

BOARD OF SELECTMEN'S MEETING
August 9, 2012 6:30PM

Quorum noted

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

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

Pledge of Allegiance recited

Moment of Silence observed

Approval of Minutes of Previous Meeting(s)

6:32 PM Motion by Mr. Dunkelberger, seconded by Mr. Beckert, to approve the minutes of July 12, 2012, as amended.

VOTE

4-0

Chair concurs

Public Comment:

6:35 PM There was no public comment tonight.

Department Head/Committee Reports

There were no reports tonight under this heading.

New Business (Correspondence List):

6:36 PM

#1 TO : Board of Selectmen
FROM : York County Manager
REF : Fiscal Year Change

Mr. Moynahan said that this letter from York County showed a different budget that they were undertaking and invited Mr. Blanchette to speak about this.

Mr. Blanchette said that, as they could see from the third and fourth paragraphs, they were giving towns the option of which way to pay for pushing the time, clarifying that they were basically doing a 6-month budget and a 12-month budget but the bills would come due in 12 months, so it was catch-up they were playing. He added that the same thing happened when Eliot changed their fiscal year from the calendar year to the July to June year. He said that that was the key thing, not that the decision needed to be done today, but they must notify York County which payment plan Eliot wanted to use by February 15th. Mr. Blanchette said that he would like to refer this to MMA for legal review as he didn't know if the BOS would have the legal authority to do this – to pay the bill ahead. He added that they had the monies; that they were talking roughly half the yearly County bill and that bill was roughly \$448,000, he thought, for this year, so it would be about \$230,000 that Eliot would have to come up with in the first six months, next year. He reiterated that he didn't know if the BOS had the authority to do that.

Mr. Murphy said that that was not the way he read the letter. He said that he thought their requirement was to delay payment for that first six months until after so that the September following that six months Eliot was due to pay for the full year, then, by December, Eliot would make arrangements for paying the first half year. He added that it was an odd arrangement and he didn't know why they did that.

Mr. Blanchette said that maybe that was why because, for most towns, he did not think the board would have the legal authority to pay it prior to the next commitment, which was in August of 2013.

Mr. Murphy said that they were allowing it to be paid over a five-year repayment, the half year. He added that they wanted the full year paid in September.

Mr. Blanchette agreed and said that the decision was to pay in one lump sum or over a 5-year period.

Mr. Murphy said that that could be budgeted for next year.

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Mr. Blanchette agreed.

Mr. Dunkelberger said that one thing to note was that, if the Town chose the 5-year plan, then the Town may also be saddled with interest.

Mr. Moynahan suggested putting this in their budget packages.

Mr. Dunkelberger agreed and maybe, as they finalized their budget, then it may help determine which way they wanted to go.

It was the consensus of the Board to add this to their budget package.

#2 TO : Board of Selectmen
 FROM : Dan Blanchette
 REF : Monies to hold over

Mr. Blanchette said that the Board wanted to know where they could get money for hiring the consultant and this would be one place that could be done from.

Mr. Moynahan said that they had approximately \$35,000 from last year that could be rolled over, if the Board chose.

Mr. Blanchette said yes.

Mr. Beckert moved, second by Mr. Dunkelberger, to roll over the approximately \$34,000 left in last fiscal year, Admin Article I, for the purpose of the financial officer consultant.

VOTE
4-0
Chair concurs

#3 TO : Board of Selectmen
 FROM : Dan Blanchette
 REF : Tax Anticipation Notes

Mr. Blanchette said that he was greatly surprised as to the bids. He said that the obvious one was Key Bank on an as needed basis for 0.81%, adding that he thought that spoke well for the Town's financial condition. He said that TD Bank only did a lump sum, which they have done only for the past couple of years at 0.94%; SIS (Sanford Institute for Savings) did both an as needed basis for 1.67% and a lump sum basis for 1.65%. He added that the only thing he was concerned about clarification on was on Key Bank's condition #4 that stated: "That a significant deposit relationship be held at Key Bank." He said that he got clarification on that and, also, that Eliot would be able to pre-pay without penalty and the answer from them was that there would be no pre-payment penalty. He explained that what happened was that, from now until mid-November, Eliot would draw down whatever cash it had and, then, Eliot would have to start borrowing and would probably be for the school payment in September. He said that they would borrow in September, October, and into November then, once the taxes rolled in in November, they would pay back those notes borrowed on and, then again, they started back over borrowing, again, probably in January or February, depending on whether they could make the school payment in January, or not, and, then again, until the taxes came in in May. He clarified that that was why Eliot liked to have no pre-payment penalty. Mr. Blanchette said that in answer to his question about the "relationship" – "The Town of Eliot will maintain its primary deposit relationship with KeyBank within 3-6 months." – that was not unusual and, in fact, that used to be a condition of the "as-needed" basis up until about 4-5 years ago with whichever bank got the vote and he contacted Ms. Spinney about this and she realized they would have to change banks and she was okay with that.

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Mr. Moynahan asked whether there would be any additional transaction fees with having a banking relationship with KeyBank that might offset some of that substantial savings.

Mr. Blanchette said that a lot of the banks were no longer going to be forgiving fees; even TD Bank was expressing that, so he did not think they would get any fees from KeyBank that they would not be getting from TD Bank.

Mr. Murphy moved, second by Mr. Beckert,

1. That under and pursuant to Title 30-A, § 5771 of the Maine Revised Statutes, as amended and supplemented, there be and hereby is authorized the issuance of up to \$4,500,000 principal amount of Tax Anticipation Note of the Town in anticipation of the receipt of axes for the municipal fiscal year, which commenced July 1, 2012 and ends June 30, 2013.
2. Said Note shall be dated August 20, 2012, shall mature on or before June 30, 2013, shall be signed by the Treasurer and countersigned by the Chairman of the Board of Selectmen, shall be issued on an as needed basis, shall bear interest at the rate of 0.8100% per annum calculated on the basis of actual days elapsed in an assumed 360-day year, shall be payable at Key Bank National Association and shall otherwise be in such form and bear such details as the signers may determine.
3. That said Note is hereby sold and awarded to Key Bank National Association in accordance with its proposal dated August 6, 2012.
4. Said Note is hereby designated as a qualified tax exempt obligation of the Town for the 2012 calendar year pursuant to the Internal Revenue Code of 1996.
5. That all things heretofore done and all action heretofore taken by the Town, its municipal officers and agents in the authorization of said Note is hereby ratified, approved, and confirmed and the Treasurer and Chairman are each hereby authorized to take any and all action necessary or convenient to carry out the provisions of this voting, including delivering said Note against payment therefor.

VOTE

4-0

Chair concurs

#4 TO : Board of Selectmen
FROM : Elizabeth T. Manero WITHDRAWN
REF : Eliot Shores Settlement Agreement
This correspondence was withdrawn.

