

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM

Quorum noted

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

B. Roll Call: Ms. Davis, Mr. Fernald, Mr. Murphy, Mr. Pomerleau, and Mr. Hughes.

C. Pledge of Allegiance recited

D. Moment of Silence observed

E. Approval of Minutes of Previous Meeting(s)

5:32 PM Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the minutes of March 9, 2017, as amended.

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the workshop minutes of April 6, 2017, as written.

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the workshop minutes of April 20, 2017, as written.

Roll Call Vote:

Mr. Fernald – Yes

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Murphy – Yes
Ms. Davis – Yes
Mr. Pomerleau – Yes
Mr. Hughes - Yes

Unanimous vote to approve motion.

F. Public Comment:

There was no public comment.

G. Public Works

5:40 PM 1) Pay-to-Throw Bag Vendor Contract Extension

Mr. Lee said that this was a contract extension with WasteZero, our current vendor, with the prices held the same since June 2013 and recommending extending the contract.

Mr. Fernald moved, second by Mr. Murphy, that the Select Board award the Pay-To-Throw Bags contract extension to WasteZero, Inc.

Roll Call Vote:

Mr. Fernald – Yes
Mr. Murphy – Yes
Ms. Davis – Yes
Mr. Pomerleau – Yes
Mr. Hughes - Yes

Unanimous vote to approve motion.

H. Department Head/Committee Reports

5:42 PM 1) Harbor Commission Request

Mr. Lee read the memo for the benefit of the attending public, which focused on a “Mooring Master Plan” development.

Ms. Davis said that one thing they needed to address was the future of the Harbor Commission and asked the SB if they wanted, tonight, to take this in any particular direction, or not.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

5:44 PM Mr. Murphy said that he had thought about this; that he hates to throw away groups that think they have a function to perform, much like the Conservation Commission who have lots of things that could come at them that we let go on and sort of decide for themselves what needs to be done. He added that he didn't know enough about the waterfront and he thinks there may be complicated things about the waterfront and the citizens' use of it; that he would like to hear more, at least, before dismissing the group.

Ms. Davis agreed; that she thinks it is good to have citizens that are interested in working on a committee or commission for the Town and would be something that would benefit from citizen participation; that she knows there has been some friction with the group in the past; that a lot of this would be contingent upon whether they can work together, as they say in their letter.

5:46 PM Mr. Pomerleau said that he saw an email on this from the Harbor Master, who feels he doesn't need the Harbor Commission; that we have a harbor ordinance that's going before the voters in June and the question of whether or not a commission remains, or not, is subject to the outcome of the vote. He added that he was inclined towards some kind of advisory harbor committee would be of value and he would be prepared to propose that following the June vote. He said that his question was whether or not we should allow this Commission to go ahead and, at least, do some preliminary work for this whole issue.

Mr. Hughes asked who has said that there are an additional 100 moorings out there and what's the occupancy of what we have.

Mr. Lee said that they are full and we have a waiting list; that some don't get used and those we are going to begin to re-assign to others, which is some of where the friction came from.

5:48 PM Mr. Hughes agreed with Mr. Pomerleau in waiting to see what happens to the ordinance and go from there.

Ms. Davis asked Mr. Hughes how he felt about them continuing, as they are, and maybe taking the next couple of months to demonstrate what they are capable of in working cooperatively with the Town Manager and the Harbor Master to achieve and set some goals for the future.

Mr. Hughes said that he wondered if it was actually going to work and that's his concern.

Ms. Davis said that the proof would be in the pudding, if we give them a chance.

Mr. Hughes agreed.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Murphy said that he wasn't sure they would do anything but he would rather see a list of things that they want to do or a list of subjects they think needs more investigation.

5:49 PM Mr. Fernald said that he thought Mr. Pomerleau was correct in that we need to see what the vote is; that after that we can make a determination regarding the Harbor Commission and he thinks that will require another sit-down by the SB.

Mr. Lee said that he doesn't tend to whine a lot but even the letter saying, "*As of this time the Town Manager and Harbor Master have been able to produce a map that roughly represents most of our existing moorings.*" is not accurate. He clarified that we know every mooring and the map is complete; that he doesn't even know why they would phrase it that way, unless they are trying to cast doubt on the work that we've done. He added that both he and the Harbor master find it very difficult to work with that Commission, as it's currently constructed.

Ms. Davis asked if we could have a consensus allowing them to continue to be together for the next two months, work up a list, and see where they want to go with this or do you want to stop the work completely until the vote.

5:50 PM Mr. Fernald said that he would like to see the vote come first and, then, make a decision.

Mr. Pomerleau said that the Harbor Ordinance eliminates the language for the Harbor Commission; that they cease to exist if the new ordinance passes and the question is whether there will be beneficial value of having some alternative group, like the Harbor Committee, that is strictly advisory; that there is a big difference between a commission, which is often empowered to do things, and a committee, which is advisory to the Harbor Master and Town Manager. He wasn't convinced with either direction for this group but deferred to the Town Manager and Harbor Master on this.

5:51 PM Ms. Davis said that we do not have a decision. She added that they are a Harbor Commission until the vote and have two months to prove where they might want to end this; that it's up to them.

Mr. Murphy said that he would like to hear their ideas but did not want to see them competing over the moorings, the assignment of moorings, as that is clearly under the Harbor Master. He added that he would like to know if they have ideas for other activities and actions, besides the mooring issue, such as special usages (fenced-off swimming, life training, classes teaching how to row a boat, etc.).

5:53 PM Mr. Lee said that he would be happy to convey to the Harbor Commission that the SB would like to see a list of some of your other proposed activities that you think

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

would fall under your purview, where you could help and be constructive; that the SB will not do anything until after the June 13 vote; that the ball would be in the Commission's court through that period to convince the SB that the Commission could have some really beneficial things, like boater safety classes, as an example.

Ms. Davis asked if we had a consensus for them to continue meeting until the June vote and come up with ideas of what a committee might be capable of performing, if that was to go forward.

Mr. Fernald said that it was not a consensus, which he believes is 100% of the SB. He added that he is not comfortable with the members of the existing Harbor Commission coming up with anything that will move forward; that he would like to have the June vote, first, and then, maybe, the SB will look at the membership and make a determination if we need a commission or a committee.

5:55 PM Mr. Pomerleau said that we do not have a consensus and the Town Manager is clearly not in favor of allowing them to move forward; that Mr. Fernald doesn't support it and he could go along with Mr. Fernald and defer any activity by this Commission until after the June vote, making a determination after that.

Ms. Davis said that she sees these next two months as an opportunity for them to change their methods and, if we don't allow them this opportunity, then there is no other way for them to prove they can work cooperatively.

5:56 PM Ms. Davis moved, second by Mr. Murphy, that the Select Board allow the Harbor Commission to continue in operation and come up with ideas for the next two months, and to see what the Harbor Commission can do.

Roll Call Vote:

Mr. Fernald – No

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – No

Mr. Hughes - No

Vote was 2 for – 3 against. The motion fails.

5:57 PM **2) Safewise Recognition: 2nd Safest Town in Maine**

Mr. Lee said that SafeWise (national organization) tracks crime reporting and resolution and ranked Eliot #2 in the State of Maine. He added that he would like to give our congratulations to our Police Department for a fine job in keeping our residents safe.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Fernald said that he would like to congratulate the Eliot Police Department for their efforts; however, he is not satisfied with #2.

5:59 PM 3) Board of Appeals By-laws - Amended

Mr. Lee said that their by-laws had not been updated in quite some time; that they mostly went through to see if their references to State statutes were correct and a few other things. He added that they didn't change a great deal from the prior version.

There was a question about the meaning of "just cause". Mr. Lee said that, when it comes to the Board of Appeals (BOA), "just cause" has its own statutory definition.

Ms. Davis said that they only list two but she knows that we list a lot of "just cause" definitions within Boards, Committees, and Commissions, and since they reference that in here, she wondered if that also applied.

Ms. Lemire said that, on the first page under 'E', we had to add several documents that we use in our determinations, rulings, and procedures, and the Ordinance Governing Boards, Commissions, and Committees is listed there.

Ms. Davis asked if, in addition to the two that are specifically listed, the BOA would apply the others, as well.

Ms. Lemire said yes.

There was a question on what the procedure would be for "V. Meetings", where three BOA members could request, in writing, that the Chair call a Special Meeting. There was also a question regarding X.1. and XIII. A., between the 45 days and the 30 days.

The SB will forward their questions to the BOA.

6:05 PM 4) Use of Energy Commission Funds – Solar PPA Review

Mr. Lee said that the Energy Commission is requesting from the SB authorization to use some of the remaining weatherization/energy efficiency funds (CIP) for the purpose of working with a consultant on the PPA (Power Purchase Agreement) and review by a contract attorney. He added that it was their feeling that an attorney isn't really going to know the business side of a solar PPA and we found a very qualified person who has been in it for decades; that he was very impressed with the first meeting we had and learned a lot about what we didn't know. He also added that this person is not an attorney and headed up CMP, at one point, if

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

he remembers correctly. He said that we have \$6,800 left in that fund and wouldn't use all of it, at all; that we have three issues that we want technical assistance on from that consultant that are important that we get right; that he thinks this is a prudent way to make sure we get the best bang for our buck. He added that they are seeking authorization, he thinks, to do their homework very carefully and make sure our T's are crossed and our I's are dotted.

