

**SELECT BOARD MEETING  
December 12, 2019 5:30PM**

**Quorum noted**

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

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

**Absent:** Mr. Murphy (excused).

**C. Pledge of Allegiance recited**

**D. Moment of Silence observed**

**E. Public Comment:**

There was no public comment.

**F. Approval of Minutes of Previous Meeting(s)**

**5:31 PM**      **Motion by Mr. Lytle, second by Mr. McPherson, to approve the minutes of October 24, 2019, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**Motion by Mr. Lytle, second by Mr. McPherson, to approve the workshop minutes of October 31, 2019, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**SELECT BOARD MEETING**  
**December 12, 2019 5:30PM (continued)**

**G. Department Head/Committee Reports**

**5:33 PM 1) Conservation Commission: Resignation of Kim Richards**

Mr. Lee said that Ms. Richards has been a very long-serving member of the Conservation Commission and I think it would be entirely appropriate to send her a nice thank-you.

**Mr. Lytle moved, second by Mr. Orestis, that the Select Board accept, with regret, the resignation of Kim Richards from the Conservation Commission.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**2) Conservation Commission (CC): Appoint Christina Karas**

Ms. Karas said that I originally applied for the Water Conservation Committee but there weren't enough people. I kept looking and saw that the CC had an opening. With my background – BS and Masters in Environmental Management, currently an Environmental Health and Safety Officer, a Geoscientist for 10 years, and passion for the environment, I thought I could be a member.

**Mr. Lytle moved, second by Mr. McPherson, that the Select Board appoint Ms. Christina Karas to the Conservation Commission for a term to end June 2021.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**5:35 PM 3) Public Works: Backhoe Request**

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Mr. Robinson discussed the several major and costly issues with the current backhoe and requested approval to get three vendor bids to replace this equipment before the summer digging season begins. The equipment would be paid for by using the equipment reserve account for the first of a 5-year lease and the remaining four payments to be taken from the capital improvement budget.

The backhoe is a 2011 model and was scheduled to be replaced in fiscal year 2022. The same specifications would be used in the bidding with Caterpillar, John Deere, and Case.

It was the **consensus of the SB** for Mr. Robinson to get three bids for the backhoe replacement.

**5:40 PM      4) Van/Trailer Swap (Fire/PWD)**

This was a swap of a van (for DPW) and a utility trailer (for Fire) between the departments, with the van possibly being changed to a mobile repair unit to deal with minor vehicle breakdowns. This is a non-action item.

**5:41 PM      5) Fire Dept: Protective Clothing Bid**

Chief Muzeroll discussed his invoice, saying that there was one addition in that one of the guys was left out, so there is an additional \$1,900, which would give us ten full sets of gear (pants and coats) that need to be replaced and one pair of pants that needs to be replaced. He discussed the length of time the Fire Department has used this manufacturer and the quality of the gear. He also discussed that they are the vendor for the area and the price is from the Massachusetts mass bid process and so meets the bidding process for the Town. As a result, the prices are 5% to 7% lower and the gear specs are met. The amount for the gear is \$17,760 plus \$1,910. This will satisfy our required National Fire Protection Agency 10-year rule to replace gear, which I think will catch us up for this fiscal year; that in the next fiscal year we are looking to replace some of the other firefighter components – helmets and boots - and that will get us up-to-speed for several years. Right now, we have 28 people in the department. He added that we donate the used gear to fire schools at the high school level (Dover and Sanford). We are looking for approval to move forward with the purchase of 10 full sets of gear and one pair of pants, with probably a 5-6-week turnaround. He also added that the Fire Department received a grant from Enbridge in the amount of \$5,500 that will be applied to this.

**Mr. Orestis moved, second by Mr. Lytle, that the Select Board approve the Fire Department purchase of 10 items of protective clothing.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**H. Administrative Department**

**5:49 PM 1) Town Manager Report(s)**

**Line 35** regarding power availability on Route 236.

Mr. Lee said that a new business opening up heard that there may not be enough power on Route 236 to run their business. I called to confirm that there is plenty of power on Route 236 and, if there wasn't, they (CMP) would increase the amount of power necessary

**5:50 PM Line 103** regarding Staples' fence.

Mr. Lee said that the fence came down today and was left it in his yard. Because of the outstanding fines, legal bills, etc., we should discuss how to resolve that in executive session.

