

BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM

Quorum noted

6:30 PM: Meeting called to order by Chairman Fernald.

Roll Call: Mr. Fernald, Mr. Moynahan, Mr. Dunkelberger, Mr. Murphy and Ms. Place.

Pledge of Allegiance recited

Moment of Silence observed

Approval of Minutes of Previous Meeting(s)

6:31 PM Motion by Mr. Moynahan, seconded by Ms. Place, to approve the minutes of January 26, 2012, as amended.

VOTE
4-0
Chair concurs

Motion by Ms. Place, seconded by Mr. Dunkelberger, to approve the minutes of February 16, 2012, as written.

VOTE
4-0
Chair concurs

Motion by Mr. Moynahan, seconded by Ms. Place, to approve the minutes of February 9, 2012, as amended.

VOTE
4-0
Chair concurs

Public Comment:

6:33 PM There were no public comments.

6:34 PM

Department Head/Committee Reports

Ms. Rawski (Town Clerk) said that she put together some items that were being submitted for consideration and gave packets to the Board. She thanked the Board for their support for the unfortunate circumstances to two of them in the clerk's office at the same time and supporting her other two staff members. She added that they are amazing ladies that did a great job and supporting them was much needed and appreciated.

Ms. Rawski discussed the vault. She said that, since she took over as Clerk in 2004, she has been coming and saying they really needed something for storage of the records. She added that, since that was seven years ago, they had really gotten to the point of needing something to be done. She said that she realized that most people knew, but that there was a responsibility for the care and preservation of all those municipal records, they are records that are kept for eternity – vital records, election records, board and committee minutes, Town Clerk minutes – things that need to be kept forever. She added that compromising them because of the way they are being stored is something, hopefully, they could consider changing by doing a space-needs assessment to that vault. Ms. Rawski discussed all the storage they have off-site, as well, and, in gaining some space in doing a renovation to that vault, her hope was that they could bring back some of the records to take away from the expense of storing them off-site. She said that the estimate has been held for three years by Dupont Systems, which she thought was pretty amazing. She added that she knew it was expensive and that budgets were extremely tight right now so she was just coming to the Board for consideration of maybe trying to find a way to fund this project. She said that the quote she gave

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

them from Dupont would more than double her space in there and, in addition, would give her the proper storage for some of those records. She clarified that those older leather-bound books should not be stacked or up on an end of their binding because it does compromise the record, that they should be flatly stored. She requested the Board's direction, discussing that the packet gives how they came up with a configuration in the vault to gain that additional space, adding that the price includes everything except the removal of the safe that is currently in there. She said that there was another department in Town that has made mention that they could use that safe. She said that she would suggest hiring someone to move that because it was a large and heavy safe, which she has discussed with Mr. Blanchette, and would be the other consideration to maximize the space in the vault. She explained that the pictures showed a vault that was done for another clerk in Maine who was very happy with it and shows how the storage system might work. Ms. Rawski said that she and Mr. Blanchette have spoken and she knew there was a Facilities Reserve Account that does have funds available and she asked the Board to consider funding this project from that account, if not in full, at least a portion and, then, the balance to complete the project consider putting in the 2012/2013 budget cycle. She welcomed any of the Board members to come in to see the vault and acknowledged that most of them had been in to see that the space needs were getting pretty dire.

Mr. Fernald agreed it has been a problem for many years and asked for questions from the Board.

6:42 PM Mr. Dunkelberger asked Ms. Rawski how much they would save by moving their records back.

Ms. Rawski said that she did have a few of those numbers, explain that they currently had 170 boxes of records that were stored at Iron Mountain. She added that the fee for storage was approximately \$135/month so not substantial – about \$1,600/year – and additionally any time they have to pull records there are fees assessed to the Town for them delivering and the retrieval to get it back and put it into storage again. She said that the past few times she has retrieved documents from Iron Mountain she has not returned those boxes, which was limiting her space a little bit, but she was in hopes to get the space she needed and be able to keep them. She added that there were a lot of records there that she and Mr. Blanchette and Ms. Spinney have discussed that they need to go through and that was easier said than done as the facility is in Milton, NH, that they needed to set up an appointment to go in, pay them to retrieve the records, which was an added expense. She said that, if they did gain some space here, they could slowly bring records back here and file through them to determine which ones were no longer retention-necessary, adding that they knew there were records that were coming close to or had passed the retention-necessary time expiration and it was just a matter of getting there and getting those boxes out to go through.

