

**BOARD OF SELECTMEN'S MEETING**  
**May 23, 2013 5:30PM**

**Quorum noted**

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

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

**Absent:** Mr. Dunkelberger.

**Pledge of Allegiance recited**

**Moment of Silence observed**

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

**5:31 PM** Motion by Mr. Beckert, second by Mr. Hirst, to approve the minutes of May 9, 2013, as amended.

**VOTE**

**3-0**

**Chair concurs**

**Public Comment:**

**5:33 PM** Ms. (Donna) Murphy said that at the last meeting there was a request to send a letter to the County.

Mr. Moynahan said that that would be addressed by the department head.

**Department Head/Committee Reports**

**5:35PM** Mr. Moulton said that he had contacted Mr. Lemeiux at MMA regarding the Loss Control visit; that he would be in compliance within 60 days and Mr. Lemeiux was fine with that.

Mr. Moynahan asked Mr. Moulton to let the Board know when that was complete.

Mr. Moulton discussed immunizations. He said that, typically, Transfer Station employees were exposed to Hepatitis and Tetanus and he wanted to work with York Hospital and the Town to get his employees immunizations; that should they not want them then there would be a waiver they would sign.

Mr. Moulton discussed the Composting Pilot Study. He said that it had been successful in pulling about 2 ½ tons of composting material out of waste treatment with about 100 residents and, if the Board agreed, he would like to open it up to all the Town residents on a voluntary basis. He discussed the cost savings

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and benefits to the Town and residents. He also discussed having containers and composting bags at the Transfer Station as well as information for the residents. It was the **consensus of the Board** for Mr. Moulton to expand his composting project to the whole Town.

Mr. Moulton discussed the Pay-as-you-Throw Pilot Program. He said that the DPW and the Solid Waste Committee wanted to utilize WasteZero to assist the Town in implementing this program and manage the pilot program during its six-month trial.

Mr. Moynahan verified that there would be a contract that detailed the expenses and reminded the Board that there would be two public information sessions.

Mr. Moulton agreed regarding the contract and added that the informational sessions would probably be held in July and August. He discussed having a specific workshop with the Board and WasteZero.

Mr. Moynahan suggested Mr. Moulton get some dates and the Board would work out the details.

**5:42 PM** Mr. Moynahan said that Mr. Muzeroll had given an update on the MMA items to be completed, with a question regarding penalties if items were not done.

Mr. Hirst clarified there was no penalty with MMA; that that was only with the Maine DOL. He agreed with Mr. Muzeroll that they shouldn't spend money to paint the shed (behind Fire Station) if they were going to demolish it.

The Board agreed.

**5:44 PM** 1) Mr. Blanchette discussed the cemetery. He has contacted AAA to let them know the Town would be filing a complaint and not cashing the check; that he was waiting for a manager to call him back after a review of the case. 2) Mr. Blanchette discussed the County tax commitment. In talking with Mr. Zinser, Mr. Blanchette said that the Town could elect to do the five-year plan but the issue was already on the ballot and the Town had a deadline of August, not December, in order to make the tax commitment; that in order to have a tax commitment the Tax Assessor was bound by law to have the commitment done and, when she makes the commitment, that includes the County taxes. 3) Mr. Blanchette discussed the monies reimbursement from Sanford for the police officer that Eliot trained; that he recommended to the Board to put it in the Contingency Account in order that that money be available to help the Fringe Benefits Article. 4) Mr. Blanchette discussed the Town Hall attic insulation. He said that the Energy Commission (EC) received only one updated proposal of the three originals; that the cost would be \$3,600 and, between the EC and capital funds, there would be

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enough funds to do that this year. He said that the Town had no proof of damage done by the alarm people.

The Board discussed funds being put into the Contingency Fund and avoiding overspending labor line articles.

Mr. Short explained the purpose of that law around police officers who were trained by one department and left for another department within the first five years of their employment, for the training department to recoup their costs. He added that it was his feeling that that money should go into the payroll account as it came out of that account when they incurred overtime to cover that officer leaving.

Mr. Moynahan said that there might be some merit to that if the Board could determine just what that impact was.

After some discussion around the State requirement to pay fringe benefits incurred, **the Board agreed by consensus** to place the funds in the Contingency Fund.