**a. Financial Reports**

There were no comments.

**5:51 PM b. Dec. 19 TIF Committee Invitation, 6PM – No Correspondence**

Mr. Lee said that the TIF Committee is asking the SB to meet with them on December 19<sup>th</sup> for a joint meeting, with Underwood Engineering there to answer questions, ideas, etc.

The SB agreed that they would attend.

**5:52 PM 2) Approval of Sewer Fees**

This was previously discussed in a workshop and tabled from the previous meeting due to less than a full Board. Nothing has changed since the workshop.

Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve the sewer fees that we have before us.

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**December 12, 2019 5:30PM (continued)**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**5:54 PM      3) Approval of Permit Fees**

This was discussed in a previous workshop and tabled at the last meeting due to less than a full Board.

Mr. Orestis moved, second by Mr. McPherson, that the Select Board accept the permit fees as presented December 12, 2019.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**5:55 PM      4) Amend Fees for Boat Basin Parking/New Collection System Proposal**

Mr. Lee described a new collection system for boat launch parking at the Boat Basin, very similar to those found in places like Portsmouth, NH parking garages. The item, itself, costs about \$16,000 and we estimate about \$4,000 for installation. It would be able to pick up revenue seven days a week instead of just on weekends. Everything except weekends is currently on an honor system and we find that we don't take in very much Monday through Friday. We would have VIP Police volunteers, Mr. Philbrick, and our Police Department that could check vehicles for displayed parking receipts and follow up with those that don't. I am thinking we are losing a lot of revenue at the Boat Basin and that this would help generate some money that we could put back into that facility. Currently, I have put \$10,000 into the proposed budget to do this and thought I should have a policy discussion with the SB regarding their interest in doing this; that if you are interested, there may be room in the budget, with LD1 in mind, to add in the remaining half of that \$10,000 to fully do this next year. The fee is \$10/day per boat launch, with the ability to continue to purchase season passes at the Town

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Hall. Also, there is the thought of offering a discount to Eliot Fire Fighters, seniors, and military, which would be a policy discussion for later.

**6:01 PM** Mr. Orestis asked what the maintenance on one of these is like and how much might this bring in over the year and how long will it take us to realize the \$20,000 cost.

Mr. Lee said that he wasn't sure. Currently, we take in about \$15,000 just on the two days we aren't on the honor system. When I take a drive down there on Thursdays and Fridays it's busy as can be and I think some people plan to go weekdays and not weekends. I think it would probably be a pretty quick return on investment but I don't know how many people are not doing the honor system.

Mr. McPherson said that it sounded like a good investment if we are bringing in \$15,000 for only two days and, now, we would charge for seven.

Mr. Lee said that staffing would probably not change and may even be less.

Mr. Orestis said, regarding the policy side, if we could monitor the discounts and the money is \$15,000/year, that gets me closer to saying that this is a good idea.

Mr. Lee said that any money we make down there could be used for the maintenance of the system that actually generates the money. The guy he talked with from Portsmouth said that these machines require very little maintenance. He added that this would be for boat-launching. If you wanted to just have your lunch down there or go to the beach, you would park in the upper area or one of the smaller spots, there would be no expense.

**6:05 PM** Mr. Lentz said that he had approached Mr. Lee several years ago; that his interest was in the launch fees, not the parking fees. The machine is an okay idea but asked how you separate that because there's a lot of moms and kids that park down there to enjoy the beach. I think the goal is to get those launching the boats.

Chief Muzeroll said that I was remotely involved upcountry in a similar project and the same questions were asked. It was a multi-use facility but the boat launch was the biggest issue and they resolved it in their policy by saying that, if you have a trailer on your vehicle, you pay to launch. There is designated parking at the Boat Basin, and overflow. If there's a trailer on it, you need something in your window.

Mr. Lee agreed that that was essentially what I had in mind.

Ms. (Donna) Murphy asked if a cost analysis of what it would be to add an attendant on a Friday, for example. She added her concern for giving discounts

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and not considering poverty level in that criteria; that the security camera would need monitoring, as well.

**6:07 PM** Mr. Orestis said that, in addition to the analysis, I think those are great questions but I think that's for the policy-side of things.

Mr. Lee said that I don't know if the Board would want me to look at more hours down there to collect money and keep it the way the fees are. I just thought this would be an automated way to go and could generate another \$25,000, possibly. That wouldn't surprise me but I can't guarantee that.

