates. Clerk Knight stated there are political groups mailing out voter registration forms, which is confusing some voters. She stated a voter only has to request an absentee ballot once and can track its status on the Secretary of State's website.

8. Public Hearing Re: Stevens Junkyard, Pinkham Point Road, Map 46, Lot 31: The hearing was opened at 6:15pm. Tim Clark, Code Officer, stated there was an ad in the Times Record regarding the hearing and notices were sent to abutters. No one attended the on-site hearing earlier today and there have not been any concerns expressed to the Code Office regarding this renewal junkyard permit. Selectman Chipman moved, seconded by Selectman Covey to approve the permit; motion passed 3-0.

5. Consent Agenda: 1) Approval of the Minutes; 2) Local road Assistance Program; 3) Bowdoin College Donation; 4) Authorization of the Warrants: Deputy Town Administrator suggested the Board remove item 3

from the consent agenda as Chairman Johnson would like to meet with Bowdoin College to discuss increasing its donation given its large expansion project off Bayview Road. Selectman Chipman moved, seconded by Selectman Covey to adopt items 1, 2 and 4 on the consent agenda [September 14 and September 17 minutes; approved the Local Road Assistance Program Certification; approved warrant #40 in the amount of \$172,085.50 and payroll warrant #39 in the amount of \$21,338.96]; motion passed 3-0. Chairman Johnson moved, seconded by Selectman Chipman to accept the \$9,500 donation from Bowdoin College with the caveat that the Town meet with Bowdoin to discuss increasing the amount; motion passed 3-0.

6. Charles & Nancy Roman wharf Application, Tax Map 51, Lot 49, 8 Spur Road: Tim Clark, Code Officer, stated this application complies with the standards. Joe Leblanc, owner's representative, stated the only change to this existing wharf, ramp and float system is to enlarge the float from 8'x8' to 8'x10'. Deputy Administrator Sawyer stated any change in a wharf system that makes it extend further from the land into the water triggers the Wharves & Weirs Act. Chairman Johnson moved, seconded by Selectman Covey to approve the application as the Harbormaster indicates there is no hazard to navigation and there is no injury to the rights of others in relation to fishing, fowling and navigation; motion passed 3-0.

14. Committee Appointments: Selectman Chipman stated a member of the Planning Board phoned him and asked that the Board appoint William Fischer as the regular member to the Planning Board and Christine Donovan-Hall and Daniel Hoebeke as Associates. Selectman Chipman so moved, seconded by Selectman Covey; motion passed 3-0.

9. Public Hearing: Re: General Assistance Ordinance Maximums: Chairman Johnson opened the hearing at 6:30pm. Deputy Administrator Sawyer stated that annually the State issues updated appendices that require municipalities to review and act on. She reviewed each appendix and noted the staff recommends the Board adopt each appendix except for appendix C for housing assistance since Harpswell's rental figures are not consistent with local rent values. By not adopting appendix C, it allows housing eligibility to be analyzed in terms of the overall maximums. Deputy Administrator Sawyer encouraged anyone in need of assistance to contact the Town Office. Selectman Chipman moved, seconded by Selectman Covey to adopt appendices A, B, D, E, F, G and H; motion passed 3-0.

7. Comment on Pending Shoreland Zoning Timber Harvesting Application, Bayview Road: Deputy Town Administrator Sawyer stated Code Officer Bill Wells wanted the Board to know that he sent the Town's Shoreland Zoning standards to the State asking that the applicant for a timber harvesting variance comply with the standards. Mark Eyerman, Planner, stated that the Town ceded to the State, the right to regulate timber harvesting activities in the Shoreland zoning area. The existing State standards limit the amount of clearance and cutting you can do within the 250' shoreland zoning and limits the site of openings from the canopy. The owners of the property on Bayview Road, through their forester, have requested a variance to the standards to essentially clear cut the property as a result of the condition of the trees and blow downs on the lot. The variance only applies to the 250-foot area. The Bureau of Forestry, Maine Forest Service, sent the Town an opportunity to comment on the application and area property owners were also notified. The property is adjacent to Long Cove which is a high value shellfish area and both Paul Plummer, Harbormaster/Marine Resources Administrator, and Mary Ann Nahf, Conservation Commission Chair, have expressed concerns. Selectman Chipman stated he visited the property and there are a lot of blow downs and standing dead trees and the lot is very steep and the runoff and erosion will go right into Long Cove. Chairman Johnson suggested the Board support Harbormaster Plummer's letter as that cove is now doing better and the effects from erosion could be detrimental. Selectman Covey indicated blow downs and dead trees could be removed. The Board agreed it is important to protect the water. Planner Eyerman summarized the Board's position as not wanting any live trees removed within the 250-foot shoreland area and that dead and blown down trees can be removed as the Town is concerned about the impact from erosion. Also if the State allows the project to proceed, the Board wants to make sure that erosion

and sedimentation controls are in place. Selectman Chipman expressed concern about the equipment used on the new growth as well.