Mr. Murphy moved, second by Mr. Hirst, to approve the repair of the attic insulation up to \$3,600 based on the proposal received from Mark Hunter dba Tighthouse, to be paid from the Energy Commission and the capital funds.

**5:55 PM**

Mr. Hirst gave an update on the ambulance negotiation group. He said that they received four bids from their RFP; that they felt American Ambulance (AA, Inc.) was superior to the rest; that AA, Inc. would provide a single, advanced life-support ambulance, probably housed in Kittery, for 24/7 365 days a year; that they have been paying \$4,187/month over the past years and AA, Inc. proposed to do that for zero, which saves the Town \$50,000. He added that AA, Inc. also proposed to provide a thousand hours of the same paramedic-equipped ambulance – Eliot's choice when the thousand hours are – for an additional zero cost. He recommended the Board go forward with this contract, as of July 1<sup>st</sup>.

Mr. Moynahan suggested Mr. Hirst forward on a copy of the proposal to each Board member for their review. He commented that, during the bid process between leaders from Eliot and Kittery, a member from Eliot had sent out emails to one of the vendors prior to approval from the entire committee. He added that that was perceived as not very transparent; the committee voted to remove that individual from the negotiating committee and any further discussions, adding that they were very proactive with that to ensure that process was transparent and thanked Mr. Hirst and his group for their integrity.

Mr. Hirst thanked Mr. Moynahan. He clarified that he did not have a contract, as such, but did have responses to the RFP that he could forward.

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Mr. Short said that he had spoken with Chief O'Brien and that Chief O'Brien was putting the RFP into words for a draft contract and hoped to have it done by the weekend.

It was agreed that the whole body of information would be available in the reading file and the draft contract would be forwarded to the whole Board for their review when it was available.

**New Business (Correspondence List):**

**6:02 PM**

**#1**

TO : Board of Selectmen  
FROM : Joe Cuetara  
REF : Bond Specialist with Moors & Cabot

Mr. Moynahan said that Mr. Cuetara was a Bond Specialist (Moors & Cabot) and was here tonight to give an overview of what Eliot might expect with any potential bond for the sewer improvement project that was going in front of the voters.

Mr. Cuetara gave his overview presentation, discussing the process, affordability, tax payer impact, and the significant savings in interest. (Material available at Town Hall.) He also discussed his background and clients.

Mr. Blanchette asked Mr. Cuetara to explain the bond rating and when that was gotten.

**6:17 PM**

Mr. Cuetara discussed the process of writing the prospectus (official statement) and audit and sending it to prospective investors and rating analysts. He explained the rating process for each town was distinct and took approximately five to six weeks to accomplish; clarifying that they rated the issue, not the town. He suggested Eliot might gain an Aa2 to AA rating.

Mr. Donhauser said that Eliot was anticipating a bond of \$5.5 million and ask for confirmation that arbitrage applied.

Mr. Cuetara confirmed that, for a municipality, it was anything over \$5 million and \$15 million for a school district. He discussed what arbitrage meant and the exceptions to it. He added that paragraph five (page 10) did apply. He also discussed the positive impact of the current monies generated by the TIF District on any bond interest rating issued.

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Mr. Moynahan said that Mr. Cuetara's presentation was very helpful in letting the Town know what the next steps would be and how to move forward if this did pass. He thanked Mr. Cuetara for his time.

**6:35 PM**

**#2** TO : Board of Selectmen  
FROM : Bernstein Shur  
REF : Public Finance Information

Mr. Moynahan said that this was bond information, technical and legal, and was similar to what was just outlined by Mr. Cuetara

**#3** TO : Board of Selectmen  
FROM : Dept. of Economic & Community Development  
REF : Response

Mr. Moynahan said that this was a response from Ms. Santini-Smith to Mr. Pomerleau's letter regarding "made necessary" and "directly related to" terms, that the Town was not in the wrong with how it was progressing forward.

**#5** TO : Board of Selectmen  
FROM : Town Clerk  
REF : Request to close office on Friday, July 5

Mr. Moynahan said that this was a request to close the Town Clerk's Office on Friday, July 5<sup>th</sup>, following the July 4<sup>th</sup> holiday on Thursday; that staff would use accumulated vacation time or compensatory time for this.