6:47 PM

#5 TO : Board of Selectmen
FROM : Ernest Bruneau
REF : Request to be moved from Alternate to Regular member of Conservation Commission

Mr. Moynahan said that Ernest Bruneau was seeking to move from an Alternate to a Regular member of the Conservation Commission to replace the spot that was held by Ken Wood, who asked not to be reappointed.

Mr. Murphy moved, second by Mr. Hirst, to approve the application of Ernest Bruneau to become a full member of the Conservation Commission, term to expire in 2015.

VOTE

4-0

Chair concurs

Mr. Moynahan said that, at this point if the Board was not opposed, there was another appointment that they did not take up from an earlier meeting, which was for Shannon Darr to be the Eliot Health Officer for another 2-year term to expire in June 2015.

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Mr. Beckert moved, second by Mr. Dunkelberger, that Shannon Darr be appointed as Health Officer for the Town of Eliot, term to expire in June 2015.

VOTE

4-0

Chair concurs

6:50 PM
#6

TO : Board of Selectmen
FROM : Grant Hirst
REF : Business Development Committee

Mr. Grant said that they have only two people on the EBDC, Russ McMullen and John Chagnon, and this was a time when they probably needed them very much, asking if the Board should be thinking about doing some recruiting; possibly to include, as members, people within the TIF District who own either TIF or non-TIF properties. He added that they had a lot of stake in this.

Mr. Beckert said that he had a note to himself that, with only two members left on the EBDC, then they were no longer a legally functioning committee; that they couldn't expend funds because there was no quorum. He added that he thought the Board should contact them and make them aware that they couldn't completely conduct business and ask them what the Board could do to help them other than solicit through the media and the website that they were looking for members.

Mr. Moynahan said that on page 2 of the Ordinance Governing Boards and Commissions it did define how to solicit or attempt to get membership on boards or committees that have vacancies and they should follow the proper venues. He added that Mr. Beckert was 100% right that the EBDC should have a memo from the BOS to remind them that they were not able to conduct business until there was more membership on that committee.

Ms. Shapleigh said that it might be wise to ask the members who were no longer on there, why they were no longer there.

Mr. Moynahan agreed they could get some explanations from those people.

Mr. Murphy said that advertising and looking into it was fine.

Mr. Moynahan said to Mr. Hirst that he took exception with the comment "But so far it has fallen on deaf ears." He said that Mr. Hirst was certainly entitled to his opinion but he thought they had all heard opinions that were working to get this same resolved.

Mr. Hirst said.....?, adding that he stood corrected on that.

Mr. Moynahan said that there were other items to define directives, strategies for the Comp Plan, Business Development...

Mr. Hirst said that he wasn't sure what that meant.

Mr. Moynahan said that he knew that, at one point, they had talked about defining roles and responsibilities and giving direction to boards and committees. He added that that never ended up on the Action List prior to and asked if that may have been what he was referring to, saying that he thought they had been tasked to define objectives to the boards and committees in the Town so that they were not just "winging it".

Mr. Beckert said that he did not know if, in the past few years, this had been done but he could remember back when he was on the BOS before that they got to a point that, like the department heads they called in and would start doing that again, they called in boards and committees every several months what they were working on and what the BOS could do to help them and, maybe, they needed to

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do that again. He suggested that, maybe, the Board start bringing them in to see what they were up to, what their goals and objectives were, and see if those matched what the Town's goals and objectives were.

Mr. Dunkelberger asked if they had charters for each of the boards and committees.

Mr. Moynahan said that they had mission statements and maybe, sometimes, they might need to be tweaked.

Mr. Dunkelberger agreed and might be the first thing they could bring up in meeting with them. He added that he thought Mr. Beckert's suggestion was an excellent one in order to get what they think that they were doing as a board and see if they could all get in the same vision.

Mr. Murphy said that he believed the BOS acted on the EBDC's request to roll over their unused funds in order that they could have enough money to put up another Welcome to Eliot sign at the South Berwick end of Route 236, so they did have a plan for action, even if it was being done only by two.

Mr. Moynahan said that the Board should get clarification because, without a quorum, they were not able to take action on that.

Mr. Dunkelberger asked if they could entertain a motion with the BOS to make that (the sign) a legal vote.

Mr. Moynahan said that there had been no request to expend those funds, yet, suggesting they wait until that committee could make that request.

Mr. Moynahan asked Mr. Blanchette for follow-up to make sure they were, in fact, advertising for all openings on the website with the particulars, as defined, and bring that group in first. He said that he would add that to the Action List and start scheduling boards and committees.

Mr. Hirst asked if it was the consensus of the Board, or not, to involve people that were in the TIF District, reach out to them and, if so, should the Board generate a list of said property owners.

Mr. Murphy said that they had such a list with Ms. Painchaud because she collected taxes, separately, for that group.

Mr. Moynahan said that he thought the EBDC should be the ones to reach out to try to solicit members to their committee, adding that for the BOS to solicit members may not be the right tone because the Board might be accused of hand-picking or creating a heavy-handed group one way or another.

Mr. Hirst pointed out that they had sort of a time constraint if they were going to take this Sewer Extension Project to the November meeting.

Mr. Moynahan said that the Board had been tasked to do several things, one was public outreach, gathering information, and being better communicators and, certainly, the EBDC as a full board would be a vital part of that. He added that, even without that, the BOS was still tasked to do the same job. Mr. Moynahan said that he was sorry if Mr. Hirst did not agree with his opinion, that it was his opinion and might not be the opinion of the entire Board, but he did not see this Board soliciting members of the community to the boards and committees. He added that he thought they did their job as far as advertising it properly and they could reach out to the EBDC to encourage them to solicit members to their group.

Mr. Hirst said that he would, again, point out that until they had a quorum they couldn't do anything.

Mr. Beckert said that that task may be something that the SC, acknowledging that they had a full plate, could take on. He added that, if it needed to be done and they had the list of property owners within the TIF District, then he would think it

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would be a simple task for the SC to contact those property owners to get their feedback and see if any of them would be willing to get on the board.

Mr. Hirst agreed with Mr. Beckert's suggestion.

Mr. Murphy said that he thought they had already been talking about that.

Mr. Moynahan asked if Mr. Murphy could communicate that to them, that there was a lack of membership on the EBDC, etc.

Mr. Murphy said yes.

Mr. Moynahan asked Mr. Blanchette to advertise on the web page, suggesting they highlight that particular group.

Ms. Shapleigh said that she thought it was very important that the Board get other people in the community interested.

7:02 PM
#7

TO : Board of Selectmen
FROM : Dan Blanchette
REF : Review of Administrative Policies and Ordinance Governing Boards...

Mr. Moynahan said that the Board members were tasked to bring this home to see if there were any improvements or changes they may want to make and to review it to make sure they were all adhering to it, as well.