6:07 PM Ms. Davis agreed that this absolutely needs to be done; that her only objection was that the money was appropriated for a certain purpose and to divert it away from a legitimate vote doesn't seem like a good idea.

Mr. Murphy said that he thought it was perfectly legitimate when we see that it advances the intended actions of this Board – to look into this and make it work right.

6:08 PM Mr. Hughes disagreed, saying that weatherization and energy efficiency doesn't deal with the PPA, in his view.

Mr. Pomerleau said that, when the budget was approved, this wasn't a specific line item, it was a committee budget.

Mr. Lee said that we did specify some intent of use but it wasn't a line item, per se.

Mr. Pomerleau said that within the Charter and State statutes there is discretionary authority within a budget, provided it's not a specific line item, and he didn't see this violating either.

6:09 PM Mr. Lee added that the installation of this solar array is a capital event, it is putting in a capital item; that he thinks that any of the engineering, legal review, etc. with a capital project would be a cost associated with doing that. He clarified, however, that when they asked for this money, none of it was intended at that time to go toward any of the solar array but we have been authorized to move forward with it, we are already over in our legal reserve, and if we could pick up some slack on our legal reserve by using some of this remaining money to do our own legal review of the solar PPA, he thinks these would be considered related consulting charges to a capital project.

6:11 PM Mr. Fernald said that he was concerned regarding whether this fell within that category, itself, and how the Town voted for it. He added that he thought it was a stretch and he is having trouble with it, to tell you the truth, that this is something we should not go forward with.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Ms. Davis said that, even if we wait for the next budget appropriation, do we have any line item within that budget that would qualify for this.

Mr. Lee said no.

6:12 PM Ms. (Christine) Bennett, Energy Commission, said that she thinks we have \$700 in next year's budget that is somewhat discretionary. She added that we used the \$200 we had this year and hired Doug Stevens to come in; that Mr. Lee is not understating that Mr. Stevens came with an extreme amount of experience, a whole career serving on the PUC, actually being involved in net metering; that he informed us of some opportunities to maximize the amount of energy the Town could realize. She said that we would like to engage him on a limited basis to really review the PPA on those technical terms and, then, the Town's legal could look at contractual issues. She added that we have submitted a grant and won't know the outcome until June 10th if we have some additional somewhat unrestricted funds; that we feel it would be in the best interest of the Town to get some outside consultation help.

6:13 PM Mr. Fernald wanted to point out that it really isn't a matter of if it should be used or the project go forward; that the question for us is whether this money was appropriated by the Townspeople for this purpose.

Ms. Davis said that she feels that Mr. Stevens' input is absolutely critical to this project and that, somehow, we need to make this work. She asked if the Energy Commission could take a couple of weeks and see what we have that would legitimately qualify for this expense and, then, we would also need to know, if we wait until you receive a grant or we wait until a new appropriation where we might be able to use the funds, if we can afford to wait that long.

Mr. Lee said that we would follow up on the next agenda and see if we can bring some clarity.

6:15 PM 5) ECSD – Bus Service Bid

Mr. Lee said that this was a memo with three bids for the Community Service bussing needs – one for Youth Bound and one for KidsPLAY; that, traditionally, we've always gone through MSAD #35; however, per policy, we are required to get three and Ms. Muzeroll-Roy was finally able to get three options, with two being straight up fee options and the only other one we could get to submit, at all, was a lease option. He discussed the bids and said that both he and Ms. Muzeroll-Roy would like to recommend that the bussing be awarded to MSAD #35 in 'these' amounts.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

6:17 PM Mr. Murphy moved, second by Mr. Fernald, that the Select Board approve, from the three bids received, for the ECSD summer program transportation for both the KidsPLAY and Youth Bound programs, the one recommended by the ECSD Director; namely, the bid from MSAD #35 Transportation Department in the amounts of \$6,896.13 for the Youth Bound Program and \$12,585.05 for the KidsPlay Program, for a total of \$19,481.18.

DISCUSSION

Ms. Davis asked, with Ledgemere so close on the KidsPLAY and so far off on the Youth Bound, if Ms. Muzeroll-Roy asked why there was such a difference.

Ms. Muzeroll-Roy said that the only reason she didn't ask is because it took them until noon on that Thursday to get it in so she did not have time to ask any questions.

Ms. Davis asked if there were no other schools with busses that were willing.

Ms. Muzeroll-Roy said that was correct; that there was one in Barrington that we contacted and they withdrew; that First Student out of Dover also withdrew.

6:18 PM Mr. Pomerleau said that this doesn't really meet the criteria for three bids and we aren't even comparing apples-to-apples here. He added that the lease option piqued his interest and asked for more information.

Ms. Muzeroll-Roy explained that she was intrigued by the lease option and, then started running different things to go along with it; that with the bus for Youth Bound, we are able to take 36 kiddos and, if she is doing two vans, she can only do 25. She added that we have three staff and do a 1-to-12 ratio, so she can have 36 going on Youthbound, via the bus, so she kind of liked that draw because, normally, we have to say with 25 kids; that the other thing with the lease is that we would have to be driving and providing our own gas; that with the bus, everything is included and the staff can watch the kids; that everything is drop-off, pick-up, and we are done, just like KidsPLAY.

6:20 PM Ms. Davis said that part of this was that it was difficult to make a comparison and it would have been easier if we had seen a chart for leasing, even if you used the same gas figures as MSAD #35. She asked if, when Ms. Muzeroll-Roy looked at that, she saw the lease as being cheaper or comparable to MSAD #35.

Ms. Muzeroll-Roy said that she thought that MSAD #35 was the way to go; that she would be spending \$6896 for a bus, so, she would be putting in another \$1,000 for gas, and everything so she thinks it would be the exact same cost, if we should lease.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Ms. Davis asked if she would be hiring an outside driver or would one of her staff be driving.

Ms. Muzeroll-Roy said it would be one of her staff.

Ms. Davis said that she would be eliminating the cost of the driver, which is \$26/hour.

6:21 PM Mr. Lee said that one of the concerns, when we hire that out, is that we don't have the liability; that we aren't the driver that has a bus full of kids; that the driver, if he/she has to worry about those kids, in any way, and getting distracted, he thinks it's better that the driver, drive and the people watching the kids, watch the kids. He added that he would hate to see a situation where we tried to save a couple of bucks and found ourselves in a liability situation where we are explaining a bus accident. He also said that he had been requesting Ms. Muzeroll-Roy, from February, to get three bids; that she tried, with two withdrawals, and the only thing she could find was that lease; that it's a revenue loser when you can do only 25 as opposed to 36; that we felt that the MSAD #35 was the best option out of very few options.

6:22 PM Mr. Pomerleau discussed the difficulty of not being able to compare the cost of leasing to the proposed contract, recognizing that there are other issues that are important; that if you are going to present these types of things, present them so that we can make legitimate comparisons of the bottom-line costs.

DISCUSSION ENDED

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

I. Administrative Department

6:23 PM 1) Town Manager Report

Mr. Murphy asked for an update on **Line 20** (Staples fence).

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Lee said that the fenced has not moved and, as of Monday, he will be in contempt of court. He added that Mr. Staples did pay us the \$4,000 legal fees and the \$500 administrative fine and, yet, he still didn't move the fence and will now be facing a judge.

6:25 PM 2) Absentee Ballot Voting Information

This was informational; that all the information can be found on the website.

6:28 PM 3) MSAD #35 Warrant/District Budget Referendum – To Be Countersigned

Mr. Lee said that this is the warrant and election notice calling for MSAD #35 Budget Validation Referendum; that this is routine and part of the election process.

Mr. Pomerleau moved, second by Mr. Fernald, that the Select Board accept and approve the Warrant and Notice of Election Calling School Administrative District No. 35 Budget Validation Referendum and District Town (Eliot) Referendum Warrant and Notice of Election.

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

At this time, the Select Board signed the pertinent document.

6:33 PM 4) Appointment of Election Warden for State Referendum on June 13th

Mr. Murphy moved, second by Mr. Fernald, that the Select Board appoint J. Peter Dennett as Warden for the upcoming State Referendum Election, to be held on Tuesday, June 13, 2017, as requested by the Municipal Clerk, Wendy J. Rawski.

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Hughes - Yes

Unanimous vote to approve motion.

At this time, the Select Board signed the pertinent document.

6:35 PM 5) Use of Legal Reserve – No Correspondence

Mr. Lee said that, as the Board was advised two weeks ago, we are at the end of our operating budget for legal bills; that tonight he is looking to get authorization, as needed, to use legal reserves to pay our legal bills to the end of the fiscal year. He added that he believed that account had \$70,000 in it.

Ms. Davis asked if we were replenishing this account this year.

It was determined that about \$20,000 was being put in.

6:37 PM Mr. Hughes asked Mr. Lee what he anticipated the additional fees would be.

Mr. Lee said that that was hard to tell; that we are currently in limbo with one union negotiation, still trying to finish the sewer bonding, Harbor Ordinance review, etc.; that we spend a fair amount on checking with legal and a lot of our legal questions are fairly complex. He added that he didn't think it would be anywhere close to \$20,000.

