

**BOARD OF SELECTMEN'S MEETING**  
**September 8, 2011 6:30PM**

**Quorum noted**

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

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

**Pledge of Allegiance recited**

**Moment of Silence observed**

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

**6:32 PM** Motion by Ms. Place, seconded by Mr. Dunkelberger, to approve the minutes of August 11, 2011, as written.

**VOTE**

**4-0**

**Chair concurs**

**6:33 PM**

**Public Comment:**

There was no one from the public who wished to speak.

**6:34PM**

**Department Head/Committee Reports**

Mr. Moulton discussed that he had informed the Board about a mechanical issue with the Ford F-250 and he was bringing an estimate to make that repair (\$7,623.85), that, while his budget would support the repair, this was not an anticipated or budgeted repair and was asking for how the Board would like to proceed. He added that he utilizes this vehicle throughout the winter season.

Mr. Moynahan clarified that this could be repaired out of Mr. Moulton's budget.

Mr. Moulton said yes because not all of his budgeted items are not done but there could be an over-expenditure later.

Mr. Moynahan asked Mr. Blanchette if he knew what the balance of the reserve vehicles fund was currently.

Mr. Blanchette said that he did not know.

Ms. Place asked how necessary was the truck.

Mr. Moulton said they use it for winter maintenance, for plowing, and it is very necessary, unfortunately.

Mr. Dunkelberger asked if he could take it out of his budget, now, and then they would see how the year goes.

Mr. Moulton said yes he could support it now but there could be an over-expenditure later.

Mr. Fernald said that this was not something Mr. Moulton planned on and if he were to take money from Peter to pay Paul, then, obviously, Peter would be short down the road. He added that he thought that this was something the Board might address separately instead of hoping that his budget would take care of it.

Mr. Fernald asked Mr. Blanchette if this could fall under any other category. Mr. Blanchette said it might fall under the Highway Equipment Reserve Account.

Mr. Fernald said that they needed to know how much was in that account before they touched it.

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Mr. Moynahan asked if Mr. Moulton knew when that vehicle was scheduled for replacement.

Mr. Moulton said that it was his intent to get rid of the two smaller pick-ups for a larger pick-up with a plow and wing on it, but that was not planned for another four years.

Mr. Blanchette said that another thing that could be done is to take it out of his regular operating budget and, then towards the end of the year, if they needed to shift it to the corporate reserve account, that could be done.

Mr. Moynahan agreed with Mr. Fernald that this should be separate from the operating budget. He said that he thought it should be dealt with from the Reserve Vehicle Account, specifically.

Ms. Place asked Mr. Moulton if there was any chance that price would go up.

Mr. Moulton said that he had checked on that today and it would not go up. He added that, with any luck, it would be less, but that was the worst-case scenario.

Mr. Fernald said that they needed to find out how much was in the account before doing anything and, if not, they needed to make another decision. He asked if this was something that needed to be done right away.

Mr. Moulton said that he would like to start repairs sometime this month as October is right around the corner.

It was agreed by consensus to find out how much was in that reserve account and bring this issue up at the next meeting.

**6:39 PM** Mr. Moulton updated the Board on the letter he sent to the Maine DOT. He said that he received a phone call today and that the Commissioner has contacted a John Cannelli? At the Scarborough office, who will meet with Mr. Moulton in Eliot on Monday to go over all the concerns that they have.

Mr. Moulton said he was contacted by the attorney for the residents of Wildbrook Lane to go over the summary he gave the attorney for clarification. He added that the attorney would be coming before the Board for discussion.

**New Business (Correspondence List):**

**6:40 PM**

**#1**

TO : Board of Selectmen  
FROM : Barbara Thain, Secretary  
REF : Board/Committee Membership

Budget Committee:

Mr. Fernald said that the Board asked the prospective committee members to come in so that they could review their qualifications and answer questions.

Rebecca Davis, Ronald Cooper and Grant Hirst were present.

Mr. Murphy clarified that he wanted to reassure them that the Board would not grill them but that this was just a practice they have when a citizen has never been on a board to have a look at them to see how they present themselves and what they hope to do. He asked Ms. Davis if she has had any experience on budgets.

Ms. Davis said that she has not. She added that she was willing to learn and that her primary motivation was the fact that the position was unfilled and it was her civic responsibility to fill that position, if she could. She said that she was,

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personally, fiscally responsible and feels she could contribute a lot of energy to the position.

Mr. Murphy asked her if she was willing to ask questions if she didn't know what was going on.

Ms. Davis said that she would certainly be quiet and listen and observe, and ask questions as she learned more.

Mr. Fernald asked her if she had ever been to a budget meeting.

Ms. Davis said no.

Mr. Fernald asked if she went to Town Meeting.