**6:09 PM** Mr. McPherson said that it sounds, potentially, like it might have the ability to pay for itself in one year.

There was further discussion regarding how to tell who is and isn't an Eliot resident, how to increase revenue to cover costs, and having evidence-based estimates regarding cost of the system versus revenue generated.

Mr. Donhauser said that I think, before we move forward, we need to somehow estimate what the income would be.

Mr. Lee said that I would be willing to do that but I have to get the budget books out and I don't know whether to include this as part of the discussion we will have during the budget process. So, I need to know if there is any interest in this and I can then do some analysis and write up some policy ideas to further our conversation. I could also add the cost of an additional attendant.

**6:12 PM** Mr. Lentz said that he made a spreadsheet when he had monitored the Boat Basin several years ago and would try to dig that up to give to the SB. I was somewhere about \$24,000/year with just an attendant in place. I was looking for a way you could take a ticket out of a box and put it on your windshield so somebody knew you had paid.

There was discussion regarding a parking space versus a launch fee as well as missed fees for April and September through November.

**6:16 PM** Mr. Orestis said that, at this point in the discussion, I think it's a good idea to move forward to get some cost analysis in place to see what the actual revenues are over the last 5 years and help us make a better decision. I think there's a lot of discussion around policy, which is an entirely different conversation that we can have.

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**6:17 PM** Mr. Lee said that I would be prepared by the time we enter into budget discussions to have that analysis so that it would help both the Budget Committee and SB in making a decision on whether to support this capital item.

Mr. Robinson pointed out that the road going into the Boat Basin is going to need some serious work and this would help to alleviate the cost coming out of, say, my operating budget to pave that road.

There was a discussion regarding the impact to revenues like those generated from Independent Boat Haulers, if any, and that will be part of the policy discussion.

**6:20 PM      5) Amend Financial Policies**

Mr. Lee said that he was recommending we double the amounts so that the formal bidding requirements are in excess of \$10,000 and price quotes at \$5,000. In essence, the staff unanimously suggested we request at least one change to the policies, which is to increase the amounts at which formal bidding needs to take place. Staff noted that in the municipal world, especially in some departments, \$5,000 is a low threshold. In smaller towns with lesser resources, where I served as Town Manager, we had this suggested \$10,000 bid requirement. Please note also that our purchasing is restricted to approved budgets, some by line item.

**6:23 PM** Mr. Donhauser said that I support this. If you rely on management and believe in the management group that you have, giving them leeway and not handcuffing them to come before the SB every week to operate their departments. He asked for input from the other Board members.

Mr. McPherson said that, with raising this, they would still have to stay within their budgets. You are just giving them more leeway.

Mr. Donhauser agreed, adding before Board approval.

Mr. Orestis said that it's not just for SB approval but also for competitive price quotes, currently over \$2,500, and the new level would be \$5,000.

Mr. Donhauser said that you wouldn't have to bring it before the SB, though.

Mr. Lee agreed, and that's the difference. Right now, if it's \$5,000, I have to come before the SB. At \$10,000 I think would be a better benchmark for getting the SB involved because we're still operating within our budgets.

**6:25 PM** Mr. Donhauser said another reason I support this is that, 99% of the time, after you get your bid at \$5,000, we approve it anyway. I can't recall many instances



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where we said we weren't going to allow that bid. There are many times, with bids, that you can't even get three.

Mr. Lytle said he had no problem with this.

Mr. Donhauser said that this is the first time we've seen this and should, perhaps, wait one more meeting to give people time to consider then discuss and make a decision.

**6:26 PM** Mr. Lee said that, with sole sourcing (§4.3.6), our intent is to note which vendors we sole source with, have a list of those vendors, and the reason why those vendors enjoy that status. The policy, as it stands, lists some vendors and services that are exempt from bidding (sole source) and we would like to further expand, be transparent, and update the list over time. An example to be added would be the one the Fire Chief uses.

This is a first reading and will be taken up at a future meeting.

**6:27 PM      6) First Revision of Select Board Policies**

Mr. Lee clarified that this was tabled from the previous meeting, as well. He said that we had a workshop regarding this and I have tried to include all the suggestions made in this mark-up. One thing we wanted feedback from the DPW was, when somebody does a road opening or cuts a trench in a road, the policy gave something like 6 months to repair and we believe it should be 10 days, which is what Mr. Robinson recommended. He asked the SB to review this mark-up and get any comments back to him. This is a first reading of the policy.

