

BOARD OF SELECTMEN'S MEETING
April 26, 2012 6:30 PM

Quorum noted

6:00 PM: Meeting called to order by Mr. Moynahan.

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

Mr. Fernald was absent.

Pledge of Allegiance recited

Moment of Silence observed

Approval of Minutes of Previous Meeting(s)

There were no minutes approved.

6:31 PM

Public Comment:

Ms. Adams asked if the Board had any more information on Great Hill and what the problem was there.

Mr. Blanchette said that they had not gotten any updates.

Ms. Lewin said that, as a point of information, several years ago Robbi Nichols called her because he had stopped a truck with material in it that he thought was hazardous. She added that she went to the State and, at that time, the State's response was to her that there were no hazardous materials being dumped and the truck that was stopped had a legal license to drop there. She said that it might be interesting for somebody to talk with Mr. Nichols and, if they have that information, then they could trace it back, because it was several years ago.

Mr. Moynahan agreed and said his understanding was that the State has a list of those types of drivers but that information was not really shared with the towns so, it was a frustrating process, for sure.

Ms. Lewin said that she would try to get a hold of Mr. Nichols and see if they could push or shove a little to try and get it because she thought that would be a meaningful thing.

Mr. Moynahan said that that would be great.

6:32 PM

Department Head/Committee Reports:

Building Committee – ECSD building proposal

Mr. Beckert said that they had put this memorandum together so that the Board had all the information required should they decide to move forward with this proposed building project. He discussed that they had received and reviewed six bids, interviewed the three lowest bid contractors, and recommended Pine Brook Corp. – the lowest bid – contingent upon Town approval. He added that the bid range was from \$253,617 to \$331,300. Mr. Beckert said that the bid was \$254,000; Site Work & Septic was \$100,000 and that was based on Eliot Public Works Department doing all the site work and septic installation; Concrete was \$10,500 that the Town would purchase; Owner's Representative/Clerk of the Works was \$12,000 and they recommended that the Board have a Clerk of the Works for a project of this size; Kitchen was \$14,000 and that would be purchased by the Town at the Town's costs; Security System was \$6,000, which was a subtotal of \$396,500. He added that a 10% contingency (industry standard) was \$39,600 for a total for building and site work completion of \$436,150. Mr. Beckert said that at an early meeting they had made a presentation there was \$18,000 worth of furniture and equipment that would be

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required as from the list provided from the ECSD Director, which would give a total project cost of \$454,150. He said that the ECSD Building Reserve Fund had \$85,900, as of today, and would bring the total down to \$368,250 that would have to be appropriated, bonded, raised, etc. He said that these were concrete figures based on everything they got through the bid process.

Mr. Dunkelberger asked if the Board would like to discuss his talk with MSAD #35 and the relative costs.

Mr. Moynahan said that he thought they could talk about all those things but, as it relates to the work of the BC, if the Board had questions regarding the construction costs or anything that they provided, then this would be the time to talk with Mr. Beckert.

Mr. Murphy asked Mr. Beckert if he had any idea how much of this would actually have to be bonded and how much would come out of Town funds.

Mr. Beckert said that they did not do a breakdown of where the Board should take the \$368,250, as they felt that was something the Board needed to wrestle with. He added that the Board could certainly appropriate from already available funds in undesignated funds, if they felt that was the way to go or they could bond it or a combination thereof.

Mr. Murphy said that that sounded a reasonable approach to it if one headed in that direction.

Mr. Moynahan said that this was great information and that they would take all this and utilize it to see if they moved forward or not with it. He thanked Mr. Beckert and the committee for a job well done. He asked if Mr. Dunkelberger would mind taking up the MSAD #35 discussion later in the agenda to keep the agenda items going.

Mr. Dunkelberger did not object.

6:38 PM Sewer Committee TIF update

Mr. Dupuis gave an update on the TIF event held at the Regatta last night. He said that there were 73 people present for the presentation and thanked the many people who were involved including The Regatta, the advertisers, the Eliot Business Development group, the video streaming that allowed them to go online, and the support of the Board of Selectmen. He said that Underwood Engineering, in his mind, did a great presentation, which was well received, there were some excellent points raised by the public and that gave them the opportunity to answer some more questions. He added that they would have one more public meeting and the date was to be determined.

6:40 PM Mr. Blanchette said that the Board decided at the last meeting to include the fringe benefits within the warrant articles and he wanted to let the Board know that Ms. Spinney could not account for it in that fashion. He added that she talked with the auditor and he could not see how it could be done with the software they currently have. He explained that it could be done manually but he was not sure how many hours that would add to her work.

Mr. Moynahan asked how they were going to show those costs.

Mr. Blanchette said that that they could do it as they did last year and that was to have one article for fringe benefits and have a notation under each article as to what the fringe benefits cost were. He clarified that, if they put the fringe benefits within the article, then she would have to account for them in that fashion and, presently, the software did not allow her to do that.

Mr. Moynahan said that the department's true costs with fringe benefits would still be shown and visible.

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Mr. Blanchette said that it would be just like last year; it would be a note underneath the article for each department.

Mr. Moynahan clarified that it was broken down, again, in the fringe benefit article later in the warrant.

Mr. Blanchette said that that was correct.

Mr. Dunkelberger said that he was of the mind that there was a way to do it. He added that he understood they were kind of under the gun regarding timelines for making this happen. He said that, if they did not have the time to pursue this now, whether it be a software upgrade or a combination of factors in getting somebody, other than the auditor, maybe someone who was a little smarter with manipulating software, to take a look at it this year, then he would hope that this Board would commit to taking the time throughout the next fiscal year to pursue exactly what they committed to with the BC.

Mr. Moynahan suggested that that was something they could add to the Action Item List so that they were on top of it moving forward towards next year's budget requests.

Mr. Murphy said that this was a complicated issue and that he thought they could not promise anything except to look into and attempt to achieve it. He added that State statutes were involved and the Town was only allowed to use only those programs approved by the State so, there may be some things they needed to look into before achieving what the public wanted.

6:43 PM

Ms. Place said that she knew there was software out there that would do this job at cost but, right now, she believed there were only three kinds of software that they were allowed to use by State statute and they wouldn't do this. She added that it would be hours and hours of work for Ms. Spinney, weekly, to do this.

Mr. Moynahan asked Mr. Blanchette to put this on the Action Item List under Budgets and start listing A through whatever they needed to so that they were better prepared to have other areas' questions answered when they reached next year's budget cycle.

Mr. Moynahan discussed ECSD space needs. He said that he saw that the Fire Chief and ECSD Director were present and, even though this wasn't on the agenda, the Board had asked for them to come in to discuss the space at the Fire Station. He asked if that was why they were here.

Mr. Muzeroll said no, that he was here as the Fire Chief just listening to the meeting.

Mr. Moynahan clarified that the Board had a conversation at the last meeting about potential spaces for the ECSD around the Eliot Elementary School (EES) and the Fire Station. He added that he believed Ms. Muzeroll-Roy had given a Memo to the Board regarding her preference that, if there were not going to be a building, that she would prefer to be housed in the Fire Station opposed to the EES. He asked if that was correct.

Ms. Muzeroll-Roy agreed, saying that, though it wasn't on the agenda, she certainly didn't mind discussing this but she wasn't totally prepared.

Mr. Moynahan clarified that he was just wanting to know if that was why she was present.

Ms. Muzeroll-Roy said no, that she was present for the BC.

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Mr. Moynahan said that they had just gotten another piece of information from Mr. Dunkelberger, reiterating that this was not on the agenda and that the department heads might not be ready to discuss this yet.

Mr. Muzeroll said that he would like to have something to comment on before he did comment on anything.

Mr. Moynahan agreed and said that he thought everyone had been made aware but apparently that did not happen and he apologized.

Mr. Dunkelberger asked the Fire Chief if he had been able to find any information with regard to the minimum number of fire engines the Town needed to have.

Mr. Muzeroll said that he had not gotten that far, yet, and asked if that was an issue that it was paramount he get right now.

Mr. Dunkelberger said that he would like to have that before Town Meeting.

Mr. Muzeroll said that he couldn't promise anything but he would see what he could do. He asked for what purpose they were looking at this.

Mr. Dunkelberger said that he has seen a lot of variation in a lot of fire departments and he was just wondering what was the standard and where was Eliot in relation to the standard.

Mr. Muzeroll said that, in defense of that, he saw departments that had a lot more trucks than Eliot does. He clarified that he just wanted to know where Mr. Dunkelberger was going with this because he could look to see if there was a standard and that he wasn't sure there was a standard.

