

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM

Quorum noted

5:30 PM: Meeting called to order by Chairman Moynahan.

Roll Call: Mr. Moynahan, Mr. Dunkelberger, Mr. Murphy, Mr. Beckert and Mr. Hirst.

Pledge of Allegiance recited

Moment of Silence observed

Approval of Minutes of Previous Meeting(s)

5:32 PM Motion by Mr. Dunkelberger, seconded by Mr. Hirst, to approve the minutes of January 24, 2013, as amended.

VOTE

3-0

Chair concurs

Mr. Moynahan said that he did have to leave early tonight and asked if it was possible to take the minutes out-of-order and make any changes until later in the evening and, if there were items that they would like to have his involvement prior to his departure with this evening, they could take those out-of-order.

Mr. Murphy said anything that Mr. Moynahan would want; that they had quite a few of them – more errors or more suggestions.

Mr. Dunkelberger said that, since they had so many corrections, might he suggest they put these minutes off until the next meeting and, in the meantime, they do as Mr. Moynahan suggested.

Mr. Murphy said that that was fine, also.

Mr. Moynahan asked if, at this time, there were any items the Board wished to take up out-of-order prior to his leaving; if there were any portions of this agenda that would need any input from him.

Mr. Beckert said that he thought, for one to start with and while all five members were here, that they ought to talk about Item #12 to finalize the articles for the warrant for the March 2nd Town Meeting.

Mr. Dunkelberger said that, probably, Item #11, also.

5:35 PM Mr. Moynahan said that they would take up Item #12 first. He said that, with Item #12, he did have a memo from Rebecca Davis, BC Chairman, in regard to

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

questions not being forwarded on to the BC; that they were looking for them in a more timely fashion with these being forwarded. He said that he would take complete blame for this; that he looked at this as not raising taxes so he thought that this was something just administrative on the Board of Selectmen's part, not looking at the recommendation piece at all, early on, with that. He added that he has had a Special Town Meeting prepared for several of these items for well over a month, so, potentially the BOS hadn't communicated everything; that they just finalized those items last week, he thought, so, he would certainly apologize to the BC for not including them in that whole process and giving very limited time. Mr. Moynahan said that, with that being said, the BOS developed this so they would certainly have input from the BC and had several representatives here tonight so, if people had any input on the proposed warrant articles, he guessed they could talk about that now.

Mr. Moynahan went through the warrant articles.

Mr. Moynahan said that the Second Article, which was the main driver of this, was to appropriate funds from the TIF District (account) to prepare for a June Town Meeting to vote for a potential sewer expansion. He added that that was made known by the engineers of what that was going to take to do this, again, to put in front of voters.

Mr. Moynahan said that the Third Article was to fund the Contingency Account; that they were made aware by the Administrative Assistant some time ago that that was lacking and they should consider funding it, so, he included that on the warrant, here. He said that they had a \$2.1 million Unreserved Fund Balance so it just seemed appropriate to add it here.

Mr. Murphy clarified that it was the Contingency Reserve Fund rather than the Contingency Account, officially, he thought. He explained that it has been named different things; that it started in 1988 – 1989, when they first began setting money into a reserve account.

Mr. Blanchette said that the new copy had that corrected. He added that, for those who were not aware, there was around \$25,000 in that fund right now.

Mr. Moynahan said that, ideally, \$50,000 to \$70,000 was what they tried to have in that account.

Mr. Moynahan said that the Fourth Article was \$20,000 from the Unreserved Fund Balance for a parcel of property acquired by non-payment of taxes, which was next to the Boat Basin driveway. He added that they spoke with those folks some time back and it was discussed, at that point, that they would put it to voters

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

and that this may be an appropriate use of the Unreserved Fund Balance to acquire that for potential for the Town for the future.

Ms. Adams asked if the Board was sure it was Map 9, Lot 4. She said that when she looked it up on the Town Assessor maps, that wasn't by the Boat Basin; that it was on Main Street.

The Board agreed that it was on Main Street.

Ms. Davis said that it was down further; was it the Kimball property.

Mr. Blanchette said, yes, that was the property.

Ms. Davis said that that wasn't by the Boat Basin.

Mr. Beckert said that, down in back, it ran along the boundary.

Mr. Fisher said that, on this particular one, they were just going to clear the title and most banks only get about \$1,400 or \$1,500 to clear a title and asked how come they were getting \$20,000.

Mr. Blanchette said that, in order to perfect this title since the Town acquired it for non-payment of taxes, the Town needed to approach the former owner and have them sign off on it; that that was what they needed to perfect the title.

Mr. Fisher asked if they were going to pay the previous owner.

Mr. Blanchette said yes; that they were not going to do it for nothing.

Mr. Fisher asked how much they thought that was going to cost the Town.

Mr. Blanchette said that it would be somewhere around \$15,000.

Mr. Fisher said that the Town would get the title with \$15,000 to buy off the guy that didn't own it to begin with.

Mr. Blanchette said that this was to perfect the title.

Mr. Fisher asked what the Town was going to do with it when they got it; that the Town already owned it.

Mr. Moynahan said that there was discussion that that would be a potential benefit, in the future, to have ingress and egress going to the Boat Launch for the community.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Fisher reiterated that the Town already owned it. He added that nobody was going to take it from them. He added that, even if the Town had to wait for the poor old guy, if he was old enough, to die, then the Town got it for nothing, anyways.

Mr. Moynahan said that, when they spoke to these folks, and they spoke as a Board, this was the path they were going to take and put in front of the voters. He added that, if the voters disagreed with this path, then they could certainly say that they didn't agree and vote it down. He added that they had to do something and because they did it one way didn't mean it was wrong.

Mr. Moynahan said that the Fifth Article was to appropriate and transfer \$10,000 for the detailed compensation and job description study.

Mr. Murphy asked when they last did this for the Town.

Mr. Blanchette said that he thought it had been 10 to 15 years.

5:45 PM Mr. Fisher asked if this was for job descriptions only.

Mr. Moynahan said that it was for salary (compensation) and job descriptions.

Mr. Fisher said that job descriptions shouldn't change. He said that, for instance, if one had a job description of an individual, a painter who did other odd jobs and, if that job changed – that that individual became an electrician – then that individual would get a little extra points for doing what that person did but they didn't have to go into changing the job descriptions every time they changed the money because the job didn't change. He added that all the employees, their jobs didn't change, but maybe some aspects of it did. He said that everyone thought that now they were going to sweep more floors they were going to get more money; that that wasn't true. He said that, if they changed the job description and increased the trade, then it would add more money but, if all one had to do was add to that one item, then give the guy more money if he deserved it. He said that he thought it was a waste of time to do what the Board was doing.

Mr. Moynahan said that the Sixth Article was the second precursor for this Special Town Meeting, which was to finalize and sign the Intermunicipal Agreement (IMA) with the Town of Kittery. He added that the Board discussed keeping this separate from any discussions with any sewer expansion because they were completely separate, although, it did give the ability to expand on that if there were any sewer expansion.

Mr. Dunkelberger asked how close they were to actually finalizing that document.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Murphy said that he didn't dare say anything with that regard because it has been so many years and so many times they have gone through it. He added that it looked pretty good this time because they were limiting it just to the present sewer systems in the Town. He said that, as he showed to several Board members, the Town lawyer made many suggestions; that they had a six-hour meeting with him two weeks ago and there were only three tiny paragraphs in the 17 pages of that that did not get altered by the Town lawyer.

Mr. Moynahan said that, with that being said, there were no substantive changes.

Mr. Murphy said that there were some substantive changes, particularly with the fourth formula, which was a formula that computed the proper break-out of capital improvement costs greater than \$5,000 for changes to the shared collection system. He added that that was the gravity line going down to Pump #7 and the force main from Pump #7 to the treatment plant. He said that any major capital improvement to that - that a formula was suggested and a close look at it, really instigated by the lawyer and this was the important thing that came out of it from Mr. Murphy's point of view, they had to go back and modify that; that he and Mr. Blanchette had been thinking about that and had an approach but it had to be worded very carefully and he was working on that now. Mr. Murphy said that all this had to be taken to Kittery.

Mr. Moynahan said that this was not going to be ready for this warrant.

Mr. Murphy said that it would not be complete and agreed on with Kittery by the time of March 2nd. He added that they hoped that it would before it went to the lawyer because they thought they had all the ducks in order but that wasn't going to happen. He said that it was reasonable, if the citizens trusted the Board, to get the approval for them to keep on going; otherwise, it would have to wait until the June meeting to be approved. He added that they were trying to get this settled and as something separate from the TIF so there wouldn't be confusion in June about what was going on.

Mr. Dunkelberger said that his question, then, would be would it be appropriate, if they were to post something for somebody to read, to post the draft.

Mr. Murphy said that it was a draft; that it would be the latest draft and he could talk about the way they were going to solve that formula problem; that it made it more realistic and fair between Eliot and Kittery but it meant looking at the actual history rather than following industry standards.

Mr. Moynahan asked if providing a draft to the voters an acceptable approach from this Board.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Murphy said that the current draft was available.

Mr. Moynahan clarified as far as a warrant article for adoption or acceptance was his question to the Board.