It was **the consensus of the Board** to allow the Town Office to close on July 5<sup>th</sup>.

Mr. Blanchette said that on Friday, June 26<sup>th</sup>, the Town Office would close early for year-end closing and the time was either 10 AM or 11 AM.

Mr. Moynahan suggested posting a notice with ample time for residents to be aware.

**6:37 PM**

**#6** TO : Board of Selectmen  
FROM : Kim Trott  
REF : Main Street Property

Mr. Moynahan said that Ms. Trott's letter was an inquiry of the Kimball property the Board had put in front of voters earlier this year; that she had some concerns with the condition of the building on the property and possible discussion around

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land swaps in exchange for the Town removing the building and straightening out the title. He asked Mr. Blanchette the status of the title.

Mr. Blanchette said that, because that failed, the Town didn't have monies to perfect the title; that the Town has a tax-acquired piece of property. He explained that Mr. Kimball had been very interested in having the Town have the property, which was why the article to perfect the title; that, if they wanted to do anything with the property, then they needed some sort of perfected title, especially with the most recent court decision on tax-acquired property; that the most recent one was a little scary (Me Supreme Court) saying that the law said a municipality needed three or four steps for a tax lien and, then, the town owned the property but what they were now telling the towns was that towns had to go beyond those four steps, but, they haven't told the towns what they needed to do; that, in essence, what Eliot did for the tax lien to run its course, they didn't do enough by the court's rule, even though the Town didn't know. He added that the attorney told him the new rule applied, even though they didn't know; so, if they tried to do something without perfecting the title, then the previous owner or his heirs could come after the Town; that they needed to perfect the title if they wanted to do anything at all, such as demolish the building. He added that they could contact the people to see if they would be willing to sign a deed over to the Town and suggested they contact Duncan McEachern to use him as the Town's attorney to draw up the deed. Mr. Blanchette said that the Town could sell the property but they would be selling it as a tax-acquired property and the value impact would be large for a quit-claim versus a warranty deed.

Mr. Moynahan suggested they start the process by contacting Duncan McEachern and to find out if it would take more than met the eye; that they would address that at that point.

Mr. McMullen said that, through the attorney, if the Town could get the people to sign off, then that would be the best way; that another way was to file for Quiet Title, which was a lengthier process; that it was not very expensive but it forced them to come to the hearing to resolve the issue.

Ms. Shapleigh said that she didn't think the people understood what they were voting on and discussed the tax revenue the Town was losing while this property issue went unresolved.

**6:50 PM** Mr. Brandon discussed his own confusion about what the article was trying to accomplish and that was why he objected to the article.

Ms. Davis discussed her concern for demolishing the building and how much that would cost versus what the Town could get for the property in a sale with a perfected title.

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Mr. Moynahan asked Mr. Moulton to provide a cost estimate to demolish that building.

**6:55 PM** At this time, Ms. (Kim) Trott was present and asked for a status update on the property.

Mr. Blanchette updated Ms. Trott on the status of the property and the Board's discussion.

Ms. Trott discussed her concerns with the house; that it was 10 feet from her back door, had been vacant for at least 7 years, and there were animals living in it; that she was nervous with her pets out there; that she had young nephews and a niece that she had to watch very carefully if they wanted to be out in the yard. She added that a tree fell over the winter sitting on the roof and another tree growing into the garage.

Mr. (Cabot) Trott discussed the approximate \$20,000 they had to spend to replace electrical from rodent damage. He added that, whoever owned the property, if it were someone else, he believed the Town would step in and condemn the building; that this really needed to be looked at as it was a serious health hazard for the neighborhood and, as it got warmer, things would change rapidly. He added that this had been an issue for four years.

**7:01 PM** Mr. Moynahan said that they were going to move forward to find a resolution; that, as with everything, it took time; that Mr. Moulton was going to get a cost estimate and, based on these conversations, he thought that the Board should direct the CEO and the Health Officer to accompany Mr. Moulton and give a report back on the condition of the building; that the Board hold off on perfecting the title until they heard back.

The Board agreed.

Mr. Moynahan said that, at this time, they had a public hearing to hold.

