

BOARD OF SELECTMEN'S MEETING
April 25, 2013 6:30PM

Quorum noted

6:30 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)

6:31 PM Motion by Mr. Hirst, seconded by Mr. Beckert, to approve the minutes of April 9, 2013, as amended.

VOTE

3-0 (Mr. Dunkelberger abstained)

Chair concurs

Public Comment:

6:33 PM Mr. (Russ) McMullen asked the Board to consider inviting Mr. Davis Mullen, Executive Director of the Pease Development Authority; that he has spoken with Mr. Mullen and he would like to recommend May 30 for him to come and speak on the advantages of sewer and water in economic development, as well as the advantage of Eliot having that infrastructure because Pease was 90% full.

The Board agreed and asked Mr. McMullen to put him in contact with Mr. Blanchette with time and date and any guidelines needed to be discussed.

6:35 PM Ms. (Roseanne) Adams said that she wrote a letter to the Board on Sunday that didn't make the agenda and asked if she could address it.

Mr. Moynahan said yes.

Ms. Adams discussed her concern for the wording in Article the Tenth (ECSD) "to raise and appropriate \$60,000", as it seemed inflated and only one quote was obtained. She suggested "to raise and appropriate up to \$60,000" and that the money come from the ECSD Building Reserve Account.

Mr. Moynahan clarified that they didn't get three quotes to put items on the warrant but, before the Board authorized work to be performed, they did require department heads to get three quotes.

Mr. Beckert said that they could not use that wording; that it had to be a 'sum certain' or 'to see what sum the Town will raise or appropriate'.

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Mr. Blanchette agreed.

The Board discussed the issue of using the Building Reserve Account and whether the move was an appropriate use of those funds; that they were signing the warrant tonight and to make that change and get it signed off by tomorrow may not be doable; that the amount may not be that inflated as they have not gone out to bid; whether the Board might reconsider the source of the funds to be appropriated.

Mr. Blanchette said that it went to the printers tomorrow so, if all five Board members came in to sign it tomorrow, then that was fine. He added that he had the original copy here to be signed tonight because that was the intent; that to change it at this point he didn't see how it would be done and he didn't believe that, once it was on the ballot and voted, they could go back and replace it with other funds. He said that, off the top of his head, they could not use the Building Reserve Account for this without researching it; that it couldn't be done at this point.

6:40 PM Ms. Lentz discussed her concern over any costs associated with putting things back as they were if the ECSD moved out of the school after three years.

Mr. Dunkelberger said that, depending on the warrant vote, there would be more discussions as to what would need to go into that classroom, whether fixed walls or removable partitions, as well as furniture that would go in there.

6:43 PM Mr. Muzeroll said that he worked on that through the subcommittee and the cost factors were a little vague. He added that, if the warrant passed, then that didn't mean they had to spend the full \$60,000, if it was not required.

Mr. Beckert said that they did have to put a dollar figure on it and they needed to explain to voters that the Board would spend no more than absolutely necessary; that if it ended up being \$20,000, then that was all they would spend and the rest would go back into the Undesignated Fund Balance.

6:45 PM Mr. Lentz asked if this money was strictly for modification of the building.

The Board said that it was for modifications to the building, some furniture, cable hook-ups, computers; that this wasn't budgeted for because they didn't know if they would be moved there, or not.

It was the consensus of the Board to leave the article as written.

6:46 PM Mr. (John) Reed said that, with \$70,000 in fees for sharing the Police Chief, he would request the Board put a separate warrant article in so that the voters could

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vote on whether or not they wanted to share the Police Chief position with the Town of Kittery.

The Board explained that some language had been changed in that article to explain sharing.

6:50 PM Mr. Blanchette clarified that the words were “to appropriate, raise, and transfer” and it said after the article, itself, “Selectmen recommend \$723,110 to be appropriated, \$653,110 to be raised and \$70,000 in fees for sharing Police Chief.”