Mr. Murphy said that he thought it would actually be confusing to do that because there were so many changes that the lawyer suggested and he wanted to adopt the ones that were reasonable and he didn't want to adopt the ones that were merely the lawyer's taste in English and formal writing versus the previous taste – Mr. Murphy's taste and Kittery's taste. He said that they had to remember that this was Kittery's document; that they wrote the original one and, so, Eliot didn't want to go on there and slash-and-burn and change everything just because Eliot didn't like the way that it was said and he had tried not to do that. Mr. Murphy said that he has always tried to make it read clearly so that the citizens of Eliot could understand easily what was being said and Kittery had accepted that in the version they had before the Town sent it on to the lawyer. He added that Kittery hadn't adopted it but reviewed it, made a few changes, and sent it back to Eliot, with both towns sending that on to their respective lawyers.

Mr. Dunkelberger said that he thought that there were still some potential points of contention between Kittery and Eliot, in regard to the wording, so he didn't think it was ready and he would propose they remove this from the warrant.

Mr. Murphy said that, to him, it was a little bit iffy; that it would be nice to get approval.

Mr. Dunkelberger said that everybody may bless it but there was, from the sound of it...because it was Eliot's lawyer who has made some significant changes and Kittery could agree or not agree.

Mr. Murphy agreed, saying that, to him, that was the big question because Eliot was proposing a change in that fourth formula.

Mr. Moynahan agreed, saying that the last document, before the attorney was involved, was endorsed by this Board and there were no major changes with the last mark-up that came back.

Ms. Davis said that this document wasn't ready and it kind of went along with her memorandum to the Board that the BC was not informed for sure even if there was a meeting, when it was, they had zero paperwork on any of these articles, and no time to schedule a meeting in time to provide recommendations to be posted. She said that she would like to suggest that, unless there was something here that was critical, that these be tabled.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

5:50 PM Mr. Moynahan said that the TIF piece was critical in order to prepare the voters in June for any sewer expansion; reiterating that that was a critical piece.

Ms. Davis said that she wouldn't know that because she had no paperwork on any of these articles. She said that she didn't even have time to call a meeting; that she did have a meeting on Tuesday so, if the Board was going to go forward with some or all of these articles, as per her memorandum, she would like to have some paperwork provided to the BC so that they could ask questions and deliberate and see where they needed to go on this.

Mr. Moynahan asked for thoughts from the Board members.

Mr. Beckert said that he would say that the sewer one (IMA), right now, was the only one that was not ready to go forward. He added that, until they had a finalized document that was agreed upon by the Town Council in Kittery and the Board of Selectmen in Eliot, he thought that they should remove that article from the March 2nd warrant.

Mr. Moynahan said that he thought it was consensus that, at a minimum, that would be gone, but, perhaps they could just finish the last two before he had to leave. He said that the Seventh Article was to appropriate and transfer \$16,000 from Unreserved Fund Balance to reroof the Town Garage; that that was for the solar project that the Energy Commission had been working on for about six months.

Mr. Moulton said that he had been pushing the engineers to look at the trusses, as far as it went, to see if they needed to do any reinforcement. He said that he finally got a preliminary answer today and got a rough estimate today for that work and the Board might want to consider increasing that from \$16,000 and, at this time, he had a memo that he passed out to the Board members and others.

Mr. Moynahan said that, while Mr. Moulton was passing out the memo, he stated the Eight Article was to see if the Town would use the Unreserved Fund Balance to pay the 6-month bill from the County to facilitate the County's change in fiscal year and, if not approved, it would go to taxes and the estimation was \$229,121.49. He added that, again, this had been in front of them for six months and they just decided a couple of meetings ago that this was the manner in which the Board would put it in front of the voters, which was to utilize the Unreserved Fund Balance. Mr. Moynahan said that Mr. Moulton had provided additional information for potential warrant articles and was indicating that it would be a \$9,000 or \$10,000 increase to that dollar figure for the reroofing or whatever would be required to do that solar project.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Moulton said that that was correct, saying that he apologized; that he just got all the information today.

Mr. Moynahan said that, with that being said, he hated to do this but there was an Eagle Court of Honor this evening that he was going to attend as a representative of the Town and this Board. He asked Mr. Beckert to continue the meeting (as Chair). He added that he apologized; that he had forgotten that this was scheduled for this evening.

5:56 PM At this time, Mr. Moynahan left the Board meeting.

Mr. Dunkelberger said, just to clarify, the Unreserved Fund Balance was what amount.

Mr. Blanchette said that it was about \$2.1 million. He said that, since this was the last opportunity for the Board to sign the paperwork and they were making changes to it, he asked if they wanted to change the date from March 2nd to March 23rd, that the 23rd would be the next available Saturday night that the building was available.

Mr. Beckert said that he thought that that would be prudent.

Mr. Murphy agreed.

It was the consensus of the Board that they move the Special Town Meeting date from March 2nd to March 23rd.

Mr. Blanchette said that he would have a revised warrant, then, for the next meeting.

5:57 PM Mr. Lentz, addressing Mr. Moulton, said that as he has heard and wondered, the roofing was part of the display for the solar panels and asked if they shouldn't be putting that all together in one lump so that everyone knew what the real cost was and whether they had a pay-back, or not. He added that maybe the roof needed to be repaired real quick, he didn't know, but he heard Mr. Moynahan say that this was for the solar panels to go on; shouldn't that be lumped together into one big project so that they knew what they were spending and what the pay-back may be.

Mr. Moulton said that the roof needed to be done, regardless; that it was gone; that this last memo he handed in correlated with the solar panels for reinforcing of the trusses; that he thought Mr. Blanchette could answer the rest as far as the solar panels.

Mr. Blanchette said that the solar panels were not costing them anything.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Lentz disagreed. He asked if those trusses would support those solar panels.

Mr. Blanchette said that the \$25,000 for the roof and the truss would support the solar panels.

Mr. Lentz asked, if they did nothing, would it support the solar panels.

Mr. Blanchette said no; that that was what he just said.

Mr. Lentz said that, then, it should be part of the solar panel project.

Mr. Murphy said that this was the only cost; that there was no other cost to the Town for the solar panels, at this time.

Mr. Beckert agreed; that the \$9,720 was the only outlay that the Town has to prep that roof for the solar panel; that the roof, itself, needed to be done anyway.

Mr. Pomerleau said that, in general with any money item, he would certainly prefer to see as larger a number of citizen voters as possible, and that would typically be June. He added that they had already made some explanation that the urgency of the TIF money; that it was a little confusing whether the roof really needed to get done and that sounded like a question of the structure of it being critical. He said that other items in here, especially the \$229,000, was there any real reason – any detriment to the Town that these items couldn't wait until June when they had a larger participation of citizens to vote on them.

Mr. Beckert, addressing Mr. Blanchette, said that he thought that the TIF one was the only one that needed to be done before June.

Mr. Blanchette said that he would counter that the Contingency Reserve may need to.

Mr. Dunkelberger said that they probably needed to decide on the County thing, also, because that was certainly going to play a role; that if it didn't come out of the Unreserved Fund Balance, then it would have to be adjusted through taxes, and to wait until the last moment, in June, to figure that out was probably not a good thing.

Mr. Beckert agreed. He said that the other thing, on the roof, if the roof was voted on now and the money was approved, then it gave them the opportunity to start earlier.

Mr. Moulton said that that was correct; that he believed that they wanted to start this spring.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Pomerleau said that he had a follow-up question on the compensation and description study, which he would personally really like to see done, was if it was possible that the results of that would be there before any completed negotiations with the union contract or, if not that, then at least before the June vote on the payroll in the budget for the Town.

Mr. Beckert, addressing Mr. Blanchette, said that he didn't know what he had had for discussion with the company and the timeframe.

Mr. Blanchette said that he has not had any discussion of timeframe because they would have to go out for proposals on that. He added that it could be close for the June Town Meeting; probably would be on time before any contract was completed with the union.

Mr. Dunkelberger said that, if the Board deferred it until June then...

Mr. Blanchette said that they may not have it in time for any completion of the contract.

Mr. Beckert said that that was kind of critical to have as soon as they could get it.

Mr. Murphy agreed.

Mr. Pomerleau said that, if it wasn't possible to be done before June, then he didn't see any rush in it.

Mr. Beckert said that he thought that it was possible; that he thought that they would have to enter in to conversation with whoever ended up getting the bid on that..

6:04 PM Mr. Fisher asked Mr. Moulton if he had anything in his own building fund to repair this roof.

Mr. Moulton said that, with his building fund, he did everything he said he was going to do this year plus bought all the roof materials for the entire roof at a reduced rate because it was going to increase; that the only thing he needed was the cost for labor to redo the roof and, now, because of the engineer's recommendations, possibly reinforce the truss.

Mr. Fisher asked him if he had anything left in his budget.

Mr. Moulton said no.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Ms. Davis asked if it was possible, then, to have some of this back-up documentation, one copy, forwarded to the BC so that they would have materials to deliberate on for Tuesday.

Mr. Beckert said yes.

Ms. Davis said that she would like to say that she sent out the memorandum; in future, was it possible to copy the BC on these topics so that the BC could be better prepared and have a recommendation ready in a timely fashion.

Mr. Beckert said yes, that he would think so.

There were no more questions for the March 23rd warrant.

Mr. Blanchette recapped that the Special Town Meeting date was March 23rd and they were eliminating Article the Sixth and, on the Seventh Article, the amount was \$25,720.

Mr. Dunkelberger suggested he round it up to \$26,000.

Mr. Blanchette asked if he meant \$25,800.

After some clarification, Mr. Dunkelberger said \$26,000.

There was nothing else.

Mr. Beckert asked if there was anything else they needed to take out-of-order or could they go back to the top of the agenda.

There was nothing else that needed to be taken out-of-order.