New Business (Correspondence List):
6:47 PM

#1 TO : Board of Selectmen
 FROM : Joel Moulton
 REF : BOS Meeting

Mr. Moulton discussed the Maine DOT Transportation Capital Work Plan request. He said that this would be a request regarding the Old Field's Road Bridge Project to be possibly put on the State's Fiscal Year 2014/2015 CIP and that this request needed approval and a signature from the Board. He added that the submission date was April 20, 2012. He also said that new guardrail installation he removed from his budget he could also add to this list for possible funding.

Mr. Moynahan said that he thought this was a sensible thing to do, to solicit additional funding.

It was the consensus of the Board to approve this.

Mr. Moulton discussed a sewer grant. He explained that Eliot has been selected to be reviewed for a \$20,000 grant for principal forgiveness for the sewer treatment pump station. He asked if the Board wanted to move forward with that and, if they did, he just had to sign the paperwork and submit it.

The Board agreed by consensus to move forward with this.

Mr. Moulton discussed operational policy for the Town Sewer Department. He said that it was his understanding at the end of the meeting back in February that the plan had been approved and recommended that the Public Works Director include the title of Sewer Superintendent. He added that he was looking for clarification to eliminate

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any issues and clarify the operation of the Sewer Department so that everyone would have the same understanding.

Mr. Moynahan clarified that the Department of Public Works Director was in charge of all that related to municipal sewer.

Mr. Moulton discussed a sewer connection application. He said this was a request from Rayne's Excavation for a connection to the Public Sewer for a single-family home on Greenwood Street, adding that the SC had reviewed and approved this application, contingent on installation of a reserve sewer containment-holding tank.

6:53 PM

Mr. Murphy moved, second by Mr. Dunkelberger, to approve this application for a sewer connection to Tax Map 10, Lot 42 by Rayne's Excavation, to include the betterment and inspection fees be paid.

Mr. Moynahan said that, typically in the past, the SC has provided these requests and clarified that, working with the SC; these would come from the Department of Public Works.

Mr. Moulton said yes.

VOTE
3-0
Chair concurs

Mr. Dupuis said that the establishment of the protocol, as it came forward, will be that way from now on. He added that Mr. Raynes did appear before the SC and their approval went to the Department of Public Works.

Mr. Moynahan thanked him and said that that was good for clarification.

Mr. Moulton discussed the Uniform Contract. He presented the Board with a potential service agreement with G&K Services at a cost of approximately \$4,200 per year for their review and approval, if they saw fit.

Mr. Murphy asked if these services would be on-demand or was it done on a weekly schedule.

Mr. Moulton said that it was a weekly schedule, that they would do any needed repairs to the garments and would include shirts, pants and coveralls.

Mr. Moynahan clarified that this was something he had in his current budget already.

Mr. Moulton said yes. He added that he brought it before the Board because it was a contract and equated to a lump sum of around \$20,000.

6:55 PM

Mr. Dunkelberger moved, second by Ms. Place, to allow the Public Works Department to enter into a contract with G&K Services to support uniform requirements of approximately \$4,200 per year and a five-year contract.

VOTE
3-0
Chair concurs

#2

TO : Board of Selectmen
FROM : Thomas Burns, President, GIS Mapping & Analysis
REF : GIS Budget Proposal

Mr. Blanchette said that this was the clean version of the GIS budget proposal.

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6:57 PM Mr. Murphy moved, second by Ms. Place, to approve this contract to update Eliot GIS and to continue the mapping service for the Town for the sum of \$14,800.

VOTE

3-0

Chair concurs

#3

PM TO : Board of Selectmen
FROM : Information Technology Committee
REF : Secure on-line banking

Mr. Moynahan said this was a Memo from the ITC discussing secure online banking. He added that it had several references, with some enclosures, several tasks the Town should be completing, and some recommendations. He recognized Mr. Emery.

Mr. Emery discussed the Memo, saying that there were things in the Memo that the Board really needed to look at in terms of security and that not everything was in place. He added that he thought two-way communication with monitoring the security was doing an outstanding job. He also said that he did not know if they had considered the type of security the bank had when they were deciding which bank to go with. He discussed Item F., which was about trusted IP's and that he was doing a bit more research on that. Mr. Emery said that the bottom line was that the cover sheet identified most of what the Town should be considering to do. He added that his committee was willing to sit with Mr. Blanchette and go through it with him and whatever bank or banks the Town may be involved with.

Mr. Dunkelberger said that, at one point, they had talked about looking at other banking options and asked if they had gotten anywhere on that.

Mr. Blanchette said no, that as soon as Ms. Spinney got caught up on her work, he would talk with her to investigate banks and take Mr. Emery with them.

Mr. Moynahan said that the question was whether they were completing these tasks and, if not, how did they make sure they did for security for the Town.

Mr. Emery said that anything to do with the financial institutions his group was willing to assist with and there were recommendations in the Memo that Mr. Blanchette and the employees needed to do in-house.

Ms. Place asked if this would require upgrading any of the systems here in-house.

7:04 PM Mr. Emery said that he didn't think so, adding that he thought that all the machines were on Windows 7. He did say that the server was getting tired and, at some point, the closet needed to be looked at and revamped. He added that Mr. Blanchette had given the ITC the task at looking at the possibility of hosting the server off-site and the ITC unanimously decided that the Town wasn't big enough for that right now when they looked at the total cost.

Mr. Moynahan asked Mr. Blanchette to follow up on some of the recommendations, maybe even a staff meeting to inform them just how severe some of the issues could be.

Ms. Fournier said that she did not think online banking was a good idea for the Town for security reasons.

Mr. Moynahan clarified that Mr. Emery had come in to discuss some of the security concerns the Board had with the limited online banking that the Town did and taking all the precautionary steps to assure that the Town was not put in a compromising situation. He suggested she ask Ms. Spinney what the benefits were of the online banking the Town currently does.

#4

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7:11 PM TO : Board of Selectmen
FROM : Small Harbor Improvement Program
REF : Applications being accepted

Mr. Moynahan asked if anyone had any thoughts as to whether this would or would not benefit the Town. He suggested that the boat launch area might be suited to this.

Mr. Dunkelberger said that he couldn't think of anything and added that there was a required local match of at least 20%.

Mr. Moulton said that he did not know of any projects and thought Ms. Muzeroll-Roy was all set at the Boat Basin, but he could note it in the grant application he had previously discussed and talk with Ms. Muzeroll-Roy about it, as well.

Mr. Murphy asked if the Harbor Master had any thought or ideas about this or the police even.

Mr. Moulton said he could ask.

Mr. Moynahan said that, maybe if something arose, they could bring it up at their next meeting

#5

7:13 PM TO : Board of Selectmen
FROM : Ed Henningson
REF : Grant Projects

Mr. Moynahan said that Mr. Henningson was again urging the Board to approve some funds to get the matching funds regarding the SEI Rotating Loan Fund. He added that they had discussions with them before and asked if the Board had any more thoughts on potential funding sources for this, any ideas.

Mr. Murphy said that the funds would probably come from the Facilities Repair Fund and would be selected from one of the lists prepared by the Energy Commission (EC) dealing with a number of different buildings in Town. He suggested getting a hold of Mr. Henningson to get more details of the list he was proposing.

Mr. Moynahan said that they had had a whole presentation with a list of improvements and that sort of thing from him before. He added that the problem was that the money was up-front money and where would that come from since this was not budgeted for in the upcoming fiscal year. He said that he thought they would have to look at this fiscal year to see if there were any funds available, adding that it certainly was a benefit to the Town. He asked Mr. Blanchette for his thoughts.

Mr. Blanchette said that they had been using the Facilities Reserve Account quite heavily and he did not know how much there was left in it. He added that they would need to look at it to see how much there was and then he would contact Mr. Henningson to see what projects were available.

The Board agreed that was a good approach.

#6

7:16 PM TO : Board of Selectmen
FROM : Philip MacDonald
REF : Easement

Mr. Moynahan said that this was a Memo from Mr. MacDonald as it relates to 60" ROW easements; that Mr. McMullen had been in from the Comprehensive Plan Committee regarding this off Beech Road. He added that his parents actually owned one of those houses so he was going to let the rest of the Board talk among themselves about this and not be part of the discussion.