6:38 PM Mr. Pomerleau moved, second by Mr. Hughes, that the Select Board authorize the Town Manager to utilize the Legal Reserve, as necessary, between now and the next fiscal year.

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

6:39 PM 6) Re-appointment Process

Mr. Lee said that we have a number of governing documents – the Charter, the Ordinance Governing Boards, Commissions, and Committees, by-laws, Selectmen's Policies, etc., and there seems to be some inconsistencies on how we

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

make appointments or re-appointments. He added that one of the standards he and the staff like, and is easy and open to do, is to utilize Select Board Policy (page 3) – Appointed Committees Policy; that it not only meets minimum requirements of every by-law and everything else that we read, it also meets the policy intent of opening up our boards to anyone, not just people seeking re-appointment. He read the pertinent policy and said that we would like to develop a list of all openings that will be available July 1, post the openings for three weeks, and then he would bring forward a slate of candidates for the various appointments. He added that he would like to confirm this method of posting with the SB.

6:42 PM Mr. Murphy said that the next SB could make a different decision, if the question arose again. He suggested that this be the way Mr. Lee read but that it go into the Ordinance Governing Boards, Commissions, and Committees.

Mr. Pomerleau said that the one problem he had is that the Selectmen's Policy says 21 days but the Ordinance says 14, and that's an ordinance. He added that the trouble with the Ordinance is that it only directs attention to vacancies that are as a result of resignation other than new openings. He said that he thought we were on solid ground with the 21 days for any new committees we establish and any openings, in that respect, but he thought we would have to defer to the Ordinance, if there's a vacancy created by a resignation; that we can't ignore the Ordinance for the policy.

There was discussion on whether the Ordinance allowed posting longer than 14 days.

Mr. Pomerleau said that, with new openings, he is comfortable with the 21 days; that if there is a committee vacancy created by a resignation, then the Ordinance says that you have to post for 14 days and fill it as soon as possible for resignations.

6:45 PM Mr. Lee asked if we could do 3 weeks on everything but a resignation.

Mr. Pomerleau said that he was comfortable with that.

Mr. Fernald said that he was not comfortable with it because he doesn't have the information before him.

Some SB members wanted to wait two weeks.

Mr. Lee said that, by the Charter, we have until the second or third meeting after the start of the new fiscal year to get people appointed but he was hoping to have it done by June 30.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

- 6:46 PM** Ms. Rawski said that her only concern was that, if we put this off, she won't have time to get the posting done, if she's posting for three weeks. She added that our intent from our memo is that vacancies that occur mid-term would refer to the Ordinance Governing Boards, Commissions, and Committees, advertise for 14 days, and fill as soon as possible; that the ones we are concerned about, right now, that the Charter speaks to in Article 4 (§4.1), *"All board and committee appointments shall be made by rules adopted by the Select Board."*; that she is looking for guidance from that to be able to make the annual appointments that are coming due in June so she knows how long she has to post; that that is why we are asking for that three weeks for those openings. She added that the Charter requires that you fill those vacancies by the third meeting following the vote of the Town Meeting. She read the pertinent section, *"The Select Board shall, by majority vote, at no later than their third regular meeting following the annual Town Meeting, review, appoint, renew, or reappoint all necessary Town officials as provided by general statute, this Charter, and Town ordinances."* She clarified that that not only encompasses boards, committees, and commissions but all of your appointed staff, as well. She said that, if you are going to use Selectmen's Policies, which are rules that you have adopted, it states that (Select Policy, page 3), *"For any committee to which the Board of Selectmen appoints its members, the Board shall post any membership openings for 3 weeks unless the Board of Selectmen decides that it is an emergency and needs to appoint a member in a shorter time period. This is to ensure as much participation by the public as possible."*; that then you reference the Ordinance Governing Boards, Commissions, and Committees that says, if a vacancy occurs mid-term – someone resigns, moves out of Town, etc. – it's a 14-day posting, and that's the one we have throughout the year.
- 6:50 PM** Mr. Pomerleau said that he thinks we agree.
- There was consensus by the Select Board to use this process, as stated.
- 6:51 PM** **7) Compensation Study Workshop – May 18, Additional Topic? No Correspondence**
- Mr. Lee said that we would spend about an hour with our compensation person and about an hour looking over our personnel policy, which he sent out to the Board, and asked they mark up any area of concern.
- 6:53 PM** Ms. Davis said that they would close this portion of the meeting out in a couple of minutes but, before that, she did contact their fact-finder via email today and the fact-finder said that she will have a report for us, probably by next week.
- 6:54 PM** **Re-sign Warrant (not on agenda)**

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Mr. Lee said that the Board needs to re-sign the warrant, reminding them that we were still dealing with the TIF question at the time that this went out; that this is the official warrant and he needs a vote to issue this warrant and a signature from Board members on the document.

Mr. Pomerleau moved, second by Mr. Murphy, that the Select Board accept the Town Warrant provided to us by the Town Manager tonight (5/11/2017).

Roll Call Vote:

Mr. Fernald – Yes

Mr. Murphy – Yes

Ms. Davis – Yes

Mr. Pomerleau – Yes

Mr. Hughes - Yes

Unanimous vote to approve motion.

At this time, the SB signed the updated Town Warrant document.

Ms. Davis asked if there was anything else before the Public Hearing.

6:55 PM Mr. Pomerleau said that, following our executive session regarding the Town Manager's performance appraisal and annual compensation, we intended to vote on that tonight.

Mr. Lee said that he did not put that on the agenda; that we could have it as an agenda item in two weeks, as it doesn't take effect until July 1.

J. Old Business:

This was not discussed.

K. New Business:

6:56 PM 1) Spirit of America Nominee

Mr. Lee said that this organization reaches out to communities and ask if communities know of someone who should receive this recognition for their town, much like being honored for the Town Report or the Fabian Drake (volunteerism); that in two towns he worked in we did utilize this award, recognizing volunteers that are long-standing and giving to the community. He added that we have until June 30th if people would like to come forward with

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM (continued)

ideas for the Spirit of America Volunteer Award, please let us know at the Town Office.

L. Selectmen's Report:

There were no Selectmen's reports tonight.

M. Committee Vacancy Report

There was no discussion.

N. Executive Session

There were no executive sessions tonight.

6:59 PM At this time, the Select Board went into recess awaiting the Public Hearing.

7:00 PM At this time, the Select Board came out of recess for the Public Hearing for the Town Warrant.

Mr. Lee let people know there were a number of handouts available to the attending public.

Mr. Lee said that there are 30 questions that will be on the ballot; that the SB has decided to hold a Special Public Hearing on June 6th (one week prior to the vote) that will be exclusively on Tax Increment Financing and the (proposed) amended TIF; that at that time, we will have a completed development agreement (some statute references are missing) and maps of what parcels are under consideration for deletion from the current TIF and those added to the proposed TIF; that for folks that would like to have a good round-robin discussion about tax increment financing, we are going to have a second opportunity to do that on June 6th; that that will be at the Town Hall at 7PM.

7:02 PM Mr. Lee said that we are here to answer any questions the public might have about the articles or any comments anyone would like to make.

7:03 PM Ms. (Janet) Saurman, Park Street, said that she can't express the dismay that you folks are not ready, this evening, to talk to us about the TIF; that you are telling us that all information isn't here, just now, and, specifically, some of us came for just that; that, now, it's going to be curious, when the questions come up, whether we're going to be told you can't answer that, yet, or any of those kinds of things. She added that it is very disappointing to think that the intention of the Public

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

Hearing was to include that information that would be covered and, now, we are being told that it's not quite all ready and, so, come back on the 6th. She also asked Ms. Davis to go over the rules for the speakers at public hearings; tonight's rules.

7:05 PM Ms. Davis said that she wanted to discuss with the SB if they wanted to implement any particular speaking rules this evening or shall we make it an open forum and leave it to the audience, if they want anything different.

Mr. Fernald said that he thought we need it to be an open forum, no limit.

Mr. Murphy said that no limit is good, so long as one person doesn't talk all evening long.

Mr. Pomerleau said that this is a public hearing and we are here to listen to them. He suggested that the Town Manager identify someone who hasn't spoken before someone gets repeatedly called upon.

Ms. Saurman asked if the police were here tonight.

7:06 PM Ms. Davis said no, not unless necessary. She asked Mr. Lee to address the TIF.

Mr. Lee said that he could answer everything about what the proposed uses of the money are; that he has made a lot of copies of the Development Agreement (available tonight) and, in that agreement, it shows all of the proposed, allowed uses for tax increment financing money. He clarified that what is missing is, simply, the citations that go with each of those allowable activities; that he does have a map, here, of the parcels to be added and parcels to be deleted; however, there is one error on it, that he realized just before we got here tonight, so he isn't distributing it; that that was why he had to be honest about not quite there. He added that, with that, he would be happy to answer any questions and any speakers about TIF; that it's certainly welcome and he isn't saying we can't talk about it, here; that we certainly can and he was just saying that we are going to have one specifically for that so that we could focus on that, if you wanted to, more on the other things – solar, conservation, money.