Mr. Beckert said that he read through it and, if he was not mistaken, this was voted on in 2008, so it has been only four years since it was revised. He added that, having sat on the revision committee with Bruce Trott and others at the time, he didn't see anything that jumped out at him as needing an immediate change.

Mr. Moynahan said that he had some small changes. He said that on page 3, #5 Procedures to just add the website under "Notice of these meetings shall be posted at Town Hall" *and the Town website*. He added that, regarding #8, one big thing was the timeline for boards and committees getting their minutes to Ms. Rawski and suggested they put a timeline in #8 on page 4 that minutes be posted within two weeks of their meeting or something of that nature. He added that he thought that was the pressing piece on that and would take it off of the Board's Action Item List.

Mr. Dunkelberger said that he looked at that and still had a problem with it in that, in order for the minutes to be posted, they would have to be approved at the following meeting.

Mr. Moynahan agreed that it might not be two weeks but just threw a discussion piece.

Mr. Dunkelberger agreed but said that, if it was the Appeals Board, then that might be one of them and there were others, like the IT Committee that took the summer off because there was no pressing business, explaining that his concern was if they were tying their own hands. He added that he thought that they just needed to continue to push the committees to get the minutes out as soon as they could and not put in something that they could not necessarily adhere to. He said that, other than the website, he didn't see anything he would add or change.

7:04 PM

Mr. Murphy said that he has learned a bit more about the special meetings this Board could hold over on page 5 subparagraph 13, which mentioned executive sessions. He added that he became aware that this Board could hold non-advertised, non-public meetings for very restricted purposes. He said that the two he was aware of were to perform General Assistance activities, adding that under most circumstances the Board has delegated Mr. Blanchette to take care of their General Assistance clients, adding that the client may not like the treatment they receive and could appeal Mr. Blanchette's action or lack of action, and the course

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of appeal was to first call in the Chairman (BOS) to have a private session and, if no pleasing outcome, then the entire Board could be called to hear this complaint of a General Assistance client. He added that any of these meetings were entirely unannounced and private and no one knew who or what or what was said. He said that the other was in the case of issuing a concealed carry permit and, in Eliot, that was currently handled by the Police Chief but it might be conceivable that if someone appealed a denial of such application then it might come to the BOS in a similar fashion and that would also be a non-publicized, non-public meeting.

Mr. Moynahan said that the other one he had was on page 5, #14. He explained that they had talked about roles and responsibilities of their own Board; that in their policies there was reference to requesting information from a department head and that sort of thing. He asked if other boards and committees should be referenced to department heads that all requests for information should go through the chairman [of that board or committee] or specific entity. He clarified that they had talked about board-to-board communications but not board-to-department head communications.

Mr. Beckert agreed that was a good point and that maybe they should add that.

The Board agreed.

The Board will continue to review this ordinance and that it would be on the next meeting's agenda.

7:10 PM
#8

TO : Board of Selectmen
FROM : Richard Donhauser
REF : Proposal

Mr. Moynahan said that this outlined Mr. Donhauser's proposed services and associated costs and invited Mr. Donhauser to speak to his proposal.

Mr. Donhauser said that at the last workshop meeting for the Board they had asked him to make up a proposal. He discussed that the page 2 schedule was numerically incorrect and passed out a corrected page 2 to the Board. He gave a brief background about his current situation, saying that two years ago he was in the process of retiring out of his accounting practice and sold the tax portion of his practice to an associate who worked with him for 14 years, working his way out of that part of his accounting practice. He added that he kept his auditing practice but, after this year, he would not continue auditing but really retire from public accounting. Mr. Donhauser said that this proposal would be, for him, entering into a consultant arrangement with the Town where he would act as an independent consultant in the nature of a financial officer. He added that he outlined 23 areas in his proposal where he thought it would be appropriate for the nature of services needed. He said that this was a short-term arrangement, that it was not inexpensive and there was a reason for that. He explained that there was no learning curve for him, that he knew exactly where all the records were in the Town, knew the accounting system of the Town, that he has audited the Town for past 10-12 years, and that he was very familiar with the accounting software of the Town. He said that he would give monthly progress reports. He said that this was a short-term contract proposal where he would act like a chief financial officer (CFO) for the Town as an independent consultant and the purpose would be to oversee the entire accounting function of the Town, adding that his ultimate objective was, when the Town's next auditor came in, to be able to present them with a set of financial statements, all the supporting work papers they would need so that basically they would only need to ask for documentation that supported those work papers. He said that he knew exactly what they would need and what he needed. He said that he thought it would take somebody else, even at a lower hourly rate, at least twice as much time as it would take him. Mr. Donhauser said that this was not full time, explaining that for the first two months he would be on-site three days a week and would be sort of directing the Town's personnel on improving their interconnection with each other and getting a general ledger set up appropriately with the view that when he stepped back somebody would have

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the ability to continue. He added that, if they didn't, then they would, at the end of that time, know that because he would be giving them progress reports and he contemplated that this would be August, September, October, November but, in this case, it would probably be more into December because it was moved back a couple of weeks. He said that the amount he set out for this contract was \$32,000, adding that the auditing charge he has set for the past few years was \$14,000, clarifying that an audit is a totally separate thing from an accounting function because he was really going to take the whole system and put it in such a way that an auditor could come in and, with very little effort, because he would present a set of financial statements and all they would have to do was what they called "tic-and-tie" where they would ask where a number came from and he could show them exactly where it came from with supporting schedules and he knew exactly the schedules they needed to have. He concluded that that was what the proposal contemplated and that he outlined 23 areas that he wanted to concentrate on. He added that their other option was to go out to hire another individual, saying that, if they hired somebody, they would be paying a commensurate salary and find somebody with the requisite skills to do what needed to be done. He added that the Town would pay benefits and that, in his case, there were no benefits, that they would basically pay him an hourly rate and, if he didn't come to work that day, then they wouldn't be paying him. He said that he would submit time sheets and things like that. Mr. Donhauser said that what he did require was a space to work, not necessarily an office but to have access to the accounting and he could do that by bringing his own laptop and have an IT person connect him. He said that he was sort of uniquely situated to do this, adding that he recognized that this wasn't inexpensive to the Town but, in the long run, the Town would pay now or they would pay later.

Mr. Moynahan said to keep to the parts of the proposal and not the costs or the financial piece, because that was something that they would have to discuss in a different forum.

Mr. Donhauser said that that was fine and asked if the Board had any specific questions.

Mr. Dunkelberger commented that he saw this as an investment and saw this as cost-avoidance when they came up for their next audit. He added that the proposed contract addressed some areas of concern he thought both from a personal standpoint and a public standpoint, with regard to how they were managing funds. He added that, with the transition to a new bank, he thought this came at an ideal time in that it may help the Treasurer make that transition a little smoother.