6:44 PM Mr. Murphy agreed she had been dealing with this for a number of years, that it did not seem to him to be that expensive, and a figure they had seen before. Mr. Murphy said that he would like to move that the Board consider this an action item to be included in the budget this year as an expenditure at the Town Meeting.

Mr. Moynahan said that he thought they could bring this up for review of the budget to see if it was possible to utilize any of the Facilities and see what that balance was for this fiscal year, agreeing that this has been in front of them for some time and should be more proactive with this.

Ms. Rawski said that, if for some reason the office was ever reconfigured and the vault retention area changed, the system was fully movable – it could be pulled up and moved into a whole other building, if necessary - so it was not stationary and it came with options that are flexible regardless of what might happen 10 or 20 years down the road.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Fernald said that the Board would look at this for the next budget cycle.

6:47 PM

Ms. Rawski discussed office space needs within the Town Clerk Office. She said that she wanted to get the Board's thoughts, with everything that is currently in process, for the potential of a reconfiguration of the interior of the clerk's office. She explained that there would not be a change to the customer service area, as that was adequate at this time, but there was an interior office that she and Ms. Levesque share and is rarely used. She added that she would like the Board to allow her to investigate and then potentially allowing her to do a bit of renovation with that office by moving a couple of walls and opening it up so that they could use that space in a more functional manor. Ms. Rawski said that she would like to potentially make the back office (old police chief's office) more of a private office to allow for speaking to people from the public in privacy, which does happen. She added that they currently have a kitchenette out in the other meeting room area, which used to have a dorm room-sized refrigerator there, and she suggested taking away the office break room and putting a small refrigerator back in that other area to give the Town Office a bit more space. Ms. Rawski said that she was asking if this was anything the Board would consider and was it worth going out to get an estimate on.

Mr. Murphy asked her if she had any floor plans for this.

Ms. Rawski said no, that before she even thought that far she wanted to know if this was anything that could even be considered at this point in time. She added that they needed a work area in the clerk's office, that they didn't have a good table space that, if they had a project they were working on, there was no space to spread out and do anything on and their desk space is pretty limited. She explained that, by taking down those two walls, she thought they could reconfigure it a bit, putting some of the bigger equipment against the exterior walls to create a larger open area to have a good-sized work area and not be tripping over each other.

Mr. Murphy commented that he would say that Ms. Rawski and her other workers were certainly more experienced about what their needs were and it was their space – if they saw a better way of using it and it was more efficient and helpful, then he saw no reason for the Board to stand in their way. He said that he felt they ought to go ahead with those plans.

Ms. Rawski added that, with that, there would come an expense of taking down walls, painting, flooring, etc. and that was what she was asking about – if they felt she could move forward getting an estimate to come back with to the Board and they could say yea or nay.

Mr. Moynahan said that getting a ballpark figure would be great but this would fall into the capital improvement plan they set up, adding he did not know if Mr. Blanchette had filled out his portion, yet, for the Town, but this would certainly fall into that budget category.

Mr. Fernald asked Mr. Blanchette if he had included that in the capital budget or was that something he needed to include.

Mr. Blanchette said that he has put out a first draft but it was a work in progress and could certainly amend it.

Mr. Moynahan suggested that he could, as a courtesy, give Ms. Rawski a rough ballpark estimate that she could pass on to Mr. Blanchette for anyone they might solicit bids from in the future for that work.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Ms. Rawski agreed, saying that, with his experience, he could at least give a ballpark and then they would know if it was worth pursuing, if the Board thought it was something that was feasible at this time.

6:52 PM It was the consensus of the Board to go forward with this request.

Ms. Rawski discussed website management to support more direct interaction with the public. She included two samples of town websites, one in South Berwick and one in Bucksport. She said that Bucksport uses gov.office who Eliot currently uses for their website management company, and South Berwick uses Virtual Town Hall, which is another website management company. She said that she wanted to show the Board the set-ups these towns have and the types of things that could be done. Ms. Rawski said that, as the website administrator, she was looking for some direction for what the Board wanted for the website for the Town of Eliot. She added that, based on comments they have gotten in the Town Hall and knowing the Board had received comments, as well, she did a bit of research, especially around an email notification system. She explained that gov.office does have the ability for her to set up this type of system on their current website at no additional cost. She described how the alert sign-up worked for the public, adding that gov.office suggested not going over 10,000 emails in a 12-month period because they start charging after that. She also discussed that they had been asked for a comments/contact us area on the website, pointing to South Berwick's comment form as an example of what she could do with the version she has. She asked for direction from the Board.