Public Comment:

6:06 PM Ms. Adams said that a friend of hers, today, who has an elderly relative who enjoys the gatherings at the ECSD for the seniors, adding that he had to have surgery and the department sent him a get-well card and he greatly appreciated it. She added that she thought that was a wonderful gesture on the part of the ECSD to do that.

Mr. Beckert said that it was nice to hear those comments.

Department Head/Committee Reports

There were no reports tonight.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

New Business (Correspondence List):

6:08 PM

#1

TO : Board of Selectmen
FROM : Budget Committee and Selectmen
REF : Questions re: Budget

Mr. Beckert said that, in the agenda, there were questions from the BC and, from everything he had seen in his packets, there should be answers. He added that Mr. Blanchette had gone down through his.

At this time, Mr. Blanchette passed out handouts related to the BC questions. He said that what they had were some answers to specific questions on the memo page, then the revised budget that was dated 2/21, then what he called his summary budget, then the income statement and, then, the paperwork from Maritimes Northeast that the BC had asked for.

Mr. Beckert said to Ms. Davis that he suspected she and her committee would need time to digest some of this and didn't expect answers, or anything, tonight but her committee was meeting Tuesday night so they would have some time.

Mr. Dunkelberger said that, since they had the Budget Chair here, should they schedule a joint meeting to kind of get closure on this entire budget process.

Mr. Beckert said that they could and asked when he would like to do that.

Mr. Dunkelberger said that he would like to do it now so that that could help the BC set their meeting schedule.

Mr. Beckert asked the BC when they would like to try to do that.

Mr. Blanchette suggested the first Thursday of March since that was an off-Thursday for the Board; that that would be two weeks from now, so that would give the BC time to meet.

Mr. Dunkelberger asked Ms. Davis if that was enough time for the BC.

Ms. Davis said that she thought so, adding that they would have their meeting on Tuesday and, if she had any problems...

Mr. Beckert said to get them back to the Board as soon as she did and, then, the Board would try to address everything.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

It was agreed that the BOS and the BC would hold a joint meeting on Thursday, March 7th at 5:30 PM.

6:10 PM

Mr. Blanchette said that he had a few other answers. He added that they weren't questions directly directed to him but were indirectly to him. He said that one of them was why the large increase in the insurance in the Police Department. He explained that there were two things going on; one was that they hadn't settled the contract for the police so, therefore, the police officers were not paying the 5% - he called it a co-pay - on the single plan that the other employees were paying so he had to adjust the budget for that. He added that he then adjusted the budget for a possible increase next January of either 7% or 7.5%, he couldn't remember which. He said that that was why the Police went up more than the other departments. Mr. Blanchette said that, as far as all the departments, and he could get it to the BC and BOS, he had put in squiggle room in each department because of what might happen if they had an employee leave, or get married, or something during the year and it changed the cost to the Town; that they could not have absolutely no wiggle room. He said that the next question, in broad terms, was that the BC had asked if they could have a copy of the insurance bill and he said that he would discuss it with the Selectmen, because his answer was no, because it contained private information and could not be shared with the general public. He said that last year he shared it with the Chairman, and he assured Mr. Blanchette that he would not share it, and he did so, therefore, he was saying no this year. He said that, if the Board wanted to release it, then that was fine.

Ms. Davis said that she was not aware that that was shared and asked him to explain.

Mr. Blanchette asked her if the Chair didn't share it with her.

Ms. Davis said that he did share it with her but she was Vice-Chair.

Mr. Blanchette said, then, that he did share it.

Ms. Davis said that that was as far as it went.

Mr. Blanchette said yes, and he shared it and he told Mr. Blanchette that he wouldn't so, therefore, he was not releasing it. He added that the Board could.

Mr. Beckert said that the Board had to be careful where they went with information like that was privacy in nature; that that was part of the privacy law.

Mr. Blanchette agreed that it was private.

Ms. Davis said that, as Vice-Chairman, she had to run meetings sometimes.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Blanchette said that the Chairman should have told him that he was going to share it with anyone; that he assured Mr. Blanchette that he would not share it with anyone.

Mr. Dunkelberger asked if she was just looking for the numbers.

Ms. Davis said yes.

Mr. Dunkelberger asked if the Board could provide that; break out the numbers and provide the numbers.

Mr. Beckert said that that was what the Chairman should have done last year before he shared it with anyone else.

Mr. Blanchette said that he could certainly provide the numbers, adding that that would be meaningless.

Mr. Fisher asked how much of that was supposed to be secret and how much was supposed to be general public.

Mr. Blanchette said that one of the things that was on there was whether the person was married, or not; that marital status was private information.

Mr. Dunkelberger agreed; that it was the Privacy Act of 1974.

Mr. Blanchette said that that included saying whether it was a single plan or a family plan.

Mr. Fisher asked Mr. Blanchette, if he asked him for a family plan and an individual plan, would Mr. Blanchette refuse that.

Mr. Blanchette said no and he could tell him right now. He added that the single plan was about \$880 and the family plan, depending on the family because it was separated if one had a spouse or a spouse and a couple of children, varies from around \$ 1,300 to close to \$1,500.

Mr. Fisher said that, then, it wouldn't really be a big problem for him to figure out who was married and who wasn't.

Mr. Blanchette said that, if they gave him the details, then that was right and that was why they couldn't give them the details.

Mr. Fisher said that he couldn't give him how much an employee's fringe benefit cost.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Blanchette said no, that he couldn't because of that – because then he could tell.

Mr. Fisher said okay; that he understood what he was saying; that he didn't have to agree with him but he did understand.

Mr. Beckert asked the BC if they wanted figures; that they could give the BC figures but could not tie them to personnel.

Ms. Davis said that she would discuss it with her committee Tuesday.

Mr. Blanchette said to let him know what the BC wanted.

Mr. Beckert said that they could give the BC figures and number of personnel – this is the family plan and they have so many employees that fall under this and this is the single plan and they have so many employees that fall under that. He added that he thought that Mr. Blanchette could give them that and that was probably it.

6:18 PM Mr. Blanchette said that he would do that.

Ms. Davis said that that was fine; that they didn't have to have a name tied to it.

Mr. Pomerleau said that just for clarity's sake, if it was protected and exempt under a major right-to-know law, then it shouldn't be shared with anybody; plain and simple, either it was or it wasn't.

Mr. Beckert reiterated that he thought that they could pull figures out and give them figures with numbers.

Mr. Pomerleau said that there should be no personal information that anyone could retract from it; that that defeated the purpose of the law.

Mr. Beckert agreed that that was the problem; that they could tie it back to the individual. He said that the Board could provide the BC with exact family plan and single plan costs and the numbers that fell under each one.

The Board agreed.

Mr. Short reviewed questions he had been given from the BC for the Police Department. He said that a question that was asked of the Police Department was to put together a CIP that reflected funding for future facilities repairs and needs. He said that, structurally, the building, itself, was in pretty good shape but what he did was put a document together and sent back to Ms. Thain that showed some of

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

the things that they should be considering over the next couple of years; that none of them were big-ticket items but painting and carpet replacement and things they have already talked about. He added that, as he said in the initial meeting, they had a drug forfeiture of about \$10,000 that he thought would take care of a lot of the things the Police Department was looking at over the next couple of years. He said that, in looking at the structure of the building, the only big-ticket item that he saw, based on life expectancy, was that there would be a roof replacement that he estimated would be around \$10,000, and that was 10 years out. He reiterated that the building, itself, was sound, other than the wear-and-tear that he was seeing now. He said that one of the recommendations he made in this document was, in the hallway that was carpeted and a high-traffic area and in the patrol room, to go to a vinyl tile because he thought that they lasted longer and were easier to clean and maintain. He added that these were not a high-cost items and things probably within his regular general maintenance account that they would be able to pay for out of their regular building maintenance account.

Mr. Dunkelberger asked if the Chief was proposing to fund those items out of the \$10,000.

Mr. Short said, some of it, yes.

Mr. Dunkelberger said that that would cover all of it for 2013/2014 and, then, some items he could potentially move up to fill that gap.

Mr. Short agreed, adding also money that had been budgeted in general building maintenance. He said that, building-wise, he didn't see anything in that mid-range time that they really had to be concerned about, barring unpredictable emergencies like the boiler; that he didn't know, generally, what the life expectancy of that furnace would be; that it was close to twelve years old now but was running fine. He said that one of the things they looked at when they put the air conditioning system in was whether or not – in the electric hot water heater - shutting down the boiler would cause it to leak or cause issues with it. He added that they have had absolutely none. He said that, unless it suddenly broke down, he didn't see why that would have to be looked at being scheduled for replacement.

Mr. Fisher asked if Mr. Short had back-up electric or was he just running off the boiler.

6:20 PM

Mr. Short said that, for the hot water, they switched it from the boiler to electric because they didn't have a high hot water demand, adding that it was the feeling of the Energy Commission that the Police Department could probably save some money there. He said that the boiler was running continuously running hot water

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

through the modine heaters that they didn't use in the summertime and, this way, they have been able to shut it down.

Ms. Davis asked if Mr. Short was able to supply shift schedules.

Mr. Beckert said that he thought they were in that packet; that he had November through February.