7:07 PM Ms. (Rosanne) Adams, Goodwin Road, said that she was looking at the TIF, the Route 236 tract, the Village Center tract. She asked them to explain that they go from \$11.4 million in assessment down to \$836,000; that a lot of the tracts on the amended proposal are not taxable and, so, she is wondering about generating the kind of monies that you are talking about for some of these projects.

Mr. Lee explained that the \$836,000 was talking about just the new proposed parcels in the so-called Village Center Tract; that, in addition, we are leaving

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

much of the property that's on Route 236, including the Compressor Station, in this amended TIF so it will continue to generate similar money to what it has been generating right along.

7:10 PM Mr. (Tom) Burbank, Eliot, asked to talk about Article 27 (waiving foreclosures). He said that that tends to bother him; that he lived on Bolt Hill Road; that, for 18 years, he has complained about a piece of property and he has been told on three separate occasions, the most recent about three years ago, that it's in litigation. He added that, right now, he believes someone is living in that house; that there is a car that has not been moved for eight or nine months, there's a mobile home out back, there is a car on the side, and there is trash all over. He said that this article sounds like it would let that person still live there because he doesn't even know if they can pay taxes. He said that his point was that, if you repossess that, put the land up for auction, then you'd be out from under it, he believes; that he can't believe it's been in litigation for 18 years. He added that he has put it in writing on three different occasions and he has visited and made himself known several other times over the last 18 years.

Mr. Lee explained that this article would authorize the Select Board to waive foreclosure if the property we were going to take is a greater financial liability than the property's overall value; that it would require a unanimous vote of the SB to do that. He said that he doesn't know what property Mr. Burbank has in mind, and he doesn't know what the litigation is so he can't speak to that. He suggested Mr. Burbank come to himself and the CEO, directly, to see us and we will see what we can do about it; that he doesn't believe it has to do with Article 27. He said that, in another town, he thought an owner let his property go into foreclosure on purpose because he had created a tire dump, buried a lot of tires on his property; that we found out about that and called the DEP, not taking his property. He added that those are the types of things we don't have the right to waive foreclosure on; that the Town must take that property even if it is a financial liability; that the Town lien would still be active but the Town would opt not to take ownership.

7:15 PM Mr. (Richard) Donhauser, Goodwin Road, said that he wasn't looking for exact answers, at the moment, but wanted to bring up some points of interest. He added that a question was regarding the parcels being contemplated being entered into the TIF; that he was not opposed to changing the TIF in any way. He said that, when he looked at the proposed new parcels, it appeared to him that they had no incremental value potential, such as Frost Tufts Park, asking how can you get tax on a tax-exempt parcel; that with incremental value, you establish the baseline and, then, when it increases in value somehow, you get incremental value.

7:16 PM Mr. Lee said that it is tax-exempt, as it stands. He added that you can do a lot of different things with TIF money; that you can have a small sort of transit program

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

in Town for either young people to get to activities or seniors to get to doctor appointments, etc.; that this may not be something that generates tax increment on a non-taxable piece of property but it may be one of those eligible TIF services, like elder care or child care for workers; that you can do activities that are good for the community, with TIF money, but they're not with an eye toward creating incremental value. He said that some of what we've put in there we do think has some limited ability but we are also basing it all on the survey that we did, which the people of this Town said very slow growth, almost no growth, very small business, not large businesses, etc.; that we thought it was okay to go forward with a group of parcels that aren't trying to do what the Compressor Station does; that we still have the Compressor Station as the money-maker. He added that some of our thinking has to do more about using the TIF money for almost community development-type stuff associated with workers or associated with employment opportunities, not necessarily going to a \$500,000- to a \$5 million-building on a piece of property.

7:18 PM

Mr. Donhauser said that, with that in mind, if you look at the parcels actually going into the TIF, there are 9 on the list, and 4 of those are tax-exempt, so, right away you are eliminating any potential incremental value on 4 of the 9 parcels; that 2 of them he doesn't see how you can expand them - the Gateway Service Station (.37 acres), asking how that gave you incremental value, how do you expand that, and how do you bring services onto that parcel. He added that, if you have a TIF district, the money generated out of that TIF district is to be applied in that TIF district; that Attar Engineering is on .37 acres and the third is the Eliot Meet Market; that you have three little businesses, there, and there are no other businesses downtown; that he sees no potential incremental value in the parcels coming into the TIF. He said that there are two parcels that are in the Shoreland Zone, which makes it very difficult for economic development in the Shoreland Zone, he believes; that it's not impossible but more difficult. He said that another tax-exempt parcel is the Town Hall, Police, and Fire Stations on 10.14 acres; that it puzzles him that you would put real estate into a TIF without any possible incremental value being achieved because it's like putting a bus out on Route 236 to put kids in but with no wheels on it; that there's no money coming and a TIF, by its very nature, is an engine that generates income for the purpose of, generally, for the things Mr. Lee mentioned or for infrastructure; that he's puzzled why we are replacing commercial property on Route 236 with non-commercial property, particularly exempt, which brings up the question is if the Town is suddenly going to become a lessor – the Town now has these parcels that they are going to lease out, such as Frost Tufts Park and Dead Duck Inn, which is another tax-exempt that doesn't even belong to us, adding that he knew there was movement to get that parcel transferred to us, which may or may not be a good idea, he isn't very familiar with it. He reiterated that, of the 9 parcels going into the amended TIF, 4 are tax-exempt and 3 can't expand; so, you have 7 out of 9 parcels you are putting into a TIF, an economic engine that has no engine.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM (continued)

- 7:21 PM** Mr. Lee said that part of what's being done, he thinks, in a sense, is that in the Comprehensive Plan (CP) there was mention of developing a small village area and he thinks that the intent was to put the Gateway, Attar, Meet Market at one end of what might be known as the Village and Frost Tufts down at the other end, as kind of a village tract, if you would, defining the boundaries of it, including the Town Hall and the Goransson land, which used to be the Libbey property; that there's a fairly good piece back there that's being reserved for commercial activities that connects through to Route 236; that that probably has the greatest potential for increment. He added that there is some land with the Town Hall acreage, theoretically – a couple small condo-type small businesses could go in; maybe we sell that property or give that property as an idea to get more business in the Town or services that are needed, perhaps. He reminded everyone that what we are asking about right now is just the project list. He deferred to the SB for anyone who might want to talk to the choice of parcels. He said that, with the Grange (tax-exempt), for example, we are concerned as a community, even though we don't own it; that it is falling into disrepair, to some extent, and we hate to see that happen to a nice, historic building; that it might be, at some point, that they would rather see it re-used for something and fixed up – an elder care center, a performing arts-type thing – again, something that's more community development rather than economic development.
- 7:23 PM** Mr. Donhauser said that he would like to look at the parcels that are leaving the existing TIF; that there are 8 parcels leaving the existing TIF and one of them he used to own; that he has no economic involvement in this parcel and is the parcel across from the shopping center at the corner of Beech Road and Route 236. He said that it is 4.9 acres and he knows, for a fact, that the PB has reviewed a preliminary plan to put self-storage on there and, in that event, it's a \$2.9 million project. He added that you are taking that parcel off the TIF, which has huge potential economic incremental value, and putting a bunch of tax-exempt property into the TIF; that makes no sense to him, at all; that he thinks that should stay if for no other reason than that is a controlled intersection and that lot will be developed. He added that the reason it hasn't been developed is, primarily, because, to the extent...and the reason he wants to go to self-storage is because it only takes one bathroom; that you don't need sewer for self-storage. He said that he knows that project could be \$2.9 million, if not more; that it is currently assessed at \$169,900 and would go to \$2.9 million and that's a huge economic money engine going into the TIF. He reiterated that it was very puzzling to him that you would take out something of that potential and put in other things that have no potential; that, perhaps, we should look at that on June 6th.
- 7:25 PM** Mr. Donhauser said that he was on the original committee; that he was the Chairman of this committee when we formed this TIF; that it was his understanding, and he could be wrong, that you're not supposed to do spot-TIFing, which is like spot-zoning; that the amended TIF appears to him to be

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

somewhat spot-zoning; that you have Dead Duck Inn over 'here' and you have Frost Tufts Park down 'here'; that, again, these are just comments and he is looking for some response that makes some sense.

7:26 PM

Mr. Lee said that the original TIF was done back in 2009 and he thinks that land Mr. Donhauser is referring to, he thinks, was probably under your ownership, at that time; that Mr. Donhauser said two different things and he wanted to respond to the two different things. He said that one thing is that we needed to make acreage, make room for acreage if we were going to add those parcels, with which you disagree – the non-profit, no expansion; that we were limited on acreage so we had to remove some. He added that we looked at the ones that were non-performing, the ones that had been there for 9 years and not really gained any incremental value; that that parcel you are talking about is one of those. He discussed that, over the several years he has been involved with TIFs, way back when they first started, it used to be very, very strict; that since then, it has been diluted and diluted and diluted, and now, the eligible activities you can do, including where you can do them; that you don't have to be contiguous, anymore, and this has all been run by an attorney; that a lot has changed since the first TIF.