Mr. Reed said that the idea of sharing the Police Chief was mentioned, in passing; that the assumption was that Eliot would be sharing the Police Chief with Kittery and it didn't matter which way people voted on the Police Department budget. He added that he had a proposed article, if the Board would like to see it.

Mr. Moynahan said that what they heard this evening was that to change the warrant articles at this time was not possible; that it was very unlikely to be able to happen.

Mr. Reed discussed precedent when the Town Book was printed and additional warrants were added to the agenda for the Town Meeting. He added that he believed it was important to have a clear choice by the people to be voted on, whether they wanted to share the Police Chief with Kittery, or not.

Mr. Moynahan said that they have been sharing the Chief for almost five months without the input from the voters. He added that he thought the Board had been pretty comfortable and that was why they were putting this forward; that they had been looking to regionalize for quite some time; that this presented itself and the Board, collectively, agreed to pursue that with Kittery with a potential reduction of \$60,000 to \$70,000 to Eliot for a three-year period; that they were looking at this as a cost reduction with no impact to services after talking with the Chief to make sure that the Town was protected.

Mr. Reed said that he thought this was an important enough change in the structure of government in Town, and the Police Department specifically, that the people of the Town deserved a vote as to what the policy would be.

6:50 PM Mr. Blanchette said that, if someone wanted to make an amendment on the floor of Town Meeting to appropriate and raise and eliminate the transfer, then that would mean there would not be any sharing; that it would basically eliminate ‘transfer’ or one could put \$0 there instead of \$70,000.

Mr. Murphy asked if this was a change in government.

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Mr. Blanchette said no; that Eliot had a Police Chief, whether they shared him, or not; that some may view it as the way they operate but that was not a change in government.

Mr. Dunkelberger said that he felt he was elected to aid this Board to manage this Town to include supervising the various departments and he saw this as an extension to that; that he thought this was a management decision the Board made for the benefit of the Town.

The Board agreed.

Mr. Moynahan said that, if voters chose to not have that path taken, what Mr. Blanchette suggested was to put a zero dollar figure for transfer as an amendment.

There was discussion around what was allowed to be changed by the Moderator at Town Meeting.

Mr. Fisher commented that he didn't believe that change could be made on the floor; that he believed it was the best thing for the Town to divide the costs between Eliot and Kittery and that the Police Chief would serve both towns well.

Mr. Pomerleau asked what management criteria the Board used in making these decisions because he was confused, and gave a couple of examples to clarify.

Mr. Moynahan said that the ECSD move to the school was because of the need for a source for funding and the Police Chief was a reduction in costs to the community. He added that they don't mention everything they do in warrant articles, such as reducing labor lines, but require departments to manage within those reductions.

6:56 PM Mr. Reed commented that just because they were saving money didn't mean they were getting a bargain. He said that, at the Special Town Meeting, the Board put forth to see if the Town would appropriate and transfer \$10,000 from Unreserved Fund Balance to an account to conduct a detailed compensation and job description study; that the BC recommended this be postponed to the regular Town Meeting, which motion was disallowed by the Moderator. He asked why that wasn't in this warrant.

Mr. Moynahan said that he missed that completely; that if he didn't include that on this warrant then that was his fault for missing it; that it wasn't a matter of not needing it.

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Mr. Dunkelberger said that he considered it voted down – done deal. He added that the BC had their recommendations but that didn't overrule the vote of the people, which was no.

There was discussion on bringing this to the floor for discussion and a vote.

7:02 PM Ms. Shapleigh said she was hearing a lot of that people that were awfully unhappy that, all of a sudden, they were sharing the Police Chief with Kittery; that she agreed with Mr. Reed that that was a serious change and should have gone to the voters. She added that she, as a resident, did not intend to give the Board the right to make that kind of change without going to the public.

Mr. Moynahan said that they had cost-sharing considerations on this later in the meeting; that this has been maybe the fourth or fifth time they have had this in addition to four or five months ago, when this first came up for consideration, so transparency has occurred on what the Board was looking to have happen; that he was sorry that upset some people but they were where they were at this point.