Mr. Short agreed. Discussing the BC questions regarding zero increase to the budget, including employee expenses, he said that based on information they had, he thought that employee expenses look at being increased around \$24,000; likewise recommendations under #4 for cost-cutting measures in the event that State revenue-sharing was reduced. He said that #4, especially, was an unknown; that he thought that it would be difficult for him to project until they some numbers about what kind of cuts they would be looking at. He added that he didn't see anything other than there would be layoffs, if the cuts would be that substantial for his department, adding that they didn't have a lot of programs to cut. Mr. Short said, with the \$24,000, that he would continue to at least advocate that, right now, in sharing the Police Chief's position between Kittery and Eliot and in light of any potential revenue cuts and all those types of things, these are things he believed they needed to continue to look at because there could be a savings there. He said that he knew that the Kittery Town Council wanted to talk, at some point, about this process and where and how it was going; that he didn't know what turn that would take but he thought that, in light of those looming issues, that in any area that they could look at consolidating services would be the place where they were going to be able to make up for any potential reductions along those lines. Mr. Short said that the other part of that was that, if that was not going to ultimately be an option, then where that \$24,000+ came from was something that they would have to take a look at. He said that it could be as simple, in some respects, as extending the life of the cruisers even more to see how that would work; they could cut training; which would definitely impact the department; that there were places they could cut if they absolutely had to but they didn't have programs, they had people. He said that they have made substantial cuts in the budget over the years, absent that the cost of insurance was going up, they were under what they asked for last year and that was not including taking out the \$10,000 in the overtime that they talked about.

Mr. Beckert asked if there were any questions for the Chief.

There were none.

6:24 PM

Mr. Short remembered that there was one more thing he wanted to touch on. He said that he made a point of contacting Electricity Maine and the Police Department was in the process of having them do the billing for the electricity, which would be an 8% savings in their electric bill; that it wasn't huge money but

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

it all counted. He added that another thing he was looking at, right now, and trying to get an answer on was whether or not his department could join hands with Kittery in purchasing gasoline, buying into what they were doing; that it would probably be around ten cents cheaper than what his department was paying through Irving, adding that they did get a discount with Irving but, again, if it could be ten cents cheaper a gallon.

Mr. Fisher asked, regarding the electricity through Maine, if Mr. Short used to have the same thing the Town had.

Mr. Short said that they were going direct with Central Maine Power.

Mr. Fisher said that that was actually cheaper than the Maine Municipal (MMA) plan that the Town was in.

6:29 PM

Mr. Moulton reviewed questions given him by the Board and BC. He passed out his written responses to both. He discussed the Board questions first. After reading his response he said that using part-time seasonal staff had caused him to be short-staffed during storm events this past year and that he had to scramble.

Mr. Dunkelberger asked Mr. Moulton how close those numbers got.

Mr. Moulton said real close, almost zero. He said that he could get the exact figures.

Mr. Dunkelberger said that he would guess that the BC would be looking for those exact figures.

Mr. Moulton said that he would provide that. On question #3, he wanted to add that, as discussed last year, the Board asked him to use the summer maintenance line in lieu of a full-time position to do added work so, with the scope of the work predicted for the year, there were added hours in there, which he did not state. On question #4, he said that he did believe he added a quote from Libbey Scott, which talked about the cost of a bond, and he thought that would be further explained in question #7.

Mr. Dunkelberger, discussing question #7, asked what the maintenance mode cost was.

Mr. Moulton said that they would be looking at a yearly budget of approximately \$50,000 to \$75,000 on a line item versus \$250,000+, or \$400,000, or \$680,000.

Mr. Dunkelberger asked, with the numbers on the bond, if Mr. Blanchette knew what the annual cost would be.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Blanchette said that he didn't know; that it depended on how much they borrowed.

Mr. Dunkelberger agreed that they needed to get together on this and compare those two.

Mr. Moulton discussed the BC questions. On question #1, he said that he believed that was cut back and removed, per a request from the Selectmen. He added that that would be reflected in another copy of his budget. On question #2, he said that they were further into their budget so would have a better feel and could look to reduce those lines at this time, adding that Eliot was a seasonal community; that in the summer they had more waste and in the winter they had less so getting a transition over the summer/fall gave a better idea of what was being spent.

Ms. Davis showed Mr. Moulton a list of questions she had and asked him if he had seen them.

Mr. Moulton said that he had not.

Ms. Davis said that she thought that he had covered pretty much everything that was on the BC list except for three; that they were having a meeting on Tuesday so she would just reissue those.

Mr. Moulton said that he thought that he just got that information from Mr. Blanchette, as a follow-up, and he would get those plugged back into the budget and get a copy to Ms. Thain for the BC for Tuesday.

Mr. Pomerleau said that he had a general question; that Mr. Blanchette raised a reference to it earlier when he was talking about the Police Department not having the 5% increase in the employee contribution in the health care premiums last year. He added that, if they recalled, last year the Selectmen decided that they were going to raise the employee contribution shares of the insurance to 15% over a three-year period in increments of 5% each year – 5% last year, 10% this year, 15% next year. He asked if that increase to 10% this year reflected in the insurance budgets, which would show a decline in the Town's share of the insurance premiums; was that on-track.

6:45 PM

Mr. Blanchette said that the present request in the budget did not because they were facing union negotiations so, until they have finished union negotiations, then it was not reflected in the present request.

Ms. Davis asked if it wouldn't be a good idea to let people know what this year would cost, though, prior to union negotiations so that they had a comparison. She

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

asked if they could have some numbers reflecting that there were shared payments.

Mr. Blanchette said that, when he had a chance to do those, then she could certainly have them; that it took him, probably, a day and a half to do that and right now he didn't have the time to do that but, when he could get the time to do it, then he would certainly do it.

Mr. Pomerleau said that he had a general question on how they handled items like that pending union negotiation. He asked if anything was in place until it changed by contract; was that the way it was supposed to go and, if that was the case and since the Board made it part of their deliberations last year that the 10% increase was in place and slated to go through, was that not the way they would go forward pending union negotiations to the contrary.

6:47 PM Mr. Blanchette said that his understanding, according to their labor attorney, was that everything froze; that once the unions were certified, then everything was frozen, at that point, until they had a contract.

Mr. Pomerleau asked if that was both revenue and expenses for employees; did that freeze wages, step increases, everything.

Mr. Blanchette said that it froze everything, he believed; that that was his understanding.

Mr. Beckert said that they could confirm that with the attorney.

Mr. Dunkelberger said that he didn't know that step increases were included.

Mr. Blanchette said that he didn't know that step increases were.

Mr. Beckert said that cost-of-living increases were but step increases may not be.

Mr. Blanchette said that, in this case, they might because they didn't have a previous contract, as they didn't have the pay-scale adopted in the contract.

Ms. Davis said that a matter of concern was that, if the salaries were included in the budget for each department and there were only the bottom-line counts, ultimately, then if the Town reduced a line item for salaries but it was all mixed up with the departments' finances did that mean that the department was forced by a union contract to take the money from some other line item to pay for a potential increase and would it be advisable for them to remove salaries from the department budgets so that the citizens would have some say-so over what the

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

salary amounts were going to be. She added that, at this point, they were all mixed in and there was no control.

Mr. Blanchette said that his only comment was that it was put that way at the request of the BC. He said that it used to be that all the salaries were a separate article.

6:48 PM

Ms. Davis said that things with the union have changed, so, it was a new consideration and a new day and they had to alter their thinking, as a result. She added that she thought that the residents needed an answer to that question.

Mr. Dunkelberger asked if she was saying that they would have to change the job description.

Ms. Davis said no; that she was saying that, in the warrant articles, the salaries were in there as a line item and she thought that those salaries, potentially, needed to come out of the departments' warrant article and be put into a separate warrant article. She added that they needed to be included in budgets so that the people knew what the total budgets amounts were but, if they were all mixed in with the whole department budget and, as an example, Mr. Moulton said that he needed \$200,000 for road paving and the union contract increased salaries by a large amount, then he might be forced to take the money from the paving to pay the salaries and that may not be the intent of the vote at the Town Meeting.

Mr. Dunkelberger said that he was going to guess as to why the previous BC removed the salaries as a separate item, or recommended that.

Mr. Beckert said that, in the words of a former, previous BC Chairman who wasn't here tonight, it was so that the Town could get a better grasp on the overall cost of each individual department.

Ms. Davis said that that was what they needed but that fringe benefits weren't included in that now, either, and she thought that they would develop a system whereby they could inform the citizens; that they would issue a summary report of each department. She added that she did think that citizens would like to know this information and have it provided but they would also like the ability to control their budgets, as well.

Mr. Beckert said that he thought that the Board would have to take a look at that and see if they were going to go back in the other direction.

Mr. Dunkelberger said that he would like to compare the pros and cons before he commented on that.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

6:50 PM

Mr. Brandon said that he didn't think they had to look at it as going back. He said that he thought that if they could look at it as going forward and a way of arranging a level of transparency through the budget process with the new negotiations going on with the union; that that would give everyone a better sense of what they were doing so that it might eliminate some of the contentiousness that he was sensing; to see it going forward and the Board, in conjunction with the BC, could design a process so that the citizens felt informed and empowered to make the decision.

Mr. Beckert said that they would take a look at that; that they would have to discuss that further and, like Mr. Dunkelberger said, they would need to look at the pros and cons.

Mr. Pomerleau said that he thought that she raised a good point because that was the thing that had confused him right from the beginning with these union negotiations and how they would impact his right, as a citizen, to decline whatever they wished to have in their contract. He added that, ultimately, the law was not taking the power of the budget away from the citizen; that they had that right and, when they got to that Town Meeting, there needed to be a vehicle there that said, here is what they negotiated - the citizens rejected it; that if that was complicated because it was rolled into an overall budget where, as she said, department heads were now forced to remove funds from some other aspect for the contract, then that just wasn't right. He said that that was taking legislative power away from citizens to decide at that Town Meeting what the budgets were going to be.