Mr. Orestis said that he thought it was great to have some time to look it over with the expectation that we give all feedback to the Town Manager prior to the January 9<sup>th</sup> meeting so that we can include it and vote on it then.

Mr. Lee will print copies for SB members for their review.

**6:30 PM      7) Proceed with TIF Project/TIF Committee/Engineering**  
**8) TIF: Sole Source Engineering**

NOTE: These two items were discussed together.

Mr. Lee said that, following the vote we had recently, the TIF Committee has started talking with engineers, etc. about what a project might look like, what the routing options would be, the scope of the cost. My thought was that the SB should probably formally authorize the TIF Committee to begin to formulate a project for your review and to work with the engineers to come up with a

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thorough proposal to go before the voters, probably November of next year. That is why I am here tonight and the next item goes right along with this (#8). Underwood has been doing our engineering on the sewer system for several years and they have partially done some design work for water and for sewer. They already have water designed out for us and it wouldn't make any sense in my mind to change engineers in mid-course. We are talking about an expensive proposition to do all the engineering lading up to a thoroughly-developed project scope and get it out to the voters but we are working with this vendor and I can't imagine why we would stop. I mentioned to the chairman that, at the end of this project, it might make sense to go out and get new engineering proposals from new companies. I don't want them to have a lifetime contract with us but I think it would make the most sense to let them finish this piece of business and then it would be sensible to see who else is out there. I wanted to make sure I'm okay to continue using Underwood with the TIF Committee to advance a project to get to the SB for your consideration.

**6:32 PM** Mr. Donhauser said that I was at a meeting today sitting beside Tom Harmon (owner of Civil Consultants) asking him if this was really considered a sole source and Mr. Harmon said that normally what you do with engineers is, instead of just putting a project out to bid before you know what the project looks like, you ask for qualifications of that; that, additionally, he said it would be very unusual where we have already been with Underwood Engineers and they've already done this preliminary planning is to now jump off that horse in mid-stream and jump into another engineering firm. He sort of alluded to the same comment Mr. Lee made in that this project has been in the works with Underwood almost 10 years, on and off. I asked Mr. Harmon if his engineering firm would like to be bidding on this and he said that what you would do is put out a request for qualifications, pick one or two engineering firms, and Underwood may come out to be the top one again, anyway.

**6:33 PM** Mr. Lee commented that Underwood was selected under a competitive bidding process. When we got rid of the other engineering firm, we did RFQ's and Underwood won as a competitive matter at that time and we have worked with them since on this project.

Mr. Donhauser said that I think what we are talking about is adding them temporarily as our sole source for engineering with respect to the TIF project.

Mr. Lee said right. As we did with the auditor, I do think that some of the professional services – legal, audit, engineering –every few years we should go out just to make sure people keep their pencils sharp and e are getting a good value.

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**6:34 PM** Mr. Lentz said I'm on the fence with this. If we are saying that there is preliminary engineering work to do with Underwood, I am okay with that as long as we get to the point where we do put it out for bid and that point should be defined.

Mr. Lee asked if Mr. Lentz meant the project.

Mr. Lentz clarified he meant the engineering end should be defined. We have a basic overview and, now, we're going to get into the detail, or something like that. I would appeal to the SB as this has been probably the most divisive, contradictory, sensitive issue I've seen in the 20 years I've lived in Eliot. I would think at this point with the subject of sewer, this is where neighbors don't talk to neighbors anymore and people put up fences because they don't agree with the guy next door...I think it's that dramatic. I would think you being in your position on this subject, you would want to make sure you crossed every 'T' and dotted every 'I' and go by your own policies. Don't violate your own policies on this thing. I think that would be a bad, bad thing to do in this case.

**6:36 PM** Ms. (Donna) Murphy, Hanscom Road, said I would support going out to bid on this. It has been 10 years that this has never gone out to bid and they are spending an awful lot of taxpayer money on this. It has been going around Town and I would like confirmation in that it is my understanding that the former DPW Director is currently employed by Underwood.

**6:37 PM** Mr. Donhauser said that that is correct. Underwood has indicated that he will not do any work with respect to the Town of Eliot.