**#4** TO : Board of Selectmen  
FROM : Shipyard Brew Pub I, LLC  
REF : Special Amusement Permit

**7:03 PM** Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen move into Public Hearing to take up the Special Amusement Permit by the Shipyard Brewpub I, LLC, which is Correspondence #4 in the packets.

**VOTE**

**3-0**

**Chair concurs**

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**7:04 PM** At this time, Mr. Moynahan opened the Public Hearing.

There was no one who wished to speak to this renewal for a Special Amusement Permit.

**7:05 PM** At this time, Mr. Moynahan closed the Public Hearing.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen approve the application for a Special Amusement Permit under Eliot's Special Amusement Ordinance § 6.4 for the Shipyard Brewpub I, LLC for the period of one year.

**VOTE**

**3-0**

**Chair concurs**

**7:06 PM**  
**#7**

TO : Board of Selectmen  
FROM : Treasurer  
REF : Fringe Benefits year-to-date

This was regarding Article 45 and the percentage used to-date.

Mr. Blanchette said that what they had left was \$90,000 in that account and he didn't think that would hold them for the months of May and June; that they had two insurance bills to pay for the two months, explaining that the whole insurance packet that covered everything came out to \$31,000/month, so, \$62,000 just for the insurances and, with FICA, medical, and retirement, they didn't think there would be enough in the article to the end of the year. He added that, with the money the Board just put into Contingency and that there was \$21,000 already in the Contingency Account, then that would give them enough money if no other article went over. He added that he didn't recommend the Board do anything right now but being thinking about what they might need to do; that the last insurance bill would be after June 15<sup>th</sup>. He said that one recommendation he would make, if they needed to and it would be one of the last resorts was, since the insurance they paid in June was for July and they always had a warrant in June (dated in July) to pay to wrap up year-end things, such as car registrations to the State, to put that portion of the bill on that warrant.

Mr. Moynahan asked what the anticipated shortfall was that Mr. Blanchette was estimating.

Mr. Blanchette said he anticipated it was going to be around \$20,000 to \$30,000 but it depended on overtime and other things; that overtime would be the biggest driver of how much this article was going to be off because, on the overtime, they had to pay the retirement, the FICA, the Medicare, and those were all percentages of the payroll that they paid out.

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Mr. Moynahan asked about the Snow Account, if it exceeded.

Mr. Blanchette said that that was one possibility that could be explored; that they could figure out how much FICA, Medicare, and retirement was due to an overage in the Snow Account and bill the Snow Account for that part of it, since the Snow Account could be over-drafted by the Selectmen, but he thought that that would also be a last resort; that, hopefully, they would have enough in the Contingency to cover it. He added that not only would the federal government show up if they didn't pay these things but there would be fines attached to it, as well; that, if they didn't pay the insurance bill, then all the employees would lose their insurance and, if their insurance wasn't there (that they paid into) when they had to go to the hospital, then they could turn around and sue the Town to cover the health insurance.

Mr. Hirst said that there was another option; that he didn't like it but that they could put an end to overtime – a selective end to overtime; that that was one thing that could be done when they ran out of money.

Mr. Moynahan asked if the fringe benefits were budgeted incorrectly, were there increases not received.

Mr. Blanchette said yes, for part of it because, as the Board would recall, the Board and BC made sure they budgeted for a 5% 'co-pay' on the insurance by everyone but they have not finished negotiating the contract with the police, so by law, the Town was still obligated to carry the old contract and that was 5% of the co-pay that was not being paid by the employees, which was 7 employees out of 32 on the insurance, and the rest of it was overtime – and a combination of all departments.

Mr. Moynahan said that the 5% answered a lot when it came to the large dollar figures; that it was not just an over-expenditure.

Mr. Pomerleau said that curtailing overtime was a serious solution to explore, along with the implications of freezing spending and what that would mean.

Ms. Davis said that she would like to correct the record that the BC did not have any say-so about the 5% co-pay so they couldn't take responsibility for that; that they were also aware that they didn't have the police contract last year when they calculated the amount of the fringe benefits, so, she didn't really see that as an excuse.