Mr. Hirst said that he believed virtually everything Mr. Donhauser proposed to do would address virtually everything that was in his management letter, with the exception, maybe, of debit cards.

Mr. Donhauser said that if that was something that the Board wanted addressed then the proposal could be changed, but he was essentially correct.

7:18 PM

Mr. Murphy asked if it was reasonable for the Board to hope that enough experience would be gathered by the office staff that next year they would not be hiring Mr. Donhauser and the office staff could know enough to prepare this or, next year, would they be facing the prospect of having someone having to come in to help.

Mr. Donhauser said that was a very good question. He said that, first of all, he would not be physically doing any data entry – that he was going to look at it to see if it was done correctly and, if it wasn't, then he was going to have it done correctly by the individuals doing it. He added that what he saw himself doing as they went along was saying that this process needed to be done in this way by somebody, explaining that he was at a sort of 30,000-foot level looking down on a whole system and make sure that the system worked, as a system, together, utilizing the individual. He added that, to do what he wanted to do, it may involve his recommendation to the Board to rearrange their accounting personnel to help

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the system function better. He explained that, basically, they had three or four major components and the software was set up in that way and fed into the general ledger so, what they needed to do was to make sure everyone understood that, when they were making an entry, how it affected the general ledger. He added that, currently, the individuals making data entries didn't know what the ultimate end or impact on the financial statements or the overall system and they needed to learn that. Mr. Donhauser said that his initial reaction to Mr. Murphy's question was that he was going to impart that information to them so that when they were doing something they would know the end result. He clarified that he was looking at it from the end and going back into the details and they were looking from the details going to the end. He added that he hoped not to have to do this again, that that was not his intent.

Mr. Murphy asked if he could foresee that he would be sort of lecturing and his lectures recorded saying very simply what they were doing and identifying what they were dealing with.

Mr. Donhauser said that he didn't know if they could call it lecturing, that it might be in a meeting style. He added that he could write policy recommendations that said what should be done, how it should be done and by who to ensure there was segregation of duties and things like that. He reiterated that it was his intent not to return and to work himself out of a job because, in reality, he would like to retire.

Mr. Moynahan said that he mentioned in his management letter that the Town was lacking oversight of one person to oversee all those entries and that sort of thing and preparation for future auditors. He added that he talked about the fact that this would be a one-time fix, asking what, out of this proposal for anyone else that might assume those responsibilities, would the Town be looking to have to hire again, as the Town would still need someone who could oversee the whole accounting process and prepare for the auditor.

Mr. Donhauser said that one of the things they could do was to actually find someone that did that. He said that he would be the tentative controller, so to speak, with the intent to train some individual within the system, if he could. He added that right now they did not have the proper personnel to do this and he thought he would be making a recommendation down the road to hire someone, explaining that they had an aging employment population, and that what they should be looking for is someone who could come in and take over a whole accounting system. He added that, when they come in, he believed he would have it set up so that, basically, there would be seamless if they understood the basis of municipal accounting.

Mr. Moynahan asked, once the system was in place, how many hours would they be looking at for someone to come in and do that oversight.

Mr. Donhauser said that that would depend on the expertise of the person they brought in. He added that, if he were to do this full-time, he could do it in a three-day week because this organization wasn't that big. He said that they would need to have someone who knew municipal accounting and suggested that when Ms. Spinney retired they might want to change the title of Treasurer to CFO because she was not really acting as a treasurer because a treasurer was more cash and money oriented and investments and things like that and she was more like the Town's chief accountant and she was buried. He said that CFO's and controllers were not inexpensive because they came with a certain amount of knowledge that the general public didn't have. Mr. Donhauser said that he thought they would be looking down the road to hire somebody and for at least three days a week at the minimum, if not full-time.

Mr. Moynahan clarified that what he was saying was that the Town was lacking a \$100,000 employee.

Mr. Donhauser agreed.

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7:18 PM

Mr. Dunkelberger said that this might be something, as they talk about regionalization and sharing resources, that other towns might have as well.

Mr. Donhauser said that they would need someone to control the system with multiple components with a good knowledge of municipal accounting and that would cost them a low of about \$50,000 to a high between \$75,000 and \$100,000. He added that, otherwise, they would be penny-wise and pound-foolish. He reiterated that he was not that person; that he was not looking for that job.

Mr. Moynahan said that, if the Board wanted to discuss contract language, then they could do that in an executive session at this point or not, if they had other questions.

Mr. Dudek clarified that Mr. Donhauser was going to take a look at this, looking at the current process flow, make some suggestions for process improvement with the individuals that they had here, skills transfer to tweak or make the flow better this way or that, make recommendations to the Board on how to improve the process. He asked if he would document the process flow and, with what tools, software, and books were being used, how flow should be posted such that there was a document in someone's office that, if he wasn't there and there was a question, then the staff or whoever had responsibility could take a look and know the flow and this is where they should be posting. He said, in other words, a document that, if he went away, was enough to keep the business of the Town flowing until, at some point in time, someone made a decision that they needed a CFO. He asked, when Mr. Donhauser left, what was he going to leave the Town.

Mr. Donhauser said that he already had that document in his work papers, adding that he has documented the internal control procedures for the Town in work papers a number of years ago. He added that he could update those with a lot more detail and would provide that to the Town.

Mr. Dudek added and how the controls might change as he looked at it and made recommendations for the process.

Mr. Dunkelberger said that that was right where he was going – as things changed, realizing that what he already had may change and they were looking for continuity of process.

7:35 PM

Ms. Shapleigh said that she was thinking, from what she heard of the last increase in their payment to the school department, about how much they could save there. She added that she realized that that was not exactly what he was saying but she would like to know if he has taken a look at any of that and that what they would pay for two months in the increase in their payment to the school department would pay \$100,000 for the type of person that they needed, perhaps, within the Town.

Mr. Moynahan said that they would be bringing the school in at their next meeting to discuss financials.

Mr. Donhauser said that Randy Stewart was a counterpart to what he has been acting as for the school. He asked Ms. Shapleigh for clarification.

Ms. Shapleigh said that she was just putting it out there that somewhere between 60% and 70% of Eliot's tax dollars go to the school and they had the rest to spend on the Town, adding that she thought that should change. She said that she thought they were spending too much, that it was top heavy over there, and they would have the money for some of the projects they needed here if they weren't spending so much on a system with a declining enrollment, among other things.

Mr. Donhauser said that that was a budgetary problem that, when the school district voted at budget, it created the money the Town had to raise through local real estate taxes. He added that he didn't know how he could impact that other than to vote a different way. He said that he didn't mean to make light of what

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Ms. Shapleigh was saying but he didn't think he had an answer about the school. He added that, once it was budgeted and the Town voted, it was sort of cast in concrete.

Mr. Pomerlau said that, from what he heard him say, it sounded like with some of the problems he was identifying, that someone lacks fundamental accounting experience; that it sounded like some pretty basic accounting 101 to him. He asked if Mr. Donhauser was saying that nobody in the Town was essentially qualified to do basic accounting.