Department Head/Committee Reports

7:03 PM Mr. Moulton discussed his request for the sale of some equipment, a 1990 CAT 935C Track Loader to Nortrax for up to \$24,000, with it not being sold for less than \$18,000. He asked if the Board would be interested in this sale and to put that sum back into the Highway Equipment Reserve Account. He added that he also was requesting to sell the 1996 Dodge pick-up that had a broken transmission, posted with a minimum bid and going to the highest bidder.

7:05 PM It was the consensus of the Board for Mr. Moulton to move forward with his requests.

Mr. Moynahan said that Mr. Moulton had provided a letter from Underwood Engineers as it related to Seadog's questions and concerns, asking the Board to review that, and that he thought they would see a final draft next week.

7:08 PM Mr. Blanchette said that he had the final version of the warrant for the Board to sign.

At this time, the Board signed the June Warrant.

At this time, the Board agreed to take #3 under New Correspondence out of order; that the Fire Chief was present.

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7:11 PM
#3

TO : Board of Selectmen
FROM : Jay Muzeroll, Fire Chief
REF : Criteria for Construction Permits

Mr. Muzeroll gave the Board some printed information and said that this was brought to light of a revisit of a project at 6 Julie Lane and he discussed the history. He said that the project has been in varying states of occupancy since 1997; that he has had issues from the get-go. He said that, originally, when they applied to the PB to build the building, Fire Chief recommendations were set in 1997 and nothing happened; that the construction timeframe lapsed and had to reapply for approval of the building on 2001; that he set a bunch of criteria then and, with various CEO's, nothing has really been done on that building to meet set criteria; that it had a valid occupancy permit until Mr. Redman (Redman Marine) wanted to start a business and was advised it was a change in occupancy and had to reapply to the PB. He added that, at that point, he had had enough; that he sent a letter to the PB and has met with the PB since then, and the property owner and business owner. He said that his point was that he spent countless hours reviewing applications that went through the PB for occupancy and he set recommendations for what should happen to the building; that most of the time those recommendations were accepted and became part of the conditions of approval and, before anyone could occupy the building, those conditions needed to be met. Discussing the current case, the original applicant, Mr. McCrary, passed away a few years ago, but, in conversations with him in the early 2000's, he basically said he was going to do what he wanted to do and they could take him to court; that that was when he started having communication problems with the CEOs; that subsequently the building struggled for occupancy. He said that, this time, he was pretty adamant about things needing to be done to the building; that regardless of original construction criteria not having been met, it served no purpose to send it to the Fire Marshall's office at this point; that he had inspected the building and it had adequate access, egress, ADA compliance; however, there were other issue he thought needed to be addressed and the PB agreed with him: a monitored fire alarm system being put in, a KNOX BOX put on property, and adequate access around the building was being dealt with; that he also talked with the property owner about the storage of unmarked fluids and substances that required adequate HAZMAT labeling and they have agreed to move forward with proper labeling. He added that his recommendation to the PB that the building owner be allowed to continue to rent the space for the operation in progress with a 60-day temporary occupancy permit, with Fire Department conditions, to be granted, which allowed the building owner to bring things up-to-speed and Mr. Muzeroll to do a final inspection and send a memo to the CEO to say everything has been met. Mr. Muzeroll said this kind of thing rarely got to the BOS but what he wanted to do was bring to light that, sometimes, two things were falling through the cracks – either the business owners or Codes people were not aware

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of all the Fire Marshall State building compliancy requirements or no follow-through with set PB occupancy conditions. He said that there needed to be backing from the Board; through him, but with him and the CEO that, if the PB set conditions, then they have a method to ensure that those conditions were met before an occupancy permit was issued. He added that it may just be a communication issue or it could be an education issue but they didn't seem to be following through with the process. He discussed that things like this happen all the time; that these are things that should come through either the PB or CEO and, when there is a change in use, they needed to be reviewed. He said that he wasn't asking the Board to take any action but making the Board aware that he was going to be a bit more vocal and assertive that, when he did set conditions, then he expected them to be followed through on and, if they were not, the Board would probably be getting a few more letters from him.

