

Joint Select Board and Budget Committee

Workshop Minutes of January 5, 2017, 5:30 pm

Attending: Donna Murphy, Ed Strong, Steve Furbish, Denny Lentz, Jack Murphy, Brad Hughes, Roland Fernald, Bob Pomerleau, Jim Tessier, Noah Lemire, (Rebecca Davis absent with Notice), Dana Lee, Kristi Rabasca, Joel Moulton, Kate Pelletier; members of the Library Trustees and staff, members of Conservation Commission

Roll Call: Roland opened the meeting at 5:30 pm. All present except Rebecca who notified in advance of inability to attend due to work.

The Town Manager introduced the storm water workshop and the Town's consultant, Kristi Rabasca, who went over a handout she had created in response to submitted questions.

She made a point that Eliot was one of the first DEP-audited towns, and at first we were ahead of required work, but are now settled into what she refers to as minimum compliance. She said that knowing what is "minimally required" is an ongoing negotiation with DEP. Only a very few lines of text explain "what must be done." One of the items in inspections and sampling. When these show problems, we are obligated to address them, thus the changing nature of the budget on storm water. Very hard to predict. In 2015, EPA finalized a new rule which New Hampshire and Massachusetts are under – much more stringent than Maine, which self-governs the program. It is thought though that these more stringent, robust rules are just around the corner for Maine.

Inquires or comments from attendees included:

The management of the program sounds complicated, and a fee system could also require staffing. Larger cities are using fee systems to pay for the storm water work and staffing. It was noted that the State wants towns to have a fee system outside of taxation, so the mandate is met without local voting. Kate said that the seven communities under the rules may enter into an agreement to share one billing service for all.

Change in political leadership at White House disfavors environmental laws. Might we see the rules become more lax, less expensive? Hard to tell. Would likely take quite a long time to dismantle the system.

Can we slow down the scheduled work, and spend less. Kristi said that nowhere does it say how much minimally to spend; though she did provide standard guidelines for what is likely required for Eliot \$360,000 O and M, and \$1m annually for construction / outfalls. Joel noted that his workforce handles the non-technical work to reduce costs. Again, Kristi

noted that we negotiate what to do with DEP. If we do more in area of the rule, we can do less in some other area.

Questions arose about how to determine if the issue is a private issue or even discharge from Kittery. It was noted that it is always very hard to find the "smoking gun." We usually can only use best available evidence in the watershed area having the illicit discharges to determine what might stop the discharges – so far, the Town staff and consultant have been right, and the problems were corrected by the scope of work suggested. Joel and Kristi noted that much of the pollutants come from in and around old, cracked, clay sewer pipes that were abandoned in place 30+ years ago. Some may still have some tie-ins to those old drains, infiltrated, polluted groundwater can also get into those pipes.

Joel recapped the Pleasant Street project as an example of trying to curb long term testing / sampling cost by taking 11 outfalls and reducing the outfalls in the area to just three. He said the area near Staples, Leach and Wood Roads have an illicit discharge and are the next project. It was noted we suggested phasing it to spread out the costs. Joel noted that an illicit discharge was found at Riverview Estates. We spent money chasing down the discharge but could not find the proverbial smoking gun. The owners will have to do most of the corrective work, but we will likely have some role to play also.

Several comments were made about how the budget numbers from 2013 jumped dramatically in all cases. Kristi admitted that we barely knew what was to be expected, no field engineering had ever been done and the document was very incorrect. It was again noted, that we are always shooting at a DEP moving target of expectations / negotiated reality.

Bob noted that he hoped that we looked at all the various methods of mitigation. Some of the simpler, less expensive options have been shown to be equally effective as more elaborate countermeasures. Consider all avenues / methods to address the discharge.

Several comments were made desiring to know more about what parts of a storm water budget are truly minimum required storm water work and what are potentially unnecessary add-ons to improve the neighborhood. After much discussion the Town Manager recapped saying that he thought the elected officials are looking for a breakdown of the add-on expenses.

Joel offered to do a workshop with maps and such to better show the issues. The group liked this and agree with the Town Manager that a breakdown is what they want and expect.

The Acting Chair thanked everyone for their participation, and asked for five minute recess before hearing budget requests from the Library and Conservation Commission. (6:46 pm)

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Peter Dennett presented the budget request which is up by \$10,000 from last year at a \$155,000 request (\$145k last year). Ed asked why they are taking less from the Fogg Trust. Denny explained that the guideline is not to take more than 5% if you are trying to maintain principle, and they used 7.5% last year. They want to get back to no more than 5%. Jim Tessier concurred with the guideline.

When asked about donations, the Library folks mentioned one such big gift but it went to restore the Fogg House after the fire.

When asked about instituting user fees, the group was reminded of the Wm. Fogg will – it is to be a “free” library. They do have charges for non-residents.

They are now doing things like the Ice Cream Smorgasbord and the Family Movie Night which used to be done by CSD.

The Library folks discussed efforts and successes getting a grant from the Bill / Melissa Gates foundation. The Library Director indicated that the library was more than books, it was becoming a community center. Last year, served about 3,000 in programs, this year about 6,500. More than 500 new library cards this year. She indicated that more than 1,000 inter library book loans happened this year and some 3,000 book downloads. A discussion ensued about a Minerva System(?), and how the Fogg Library will be moving toward a similar, smaller system, but will require a staffer and annual fees.

The Acting Chair thanked them for their presentation.

The Acting Chair asked the representatives of the Conservation Commission to present their budget. Kim Richards reviewed the minor requests for routine operating expenses, but discussion mostly focused on the \$40,000 Land Bank Request. They said the \$40,000 would go to the Great Works Land Trust to assist with the 92 acre conservation at Goodwin Farm. It was noted that the Land Trust had already completed the purchase and that they needed no funds / we would be refilling their coffers. The Conservation folks acknowledged that, but said the Trust needs ongoing financial support to continue their work. Kim also said that down the road, they will need money to acquire the Town Forest / Johnson Lane parcels and possibly to help finance the conservation of the Libby Farm. Bob said the Libby Farm are (Village area), in the Comp Plan, was slated for higher density

housing, not conservation. Noah indicated that he did not mind giving them the \$40k, and eventually draining the Land Bank and not using tax dollars for this activity anymore. A few members concurred with this view.

It was mentioned that we could put this question out as a stand-alone article and let voters decide the issue. The Town Manager noted that they were proposing to raise \$35,000 in taxation to replenish the fund.

It was noted that all use of those reserve funds require voter approval, so when the Conservation Commission has a project, we just take it to the voters. Connie countered saying that some needs to be raised and on hand for when an opportunity pops up. Connie noted two or three times that open spaces require no service or expense and save taxpayers money.

Denny asked if Eliot residents would be prohibited from going on the land if we do not donate. Kim and Connie said that it potentially could be that way, but they doubted it. He also asked why the GWLT would have any interest in an isolated, village conservation, when they usually seek to build large contiguous tracks of conserved land. Kim said some of the Libby parcel would be an agricultural easement, but details are still very vague.

Jim suggested maybe annually putting \$5,000 into reserve for future projects. He asked when the last time it was used. No one clearly remembers but it was many years ago. Jack said he supports their effort and work. Bob said conservation is not a town function.

Seeing no more questions, the Acting Chair thanked Kim and Connie.

Brad made a motion to adjourn, and Jack seconded it and it was so voted at 7:36 pm

DATE: January 30, 2017

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John J. Murphy, Secretary