7:28 PM

Mr. Donhauser asked, as this puzzled him, too, why the TIF article was written in a negative way, meaning that it says you cannot do something; that generally you write an article that says you can do something. He added that, specifically, it says in that article that you can no longer put sewer down Route 236. He asked why would you do that; as an example, what happens if something comes along – we've passed this amended TIF and the village plan – in the future, one year, 10 years, 20 years from now and we have specifically said that we cannot use TIF funds to put any type of sewer infrastructure along Route 236; that that is a negative. He added that he doesn't think you can change this, now, but he thinks putting that negative in there was really a disservice to the Town. He gave two examples of what could potentially happen – how about if a community college wanted to put a campus here along Route 236; that you would not get a community college with one bathroom and, now, you've eliminated that possibility; and that's not a stretch because it is his understanding that community colleges are looking for satellite operations; that the second is that Wentworth Douglas is now merging with Mass General Hospital and one of Mass General Hospital's objectives when they merged was to have satellite out-patient clinics, asking why you would want to eliminate the possibility that Wentworth Douglas or Mass General would want to put in a clinic; that you can't put a clinic or have a set of doctors or medical practices there with one bathroom. He clarified that he's not opposed to moving the TIF anywhere that makes sense but he is somewhat opposed to restricting our ability to do something in the future; that that is why he believes it is a negatively-written article. He added that he doesn't think you can amend the amendment; so, if it stands like it is, on that very thing alone, he would say don't vote for this thing; that this doesn't make any sense.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

7:31 PM Mr. Lee said that the only response he can give Mr. Donhauser, and he only got here about three years ago and understands that this has been going on a lot longer than that, is that there was a series of votes that were shot down about sewer on Route 236, doing the whole project, part of the project, this way, that way, percentages, you name it, and the feeling of the Board was that anything that says sewer on Route 236 more than 50% of the voters are going to shoot down and we better look at alternatives. He added that, in the survey to a certain extent, they were not looking for big business; that he thinks what Mr. Donhauser mentioned would be nice – a community college or clinic would be great; that those things are needed, you wouldn't have to drive as far, we have an aging population and we would like to have some services right here in Town. He said that that was the will of the Board; that the thinking was that, if you put Route 236 sewer in any amended TIF, it is a poison pill that will get shot down.

7:33 PM Mr. Donhauser said that it seemed to him that that would also preclude even creating a new TIF; that you are putting in a document that we will prevent any sewer going down Route 236; however, he understood what Mr. Lee was saying. He asked if you want to take the traffic off of Route 236, which goes from 17,000 to 19,000 cars a day, and most of that is commuting cars; do you want to take 1,000 of those cars and bring them into the Town center; that that's another consideration that somebody should be thinking about if you're going to vote for this amended TIF; that, again, he is not totally opposed to it; that it's just that we need to go into it with our eyes open and say this is a good thing for the Town – do the people really want to have a 1,000 cars (or 500 cars), more than they have now, going into the downtown area; that he's not sure that's really the case but he doesn't have any data that says that. He said that this is sort of a poke at Mr. Pomerleau; that he has always held out that it takes \$200,000 worth of development to affect a dollar on your tax rate, which we now know to be false.

Mr. Pomerleau said that that is not false.

Mr. Donhauser said that, if you take the Compressor Station out and divide that up equally among all the tax payers, all tax bills, (you'll reduce the tax bill by \$2 or \$3); that that's like \$49 million, it's not \$200 million.

7:35 PM Ms. Davis said that she believed it was \$200 million to make a \$200 difference with the taxes.

7:36 PM Ms. Saurman thanked Mr. Donhauser for explaining the map, which was really hard to read when it came out. She said that she remembered when the objection to doing development on Route 236, or putting sewer on Route 236, by a group of Selectmen, was that what guarantee would we have that, if we put the sewer on Route 236, businesses would come; and that was a big question. She added that her question to the Select Board is what guarantee do we have that, when you

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

decided, as you explained in your workshop at the end of February, the idea for the place you have in mind for the little town center, that's across the street from the elementary school, that businesses will come to a little village district in Eliot, when we live next to Portsmouth, NH that has beautiful cafes, coffee shops and book shops, and with Kittery, much the same. She asked if that was no longer a concern that, if we were to change the TIF, that we don't have to worry, now, whether we do this 'businesses will come, or not'. She added that her understanding at that workshop that she attended was that part of the reason for the change in this TIF so that we could move sewer up closer to River Road; so, she is assuming that there will be a sewer and water addition with this new TIF for these new properties.

7:38 PM Mr. Lee said that it is permissible, in the so-called village center tract that's sort of being created, if you will, that water or sewer could be done up in that area; that part of that, too, if he remembers correctly, is that the Comp Plan would allow us to go down to smaller parcels, if we had utilities; that he thinks it goes down to ½ acre parcels in the center of what would be a village downtown. He said that we were concerned about environmental issues down River Road; that we have a lot of water impact in that area of Town affecting activities going down; that we think it's going to be the next crisis area where we're going to need to get sewer, let's be honest, and, so, this is a way to use that TIF money, in essence, to move sewer into an area where he thinks we're going to be in a crisis, again, and another mandatory sewer system being stuck in another part of Town; that, at the heart of it is that, in a lot of ways.

7:39 PM Ms. Saurman said that she just wanted that stated openly because that's how it was explained at the workshop; that we need to figure a way to extend sewer up River Road; so, part of what is driving this new TIF is how we can do that.

Mr. Lee said yes; it's environmental concerns.

Ms. Saurman said so what about the guarantee that businesses will come; that we don't have that guarantee, now, either; that we didn't have it for Route 236 and that was a reason to reject it, but we don't have it and we should support it, anyway.

Ms. Davis said that, with Route 236, we would have had to take out a considerable bond for the sewer and, in this particular case, we won't embark on any projects that we can't pay cash for; that there's a difference between taking a chance with the money we already have and taking a chance with a loan that the Town would ultimately have to cover.

7:40 PM Ms. Saurman said, just to be clear, your intention is that the village center will be in the lot that's across from the school where the volleyball courts used to be, and

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

the horseshoe pit; that that's what was told to her at the workshop and she wants folks, here, to know because she remembers saying directly that you are going to be asked at this May 11th meeting where you're thinking of the village district; so, she would like you to say that out loud here at this meeting, as well.

7:41 PM Mr. Pomerleau said that he would like to address a few fundamentals about TIFs.

Ms. Saurman asked if he could answer her question about it being that lot.

Mr. Pomerleau said that that's the lot we are targeting; that he would get to why we selected certain lots because we wanted to have the flexibility to do whatever the Town ultimately, eventually approved for projects; that Town-owned property was flexibility that we could guarantee ourselves, whether it ends up being commercial, or not, in the big picture is not going to be a big issue. He added that we wanted a little, small mom & pop village center, as the citizens said they liked the idea of and where we could guarantee we could put that was right there on the Town Hall property; that that goes back to the original Comp Plan, Betsy O'Donoghue had a sketch he found of the whole little village center tract. He went back to the fundamentals of TIFs; that a TIF is an economic growth program, it was never intended to be a tax reduction, ever; it's a growth program, and the problem we have here in Eliot, with TIF, we have a growth program in a town that doesn't want growth; that, clearly, we have seen that over and over again; that they want modest growth, if any; they want controlled growth, they want small scale. He added that it's a difficult thing to take a TIF that's designed to grow communities, expand businesses in a town that fundamentally does not want that; that it creates a lot of difficulties. He said to look at if you were starting a TIF from scratch. He said that most towns would target areas where you would get further business development; that you would be starting with a balance of valuation count of zero; that we started off with a compressor station, which was a brilliant idea to capture that before it got finished so we could establish this TIF, and that started off somewhere around the \$35 million range. He said to put that into context for you, if you're a town somewhere else, starting from scratch, and you didn't have a compressor station, the Agway property is currently valued at about \$527,000. He said that, to equal the value of the compressor station, it would take about 66 or 67 Agways along Route 236 to equal the value of the compressor station. He added that we would be delighted, delirious, as a community with a TIF, if we started off and that happened, assuming the community wanted that kind of development; that you'd think we had enormous success. He clarified that what he is saying, as far as revenues are concerned, the changes we made were not intended to maximize revenue, they were intended to satisfy what vote after vote and survey and consultant reports had pulled together to give the citizens a proposal that they will support. He added that we would not select parcels like that to maximize revenues if we were starting from scratch; that he agrees with Mr. Donhauser that it didn't make any sense. He said that it

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

doesn't really matter; so, the amount of development that it takes to impact your taxes – back when Maine Revenue came down here, at the Regatta, they gave us a precise projection, back then, of what was a \$35 million, \$36 million assessment in our TIF and they gave us a column that showed us what the tax impact would be to citizens, if there was no TIF. He added that the then Board of Selectmen put out a newsletter and they told you that, if the TIF didn't exist, your taxes would go down about \$35 - \$35 million in assessment, \$35 in taxes; it's about a dollar for every million; that that's what it takes in property assessment value, and you can confirm this in other ways but it takes a lot of value before your taxes actually start to be impacted; that that's assuming the revenues for those developments are totally sent to a general fund, and that never happens. He said that, with development, with building, come associated costs; that for that dollar of revenue from that TIF district, 90 cents of it is going to get spent; that it's not going to go toward tax reduction but going toward funding the growth that this TIF has supported and he assures you to look at any community – take Kittery, take Freeport; that Kittery has 10 times the commercial property value we have and their tax rate is higher than ours; that all that commercial property does is fund the growth; that it pays for the extra services that are needed, it pays for the extra staff that has to be hired, it pays for the extra infrastructure. He said that the problem with this Town is that they don't want that; that we don't want 68 more agways running down Route 236, they want small mom & pop stuff.