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Mr. Murphy said that it seemed to him that Mr. McMullen's request may be more than they could really do at the present time – an insertion into the process they could not solve at the present time. He added that he would agree with Mr. MacDonald's letter that they should go with what was needed to support the TIF Project and not complicate it with trying to design a road system in an area in which they didn't quite know what the uses were going to be. He said that he had doubt there was enough land in there to insert a wide commercial road between Route 236 and the power line easement. He added that it would have to be a very careful design and he did not think they were prepared to do that. Mr. Murphy said that he thought they were lucky to find even a pattern of sewer easements to come down through there in an efficient and lowest cost ROW. He recommended that they not write ROW to easements at the present time.

Mr. Moynahan clarified that Mr. MacDonald indicated keeping them separate because an easement now would not prevent the Town or property owners from establishing a 60-foot ROW in the future. He asked if the Board wanted to leave that status quo with the engineers for the time being.

The Board agreed.

#7

7:17 PM

TO : Board of Selectmen
FROM : Robert Pomerleau
REF : April 11, 2012 Public Meeting

Mr. Moynahan said this was regarding the announcement of a public meeting held that same day. He added that there were concerns about not properly advertising within ample time for public attendance. He asked if Mr. Pomerleau would like to speak.

Mr. Pomerleau said that, if they had questions beyond the content of the letter, he could gladly answer them, but he thought it was clear in the letter what the position he was taking. He added that it was a violation of the Freedom of Access Statute that required adequate public notice to be able to attend the hearing. He said that he did not know what a violation would be if not calling a roughly 8:30 in the morning for a 5:00 PM meeting on the same day was a violation. He said that he had a real problem with the way it was done, the outcome of it, what was on the agenda as opposed to what was done; it was a total absence of public hearing and against the public's interest and the right to information and access to information. Mr. Pomerleau said that he was seeking the remedy of an acknowledgement that that was inappropriate and setting a minimum policy for hearings for future meetings that did not violate this principal.

Mr. Blanchette clarified that the official public notice was posted at the three locations that they needed to post them at on Tuesday late afternoon.

Mr. Murphy said that he agreed with Mr. Pomerleau in that they should try to encourage the public to know and that they should be following the laws. He added that he had been surprised and, to him, it was a sudden meeting but the Chairman could do that and he assumed he had reason for doing it in the way that he did and that he had followed the letter of the law by informing the press at the proper time. He asked if others knew about it before him because he was not online and may have missed being in the loop.

Mr. (Frank) Murphy asked if there were any public attendees at that meeting besides Town employees.

Ms. Place said yes, there were a few members of the public.

7:21 PM

Mr. Moynahan said that the request was that the Board consult with Town legal on a potential violation. He asked if that was something the Board was going to do, then asked if Mr. Blanchette had done that already regarding the ample time of notice.

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Mr. Blanchette said that he had not done that.

Mr. Moynahan asked if they had had meetings scheduled 24 hours in advance and it had met the requirements.

Mr. Blanchette said that they had and that it was called an emergency meeting, meeting the requirements for that. He added that he thought the media was at that meeting. He reiterated that he posted the official agenda Tuesday, late afternoon, because that was the notice they had.

Ms. Adams asked if there was a requirement that the Town post it in a newspaper 24 hours in advance or was it just the three postings around Town, adding that one would actually have to go to one of those places, see that there was a meeting and, then, be able to attend the meeting.

Mr. Blanchette said that there was no requirement to post it in the newspaper at all. He explained that the requirement was that it had to be posted and the media informed of the meeting. He said that the Town has a local ordinance, not State law, that tells them where they could post and they had three places where they posted (four including the Town Hall) – the Transfer Station, the Meet Market and they have started posting at Dunkin' Donuts.

Mr. (Jack) Murphy read a portion of the State statute regarding public notice for the benefit of the attending public.

7:28 PM

Ms. Reed said that this was to talk about employee salaries regarding the budget but asked what the emergency was that would warrant that this be done on such short notice.

Mr. Blanchette said that he was told to put the meeting together prior to Thursday's meeting so, prior to that Thursday was Wednesday.

Ms. Reed asked who instructed him to do that.

Mr. Blanchette said that he was instructed by the Chairman of the Board.

Ms. Reed asked if there was any discussion among the Chairman and other Board members as to the reason why it was necessary to do it on such short notice.

The Board said no.

Ms. Reed asked, in their view after it had happened, did it seem like it was an emergency that had to be done that day with no other recourse.

Mr. Dunkelberger said that they all knew that hindsight was 20/20, adding that he wished the Chairman was here to answer those very questions because he was the one who made that call. He added that whatever was going through his mind at the time must have, at least, seemed that it was a problem the Board needed to deal with immediately. He said that he didn't know that they violated any legal requirements and that was something they should ask their attorney, adding that they could definitely handle it better as far as informing the public and maybe the new system of putting out notice of important events would help them do that in the future.

Mr. Murphy said that it was perfectly legal for the Chairman to call a meeting anytime – he has that authority. He added that he assumed there was sufficient reason and there may have been a reason in their Chairman's personal life who was going through an extremely serious problem with his family and he may have known that he needed to know this information before, say, a week or so later when he might have expected to be gone for a number of days attending to that and, so, he gave him a wide range of leeway in trying to get things done and get information out and collected as soon as possible. He added that it has been a horrendous spring as

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far as trying to develop information in many directions and, if he moved fast, they got the information. He said that he felt informed.

Mr. Pomerleau said that there was nothing in the notice or any information put out that he declared it an emergency of any kind and this was all after-the-fact. He added that even if it was an emergency the law still required adequate public notice for people to attend. He said that there was no aspect in the law that exempted the public having adequate notice even if it was an emergency. He said that the only rationale that he could even think of was that someone might have contemplated that this had to be done before Thursday's meeting – it was knowing that there was going to be a reversal of the instructions to the department heads on their instruction to look for personnel costs and, therefore, they were going to have to have at least a days' notice to be able to rework their budgets. He added that that was the part that was most disturbing – that was not in the agenda but that's what happened and reiterated that he thought that was the most disturbing part about the whole thing. He said that, as far as the short notice, he asked that they use some common sense, asking what member of the public was going to have that information and be able to make a 5 PM meeting the next day. He added that that meeting could have been held at 5 PM on Thursday before the Board's regular meeting if it had to be at 5 PM, which would have given at least 24-hour notice, and the only reason that would not have worked is the event that they wanted to reverse the instructions to department heads and that would have given them only about 2 hours notice before the Board meeting to rework their budgets. He said that the whole thing was inappropriate and didn't meet the straight-face test.

7:34 PM Ms. Shapleigh said that she thought they had been working to finalize the budget and there had been a lot of shots taken from the audience about cutting hours and salaries. She added that she thought that, perhaps, they wanted some input from the employees that would be affected that weren't present when some of the shots were taken at them and their employment. She said that, perhaps, the Chair was trying to get input from the people who would actually be affected by some of the things that were suggested by this audience at times.

Mr. Moynahan said that, perhaps, they could bring this up at a workshop meeting regarding what would constitute an emergency meeting and what ample notice would be and make sure that was followed in the future.

#8

7:36 PM TO : Board of Selectmen
FROM : DEP
REF : Project of Ms. Blickensderfer
This was informational.

#9

7:37 PM TO : Board of Selectmen
FROM : DEP
REF : Project of Ms. Stein
This was informational.

#10

7:38 PM Budget/Warrant – No correspondence

Mr. Moynahan said that he thought that Mr. Blanchette had provided them with the copy of the warrant based on the information compiled to-date. He added that he did not think they needed to determine who was going to make motions just yet but he thought language and amounts should be discussed.

Mr. Dunkelberger said that he has gone through it and provided his input to Mr. Blanchette.

Mr. Moynahan asked if there was anything substantive the Board needed to address.

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Mr. Dunkelberger said that they needed to fine-tune the numbers, particularly as it related to the sewer warrant, as well as some fringe benefit numbers that didn't match up.

Mr. Murphy said that he had several typos but he would take them to Mr. Blanchette. He added that he agreed that the fringe benefit lines needed to be correlated with the fringe benefit article amounts.

Ms. Place said that she sent changes to Ms. Thain when she emailed this to the Board and they seem to all be taken care of except the fringe benefits for the Police Department.

Mr. Moynahan asked if, starting with the Article the Third with the TIF warrant article, this was going to be a referendum or floor vote.

Mr. Dunkelberger said that he thought it was their intention to put it to a referendum vote.

Ms. Place and Mr. Murphy agreed.

The Board agreed by consensus that this article will be a referendum vote.

Mr. Moynahan said, addressing the 5th Article for the ECSD building, said that the Board had information back from the BC this evening and, with that, they had some information provided from MSAD #35 as it related to space needs.