7 PM Mr. Moynahan said that Mr. Emery told him that the current website could handle this and, once he knew that, then he felt this should be done – that it was just a matter of what it would take to set it up.

To set it up, Ms. Rawski said that it would take a conference call with them walking her through the process.

Mr. Moynahan said that he thought this was a no-brainer and they should be doing that – people have been asking for it, they have been working on it with Mr. Emery, Ms. Rawski was here with more information and he thought this was a sensible approach.

Ms. Rawski asked if they were in agreement to have the news and announcements and the agendas being the two selections for people to receive.

Mr. Moynahan said yes to start with to see how successful it is because, if they spend too much time and it isn't a successful entity, then they haven't provide a good service.

Mr. Dunkelberger agreed, saying public feedback would probably tell them whether they were putting enough information out there.

Ms. Rawski said that, when she talked to the people who managed the two town websites, she asked for some statistics. She said that Bucksport was fairly new, setting the alert system up at the get-go and they currently have 42 users signed up with the alert system. She added that, with their prior website management they had 200. In South Berwick, she was told they have about 200 users, as well, and that sounds like the average the Town might get. She added that it seemed as though it would be a fairly simple thing to do.

Mr. Fernald said that he thought it was a good idea to do as much as possible but he was also concerned about what maintenance and time that would be required of Ms. Rawski for all the mails, etc. and for the other departments, that they would get a lot of emails and they would have to be maintained and the associated cost.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Ms. Rawski agreed it did have a cost because it is time, their daily hours they were working for the Town. She said that when the other websites were first set up they received a lot of emails but, once people got used to the website, it was very minimal. She added that she thought that, if they set it up that comments went to individual departments, it would not be as time-consuming on one person. She also added that people would call or email anyway and this would give them a more readily available tool to contact the specific department.

Ms. Place agreed that keeping it as simple as possible to begin with was probably the best idea, adding that all these things have certainly been asked for by the public.

7:05 PM Ms. Rawski asked for direction on web administrator comments. She explained that she might get a comment from someone about whether the Town would consider putting 'this' on the website or could they post 'this' on the website and that is something she would want the Board's guidance with. She said that they could make the public aware by putting some kind of notification on the website such as: 'this would be taken into consideration but not necessarily acted on' or something like that. She added that, if there was something she needed to bring to them, then she could do that once a month or whenever the need was there so that she could review those with the Board.

7:06 PM The Board agreed by consensus that that was a good idea.
Mr. Moulton discussed the utility easement deed, saying that this was a draft easement and is a standard form used by Underwood Engineering for municipalities that he was presenting for their review. He requested that the review be timely so that everything could be in place for the June Town Meeting.

Mr. Moynahan said that this was part of the direction they had given moving forward with this so he thought it was appropriate for them to take a quick look at it.

Mr. Murphy suggested some corrections.

Mr. Moulton presented the ME DOT paving schedule for the Board's information.

7:10 PM Mr. Moulton discussed the draft Final Sewer Inspection Notice that dealt with residents that are currently in violation of the Town's Sewer Ordinance. He asked if the Board wanted to pursue this avenue.

Mr. Moynahan said that people knew this day was coming, adding that they took broad steps the last time to go to the extent they have. He said that he thought they needed to continue pressing forward, that the infiltration issues they had were not going away. He said that a lot could be contributed to some common, personal mistakes and that the Town has hired a plumber that could show them the proper way to do things.

Ms. Place agreed.

Mr. Murphy said that he thought the idea was good.

It was the consensus of the Board to move forward with this.

Mr. Moulton updated the Board on the manhole inspections. He said that they finished the inspections on Bolt Hill Road with Underwood Engineers today and every manhole on that road has an issue, with some are severe and some not. He said that over the next two weeks he was going to sit with Underwood to prepare a strategy plan to repair the worst problems, put out to bid to get pricing back for the Town and, essentially, develop a CIP Plan to continue this on a yearly basis.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Moynahan asked were the highest amount of damage was on Bolt Hill Road – the higher portion or the lower portion.

Mr. Moulton said the lower portion, between State and Main, adding that once they got four manholes down Main Street there were no issues.