Mr. Beckert said that the Board probably needed to ask that question of MMA and, if not them, then the attorney, on how that was handled, adding that he didn't even want to guess that it may be a complete vote-down of the budget, period. He added that he didn't know how the school did it, because they faced the same situation with union negotiations and how it was handled, as far as budgeting. He said that these were good questions and the Board would have to seek some answers.

Ms. Davis said that she thought that there was a perception that, because there were line items in the warrant article, people felt like they were assigning certain sums of money to each of those line items and she was educated a few weeks ago that it was simply the bottom line that counted and, so, that put a different complexion on the one article.

Mr. Beckert said that the Board would seek the information necessary. He asked if there were any other questions for Mr. Moulton.

There were no other questions.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

#2 TO : Board of Selectmen
 FROM :
 REF : Selectmen Budget Recommendation

Mr. Beckert said that he thought that they had all received information tonight that they needed to digest; that there had been additional questions that have come up they needed to seek information on, and answers, so he would think that the Selectmen would put this back on the agenda for next week's meeting, as a topic of discussion.

The Board agreed that this should be put back on next week's agenda and that they seek information.

#3 TO : Board of Selectmen
 FROM : Maine Town City, and County Management Association
 REF : Award Nominations

Mr. Beckert asked Mr. Blanchette to brief everyone on this.

Mr. Blanchette said that this was just a yearly thing and was informational.

At this point, Mr. Beckert said he was going to back up to the budget discussion. He said that they did have and, hopefully, they had a copy for Ms. Davis; that there was some more information sent forth from the ECSD Director but she unfortunately couldn't be here tonight due to personal reasons. He added that, hopefully, Ms. Davis had that in her packet so that the BC could review that, as well, on Tuesday.

Ms. Davis said that she did.

Mr. Beckert said that, as with the others, if the BC had other questions that came out of that review please get them to the Board as soon as possible.

#4 TO : Board of Selectmen
 FROM : Charles Rankie
 REF : Committee request for funding

Mr. Beckert said that Mr. Rankie was present and that they had his correspondence. He said that Mr. Rankie had sent them a letter back in June of 2012 concerning appropriations from Town committees, specifically, the Conservation Commission (CC), and writing a report to the Town. He added that they had another reminder in here to look at that and invited Mr. Rankie to speak.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Rankie said that the Board said that they would do it and he wanted to remind the Board of that. He said that his feeling was that any department, board, commission, or committee that got any money from the residents, then they should report to the residents. He said that when they looked at the Public Health Officer, as insignificant as some might feel \$450 was and he thought Ms. Darr gave most of it back, she wrote a report, adding that, if a group wanted money, then they should write a report. He added that the only opportunity the residents have...as a matter of fact, while he was sitting there he noticed that the BC didn't write a report. He said that everyone knew what the BC did but he didn't think the BC had a report, which he didn't notice in the past. He said that he did pick on the Conservation Commission because he used to write the report for them and he actually found no excuse whatsoever that a committee or a commission couldn't submit a report to the people of Eliot on how they were spending the people's money and what they did; that it was a great opportunity to blow their horn, if a group was doing something and, if they were not, then maybe that was why they didn't write something; that he didn't know. Mr. Rankie said that he thought that the Board had the authority to enforce that.

Mr. Beckert said yes and that they would; that they would reiterate that with the different boards and committees that that information and their reports needed to be in to Ms. Thain by the 15th of April, he believed.

Mr. Murphy added or earlier. He asked Mr. Rankie if he was emphasizing that he wanted a cost and expense report of what they did with the money or just some kind of a story.

Mr. Rankie said it would be about what they were doing and what they saw; that, in fact, he would have said something about the CC at the Town Meeting but he felt the Johnson Farm article was so important that he didn't want to throw any mud at the CC but it would have been a great opportunity for the CC to have said what they were up to and promoted the Johnson Farm article that went right through without any discussion, adding that he was really surprised at Town Meeting that it went through without any discussion. He added that it was a good thing to do but it was an opportunity for them to tell the residents what they were doing and, perhaps, the only opportunity. He said that most boards, committees, and commissions posted an agenda and some didn't so people didn't even know what they were doing, if there was no agenda, which would make another memo on another day to the Board.

7:00 PM Mr. Moynahan returned to the BOS meeting at this time.

Mr. Beckert said that he would relinquish the gavel back to Mr. Moynahan.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Moynahan said no; that he thought that, for seamlessness, if Mr. Beckert could continue, as he started this process, that would be great.

Mr. Beckert continued as Chair for tonight's BOS meeting.

Mr. Beckert asked if there were any comments on Mr. Rankie's letter from the Board. He said that he thought it would behoove the BOS to send out another reminder to all the boards, committees, and commissions and emphasize the need to send in a report for the Town Book.

Mr. Rankie recommended the Board put some teeth in it – no letter, no money; it was that simple.

Mr. Dunkelberger said that he was just going to suggest the same thing.

Mr. Beckert asked if all the Board members were in agreement.

The Board was in agreement.

Mr. Moynahan said that the March 28th was the Board's drop-dead deadline so they should have that same timeline.

The Board agreed.

Mr. Beckert asked if Mr. Rankie had anything else.

Mr. Rankie said that he did not.

Mr. Beckert thanked Mr. Rankie.

Mr. Rankie said that he wanted to thank the Board for the work that they did; that they had a lot of things thrown their way and gave a lot of time. He said that he was late for supper, himself, tonight and couldn't imagine putting in the time that the Board, and the BC, did put in and, as one citizen, he appreciated it.

#5 TO : Board of Selectmen
 FROM : IMA
 REF : Update

This was already discussed.

#6 TO : Board of Selectmen
 FROM :
 REF : Proposed Capital Improvement Master Template

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Beckert asked if Mr. Dunkelberger had an update on this.

Mr. Dunkelberger said that he forwarded a copy to the Chairman.

Mr. Moynahan said that he did not think he brought that file with him tonight.

Mr. Dunkelberger said that he did put it together; that he did not have the Police Department numbers. He said that he would add the Police Department in with a note, based upon their discussion tonight.

Mr. Beckert said okay and asked Mr. Blanchette to carry that onto the next BOS agenda.

Mr. Hirst asked if Mr. Dunkelberger had Fire Department information.

Mr. Dunkelberger said yes.

Mr. Hirst asked if it included one truck or two.

Mr. Dunkelberger said one.

Mr. Hirst said that he would see that Mr. Dunkelberger got the information for the second vehicle.

Mr. Dunkelberger said that maybe they ought to look at leasing. He said that he just noticed, reading a paper that either Berwick or South Berwick mentioned the money they were paying for a lease and he thought it was pretty interesting, because it was a lot less than what Eliot was putting in.

Mr. Hirst said that he thought that it should always be an option that was explored every time.

#7

TO : Board of Selectmen
FROM :
REF : Budget Templates

Mr. Beckert said that this was regarding budget templates – administrative – three years requests, three years actual – a request to create a consistent form.

Mr. Moynahan said that he had put that on there because, in reviewing the budgets this year, there were still some discrepancies from each department; in trying to get this to be a more user-friendly format he thought they used the format that seemed to offer the most information, which was Administration; which was three years of past expenditures, three years of appropriations and the

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

budget requests for this year. He said that, if they could forward that template on to everyone, then he thought that should be...that was their goal, this year, to have a consistent format.

Mr. Beckert said that that should be the norm from this point, forward, then.

Mr. Moynahan said that it didn't come through that way, unfortunately, this year, but he thought that if they got started early enough on they could have that ready for departments next year.

Mr. Dunkelberger said to include the CIP from the get-go.

Mr. Beckert agreed that that should be an automatic part of their submission.

Mr. Hirst said even if no contributions, per year, were requested, like the Police Department CIP; that they still should have one for the long term.

Mr. Moynahan said that that was echoed in the letter that went out to each department of what they were required to submit; that there were some things missing and 11th-hour items submitted.

Mr. Beckert said that that should be the goal, to make everything consistent, and the submissions should include their CIP's right up front.

#8

TO : Board of Selectmen
FROM : Mr. Robert Pomerleau
REF : Items requiring Executive Session

Mr. Beckert said that they had two letters in their packets from Mr. Pomerleau; the first one dealing with meeting protocol and the second dealing with executive sessions.

Mr. Moynahan said that he would speak to the first one. He said that the By-Laws for the BOS were forwarded on to me after this question was raised the first time. He added that he did believe he acknowledge that he did err in his comments; that that was his understanding that that was the way it was handled for a request for public input, once a motion was on the floor, and he was incorrect with that statement. He said that, in the future, that comment shouldn't be said to those folks and Mr. Pomerleau was 100% right with the By-Laws and Rules of the BOS, as he had indicated in his letter.

Mr. Beckert asked Mr. Pomerleau if he had anything else on that.

Mr. Pomerleau said no, that that was fine.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Beckert said that the next letter dealt with the executive session and talked about permitted deliberations and read the applicable language, “ *6. Permitted deliberation. (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual’s reputation or the individual’s right to privacy would be violated;*” He then read Mr. Pomerleau’s letter and asked Mr. Blanchette if he had any comments on this, adding that he knew that the Town Clerk had been on the phone in numerous discussions with the Attorney’s General Office about some of these issues but he didn’t know if this particular one was part of that, or not.

