

Eliot Select Board Workshop

January 19, 2017

Minutes

Attending: Chair Rebecca Davis, Selectmen Fernald, Hughes, Murphy and Pomerleau. Also Town Manager Dana Lee. From the public Jim Tessier, Denny Lentz, Ben Brickett, Tom Phillips III, Richard Philbrick, Donna Murphy

The Chair called the meeting to order with all present.

Workshop Part I: The Town Manager introduced the first topic: Harbor Ordinance. He explained that concurrent with the Harbor Commission, the Select Board needed to move quickly if we are to get this on the ballot for June. He presented the Commission's draft Ordinance with suggested markups / corrections. Selectmen Pomerleau said a major piece to consider would be appeals of the Harbor Master. Ultimately it was determined that the TM would be the first appeal and then the BOA because they have a fully developed appeal process, are unbiased, trained in due process, etc.

The group discussed non-use of moorings, short term allowances (14 days) to use another's mooring, and defining "what is an extenuating circumstance," wherein the Harbor Master could / should allow the continuing use of the mooring even if not used for an extended period by the mooring assignee. Bob made it clear that he felt the harbor and moorings were a public resource to be maximized, and they were not assets of the assignees.

There was some discussion about the wording on Riparian rights and rights of way across land with riparian rights. A ROW does not count as a right to a mooring. A minimum of 100' of frontage does count in getting a riparian mooring.

It was suggested we add "public mooring" as one of the categories.

We discussed mooring ownership, and how if a mooring assignment were terminated / re-assigned, then the old mooring holder can sell his anchor / tackle, or pull it from the water.

There are several references in the draft ordinance that suggest more than one person can be the assignee, and references to handing down the mooring to relatives – both had previously received a legal opinion saying it was not consistent with statute.

Discussed possibly using language such as "person representing the business or organization."

The Town Manager said that he and the Harbor Masters will be working next week to draft a red-lined draft of the new proposed Ordinance per the changes / discussion above.

Workshop Part II

The Town Manager read an opinion from Atty. Joan Fortin about the ideas suggested to date and other materials submitted. He explained that one of the main things to do is to settle on what types of activities do we want in the amended TIF plan ("the menu"). He discussed how each such allowable activity needs a rough estimate of what portions of the TIF money may go for that purpose. Bob suggested that we are ready to send / meet with Joan and have her do the final formatting of the

development program for Select Board final review. The group then discussed maps and remaining acreage (approx. 67 acres). They discussed the town office parcel, the rear of the Libbey lot, boat basin, Frost Tufts recreation facility, among other locations. They discussed a Village Plan and how it might be structured to include several components, including running sewer to village areas. The group suggested that the Town Manager and Selectman Pomerleau go to Portland (soon) and meet with Joan to get solid info, next steps, having her move this along, timeframes for state review etc.

The Chair said she wanted to quickly discuss needed meetings with so many items on the Board's agenda – TIF, Harbor Ordinance, Budget Review, wage Study and more. It became apparent that perhaps the Chair and Town manager draft the calendar of additional meetings and workshops and then share with Board and Budget Committee. They said they would meet the following morning and do the revised schedule

At 7:45 PM, Roland made a motion to adjourn the workshop; this was seconded by Bob and was so voted 5-0.

Minutes Approved 2-26-17; D. Lee