Mr. Blanchette disagreed, saying that the BC was well-aware of the 5% co-pay last year and they helped put that together and, as a matter of fact, at the Town Meeting they reduced the article by \$19,000.

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Mr. Moynahan said that they were where they were and it was the Board's job to get through this issue in the most common sense way that they could.

Mr. Hirst said that, starting right away, the Board should start issuing expense accounts to departments weekly so that they were fully aware of where they stood.

Mr. Moynahan said that policy currently said that overtime needed prior approval from this Board and the practice has not been that way since he had been involved.

**7:19 PM** After some discussion, the Board agreed that they should send out a reminder to department heads that there would be no expenditure of overtime without prior approval from this Board.

**#8** TO : Board of Selectmen  
FROM :  
REF : Reimbursement for Ryan Sanford, \$24,000

This was discussed previously on tonight's agenda (page 2).

**7:21 PM**  
**#9** TO : Board of Selectmen  
FROM : Grant Hirst  
REF : Sanborn's Auto

Mr. Blanchette said that Mr. Muzeroll did complete his inspection and that was what the Board was waiting for; that Mr. Muzeroll's report said that, basically, it was fine.

Mr. Hirst moved, second by Mr. Beckert, that the Board of Selectmen grant a permit renewal to operate Sanborn's Auto for a five-year period from this date.

**VOTE**

**3-0**

**Chair concurs**

**7:23 PM**  
**#10** TO : Board of Selectmen  
FROM : CMP  
REF : Notification for Utility Location Permit

This was informational.

**7:24 PM**  
**#11** TO : Board of Selectmen

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FROM : Code Enforcement Officer  
REF : **11-A)** Edith Breen

This regarded the Board's request for the CEO to start responding to questions raised and review the applicable ordinances and provided material from a previous meeting.

There was a request to clarify "a potential **call** in the ordinance" and that the letter dated 4/19/2013, that was said to be attached, was not attached.

Mr. Hirst will follow up with the CEO for clarification.

**7:25 PM**

**11-B)** Great Hill

This was an update on Great Hill Gravel. There was discussion among the Board regarding the government investigation and it was determined that Mr. Moynahan would look into sending another letter to try to get a response on the status of the investigation.

**11-C)** Charles Knowles

This was an update on a potential illegal home business.

**11-D)** Code Enforcement Officer Report

This was an activities report from the Code Office that was sent several times a year, including permits issued and issues needing to be resolved.

After some discussion, the Board agreed that they wanted to have the CEO send them a monthly report of what he was working on.

**11-E)** Kittery Point Yacht Yard

This was an update to the Board that the situation at the Kittery Point Yacht Yard has been completed (Shoreland Zone issue).

**7:30 PM**

**11-F)** 01/09/13 Seminar

This was to inform the Board that the CEO had attended a seminar on advanced septic system design through Maine DHHS and CDC Division of Environmental Health.

**7:31 PM**  
**#12**

TO : Board of Selectmen

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FROM : Donna Murphy

REF : Mailings regarding Route 236 Sewer Expansion Project

This was a letter from Ms. (Donna) Murphy regarding concerns she had about the bulk mailings on the Route 236 Sewer Expansion Project; one letter from the Selectmen and the text of the BDC not presenting pros and cons. She requested that the Board take immediate action to address any violations and to grant approval to expend Town funds to present a 'cons' mailing to the citizens.

Mr. Moynahan spoke to the Selectmen's information sheet. He said that all that material was based on professionals that the Board had solicited; that there were no negative impacts on the sewer expansion project or the pre-approved funding source that was provided for that. He added that Mr. Blanchette is tasked to read the mailing to make sure it was non-biased. He said that he wasn't sure the BDC letter had gone out to citizens or if that was currently being reviewed.

Mr. Murphy said that there was a con included in the Selectmen mailing; that of the possible danger the Town faced whenever the Town issued a bond issue; that the Town had to stand behind the bond issue and that if, through economic issues the money wasn't realized, then the Town would have to pay off the bond...but that was for anybody who issued a bond. He added that another possible con was that people would have to pay for sewer service when they joined the sewer system but, again, that was a common understanding that there would be costs to join any sewer system.

Mr. Blanchette said that he did not believe the BDC mailing had gone out yet; that it has been reviewed by the Board and by himself and he believed it did meet the policy.