7:40 PM

Mr. Dunkelberger said that the document the Chair was referring to, the draft he put together, was based on a discussion he had with MSAD #35. He added that, once he put it together he ran it by MSAD #35 and they replied, "Your draft captures the essence of our agreement. We'll want to add the insurance and "hold harmless" language to the final version." Mr. Dunkelberger said that, basically what it came down to was that the cost would be \$1.22 per square foot of utilized space to cover costs of utilities. He added this would be about 800 square feet, which would equate to approximately \$976/year, and, if they added a separate office to that, which he was estimating to be about 100 square feet, then that raised the total utility bill to almost \$1,100/year. He also said that they would probably pay an incremental charge to support custodial services for the ECSD spaces to include Kidcare areas plus some additional custodial supplies as a result of additional usage by ECSD. He added that, separately, the Town would provide telephone and data capability. He concluded that this would equate to a cost of about \$1,500/year for MSAD #35 to support ECSD spaces. He said that they would normally use a comparison of payback so, if they were equate that to a \$450,000 facility, that would be about a 150-year payback.

Mr. Moynahan said that they were focused on warrant language, adding that the 5th Article was reserved for the ECSD building, the committee has done the work on that and asked if that was something the Board wanted to put on a warrant this year or this June's warrant, based on some of the other information that has been provided.

Mr. Dunkelberger said that he would recommend the Board not put it on the warrant.

Mr. Murphy said that he thought they had been saying all along that they would put it on the warrant and the Town could then turn it down. He added that they did have the figures, now, and that they should put the figures there and everyone would see the figures and, perhaps, it would be an easy decision for them to make, but they would have followed through on the process that they had talked about and not have changed course in the middle of the stream, even if they came up with a very fine, small solution instead. He said that he thought they should move, as Article the 5th, the details of the proposed community service building.

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Mr. Dunkelberger said that he had to strongly disagree, adding that he thought putting this in a warrant article was a waste of time, money, ink, and spoke to the credibility issue of this Board.

Ms. Place agreed with Mr. Murphy, that they have gone down this road, charged the BC and they did their job, and she thought they owed it to the citizens to put this on a warrant article and let them vote it up or down.

Mr. Moynahan said that he thought they owed it to the department head to provide space and they were tasked to look at some of the options. He added that the BC provided an option, they have had other options explored, including the current situation that ECSD was in. He said that they could have conversations about all that, but the question was whether to put this on a warrant article. He added that, if there was going to be a motion for or against, then now would be the time to have those.

7:44 PM

Mr. Murphy moved, second by Ms. Place, to include the ECSD building as part of the 5th Article, with the information provided by the Building Committee.

VOTE

2-1 (Mr. Dunkelberger)

Chair concurs with the negative

Mr. Moynahan, addressing Mr. Blanchette, said that that would be put on as the 5th Article and the dollar figure would be as presented.

Mr. Dunkelberger clarified to the public that the Chairman's vote did not count unless there was a tie so, he could not make a tie – he could break a tie. He said that the vote was 2-1 in favor.

Mr. Moynahan said that, for the warrant article language, the dollar figure is really the essence of the article and not the contractors and that sort of thing, although the BC recommended somebody, they didn't have to get that specific. He said that the dollar figure recommended was \$368,250 so that would be the dollar figure in the 5th Article for the proposed ECSD building.

Mr. Blanchette asked how the Board wanted that broken out – all bonding, all undesignated fund or some combination.

Mr. Moynahan said that, within that dollar figure, the ECSD Building Reserve Account was being utilized. He added that the reserve funds they had been utilizing throughout the budget and asked what the balance was in the Undesignated Fund Reserve.

Mr. Blanchette said that the Undesignated Reserve balance was 1.4 million and he thought they were using \$130,000 or \$140,000 from that but he would go check.

7:47 PM

Mr. Fischer said that the motion was for consideration of the building on a warrant article and he was wondering if they would do the same thing for what it would cost the Town to duplicate the same thing with the school system.

Mr. Moynahan said this was a recommendation to include in that warrant article another space option cost in addition to what the building cost would be. He added that Mr. Blanchette was looking to see what the Undesignated Fund balance was and what funds might be used or if it all would be bonded and he asked for Board input on how they wanted to get to the dollar figure and how to present that to finalize the warrant.

Mr. Blanchette said that the present budget, without this, they were using \$132,000 of the Undesignated Fund balance. He added that the Undesignated Fund balance is at least 1.4 million but they didn't have the final figure.

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Ms. Lewin said that, in the interest of clarity, it should be broken down much as it is on the sheet in the warrant article and much like most other departments broke things down. She added that people should have an understanding of the total costs but they should certainly understand what the component parts of it, too.

Mr. Moynahan agreed, saying he was just trying to get to that dollar figure on how they were going to recognize that.

Mr. Dunkelberger said that his feeling was that, if the Town were to fund this project, then it seemed to him it would make more sense to take it out of Undesignated Funds than to pursue additional bonding authority when they were already trying to do that with the sewer project.

Ms. Place said that she thought that was probably the best solution.

Mr. Moynahan said that by taking it out of Undesignated Funds they would be below the \$1 million threshold or pretty close that they have always tried to stay at.

Mr. Murphy said that what confused him were the five line items that were assumed to be done by the Town – the site work, septic, concrete, Clerk of the Works cost, kitchen, and the security system - all adding up to \$142,500 and he wasn't quite sure how those were going to be paid for by the Town.

Mr. Moynahan invited Mr. Beckert to address that.

7:52 PM

Mr. Beckert said those were actual figures for the cost to do the work and buy the materials necessary to install those systems – septic system, gravel needed to backfill around the building, pavement, curbing (site work), concrete was actual cost from Hisson Concrete at a discount to the Town, the Clerk of the Works (part-time) was recommended for a project of this size for daily on-site issues. He added that, if this project were to be approved and the Board would allow, the BC would interact with the Clerk to field those necessary decisions that needed to be made on spec changes and the amount was a conservative figure. Discussing the kitchen, he said that the dollar figure was an actual cost, discounted to the Town, for purchasing appliances, cupboards, fixtures, etc., and they included that as a Town cost rather than one being bid on by contractors because they got a better price.

Mr. Moynahan asked if the contractors would be installing the kitchen.

Mr. Beckert said yes, that the Town would be furnishing the materials. He added that, for the security system, that was an exact cost price to install in a building that size and that is with the company the Town currently has for the security system at the Town Hall and the other Town buildings.

Mr. Murphy said that in talks several months ago, there was talk that the Eliot Department of Public Works (DPW) would be available to do the groundwork and so forth. He asked if those costs and those jobs not included in this list.

Mr. Beckert said that that was included in the \$100,000 estimate for Site Work & Septic.

Mr. Murphy said he was trying to measure that with the DPW budget and asked if there was room in the work plan for DPW to do something like this and what alteration would that make to their current budget.

Mr. Moulton said that it was the intent on the backside that this may occur and, to be honest, the budget was cut enough that a lot of work was cut out for the year. He added that there would be general maintenance things they would be doing, instead, but it would all comply and work together, adding that he felt it would be no issue, whatsoever. He said it was really just a house lot with a large parking area and not

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really complicated so he felt it could be done in a timely manner and not affect anything.

7:55 PM

Mr. Dunkelberger said that, for the benefit of the public, a lot of the site work that the BC looked at could be performed by the DPW, but they needed to include the cost of that in case the DPW was not available, for whatever reason, so there may be some maneuvering room with regard to the actual costs of the facility.

Mr. Murphy said that the way he spoke it, it sounds as if you would be providing most of that \$100,000 on site work and septic.

Mr. Moulton said that the biggest costs would be materials – the paving, the chambers for the septic system – and the rest of it would be for general materials like back filling and drainage and stone, etc.

Mr. Murphy clarified that the \$100,000 wasn't just labor and machine work.

Mr. Moulton agreed and said that everything was included.

Mr. Pomerleau said that he wasn't sure that Mr. Fischer's point was addressed but, from his perspective, they obviously insisted on putting this out to the public and, in all fairness, there should be another warrant article that showed Option B - \$1,500 at the school or some explanation in the warrant that said there was an alternative space available at MSAD and the terms. He added that it should be clear to the public that they had choices to make; not just presenting what the new building would cost with nobody knowing what the alternatives were. He added that, for the sake of the record on the \$1,500, he did believe at the budget meeting the other night, he remembered something like close to \$300/month being budgeted by ECSD for utilities at the Fire Station. He said that that came to about \$3,600 for utilities and they could get the school for half of that.

