

**BOARD OF SELECTMEN'S MEETING**  
**May 14, 2009 6:30 PM**

**Quorum noted**

**6:30 PM:** Meeting called to order by Chairman Murphy

**Roll Call:** All Selectmen present

Mr. Blanchette absent due to illness

**Pledge of Allegiance Recited**

**Moment of Silence Observed**

**Approval of Minutes of previous Meeting(s)**

Delay approval of minutes of April 23, 2009 meeting until clarified. Mr. Sinden informed the board that the sewer contract discussion missing under Department Head Reports. Mainly the five-year time frame discussed that corresponds with TIF time frame of construction.

**6:37 PM**

**Public Comment:**

Elmer Richardson present - Curious as to why he has not heard if the parks are open. He was informed he should see Heather Muzeroll Roy for any information. Mr. Richardson said he currently has town property in his garage for the parks.

Issues with plumbing in the past were discussed. Mr. Richardson feels he is being blamed and is upset that he has not received any calls from the Department Head.

Discussion followed. Refer all questions to the Department Head.

**6:43 PM** Mr. Moynahan moved the question

**6:45 PM** Mary Fournier was present to request to be put on next Board of Selectmen's Agenda in regards to Central Maine Power. She will try to get a package together and give it to Paul White containing material for the next meeting.

**6:49 PM**

**Department Head/Committees Reports:**

**#1** TO : Board of Selectmen  
FROM: Eliot Energy Commission  
REF : Cool Communities Membership

Jenny Isler, Eliot Energy Commission member was present to discuss the U.S. Mayors' Climate Protection Agreement. There is no charge for membership to Cool Communities membership and the Eliot Energy Commission endorses this and is willing to help Eliot reduce its greenhouse gas emissions.

The Library and Sentinel are going to publish Eliot Energy Commissions Energy tips as well as other areas to educate the public.

Motion by Ms. O'Donoghue, seconded by Mr. Sinden to join Cool Communities membership.

**VOTE**  
**4-0**  
**Chair Concurs**

**#2** TO : Board of Selectmen  
FROM : Philip Lytle, Transfer Station Manager  
REF : Letter of Proposal from Leavitt & Boucher on 1<sup>st</sup> (nearest Rt. 236) Compactor.

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Mr. Lytle was present to discuss compactor estimate – repair vs. to replace

Phil indicated that one unit was replaced last year from monies taken out of Capital Reserve and that the units in compactor have a life expectancy of 15-18 years and the unit is now 20+ years. Phil feels that repairing the problem is not the best way. Repairs may last 3 years but no guarantees. Currently \$78,000 in the facilities account per Phil. Treasurer Norma Jean indicates that account has between \$30,000 and \$35,000.

Mr. Paul looking for more clarification on the repair part of the estimate. Mr. Paul to meet with Bill Shapleigh and Philip Lytle at the Transfer Station to inspect the unit tomorrow at 9:00 AM. Chairman Murphy will also attend.

**7:13 PM** Mr. Sinden had some questions on Symphonix. This was brought up in the last Department Head Report and is now three months old. February memo from Tax Collector (\$30,000 owed)

Mr. Blanchette was directed in February to have the attorney go after this with not enough follow-through. Mr. Sinden found the information on line in regards to symphonix. This is the same company as all the past businesses and in the same location at Eliot Commons. Mike McNaboe is the common name on all of these businesses. The Annual Report shows the principals who need to be contacted and held accountable: Mike McNaboe, Robert Dall, Walter Roth, Fred Forsley, Jeff Butting, Richard Thomas, Dave Amato.

Mr. Sinden and Mr. Moynahan, as the subcommittee to investigate the following:

- 1) Examine Policies and procedures for weakness
- 2) Examine steps taken to collect this particular debt
- 3) Be sure not happening in other cases
- 4) Discover why information did not surface before TIF
- 5) Recommend corrective action

**7:30 PM**

**New Business:**

**CORRESPONDENCE:**

**#3** TO : Board of Selectmen  
FROM : Timothy Straz  
REF : Conservation Commission membership

Tabled until later in meeting

Take Correspondence #14 out of order

**#14** TO : Board of Selectmen  
FROM : Paul White, Code Enforcement  
REF : Town Hall Renovations

Mr. White described proposal in detail for all energy related work and passed out a full package of bids and information. Renovate meeting room, seal and insulate heating & cooling ducts, cellulose insulation in all flat ceilings and soffit venting. Approximately \$20,000 total price for all phases.