Ms. Davis said yes.

Mr. Fernald asked her why she wanted to be on the Budget Committee.

Ms. Davis said that she felt prompted last time when two positions were open, that she did write herself in but did not fill it out properly. She said that she felt, this time around, a real duty to help the Town.

Mr. Fernald asked Mr. Cooper if he had been to any Budget Committees.

Mr. Cooper said that he was a CPA, that he does a lot of budgeting and works with clients all over the country. He added that he has been to budget meetings, just not in Eliot. He said that he also specializes in troubled companies – mergers and acquisitions – and has a pretty good understanding of finances. Mr. Cooper said that he was a member of the Eliot Police Department and it would not be appropriate for him to do their budget, that he would have to recuse himself from the police budget.

Mr. Murphy asked him if he had talked about this with the Police Chief.

Mr. Murphy said that he did.

Mr. Moynahan asked him how often he worked for the police department.

Mr. Cooper said that it was rarely, that he is on the reserve. He said that, as a CPA, he travels a lot and has clients as far away as California. He added that he would be working a detail on Saturday for September 11.

Mr. Fernald asked Mr. Hirst why he would want to be on the Budget Committee.

Mr. Hirst said that he felt the same way Ms. Davis did. He said that he thinks it is a sin to have these openings unfilled and he thinks they need some additional new blood on the committee. He said that, if the Board saw fit to appoint the other two candidates, then he would very happily step aside, as he felt it would be wonderful to have a woman and a CPA on the Budget Committee.

Mr. Moynahan moved, second by Mr. Murphy, to appoint Rebecca Davis, term to expire in 2012, and Ronald Cooper, term to expire in 2013, to the Budget Committee.

**VOTE**

**4-0**

**Chair concurs**

Mr. Moynahan suggested that it might be helpful to have prior budgets they could review prior to the start of the season.

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**6:47 PM**  
**#2**

TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Fireworks Ordinance information

Mr. Fernald discussed that the State of Maine has enacted a Fireworks Statute and local municipalities can develop ordinances to address sales and/or uses for fireworks. He asked if the Town wanted a fireworks ordinance.

Mr. Blanchette said that the PB was working to put something together and the Board might want to give some input.

Mr. Fernald asked if he knew when that would be done – that they had two issues here, one was the sale of fireworks and one was the actual use of fireworks.

Mr. Blanchette said that he did not know when that ordinance would be done.

Mr. Murphy said that it was his understanding that the State Fire Marshall has been directed to adopt rules concerning them and he would like to know what those rules are when they are done. He asked if Mr. Blanchette could monitor that and get copies of those regulations when they are available.

Mr. Fernald said that he thought the Board needed more information on both of these issues and they need to know what the PB was working on. He added that, with that information, they could bring this up at the next meeting.

Mr. Moynahan said that he thought this was important. He added that this was an allowed use and the Town does not want to get caught without any regulations. He suggested getting the Fire Chief and others involved in crafting the ordinances.

Mr. Murphy said that the effective date is delayed until January 2012, so they have some time.

Mr. Blanchette will get more information for the Board from the PB.

**6:50 PM**

At this time, Mr. Fernald recognized Ms. Beavers, State Representative.

Ms. Beavers said that she thought that Ms. Lewin had suggested that the State do a Memorial Statement on behalf of Lieutenant Colonel John Robert Grove and Mr. Blanchette asked her to do that. She thanked the Board and the Town for doing these commemorations for the people who have been willing to serve, on the Board of Selectmen especially. She read the Sentiment and presented it to the Board.

Ms. Beavers also announced that they were, on Monday evening at the Eliot Historical Society, going to do a sentiment in honor of the event that was held on Memorial Day for the new plaque for Mr. Grove? and members of that family have been invited. She invited people to come.

Mr. Fernald thanked Ms. Beavers for doing this. He said that he had the pleasure of serving on the Board of Selectmen with Mr. Grove, that he was a very levelheaded individual and made some very good decisions for the Town and that he certainly deserved all the recognition he was receiving.

**6:55 PM**  
**#3**

TO : Board of Selectmen  
FROM : Grant Hirst  
REF : Procedure for Certificates of Insurance

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Mr. Grant said that he thought he was correct in saying that everyone was on board with the need for the Town to deal with people who are financially responsible, in so far as insurance was concerned. He added that they have an ongoing project to get Certificates of Insurance from everyone they deal with who provides Eliot with goods or services. He said that they really needed a protocol – a procedure – on how they do that. Who was responsible, who was responsible for getting them, for reviewing them to ensure proper coverage, and getting them renewed every year. He added that they don't really have the staffing to do that as it is currently set up. He proposed putting together a set of procedures that he would then present to the Selectmen for consideration to be adopted as SOP's. He added that he would do that in conjunction with the writers at MMA, who have asked the Town to do this anyway.

