

**Selectmen's Meeting Minutes**  
**December 3, 2015**  
**Harpswell Town Office**  
**Approved December 17, 2015**

At 5:00pm, Chairman Daniel moved, seconded by Selectman Johnson to enter executive session pursuant to 1 M.R.S.A. § 405 (6) (e) regarding Town property; motion passed 3-0.

At 5:30pm, the Board recessed until 6:00pm.

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 Sawyer, Deputy Town Administrator; and Fred Cantu, 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 printed; motion passed 3-0.

**2. Accept Heating Assistance Donation from Cook's Lobster & Ale House:** Jennifer Charboneau presented the Board with \$5,879 for the Harpswell Heating Assistance Program. Ms. Charboneau thanked everyone who helped make the fundraising event a success. Chairman Daniel moved, seconded by Selectman Johnson to accept the \$5,879; motion passed 3-0.

**3. Public Comment:** None.

**4. Town Administrator's Report:** Administrator Eiane announced the Planning Board will hold a hearing regarding proposed ordinance amendments on December 9 at 6:30pm. Administrator Eiane reported she and the Road Commissioner plan to meet with Goodall Landscaping to be assured the company is prepared for winter plowing. She asked if a Selectman wanted to attend the meeting; Selectman Johnson agreed.

**5. Selectmen's Announcements:** None.

**6. Consent Agenda:** Chairman Daniel moved, seconded by Selectman Multer to adopt the consent agenda [November 5, 12 and 25 minutes; Sandra Allen appointment to the Mitchell Field Committee; application to use the bandstand for a wedding by Elizabeth Guilbault; warrant #50 in the amount of \$65,925.83 and payroll warrant #49 in the amount of \$14,283.30]; motion passed 3-0.

**7. Consider Authorizing Order to Correct Violation at Map 49, Lot 51, 223 Harpswell Islands Road:** Fred Cantu, Code Enforcement Officer, reported on October 9 he received a complaint that a mobile home on the said lot was discharging effluent into the woods. Upon investigation, Mr. Cantu confirmed the issue. Mr. Cantu informed the owner of the parcel of the violation and ordered corrective action verbally and in written communication. Consequently, the pipes were removed and reconnected to the septic system, which has been determined to be failing. Despite continued communication, no action has been taken to correct the matter. Mr. Cantu requested the Board sign an Order to Correct Violation which will give the owner 10 days to correct the violations. If not, the Order authorizes the Town to step in and correct the issues and seek reimbursement from the property owner. Chairman Daniel moved, seconded by Selectman Multer to authorize the Order. Mr. Cantu noted there are four structures on the lot sharing two septic systems, overburdening the systems. Deputy Administrator Sawyer stated if the Town has to step in, funding options would be investigated, including State grants. The Town attorney will have to advise how to handle the rentals on the lot as well as the main home. Motion passed 3-0.

## 8. Wharf Applications

- **Marsha Mongell, 18 Heather Lane, Orr's Island, Map 35, Lot 108:** Fred Cantu, Code Enforcement Officer, stated an on-site hearing was held for the modification to the existing wharf. Joe Leblanc, owner representative, reviewed the proposal to add a 3'x40 seasonal ramp, 10'x20' seasonal float and a haulout to an existing platform and stairs. Deputy Administrator Sawyer noted the Harbormaster has approved the proposal indicating it would not cause a hazard to navigation. Chairman Daniel moved, seconded by Selectman Johnson 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 relating to fishing, fowling and navigation; motion passed 3-0.
- **Old Cove, LLC, 260 Basin Point Road, Map 15, Lot 1:** Fred Cantu, Code Enforcement Officer, stated an on-site hearing was held for the modification to the existing wharf. Joe Leblanc, owner representative, reviewed the proposal to replace the 3'x30' ramp with a 4'x40 ramp and replace the float with a 12'x20' float. The float is stored on the upland. Deputy Administrator Sawyer noted the Harbormaster has approved the proposal indicating it would not cause a hazard to navigation. Chairman Daniel moved, seconded by Selectman Johnson 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 relating to fishing, fowling and navigation; motion passed 3-0.

**9. Harpswell Heritage Land Trust Additional Budget Request:** Reed Coles, Harpswell Heritage Land Trust Director, stated he appeared before the Board in September to request support for a \$50,000 appropriation toward the purchase of a 29-acre parcel in the Otter Brook focus area. In late November, the Trust reached an agreement to purchase a 39-acre lot to the south of the other lot. Therefore, the total project cost has increased from \$260,000 to \$495,000; consequently the Trust is now requesting \$100,000 from the Town. Mr. Coles stated conserving these two parcels would preserve 2/3 of this corridor and possibly lead to further conservation efforts. The Trust will be applying for grants and will raise funds as well. Mr. Coles stated the Budget Advisory Committee expressed concern about LD1. He noted that if the Trust does not receive a commitment for the full \$100,000, it will result in being less competitive for grant funds. Selectman Multer asked if the Trust explored obtaining a loan; Mr. Coles responded the grants would still require evidence of a payment commitment. Mary Ann Nahf, chair of the Conservation Commission, read a letter in support of the acquisition of the two parcels. In response to a question, she said that the Commission's support relates to the conservation value of the parcel and not to the funding. Selectmen Johnson stated he supports the project but would like to hear from the Budget Advisory Committee.