In 2007 - 2,500 gallons of oil purchased to heat. Payback could be seen as soon as 8-10 years.

Motion by Mr. Sinden, seconded by Ms. O'Donoghue to accept the recommendations of \$20,500 maximum to be spent on all phases of renovations.

**8:05 PM** TO : Board of Selectmen  
FROM : Timothy Straz  
REF : Conservation Commission membership and/or I.T. Committee

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Motion by Mr. Paul, seconded by Ms. O'Donoghue to appoint Timothy Straz to Conservation Committee as an alternate member, term to expire in 2009, and three-year term after that.

**VOTE**  
**4-0**  
**Chair Concurs**

**8:08 PM**

**# 4** TO : Board of Selectmen  
FROM : Christopher Place  
REF : Planning Board membership

Motion by Mr. Moynahan, seconded by Ms. O'Donoghue to appoint Mr. Place as an alternate member to the Planning Board, term to expire in 2010.

**#5** TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Public Hearing on June Referendum Articles

**8:15 PM** Opened Public Hearing on Article Three, Chapter 44 Shoreland Zoning..., Article Four, Chapter 35 Post Construction..., and Article Five, Comprehensive Plan...

**8:44 PM** Closed Public Hearing

**#6** TO : Board of Selectmen  
FROM : Teamsters Union  
REF : Revised Overtime Policy

Letter from Sylvia Hebert not to implement the new policy. Mr. Sinden – Union Policy and Town Policy say the same things. Recommends we enforce our policy as written.

**#7** TO : Board of Selectmen  
FROM : Bicentennial Committee  
REF : Treasurers Report

Current balance \$2,930.41

**#8** TO : Board of Selectmen  
FROM : FEMA  
REF : Approved Project Application

Spreadsheet showing the current position of Project Application. Still owed to us \$15,668.41.

**8:51 PM**

**#9** TO : Board of Selectmen  
FROM : Daniel Silva  
REF : Damage to public sewer issue

Damage to Riverside Drive Sewer Line. Asking to contact contractor direct, as he has no knowledge of problems

Informational

**#10** TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Intermunicipal Agreement

The Chairman passed out report to Kittery Town council. Still some tweaking to do with language. The document/timeline was supposed to be voted on tonight to bring on June ballot.

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Mr. Sinden suggests the following:

- 1) Contact State to verify that TIF money can be spent on this
- 2) Town Meeting to appropriate Funds
- 3) Send to Town Attorney for review
- 4) Sign Contract
- 5) Date certain for contractual intention construct with 5 years.

Ms. O'Donoghue would like this contract to move forward. Thinks some of or all of these can be changed quickly.

**#11** TO : Board of Selectmen  
FROM: Fairpoint  
REF : Video Trial

90 Day study with fiber optics is completed. Looking for a follow up meeting in 30 days to discuss the outcome of our evaluation program.

**#12** TO : Board of Selectmen  
FROM: American Red Cross  
REF : Cocktail Reception

Informational

**#13** TO : Board of Selectmen  
FROM: Dan Blanchette  
REF : Action List

Informational

**#14** TO : Board of Selectmen  
FROM: Town Clerk, Wendy Rawski  
REF : School Warrant and notice of election

**9:21 PM Selectmen's Reports:**

▪ **Mr. Moynahan:**

Turkey Luncheon

Action List – Needs to change:

Too often direction given to Administrative Assistant gets slow follow-up.  
Examples: Town Website, RFP's, Symphonix, Sewer Contract, Attorney Questions, Everything that requires follow-up.

▪ **Mr. Paul:**

Police vehicles w/policy

▪ **Ms. O'Donoghue:**

Energy Commission losing three members

**9:27 PM Consensus to adjourn**

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DATE

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Michael T. Moynahan, Secretary