Mr. Fernald asked if that would be part of his coming budget.

Mr. Moulton said yes, adding he would keep the Board posted. He said that he would like to work off of the sewer reserve account to see what they have for budgetary things there, putting this out to bid and possibly doing this work in May.

Mr. Moynahan discussed identifying the issues as they are costly and the possibility of looking at the rate structure again. He said that they had already had a rate increase, albeit years and years late, but this was why they should stay on top of it.

Mr. Moulton agreed, saying that they noticed four a year ago in desperate need of repair, that they still had those four, but now they had more.

Ms. Place asked if that was a total of four manholes.

Mr. Moulton said no, that it was a couple dozen, at least.

7:18 PM Mr. Crilley and Ms. Weeks, Conservation Commission, were present to request a release of funds from the Conservation Land Bank Capital Reserve Fund and adding a warrant article for the Town Meeting.

Mr. Crilley explained that local land trusts were trying to purchase the development rights for Johnson's Dairy Farm, that the family is working with local organizations, interested in having this preserved as a working farm. He said that the farm is 280 acres, 87 acres of which are located in Eliot. He added that, with some other programs, there would be federal matching funds and that the total amount of money needed to purchase this easement for the whole property would be \$820,000, with Eliot's portion of that about \$83,000. He said that what the Eliot Conservation Commission was looking to do was to withdraw \$25,000 out of their Conservation Land Bank Capital Reserve Fund. He explained that federal matching funds would be \$25,000 and the Great Works Regional Land Trust would do about the same so the Town of Eliot was looking to remove \$25,000 from that land bank that they set aside many years ago for acquisitional purposes. He discussed the wording of the Fund and whether that would prevent them from utilizing the funds in this case.

7:20 PM Mr. Blanchette explained that, basically, the fund was started in order to help with acquisition or anything leading to acquisition – surveying was certainly one of them – or using it as a down payment. He added that, at the time, there was no thought of purchasing of development rights or the like. He said that he believed it would be best served to ask the Town to withdraw the money for that specific purpose.

Mr. Fernald explained that the Board did not have the authority to change the wording and if there is a question then the best approach would be to have the people of the Town make the decision. He asked for comments from the Board.

Mr. Murphy said that he tended to agree the Mr. Fernald that there was enough of a question that this probably should go to the Townsfolk to let them agree that this was worthwhile.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Fernald discussed his concern for the timing of this, thinking that it needed to be decided sometime in April.

Ms. Weeks said that she thinks it is sometime in June, adding that, maybe when they hear the Board's response, that something could be done. She explained that purchasing development rights protects that land from development in perpetuity. She added that this farm has been chosen because it is the biggest farm in southern Maine and as an example to other farmers, having the total support of the Maine Farmland Trust, who are the ones that said they would make sure, if there were a problem with funds, then they would stand behind the program.

Mr. Dunkelberger asked if they knew how Kittery was doing this.

Ms. Weeks said that they were going to do a variety of things and that she did not know all of it. She did say that they had a much larger land bank than Eliot, that they were planning to raise a lot of money, and they were talking about a bond.

Mr. Murphy asked Mr. Crilley if he were asking the Board to set up a warrant article.

Mr. Crilley said that that may be an avenue for it, as the second request they gave the Board was based on this kind of issue, which was to partially replenish the conservation land bank. He added that that account has about \$50,000 in it.

Ms. Weeks added that they only treat with willing landowners. She added that these farmers are husband and wife that are willing to give up their right to...

Mr. Crilley clarified that they would be financially compensated but would make more by selling outright.

Ms. Weeks agreed, adding that the only way they could keep the farm was to essentially pay off their relatives so that they would have full ownership of the farm.

Mr. Fernald said that he would suggest they write an article for the \$25,000 to do this. He asked Mr. Blanchette what would be the best way to do this.

Mr. Blanchette said that he thought it would be good to put this into two separate articles: one to withdraw the money for this purpose and then the next one to replenish so that it gave the option of withdrawing it and whether or not they replenish would be a separate vote.

There was discussion of whether the Townspeople would need to change the wording of the fund or giving approval for this particular use of the funds.

Mr. Moynahan said that, either way, the people would have to say whether they want to purchase whatever the trust was looking at. He thought that they would always have to put it in front of the voters.