Mr. Moynahan said that his business was run the same way – people are required to produce Certificates of Insurance, I-9's, the whole shooting match and, typically, it is before they are paid. He added that it's a lot of work to keep track of all those, especially if they are not gotten early on. He clarified that Mr. Hirst said "goods and services" and they typically look for services.

Mr. Hirst agreed that most of it was for services but, occasionally, there may be a need for evidence of a material performance bond, perhaps, or they might be an odd occasion where they would need a certificate from a supplier, particularly when there is insulation involved.

Mr. Murphy suggested that these things could be more fully explained in the SOP's.

Mr. Hirst said that it was his intent to give the Board a complete package – A to Z – and approved by MMA before it is even submitted.

It was the consensus of the Board to allow Mr. Hirst to put this protocol package together.

**7:00 PM**  
**#4**

TO : Board of Selectmen  
FROM : Dan Blanchette  
REF : Overtime Policy – Comp Time Policy

Mr. Blanchette said that compensatory time was 24 hours and the Board wanted to consider adopting 40 hours.

Mr. Fernald asked if this was something the Board wanted to move forward on.

Mr. Moynahan said that he had a question regarding the first line in #3: "The comp time is meant to be used within a reasonable time period (2 months) of earning. He asked how consistent are they with the employees being required to utilize that time within 2 months and how hard is it going to be for employees to use 40 hours in two months time versus 24 hours in two months time. He wanted to know before they increased the number of hours they were allowed.

Mr. Blanchette said that he thought that should be changed to four months, particularly if the Board has some people from the Highway Department in the wintertime who would accumulate 40 hours, that it might be difficult for them to take that 40 hours off within a two-month period.

Mr. Moynahan said that they have a choice of getting paid for overtime or getting comp time.

Mr. Dunkelberger asked why they would have that requirement in there at all, as

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they have already established a limit of 40 hours, and, as long as they don't go over that, why not let them carry it for however long.

Mr. Murphy read from #3, "Any comp time not bought back by the town by the end of the fiscal year shall carry over to the following year;...", which seems to suggest that there needn't be just 2 months or 4 months as, so long as it is under the 40 or under the limit, one could carry it over if one hasn't used it or the Town hasn't bought it. He added that he agreed with Mr. Dunkelberger, saying there was a question of reasonableness here.

Mr. Fernald asked for input from Mr. Blanchette.

Mr. Blanchette said no, that this was what the Board wanted to do years ago. He added that it was easy enough to wipe out that sentence.

Mr. Dunkelberger read from #2, "If an employee has 36 hours or more, the supervisor may require that the employee use 4 (hours) of comp time." and asked why.

Mr. Blanchette said that he did not know, that that was the way it was written.

Mr. Murphy said that it looks like they are trying to protect the employee from possibly violating the upper limit by making sure it never reaches that limit. He added that, if that was the case, then why have an upper limit. He suggested they could scratch out 40 and go with whenever the employee accumulates 36 hours or more, he must use 4.

Mr. Fernald asked the Board if, with this change, is this something the Board wanted to move forward for readings.

Mr. Moynahan said that he thought they had just created more questions to the entire contents of this policy. He added that he didn't agree with the 40 hours, but that was his personal opinion. He added that, with some of the statements made tonight, was the policy ineffective, as it stands, regardless of the number of hours.

Mr. Murphy asked Mr. Moynahan how many hours he did like, rather than 40.

Mr. Moynahan said that they had one employee request this and some department heads that were asked to weigh in on it, so he thought, with the policy as it is set with the 24 hours, has not been problematic. He clarified that his concern was that, when one gave more comp time as opposed to paying at point of service, then it would create more means of services as another potential for weeks off at a time, especially if it is 40 hours at one time, not 40 hours in a fiscal year. He added that, within 2 months or 4 months, always have 40 hours on the books and take 40 hours off, which could put department heads in a tough position in filling those spots. He said that it was certainly nice to give employees some official time off in lieu of paying them, but at what point do they cap that and his thoughts were that the 24 hours seemed to be adequate by-and-large.

Mr. Fernald said that he thought this needed to be looked into a little further.

Mr. Dunkelberger said that he tended to agree with the 40 hours as the limit and let the department heads manage their departments accordingly. He added that, when that employee took that time off, then it could certainly be coordinated in that "the use of comp time shall be at the discretion of the employee with prior permission from his/her supervisor.", so he would trust that the department heads could manage that time, whether it was 24 or 40.

Ms. Place said that the employee couldn't accumulate more than 40 hours but how many hours could they carry over in to the next year – the whole 40 hours.

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Mr. Blanchette said that the Board could vote to buy out that time at the end of the fiscal year. He added that, in the past when it has been deemed appropriate, the Board has done that.

