

**BOARD OF SELECTMEN'S MEETING**  
**May 28, 2009 6:30 PM**

**Quorum noted**

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

**Roll Call:** **Roll Call:** Mr. Murphy, Ms. O'Donoghue, Mr. Paul, Mr. Sinden and Mr. Moynahan present. All present

**Pledge of Allegiance Recited**

**Moment of Silence Observed**

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

**6:37 PM** Motion by Ms. O'Donoghue, seconded by Mr. Moynahan, to approve the minutes of April 23, 2009 with the following amendments:

1. Under Dept. Head/Committee Reports  
Discussion of proposed sewer contract with Kittery. Performance of time certain in contract (5 year time frame for TIF construction)
2. Under Correspondence #6  
REF: add "Town Meeting"

**VOTE**

**4-0**

**Chair Concurs**

**6:45 PM** Motion by Mr. Moynahan, seconded by Ms. O'Donoghue, to approve the minutes of May 14, 2009 with the following amendments:

1. Under Approval of Minutes  
Delete "T.F." and add "TIF time frame of construction."
2. Under Correspondence #2 – REF:  
Delete "Roadside" replace with "1<sup>st</sup> (nearest Route 236)"
3. Under Correspondence #2 – last paragraph add, "Chairman Murphy will also attend."
4. Under 7:13 PM – "Mr. Blanchette was directed to have the attorney go after this with no..."change to "Mr. Blanchette was directed in February to have the attorney go after this with not enough..." and at the end of the paragraph add Mr. Sinden and Mr. Moynahan as a subcommittee to investigate:
  - a. Examine policies and procedures for weaknesses
  - b. Examine steps taken to collect this particular debt
  - c. Be sure not happening in other cases
  - d. Discover why information did not surface before TIF
  - e. Recommend corrective action
5. Under Correspondence #10, "Mr. Sinden suggests the following", delete "see if" replace with "verify that" add "(5) Date certain for contractual intention to construct within 5 years"

**Public Comment:**

None

**Department Head/Committees Reports:**

Mr. Blanchette updated to Board on the following:

- Department of Labor Violation
- Sewer Contract – Attorney has not finished the review

**BOARD OF SELECTMEN'S MEETING**  
**May 28, 2009 6:30 PM (continued)**

- Symphonix tax bill and Centerpoint Register with Town – Centerpoint has filed their list of personal property
- For each Selectmen – The list of Businesses from the Assessor
- Riverside Drive update – attorney requested photos that have been provided. He will try to talk to the attorney for Silva.

Ms. O'Donoghue informed the Board that Business Development Committee wishes to increase membership from five to seven members.

Mr. Sinden discussed protocol and that the request should be coming from Chairman of the Committee after vote of Committee.

**New Business:**

**#1** TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Action List – Policy update on Agenda for meeting on June 25<sup>th</sup>.

**7:15 PM** Mr. Paul and Mr. Murphy reported on inspection of compactor at Transfer Station – recommend we replace.

**7:16 PM** Motion by Mr. Paul, seconded by Mr. Sinden, to purchase a replacement for the compactor.

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

**#2** TO : Board of Selectmen  
FROM : Sewer Committee  
REF : Note from Sewer Committee – paying Ted Berry

**7:24 PM** Motion by Mr. Paul, seconded by Mr. Moynahan, to authorize the balance of the bill from Ted Berry to be paid.

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

**#3** TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Kittery/Eliot Inter-Municipal Agreement (Sewer Contract)

Consensus to hold until attorney reviews.

Mr. Sinden – Sections 3.2.3 and 3.2.4 Eliot “shall” not Eliot “intends and Kittery “shall” not Kittery “intends”.

**#4** TO : Board of Selectmen  
FROM : Town Clerk  
REF : Closing Town Clerk's Office

**7:40 PM** Motion by Mr. Paul, seconded by Ms. O'Donoghue, to authorize the closure of the Clerk's office at noon on June 30<sup>th</sup> to facilitate year-end reports.

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

Authorize Norma Jean Spinney, Treasurer to start the process for Tax Anticipation Notes.

**7:43 PM** Motion by Ms. O'Donoghue, seconded by Mr. Sinden, to authorize the Treasurer to commence the process for TAN.

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

**BOARD OF SELECTMEN'S MEETING**  
**May 28, 2009 6:30 PM (continued)**

**Public Comment:**

Mary Fournier present

Presented the Board with packet reference CMP's request at PUC .

Town Meeting Warrant – Selection of Articles

**Selectmen's Reports:**

- Ms. O'Donoghue discussed regional economic – emphasis on economy and efficiency.
- Mr. Paul discussed Cell Phone Plan
- Mr. Murphy – distribution of MMA Executive Committee nomination

**Adjourned by Consensus**

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**DATE**

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**Michael T. Moynahan, Secretary**