Mr. Crilley said that he thought the Board had the authorization to remove the money and it was the Townsfolk who had the right to put the money into the land bank account.

7:30 PM

Mr. Blanchette said that the answer to that was yes and no. He said that he would have to check with MMA but he believed that any purchase or purchase of property rights has to be approved by a Town Meeting, that the Selectmen themselves could not. He added that, even if the Selectmen could move the money, they could not purchase without Town Meeting for that specific purchase.

Ms. Weeks asked if the wording they submitted for a warrant article was enough.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Blanchette said that he could write a warrant article for this.

Ms. Weeks asked if they could have someone from Kittery or the Land Trust, someone much more versed in the intricacies of this project, come before the Town when it was being voted on.

Mr. Fernald said yes, that the only thing they needed to do was to make sure there was a vote to allow them to speak by the moderator.

7:34 PM Mr. Blanchette had the quit claim deed for the Board to sign that was approved at the last meeting and he was doing it tonight because he needed to witness each of the Selectmen sign the deed.

Mr. Blanchette said that the Board should have two pieces of paper before them: one was an application from Greg Whalen, who is currently an alternate on the Planning Board, and would like to be appointed as a regular member. He added that there is now an opening because Chris Place has had to resign as a regular member.

Mr. Moynahan moved, second by Ms. Place, to appoint Greg Whalen as a permanent member from an alternate to the Planning Board, with the term to expire in 2013.

VOTE

4-0

Chair concurs

Mr. Blanchette discussed appointing Mr. Moulton as Sewer Inspector, apologizing to Mr. Moulton because he had even told him about this, but the Board needed to appoint Mr. Moulton Sewer Inspector, as the ordinance bounced between Sewer Superintendant and Sewer Inspector.

7:35 PM Mr. Dunkelberger moved, second by Ms. Place, to appoint Mr. Moulton the Town Sewer Inspector.

Discussion: Mr. Moynahan asked inspecting what – municipal sewers or public wastewaters or is it all-inclusive.

Mr. Blanchette clarified that it was just municipal.

There was no more discussion.

VOTE

4-0

Chair concurs

Mr. Blanchette discussed the proposed letter on the Great Hill Gravel Pit issue, saying that he thought the last sentence needed to be changed so that rather directing it to the Chairman of the Board, it should be directed here to either himself or to the CEO.

Mr. Moynahan asked if Mr. Blanchette had contacted any of the three geo-tech companies he had given Mr. Blanchette.

Mr. Blanchette said not of as yet because he was waiting to see if they got anymore information from the meeting that Mr. Fernald had with Chris Schoppmeyer

Mr. Fernald said that he was basically here to pick the brains of the Conservation Commission and wanted to make sure he would be able to access any records, etc. He added that Chris Schoppmeyer could not give them a lot of information about the situation but they did ask what types of things they needed to look out for and

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

he suggested contacting one of these agencies to ask if there was any concrete or rebar or the like in the soil, what types of things needed to be tested in the water, suggesting that may be something they should have available to them. He asked Mr. Blanchette to contact one of those agencies and be prepared so that residents could contact the Town Hall and they could give them that information. He discussed that, obviously, some of the residents would ask who was going to pay for water testing and it was suggested to write a letter to the DEP asking if there was any money or grants for this purpose, adding that he thought that was something he thought they ought to do.

Mr. Moynahan said that he knew that UNH did a lot of water testing so, perhaps, contacting Maine schools to see if they have a similar program. He added that the geo-tech company would come down for free and have a conversation to define what they were looking for so, the first conversation was free and why he suggested from Day 1 – it was just so important to know what they were dealing with and what they would be dealing with, coming up, because the federal investigators were not going to be forthcoming.

It was the consensus of the Board to have Mr. Blanchette write a letter to the DEP asking if there were any funds available and to make the suggested change to the draft letter. It was explained that this letter would go to all property owners affected by this, not just the abutters.

New Business (Correspondence List):

7:43 PM

#1

TO : Board of Selectmen
FROM : Maine State Planning Office
REF : Mapping

Mr. Fernald said that this was “an agreement between for State Planning Office (SPO) to collect funding from the Town and transfer that and other funding up to the Maine Office of GIS (MEGIS) as part of the State’s orthoimagery contract with Woolpert, Inc.” He asked Mr. Blanchette to speak on this.

