

SELECT BOARD MEETING
March 12, 2020 5:30PM

Quorum noted

A. 5:30 PM: Meeting called to order by Chairperson Donhauser.

B. Roll Call: Mr. Lytle, Mr. Donhauser, Mr. Orestis and Mr. McPherson.

C. Pledge of Allegiance recited

D. Moment of Silence observed

E. Public Comment/Requests:

5:32 PM Portland Xpress (PXP) Project Update, Tim Wright

Mr. Wright works with TC Energy and North Portland Natural Gas Transmission System (PNGTS) handed an information packet to the SB and gave an update of the Portland Xpress Project, which includes background information, project timeline, and public outreach. We work with Maritimes & Northeast, who operates the southern portion of the pipeline on our behalf. The Portland Xpress Project is being completed at the Westbrook Compressor Station, at the Eliot Compressor Station and, also, at Dracut in Massachusetts at a meter and regulating station. The project is adding creative capacity, which means we are using our existing footprint to leverage our network, our system, to provide more natural gas to the region. Specifically, in Eliot the work will include inside the fence line at the existing facility and add an additional compressor unit, which will give us the ability to move more gas. We will also add some additional facilities and buildings that will allow operation of the system. Our teams are being mobilized out there to get set up for construction. We have received a permit from the Federal Energy Regulatory Commission (FERC) along with State permitting. Over the next couple of weeks, we do not foresee any road closures on Route 236. Any oversized loads will need to be permitted and then access to the site will be off private roads. The work is scheduled to be completed in November 2020. Right now, the system provides enough energy to heat 573,000 homes.

5:35 PM Mr. McPherson asked how this would impact vehicle traffic - what is it now and what will it increase to.

Mr. Wright said that, as construction comes, I think we will see minor impact and we can provide updates on that.

Mr. McPherson clarified that he was asking about any increase in gas delivery trucks

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

Mr. Wright said that he didn't have an answer for that right now but he can get that answer from his team and share that with the SB.

5:39 PM Mr. Lee asked if Mr. Wright knew what the total investment would be with this Phase II project.

Mr. Wright said that the overall investment of the project is about \$100,000,000. I don't have the specifics for the Eliot portion but he can get that for him.

Mr. Lee said that the reason I ask is that you are the base of our TIF District, which we very much appreciate, and someone from your group said that this project would add around \$900,000 of additional taxes into the TIF fund beyond the \$500,000 that is already going in. We are in the middle of doing some engineering for a big sewer/water pipe extension and we want to make sure that monies in that TIF fund will be sufficient to support any bond issuance. It is important for us to know what the anticipated financial benefit will be to our TIF District fund. If you could confirm that, that would be wonderful.

Mr. Wright clarified that the additional compressor will allow for additional gas to come in so there won't be additional pipe. We are compressing the gas more to send it through the same pipe.

5:41 PM Mr. Donhauser said it would seem that, outside the fence, you aren't affecting anyone, with the pipe underground as it exists today, just maintain that existing pipe and increase the compression.

Mr. Wright said yes. He thanked the SB for giving me the opportunity to come in to speak and I will get the information regarding the increase of trucks on the road and increase in revenue for the Eliot property taxes. As this proceeds forward, we will continue to provide updates on the project should anything fluctuate.

5:43 PM Mr. Lee pointed out that when they set up the first compressor station, they actually laid out the entire site with the Planning Board in advance, knowing that a second compressor would be there and any other necessary facilities, which gave them all their local permits for that site and that allowed them to go directly to FERC, DEP, etc.

Mr. Donhauser asked Mr. Wright to outline the partners involved in this.

Mr. Wright said that TC Energy owns and operates the Portland Natural Gas Transmission System. There are facilities from Pittsburg, NH to Westbrook and down to Dracut. This portion of the system is called 'Joint Facilities' so it's between PNGTS and Maritimes & Northeast.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

5:46 PM Mr. Donhauser said that his reason for asking was that when our TID District was forming, some were concerned that this company was going to go out of business and, if anything has happened, it's just the opposite, which is really good news for us.

Mr. McPherson asked if Chief Muzeroll was familiar with the compressor station; that I know we get calls for the one we have now.