7:18 PM Mr. Moynahan said that he thought it should be standard fair with anything before a final certificate of occupancy was issued that that be part of the checklist.

Mr. Muzeroll said that he didn't know how they would do this; that he didn't know if it was a change in operations, change in ordinance, change in structure, or whatever, but somewhere along the line there should be his signature and there was not; that he needed some sort of verification that these things were done and accepted; that ignoring them didn't make the building any safer. He added that he wasn't throwing Mr. Marchese under the bus but ensuring that proper processes were taking place.

Mr. Moynahan said that the Board would make sure that that path was properly taken.

Mr. Hirst asked Mr. Blanchette if they had a protocol that the CEO was supposed to follow before an occupancy permit was issued that appropriate people had to sign off on.

Mr. Blanchette said that he would have to check, as he didn't know off the top of his head.

Mr. Moynahan asked Mr. Blanchette to follow up with the CEO.

7:20 PM Mr. Beckert said that, when the PB issued a final decision and issued its final conditions on any project, those conditions were forwarded on to the CEO; that the occupancy permit should not be issued until the CEO was assured, and had verified, that every condition of approval on that PB NOD had been met; that that was what was supposed to happen. He added that, regardless of who sat in the office, it should be the Office of Code Enforcement that handled the PB Conditions of Approval; that once the PB set them down on paper that office was

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supposed to make sure they were met; that that office had no authority to change any of them.

Mr. Moynahan said that Mr. Blanchette would follow up with the CEO tomorrow to make sure that that process was defined properly.

7:23 PM Mr. Hirst updated on the ambulance contract. He said that they had sent out a RFP on the ambulance contract and those bids were due Monday, the 29th at 2 PM; that that was public and anyone could come and hear. He added that it could be a big change for Eliot.

New Business (Correspondence List):

7:24 PM

#1 TO : Board of Selectmen
FROM : Joel Moulton
REF : Pay per Bag

Mr. Moynahan said that the Public Works Director and Solid Waste Committee were here to give an update.

Mr. Tessier, Chair of Solid Waste Committee (SWC), introduced people involved in this and said that he put together some notes and information for the Board. He added that the two main things he was hoping to accomplish tonight were to discuss the possibility of implementing a pay-to-throw collection system at the Transfer Station and to decide how to move forward with that. He discussed their goal to see the Transfer Station operating with zero funding from tax revenues, recognizing that it may take a couple of years to meet that goal. He said that 12 years ago, they had 1,674 tons of MSW going into the landfill every year and last year that was down to 850 tons, which saved the Town about \$70,000/year; that in addition they were generating about \$40,000/year in revenue through the sale of the recycled materials; that people who were recycling in Town were doing a great job but they also had a fair number of people who weren't, so they felt there were things they needed to do.

Mr. Lytle discussed a couple of examples of people bringing mixed trash and recycling materials and how that was resolved.

Mr. Tessier said that people recycling were subsidizing people who were not because they were all paying the costs of the tipping and hauling fees on that trash by the tax revenue, which was based on property values, and was inherently not as fair as it could be. He said that the Transfer Station was now collecting 3 – 7 plastics, which reduced tipping and hauling fees and the volume in resident's bags

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so the bag went further. He added that they implemented a pilot program to collect kitchen waste.

7:30 PM Mr. Moulton said that they started about 1½ months ago and they pulled out about 1½ tons with 100 residents; that that was significant for a short period of time; that fully implemented that would have a cost savings to the Town.

Mr. Tessier said that collecting the kitchen scraps reduced the weight and plastics reduced the volume; that the residents could get lot more in the bag and help reduce the cost of paying for disposal. He added that they have also set up a swap shop. He discussed the support EPA has for this concept because of its environmental and economic sustainability and its equity to residents, as residents paid only for what they threw away.