Mr. Blanchette said that this was what he had spoken to them about at the last meeting and would have a better idea of the cost and, as the Board could see, it has come down almost \$1,000. He said that the original quote was \$6,200, then it was down to \$5,700 and now it was down to \$4,789. He explained that the Town’s aerial maps were done in 2007 and this would be an upgrade from that. He added that the SPO feels that the technology is better, that the photography would be better and they would be able to do more. He said that they have the money for this purpose in the Assessing Reserve Account, adding that he would like to use the current budget first and then, if they found they did not have enough in the current budget by the end of the year, then it would come out of the Assessing Reserve Account.

Mr. Murphy discussed the letter from the CEO, who couldn’t be here tonight, discussing his concern for this action on their agenda, with the CEO saying that he had a feeling and suggested the Board should get advice from Tom Burns, who designed the Town GIS system, and asked if this particular over flight fit in with what he has done.

Mr. Blanchette said yes, adding that Mr. Burns was the one who was suggesting all of this.

Mr. Moynahan clarified that this was different from what they approved for the assessing GIS last week.

**Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)**

Mr. Blanchette said that last week they kept that separate and would not be approved, only the two items they did approve.

Mr. Moynahan clarified that this was part of that proposal.

Mr. Blanchette said yes, adding that, as he told them then, they did not have a final figure, that the figure in there at the time was around \$5,700 and he had told them that figure was not finalized. He said that the \$4,789 was the final figure.

Mr. Fernald said that the Board was going to wait until they got that final figure, more information.

Mr. Moynahan said that he did not approve of it last time and he stood by that, adding that with \$13,000 for GIS mapping and assessing assistance he has not been given enough of an explanation for him to approve it.

Mr. Fernald asked if any other members had questions. No one did and he asked for a motion.

Mr. Murphy moved, second by Mr. Dunkelberger, moved to approve the State Planning Office Memorandum Agreement between the Town of Eliot and the Maine State Planning Office in the amount of \$4,789, to be Eliot's share of the State's mapping project.

**VOTE
2-2 (Moynahan & Place)
Chair votes in the affirmative**

**7:47 PM
#2**

TO : Board of Selectmen
FROM : Dept. of Health & Human Services
REF : General Assistance Reimbursement formula

Mr. Blanchette said that this is a yearly decision that the Board needs to make. He added that the Town is presently in the 50% reimbursement for costs and their threshold is \$248,000 before they could obtain the 100% level, so their present formula is the one to stay with. He clarified that, if the Town stays with that, then the Board doesn't have to do anything, that it was only if they wanted to change the formula that the Board needed to let them know.

It was the consensus of the Board to keep it as it is.

**7:48 PM
#3**

TO : Boards, Committees, Commissions
FROM : Board of Selectmen
REF : Meeting Agendas and Minutes

Mr. Fernald said that this was a letter that would be going out to all Boards and Committees regarding the need to take minutes and get approved, signed minutes to the Town Clerk, as well as getting agendas to the Town Clerk with sufficient time to post on the website.

Ms. Rawski said that she needed three days, generally. She added that there is no timing language in the ordinance for return of minutes or agendas for posting to the website. She added, however, that this was a big thing they discussed about the minutes and agendas not being posted and the public's awareness, getting feedback from the public and frustration from the public over not seeing minutes or agendas. She added that she just wanted to put it out there that, if she got them, then they were there, but she could not force them to give them to her, so that was

**Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)**

why she has requested the Board do this memo to make them aware that they were required to do this.

Mr. Dunkelberger suggested changing the wording "with sufficient time" and put "at least three days prior to the meeting" for the agendas.

Ms. Rawski agreed, adding that it was harder for the minutes because they needed approval at the next meeting, so it was hard to put a time limit for posting on those, but the agendas could have a time limit.

Mr. Moynahan asked if they should reflect the number of days into the ordinance they currently have.

There was discussion of tweaking the entire ordinance for consistency for the Town Meeting.

It was the consensus of the Board to add the time limit to the Memo and review and prepare an updated ordinance for Town Meeting in June.

**7:55 PM
#4**

TO : Board of Selectmen
FROM : Business & Development Committee
REF : Absenteeism

There was discussion around the removal of members on a committee and the pertinent ordinance.

Mr. Murphy moved, second by Mr. Moynahan, to accept the information and recognize the members Kristen McMullen Orr, Chuck Bradbury, and Vaughn Smith are no longer considered members of the Business Development Committee.