7:47 PM Mr. (Robert) Fisher said that he wanted to talk about Article #3. He said that we are going to be voting on LD1 and that would override what the State of Maine has set up for us; that overriding it would cost us \$26,760. He added that he was on a fixed income; that he would like to see that everyone vote not to override so they can reduce our taxes by \$26,760. He added that his concern was that, the Budget Committee and most of the Select Board, when they were out in the audience, voted not to override the LD1 and he sees, this year, they all changed their mind; that they have all recommended that \$26,762 be taken out of the tax payers' money and put on some project they've got.

7:49 PM Ms. (Kim) Richards wanted to talk about Article #25, wanting to give some information about that. She said that approval of this warrant will release \$40,000 of existing funds from the Eliot Land Bank to permanently protect 80 acres of what is called Goodwin Farm, which is off Goodwin Road, and these 80 acres will be protected for a while for water quality but, also, for recreational purposes, such as hiking, bird-watching, cross-country skiing, and hunting; that, essentially, the walk that is Douglass Woods down by the library, it would be like that; that the \$40,000 would be matched by at least \$240,000 from Great Works Regional Land Trust (GWRLT); that the funds will be used to complete property acquisition, establish public access, and create walking trails that will be open to the public year-round. She added that this property abuts property at the end of Johnson Lane (Town Forest) and this property reaches up on the other side of

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

that; that we have been looking to connect the dots of those lands and that could be a huge swath that we connect, potentially, in the future. She said that a key point was that approval of these funds will not impact your property taxes; that the funds would be coming from the Eliot Land Bank, which has a current balance of just over \$71,000, and we are asking folks for release of funds from that. She said that, if anyone has questions, hopefully, she could answer them or Ms. Fox, who is here from GWRLT.

7:52 PM Mr. Lee asked if Ms. Fox had a map.

Ms. (Jennifer) Fox said that we do have a map; that we could show it this evening and, also, potentially leave it at the Town Hall; that it shows where the property is and those adjoining lands that Ms. Richards pointed out.

Mr. Lee asked if she could bring it up 'here' and leave it on the table so that, as people go out, they can look at it and get a quick look at it; that we'd be happy to post it somewhere at the Town Office, if you want to leave it with us.

7:53 PM Ms. Fox said that she would be happy to leave it with you. She said that there was an outstanding question as to whether Goodwin Farm is in Eliot and the map demonstrates that this property is completely in Eliot. She added that it supports the Comprehensive Plan, the Open Space Plan, and keeping the rural part of Eliot farmland along Route 101; things that Eliot has identified and worked on as important through the years. She said that Great Works was just the organization that was able to take advantage of this opportunity; but, to see support from the Town and to receive funding to guarantee the Great Works could maintain those recreational trails in the back as a recreational resource for the Town in perpetuity, she thinks it's time for Eliot to contribute to this project; that, in her opinion, it's an excellent use of the funds of the Land Bank.

7:54 PM Mr. Lee thanked Ms. Fox. He said that he wanted to mention, regarding conservation, that as a Board on the ballot, you are going to see three advisory questions, non-binding, and one of them is about putting money into that Land Bank Reserve in the future – would you generally support raising taxes to put into a reserve for future conservation projects. He added that there are two others that have to do with recreational marijuana; that one has to do with retail sales and the other part has to do with so-called 'social clubs', much like a bar where you go and sit and have a beer with your friends but it is marijuana; that you will get the opportunity to weigh in on whether you want any of this recreational marijuana sales in our Town and, if so, a little, none, put it everywhere; you want a social club, yes, no, if it's located in the right location; that we are trying to get a little input before the PB has to deal with where, and if, to do anything with marijuana shops.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

- 7:56 PM** Mr. (Doug) Warrender, Hobbs Circle, said that he has been looking at the proposed amended TIF and trying to figure out the economic feasibility of the village idea. He added that he would love to have the mom & pop shops in our Town center; that it's just hard for him to understand why a small business would move into our downtown when we simply don't have the density of population there. He added that, on top of that, and he knows this was a big issue with the Route 236 TIF, is the traffic; that it seems, with this village center, it would be moving traffic right through our Town and right past our elementary school; that that seems counterintuitive compared to how much the Board opposed the Route 236 plan, and traffic was a big part of that. He also said that 'the' plot of land is so skinny that access to it wouldn't meet the zoning ordinance of having to have two entrances, so, he is curious how that would be rectified.
- 7:57 PM** Mr. Lee said that that was referring to the Goransson land; that there was actually, on the far right-hand side, as you are standing on State Road, a 70-foot ROW and, then, he thinks there's a gap where there is no ROW; that then there is a lesser ROW over to the left that is like 30 or 40 feet, he believes. He added that he thinks that, when they were talking about the senior housing going in there, they were talking about an in-and-out loop kind of a thing; so, there is room here. He said that, regarding the 70-foot ROW, the standard is 60 feet, and you could probably do it on that piece; that you would have to then lean left a little bit and not get on the historic Libby Lane; that we would have to kind of be up alongside that, somehow, because he thinks the State recognized it as historic in some way, so we would have to be a little careful, there.
- 7:58 PM** Mr. Warrender said that he was just looking at the map and it looks like there's just one single road going in there. He said that he was also looking for SB comments on why businesses would want to move into our village center.
- Mr. Lee said that it was because we are the #2 safest community in the State of Maine, that's why. He added that we don't have any guarantees; of course there are no guarantees.
- 7:59 PM** Mr. Warrender said that he wasn't looking for a guarantee; that he was looking more for a feasibility and if there have been any studies on why they would want to move in there.
- Mr. Lee said no and, in fact, he wants to reiterate something; that what this does...there is no project, yet, in mind; that we don't have an image in our minds of a project; that we have ideas of a number of different things that could be done and we are looking to get the menu approved of different things that we could spend that tax increment financing money on. He added that, if we got to thinking that we want to put a little three-unit condo next to the Town Office with businesses on the bottom and little apartments up over, that kind of thing, we are

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

going to have to do a full-blown study, much like the Route 236 folks got asked very specific ‘prove it’ types of questions, like build-outs, etc.; that we know from our last consultant that, in order to go out and do anything, we really need to do our homework and really vet any project; that we very well may say that there isn’t any market for that. He said that we did have a consultant work with the TIF Alternatives Committee and, as part of the survey they did, we identified the types of jobs that were most desirable, services that were most desirable, etc.; that, theoretically, if we have one or two unique needs to Eliot that weren’t otherwise being serviced, which maybe that survey is speaking to, then we could try to attract something where we have an obvious missing need and people are travelling way too far and would really love to do something locally. He said that we are going a little bit on what the consultant said might work in a town that really doesn’t want a lot of growth.

8:01 PM Mr. Warrender said that, so, the village plan that Mr. Pomerleau is pushing is not ‘the plan’.

Mr. Lee said no; that it’s a possible project that Mr. Pomerleau has conceived of but he would tell him that there are other people on this Board that may have other ideas as projects. He added that we are not in a project phase but we did put in menu items that would achieve a village district-type thing, such as Selectman Pomerleau envisions but, at the same time, things that might be able to help restore and put the Grange back into a functional, wonderful building or, if we do get the Boat Basin, maybe some additional recreational opportunities; that people might want to come to Eliot for some additional beauty, quiet, recreation, trails, eco-tourism-type stuff. He added that we might GPS all our trails and invite hikers, and so forth; that eco-tourism might be the big project; that, yes, that would work – we vet it, people love it, not traffic-intensive, bring ‘em and they can walk in the woods, reiterating that we don’t know, yet, because there is no project.

8:03 PM Ms. (Melissa) Magdziasz, Alvin Lane, said that she had a bunch of questions and your last statement actually just completely threw her for a loop; that if we don’t have any projects in mind, why are we amending the TIF.

Mr. Lee said that that was kind of a good question. He added that he thinks we are amending the TIF because the original TIF, in his opinion, was extraordinarily short-sighted; that you have exactly two items that you could do, you could run sewer or water in one location only – Route 236; that you had no other uses for that money. He added that you could not do street improvements, traffic counting, center lanes, a whole bunch of things that might make Route 236 a lot more pleasurable to drive; that he has never seen a menu with two items, as most of these development programs give you quite a bit of flexibility in what you can do. He said that for his part, and he meant this honestly, he thinks that a TIF that is so

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

restricted that it says that this is for ‘that’ purpose, only, is short-sighted; that it really ought to be that or anything associated with...what about stormwater, what about three-phase power going down Route 236, maybe that generates more than water would, he doesn’t know. He said that this really has a lot of options and that’s one of the good things about it; that it gives us, as a Town, the opportunity to do a lot of creative types of things and not just Selectmen Pomerleau’s plan or not just sewer on Route 236; that this is a fairly wide-reaching ability to use this money in a number of different ways, whether it’s children, elderly, small businesses, transit, traffic-counting; that around the school we might have to do some traffic-counting, somehow, or think of some other method to mitigate, if that becomes an issue

8:05 PM Ms. Magdziasz asked why we had to put tax-exempt properties into this in order to do that.