Ms. Shapleigh said that she just wanted to remind everyone that this Town voted years ago for a Community Service Department and it was a stand-alone building and not part of the school system. She added that there were many people in this community that thought they got the short end of the stick with the school district sending the fewest amount of students and paying the most amount of money. She said that she wasn't 100% sure she would trust the numbers coming from the school department and she thought it would be nice to have a stand-alone building like they voted for many years ago.

7:58 PM

Mr. Reed agreed it would be nice to have a stand-alone building – it would be wonderful – but, if the Board insisted on going forward with this, then he really did think it was important to have the voters presented with the real alternatives and one of those alternatives was the work done with MSAD #35, and there was no reason to distrust those numbers. He said that he believed that information should accompany the warrant article as an informational thing. He added that he urged the Board to, as much as possible, get a true reading of the public's sentiment on this issue and, by that he meant that this should be put in as a referendum on the Tuesday and not at Town Meeting just to avoid their small town vagaries that they seemed drawn to occasionally.

Ms. Muzeroll-Roy said, with no disrespect to Mr. Dunkelberger, that it would have been really nice to have been a part of that conversation he has had with whomever in regards to the \$1,500/year. She added that this was the first she had heard of it and that she spoke with Ms. Nash two weeks ago and none of these numbers were thrown her way, adding that she had a great conversation with her about a contract and what it would cost and none of these things were discussed with her. She said that, as the Department Head, it would have been nice to know that conversation was happening outside of these meetings.

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Mr. Moynahan said that the Board had asked the school board to come to one of the meetings and have these conversations. He added that he didn't know if they were unable to attend and then something that was done or not, but the Board did ask the school board to come and he believed that was when they asked Ms. Muzeroll-Roy and the Fire Chief to come, too.

Ms. Muzeroll-Roy said that this was the first time she had hear \$1,500 talked about in a year-long or whatever the figures were going to be for a year to stay at the school. She added that it would have been nice to know a little bit before just being presented with this now to prepare a bit and compare numbers with the Fire Station.

Ms. Adams said that she did remember that meeting where the Board was going to ask the school board members or the representative to meet with the Board. She added that, by putting this on the warrant, now, they were totally negating that process and they have not sufficiently explored this other alternative. She said that, if the voters voted the building in, they would not have not been given options at all and the Board would not have done their due diligence in exploring those options. Ms. Adams said that the Board kept saying this was the option provided by the BC but it wasn't; it was the option provided by the Selectmen's direction. She said that the Selectmen did not go out and look for other alternatives, they directed the BC to look at this alternative – a member of the Board went out and looked at another alternative. Ms. Adams said that she thought it would behoove the Board to make sure they have explored all the alternatives before putting one alternative before the public.

Mr. Dudek said that he agreed with the speakers that the Board owed it to the people of the Town, the payers of the Town, to be forthwith with all the information and the information that Mr. Dunkelberger gave should be put in front of the voters. He added that he understood the need for a building and, maybe, that was tomorrow or 2015 or 2017, but everyone was in tight times and people were having a hard time paying an extra dime. He said that right up the street at the school board meetings he has attended, as Ms. Shapleigh said, they were going to have another dime because they were running rampant, also. Mr. Dudek said to put all the options on the table and let the voters vote on those options. He added that he understood there was a directive on the building but they also had an alternative to stay in the Fire Department but they also have an alternative, possibly, across the street. He added that there was a term – reuse – and they could reuse for a while to get then through their hard times and he thought they should do that. Mr. Dudek also asked if they knew what the operational ongoing costs were going to be that the voters would have for utilities, pumping septic, insurance, as he hadn't heard a figure for that and what would happen if that added up to \$20,000/year. He asked if the voters knew about that, also, and said that he thought they did – so there was something lagging in the decision and he didn't think they should ramrod this through the Town without having all the alternatives. He added that he didn't think the Town could afford it. He said that, if they plotted out what has happened in the Town, he thought they would see that the tax rate was going up and up and up, adding that he knew it had with his taxes, that they had doubled in the past 10 years, reiterating that, up the road, the school board was running rampant, also.

Ms. Reed said that the Board had a discussion on the sewer, they put it on the warrant, they put it on the referendum and she didn't see the discussion with the Community Service building. She asked why they would not have that discussion and why would they not put it on the referendum.

Mr. Moynahan said that they had not gotten that far with it, yet.

8:07 PM

Mr. Moynahan said that the task to the Board was how the warrant language would be written, that there had been some suggested areas in which they could do that; with writing it down just like the BC has with dollar figures; showing options, and that sort of thing; whether they had a floor or referendum vote, and he asked for thoughts from the Board members.

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Mr. Murphy said that he thought it was very reasonable for both options to be provided in some way or another; either side by side or one after another or one before the other and just talked about at public hearings beforehand. He added that he thought they would have done that, anyway, without the audience driving it because it was necessary. He said that he would like to know more about the school option – they had kind of a summary but it seemed something was missing; that it couldn't be that inexpensive, and he would like to see the ECSD Department Head go through this, again, and take this over, in a way, to verify those figures, get more detail and, if it's true, then Ms. Muzeroll-Roy would need to think through the processing she would have to go through with the many different programs and how each one of those would be worked out if she were to be ensconced at the elementary school. He added that he didn't know if she had been able to do that so far and, in light of this report of a proposal from the school, he thought that she, indeed, had a perfect right and a duty, in fact, to look very carefully at this and verify whether this really would work and if everything was included that she would really need.

Mr. Moynahan said that they talked at their last meeting about having the school board members, Department Director, and Fire Chief here to discuss that and, when he talked to those folks earlier tonight he thought that was what it was all about. He added that, apparently, that was not communicated, for whatever reason, so he thought it was still a necessary thing, to have all those parties together to discuss the dollar figures and that sort of thing. He asked how they got to the warrant article knowing that that was still unfinished business, as it was just voted by this Board to put the 5th article as this building and they still had to get information on there.

Mr. Dunkelberger said that he would recommend a referendum vote with funds to come out of the Undesignated Fund.

Mr. Moynahan asked whether they wanted to put down a breakdown of totals similar to what was shown.

Ms. Place said that she thought they should give the other side, as well, as many people have said, the Board needs to give them all the information.

Mr. Murphy asked Mr. Blanchette if it would be a big problem to insert the elementary school proposal as part of the 6th and move all the others along or would that be confusing – or could they have a 5A and a 5B.

Mr. Blanchette asked if it would be better to have a notation under this one saying that, if this was voted down, then there was an alternative of being able to go to the school. He explained that, if they had Article 5th to raise the funds to do this and Article 6th renting from the school, then what if they both got voted in.

A member of the audience said that there was also a third possibility that was supposed to be discussed this evening but the two department heads were not notified. She added that that would be a third way to go but they were not giving them the opportunity – to stay at the Fire Station.

Mr. Moynahan said that the Department Head had already done her work and reported back to the Board that, if there was not going to be a building voted on, then her preference would be to stay where she was and not move into the elementary school.

The same member said yes, but the Board was supposed to ask the Fire Chief if that was okay with him.

Mr. Moynahan agreed and said that they were supposed to have those department heads and MSAD #35 here to have those conversations.

Ms. Lewin, discussing the overall budget, said that she thought it would be a good idea to prepare one sheet to show what was happening to the Undesignated Fund

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balance with each adjustment by the article number of what would be coming out and what would left at the end of the voting of that warrant if everything were passed. She added that they have done that before and she thought it was very helpful to people.

8:15 PM

Mr. Pomerleau said that Ms. Muzeroll-Roy was here so she could speak for herself, but he did believe that the premise for her remaining at the Fire Station, in part, was based on some contention on her part that the school was going to be a short-term thing and that somewhere in the near future a building would be built. He added that he thought that the fact that they had a pretty solid long-term offer may well change her mind in terms of her preference to stay at the Fire Station. He said that they certainly needed to hear from the Fire Chief as to the feasibility of that because, once again, what happened to the inherent danger of an accident waiting to happen that everyone kept hearing about at the meetings if they stayed at the Fire Station. He said that he did not think that question has been clearly resolved. Mr. Pomerleau said to let the voters decide if they wanted a new building or take the offer from the school.

Mr. Moynahan said that Mr. Dunkelberger suggested they have a referendum vote, indicating a dollar figure be provided and broken down as it was shown, with those funds being taken from the Undesignated Fund balance and asked if that would be the approach for that portion of the warrant article and if that would be acceptable to the Board members.

Mr. Dunkelberger said that he would add, as Ms. Lewin suggested, that leaving such-and-such as a potential remainder in the Undesignated Fund balance if this was to be voted in the affirmative.