Addressing Ms. Murphy's second request on a 'cons' mailing, Mr. Moynahan asked if there was a list of anything produced.

Mr. Murphy said that the Board was waiting for the committee to come forward with that and, when the Board had that, then it would go out.

Mr. Moynahan added that they were under a time crunch and said that it would be good to get that in as quickly as they could; that he didn't know where the committee was in their work.

Mr. McMullen said that he thought the compiled cons and pros developed in the committee would be composed and signed by all seven members, then presented to the Board.

It was stated that that was correct.

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Mr. McMullen said that he hadn't heard about a meeting to bring that to the table. He added that they had not been meeting.

Mr. Moynahan asked if there was a need for the committee; how was the Board to present the committee's views on any potential cons.

Ms. Murphy said that, without their knowledge, four members of the committee submitted their views and signed it to the Board some months ago.

Mr. Moynahan said that something was forwarded; that the Board took no action with that; that they thought it was an update from the committee.

Mr. Donhauser said that, in early March, they had a meeting and their Chairman summarily left the meeting; that they heard nothing for over a month. He added that, in the interest of getting information to the Selectmen, they submitted what they documented as pros. He said that they didn't hear of any meetings until one held this past Monday; that he had been in Florida and didn't know about it until Friday when he got back, and that he had a prior family obligation that had been planned for months. He added that another member was on vacation that week, one member was recovering from a recent operation, and another would only have been able to attend for a few minutes because of another obligation. He clarified that his point was that the Chairman called that meeting without any consultation with any members of the committee or consideration for personal obligations. He said that there have been no other meetings and it was difficult to approve any cons when there was no list. He suggested a well-planned meeting to review and pull together a summary report all members could sign off on.

Mr. Pomerleau said that, at the last meeting, Mr. Donhauser made a comment that they had wasted their time submitting pros through the Chairman and the committee and that he would submit his pros to the Board independently. He added that, pretty clearly, the Board has had a flood of information, independently, from them and they had all their pros done in the BDC; the Board has done their pros with their letter; the Sewer Committee would do their editorial thing; that there was no shortage of pros interest in the Town. He said that there would be no joint report from the Route 236 Sewer Expansion Committee with seven people approving it; that all that represented now was the pros' attempt to somehow undercut and undermine the con report; that the pro report was already out there; that the pros have nothing to lose and the cons have nothing to gain by meeting together. He added that, if the Board felt it was in the Town's best interest for both sides to be presented, they would present the Board with cons; that they would not subject them to the pro side of the committee. He added that, after the meeting was scheduled, all four of them failed to show up with no explanation and no requests for subsequent meetings. He said that it was over

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with and that was where they stood. He said that, if the Board wanted some cons, they would give them some, but it would not come from this committee.

**7:50 PM**

Mr. Moynahan said that, actually, it would be nice if it came from the committee, both pros and cons. He reiterated that anything that was provided was not reviewed or put on any agendas but was an update. He asked Ms. Davis how she was scheduling the meetings; that it didn't sound like notices...advanced agendas were being posted; in running meetings they had to make sure the right protocols were being followed; that if it was not a functioning committee, then the Chairman needed to get some guidance from the Board to try to help that going. He added that he still wanted to see cons with this; that the committee had been working hard and had a lot of information and to waste that much time was of no benefit to anyone. He reiterated that he had been looking to get both sides; that he still was and was when this started; that if they wanted to be in separate rooms and meet collectively with this Board, then let's do that; that if they couldn't sit in the same room and try to narrow it down, then let's get a joint meeting with their group and the Board and they could present both sides. He added that he thought that the Board owed it to themselves to hear both sides; that the Board formed this committee to look at all that stuff and, if they couldn't work collectively together, then let's put them on two sides of a table and the Board right in the middle.