Mr. Lee said that he is. We get calls about strange smells, and that type of thing, and Chief Muzeroll will run down there. He knows the people down there quite well and has been to some of their training sessions. Everything he has heard from the Chief is that it is a very safe operation.

5:48 PM Mr. (Dan) Riley, attorney with Norman Hanson DeTroy (Portland), said that he lives in Kennebunk and serves as local counsel for TC Energy. To the extent that there are further questions, when Mr. Wright can't come, I'm just right up the road and can come down to answer any questions you may have. Regarding the Xpress trucks, they do operate out of here and we can get you more information from Express Natural Gas about those but it is not my understanding that any of the work being done here is built into their business plan. I expect that their business plan is going to operate as is. They utilize the pipeline up in Downeast Maine, as well, utilizing some of the compressor stations along the pipeline routes to take the gas and bring it to more remote sites that don't have direct access to natural gas distribution lines. Regarding the pipelines, themselves, if you take a look at the handout, some of the maps are a little small and we can get you larger versions to get a better sense of them. Essentially, the Maritimes & Northeast pipeline comes down the eastern part of the State and the PNGTS transmission line comes down the western border. They meet in Westbrook and that combined line comes down through Eliot and on to Dracut. Maritime & Northeast (public company) was built almost 20 years ago and the PNGTS (public company) line has been around for a long time. He added that he doesn't know, definitively, the life expectancy of the line but he will find out and get that information to the SB.

5:55 PM Mr. (Jim) Tessier said that, under Revenue Article #4, the minutes from yesterday's meeting discussed having the Town pay the full cost of Household Hazardous Waste Day (HHW). I chair the Solid Waste & Recycling Committee (SWRC) and the last time I'm aware this was discussed was in May of 2019. If I remember correctly, the Town paid the set-up fee and residents paid a fee based on the products they brought to dispose of. Having the Town pay for everything was discussed at the May meeting but, after some discussion, that was not approved by the SB. In this year's budget, the Budget Committee was trying to comply with that policy by making a recommendation to add \$4,100 into the HHW revenue budget.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

5:59 PM Mr. Lee said that I seem to remember Mr. (Noah) Lemire attending a Citizen's Option meeting and was in favor of the Town paying the entirety of the HHW. He believes that went on the ballot, as it was popular, and believes it went through. I don't remember what year but that this has been a source of conflict each year; that he was under the impression that we have been paying the whole thing ever since that Citizen's Option meeting reinstated it. He said that he would be guided by the SB.

Mr. Tessier said that adjusting the ballot does not change policy and the fee schedule is still posted at the Transfer Station website. The Budget Committee, SWRC, and the SB is still in agreement, as far as he knows, with not paying for the whole thing. He added that he just wanted to know what the SB wanted to have done.

6:03 PM Mr. Orestis discussed two available options. One was to change the policy and the other is to change the vote on budget recommendations.

Mr. Lytle said that, when we created this program, the Town paid for everything because a big concern was that people might dump these products instead of bringing them to the Transfer Station. He doesn't know why it was changed but believes the amount of money we spend on this is peanuts compared to what it could be if these kinds of waste are not taken care of right.

Mr. Tessier said that I totally agree that we want to get that stuff out of people's homes but we made a recommendation and it seems to be working pretty well. If we see evidence there is a problem, we can always revisit this.

6:05 PM Mr. Tessier discussed the Police Chief's car under the CIP Budget. I want to make sure that you know we (Budget Committee) totally agree with the SB statements made last night that we do not want the Chief driving around in an unsafe, worn-out, old cruiser. Our thought process is that the Chief currently has 4 Explorers (2 2016's, a 2018, and a 2019) and there is also \$38,000 in the budget to buy a new one in 2020. If he buys another one right now, he will have 3 pretty new ones that can be used for patrols and the other two for anything the Chief wants; that there are 3 Chargers, too. We felt that the cars available would give the Chief a good-quality, relatively new car to drive around. We felt that the \$28,000 to get a used car and retrofitting it was kind of throwing good money after bad. We would rather he get a new Explorer.

Mr. Donhauser said that that's what we did.