**VOTE
4-0
Chair concurs**

Mr. Blanchette will send a letter to each of the members listed in the vote and to the Chair of the BDC.

**7:57 PM
#5**

TO : Board of Selectmen
FROM : Town Clerk
REF : Approval & Appointment of Fire Dept. Officers

Mr. Murphy moved, second by Ms. Place, to approve the nomination of Jay Muzeroll as Fire Chief and Gerald Moynahan as Assistant Fire Chief for the year 2012.

**VOTE
4-0
Chair concurs**

**8:01 PM
#6**

TO : Board of Selectmen
FROM : Planning Board
REF : Proposed Ordinances for Town Meeting Vote

There was discussion on whether to have these two ordinances on a referendum or on the open floor at Town Meeting.

It was the consensus of the Board to put these on the open floor at Town Meeting.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

8:05 PM

#7 TO : Board of Selectmen
FROM : Officer Candice Simeoni
REF : Wellness Committee

Mr. Blanchette said she would like to apply for a Wellness Incentive grant. He added that this was the Board's permission for her to apply for it and that it would provide funding for employer groups in order to conduct some workshops, etc. for wellness.

It was the consensus of the Board for this to move forward.

8:07 PM

#8 TO : Board of Selectmen
FROM : Central Maine Power
REF : Tree Care Program

This was informational.

There was discussion around the mess that has been left by this action by CMP last year and it was noted that the notice included contact numbers.

Old Business (Action List):

8:08 PM

1. Sewer Contract Committee – Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette – IMA Update

Mr. Blanchette said that he thinks Underwood will be meeting with Kittery next week.

2. Monthly Reports from Department Heads

Mr. Moynahan asked if it would be possible, as part of that policy, to have them provide posted schedules monthly.

Mr. Fernald said yes.

3. TIFD reports and updates

Nothing to report at this time.

4. Health Insurance Costs

Mr. Moynahan said that, in the meeting on Tuesday, South Berwick indicated that they had expended 67% of their budgeted co-pay as a reference to the numbers Mr. Blanchette was giving the Board for cost comparison.

5. Review existing Sewer User Rates and update – Sewer Committee

The Board has done this.

6. Regionalization of Town Services

Mr. Moynahan said that he set up a meeting with Kittery and South Berwick, managers from both towns were in attendance, as well as four councilors from South Berwick and two from Kittery and the Eliot Public Works Director and Police Chief. He added that they met for several hours discussing several items and that he would put reports in the Selectmen boxes. He added that the Public Works Director was moving ahead on working with the schools to manage their waste, as well.

7. Sewer Allotments – fee for reserving such

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Dupuis said that they were waiting for the final report from Underwood. He added that they were meeting this week with Mr. Blanchette to review the latest figures received from the Town of Kittery.

Mr. Hirst discussed the issue on the contribution to the capital reserve fund for the sewer, saying that if they were going to be replacing a lot of manholes they would be going through that \$286,000 or whatever it was very quickly so they should probably reexamine that, not be a date certain, when the balance gets down to, perhaps, \$100,000.

Mr. Dunkelberger said that he thought Mr. Hirst's idea on setting a trigger was an excellent idea because, at some point, they needed to decide when to recapitalize that fund.

8. Auditor – Management Letter

This is ongoing.

9. Consistent Format – Budget, Time Sheets, etc. – Mr. Moynahan and Mr. Dunkelberger

Mr. Dunkelberger said that he has one person set for presentation March 1st at the workshop at 6:30.

Mr. Moynahan said that, with the consistent budget format, this year has been a lot easier to go through each department's budget. He asked if they could follow up with each department to make sure that when they meet with the Board they have their fringe benefits broken down. He added that there was discussion about having the income statement for each department.

Mr. Blanchette said that he should be able to put together the income statements.

Mr. Dunkelberger said that, at the end of this budget cycle, he would like to get together with department heads to see how they might be able to fine-tune the budget because there were numbers that he would personally prefer to see, not necessarily what was allotted on the warrant, but what was actually spent in the prior year or two.

10. Monthly Workshops – 3rd Thursday of the month

This is ongoing.

11. Employee Reviews in monthly Department Head Reports

This is ongoing.

12. Mass - email

This is being worked on.

13. Legal issues – pending and Consent Agreements

Eliot Shores is the only one not resolved, yet, although they were close to an agreement.