Mr. Henningsen said that the basic strategy, here, is to get someone to write a RFP for the engineering work. We don't have the in-house expertise to write up a RFP (RFQ) and we need someone to write that up that gets us to the point where we can go to the voters in November and say we want to continue a sewer down Route 236, we want to bond for 'X' amount of dollars and, if that's approved, we'll go out and get the engineering services done and then go out and get a contract to do the work. That's what Mr. Lee is basically asking right now. We can talk about this next week but the question is do you want us to go out with an RFP to engineers, which is basically a RFP to write a RFP or can we use Underwood and their experience, as they did most of the design work back in 2008. We aren't changing much on it but we want to cover our bases, be transparent, and we want everyone to know we're following procedure as far as requests for quotes, and all that. It's a matter of how fine-tuned you want to go. I don't know what the budget is, and we can have a discussion with Underwood next week regarding what costs we are talking about just to get us to a point where we can then go out to solicit an engineer to do the engineering work.

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**6:39 PM** Mr. Lee said that I'm not sure that's exactly where I am at. My thinking is that we don't do 100% engineering in order to get to the voter. You have to get to about 70% engineering where they are very comfortable with the numbers and have cost estimates, only investing a certain amount of money in the engineering because you don't want to do a whole project only to have the thing defeated and shelve that work. We are only talking about getting to a point of being very comfortable with the numbers, the routing, the basics for this project, and they have a very strong idea of what it's going to cost. Then you go to the voter and, if the voters say yes, they would complete the rest of the engineering to a book of specs. That book of specs would go out to all the contractors who would bid on our project.

**6:40 PM** Mr. Henningsen said that, in that light, I would say we need some pricing from Underwood to comply with what Mr. Lee wants. At this point, I don't know what dollar figures they are talking about.

Mr. Lee said that I have three things going with them. We need to take another look at our rates to make sure they are sufficient. We've never had a budget for sewer and I want to know what revenues to expect and what we expect to expend each year so I can stay on-budget so we don't end up in the red again. Then, third, the engineering to get us to a vote they said their piece this year for that work would probably be around \$50,000 of consulting, with a portion of that for sewer work. \$40,000 would come out of the TIF Fund to pay for engineering. Remember almost all this TIF money is essentially coming from that compressor station. If it were going in the general fund, it would be the taxpayers' money, for sure, but it's designated to go into this TIF Fund and it would actually be paying the cost of the engineering on the project.

**6:42 PM** Ms. (Donna) Murphy said you need to stop pretending that this is not taxpayer money. If this TIF didn't exist, a significant amount of money would go into the general fund.

Mr. Donhauser said that, in our packets, is a potential timeline/steps for the TIF Project. We are in a 45-day wait period for appeals.

Mr. Lee said that we think the DECD is going to act on the full package within a couple of weeks. After it's approved, that starts a 45-day appeal period where somebody could appeal the whole thing as being inconsistent with TIF law.

Mr. Lentz said that I am still confused as to this sole sourcing. As Mr. Henningsen explained it, the company I worked for that was best practice and I'm not sure where we are right now. There is engineering work that is required to just get to the point where you can estimate what this project would cost and, then, there is more engineering before you can put a spec together to put it out for Requests for Quotes.

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**6:43 PM** Mr. Lee said that my thought is that you would stay with Underwood Engineers right through the final bid of engineering and the specification book, to be clear.

Mr. Lentz asked if then the final request would be sent out.

**6:44 PM** Mr. Lee clarified that that spec book goes out to contractors to bid on. It's not a RFP. It's a contract that goes out to them saying exactly what they are going to do and what the standards are of how they are going to do it. It has diagrams, cross-sections, etc. To be clear, I'm talking about all the way through this project through a vote. And after the vote, if it gets approved, we would stay with Underwood doing the engineering until the pipes are in the ground and everything is done. Then I'm suggesting we stop doing any business with Underwood, e got out to a RFP, get a new engineering firm to work with us for the next 5-6 years, or whatever the number may be. Underwood could certainly bid on that. They'd send in their qualifications as would other well-qualified firms, We'd have some group look at those to determine which ones they think are the most qualified; then you open their bid proposals and see what they charge per hour for a principle engineer, a senior engineer, a junior engineer, administrative and clerical and see which is the best value. If you have a very well-qualified firm at the same price as a not so well-qualified firm, take the best qualified firm at really good rates and, probably, you'll get really good service. I wouldn't do that until after this project is complete because someone is going to have to reacclimate, start all over again with all the work that they already have on CAD; that they won't be able to compete financially.