Mr. Moynahan addressed options. He said that one was to stay where the department currently is situated and the other would be moving the department into another space. He asked if that was something the Board wanted to see on warrant articles or on this warrant article.

Mr. Murphy said that he would like to have the department head have the authority to verify this situation with Eliot Elementary School, as he understood that the department head had not actually seen this and asked for confirmation.

Ms. Muzeroll-Roy agreed that she had not seen it.

Mr. Murphy said that they were deciding her future without her having looked at the details and he thought they should postpone this until the department head has had a chance to verify these and talk with the principal, herself, and be able to really think through whether this would work. He asked the Department Director if she would like to get involved with this.

Ms. Muzeroll-Roy said that, absolutely, she would like to get involved.

Mr. Dunkelberger commented to Mr. Murphy that he did not make those figures up; that those figures were given directly to him by the business manager.

Mr. Murphy said that he knew that and thanked Mr. Dunkelberger. He added that, however, here they were doing all this work for the department head and she had not even been aware of this and they were trying to decide this and he wanted her to have a chance to be involved in this.

Mr. Dunkelberger said that he understood and that opportunity was offered and answered so, all he did was, based on the direction of the Chairman, to negotiate the actual numbers involved with MSAD #35.

Mr. Murphy thanked Mr. Dunkelberger. He said that they had discovered that the department was not aware of this and they did not do the same thing with the other

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departments, that the department heads went through the figures and brought them in.

8:18 PM

Mr. Blanchette pointed out the Board had to finalize the warrant part that would be on referendum tonight, unless they wanted to meet over the weekend, because the Town Clerk needed these either Monday or Tuesday, he couldn't remember which day. He added that she was putting the referendum ballots together and she needed to know what the articles were going to be.

Mr. Fischer said that this wasn't Ms. Muzeroll-Roy's building or her job or her office but was the office of the person who was holding the office at the particular time that the job was being done. He added that they kept bringing personality into it when it shouldn't be; that this was a building that would be built for the Town and she might not be there. He added that a large amount of her work took place over at the school. He suggested they get it out of their head because it wasn't her office or her building and it was the Board's job to decide what should be done.

Mr. Murphy thanked Mr. Fischer for his comments and clarified that the Board did the same thing with all the department heads.

Mr. Moynahan discussed the warrant. He said that, if a warrant article was voted down, then there would still be a place for her department, but how could the Board communicate more information to the residents of other options that might be available.

Mr. Murphy said that he couldn't see that the citizens would be deluded or demented enough to approve both articles if they were provided in sequence and, therefore, provide them both and let the people know well in advance to look at them and decide which one of them the people wanted to do, thinking about the implications and that it was not just a matter of money. He reiterated that he thought they could safely put in both articles with as full information as they could get in.

8:22 PM

Mr. Moynahan said that his only concern here was that they had not had the department head, the Fire Chief, and the school board in the same room so that they could have a legitimate conversation with all those involved. He added that the Board had talked about two other options outside the separate building without involving anybody. He said that they had had something come back from the department head, already, that, if she had a say, then she would rather stay where she was but this Board was saying that she didn't have a say. Mr. Moynahan said that they did not know the true cost of one versus another – that cost versus benefit issue that they really needed to afford to the departments, as well as the Board, before they make a determination.

Mr. Dunkelberger said that during discussions with the BC about this the Fire Chief was quite vocal with keeping the ECSD within the Fire Department for any considerable length of time. He added that the agreement was to put them in for two years and he was rather vocal against extending that timeframe. He asked if the Board could put the question to the Fire Chief this evening with regard to what his consideration was with having the ECSD in there, potentially, on a long-term basis.

Mr. Moynahan said that he did not know if the Fire Chief would be in a position to answer that now.

8:24 PM

Mr. Blanchette discussed language for an Article the 6th – to see if the Town vote to authorize the Selectmen to sign a contract with MSAD #35 for the space needs of ECSD if Article the 5th fails. He said that that would then give the Board the authority to sign a contract with the school but it also gave them the time to see if they needed to have the contract if ECSD could stay in the Fire Department. He clarified that that gave them the authority but not a requirement and that would show that there was an alternative to the building, itself.

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It was discussed that they could include approximate costs in there.

Ms. (Donna) Murphy asked if it was an option to place the information from the BC on the same warrant with the information that Mr. Dunkelberger has and have the voters pick which one they wanted.

Mr. Moynahan asked Mr. Blanchette if that was a viable option – to choose one instead of voting up or down.

Mr. Blanchette said that he did not see why not and that they might set up the article by asking people to please vote A or B.

Mr. Reed said that the ECSD had a home now. He added that, clearly, there needed to be more work on the part of the Board to do their due diligence and work out some of these alternatives that have never been given a chance to evolve except here at the last minute. He urged the Board to reconsider their vote and give this upcoming warrant and themselves, the people of Eliot and ECSD time to sort out the alternatives and, then, perhaps put this on the referendum for November. He added that it was a lot of money and to him, to make this come out of Undesignated Funds when they were struggling to keep a strong fiscal position and losing that battle was unconscionable. He reiterated that he thought they should give themselves a little time and do it right.

8:28 PM

Ms. Lewin said that she would just like to point out that the date is April 26th, they have an early June Town Meeting, and, frankly, she thought it was a question whether people wanted to spend money for a building now or they didn't. She added that she thought they ought to let the people say yeah or nay and then they ought to have the Board of Selectmen get together in a proper meeting, with everyone who was involved there, get the particulars, and then the Board was certainly capable of stepping up and making the choice that ECSD would go to the school or stay in the Fire Department. She reiterated that, if it were up to her, she would let it be an up-or-down vote, they want the thing or they don't want the thing, and then there were other steps that could be taken. She said that they could have information out on the internet that told the people that the Board had the information on the building from the BC and that they were looking at other options. She added that she thought that putting three options in front of the people was ridiculous, that she did not think it was necessary to do that, that they either wanted to spend the money or they did not.

Mr. Moynahan said that he thought it was confusing.

8:30 PM

Mr. Pomerleau said that he disagreed with that totally. He said that he thought this was something that need to be the voters' choice in the Town – either they chose to build a building or they chose this unbelievably wonderful contract with the school space, a space that was totally suitable. He added that he remembered all of Ms. Muzeroll-Roy's points and there was nothing in her list that suggested there would be any threat for the delivery of service or quality of services, that most of the things were technical items and, again, most of it based on the premise that the Fire Station might be available for her. He said that he didn't know why they couldn't hear from the Chief tonight as to the feasibility of them staying there long-term and that he would be shocked to hear he wanted them to stay there. He was right here and he could settle that.

Mr. Moynahan said that he knew that but no one had to be sarcastic towards people and that was the way he was coming across.

Mr. Muzeroll said that he chose not to speak about this tonight, that it was the wrong atmosphere.

Mr. Moynahan asked what the Board wanted to do.

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8:33 PM

Mr. Murphy said that he thought Mr. Blanchette's suggestion was sensible to have a 6th article to follow this one.

Mr. Moynahan asked if it could be a 5A and a 5B so that it was not confused with another number, so that, maybe, people could see that they did go hand-in-hand. He added that they already had a 6th article in the warrant, anyway.

Mr. Murphy said that would tie them together in a sensible, understandable way and would save renumbering all those that were already numbered.

Ms. Muzeroll-Roy clarified that 5A would be for or against the building; against would go to 5B...

Mr. Moynahan clarified that 5B would be to authorize the Board to negotiate a contract if 5A failed, just authorized negotiations for a contract.

Ms. Muzeroll-Roy clarified that was it, that the Board was not telling her that, if one was voted down, then the only other option was the school.

Mr. Moynahan said no, that it was just to negotiate. He added that there might be something there but they were not to that point, yet.

Mr. Reed clarified that, if he wanted to vote for the building but just in case the building didn't go through, he wanted to authorize the Board to enter into negotiations with MSAD #35, he would vote for both of them, right.

Mr. Moynahan said that he wasn't sure how all this was going to work.

Mr. Reed said he suggested they put the warrant in there and strongly urged them to do half out of new taxes and half out of Undesignated Funds, or something.

Mr. Moynahan said that he couldn't agree more because they strived to keep a certain balance in the Undesignated Fund.

Mr. Reed said that having the information on the school option with the amount to help people to decide to vote up or down on the warrant. He added that giving them two places to mark was going to be trouble, he thought.

Mr. Dunkelberger said that he agreed with Mr. Reed on clarifying the options because he thought if it was left as suggested with an open end then what Mr. Reed suggested would happen he thought would happen.