14. Community Services Building

Mr. Dunkelberger said that a little over two weeks ago he, Mr. Moynahan and Ms. Muzeroll-Roy met with (MSAD #35) the principal at Eliot Elementary (EES) as well as the superintendent and business manager and they have volunteered some options to Ms. Muzeroll-Roy for space for the ECSD. He added that they (EES) were waiting for feedback from Ms. Muzeroll-Roy as to which option she would like to pursue. He said that he thought they should move forward into a formal agreement to provide that space for a term of five years to start and see how that works out.

Mr. Fernald said that he knew Ms. Muzeroll-Roy was working on a letter of response to that meeting. He added that he knew that two rooms had been offered, saying that one was probably better than the other because it was more private.

Mr. Dunkelberger agreed and said it was the old pre-K room, Jan Cerabonneau's old classroom, and has a door to the outside.

Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)

Mr. Fernald said that people would not have to go to the office to get permission to be there but would have direct access from that outside door. He asked if there was any update on the ECSD building, itself.

8:20 PM

Mr. Long said that the State made some changes to the design and their committee should be done making the changes the State required at their next meeting.

There was discussion around the need, or not, for a sprinkler system and that the best option was to put the meeting room on a slab then have a stairway going to the basement under the office area and they would not then be required to have a sprinkler or an outlet.

Mr. Dunkelberger asked, if they were to go forward with an agreement with MSAD #35, was it the Chairman's intent to continue with the ECSD building.

Mr. Fernald said that that was up to the Board, adding that they needed information from their BC to make that decision. He said that if they could get room for all the employees in Town from another source then they might not have to do that but reiterated that they still needed information from the BC to help the Board make that decision.

Mr. Dunkelberger clarified that that information was on the space at the EES or on the building itself.

Mr. Fernald said the building, adding that they needed to know how much it was going to cost, what the building looked like, etc., clarifying that this was not just Community Service but was finding space for employees in the Town that belong to the Town.

Ms. Shapleigh clarified that no one would be signing a contract for going into the school system without taking that to the Townspeople.

Mr. Fernald said that that would probably be up to the Board.

Mr. Moynahan said that another piece to that was that five years was not certain without knowing the enrollment from year to year. He added that as far as space needs for that department, she is already at the Fire Department and that was not a desirable location, so she had two choices and he was waiting for her response on what would be a better short-term solution for her department. He added that the school was a very good space but he didn't run that department so he couldn't speak to whether that would work or not.

15. Police Union Contract

This is ongoing.

16. Finance Director/Comptroller

This is ongoing.

17. Personal property tax

Mr. Blanchette said that was whether or not the Board wanted to adopt some sort of policy dealing with that and he thought that, at some point, they should probably have the auditor in to wrap up some of these things, to see what it is that he meant on them, and review the letter with him.

18. Town Forest – Johnson's Lane

Mr. Blanchette said that he has been trying to get more information and is about at the point where they were going to say they would go the "unknown owner" route. He explained that there was a specific law that, if the Town could not determine who the owner of the property was, then the Town would follow the steps outlined and put it back on the tax roll and then it could be foreclosed on. He added that he would get that done before the April 1st deadline for the assessor to put it on the tax rolls. Mr. Blanchette said that he thought the parcels in question would be

**Draft BOARD OF SELECTMEN'S MEETING
February 23, 2012 6:30PM (continued)**

imbedded in the Chester Frost farm, however, he could not distinguish that property in the deed so he believed the best route was to go with the "unknown owner" route.

19. Taping of meetings - policy

Mr. Fernald said that he thought that was something they should talk about in a workshop.

The Board agreed by consensus.

Selectmen's Report:

There were no Selectmen's reports tonight.

Other Business as Needed

There was no other business.

8:24 PM

Executive Session

Ms. Place moved, second by Mr. Moynahan, to enter into executive session as allowed by 1 M.R.S.A § 405.6.9.A." Discussion or consideration of the employment, appointment, duties...etc." Personnel issue

VOTE

4-0

Chair concurs

8:51 PM

Out of executive session.

Mr. Moynahan moved, second by Mr. Murphy, to allow the Public Works Director to investigate eliminating the Transfer Station Manager's position as a cost-cutting measure.

VOTE

4-0

Chair concurs

Adjourn

There was a motion and second to adjourn the meeting at 8:56 PM.

VOTE

4-0

Chair concurs

DATE

Roberta Place, Secretary