

**Select Board Meeting Minutes
December 14, 2023
Harpswell Town Office
Approved 12.28.23**

Call to Order and Pledge of Allegiance: Meeting was called to order at 6:00 pm.

Selectmen Present: Chairman Kevin E. Johnson, Selectman David I. Chipman, Selectman Jane Covey

Staff Present: Kristi Eiane, Town Administrator; Terri Gaudet, Deputy Town Administrator/Treasurer; Tim Clark, Code Enforcement Officer

1. **Adoption of the Agenda:** The agenda was adopted as written.
2. **Public Comment:** None
3. **Selectmen's Announcements:** None
4. **Town Administrator's Report:** Administrator Eiane reported that the Budget Advisory Committee would be presenting the 2024 Budget to the Select Board in early January. She also reported that the Comprehensive Plan Task Force may not be ready with the new Comprehensive Plan by the March 9, 2024 Town Meeting. She asked the Board to consider whether they may want to hold a special Town Meeting in May or hold public hearings and vote on the Comprehensive Plan by referendum at the time of the School budget referendum in June.
5. **Consent Agenda: 1) Approval of the Minutes; 2) Accept Bowdoin College Donation; 3) Authorization of the Warrants:** Selectman Chipman moved, seconded by Chairman Johnson to accept the consent agenda. [1) Minutes November 30, 2023. 2) Donation of \$21,250. 3) Warrant #50 in the amount of \$997,824.11, and payroll warrant #49 in the amount of \$25,684.31]. Motion passed 3-0.
6. **Dean & Estelle Krestos Wharf Application, Map 48 Lot 92, 3 East Shore Drive:** The applicant seeks to construct a residential, recreational dock: 6' x 10' pier, 3' x 40' ramp, and a 10' x 20' float. Tim Clark reported that the abutters did not have any issues with this new wharf, however the approval would need to be conditional on the resolution of an existing wharf on the Krestos property – the wharf and land needs to be transferred to the Association. Tim Forrester, of Atlantic Environmental and Flycatcher reported that the ordinance allowed only one wharf per parcel, however the homeowners have no rights to the wharf on their property. He explained that to resolve this issue, the Krestos' and the Charity Shores Road Association had agreed to transfer by deed, the right of way and wharf to the association. Chairman Johnson moved, seconded by Selectman Chipman to approve the application as the Harbormaster indicates there is no issue with navigation and the application does not cause injury to the rights of others in relation to fishing, fowling or navigating. This approval is based on the following conditions. 1.) The transfer of the land depicted in the application from Krestos to the Charity Shores Road Association, and 2.) The submission of written evidence to the Code Enforcement Office of the recording of the transfer in the Cumberland County Registry of Deeds. 3.) Subject to Planning Board approval if required upon determination by the Town's legal counsel that a subdivision amendment would be necessary. Motion passed 3-0. Dan Benthall of the Charity Shores Road Association asked the Board to confirm that changing ownership of the right of way would not affect a

previous Planning Board approval of the existing wharf owned by the Association. Administrator Eiane stated that question would be asked and included in the determination by the Town's legal counsel. Additionally he asked regarding the taxes. Administrator Eiane responded at this time, the Assessing Agent does not tax for the roads but this practice may change in the future.

7. **Clark Cove Possible Town Partnership Next Steps:** Administrator Eiane reported that the Town Lands Committee was recommending a partnership with the State in regard to improving a parcel which the State purchased in 1972 on Clark Cove. Chairman Johnson and Selectman Covey spoke in favor of asking the Town Lands Committee for recommendations for making the property more accessible to the public. Selectman Chipman spoke in opposition. Ed Moravick, and Jim Laughren, abutters to the property, spoke regarding their concerns for the partnership. Tom Carr from the Town Lands Committee reported that building a trail on the property would have minimal impact on environment and wildlife. Pat Laughren spoke regarding her concern that Town Lands had not posted minutes in several months. Selectman Covey moved, seconded by Chairman Johnson to refer the potential development of access on the State property back to the Town Lands Committee to develop a plan to present back to the Select Board. Motion passed 2-1. (Selectman Chipman opposed).
8. **Bandstand Committee Recommendation for Brick Fundraiser:** Administrator Eiane reported that the Bandstand Committee was recommending that Howard Jones be allowed to have a brick engraved in honor of his son to be placed in the patio at the Bandstand. Mr. Jones would bear the cost for the engraving. The committee also requested permission to hold a fundraiser in 2024 with the remaining approximate 50 bricks. The price would be set once the costs are determined. Selectman Chipman moved, seconded by Selectman Covey to approve the requests. Motion passed 3-0.
9. **Community Development Block Grant Program (CDBG):**
 - 2024 Pre-applications: Deputy Administrator Gaudet reported that the Cundy's Harbor Fire Department may be approved to receive this grant for replacing the Departments radios. The application would be filed for a public service grant, in the past the Town has only applied for grants under the general application. She reported that she was working with Chief Ben Wallace to determine the funds to request which may require a 20% match. The final application is due on January 18, 2024. Selectman Chipman moved, seconded by Selectman Covey to approve the pre-application in the amount of \$67,000. Motion passed 3-0.
 - Recommendation and Contract for Holbrook Community Foundation Float: Deputy Administrator Gaudet reported that two bids were received for the 2023 CDBG grant for a float at the Holbrook Community Foundation dock. Staff recommended the bid from Wallace Marina in the amount of \$12,000. The contract would mostly be paid using funds from the grant, with a small match from Holbrook Community Foundation. Selectman Chipman moved, seconded by Selectman Covey to enter into the contract with Wallace Marine. Motion passed 3-0.
10. **Recommendation for Heating, Ventilation, Air Conditioning (HVAC) System Replacement:** Administrator Eiane reported that a group consisting of herself, Tim Clark, Code Enforcement Officer, Mark Eyerman, Town Planner, and Brent Dudley a resident of Harpswell with HVAC experience, were recommending the Town develop a contract with Thayer, LLC. She reported the first part would be a design phase, which would include options for single and three phase HVAC systems. The second part would be to install the system which should happen around April of 2024. Selectman Chipman moved, seconded by Selectman Covey to endorse the recommendation and that the Staff move forward and develop a contract with Thayer. Motion passed 3-0.

11. **Treasurer's Report:** Treasurer Gaudet reported on the Town's Finances as of November 30, 2023. [see attached]. She reported that the Town's short term borrowing interest rate had increased from 1.97% in 2022 to 5.13% in 2023, creating an unanticipated budget overage of \$31,299.41, this will require approval of use of contingency. She stated that the Town's interest income had been forecasted at \$12,000, however \$85,000 had been earned and rates are being increased January 1.
12. **Public Comment:** None
13. **Other Business:** None
14. **Adjournment:** The meeting was adjourned at 7:07 pm without objection.

Respectfully Submitted,

Ronda Peek
Recording Secretary