7:40 PM

Mr. Donhauser said that that was exactly what he was not saying. He clarified that the Town had really good employees that were working very, very hard and they understood their little process and they were working as hard as they could and trying to do the best job that they could without direction. He added that, when he went to Ms. Levesque, she understood exactly what her commitment was and, when she got a cash receipt, whether that was a credit or debit but the problem was that her department didn't understand how it ultimately impacted the ultimate financial statement. He said that he didn't think one could hold an individual employee and tell that individual they didn't know basic accounting because he thought they did know the basis of accounting. He explained that what they didn't know was the general overview of fund accounting and the much broader brush of the thing. In his view, he said that they could be moved around a little bit and be better utilized because they were not busy all the time; that that was impossible, but resources could be better utilized and he would make recommendations on that. Mr. Donhauser said that he liked the people the Town has working for them; that they would do anything for him and they have over the years, adding that he had never had them stonewall him or anything so he felt very confident about the employees of the Town. He said that he didn't think they lacked knowledge of basic accounting and bookkeeping skills; they had that and they have been there long enough so that they knew what they were doing within their area but they didn't see outside their area. He explained that what he did was to see everyone's area and how what one person over here is doing affects another person over there and that was what they needed to learn. He said that that was a lack of accounting supervision and cross-training – let someone do somebody else's job and when they make an entry or a mistake how it affected another's area. Mr. Donhauser discussed the tolerable mistake computation he did every year in preparation for the audit. He explained that, in an audit, not everyone was right to the penny – that there has never been an audit on the face of the earth that was right to the penny. He said that, as an auditor, he was rendering an opinion, which said that this financial statement fairly represented the financial condition of the Town, so he determined what an error of tolerance would be so, if he was looking at an account and there was an entry that was spent for the right thing but was in the wrong account, that was an error; was it \$500 or \$10,000. He added that \$10,000 was probably not a tolerable error but, if it was \$500, did it really matter on the financial statement and did he need to reclassify that somewhere else. He reiterated that everyone made errors but the question was, when one was found, what did one do about it and how did one try to prevent it in the future. He said that, with some errors, it didn't matter – if there was \$5 and it was in the wrong account, then he could care less because it was not worth the effort to move that \$5 to another account. He said that they wanted to make sure every transaction was recorded, though, and that came back to supervision. He said that, with this past audit, they had people working very hard, someone got sick for 6-8 weeks and not only did they have to come back and catch up the 6 weeks that they missed but now they are going forward and their transactions kept happening, very difficult. He reiterated that they knew basic accounting but what they were missing was overall supervision.

Mr. Pomerlau said that he was trying to identify where the skill shortage was so, if it was not in the fundamental daily process and there is a supervisory aspect of it, then it was someone lacking the knowledge to oversee what they were doing on a daily basis.

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Mr. Donhauser said that there was no one here, on staff, that had the accounting knowledge at the moment, but that didn't mean that they couldn't learn but that they didn't have the accounting knowledge to understand the input in the process and control.

Mr. Pomerlau asked if that required someone with an accounting degree and some experience in municipal accounting.

Mr. Donhauser said that he thought so.

Mr. Pomerlau said that that was a long ways away from \$100,000-a-year position; that someone with an accounting degree and some experience in municipal accounting would not cost \$100,000.

Mr. Donhauser said that he thought Mr. Pomerlau would be surprised. He added that \$50,000 would be the low and, on the high end, between \$100,000 and \$125,000. He used a story as an example. He said that a power plant went down, they couldn't get it running and the lights were out all over the country and they called an expert in. He said that the expert looked around and all he had was a pipe wrench and he walked around and tapped on this pipe and tapped on that pipe and really cranked on another pipe and, all of a sudden, the power plant came back on. He said that the expert sent that power plant a bill for \$10,000 and they thought that was very expensive. He said that it was only a \$50 call for the man to get there but it was \$9,950 to know which pipe to hit. He clarified that someone with the right skill set is worth their money in gold because they would save the Town money in the long run. He added that accounting was easily overlooked; that he could guarantee that Mr. Stewart was making at least \$50,000 a year and it was probably close to \$100,000 and he did municipal accounting for the school district.

Ms. Place said that she thought that, at one point, they had talked with Mr. Stewart and he said that he was still in the learning process. She asked if they hadn't talked to him about doing something for the Town, as well; that she couldn't remember what the outcome was.

Mr. Moynahan said that they had explored having him prepare the financials for the auditor and he thought, as Ms. Place was suggesting, that he might have some things left to do. He added that they had talked to him about was to potentially solicit the school to share him or his resource to prepare the financials for the auditor but he had not completed that training, yet.

Mr. Donhauser discussed the different skill set he had from Mr. Stewart, saying he had been in public accounting all his life and Mr. Stewart had always been in what they called private accounting, working for a company or a school. He added that his own skill set involved creating financial statements and Mr. Stewart's were more controlling the transactions that got the financial statement. He added that the AICPA was always coming out with promulgations like the MD & A – Management Discussion and Analysis – and was basically a synopsis of the financial statement and it was all in round numbers. He added that, technically, management was supposed to do that but, technically, he has been doing that, adding that his professional standards said that he was not supposed to write that. He said that, if this proposal went forward, then he would be in a unique situation to write that and the auditor would say: "Great, management wrote that." He said that South Berwick did not put in an MD&A but got a qualified opinion and a qualifying opinion wasn't all that bad except it was a qualification – "These financial statements fairly represent the financial position of the town except for...there was no MD&A. He said that the Town did not want qualifications on their financial statements.

7:47 PM

Mr. Beckert moved, second by Mr. Murphy, to enter into executive session with Mr. Donhauser as allowed by 1 M.R.S.A. § 405.6.A " for discussion of consideration of employment..."

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8:03 PM Out of executive session.

Mr. Beckert moved, second by Mr. Murphy, that the Board of Selectmen enter into contract with Mr. Richard Donhauser as consulting Chief Financial Officer for the Town of Eliot for the period beginning August 20, 2012 through December 30, 2012. The hourly rate for this agreement will be \$125 per hour and total compensation shall not exceed \$32,000.

Discussion:

Mr. Fisher asked where the money was coming from.

Mr. Moynahan said that they had rolled money over from last year (prior to this meeting), as they had a savings in the Administrative Budget of \$34,000.

VOTE

4-0

Chair concurs

8:05 PM
#9

TO : Board of Selectmen
FROM : Police Chief Short
REF : Dispatch Service Fees

Mr. Moynahan said that this was letter about dispatch services with Kittery from Chief Short regarding Kittery wanting to amend their existing contract.