Mr. Muzeroll said that he was somewhat confused. He said that their elected body tasked the BC, right, wrong or indifferent, to determine, as an appointed body, what the needs were for this community. He added that he assumed as a taxpayer as well as a department head that they explored everything that needed to be done. He said that somehow Mr. Dunkelberger got involved with going to the school but that was their primary focus and apparently they addressed that and the school department did not feel that was a viable option. He reiterated that they were tasked to provide a suggestion, an option, what they felt as the appointed body by the Selectmen that would best fit the needs of the community. Mr. Muzeroll said that he was not disregarding what Mr. Dunkelberger said, as it might be a viable option somewhere down the road but there was so much going on, now, they have been thrown all this information in their laps tonight and the Board was expected to make a referendum decision for June when he didn't think that was a smart thing to do. He said that he didn't think they had all the explanations and Mr. Dunkelberger was out negotiating independently and the Town of South Berwick people didn't even know that was going on... He said that maybe there were other lease options if the Town decided they did not want to build a building. He said that he thought they were rushing it.

8:37 PM

Mr. Reed said that, if they wanted to go through with this, then he thought it was really important that it be clear that this was a vote, up or down, for the building. He

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suggested that, if they wanted to inform folks as much as possible what the alternatives were, then he thought they could do that with just a notation.

Mr. Moynahan suggested – to approve a community service building. Currently the ECSD is housed at and operates out of the Fire Department and there is the ability to negotiate other space needs separate from this – and asked how did the Board word this, as it gets confusing.

Mr. Reed said that the Board did not need the people's permission, he didn't think, for the Board to enter into negotiations to talk through what possibilities would be financially with MSAD #35 because that was part of what they did on behalf of the Town. He added that they already had permission because the Town elected them to do those things. He said that the idea that people had something to decide, yes or no, whether it be this particular building as the solution to the needs of the ECSD, then that was one thing, and it would be better if they were informed of viable alternatives and that would be the numbers they all worked out. He reiterated, to be clear, they could have the vote for the building with more information was the clearest way to approach this.

Mr. Place (BC) said that they were asked to solve the problems 50 years out and that was what they took it as – to solve the building needs for 50 years for that department and he thought that had been forgotten.

Mr. Dunkelberger said that, if they were to word it – again, a single question – whether the Town wished to build a ECSD building with a figure of \$400,000, or whatever it was, out of Undesignated Funds, with the alternative being that the ECSD either remained in the Fire Station or found other suitable space with MSAD #35 at a potential rate of about \$1,500/year. He said that that gave the Townspeople the ability to say yes or no on the building knowing what the potential alternatives were.

Mr. Lentz said that he would like clarification on what he just heard on the task for the BC. He said that he wrote letters on behalf of the Historical Society because they were looking for room to store part of the collection and he understood, now, that there were records that would have liked to be stored in there. He said that his understanding was that the direction started off being to look to the future for all the Town's needs but was later changed to just the ECSD building and asked which one it was.

Mr. Moynahan said that the BC was tasked to look at space needs for the ECSD and facility needs throughout the community so that they would have a capital improvement plan apparently already done and in place for that group so that was looking out for all improvements, year-in and year-out just like the reserves, and the space needs were the space needs. He added that, at one point he thought the Board directed them more in line with a stand-alone building than anything else so they were, in fact, doing what they had been tasked to do – right, wrong or indifferent.

8:42 PM

Ms. Muzeroll-Roy commented that she was confused and wanted to throw something else out because she didn't think it had been brought up tonight. She said that because there was so much confusion on how to place it on this year's warrant, whether it was referendum, A, B, C, or whatever, and she felt that the BC had worked very hard in a year-and-a-half to now, all of a sudden, juggling verbiage in a matter of an hour for a vote to be decided on in June – what would be the difference to moving it to November.

Mr. Place said it was decreased building costs done sooner.

Mr. Pomerleau said that, for clarification purposes, he would take this back to the June meeting held at the Grange Hall. He said that it was the recommendation of the BC to do a comprehensive study of all the Town's space needs and he believed Mr. Dunkelberger made a motion to take the advice of the BC...

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Mr. Dunkelberger clarified that he was not actually on the Board at the time but was on the BC doing the presentation.

Mr. Moynahan said that he made the motion and there was no second.

Mr. Pomerleau said that, in effect, the Board rejected the advice of the BC and then directed them to stay on focus for just the building for the ECSD. He added that that was exactly what they did and not what they recommended as a group but what they were told to do after their recommendation was rejected.

8:44 PM

Mr. Moynahan said that there was a vote to have the warrant article in June, with suggestions to wait but that would be additional costs and several language suggestions, but they still had to come up with something tonight.

Mr. Dunkelberger said that he suggested they ask the Town whether they supported the ECSD building with the alternative being that the ECSD would either remain in the Fire Station or the Town would enter into negotiations with MSAD #35 for the space needs with an estimated cost of \$1,500/year.

Ms. Muzeroll-Roy said that, if she didn't have to have the estimated costs for the Fire Department, then why did they have to have the estimated costs for the school. She added that they would then need to give her time to find out what it would cost to stay at the Fire Station.

Mr. Moynahan suggested that the language the BC has presented with a note that, if citizens did not vote for this article, then the ECSD would continue to function within the confines of the Fire Department. He said that the Board could enter into contracts with schools or something else down the road but, as long as the people knew that the ECSD would not be displaced and their operations would continue.

Mr. Dunkelberger said that his concern was that they would not be accurately relaying the significant savings with an alternative other than a facility.

Mr. Moynahan said that they did not know that the significant savings versus the Fire Department were current.

Mr. Dunkelberger said that, at this point, their interest was whether the Town would support the facility or not and it didn't really matter if it was the Fire Department or the ECSD, as long as they were representing that there was a significantly lower cost in both alternatives than there was in building a separate building.

8:47 PM

Mr. Murphy said that he thought they should just present the building or the possibility of a contract with the school. He added that he thought that Mr. Muzeroll had made it clear in the past that he did not want ECSD permanently in the Fire House and presented for moving to the school and he thought that Ms. Muzeroll-Roy had looked into it and, even though she would like to have her own building, they had to let the Town make that decision. He reiterated that he would like to see her talk with the school at the level that Mr. Dunkelberger had and verify the figures and check the costs and that they had several days before the final typing of the warrant needed to be done.

Mr. Moynahan said that his concern with that is that they were going to have one other individual and he thought that what they had tasked last meeting was that this Board meet with the department heads and school board and that was where they would gather that information.

Mr. Murphy said he didn't think they had time to bring the school board in before Tuesday.

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Mr. Moynahan said that, if they wanted to pick what the cost was currently versus what the cost would be then they needed to have all those entities involved. He added that whatever they did with this language had to be done tonight. He also added that what they were forgetting was that the ECSD had an operating budget outside of salaries and fringe of \$40,000/year, whether they were at the Fire Department or the school so, really, the big elephant in the room was the new structure, the savings for the Town would not be great from one location to another but would more be any savings or expenses as it related to a new structure.

Mr. Murphy asked if they should just leave it the building, up or down.

Mr. Moynahan said that he was just making a point that, if the ECSD was not housed in a separate building, then the operating budget was going to be the same from one place to the other.

Mr. Dunkelberger said that that was cost-avoidance.

Mr. Moynahan agreed, without a new structure, and he thought that was what everyone was alluding to that they wanted to show. He added that he was all for information and education but it was becoming too gray. He added that that was confusing and it didn't help him look at this, personally.

8:50 PM

Mr. Muzeroll asked, if the Board was legally able to negotiate contracts without the vote of the people, then why did they need alternative B. He said yes or no and, if it was no, then do what the Board had to do and, if it was yes, then they wouldn't have to do anything.

Ms. Lewin reminded everyone that there would be a new Board of Selectmen in June and there would certainly be a new school board in June so, it could all go right out the window.

Ms. Reed asked if the Fire Chief could get the figures from the Fire Department for the warrant so that they would have that figure.

Mr. Moynahan clarified that it was still part of an operating budget that she currently carried now whether it was the school or not because it was about \$1,500 and a negligible cost benefit to the Town for either option – Fire Station or school.

Ms. Reed clarified that it would be a matter of building a building for ECSD or getting housed in the school or the Fire Department and then the cost related to that so that people could see \$450,000, \$1,500 and whatever number the Fire Chief came up with, maybe by Monday.