10. Lease with Blue Sky for Communication Tower At Mitchell Field: Deputy Administrator Sawyer stated in July voters authorized the Board to negotiate a long-term lease for a communications tower at Mitchell Field. The Town Administrator has been keeping the Board and public informed of the lease negotiations for the past several meetings. The Board met in executive session with the Town Attorney to review a draft lease with Blue Sky on September 14. The draft lease has been posted on the Town's website for public view since September 23 and letters were mailed to the property owners in the area of Mitchell Field informing them of the draft lease and that the Board would be discussing it at tonight's meeting. No comments have been received.

Planner Mark Eyerman reviewed the draft lease in detail. Planner Eyerman stated that Blue Sky has indicated AT&T will be a carrier, which includes the First Net emergency communications system. Selectman Chipman moved, seconded by Selectman Covey to approve the lease. Don Miskell, Mitchell Field steward, stated he has been asked by walkers whether there will be any electromagnetic impact on walkers. Planner Eyerman responded that is an open debate in the scientific community and that the FCC precludes consideration of that topic. Selectman Chipman added that many things around us are generating electromagnetic waves such as our cell phones. Deputy Administrator Sawyer stated that the two businesses near Mitchell Field, Harpswell Neck Fire Department and Pammy's Ice Cream, have indicated they are aware of the tower proposal and have no objections. Planner Eyerman noted the Board previously had someone ask about whether 5G will be on the tower and he stated that Blue Sky's proposal only speaks of 4G. Selectman Chipman indicated 5G is a different setup and would not be on a tower – it is on utility poles. The Board voted unanimously to approve the lease (see attached).

11. Recommendation for Contractor for Tide Mill Cove Landing Project: Deputy Town Administrator stated there was one response, Linkel Construction, to the Town's request for proposals for improvements to the Tide Mill Cove landing. The initial bid was for \$38,000 and with the addition of the split rail fence it comes to \$42,235.80. Staff recommends the Board award the bid to Linkel Construction and authorize the Town enter into a standard contract for the project for \$42,235.80. Selectman Chipman so moved, seconded by Selectman Covey; motion passed 3-0.

12. Center for Technology & Civic Life Grant Application Re: Election Costs: Deputy Administrator Sawyer stated the Town Clerk applied for a grant earlier this week from the Center for Technology & Civic Life to help defray the election costs associated with the November 3 election. Staff checked in with each Selectman prior to doing so, and this agenda item was intended for formal consideration and approval of the application. The Town Clerk has already been informed that the application was approved for \$5,000. The grant award letter was provided to the Board for review. Selectman Chipman moved, seconded by Selectman Covey to accept the \$5,000 grant; motion passed 3-0.

13. Request for Proposals:

- **Winter Sand:** This is an annual event to seek pricing for winter sand. Selectman Chipman moved, seconded by Selectman Covey to approve the request for proposals for winter sand; motion passed 3-0.
- **Town Network Server & Equipment:** Deputy Town Administrator Sawyer stated the Town's server needs to be replaced as soon as possible. It would be ideal if the newly created Technology/Communication Planning Task Force could have some time to do its work prior to replacing the server, but unfortunately it really cannot wait. Deputy Administrator Sawyer stated she received a lot of great help in developing this request for proposals including from Cumberland County's IT Director, Aaron Gilpatrick, the Town's current support company, Kilpatrick IT, and Peter Lieberwirth, a current member of the Town's Cable TV Franchise Renewal Advisory Work Group. Selectman Chipman moved, seconded by Selectman Covey to approve the request for proposals; motion passed 3-0.

15. Public Comment: None.

16. Other Business: None.

17. Adjournment: At 7:15 p.m. the meeting was adjourned without objection.

Respectfully Submitted,

Terri-Lynn Sawyer
Deputy Town Administrator

Enclosure: Blue Sky Lease