Mr. Moynahan said that he could speak to this, at least about his involvement. He said that, typically when there was a request for an executive session, they sat down and discussed the content and the matter and they made a decision whether or not they thought that it should be in open meeting or at least the starting portion of that in executive session. He said that he and the Administrative Assistant made the determination if they felt it would jeopardize a person’s perception, and all that; that they went through that a week before when they set the agendas; that they reviewed the information and deemed what they thought, legally, would be allowed or not allowed in executive session so, if there were questions marks about that...there always have been since he has been on the Board; that not everyone knew what the entire content was nor should they.

Mr. Blanchette said that he would like to comment, also, that the Board held itself in check and have done so, appropriately, as discussions went on in executive session. He said that they did, he wouldn’t say meander, but they did go from one specific item to, sometimes, broadened but, if they recalled and he forgot if it was the last executive session, when several people mentioned, he thought it was Mr. Moynahan, that they were approaching where it was not executive any longer and they needed to come out. He said that the Board has consciously regulated itself while in executive session on numerous times. Mr. Blanchette said that, while he thought that the comment was appreciated from Mr. Pomerleau, he didn’t know what was discussed in executive session and, therefore, Mr. Blanchette said that he thought the executive session was held consistent with the State law.

Mr. Pomerleau said that he still really disagreed with that and he has done a lot of research in this category and found a lot of references to similar activity. He said that when one read that definition about privacy and embarrassment, how filling a vacancy fell into that criteria was a mystery to him, even though there may have been some discussion prior to that, that particular discussion, itself, whether they were going to fill that job, clearly should have been done in public session; as was, in his view, the decision to allow the Chief to work for Kittery; that there was nothing there personal; that this was about what the Town was not allowed one of its positions to do. He added that, in categories of general administration whether the positions should be upgraded or downgraded or wages increased,

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

none of that belonged under executive session; that that was all public information and he would like to put that into the context of the Freedom of Access Law, which was where this all came from and he read, Title 1, Chapter 13, Public Records and Proceedings § 401. Declaration of public policy; rules of construction *“The Legislature finds and declares that public proceedings exist to aid in the conduct of the people's business. It is the intent of the Legislature that their actions be taken openly and that the records of their actions be open to public inspection and their deliberations be conducted openly. It is further the intent of the Legislature that clandestine meetings, conferences or meetings held on private property without proper notice and ample opportunity for attendance by the public not be used to defeat the purposes of this subchapter. This subchapter does not prohibit communications outside of public proceedings between members of a public body unless those communications are used to defeat the purposes of this subchapter. This subchapter shall be liberally construed and applied to promote its underlying purposes and policies as contained in the declaration of legislative intent.”* He said that in the first line under the executive session section of the law it said that one would construe executive sessions to be consistent with the legislative intent, as he just stated, and that was to be as open to the public as they could possibly be. Mr. Pomerleau said that they did not want secrecy in government; that nobody wanted to know the private matters of every Town employee, he was sure, and would prefer to give the Board a great deal of deference in that judgment, but he thought that the Board had gone overboard in this category of personnel – labeled it personnel and away they went into executive session. He added that he thought that the Board needed to seriously reexamine their understanding of what was appropriate and what wasn't.

Mr. Dunkelberger said that he understood what Mr. Pomerleau was saying but there were ripple effects on every decision that may ripple into other areas, which needed to remain private, as pointed out, by the legislative intent, and as Mr. Pomerleau has pointed out. He added that he wholeheartedly agreed with Mr. Blanchette in that the Board did hold themselves accountable for what they do and would not do in executive session.

Mr. Blanchette said that he did have a lengthy discussion today with someone from the Attorney General's Office and they specifically discussed this executive session. He added that he couldn't speak for her but he believed that, when they stopped their discussion, she understood that the Board had, correctly, gone into executive session.

Mr. Beckert said that, if need be, the Board could seek more guidance from the Attorney General's Office. He reiterated that he knew that the Town Clerk had been dealing with them on some other issues that Mr. Pomerleau had raised and he didn't know if this was one of them, or not. He said that, as far as he knew at

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

this juncture, the Attorney General's Office and that particular representative had no issues with anything that has been done by the BOS or any other Town employee at this point on any questions that have been raised.

Ms. Adams said that she didn't have any idea what the retirement issue was but asked if it wouldn't it have been better for the BOS to have openly accepted the retirement of an employee, because that was ultimately what the Board came out and said the person was doing; that, then, if they needed to go into executive session because of some other issue with it or some other thing they had to do with that particular situation...the retirement of an employee was a retirement and it was an open thing. She added that, to her, that made people wonder – that was the executive session; that somebody retired – and it didn't seem necessary to do that.

Mr. Beckert said that he thought that, as Mr. Blanchette has said, the assumption was there that that was all that was discussed about that particular case in executive session and it may not have been. He added that, personally for him, going into that executive session he had no idea that the person was retiring and, like he said, everyone was assuming that that's the only thing discussed about that employee in executive session.

Ms. Adams said that when Mr. Fernald retired from the BC that was straight out in the open and it just seemed like that that wouldn't have caused such a stir with coming out that someone retired.

Mr. Beckert said that the Board could take the concerns under advisement; that they could refer their questions to the Attorney General's Office, like has been done, and take the advice of the Attorney General as to whether the Board has erred or would err if they entered into these types of executive sessions and, so far, what he was hearing was that they have not erred.

Mr. Fisher said that the only question he would have raised on this particular item was that it all depended on who phrased the question what the attorney was going to give them for a return of what he was going to tell the Board. He added that it was very important to lay out what it really was and get a real truthful answer to it. He said that one other thing was, for instance, the school department never fired a teacher but always gave a teacher the opportunity to resign because she might want to go get a job someplace else, so, they never fired a teacher and when he was on the school board that was what they told him to do – never fire a teacher, always give them an opportunity to resign, they resigned and that was the end of it. He said that when he heard about the lady retiring and the Board went into an executive session on it, he thought that that wasn't an executive session and there must be more to it; that there must be something wrong with this

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

situation and, instead of retiring, they might be giving her an opportunity to retire; that that was what he got out of it, which wasn't good.

Mr. Blanchette said that, to waylay Mr. Fisher, Mr. Pomerleau was the one who asked the question of the Attorney General's Office so he didn't ask the question of the Attorney General's Office.

Mr. Fisher said that he thought Mr. Blanchette said that he called up the Attorney General and got somebody from that department to give him an answer.

Mr. Blanchette said no, that wasn't what he said. He said that he talked with someone from the Attorney General's Office; she initiated the call.

Mr. Moynahan said that the information presented was the responsibility of the Administrative Assistant and the Chairman to review the information to see if it was something that should be out in the public, or not, so they were very careful with all of that. He added that they didn't just say they were going to have ice cream and cookies behind closed doors and not let anyone hear what they were talking about. He said that that was part of their job responsibility and he, for one, took that very seriously about what they were asked to do here.

7:15 PM
#9

TO : Board of Selectmen
FROM : Grant Hirst
REF : Chief Financial Officer

Mr. Hirst said that they had a set of minutes where Mr. Donhauser gave the Board a great many recommendations on what the Board should do about their financial reporting and management of paperwork and he just wanted to be sure that they spent time re-reading that. He added that they also needed to talk about hiring someone to actually fulfill the position; that he said the other night that he thought that a town manager, should they get one, should have the qualifications and the time to do that and he has been told that he erred on that; that it was not really possible for one person to do both jobs and do them justice.

Mr. Moynahan said that the recommendations were on next week's agenda, as he told Mr. Hirst last week and, as far as the position, that was open for discussion; that that was a budgetary item this year and that he had his budget suggestions prepared for later in the meeting, as well, and one of them spoke to that. He said that he thought that they all interpreted that requirement a little differently; that some people interpreted it as a \$100,000/year position and, in his personal opinion, it was not, and he would speak to that later in the meeting.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

7:20 PM
#10

TO : Board of Selectmen
FROM : Joel Moulton, Public Works Director
REF : Compensation

Mr. Beckert said that this was basically a request to look at putting Mr. Moulton's position back to a salaried position versus an hourly position, as he was a department head, which would deal with several issues that the Town looked at when one had a department head at an hourly rate; that there were overtime issues and stuff like that that the labor attorneys were telling them that kind of crossed the line with where one should be with department heads earning overtime and things like that. He added that he thought this was something they really needed to look at. He invited Mr. Moulton to speak.

Mr. Moulton said that this was a request put by him to do so for a couple of reasons. He said that, when he was hired, he was hired as a salaried department head and, of no request of his, he was converted to an hourly rate; that that was the decision of the BOS at that time and no request of his. He added that it would save the taxpayers money because of extra taxes and things like that that had to be paid on overtime. He said that he was a department head and, as they unionized, that needed to have a clear line in the sand drawn between him and his employees; that they were hourly and he was salaried and it clearly defined the differentiation between them. Mr. Moulton said that it has been his request to have the BOS look at it, take it under advisement, and see where they went with it prior to budget season to see if it would save any money.

Mr. Moynahan said that he was not part of converting this to an hourly position. He added that he felt strongly that a salaried position with all department heads was key; that he has always stated that and he always would. He said that he thought this letter summed up a good responsible approach to this in correcting that.

Mr. Dunkelberger said that he agreed with Mr. Moynahan.

Mr. Murphy said that he agreed with Mr. Moynahan and thought that Mr. Moulton's request was very sensible and that they should quickly act on that.

Mr. Hirst said that he agreed 100% and he thanked Mr. Moulton for bringing this to their attention.