Mr. Short said that the letter from Chief Callahan from Kittery was looking for a response on this request to increase dispatch costs; starting this fiscal year from \$60,000 to \$80,000, the following year to \$100,000, and then the third year to \$120,000. He added that the contract they have had with Kittery is currently expired and it was his understanding that, through a verbal agreement, it was extended for a three-year period at \$60,000. He said that his stance on it was that, by the clause, whether verbal or written – it didn't specify, but it did say it was mutually agreed upon to extend the current contract for another three-year period at \$60,000 a year. He added that there were a lot of conversations going on right now about consolidation of dispatching by moving South Berwick to Berwick or Kittery moving to South Berwick. He said that he thought there were a lot of unknowns, to date, on what was going to happen with dispatching. He reiterated his feeling that this contract was extended at the \$60,000 rate and he was looking for guidance from the Board on a response to Chief Callahan on where Eliot stood on this.

Mr. Moynahan said that he thought his letter did look to amend Eliot's current contract. He agreed with Mr. Short that there were ongoing investigations of regionalizing dispatch for the towns and many unknowns still, adding that they had been meeting with those two towns, asking questions, discussing rates, and the Town didn't even know what they were paying for currently, whether it was a good deal or a bad deal. He clarified that they were supposed to have something by November; a financial picture that outlined what the costs would be to the communities.

Mr. Hirst agreed, the numbers from the respective police chiefs by the end of this month and numbers, he believed, by November 1st.

Mr. Moynahan said that he didn't personally see a need to amend the current contract. He added that, once they have more information from the process, they could explore it more at that point.

Mr. Murphy clarified that Mr. Short was saying that there was a verbal agreement and asked between whom and when and what proof was there that it existed.

Mr. Dunkelberger said that there may be an answer to that question in the contract, itself. He read: *"The agreement may be terminated upon the mutual agreement of the parties, or if by a single party, notice must be given six months*

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prior to the expiration date of the agreement, otherwise the Agreement automatically renews for an additional three year term." He said that it expired in 2011 and there was no discussion on it, then the way he read it, the contract has been automatically renewed for a three-year term.

Mr. Moynahan clarified that they were requesting to amend it.

Mr. Dunkelberger agreed that was what they were requesting but that had to be by mutual agreement. He added that if there were any changes to the contract "*these changes must be submitted for review in writing at least 180 days prior to renewal.*"

Mr. Short said that it was his opinion they were locked into \$60,000 and he didn't believe they should enter into any discussion until things changed and they were completely dispatched by a consolidation. He added that, in the current situation where Eliot was currently dispatched by Kittery and this contract, by some verbal agreement or by expiration and acknowledgement that there were no changes - that Eliot was going to stay at that \$60,000 - that was his position.

Mr. Murphy said that that same paragraph had a final statement: contract "*these changes must be submitted for review in writing at least 180 days prior to renewal.*" and they were not. He added that it would seem that the first sentence would apply - "*otherwise the agreement automatically renews for an additional three years*" - and that he agreed with Mr. Dunkelberger that that was where they were at.

Mr. Beckert said that Eliot was already into their budget year and they budgeted \$60,000. He added that Kittery needed to understand that they couldn't just slap them with a \$20,000 increase after Eliot had gone to Town Meeting.

Mr. Short agreed and thought that, if through some conversation this whole consolidation thing actually did happen, then he thought it opened the door because it would not be an agreement between Kittery and Eliot, anymore, but there would be other people coming to the table. He added that, likewise, there was nothing that said, in the event that that consolidation occurred, that Eliot was married to be a part of that consolidation. He said that he has said for years that paying \$60,000 a year for dispatch was an unbelievable deal and they probably should be in that \$80,000 - \$100,000 range but \$120,000, adding that he personally didn't agree with \$120,000 at year three as he wasn't sure what they were paying for. He added that beyond that he thought it would be the right thing for Eliot to, if this consolidation took place and if those numbers were put out there for everyone to look at, shop around and see what else was out there. He said that he knew they would not be able to get anything for \$60,000 but they might be able to do a better deal somewhere along the line by being dispatched by somebody else. Mr. Short said that he thought that there was so much up in the air right now with it, on top of the fact that he thought they were still in a contract and he didn't think they could just ship us a letter saying that they wanted, ultimately in year three, \$120,000 for whatever services they provided to Eliot.

Mr. Murphy asked Mr. Short if Eliot ever got a detailed invoice or what they did get for the money they paid.

8:11 PM

Mr. Short said that they did not, that he thought that would be very difficult. He added that they have had some of these conversations and, even in talking with the Chief at the York Police Department, ultimately what goes into the decision on how much money they could charge contracted police departments, as far as dispatch services - how did they come up with that. He said that he thought there was a certain amount of arbitrary decision-making with it, but they had to take into consideration population, call volume, number of officers, number of houses, adding that he thought there were a number of things that came into play. He said that he thought the most they would get from Kittery, if they asked for information, was how many times they answered the phones, how many times they dispatched Eliot, and those types of things. He added that three years prior to this contract, there was no contract and part of the problem was that Eliot really didn't have any say in what was going on in dispatch so then that was why, at

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least, they were able to come to some agreement on what was expected from the Town of Kittery. He added that he could tell them right up front that one of the things that has not occurring for some time were the regular meetings, which he was trying to do now with the transition to the new Chief, to discuss as a user what they needed to make sure they were functioning at full service. He said that, to get any kind of readout, it would be minimal but he thought, as the Chairman said, that there needed to be a better discussion and a justification on, as best they could, why...he understood \$80,000 or \$100,000; that that was probably the going rate, but he didn't understand \$120,000. He added that he wanted that justified and that anyone they entered into agreement with would have to be able to justify what those were going to be.

Mr. Moynahan asked if the Board should send a response letter to Kittery that they were not interested in amending the contract.

Mr. Dunkelberger said that the letter was written to the Chief and he thought the Chief knew where this Board stood and should respond.

Mr. Short agreed he could do that.

8:17 PM
#10

TO : Board of Selectmen
FROM : NO CORRESPONDENCE
REF :

Mr. Moynahan said that Chief Short was in for one of the Board's department head meetings. He asked if Board members had any questions for the Chief.

Mr. Dunkelberger asked how it was looking with regard to the overtime budget for this year.