Mr. Beckert agreed that the Board formed this committee and gave them a specific charge to come up with pros and cons; that the fact that they were dysfunctional was a disappointment. He added that he had been on a lot of committees over the years and he didn't agree with everyone he sat across the table from, but he could certainly sit in a meeting and work with them; that to him that was what the committee needed to do. He added that he did not want to put out a pro report and a con report from a dysfunctional committee; that that was not the purpose of why this Board put them together. He added that, unless the Board saw a combined report – that they needed to sit at a table, they needed to grow up, and they needed to work together as individuals. He added that he didn't know who was to blame but, to hear that a Chairman got up and walked out of a meeting without adjourning it, that was uncalled for. He added that he thought that the committee should get back together and however they pounded it out...that he could sit with people and agree to disagree and come to some conclusion to get the work done that he was charged to do; that he wasn't for putting out a pro report or a con report from that committee; that it was going to be combined or he was not going to approve putting it out.

After further discussion between the Board and the committee members, the Board decided that this committee was no longer of any use to the Board or the Town and felt the committee should be disbanded, as they did not feel the work would be effective or in time or usable for anyone in Town.

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Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen dissolve the Route 236 Sewer Expansion Project Committee and thank them for their work.

**DISCUSSION:**

Mr. Murphy said that the Board knew that they must have produced some cons. He asked why that committee didn't just submit them to the Board for review and, if they were legitimate, then the Board could send them out to the Town.

After further discussion, the Chairman called for a vote.

**VOTE**

**3-0**

**Chair concurs**

Mr. Moynahan said that the committee has been disbanded and the Board would like to see information provided from both sides within seven days, if it was available, so that the Board could do something with it; that if they didn't do it as private individuals, then that was fine, too. He thanked them for their efforts to try to produce something for the Board.

**Old Business (Action List):**

**7:55 PM** Mr. Moynahan said that they would be taking this up, again, at some non-regular meetings, as they had executive sessions this evening.

1. Route 236 Sewer Expansion Project reports, updates, and schedules – Questions from Route 236 Ad-Hoc Committee - Mr. Blanchette
2. Sewer Contract/IMA – Schedule IMA/Kittery Meeting for presentation - Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette
3. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short
4. Community Service Space: Relocation to Elementary School – fit up costs, service impacts, insurance, MSAD #35 contract - CSD Director, Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette
5. Town Manager – schedule workshop; include Comp Plan Implementation Committee; Job Description – Sample Contracts
6. Dispatch Service/Ambulance Contract – Contract with Kittery, request from same, costs – BOS, Mr. Muzeroll, Mr. Short

**BOARD OF SELECTMEN'S MEETING**  
**May 23, 2013 5:30PM (continued)**

7. Policy creation/review – debit card, video-streaming, website management, parking ban ordinance
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 – Fiscal year 2015, goals, formats, etc. - BOS
11. Auditor – RHR Smith - BOS
12. Pay-per-bag Recycling – 6-month trial, Public Information Sessions
13. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst
14. Legal issues – pending and Consent Agreements – Eliot Shores - BOS
15. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton
16. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews - BOS
17. Research grant opportunities – AED's for Town buildings
18. Comp Plan follow-up
19. Pending new unions

**Selectmen's Report:**

Mr. Hirst said that he noticed, in looking at the bills, that some phones were using FairPoint and some were using Earthlink and suggested they look into using Comcast for all of their phones; that currently Earthlink was charging them for phones the Board asked them to remove months ago; that it was causing Ms. Spinney some headaches.

**7:58 PM** After some discussion, the Board agreed to have Mr. Hirst research options for services with input from department heads

**Other Business as Needed**

There was no other business tonight.

**BOARD OF SELECTMEN'S MEETING**  
**May 23, 2013 5:30PM (continued)**

**7:59 PM**

**Executive Session**

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

**VOTE**

**3-0**

**Chair concurs**

**8:12 PM**

Out of executive session.

Mr. Blanchette reported that, if the Board was willing to forgo the bid process, Key Bank would continue the same interest on the TANs for next year, adding that they were presently with Key Bank.

It was the consensus of the Board to try it.

Mr. Moynahan reported on a number of positions (summer help) that the Community Service Dr. wished to fill, adding that he would leave the information for the Board's review and bring it up at the next meeting.

Special meeting was tentatively scheduled for Friday, May 31 at 6:30 pm.

**Adjourn**

There was a motion and second to adjourn the meeting at 8:15 PM.

**VOTE**

**3-0**

**Chair concurs**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Mr. John J. Murphy, Secretary**