Mr. Beckert said that they wouldn't slack off on the recycling with pay-to-throw; that it was mandatory.

Mr. Tessier said no; that the problem was enforcement and they had to have somebody out there, pay an attendant to spend the time to enforce the rules. He discussed the benefits analysis that WasteZero did for them with the Board.

7:43 PM Ms. (Sarah) Bernier, WasteZero, gave the Board a chart handout and said that they had been working with Sanford; that they implemented a pay-to-throw program in 2010 then voted it out through their referendum; that the chart showed their tonnage dropped 50% in the 16 weeks that they had this program in place; that the waste has been creeping back up and was now back up to where it was before they started the pay-to-throw program, which was why they were looking to implement this program again. She discussed what her company did and the many municipalities they worked with; that they could help with outreach and education within the community. She added that the analysis went into more detail about what that would look like for Eliot. She added that they manufactured the bags and could take care of their distribution, as well as taking care of the finance collection, so, no added staff time and Eliot would get a monthly report on bags purchased and monies deposited into the Town's account.

7:45 PM Mr. Tessier said that they weren't sure if this could be approved by the Board or if it had to go to Town Meeting; that if the Board could make that decision then they were looking at September 1st as a possible start date. He also discussed how to handle the financial piece and that Ms. Spinney said that the system they had in place for the Transfer Station was simple and would work. He discussed his desire to have that financial line item stay in the Town Book so that residents could see the reduction in taxes.

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7:47 PM Mr. Moulton read the Recycling Ordinance §104.2, "The Selectmen shall have the authority to publish additional regulations, hereunder, which shall have the force and effect of all other provisions of this ordinance." He discussed the implementation of this program and that, if it didn't work, then the Board could revoke it at any time.

Mr. Hirst asked why Sanford stopped this program.

Ms. Bernier said that the referendum language was very confusing and that the staff was not allowed to promote the program.

Ms. (Donna) Murphy said that they had been paying an attendant for many years to enforce the mandatory recycling and, from comments she heard tonight, that hasn't happened; that she has watched people throw things in and not a word to them; that only in the last two weeks has anyone questioned her on what she was throwing out. She added that she would like to see six months of the mandatory recycling enforced to see what change that made. She asked what percentage was WasteZero making on the bags.

7:52 PM Mr. Lytle said that they put extra people up there and crack down on people; that it went well for a month and then went right back, so, they put people back up there again for another couple of weeks; that it was a constant battle all the time.

Ms. Murphy said that there was a person there that was paid to be there all the time to check that; that she assumed that person sitting in that room was also supposed to be checking bags.

Mr. Moulton said that person was also responsible for the operations of that room; that the only way to fully enforce it was to give him another employee dedicated to that all the time; that they had looked at costs and savings and this was a cheaper alternative.

Mr. Tessier said that WasteZero would get 15% of the bag fees and they, in turn, kept track of all the bags, delivered the bags, collected the fees, and did the reporting so he didn't believe it would be cost-effective to hire someone to run the program for that kind of money (\$15,000 - \$20,000/year).

7:55 PM Mr. Pomerleau said that it sounded like a smart thing to do; that he thought it was clearly a management decision. He discussed his concern for whether it would ultimately reduce the Transfer Station's budget; that he would like to see the money actually earmarked for that specifically; that it would reduce that budget so that the residents didn't end up just paying more to dump their trash and their taxes never went down.

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7:56 PM Mr. Tessier said that he paid taxes in the Town, too; that he determined that he paid over \$100/year of his taxes to support the Transfer Station; that he went to the Transfer Station about 28 times a year and that bag cost would be \$36/year, instead of the \$100+ in taxes. He added that the committee's goal was to get it as close to zero-funding out of tax revenue as possible; that he didn't want to pay more in taxes and nobody else did.