Mr. Lee said that he has tried that once, already, this evening so he will defer to his previous answer.

Ms. Magdziasz agreed that he did mention that. She said that, based on this list of projects, that since we don’t have a project list in mind, she is really having a hard time wrapping her head around why she would even vote for this amendment; that she would encourage everyone to not vote for this amendment without a specific project in mind; that that is basically based on ‘this’ list; that Chairman Davis said a little about it – that no project would be completed without cash that we can’t pay for but this list totals over \$18 million and she thinks we only have about \$2.5 million in the TIF fund; that she is a little confused as to what priorities this would take, what pieces of what would need to get done, when. She added that she understood, as you’ve said it over and over again, that no project will be voted on until we amend the TIF but she just can’t wrap her head around amending the TIF without an idea.

8:06 PM Mr. Lee said that the \$18 million is the overall value of this; that would be the amount of money that would have gone into, and potentially been expended from the TIF fund over a 30-year period, and we’re nine years into it; so, that’s the projection for the remaining 21 years; that that is why that number appears.

Ms. Magdziasz asked if she could get humored, here, and go through this list so she can try to have a better idea of what this menu is and, maybe, Mr. Pomerleau or Ms. Davis can answer some of these questions; that this was your project.

Mr. Pomerleau asked if he could get to her first point; that he thinks it’s a little misleading to say there are no projects in mind.

Ms. Magdziasz said that that’s what the Town Manager just said.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM (continued)

Mr. Pomerleau said that he understood that and that's what he is trying to clarify. He added that, if you look at the actual document, there are obviously a number of potential projects; that one of them that took a lot of focus was building a child care facility, there are sidewalks, there is a small mom & pop needing sewer down to the village; that they are potential projects, a list of projects over a 20-year period that the Town could look at; that what the Town Manager is telling you is that, before you vote on this, there is no spending proposal for any project. He said that that has to be vetted and developed thoroughly to all those details, if and when those projects are selected and, then, the Town votes on it at that time.

8:07 PM Ms. Magdziasz said that, on page 2 – the building acquisition – do you have any idea as to which buildings those would be.

Mr. Lee said the Grange.

Ms. Magdziasz asked, if you don't know what buildings are going to be acquired, how can you assign a dollar amount to it.

8:09 PM Mr. Lee said that, sadly, what you have to do, for the Department of Economic and Community Development (DECD), is project what you think the total amount of revenue is going to be that will go into your TIF; that you have to demonstrate to them through estimating, he would say guesstimating, what amounts will go into what activities; that he sits with a blank piece of paper and estimates, such as with the sewer item; that he knows it will be expensive and, so, he put a lot of money into sewer, if that ends up happening. He said that they are just guesstimates and required by DECD; that he told the Board and he will tell all of you that these numbers are seriously just at an astral level of what might happen 20 years in the future; that it's not fair for them to ask to do it, but they do, and he made his astral projection

Ms. Magdziasz asked who decided which properties would be added to this new plan.

Mr. Pomerleau said that that was a collaborative effort by both the Selectmen and Town Manager; that when we looked at what we needed to do in the village, and we tried to identify properties that we could control, which were the Town properties, if we had to build a child care facility, we knew we could do it on Town property; that the Goranssons made a proposal while we were developing this, so we put that into it; that we took what retail facilities in the village that exist now because whatever they are now doesn't mean they can't change over a period of 20 years.

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM (continued)

8:10 PM Ms. Magdziasz asked, again, who picked the properties to go into the new amended TIF.

Mr. Pomerleau said that the Board approved and the Town Manager...

Ms. Magdziasz asked when that happened.

Mr. Pomerleau asked where we were going with this.

Ms. Magdziasz said that she was made aware of a meeting between you, the Town Manager, and the Town Assessor, and the Town Assessor gave you the list of the non-performing parcels and you gave her a list of the parcels that you wanted to be put in the TIF.

8:11 PM Mr. Lee said that it is very complicated to work as a complete Board on every parcel, and have every discussion; that Mr. Pomerleau, because of his long experience with TIF debates and TIFs, was chosen as the liaison to work with the Town Manager to propose to the Board what and why parcels should be in there; that we involved staff, of course, looking at what the acreage is, what the money is, what's non-performing, etc.; that he was actually selected as liaison of this Body to work with him to make that initial selection, which would then go back to the Board for them to look at and, if they had different ideas, they would veto or object and we would keep going.

Ms. Magdziasz said that one person picked the properties and everyone went along with it.

8:12 PM Mr. Murphy said no, that it was a 4-1 vote on the approval of the whole thing.

Ms. Magdziasz asked if this Board consulted with the Planning Department or the school board to see how this may, or may not, impact them, whether we can potentially comply with current zoning and ordinances, and whether the school board sees this development as a negative impact for our students.

Mr. Lee said no.

Mr. Pomerleau said that those would be the precise kind of details, if that project was selected, that would have to be followed through with; that this is a manual about things you might want to do; that if they are not on this list and you come up with some brilliant idea, if it's not on this list, you can't do it. He added that that is why the list is broad, to give us maximum flexibility with where we want to go, focus on the details of how we want to spend the money, the overall huge benefit to a large portion of citizens and, if you examine the details of these proposals, none of them are cast in stone, none of them have been thoroughly

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

detailed; that people who come to hearings and ask you to dot the I's and cross the T's are not going to get the answers because there's nothing moved forward with a specific proposal until we get the TIF plan amended and approved by DECD; that, then, the planning work can begin.

8:14 PM Ms. Magdziasz said right, but we are moving land next to the elementary school so she was just wondering if you contacted the school about what they think about that, turning 40 potential acres into development property.

Ms. Davis said that we have no specific plan for that so there is nothing to tell them, yet; that it's just available for ideas.

Ms. Magdziasz asked if she was running in circles, here, asking if anyone gets what she is trying to say. She said that you are asking us to put land somewhere without talking to somebody but there's no project, yet, so it's okay, but, we're going to put land there, anyway, hoping that that's okay.

Mr. Lee said that he didn't think we were really in a position to do a live debate, necessarily, but we can certainly listen to your comments.

Ms. Magdziasz said that she was certainly not trying to debate; she was simply asking the question.

Mr. Lee said that he would caution this Board that, more than anything, we are here to hear your comments; so let's listen and take that under consideration.

Ms. Magdziasz said that, as a small business owner, she just wanted to speak on her feelings about your consideration of taking the economic future of these small business owners that you think want to open up shop next to our schools and playground; that you are solely relying on the community development fantasy aspect to get the passing of this Article 30 but the reality is, is that Eliot doesn't have the density to support these businesses like the ones you are supposedly proposing for this village center; that these buildings won't create enough jobs to come close to supplying enough development to help offset anyone's taxes in the future because the most promising properties were already placed in the original TIF.

8:15 PM Mr. (Bud) Moynahan said that you answered part of his question, actually. He added that with this TIF, and he is one of those who voted against the sewer, mainly we have no guarantee, whatsoever, that Kittery is going to keep taking our sewer; that we have a contract with them but, if they say they are overloaded...that the action they just took in Kittery is one to think about. He reiterated that you answered his question, in the sense, that you can't use TIF money, in order to put sewer on Route 236, you obviously have to get more land

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

somewhere. He added that he has lived at his house on State Road 57 years and, in the last 4 or 5 years, traffic in front of his house at 55 or 65 mph, has tripled because of Route 236; that being a fireman he knows that we have at least three accidents a week; that it's almost guaranteed that, when the alarm goes, it's Route 236. He said that his thought was that the State has no interest, whatsoever, in doing some purchasing, which would probably have to be eminent domain on Route 236, to make that so it's not a death trap and this TIF money, obviously, can't be used for anything in that _____.

8:17 PM Ms. (Nancy) Shapleigh said that you commented on how narrow our original TIF agreement was; that she has been a broker, licensed in Maine, for 45 years and had her own business for 43 years. She added that one of the things that was constantly asked was do you have sewer and water; that apparently people just don't want to believe people with the experience of talking with prospective buyers; that when we voted for that TIF, we didn't vote for flexibility; that we voted because it was set up in the original zoning of this community; that we voted to do it on Route 236, where the traffic already was, where the State of Maine made an east-west highway, and we had all these people coming through the Town. She said that we went with people that said we couldn't do it because we didn't know that this compressor plant would stay; that that was an excuse to vote it down once; that much of the misinformation that has been published before the last four votes helped shoot it down. She added that if we had proper information to people, and they understood, she thinks that they would want to go ahead and extend sewer up Route 236 and make it developable so that we would have the tax revenue that an expensive study said we should do, that the people would come out there. She said that she doesn't believe they are going to come and many people do not want any kind of village center; that you talk about us needing a village center because it's in the Comprehensive Plan; that the Comprehensive Plan is kind of like a wish list but it's not carved in stone and it is not the King James Bible; that she thinks we should take an interest in what's in the Comprehensive Plan but, in 10 years, a lot of things change around the Country, in the community, in people's lives. She said that we have money where we could phase in construction of sewer on Route 236 and, if we did that...we have the money to do it; that we have a winning megabucks ticket and we're too dumb to spend it on what we saved it for.

