

Select Board Workshop

Dec. 29, 2016

MINUTES

Attending: Rebecca Davis, Roland Fernald, Brad Hughes, Bob Pomerleau, Jack Murphy, Dana Lee, Joel Moulton, Richard Philbrick, Tom Phillips III, Grant Hirst, Nancy Shapleigh, Jack McDonough, Mike Dupuis, Richard Russell, Grant Hirst, Lee Emery, Cabot Trott, Charles Rankie, Denny Lentz, Jim Tessier. Lori Howell was absent with notice.

The Chair called the meeting to order at 5:30 pm and asked the Town Manager to introduce the evening's topics and issues. He explained that committee self-assessments were done as well as a request of the Town manager to give his opinion on the mission / functionality of our committees. The Sewer Committee and Harbor Commission have been invited to discuss their roles and committees.

Jack Murphy pointed out that the Sewer Committee was formed in 2001 to determine the future needs of the sewer system. Feels more water testing is needed at certain areas of town. Joel said he was not sure how often or who exactly does the testing; presumed it was the state.

Bob Pomerleau read the Town Manager's summary regarding the Sewer Committee. That summary included – involved Town Manager and Sewer Superintendent, use of engineers and consultants, SB sets rates. Suggested a wider topic – a Clean Water Committee to combine sewer issues, storm water issues. Maybe they need a revised mission.

Nancy Shapleigh said the town has changed from the committee's original purpose. She said they did not take the assessment seriously; felt it an insult. She said they helped create the TIF and they got thwarted. She said they contributed heavily to the first studies that were done.

Rich Russell said that the committee should be a ratepayer's committee to advise on issues of how we spend sewer funds (unnecessarily large pump station project) and the rates that are paid. They could help get information to sewer users / rate payers.

Jack McDonough said that if the TIF sewer on 236 had not been killed, it would have solved numerous issues with regard to the pump repair and sewer funds.

Mike Dupuis thanked his committee members and repeated the idea of a ratepayer group and informational / education committee; mailings and meetings.

Brad Hughes expressed concern that such a group might devolve into micro managing the project, use of sewer funds.

Rich Russell said his intent would not be to micromanage but just be a steering committee / advisory in nature.

It was noted that they could get more ratepayer members if they did not meet at 4:15 in the afternoon.

The Town Manager suggested that it was not only current ratepayers, but also the near-future users (expansion of system) that need to be informed and a plan devised for funding / explanations.

Rich Russell said he was upset that the sewer committee was not kept abreast of the financial woes of the system, and another rate increase is coming on top of three increases recently.

Roland Fernald suggested that the Sewer Committee be tasked with developing alternate / expanded purpose(s). The Town Manager said he would be happy to assist. The next meeting is January 18 at 4:15 pm.

Bob Pomerleau said he wasn't sure that a ratepayer group would be very helpful in that rates are driven by costs. Citizen input would not help much with technical, financial and engineering issues.

Joel suggested that the idea of a clean water committee, such as Bob Pomerleau had suggested, might be a great role – storm water, water quality, sewer system education, etc.

Grant Hirst asked who was tasked with enforcing the Ordinance? Joel does so.

The Chair thanked the committee and said that the Board looked forward to the Sewer Committee's ideas for needed Town purposes they could fulfill.

The Chair invited the Harbor Commission to come to the table.

The Town Manager began the discussion by recapping his memo to the Select Board that he has witnessed efforts by some members to insert language in the ordinance that is not lawful, that there appears to be self-interest at work in drafting the Ordinance, and that some members make repeated, public disparaging remarks about staff.

He also pointed out that Lee Emery had stepped down as Chair and that Cabot Trott was now acting Chair.

Cabot Trott offered his explanation of why there has been delays and dysfunction, but that all is on track now. He also said they would like to finish the ordinance and then perhaps expand their mission to offering boating / safety classes, etc.

Charles Rankie recapped the history of how we ended up with our own Harbor Master and the creation of the Commission to help the Town Manager who admitted that he knew nothing of harbor management when he started. He said the staff was not cooperative and they had oversight responsibility for the Ordinance. He quoted their by-laws. He said that they cost the Town nothing. The Town Manager said that he spent money proving their efforts to use certain

language in the ordinance was not lawful.

Bob Pomerleau commented that maybe it was not the Commission as a whole, but maybe just a member or two that were the issue. It was suggested that their by-laws are being interpreted as having more authority than they should have, and if so, then the by-laws should be amended.

The Town Manager expressed concern that the Ordinance would not be done correctly if we wait and that we need to address it now in order to have it for summer boating season. He also stated that two of the commissioners are at risk of losing their moorings and are reflecting their desires / needs in the Ordinance.

Cabot Trott said he was unaware of that and was very upset by it, and he said he resigned and left the meeting.

The Commissioners reminded the Select Board how much time they have spent on it and that they have more notes and thoughts they want to incorporate. The Select Board suggested they work concurrently on finishing the Ordinance and send along ideas to the Select Board. The Harbor Commission meets on Jan. 19.

Lee Emery said that they were aware of incorporating things that were not consistent with legal opinions obtained by the Town Manager because he knew it would get caught / correct upon legal review.

Bob Pomerleau said that the Select Board needed to weigh in whether or not the Harbor Commission would be the appeal authority; it is in the Ordinance now, and if changed to be the Board of Appeals, for example, what would be their remaining purpose(s)?

Ultimately, the consensus was to allow the remaining commissioners to continue to work on the Ordinance, concurrently with the Select Board, and that they consider what the ongoing mission would be.

Roland Fernald made a motion to adjourn the meeting at 7:41 PM. This was seconded by Brad Hughes and was so voted 5 – 0.