Mr. Orestis clarified that a lot of what we said (last night's meeting) was making assumptions based on best guesses. We were just trying to get our points out there.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

6:09 PM Mr. Donhauser asked if the SB wanted to revisit the HHW revenue budget line amount. Adding the \$4,100 in would be less taxes to be raised and would improve our LD1 position.

Mr. Lee said that it would be a matter of the SB moving to amend Article #4, the recommendation of the SB, if you want to be consistent with the policy that Mr. Tessier properly pointed out. You would move to increase Article #4 revenues by \$4,100.

Mr. Donhauser said that I think we should move back to that. The Budget Committee has reviewed it and it puts us in a better position. He asked what other Board members felt.

6:10 PM **Mr. Orestis moved, second by Mr. Donhauser, that the Select Board amend the recommendation by the Select Board in Article #4 regarding the amount to be raised to \$4,100 to be consistent with the current policy.**

DISCUSSION:

Mr. Lee apologized, not meaning to mislead anybody. I was thinking that's what we were doing and still feel very strongly it's the wrong way to go.

Mr. Orestis said that, with that, we do have the opportunity, again, with the input of different Town committees and based on the recommendation to change that, if that is something we can do.

Mr. Tessier said that the revenue we are recommending is \$3,324,025. The Budget Committee recommendation actually has the net taxes decreased from last year. He added a real big thanks to the efforts by the Public Works Department Head in reducing his budget.

Mr. Donhauser added that he thought we owed thanks to the Budget Committee for the effort they have put into this.

DISCUSSION ENDED

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Lytle – Yes

Mr. Orestis – Yes

Mr. McPherson - Yes

Unanimous vote to approve motion.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

F. Approval of Minutes of Previous Meeting(s)

6:14 PM Motion by Mr. Orestis, second by Mr. McPherson, to approve the minutes of February 27, 2020, as written.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Lytle – Yes

Mr. Orestis – Yes

Mr. McPherson - Yes

Unanimous vote to approve motion.

G. Department Head/Committee Reports

6:15 PM 1) TIF/Sewer Engineering RFQ Update

Mr. Lee said that we sent out RFQs to engineers. We had five engineering firms submit. We had an independent panel made up of Kittery Water District Superintendent, Kittery Sewer Superintendent, Public Works Director (Kennebunk), Ed Henningsen, and Charlie Bradstreet and they were unanimous in their choice between Wright Pierce and Underwood Engineering. We have subsequently sent out a request for an engineering price proposal to those two firms that would get us through to a November ballot, potentially, on what the bonded amount would be needed for Phase I and Phase II of the project. Those are due back the 18th of this month. We will have the TIF Committee meeting, thereafter, and at our next SB meeting we will be recommending which engineering firm and sharing those price proposals with the SB. Mr. Henningsen was kind enough to put together a TIF timeline to give the SB a sense of the next steps.

6:17 PM Mr. Henningsen agreed our strategy is to have a question on the November ballot asking voters to approve a bond. The RFP came back with hourly wages for the different disciplines and we went back to ask for some kind of a budget price (project budget estimate) to support a ballot question. If we get bond approval in November, we will finish the engineering and then do a RFP for construction.

Mr. Lee added that we asked in the price proposal was to tell us your assumptions – 80 hours of principal engineer, 60 hours for assistant engineer – how did you get to your numbers so that we can ascertain the best value.

6:19 PM Mr. Donhauser said that the good news from the gas company is that it appears the revenue will actually be pushed forward and that would help us with the bond

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

issue. He added that we aren't going to spend all this money at one time but that this will be done in phases and, with potential excess money coming into the TIF, we could look at additional phases, even possibly in the Village District.

Mr. Henningsen agreed it would let us look beyond sewer and water improvements, such as sidewalks, that will help develop the commercial district we are trying to develop.

6:20PM 2) Planning Board Proposed Timeline to November Ballot

Mr. Lee said that the PB reviewed their timeline and didn't feel that a workshop with the SB was absolutely necessary to do. I'm just bringing it to you to see if you would want some sort of a workshop. The PB includes a summary sheet and any ordinances have been vetted by the attorney but, if the SB wanted a workshop, the PB is not against that.