Mr. Short said that he didn't have the numbers in front of him but, for July and August, he thought they were doing pretty descent, adding that, for the month of August, there were only 25-30 hours of overtime scheduled as it stood right now, so they were well within budget. He added that right now, which was part of the problem last year, they were at full strength so any overtime being spent was for investigations, court time, vacations, and things like that that was in the normal range of what was budgeted for. He reiterated they were two months into it and, so far, they were doing descent. Mr. Short updated them on some things going on in the department. He said that they recently tasked all of their police officers to provide, in writing, to him, if they were inclined to do so, their own 5-year plan. He added that one of the things he tried to do on a regular basis was provide some career enhancement with that and see what they needed for training, what their ideal goals were whether they wanted to be promoted or whether they even wanted to stay working in the Eliot Police Department; it was a dream sheet for them and they all submitted ideas of things they would like to see. He also added that he has asked them to start thinking along the lines about where they wanted to see the department, as a whole, going in the next five years. He said that he didn't want to be the only one sitting at the table but would like some of their input, too. Additionally, he said that one of the things that has come up that he has toyed with and thought about over the last few years and something he would like to start focusing on was a national accreditation through CALEA. He explained that there were only four or five police departments in the entire State of Maine that were currently accredited by this organization and what it did was to make sure the department was meeting certain expectations with policies, procedures, and things along that line. He said that the organization has told them there could be some savings in costs for insurance, and it helped the organization in terms of litigation if they have met a certain level of training and equipment. He added that he thought the initial licensing fee was around \$3,500 - \$4,000, adding that he was just starting to look into some of this, and there was a recertification that went on, a process to go from zero to being certified, which could take two-three years because there were steps. He said that one of the things that he liked about it, when they were looking at how they were building their budget and how they were creating a future for this department, was that it created that road map and

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helped justify expenditures because they could tie it to what they needed to do in order to become a certified organization. He added that they were at the very beginning of looking at this. He said that he has walked up to it a couple of times, talked to people about it and, then, something else kept coming along and he ended up walking away from it. He said that he thought they were at a point, and some would remember where they were eight years ago – the Maine Chiefs of Police Association came in and did a review of the Police Department just prior to him coming here and made some recommendations on things that they would like to see, which were very much in tune with things he wanted to bring to the table, as well – where they should be looking at additional growth, not necessarily in manpower but, at least, in direction. He said that his overall vision for the department was to have it be a professional and well-respected organization and he did think that they were, but he thought this accreditation would certainly provide a clearer sense of direction and probably answer questions from people on why they were spending money on this or on that because there were things that came with accreditation that would be required that would be budgetary issues. Mr. Short said that this was something that they were at least talking about; that the plan was for them to sit down and collectively throw some darts at the board to see where they landed to see what the future of this department should look like; that looking at this accreditation, it could potentially be something worked into this budget or in the next budget, cost wasn't huge, but he thought the end result would be a pretty good payoff. He added that it would say a lot about the Town of Eliot and the Police Department if they could to that level of being accredited nationally. Mr. Short said that they just had National Night Out on Tuesday, saying that it was a national event for police departments to put on to have citizens come out to meet the officers, talk about crime issues, educate them on certain things, hot dogs and hamburgers, and all that kind of stuff. He added that the kids showed up and had a good time; they had the dunk tank out with one of the officers in it. He added that it was a good time; that their volunteers for the Eliot Auxiliary were extremely busy the weekend of the tractor show, at Fueling for Dreams at Irving raises money for Special Olympics and Chief Maloney's golf tournament. He said that he could not say enough about these 20 people that come into their Police Department – they all lived in Eliot and volunteer on a regular basis to help them with everything, adding that during this past weekend they had a storm that blew a tree down on State Road and one of the volunteers went up there and that allowed the officers to be freed up. He said that their speed trailer was finally back up and running and the volunteers deploy the speed trailer, adding that they took input from citizens on where they would like to see it and the department had their own ideas, too. He said that was up on their Facebook page, there was a contact sheet on their website citizens could use to write in. He said that their calls to service were a little bit ahead of where they were last year, there have been no complaints and everyone was working and doing their jobs.

8:23 PM

Mr. Moynahan said that he had asked the last couple of department heads the same thing as a reminder to department heads, adding that he knew Mr. Short had sent reports, explaining that they did have a policy on page 3 and 4 of the Administrative Policy the reporting that department heads should be submitting. Regarding financial, he said the Board was really pushing to make sure they were paying attention to all of Ms. Spinney's financials as far as the amount spent versus what was budgeted throughout the year. He added that they have discussed bringing departments in every 2-3 months to make sure everyone knew where they were. He said that financials, as far as any bills, use of check cards, receipts needed to get to Ms. Spinney in a timely fashion, adding that they had been having some issues with that throughout the Town. He said that, if there were questions of the Board, they had what they called the green book in Ms. Spinney's office, then all responses should be directed to the whole Board instead of a phone call to one; all Board members should be made aware. Mr. Moynahan said that they have been exploring tracking employee's earned time, vacation, starting with a baseline and have a chart somewhere that the Board could always review. He added that another question was how the Board could assist him, whether with budget preparations, if they were deficient in getting him information, were they acting in a timely manner.

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8:25 PM Mr. Short said that all the time he has been in Eliot he thought they had had a pretty good, open relationship back and forth with the BOS. Asking the Board not to take this the wrong way, he added that he did not need someone watching over him every minute. He added that he needed decent money to run that Police Department and the door was open for anybody with concerns or criticisms or ideas of how they could do their job better. He said that anytime he's had an issue the Board has been there to try to help him through and answer them. He said that 2-way communication was essential to make sure everyone was going in the same direction for what was best for the 6,500 or so people that lived in Eliot, adding that that was why he did his job every day, to make sure they were taking care of everybody. He said that he didn't see anything from his perspective that was going to make it any better.

Old Business (Action List):

8:27 PM Mr. Moynahan asked if the Board wanted to go through these or schedule them as they have been; was there anything that needed updating. He added that they had been pretty diligent on their off Thursdays scheduling some of these items and start scheduling to, perhaps, complete some of the items or were there additional items. He said that he thought the ECSD department head was the last one they needed to bring in and, when he and Mr. Blanchette set up for next Thursday they would try to include her and have her at the following meeting, so then they would have all their department head meetings done. He added that he thought that, on the 23rd, they could meet to do the budget definition and, on the 30th, they would meet with the BC.

Mr. Dunkelberger asked if he had gotten the notional timeline.

Mr. Moynahan said that he had not opened it but he did get it this afternoon, so they would have that to work on.

Mr. Beckert asked if they had an update from the subcommittee on the space for the ECSD in the school.

Mr. Dunkelberger said that they did meet this week, that they were still gathering some data for additional requirements. He added that, hopefully, they would have more in the next two weeks.

Mr. Moynahan suggested this be tentatively on the agenda two weeks from tonight.

Mr. Murphy said, with regard to the IMA, that he had been working quite hard on getting all the T's crossed, etc., as far as he could see, adding that he had about a 3-hour meeting this morning with Keith Pratt from Underwood and showed him where he was going and what he was trying to say and Mr. Pratt corrected some of his understanding. He said that Mr. Pratt was good at smoothing out 17 pages of words, adding that he was going to make a few more corrections, then get it back to him and he thought it might be a good idea for this Board to look at it. He added that this was a contracted process and should not be made public as they still had some things to talk about. Mr. Murphy said that, maybe in a week or two, we as a Board, perhaps, should look it over and agree that this was what they wanted to persuade Kittery to accept.