7:58 PM Mr. Dunkelberger said that he liked the presentation in November and he liked it now; that he didn't think they had anything to lose by going forward with a six-month trial; that if they didn't like it after six months then they reverted back to what they were doing before.

Mr. Moynahan agreed.

7:59 PM Mr. (Andy) Dudek said that he was against this proposal; that he recycles and jumps into anything new. He added that he would like to see the composting go Town-wide; that he would like to see the 3-5-7 plastics continued and see what that did; that there were very few things he was happy about paying taxes in Town but he was happy with the Transfer Station because he could see a product. He said that he would like stricter enforcement and charge more for those who didn't want to recycle.

Mr. Moynahan asked what stricter enforcement would require.

8:05 PM Mr. Moulton said that on Saturdays, with the volume, they couldn't check every bag. He added that he has come up with many proposals and this was something he was trying to give them that he felt truly worked. He said that, especially on Saturdays, they would need an extra person. He added that he lived in a pay-to-throw community and it cost him \$1.50 a week with his family of five.

8:07 PM Mr. Dunkelberger said that his concern with having someone to enforce that was the potential for confrontation that could turn ugly. He added that going with this, it would create the incentive for the person throwing the bag to minimize the number of bags, so, it tended to be self-policing versus having someone there confronting the public; that having watched the operation on Saturday, enforcement was a challenge.

Mr. Lytle pointed out that they tried to be really strict out front but that person took a lot of abuse and he shouldn't have to.

Mr. Pomerleau said that he thought there were extremes on both sides of this; that he didn't think they needed additional help but better management.

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8:09 PM Ms. Shapleigh said that she paid over \$8,000 a year on her home property; that she has been recycling for years and composted at home; that they didn't have Town water or street lighting and one thing she was getting for her tax dollar was to throw her trash in the dumpster. She added that she paid quite a bit in taxes and not getting very much for it.

Mr. Hirst said that he would like to see a six-month trial and see how it went.

The Board discussed the six-month trial option and the issue of enforcement.

8:12 PM Mr. Blanchette could implement this without creating an enterprise fund.

Mr. Beckert said that he thought it should be set up to show a direct reduction to the Transfer Station budget.

8:15 PM Mr. Dunkelberger moved, second by Mr. Murphy, that the Board of Selectmen enter into a six-month trial for a pay-as-you-throw system as proposed by the Solid Waste Committee.

VOTE

4-0

Chair concurs

Mr. Moynahan said that they would set this up to start September 1 and, in the meantime, start scheduling public awareness meetings.

8:16 PM
#2

TO : Board of Selectmen
FROM : John Lippincott
REF : Eliot Festival Day

Mr. (John) Lippincott introduced his committee and gave a brief history of Eliot Festival Days. He added that last October they thought they would have a decision within a couple of weeks about the insurance but that didn't happen; that they were a month late and needed a decision tonight or they would have to cancel Eliot Festival Day.

After discussion by the Board with the EFD Committee, it was determined that the EFDC had adequate insurance.

Mr. Beckert moved, second by Mr. Dunkelberger, that the Board of Selectmen accept the Certificate of Liability from Eliot Festival Day Committee that covered the weekend event from their insurance carrier.

DISCUSSION:

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Mr. Hirst said that, if EFDC did nothing other than that single event, then he didn't believe the Town's company would have a problem with it. He added that he was unaware that they didn't do other things during the year.

VOTE
4-0
Chair concurs

8:30 PM
#4

TO : Board of Selectmen
FROM :
REF : Ordinance Governing Boards and Committees

It was agreed that Mr. Murphy and Mr. Dunkelberger would work together to draft proposed Skype language for the Board's review.

8:31 PM
#5

TO : Board of Selectmen
FROM :
REF : Review of Public Hearing Schedule

Mr. Moynahan said that the BC and school had a conflict on May 30 so the school was available Tuesday the 28th and Wednesday the 29th.

The Board agreed to reschedule to Tuesday May 28th for the Public Informational Meeting on all referendum items, to be held at Eliot Elementary School at 6:30 PM.