6:22 PM Mr. Orestis said that as long as there is an opportunity to review the ordinances and ask questions via email and get responses, that would be sufficient for me.

Mr. Donhauser said that I think we need to rely on the PB. They are competent people doing arduous work and I'm not sure I personally have that much to add to their ordinance revisions.

Mr. Lytle agreed, as the revisions are posted on the Town website and the PB holds public hearings.

Mr. McPherson did not see the need for a workshop for the stated reasons.

It was the **consensus of the SB** that they agreed with the PB that there was no need for a workshop.

6:24 PM 3) Board of Appeals: Waiver Memo to Planning Board

Mr. Lee explained that the Board of Appeals has been working to change the Waiver portion as it is not supported by State law and this memo outlines their proposed action.

H. Administrative Department

6:25 PM 1) Town Manager Report(s)

There were no comments.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

6:26 PM a. Eliot-South Berwick Day at State House 3/31

Mr. Lee said that that has been cancelled due to the COVID-19 outbreak.

b. Water Testing Results Summary Report

This is informational.

Mr. Tessier suggested looking back at the water samples the CC took years ago for the Town as a baseline going forward.

6:29 PM c. Compensation Survey: Final Survey

Mr. Lee said that the survey has gone out to 13 towns (list available at Town Hall). Wells and Kennebunkport have already responded. Once all responses are in, he will do the data analysis and enter the information into a spreadsheet. He thanked Ms. Albert for turning the form into a pdf fillable form.

Mr. Donhauser asked what the logic was in looking at New Hampshire towns.

Mr. Lee said that they are operationally very similar and there is a tax implication. My feeling is that our staff could be swept up by any one of these towns. They are my competitors to keep my staff. We may have to take the tax implication into consideration and scale this to some extent, as that is a 5% to 5½ % differential.

6:34 PM 2) Nominate a Spirit of America Award 2020 Recipient

3) Nominate a Fabyan Drake Award Recipient

Both this and the Fabyan Drake nominations were taken together.

Mr. Donhauser moved, second by Mr. McPherson, that the Select Board nominate Mr. Roland Fernald for the Fabian Drake Award.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Lytle – Yes

Mr. Orestis – Yes

Mr. McPherson - Yes

Unanimous vote to approve motion.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

Nominations for the Spirit of America Award:

Jack Murphy – 3
Jim Tessier – 2
Roland Fernald – 2

A second round was completed to choose two:

Jack Murphy and Jim Tessier were nominated for the Spirit of America Award.

Mr. Lee will notify the nominees.

6:40 PM 4) Sewer Hardship Waiver (2nd Reading)

It was stated that this would include potentially waiving the access fee if someone can fully demonstrate a hardship. Septic system failure would require hook-up.

Mr. (Terry) Chick, Sunrise Street, said that Mr. Lee had said \$5,000 to \$6,000 to connect but that doesn't include building the sewer main; that a buyer of my house would have to construct a sewer main for the street and then run a line to the house from the sewer main.

Mr. Lee clarified that, if there is no sewer main in front of your house, you will never be required to connect.

Mr. Chick said that the rules require connecting to the main if you are 250 feet from it. All four houses are within 250 feet to the boundary and that's what the ordinance says – "250 feet from the main (Route 236) to your closest boundary" – all of us are within 250 feet.

Mr. Lee said that there is a 'reasonableness standard' in every ordinance, as you can't write every condition in when writing an ordinance.

Mr. Chick said that Sunrise Street has a ROW but we would have to construct it. The cost of the sewer main, the four stubs for the four houses, a pump and a water meter is what he would have to tell the buyer and he would have to lower the price of his house. I would say the cost is more like \$20,000. The TIF program says they are not doing side streets so it's a combination of the TIF sewer project and the ordinance that has him concerned.

6:48 PM Mr. Lee agreed, saying that we would have to build that extension with regular sewer revenues. We do not have any intent of doing that in the near future. I

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

would be happy to bring down Keith Pratt and have you come in and sit down with him for clarification.

Mr. Chick said that I would like that.

Mr. Orestis asked, in this specific circumstance, would they still be required to connect to the sewer once they are in the process of selling their homes.