Mr. Pomerleau said that he agreed, too; that when he looked at that he was absolutely amazed, that a wage survey for 2011. He added that the only department head they ever saw that were hourly were only those that were not

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

working full-time, which made sense. He said that a full-time department head should be a salaried position, he absolutely agreed 100%.

Mr. Beckert said that he thought that the whole Board was in agreement, adding that he didn't know if they wanted to further discuss particulars tonight or digest his letter and, like was said, they were moving into finalization of the budget.

Mr. Moynahan moved, second by Mr. Hirst, that the Board of Selectmen, at a minimum, convert Mr. Moulton back to a salaried position, effective July 1, with the salary to be negotiated.

DISCUSSION:

Mr. Moynahan said that they have a couple of recommendations or the Board could come up with a salary total this evening; that Mr. Moulton has given the Board some options. He added that he had reviewed them but he didn't know if everyone else had or had any thoughts on where that should be.

Mr. Beckert said that he had a motion and a second to put Mr. Moulton back to a salaried position effective the first of the new fiscal year and that salary to be determined through negotiation with him between now and the finalization of the budget for the fiscal year.

There was no more discussion.

VOTE

4-0

Chair concurs

Mr. Beckert said that further discussion would ensue but Mr. Moulton would go back to a salaried position.

Mr. Moulton thanked the Board.

#11

TO : Board of Selectmen
FROM : Memo from Selectman Moynahan
REF : Letter of support for Sewer Project

Mr. Beckert invited Mr. Moynahan to speak about this.

Mr. Moynahan said that he put this in their agenda last week and were just some thoughts that he had as they were moving forward and sitting with different committees and trying to get some information on paper. He added that they were putting this to the voters in June and, at some point, he thought that the Board should take a stance on it, to endorse this project, or not; that, if they endorsed it,

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

why, who have they had involved with it, what were some of the factual pieces between the start of this and where it was going to be in June. He said that he drafted something very quick for people to critique, look at, comment on, and it may be something that no one cared to look at.

Mr. Beckert asked if there were any comments from the Board.

Mr. Murphy said that he has looked through it and, to him, it was a good draft. He added that they could improve, perhaps, before it became the public document that the Board would want to use it as. He thanked Mr. Moynahan for aligning them all together; that it made some very good points. He suggested that they continue it and have it at their next meeting, or the meeting after that, to finalize something like this.

Mr. Hirst asked what manner this would be put out in and roughly when.

Mr. Beckert said that that was something that the Board would have to discuss.

Mr. Moynahan said that they had so many public hearings coming up and they were going to be asked a lot of questions – Who did you hire to do this? How did you come up with this? Why do you think this is a good deal for the citizens of Eliot?; to just guess and speak individually, he thought that they should collectively come up with why they thought that this was a good project, who they've contacted, and that sort of thing; that that was his approach with this.

Mr. Hirst asked when Mr. Moynahan thought that this should be presented.

Mr. Moynahan said during the public hearings; to have it prepared for those.

Mr. Hirst said okay; that he thought that was fine.

Mr. Dunkelberger asked if he could put together a few points to add some more meat to it.

Mr. Moynahan said absolutely; that this was just a draft.

Mr. Beckert said that he thought that Mr. Murphy had some or would have some.

Mr. Murphy agreed.

Mr. Blanchette suggested that Mr. Moynahan email this to Ms. Thain, and the members could email their suggestions to her, then she could put it all together for the meeting.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Brandon asked, when they finalized it, could it be put on the Town website so that the citizens had a chance to review it before the public meetings.

The Board agreed that that could be done.

Mr. Moynahan said that they had a page on the Town website for the June referendums, and all that, currently.

Mr. Pomerleau said that he had no issue with what the Board wanted to do, as long as it was factual. He said that he took issue with one of the statements, recognizing that it was only a draft, that this was going to be self-funding through the TIF completely and there was a spreadsheet to back that up. He added that he knew the spreadsheet and there were a lot of presumptions in it that were not accurate, such as they used the mil rate of 13 instead of the original TIF document that used 12; he used the million dollars less than the loan amount, which the Board has not yet decided and that would have a substantial impact; that there was no accounting for any depreciation, as they had discussed before from the gas plant over the next thirty years, in that spreadsheet. He said that before they got down to stating that this was supported by the spreadsheet, they needed to make sure the spreadsheet was factual.

Ms. Davis said that she would just be interested to know if it would be a factual...presenting both sides of a particular topic; if there was an upside and a downside were they going to list both of them for people or were they just going to come out wholeheartedly in favor.

Mr. Dunkelberger asked Ms. Davis what her committee was doing.

Mr. Murphy asked if the BC was giving both sides.

Ms. Davis said that she didn't know; that they had not come to a consensus; that they didn't seem, as yet still, able to arrive at a consensus.

Mr. Dunkelberger asked if it was because they were disagreeing merely on opinions on content or...

Ms. Davis said that at the last meeting they didn't want to combine the pros and the cons into a single report; it seems, slightly, to have become divisive so, if the Board was going to address this, perhaps, on their own, then she was wondering if, maybe, both sides of the issue could be addressed in that way.

Mr. Moynahan asked if Board members had cons, or pros, that they would like to add; that this was a draft form and some of this stemmed from sitting through some of those meetings and them not being very productive in moving forward;

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

that he was looking at timelines coming up and public hearings; that they had to get something out there. He said that the failures of that committee to come together were really what prompted him to present something to the Board on his own, independently.

Mr. Beckert asked if the Board should assume that they were not going to see anything from that committee.

Ms. Davis said that, at this point, she didn't know. She added that, largely, it couldn't proceed until a couple of the public hearings occurred because, in order to produce a factual report, some of the data had to be presented; that they were waiting, primarily, for Underwood Engineering; that they didn't have any of the sewer fees or any of the projected costs of some of this so they really couldn't address all of the issues. She added that she thought that a report could be forthcoming but she was wondering how it all tied in together, then, with everything or should they all put out various reports and let the people consume different approaches, perspectives.

Mr. Dunkelberger said that that may not be a bad idea.

Mr. Pomerleau said that he tried to answer some of the questions with the committee and, obviously, they had one group who was strongly in favor of this and there was another group of them who were opposed to it and coming to consensus and a meeting of the minds has been, to-date, impossible. He added that, having said that, was it likely they could produce something for the BOS... yes, they could but it would not come as a consensus of the committee; that there would be the pro side and there would be the con side. He said that it would be left in the laps of the BOS to decide if it seemed factual, or not. He said that, from the con perspective, he knew where it was going to go, but it needed facts before it was finished. He said that they needed to know if there was going to be depreciation from that plant over thirty years, or not; they needed to know precisely what the Board was going to use for a loan amount; they needed to know what the costs of the sewer and upgrades were going to be down the road. He said that there were some facts necessary before he would want to put his name on any kind of a document that said "This is the position." Mr. Pomerleau said that that was not going to come until after Underwood and Peabody had done their things and after the Board decided how much the loan amount would be; that that was a critical piece of information and a million dollars, as he said, was \$100,000/year and that was a swing factor with the case for it or not that alone was enough to change that piece in this presentation that he gave tonight that it would pay for itself; that it may not. He said that that was where he thought that they were headed; that he didn't think the Board was going to see something come from their committee where they had agreed that 'these' were the pros and 'those' were the cons.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Beckert said, assuming they had all that information, how long did they foresee the committee coming up with their report, whether it was consensus, or not; how long did she see that taking. He said that the Board could sort of anticipate the timeline of, hopefully, when they could expect information from Underwood and Eaton Peabody and that way they would have a basis of, "Okay, we've got the information, the Route 236 Expansion Committee has got it now and we can expect a report from them in one week, two weeks, three weeks." He said that that was what he was asking because Mr. Moynahan was right; that he had come up with this draft; that time was of the essence with any of these things; that they wanted to put out the information as soon as they could so that the voters had time to digest and form an opinion one way or the other.

Ms. Davis asked if they were still on target for getting the Eaton Peabody report at the end of this month.

Mr. Blanchette said right, next week.

Ms. Davis said the Underwood Engineers public hearing was on March 14th.

Mr. Moulton said that, for the Underwood portion of it, he had discussions with them this week. He added that he has been providing them with information so that they could look at what the rate payers were going to be paying in relation to everything; that all that information was forthcoming and would be coming very soon; that he got the last of the information to them today. He added that, in a week or two, he thought their report would be coming to the BOS.

Ms. Davis asked if that information was something that they could have prior to the public hearing.

Mr. Moulton said that he did believe so, yes. He added that he would follow up with a phone call to them tomorrow.

Ms. Davis said that that would be great.

Mr. Dunkelberger said that the question on the bond amount was just basically whether or not the Board was going to use that million dollars that was currently sitting in the TIF, correct.

Mr. Moulton said that he would have that discussion with them this week as it related to that amount and they were comfortable for this fiscal year that that amount they had set of \$6.5 million was adequate at this time. He added that, should the TIF get extended beyond June, then they would be looking at, possibly, a change due to inflation.

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

Mr. Beckert said that the last cycle, when they tried this the last time, there was the possibility, beyond the bond, of a low-interest loan, as well, folded in there and asked if that was still there, as well.

Mr. Moulton said that that was still a possibility, it was still available.

Mr. Pomerleau said that he had a question on the bond amount. He said that any information from Underwood that they were really comfortable with their projections on cost...that he would be shocked that a project of that size did not run into cost overruns. He added that it certainly had to be within the realm of consideration. He said that he would like to know from the Board that, if they were fixed with the amount that they borrowed and it ran over by a million or two, then what; was it back to the voters.