**6:45 PM** Mr. Lentz said that I'm not aware that this is an emergency. It's a long-term project, cost a lot of money, and I think it ought to be done right. I am not in favor of sole sourcing that engineering all the way through that project. I think it's a big mistake.

Mr. Donhauser asked if we are on the timeline schedule from Mr. Lee to authorize the infrastructure project in December.

Mr. Lee said that I was asking tonight to authorize developing a project with Underwood through the TIF Committee.

Mr. Donhauser asked if we can do that before the 45-day period.

Mr. Lee said that we can wait, if the SB wants to.

**6:46 PM** Mr. Donhauser said that the TIF, in its entirety, has gone on quite long enough as far as I'm concerned. It's been on-and-off and now I think the consensus of the people in the Town of Eliot is that they support this project on Route 236. So, I think we need to start moving forward and I'd like to be moving forward as

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quickly as possible. But I would also like us to be fully transparent and do exactly the right thing. I also don't want to be doing engineering if we aren't supposed to be doing engineering in the 45-day wait period. I think this next week's meeting is going to be very interesting and informative. This timeline goes out to 2022 so it's not like we need to rush.

Mr. Lee agreed. In fact, if the SB really wanted to, I can get a RFQ and put out a RFP for engineering services. All things being equal, Underwood has the upper hand in that bid because they don't have to start all over again.

**6:47 PM**

Mr. Donhauser said I don't know how the SB feels but I'm not personally suggesting that. I'm suggesting we talk with the TIF Committee and get us all pointed in the same direction.

Mr. Orestis said that from what Mr. Henningsen and Mr. Lee are saying, there are two totally different opinions on what is being proposed here. So, I would like to have that meeting next week and have the Town Manager, the TIF Committee, and the SB all on the same page so that we can make the right decision going forward.

Mr. Donhauser agreed.

Mr. McPherson agreed, as well. As I'm thinking, Underwood Engineers is already ahead on the bid. So, if you hire somebody new, they have to beat Underwood's bid. Maybe I'm wrong but Underwood has a lot of money invested in this project now.

Mr. Lee added that we have a lot of money invested in work products with them many of which would have to be re-created to some extent. I don't know if we own the CAD files. If you want to do this all properly, let's discuss this on the 19<sup>th</sup> when we're all there together and discuss with the TIF Committee the bidding requirements, the options on the engineers, etc. and make sure we are all on the same page. I agree that we do need to do this very much above-board and I don't want something like this throw it off.

Mr. Donhauser said that I believe we have the **consensus of the SB** to wait until the 19<sup>th</sup> workshop with the TIF Committee. As Mr. Lentz said, there is no emergency we are under.

**6:50 PM**

**9) Approve Warrant(s)**

Mr. Donhauser moved, second by Mr. Orestis, that the Select Board approve A/P Warrant #73 in the amount of \$968,317.48, dated November 7, 2019; A/P

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Warrant #75 in the amount of \$137,810.28, dated November 14, 2019; A/P  
Warrant #77 in the amount of \$191,784.20, dated November 22, 2019.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**I. New Business:**

**6:51 PM** Mr. Donhauser said that I visited with Jack Murphy today, our other SB member, and it was very concerning to me. I'm not sure he really recognized who I was. He was very congenial and sitting up and dressed. My question is, in the event he is unable to return to the Board, what is our position as a Board with respect to Mr. Murphy.

Mr. Lee said that you can find it in the Charter but what I think I will do is to gather that from the Town Clerk regarding what the process is and get that ready for the SB.

Mr. Donhauser said that he is not proposing we immediately remove him from the SB but just wanted to know what the alternatives were.

**J. Old Business:**

**6:53 PM** Ms. (Donna) Murphy wanted to thank the ECSD and any others who did the tree lighting ceremony because it was quite well done. They did a really nice job for the kids that were there.

**K. Selectmen's Report:**

There were no Selectmen's reports tonight.

**L. Executive Session**

There was no executive session.

**M. Adjourn**

There was a motion and second to adjourn the meeting at 6:54 PM.

**SELECT BOARD MEETING  
December 12, 2019 5:30PM (continued)**

**VOTE  
4-0  
Motion approved**

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

**S/Richard Donhauser, Chairman**

**Date approved: 01/09/2020**