Mr. Lee said that that's why he wants to bring Mr. Pratt down, because you do make some very good points. There are some overlaps, there are some gray areas and I know you don't want these gray areas. I will have Mr. Pratt look at any other side streets that may be affected, as well, to make it clear that that is not our intention.

Mr. Chick suggested we be allowed to keep our functioning systems and future buyers, as well, until the system no longer functions.

6:50 PM Mr. (Mike) Federoff, Sunrise Street, looked at all the maps from the 2012 design and one shows our street, which shows a connector from across Route 236 and stopping at our road. If there is no intention to make us hook up, why is there a stub coming across the highway.

Mr. Lee said that that is standard engineering practice. There will be a stub at every intersecting road and every parcel going down through, whether they get used or not.

Mr. Donhauser said that we need to get this straightened out because, if I were sitting in their shoes, I would be saying the same thing.

Mr. Lee agreed. He suggested the SB not adopt this until we have a further discussion with Mr. Pratt.

The PB agreed that this will go to a 3rd Reading.

6:55 PM 5) Certification of Proposed Planning Board Ordinances

Mr. Lee said that, along with the PB ordinance revisions, we also have the Animal Control Ordinance revision and the Eliot Tax Assistance Program. He summarized the PB ordinance revisions in Chapter 1 – Definitions, Chapter 33-189, Chapter 44-34, and Chapter 45-290.

Mr. Orestis said, regarding the Tax Assistance Program, there were some changes during the workshop and asked where we ended up with those. There were some pretty significant concerns.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

Mr. Lee said he ran those concerns by Attorney Saucier and then got back to Ms. Cepetelli. She got back with her committee and, using Attorney Saucier's advice, they made those changes and this document includes those changes.

7:01 PM Mr. Donhauser moved, second by Mr. Lytle, that the Select Board approve, by consent, the four Planning Board ordinance revisions and the Animal Control Ordinance revision, reserving the Senior Tax Assistance Program for further discussion.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Lytle – Yes

Mr. Orestis – Yes

Mr. McPherson - Yes

Unanimous vote to approve motion.

Discussion regarding the Senior Tax Assistance Program:

Mr. Lee recommended certifying this. The changes were appropriate. We did get legal advice and we did follow it.

Mr. Donhauser moved, second by Mr. Orestis, that the Select Board certify the Senior Tax Assistance Property Tax Program for placement on the June ballot.

DISCUSSION

Mr. Tessier said that I went on the website to see any changes and it's not there. There is still the original and asked if there is some place it is available to look at.

7:03 PM Mr. Lee said that you will probably see all these things go up on the web tomorrow.

Mr. Tessier said that one of the discussion points at the workshop was backing up the application dates to some time in October to give you some time to actually review them in case they were deficient. He was wondering if that had changed.

Mr. Donhauser read the pertinent section, which had October 1st as the deadline for determination of application completeness. He further read that the rebate amount "will be mailed no later than December 31st of the year in which the application is submitted."

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

7:05 PM Mr. Lee said that I am good with all that. One of the things that we checked with legal review is that it cannot be applied to taxes but must be in the form of a rebate check.

DISCUSSION ENDED

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Lytle – Yes

Mr. Orestis – Yes

Mr. McPherson - Yes

Unanimous vote to approve motion.

The pertinent documents were signed at this time.

7:06 PM **6) Special Citizen's Option Agenda Meeting 3/19/2020 at 5:30 PM**

Mr. Lee explained that we have to prepare for the Citizen's Option Meeting – a Citizen's Option Agenda. We are having this meeting to put in the recommendations of the Budget Committee and votes and our recommendations, with votes; that the SB has to sign off on that. I wrote up the draft agenda for that today, which shows all the ballot items to be voted on at Town Meeting. It's a one-item agenda, a Citizen's Option item we need to take up.

7:11 PM **7) Create Ad Hoc Building Committee (1st Reading)**

Mr. Lee said that, in particular, I would like the SB's feedback on Section 2 – Duties. I'd like to make sure that those duties are exactly what you have in mind; so, really take a look at that, really think it through, and get back to me if you have some ideas on other duties or issues with what is listed.