8:35 PM
#6

TO : Board of Selectmen
FROM : Code Enforcement Officer
REF : Sections 6-18 45-50 (3) K

Mr. Moynahan said that this was follow-up by the CEO from last week's discussion with Ms. Hardy; that Section 6-18 (Special Amusement Permits) was not applicable and that Section 45-50 (3) (k) (Appeal Procedure) was applicable, which said that, if the Board of Appeals did not reach a decision within 60 days of filing, this inaction constituted a denial of the appeal.

Mr. Beckert said that they didn't know that the BOA even received that appeal; that they would have had to receive it to constitute that part of the ordinance being in effect; that it was difficult going back to recreate or correct history. He added that it was bothersome that it appeared that the BOA never received it; that it was signed for here at Town Hall but never forwarded to the BOA. He said that the cleanest way, for the public's information, was for the pertinent party to fill out a

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new application; that the CEO could either approve or deny but, if he denied, then he had to put the basis down and they could go through the appeals process. He reiterated that this would be the cleanest way rather than trying to unravel what happened back then.

8:38 PM

#7

TO : Board of Selectmen
FROM : Senator Dawn Hill
REF : Governor's Proposed Budget

This was informational.

#8

TO : Board of Selectmen
FROM : Mike Moynahan
REF : Police Chief cost-sharing considerations

Mr. Moynahan said that this was from the last meeting with Kittery and anything further with financial discussions he was going to ask someone else to be part of that, that he would ask Mr. Blanchette to be part of that. He discussed the changes with the Board and said that Maryann Place was talking with her Council on Monday. He said that Kittery wanted to keep dispatch separate from the police chief consideration and he could understand that.

Ms. Adams asked about the total salary package.

Mr. Moynahan said that the salary was \$110,000, retirement was \$14,080, FICA was \$8,415, insurance was \$9,000, with total shared cost of \$141,495.

Mr. Dunkelberger said that he thought they had a good agreement in front of them, even with 50/50 on the fringe benefits and he could certainly live with that with a 60/40 salary.

Mr. Moynahan reminded them that the MOU allowed this to be revisited yearly for a term of three years; that salary did not change for the three-year period.

Old Business (Action List):

Mr. Moynahan said that, now that budget season was over, he would update this list and bring it back on the agenda.

1. Route 236 Sewer Expansion Project reports, updates, and schedules – Questions from Route 236 Ad-Hoc Committee - Mr. Blanchette

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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 – explore school space – 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
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 statement, management letter, finance director, personal property tax, fixed asset management - BOS
12. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst
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)

BOARD OF SELECTMEN'S MEETING
April 25, 2013 6:30PM (continued)

- 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.

8:42 PM

Other Business as Needed

Mr. Moynahan said that there was a note from the Eliot Garden Club; that they were preparing for their annual plant and pie sale at Hammond Park and they wanted to purchase a banner and hang it, temporarily, over Main Street one week prior to the sale. He added that Chief Muzeroll has offered his services to hang the banner and take it down.

It was the consensus of the Board to allow the Eliot Garden Club to hang a banner to advertise their annual plant and pie sale.

8:43 PM

It was agreed that Mr. Dunkelberger would update the BOS Fact Sheet and provide to Mr. Blanchette for his review and so that he could disseminate that information to the public.

Executive Session

8:44 PM

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen enter into executive session as allowed by 1 M.R.S.A. §405.6.C, "Discussion or consideration, acquisition, or use of real personal property..." Proposed IMA with Kittery.

VOTE

4-0

Chair concurs

8:58 PM

Out of executive session.

8:59 PM

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen forward the proposed IMA to Kittery.

VOTE

4-0

Chair concurs

**BOARD OF SELECTMEN'S MEETING
April 25, 2013 6:30PM (continued)**

Adjourn

There was a motion and second to adjourn the meeting at 9:00 PM.

VOTE

4-0

Chair concurs

DATE

Mr. John J. Murphy, Secretary