Mr. Dunkelberger said that, normally, a budget submittal would include a 10% factor and that was an industry standard.

Mr. Blanchette said that, if the article was to approve a \$6.5 million construction project, regardless of the bond amount, that was the maximum the Board would have the authority to expend regardless how much money was in the TIF funds, so, the key item was not the bond amount versus what was in the TIF, clarifying that for borrowing purposes it certainly was, but, the total expenditure amount was capped by the article; that the Board did not have the authority to spend \$1.00 more than that, period.

Mr. Dunkelberger added nor beyond whatever was approved in the article.

Mr. Blanchette agreed that the Board did not have the right to expend monies in the TIF beyond the article amount.

Mr. Moynahan said that he thought that they had said all along that they would construct what they could, based on their designs, up to that \$6.5 million; that there could be a chance that more would be constructed and there was a chance that 77 feet less than what they planned was done.

Mr. Dunkelberger said that during the entire process the TIF was still collecting money.

Mr. Blanchette said that that was correct. He said that they talked about that they have \$1 million but at the end of this fiscal year they were going to have almost \$1.5 million and, then, by the end of next year, which was when they would need the money they would have close to \$2 million. He said that the sewer project they did some 20-odd years ago – that it was exactly that – they went out to bid on Phase I and that came in substantially under so, then they went out and did Phase

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

II because the overall construction costs allowed them to do that, and beyond Phase II, as a matter of fact, there was a Phase III that was a much smaller because the bid price for I and II came in under the overall total. He said that that was how it had been done in the past.

Mr. Murphy said that Mr. Blanchette was saying that, at the beginning of the whole project, there was a fixed amount of money that the feds were going to supply and the Town sort of stayed under that because each of the phases cost less.

Mr. Blanchette said yes; that the BOS had an overall article to expend X number of dollars; that the first contract came in substantially lower so they went out to bid for Phase II and that came in still lower than the total so they were able to go to Phase III. He said that, for example, Phase II was to redo the Village area down in South Eliot. He added that the original was just to tie in the system into the new system, but use the old system, then the second phase redid all of the old system because, of course, it had a lot of clay pipe and it was wise to do so.

Mr. Murphy said that it included a lot of stormwater, too.

Mr. Blanchette said right; that the old system included all of the stormwater for Clay Village then that separated at least some of the stormwater.

Mr. Dunkelberger said just to reiterate Mr. Pomerleau's question about what if they went over; that from what he understood from what Mr. Moynahan was saying was that Underwood, as the prime contractor, was planning to go as far as the Town allowed it to go with the funds, if the Town voted in the warrant article, so, there really was no vehicle for them to go over.

Mr. Beckert and Mr. Blanchette agreed.

Mr. Dunkelberger said that it would only be if the Town wanted them to do more that they would have to go back to the Town to vote an additional amount out of the available TIF funds, which sounded like there was 20% of the bond value at \$1.2 million.

Ms. Brandon said that, on the pros and cons conversation, she wanted to put a vote in for pros and cons; that they were great and if she saw only one side of an argument her brain started, right away, going to the other side. She added that, if people have thought out pros and cons, she loved that and hoped that was the form it took, otherwise, it was only like a car salesman telling them only the good things about the car. She said that her other comment was that it was interesting about the project; that it was kind of like they voted so much for a building and the builder said that he would build as much as the money would do so they ended

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

up with half a building, then, they kind of had to go to vote money to finish the building.

Mr. Beckert said that or, as Mr. Blanchette said, it could go the other way if things came in less, then they could go further.

Ms. Brandon agreed, saying that then they could get a building and a garage.

Mr. Dunkelberger said that the big difference here was that it was not a building, it was pipe, so, instead of a mile of pipe, they might have 9/10's of a mile of pipe or they might have 1.2 miles of pipe.

Ms. Brandon said that she wasn't sure what the consequences would be, if they were trying to get the pipe to do certain things.

Ms. Davis said that she was confused about the numbers because, if they came in under on the first sewer that was constructed and they built more, then, 20 years later they were still paying \$48,000/year on it, so, that didn't seem like under.

Mr. Beckert said that there was a little refinancing situation there, too, with the federal government that caused problems.

Mr. Blanchette said that the overall construction of the overall project came in under what was approved by the Town to build; that the financing of it was a whole different issue. He said that they financed their portion of the project, which ended up to be about 15% of the project over a number of years and, now, they were paying that off. He added that he wasn't sure what her question was; that that was like any bonding.

Ms. Davis said that she guessed she needed to see a clearer picture; that she had not actually ever seen any total numbers on the sewer and how all the financing worked out; to hear everybody say that it came in under the amount but, yet, 28 years later they were still making payments on it, it didn't seem like such a good deal, somehow. She added that she realized that there must have been other factors involved, here, but she saw where things could go wrong and it wasn't all such a rosy picture all the time. She said that she was advising caution when she saw things like that.

Mr. Pomerleau said that the only reason he raised the point of cost overruns because, in the Board's deliberations as to whether they wanted to borrow \$5.5 million or \$6.5 million or use the \$1 million in the reserve to lower the loan was that, in the event they had further costs, would the Board feel more comfortable going back to the voters and asking them for permission to spend money in the bank or would they prefer to go back to the voters to ask them to borrow more. He

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

added that it wasn't quite as simple as that it was a no-brainer of taking the \$1 million and putting the loan down; that that was a cushion against cost overruns if they didn't use it, up front. He added that, if they used it up front, then they had to go back to the voters for, possibly, another loan.

Mr. Beckert said that it was just looking at another form of contingency.

Mr. Moynahan said that he thought that the language of that warrant would be – “Does the Town support a \$6.5 million sewer expansion project with a \$5.5 million bond and utilizing the balance of the TIF amounts?” He said that they still had the \$6.5 million umbrella; that they were just bonding less and still using all the TIF funds.

Mr. Murphy added or using the State loan fund as a third leg in it.

Mr. Beckert said that he thought that they needed to get all the numbers from Underwood. He added that, as soon as the Board had that information, they would make sure Ms. Davis had it for her committee.

#12

TO : Board of Selectmen
FROM : Dan Blanchette
REF : Warrant to be signed

This was previously discussed.

At this time, Mr. Beckert asked Mr. Moynahan if he wanted to go back up to Budget Recommendations, adding that they had gotten some new information tonight from the department heads; that they answered some of the questions and everyone agreed that they were going to digest all of that and have that line item back on the Board's meeting for next week; that if Mr. Moynahan had some other stuff for this, then, by all means...

Mr. Moynahan said that he had created some of his own personal budget recommendations, which, if they were going to bring it up next week, then he could email it to everybody and give the BC his thoughts, also. He added that one of the items, though, that Mr. Hirst had brought up was on there about his thoughts on the Administration piece regarding the \$111,000 request increase and the third page was for all departments for next year's budget cycle, and for potential policy changes – adopt a new hire policy with employee contributions toward health insurance, showing it at 20%, and have some type of policy for current employees - a 10% and 15% co-share. He added that, if there were wage and job description surveys being completed, then adopt a performance-based

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

system instead of step systems for any pay; things they should consider as they did have financial impacts.

Mr. Beckert said that, if he got copies of that to everybody, then they would have that on next week's agenda for the BOS.

Mr. Blanchette said that, since Mr. Moynahan was absent, he just wanted to let him know that the Town Meeting has been moved from March 2nd to March 23rd.

Old Business (Action List):

This was not reviewed tonight.

1. Route 236 Sewer Expansion Project - reports, updates, and schedules – Questions from Route 236 Ad-Hoc Committee - Mr. Blanchette
2. Sewer Contract/IMA – Schedule IMA/Kittery Meeting for presentation - Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette
3. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short
4. Community Service Space - Relocation to Elementary School, fit up costs, service impacts, insurance, MSAD #35 contract, CSD Director – Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette
5. Town Manager – schedule workshop; include Comp Plan Implementation Committee, job description, sample contracts
6. Dispatch Service/Ambulance Contract – Contract with Kittery, request from same, costs – BOS, Mr. Muzeroll, Mr. Short
7. Policy creation/review – debit card, video-streaming, website management
8. Employees – cross-training, charting earned times, job descriptions - BOS
9. Liaisons to boards, committees, and commissions – review existing members, try to fill open spots; Committee/Board – Mission Statement Review - BOS
10. Budget Preparation - BOS
11. Auditor/Financial Consultant – financial statement, management letter, December 20th Report to Selectmen - BOS
12. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst

BOARD OF SELECTMEN'S MEETING
February 21, 2013 5:30PM (continued)

13. Legal issues – pending and Consent Agreements – Eliot Shores, PSNH/Sierra Club, Mr. Bogannam - BOS
14. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton
15. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews - BOS
16. Research grant opportunities – AED's for Town buildings
17. Comp Plan follow-up
18. Pending new unions
19. Special Town Meeting: February – IMA, TIF Funds (ERS #7)
20. York County Transitional Budget – Funding source
21. June Town Meeting preparation – Municipal Fee Schedule

Selectmen's Report:

There were no Selectmen's reports tonight.

Other Business as Needed

Mr. Beckert asked Mr. Moynahan how the Eagle Scout Ceremony went.

Mr. Moynahan said that there were five or six Eagle Scouts from Eliot in there so Jared was in good company

Adjourn

There was a motion and second to adjourn the meeting at 7:50 PM.

VOTE

4-0

Chair concurs

DATE

Mr. John J. Murphy, Secretary