Mr. Moynahan said it would be \$40,000 at the Fire Department and \$40,000 at the school, with or without the building. He added that it would be a \$370,000 capital expense that people would be voting on and coming out of surplus money, clarifying that it was money that would not be there anymore, but it was a one-time payment and not bonded. He added that, if it was a bonded deal, then it would be easier to explain because, as an example, if they voted for this it would cost \$36,000/year for fifteen years. He said that this was a one-shot deal – do the people support this being paid out of Undesignated Funds and have a new structure in Town or not. He said that the other two options would not save the Town money, that it costs what it costs currently, as it would once she was in that building – a little bit more for heating and cooling – but she was currently paying a portion for the Fire Department.

Mr. Murphy said that he thought the citizens of the Town were not so blind or deaf, that this has been going on for many, many months, and for them to assume that they needed to lead all these citizens penny-by-penny to an equivalent it was this much or this much or this much – it was a big building and they have talked about it for many years and they put a lot of money towards it 10 years ago and they were using some of that now, and they had to use some more to get the building. He said that it was

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that simple – do they want it or not, can they afford it or not – yes, times were hard, they were hard for him, too – and he thought they could just get along with Article 5 just having the building.

Mr. Moynahan asked if they had public hearings on articles beforehand.

Mr. Blanchette said that they did on any that were on referendum, as they had to have a public hearing on those.

Mr. Moynahan said that, at a public hearing, a lot of this could be shared.

Mr. Murphy agreed.

Mr. Moynahan said that this was really a capital expense and the operating costs will not be altered by that.

8:58 PM

Ms. Place said that she thought it should be up or down and between now and the time this was voted on, people could get as much information as they wanted and could be supplied to anyone at anytime – they could make it available to them – but reiterated that she thought it should be up or down. She said that she thought this A and B and C just completely clouded the issue. She added that the Board needed to let them know what was involved, how much it would cost, and they (public) needed to make the decision.

Mr. Moynahan said that they needed to include the impact on Undesignated Funds.

Ms. Place agreed.

Mr. (Frank) Murphy asked what the bottom line was, were their taxes going to go up if they build this building and how much.

Mr. Moynahan said that with using the Undesignated Fund the taxes would not go up.

Mr. Murphy asked if taxes would go up for operating costs next year or the year after that.

Mr. Moynahan said that there had been operating costs within that department since its' inception. He added that it may have decreased in the last year and a half and there may be a little increase on that but, to tell him what that difference would be, he didn't think he could do that.

Mr. Hirst asked if it was true that using the Undesignated Fund balance had a tax equivalent value.

Mr. Moynahan said that it could be used to offset like they were this year.

Mr. Grant said that he thought it was a little deceiving to say there was no tax implication.

Mr. Moynahan said no increase in taxes was what the question was. He clarified that there would be no increase in taxes if the money came from Undesignated Funds and if they went towards taxes then there would be a reduction in taxes.

Mr. Hirst said that he thought it would be represented by the amount of taxes they would have to do to restore Undesignated Funds, that that was the measure of the cost of this.

Mr. Murphy said that they were using taxes that had already been collected.

Mr. Hirst said that they had to collect them again.

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Mr. Moynahan said that he did not necessarily agree with taking it all out of Undesignated Funds and there was more than one person up here doing all this stuff, and they were trying to come up with the most commonsense approach to all of this stuff.

Mr. Pomerleau said that for the sake of clear public transparency he thought it was important to put the option out there. He added that it was not safe to assume that everyone was going to know, adding that the last four or five Town Meetings have had about 100 people and there were over 6,000 people in Eliot. He added that if they were going to make a mistake then do it on a well-informed public before they voted.

Mr. Moynahan asked the Board what they wanted to do.

9:02 PM

Mr. Murphy moved, second by Ms. Place, that the Board of Selectmen use Article Five to describe the findings of the Building Committee and their recommendation and the amount recommended for the building and that the Board of Selectmen recommended that the amount come from the Undesignated Fund balance (pause), with such supplementary comparisons to alternatives for the Eliot Community Service Department placement as seems reasonable.

DISCUSSION:

Mr. Dunkelberger said that he was clarifying because he thought Mr. Murphy agreed with his proposal. He said that Mr. Murphy added a note...

The Recording Secretary read back the motion.

Mr. Murphy said that he did not want to confuse the public and it should be just about the building, that they had been talking about this for a long time – did they want to build this building out of Undesignated surplus funds, that it was for the ECSD that used to have its' own building and now needed its' own building. He added that it could get along without it but that was a small thing off to one side.

Mr. Moynahan said that they understood but asked what was the actual wording of the motion. He added that it was unclear to Mr. Dunkelberger, as he had made some other comments.

Mr. Murphy said that his mind did not want to shape the words that would be the actual warrant at the present moment but he was in favor of presenting this as a decision to the Town to decide whether or not to build this building and that's what he has said – that's the big thing, saying to just go for the building and get an up or down. He said that the housing of the ECSD could either be the school or the Fire House but this was the big question.

Mr. Dunkelberger clarified that Mr. Murphy did not want to include any options.

Mr. Murphy said that they could be talked about at the Public Hearing.

Mr. Dunkelberger clarified that Mr. Murphy did not want to put that in the warrant because he said he did.

Mr. Murphy said that he didn't know how much to put there – how many pages did they want to describe an alternative. He asked if they wanted to put this whole thing in there, all laid out, as that was a page and a half and did they want the continuing offer of the Fire House if the Fire Chief was willing and how much that was going to cost – they didn't have that information and they didn't have time to get it.

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Mr. Blanchette suggested "yes/no" and, if the Town voted no then a note that says that if the Town voted no then the ECSD could stay in the Fire Station or other space could be located.

Mr. Moynahan said that there was a motion and a second on the floor so they needed to get some clarification on what that motion was.

Mr. Murphy said that he had to start all over again in his mind, saying he moved that they get this information and the costs on the whole building from the BC...he said it should be "shall the Town approve expending \$368,250 from undesignated surplus in order to construct the building proposed by the BC to replace the ECSD building and detail the line items and so forth, with a summary just below that to keep that information. He added that he didn't know if they needed the note but if they wanted it then put the note in.

Mr. Dunkelberger suggested the note could say that alternatives to build new facility are to house within the Fire Station or MSAD #35.

After further discussion, Mr. Moynahan said that there was a motion on the floor and a second, with further discussion to clean up the warrant and was determined to be the ECSD building from Undesignated Fund balance broken down as recommended by the BC with language if the motion failed the ECSD would be housed either at the Fire Department or MSAD #35.

There was no more discussion.

VOTE
2-1 (Mr. Dunkelberger)
Chair concurs in the affirmative

Mr. Moynahan said that Article 5 would be written as such. He asked what else they had left to do on the warrants, saying that most substantive changes have been sent to Mr. Blanchette or Ms. Thain.

Mr. Murphy said that he only had some typos and would give those to Mr. Blanchette in the morning.

Mr. Moynahan said that Article 5 would be on a referendum.

Mr. Murphy said that Articles 3 and 4 would be referendum, also.

9:11 PM

Old Business (Action List):

The Action Item list was not discussed tonight.

1. Sewer Contract Committee – Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette – IMA Update
2. Monthly Reports from Department Heads
3. TIFD reports and updates
4. Health Insurance Costs
5. Review existing Sewer User Rates and update – Sewer Committee
6. Regionalization of Town Services
7. Sewer Allotments – fee for reserving such
8. Auditor – Management Letter
9. Consistent Format – Budget, Time Sheets, etc. – Mr. Moynahan and Mr. Dunkelberger
10. Monthly Workshops – 3rd Thursday of the month
11. Employee Reviews in monthly Department Head Reports
12. Mass - email
13. Legal issues – pending and Consent Agreements
14. Community Services Building
15. Police Union Contract
16. Finance Director/Comptroller

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- 17. Personal property tax
- 18. Town Forest – Johnson's Lane
- 19. Taping of meetings - policy

Selectmen's Report:

Other Business as Needed:

9:12 PM

Executive Session

Mr. Dunkelberger moved, second by Ms. Place to go into Executive Session as allowed by 1 M.R.S.A. § 405 (6) (a), "Discussion or consideration of the...employment or appointment..." Personnel issue.

VOTE

3-0

Chair concurs

9:28 PM Out of executive session.

9:29 PM Moved by Dunkelberger, seconded by Murphy, that we enter into executive session as allowed by 1 MRSA section 405(6)(D)" Discussion of labor contracts"

VOTE

3-0

Chair concurs

9:37 PM Out of executive session

Adjourn

There was a motion and second to adjourn the meeting at 9:38 PM.

VOTE

4-0

Chair concurs

DATE

Roberta Place, Secretary