7:12 PM **8) Approve Warrants**

Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve A/P Warrant #102 in the amount of \$67,052.94, dated February 21, 2020; A/P Warrant #104 in the amount of \$16,154.23, dated February 21, 2020; A/P Warrant #105 in the amount of \$20,048.18, dated February 26, 2020; A/P Warrant #107 in the amount of \$72,073.49, dated February 27, 2020.

Roll Call Vote:

Mr. Donhauser – Yes

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

Mr. Lytle – Yes
Mr. Orestis – Yes
Mr. McPherson - Yes

Unanimous vote to approve motion.

I. New Business:

1) Certification of Proposed Property Tax Assistance Program

This was already taken up.

J. Old Business:

7:14 PM Library Non-binding Memorandum of Understanding (MOU) Question

Mr. Donhauser said that he, Mr. Lee, and Ms. Rawski went to the library and met with some of the library staff, two board members and Ms. Goodwin (Library Director). Library folks were able to convey what they meant by the operating budget and what they are thinking in terms of what they are asking for in the MOU. I'm not sure it is exactly the same view as the Budget Committee had as to what was being asked. I did follow up with both with Chairman Murphy and Ms. Goodwin, suggesting to them that maybe each of them would want to draft up what an advisory question would look like, what the actual wording would be and advising that it should be written using neutral language. I haven't received back a draft from the Budget Committee. The Library submitted a draft question within the letter the SB received, with a little background information. We do need to get this done pretty quickly but thinks we could afford to wait one more meeting to allow the Budget Committee to present what they think the form of that non-binding question about a MOU might look like.

7:17 PM Ms. Goodwin said that her concern, especially with the COVID19 virus, that no one would come to the polls in June. Because it's a presidential year, many of the voters won't come to the June vote; that they won't go twice this year. I would really like to see that question go on the November ballot. I believe the most accurate data would come out of November and I believe it would confuse the voter what we are actually asking for our budget this year.

Mr. Donhauser clarified that the MOU sets out the parameters by which a portion would be paid by the Town for having a library in our Town and how much the trust will pay for fund-raising and other things the library will be doing, itself. In very general terms, it's the operating budget the library is proposing the Town pay (salaries, wages, benefits) and the trust maintains the property.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

Ms. Goodwin said that we are the only town in the Seacoast area that does not have their operating budget fully funded. The operating budget would also include books, all of our materials, with utilities coming under our CIP and is a building maintenance issue. I am asking the Town if they will support the whole operating budget for the library, excluding anything to do with the building and the maintenance of the property.

7:19 PM Mr. Donhauser said that you have to be really careful in defining exactly what is included and what is excluded. For example, I thought utilities would have been included. I'm not trying to make up your mind but asking what do you expect it to be.

Ms. Goodwin said that I would expect that making sure there is water, that the heat is on, etc. would be part of maintaining the building and would assume the trustees would want to continue to oversee that part of it.

7:20 PM Mr. Lytle asked how many people work at the library now.

Ms. Goodwin said that there are currently eight employees, with two full time. If we were to get our budget for this coming June, that would increase our operating hours by four hours/week and would make one more employee full time, which is why we are asking for three benefit packages.

7:21 PM Mr. Donhauser said that the library wants to be as transparent as possible with what you are trying to accomplish so we need to know exactly what the Town's portion would be for what you are proposing. Then, we've asked the Budget Committee to develop a question because it depends on whose shoes you are standing in. Everyone looks at it in a different way.

Ms. Goodwin asked if the SB would like her to go through the library's current proposal and select out the things they would like the Town to take over.

Mr. Lee said precisely, using utilities as an example of what might be seen as needing clarity, such as internet.

Ms. Goodwin said that the internet is completely paid by the federal government.

Mr. Lee suggested that a copier contract would be considered an operating expense.

Ms. Goodwin agreed.

7:23 PM Mr. Orestis suggested that, if it is decided to put this on the November ballot, it would give Ms. Goodwin more time and not be rushed.

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

The SB was in agreement that this could go on the November ballot.

Mr. Tessier said that I am personally in agreement with Ms. Goodwin on this because the Budget Committee would like to see what the residents of the Town feel and we would get a much better representation in November.