**10. Harpswell Neck Library Request to Use Sentry Building:** Hope Hilton stated Harpswell Neck Library has applied to be a 501©3 which has been held up due to the name change. She does not expect any issues with receiving that status. Ms. Hilton stated the Library was located inside Harpswell Coastal Academy (HCA) but had to suspend services due to HCA's needs. The Library looked at the sentry building at Mitchell Field and believes it to be a good place for the Library to start. Ms. Hilton stated the Library is not seeking the funds approved at Town Meeting this year at this time; the Library wishes the funds to be carried over and held until the Library is setup and can use the funds as outlined in the budget request. Ms. Hilton requested the Code Office look into what is needed to bring the building up to code and she requested a workshop to further discuss the matter. Selectman Multer asked how long the Library sees being in the sentry building; Ms. Hilton responded two or more years. John Halpin stated the building is good structurally noting some mortar needs work, two window sashes, the windows and the front door need replacing and the plumbing has to be made operational. Initially, the Library hopes to use a portable toilet and perhaps eventually connect to the septic that served the houses. Mr. Halpin stated the electrical could be an issue and perhaps electric base board on demand could be used for the heat source. Mr. Halpin stated about \$1,000 would be needed in material and the rest will be volunteer labor. The Board agreed to hold a workshop and obtain a clear opinion from the Code Office on what needs to be done to the building. December 10 at 4:00pm was set for the workshop.

**11. Consider Grant Application for Maintenance of Pump Out Float:** Deputy Administrator Sawyer reviewed a grant application seeking \$1,155 for the 2015 maintenance costs to the Town's pumpout float located in Cundy's Harbor. Chairman Daniel moved, seconded by Selectman Multer to approve submitting the application; motion passed 3-0.

**12. Consider Policies**

- **Policy Regarding Funding for Independent Not-For-Profits Organizations:** Selectman Multer stated the Town needed a written policy regarding nonprofit funding. Chairman Daniel stated the policy seems to include what process is followed now. Chairman Daniel moved, seconded by Selectman Multer to adopt the policy. John Halpin suggested the Board add that organizations should be in compliance with their own by-laws and all applicable statutes in order to receive or continue to receive funding. The Board discussed the proposed additional language and concerns relating to monitoring such details. Hope Hilton suggested the language should be broader and that the text be sent to local non-profits for feedback. The Board agreed to proceed with adopting the policy as originally proposed and to consider changes in the future. Motion carried 3-0.
- **Street Light Policy Amendment:** Deputy Administrator Sawyer stated the Energy Committee recommends amending the policy to add areas that are dangerous such as curves. Selectman Multer suggested "as well as areas with...". Chairman Daniel moved, seconded by Selectman Multer to adopt the amendment as revised tonight; motion passed 3-0.

**13. Cumberland County Development Program**

- **Cooperation Agreement:** Administrator Eiane stated the Town joined the Cumberland County Development Program 10 years ago. The County has reached out to see if the Town wants to continue its participation. If so, no action is necessary. The Board agreed to continue.
- **Block Grant Application Options:** Administrator Eiane and Deputy Administrator Sawyer reviewed several grant application concepts for submittal to the County. The Board asked staff to further develop three concepts: Orr's/Bailey Island Fire Truck, Harpswell Community Swim Program and Robinhood Road improvements. The Board will hold a special meeting on December 10, prior to its workshop, to review the pre-applications.

**14. Accept Heating Assistance Donation:** Chairman Daniel moved, seconded by Selectman Multer to accept \$450 from All Saints' Chapel for the Harpswell Heating Assistance Program with thanks; motion passed 3-0.

**15. Other Business:** None.

**16. Public Comment:** None.

**17. Administrative Matters:** None.

**18. Adjournment:** At 7:35 p.m. the Chair adjourned the meeting without objection.

Respectfully Submitted,

Terri-Lynn Sawyer  
Deputy Town Administrator

Attachments: Street Light Policy

Policy Regarding Funding for Independent Not-For-Profits Organization

[Attachments are available at the Town Clerk's Office or by email at [harpwell@town.harpwell.me.us](mailto:harpwell@town.harpwell.me.us)]