8:20 PM Mr. Donhauser said, regarding the article about the 1% increase in salaries (Article 5), he has been self-employed and an employer for over 25 years; that when you give somebody a 1% raise, it's like giving a waitress a 50-cent tip; that it's not to say that they won't appreciate it but they'll appreciate it for about 2 minutes because, on a \$30,000 salary, you are looking at \$300. He added that that article has a \$21,126 increase and the explanation is that you are adding a 20-hour per week administrative assistant, which is all well and good and, then the SB and Budget Committee support a 1% raise for non-union staff; that the entire budget

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

went up only \$21,000, asking if that is the 1% per year you are giving to your employees or are there other things in there that make up that increase; that the \$21,126 is the difference between last year's appropriation and this year's proposed budget.

8:22 PM Mr. Lee said that Article 5 Administration has more in it than just that 1%; that the 20-hour position is a part of that \$21,000 increase and the 1% raises are part of that \$21,000 but there are also some other miscellaneous-type things...our printing costs, photo copying costs, etc., went up; that those two things aren't the only reason it is \$21,000. He added that he may be missing Mr. Donhauser's point.

Mr. Donhauser said that his point is that the employees of the Town, in his view, are probably one of the greatest assets we have; that he was an auditor for 14 years in the Town where he had the opportunity to work with the Town employees and they work very hard and are very diligent; that he is saying that, if you can only give them a 1% raise and it doesn't even equal \$21,000, and you're spreading it out among all the non-union employees, are you really giving them anything or is it sort of like a negative thing. He added that his point was that, if you don't have money, don't give them a 1% raise because, on a \$30,000 salary, that's \$300, and that money might buy one week's groceries; is that good, well, sure, but, an alternative he might suggest to the Budget Committee, perhaps next year, is to do it on a merit base – don't spread 1% across all employees but you can give them a bonus – find the people that are really performing for the Town and give them a merit raise; that you can't take that 1%, spread it over all those employees, and think you are incentivizing those people; that those people will come to work the next day realizing that their \$300 raise will be reduced by social security, State of Maine and federal income tax, to about \$200. He said that he is all for the employees of the Town because he thinks they are a tremendous asset to us that we don't often recognize.

8:25 PM Ms. (Donna) Murphy said that the role of the Budget Committee is not to hand out merit raises; prior to the beginning of the budget season it was agreed that we would look at the federal COLA, which was .03; that it was agreed that we would look at 1%. She added that we are also aware that there was a wage study that was done and the preliminary that she saw indicated that our Town employees are very-well paid; that this was not about valuing the employees, this was about looking at the Town, as a whole, and many of the senior citizens in this Town do not get a 1% raise; that it's at .03; that that was the compromise and what it was based on.

8:26 PM Ms. (Helen) Goransson, Depot Road, said that she can remember when there was State funding available to help build a brand new high school and she remembers that, in this Town, it was a huge fight to convince the people; that she thinks we

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

had to come up with 5% in order to get 95% from the State to build our beautiful high school; that it was a huge public relations campaign to convince the Town that you're going to be better off with this, even if you are going to have to give up 5% you will have to spend for this; that, now, we reap the benefits of this wonderful high school and it turned out we were the last school in the State to be able to take advantage of that benefit. She added that, on the TIF thing, she sees that we have another great opportunity that's presented to us; that there's \$2.5 million just sitting there doing nothing; that when we talk about doing things, we can't seem to agree upon what to do with the \$2.5 million; that there's the potential for it to be millions and millions over the course of 30 years. She said that it also seems that people in the Town like this Town and they want to improve the quality of life in the Town; that there are a lot of people that don't see putting sewer on Route 236 as improving the quality of the Town. She added that it would be really great if we came up with the opportunity to make this a better, nicer Town, and to use that money somehow; that she would hope that by making the TIF structure more flexible, then we could open up our minds to things we can do in this Town to make it a more livable, great Town, such as people who want to age in place, maybe bus service, van service, maybe the terminal would be where the Gateway Station is, maybe there would be one in Eliot Commons; that it wouldn't necessarily have to cause huge traffic but get people to a facility that might be in the center of Town; maybe a place with a swimming pool where they could do exercise and stay limber, live longer; or a place that would be a building where people could have day care and, maybe, even a private concern or private company who might actually say they would build that and, maybe, it would be fee-based and there would be money to come in, so, there would be a possible source of income. She said that, in general, maybe that's not the desire, maybe the desire is just to improve the quality of life at a place where we actually have a meeting room in this Town or a place where we could have a show or a place where we can have classes and we don't have to use the Congregational Church all the time. She said that we really need something to make this feel like more of a Town and, so, if the TIF money can be used for that, she would vote for that – just voting for the flexibility; that even if the TIF money can be used to create parks or open space or recreational places where, maybe, Kittery Trading Post would want to teach people how to do hunting, or hiking, or that type of thing, and they'd access it from Route 236, have a parking lot there, and have people roam through out beautiful woods. She said that there are all kinds of possibilities; that she would hate to shut this down and say nope, we're stamping our feet and we still want to keep trying for sewer on Route 236.

8:30 PM

Ms. Saurman said that, with regard to the TIF, she was on the original TIF Alternative Committee and our goal, as our committee developed, was to avoid exactly what we are going through right now. She added that we had hoped to take the survey, which every person in this Town has decided what it meant and what it said and what it supported, and our intent was to pick the top three things,

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING

May 11, 2017 5:30PM (continued)

hire a consultant, and have that consultant do all the kinds of work that some of you are asking for tonight. She added that, in other words, if we were going to present a village plan to the folks, we were going to say 'here' is what it is going to entail if you vote for that; that if we were going to vote for some kind of new way to look at economic development on Route 236, what would we have to do commence...and the Boat Basin. She said that one of the things that the consultant told us not to do was to put another headline out there, a vote for a TIF fund that will do 'this' with no specifics because his opinion was that that was what we had done wrong every single time in the past; that we just gave people a headline and we didn't say where it was going to go. She added that, as it turned out, the work for the TIF Alternatives Committee was halted when the Selectmen refused to give us the money for that consultant and, so, she just wants to point out that what started out as a committee that was going to work with the people and bring suggestions up to the Select Board, with community support, turned out to be taken out of the public's hands, out of the committee's hand, and it's right back to the Board, and those are the people, folks, that are making the decisions about how the TIF money is going to be directed. She said that it's not coming from the bottom-up; it's coming from the top-down. She reiterated that our goal, as members of the TIF Alternatives Committee, was to avoid what you are experiencing this evening.

8:34 PM Mr. (Noah) Lemire, Goodwin Road, said that he has been kind of sitting on his hands for a minute but he felt that he needed to make a counterpoint to what Mr. Fisher brought up. He added that, in reference to the LD1 override, he would have you to keep in mind the many hundreds of hours that are spent studying all these budget requests; that he can tell you that those original budget requests were substantially more than that \$26,000. He said that we take 'this' book that you see here and turn it into that 2-page set of warrant articles that you can read and understand. He added that he would encourage people to ask questions about why that \$26,000 is the recommendation; that he would encourage people to attend meetings and to get involved in the process, and not just to kind of throw out comments about how personal voting habits are affected and imply that \$26,000 is somehow lining pet projects of volunteer committee members.

8:35 PM Mr. Lee added that, last year, the municipal budget actually gave back \$129,000; that we needed \$129,000 less than the year prior; so, this year, going up \$26,000 over LD1, Mr. Fisher, on balance, we've had two good years in a row.

Mr. Fisher said that LD1 is set up by the State of Maine that we don't overspend our money on education or give it for taxes raised by the Board or the Town. He said that he was on the Budget Committee before you were born, he ran a pretty tight organization, he had a lot on his mind, and they felt pretty good about it. He added that the Town Manager already has a plan on board of what he's going to

SELECT BOARD BUSINESS MEETING and PUBLIC HEARING
May 11, 2017 5:30PM (continued)

do, if we vote the LD1 down. He said that he would like the Town Manager to say, today, what he has in the plan, if the LD1 doesn't pass.

8:37 PM Mr. Lee said that, first off, you have to plan ahead in case it doesn't pass; that he put together a list in the event it didn't pass but he's not sure he brought that, as that was not what he expected to talk about. Looking through his papers, he found the list, and said that some of what would he would do, potentially, is that he would probably cut into General Assistance for about \$5,000, probably postpone a retaining wall at the Transfer Station, cut some social service agencies from funding – that for his part, he doesn't believe in using his tax dollars to support social services that you should support privately, if you want to do it – also, if necessary, we would probably cut some road paving; that that would get us there.

There were no more questions or comments from the public.

8:38 PM **The Public Hearing was closed.**

P. Adjourn

There was a motion and second to adjourn the meeting at 8:39 PM.

VOTE

5-0

Chair votes in the affirmative

DATE

Mr. John Murphy, Secretary