Ms. Goodwin said that, in her letter, she put together an analysis of thirteen libraries in the Seacoast area and, whether they were municipal or private non-profit with the operational and library coverage, in every instance the towns are covering the operating budget except Eliot.

7:27 PM Ms. (Rosanne) Adams asked what say does the Town then have in the Library and its operation; that the Library could say they want five new people and now the operating budget would expand. Right now, the Town gives the Library funding but the trustees have total control over what they do with it, even when they tell us what they are going to use it for. They are not bound to it, it's really a gift from the people. Will it continue to be run the same way as it, is as a private library, and the Town has no say, other than budget-wise, how that Library expands and operates.

Mr. Donhauser said that that is an excellent question and may need to be addressed in the MOU. He asked how many trustees there are.

Ms. Goodwin said that there are three – Stephen Beckert, Peter Dennett and Ann Shisler. They are appointed by the Maine Probate Court. They put their personal financial life on the line for the Library and they get paid nothing. I've heard the argument that the Town doesn't have any say for years. I am standing in front of the Town and I do stand in meetings all the time explaining our position and budget. I think we are one of the most transparent organizations in Town because of that. Our budget request goes before the voters every year and that is their say. They can vote for it or not. We've shown that this Town supports having a good public library, along with a good school system. We have no say in our school system. The school budget runs it. She added that our trustee meetings are open to the public.

7:30 PM Mr. Donhauser asked Ms. Goodwin if some resolution of that problem should be included in the MOU. I think it's a legitimate question.

Ms. Goodwin asked if we can talk about that because I don't think the structure of the Library can change. Under the tenure of the current trustee board, they will never turn the physical part of the Library over to the Town.

Mr. Donhauser clarified that the MOU should say that the Town is responsible for X number of employees and have some right to say we determine the

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

compensation of those employees, or something like that, with the recommendation of the trustees.

7:32 PM Ms. Goodwin agreed.

Mr. Lee said addressing all the points is even more reason to wait until November. There is a lot to be hammered out here.

Mr. (Bob) Fisher said that Rice Library in Kittery had the same situation. The library went out of business, the town took it over, got a grant to add an addition that didn't cost the town anything. He thinks our library could do that. He added that the trustees don't want to do split up the library but want it run as it is now.

Mr. Donhauser reiterated that the MOU needs to have a clear understanding of the different responsibilities, etc.

Ms. Goodwin said that Rice Library spent their trust down to less than \$60,000. We are trying to avoid what Kittery did and the only way to do that is to stop taking principal from the trust. Right now, the way we are operating we cannot. Last year we took \$66,000 out of the trust and made only \$43,000. I have gotten grants for the building expansion project; that that will not cost the Town anything. The space that will be available will be the biggest space in Town, besides the Regatta, that we will offer for free to all in-Town non-profits and, then, we will charge a rental fee for outside entities that want to use that space when the Library is not using it. I think it will bring in a decent amount of revenue that would offset the water, lights, and heat. That is the only expense that that addition will cost.

7:34 PM Mr. Donhauser said that I think there is no question that the people of the Town want to have that Library. It's a matter of how we are going to fund that Library; that it has to be written in some type of document so that everyone fully understands who is paying for what.

It was clarified that it was the **consensus of the Select Board** that this will go on the November ballot.

K. Selectmen's Report:

1) Seeking Committee Members

There were no Selectmen's reports tonight.

L. Executive Session

SELECT BOARD MEETING
March 12, 2020 5:30PM (continued)

7:38 PM **Mr. Donhauser moved, second by Mr. Orestis, that the Select Board enter into executive session as allowed by 1 M.R.S.A. §405(A) Personnel Issue – Town Manager’s Contract.**

Roll Call Vote:

Mr. Donhauser – Yes
Mr. Lytle – Yes
Mr. Orestis – Yes
Mr. McPherson - Yes

Unanimous vote to approve motion.

0:00 PM **Out of executive session. No action was taken.**

M. Adjourn

There was a motion and second to adjourn the meeting at ? PM.

VOTE

4-0

Motion approved

Respectfully submitted,

Ellen Lemire, Recording Secretary

S/ Mr. Richard Donhauser, Chair

Date approved: April 9, 2020