Mr. Moynahan clarified that a response to Kittery and a timeline would be three weeks for them to respond.

Mr. Murphy said that he was not going to answer for Kittery.

Mr. Moynahan clarified to receive this Board's review and draft back.

Mr. Murphy said that he thought that that was a reasonable time, which suggested the possibility of a Special Town Meeting and not wait for November for this correction to be the current IMA contract. He added that it wouldn't be

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complicated by all the details of the TIF but they may allude to the TIF to try to keep it alive but would not be controlling.

Ms. Place asked if the IMA would be reviewed by the lawyers.

Mr. Moynahan said that they have had them review it throughout the process and, at the last step, they would review the final version.

1. Sewer Contract Committee/IMA Update – Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette
2. Monthly Reports from Department Heads
3. Sewer User Rates, reserved allotments, odor, maintenance– Sewer Committee
4. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short
5. Community Service Space – Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette
6. Auditor – Management Letter
7. Budget Preparation for next year – time line, etc.
8. Regionalization of Town Services – Mr. Moynahan, Mr. Hirst
9. Legal issues – pending and Consent Agreements
10. Information Technology – IT Committee
11. Amend Ordinance Governing Boards, Committees, & Commissions, Time lines for posting Agendas and Minutes
12. Liaisons to committees – review existing members & try to fill open spots
13. Employees – Cross-training, Charting earned times, job descriptions
14. Dispatch Service – Contract with Kittery, request from same, costs
15. TIFD reports and updates – Mr. Blanchette
16. Review Sewer Rates – Sewer Committee
17. Monthly Special Meetings for Action List

8:32 PM

Selectmen's Report:

Mr. Beckert said that he had a question. He asked Mr. Blanchette if it was the policy for any Town employee, such as the CEO or the Planning Assistant or whoever, that had to go to an attorney had to go through Mr. Blanchette.

Mr. Moynahan said that it was his understanding that they needed to get permission from Mr. Blanchette first.

Mr. Beckert asked if that was happening.

Mr. Blanchette said that, as far as he knew, it was.

Mr. Beckert said that one of his concerns was, and there was only one instance right now, that they had one employee going to MMA, which didn't cost the Town anything other than the yearly dues, for a question and the other employee went to the attorney that the Town paid for, for the same thing.

Mr. Blanchette clarified that the questions were a little different, explaining that one of the questions dealt specifically with Eliot zoning, in reference to that, and the other one was broader and not zoning-specific because MMA would not answer zoning-specific. He said that while it appeared to be the same sort of question it varied just enough that what was asked of MMA was not what was being asked of the attorney. He added that he could understand the confusion.

Mr. Beckert said that his concern was that the issue, from his perspective, was answered by the general question to MMA that they didn't have to pay for rather than going to the attorney and possibly getting an answer that was more finely-tuned, but that came at a cost. He added that it was his opinion that the two employees were not collaborating on getting the information and they should have used the one before going to the one that cost the Town money.

Mr. Moynahan suggested Mr. Blanchette bring that up at his staff meeting.

Mr. Blanchette said yes, that he planned to.

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Mr. Beckert said that that should be monitored because legal fees could get out of hand.

Mr. Hirst asked Mr. Blanchette if they had an update regarding the situation with 2-Way Communications bill and the letter exchange with Kittery.

Mr. Blanchette said no, that he had not seen anything, yet, from Kittery.

Mr. Moynahan said that he met with the regionalization meeting and he sat down with Mr. Markel and he had not yet received Eliot's letter, so he shared with him his copy and asked Mr. Blanchette to follow up with Mr. Markel again.

Mr. Hirst asked if the Board was in possession of that bill.

Mr. Moynahan said that he was pretty sure they used that as a reference in the letter.

8:35 PM Mr. Blanchette said that since Mr. Fisher was present he would like to publicly thank him for coming out and doing two things for them: one was quieting the fan and, secondly, for looking over the space at the school in terms of electrical needs. "Thank you very much."

8:37 PM Mr. Chagnon apologized that he wasn't here earlier; that he was involved with the EBDC and he didn't know if this was an appropriate time to talk a little bit about that. He added that he was wondering if the Board had some directives for them.

Mr. Moynahan said that some concerns that they had was that the EBDC did not have a quorum, that it was the Board's understanding that there were only two members, so ways to fill the vacancies on that committee were number one before the Board could give direction. He said that they would need a quorum before they could conduct any business. He added that he thought that the SC had volunteered to try to solicit, perhaps, members for the EBDC group through the business corridor or other people who may be interested in business development so that they could get the committee up and running.

Mr. Chagnon said that it was news to him that they couldn't even meet until they got more members.

Mr. Blanchette said that they could meet; they could not conduct business or expend any money.

Mr. Dunkelberger asked why they couldn't meet and then forward suggestions to the BOS to potentially enact.

Mr. Moynahan agreed.

Mr. Chagnon asked, as far as members, or other things.

Mr. Dunkelberger confirmed as far as other things – if the two of them suddenly came up with a brainstorm and wanted to push forward with some things.

Mr. Chagnon said that, in general, he thought that was something the committee had wanted to do – to interact more with the Selectmen, like a directive from them to produce a certain thing. He said that they lost a member and, quite frankly, he thought the reason was that they were charged with trying to encourage business to come to Eliot and they would have had a lot to do if the sewer vote had been the other way, but they didn't have as much to do now because that was really important for the long-term economic development of the Route 236 corridor – to have sewer. He added that one of the members felt like there wasn't a lot to do in that it didn't pass and he didn't have something to market. He reiterated that they would like to have more interaction, adding that Ms. O'Donoghue used to be there Selectmen representative and, after she passed away, they did ask if anyone wanted to join them as Selectmen rep so, he thought if one of them was interested,

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then that would help them to move forward. He added that, as they got busier, hopefully, they would attract more people to the committee.

8:42 PM Mr. Moynahan said that, in the meantime, he thought they were planning to put the sewer back to the voters in November and one of the focuses they had was public outreach and education and that sort of thing and he thought their committee could certainly be a big part of that as the Board started to define the goals and the roles for that.

Mr. Dunkelberger said that, unless another Selectman was interested in being a liaison, he would be happy to take that on.

The Board agreed by consensus.

Mr. Chagnon said that that was excellent. He added that they were going to meet in September, the fourth Wednesday and the other thing that has happened in the past is that there has been a notice in the paper and, for what it was worth, looking for membership.

Mr. Moynahan said that they were advertising for openings for all boards and committees.

Other Business as Needed

There was no other business tonight.

Executive Session

There were no other executive sessions tonight.

Adjourn

There was a motion and second to adjourn the meeting at 8:44 PM.

VOTE

4-0

Chair concurs

DATE

Mr. John J. Murphy, Secretary