Mr. Dunkelberger said that, as a potential cost measure and if there were funds left over at the end of the year, then the Board could buy back the comp time. He added that the Board had had previous discussion about taking care of their people and then being able to have comp time on the books for use whenever they need to take it versus sick time.

Mr. Murphy suggested they could solve the problem right now by removing, in Section 2, the second sentence and have Section 2 read, "An employee may not accumulate more than 40 hours at any one time without board approval." And, in Section 3, remove the first sentence that reads, "The comp time is meant to be used within a reasonable time period (2 months) or earning."

Mr. Moynahan said that, when department heads are planning budgets, all staffing is planned on a one fiscal year period. He said that, when they start rolling over comp time into another fiscal year, how would that impact the budgets. He suggested that it could compromise the second fiscal year budget. He added that he thought that, if they were going to increase the hours, then those hours should be used within that fiscal year.

Mr. Dunkelberger said that he disagreed because he thought that put an unnecessary limitation on the employee, reiterating that he thought the department heads could manage their fiscal year, adding that he did not think the costs, one week, would break any department if managed with any sense of competency.

Mr. Moynahan said that, if they had 20 employees with 40 hours of comp time, then they would be carrying over 800 hours of comp time to the next year that could be used for the first week of that budget season, then start accumulating another 40 hours.

Mr. Dunkelberger reiterated that department heads have the discretion on how employees use their comp time so he did not see 20 or 40 employees taking that one week of comp time at the beginning of any fiscal year.

Mr. Fernald asked if it was consensus to make the changes and bring it back to the next meeting for a 1<sup>st</sup> reading.

Mr. Murphy asked if the Chair would like it in the form of a motion.

Mr. Fernald said yes.

Mr. Murphy moved, second by Mr. Dunkelberger, that, in Section 2 of the Compensatory Time draft policy, they removed the second sentence and, in Section 3 of the Compensatory Time draft policy, they remove the first sentence.

Mr. Fernald clarified that they were only moving this to a next reading, which would be the next meeting. He asked for a show of hands. He clarified that this was not a vote of this policy.

**VOTE**  
**3-1 (Mr. Moynahan)**  
**Chair votes in the affirmative**

**7:11 PM**

Mr. Fernald said that the Board needed to discuss whether they were going to change the Overtime Policy – that it was brought up and why it is in here – or to leave as it is, currently.

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Mr. Murphy discussed the need for more examples to clarify what overtime means. He used an example of someone taking vacation time for the first three days of the week, coming back for normal work the last two days and running into a storm that causes that person to work the weekend, as well, to include overtime, saying he thought those vacation days should count as work time, as they were planned, and any time that person works in excess of 40 hours should be counted as overtime. He addressed other scenarios to make his point that situations could become complicated.

Mr. Fernald commented that he didn't think this was something they needed to complicate more than it already was, adding that those particular situations are probably very rare. He said that, additionally, they needed to have confidence in the department heads to make sure a lot of these things are scheduled correctly. He said that, as a Board, he did not think they needed to spell out every single individual way things happen – that was why they had department heads, to sort through that kind of thing.

Mr. Murphy commented that he thought department heads might need some guidance in this when it isn't clear. He added that one department head might come down one way and another, another way, and then they have a conflict between departments and who settles those conflicts – the Board. He said he wondered if they could indentify this possibility, at least address it in some way or another.

Mr. Dunkelberger agreed with Mr. Fernald, saying that he thought that, if they try to over-analyze individual cases, then they make it too complicated and don't give department heads the flexibility they need to look into the time actually used.

Mr. Moulton said that they budget a figure in their budgets just for overtime. He added that it is up to them, as department heads for the Town, to try to manage that number as best as possible, with the understanding that they couldn't control mother nature. He said that, if they were to have potential shortfalls, as they did last year with the police department and concern for his, it was up to them to bring that to Mr. Blanchette's and the Board's attention. He added that that's a tracking method – the department heads doing the best job they can, what the Town pays them to do for the Town.

Mr. Moynahan said that, with that said, there is no time during Town Meeting that allows the Board to override what the voters voted for, for the departments, so there should be no overriding or asking for additional funds. In talking about managing the departments, at no time should a department come and say they don't have enough money at the end of the year, as that meant they weren't managing their department throughout the year.

Mr. Moulton said that he understood where Mr. Moynahan was coming from and he couldn't dispute what he was saying.

Mr. Moynahan said that he has some time cards here showing how the overtime is affected—everyone thinks he picks on employees but that is not it, that he has stated his case from day one – and he has issues, that he believes the policy is flawed. He commented that, if everyone else was comfortable with it that was fine – he was one of five.

Mr. Fernald asked what was the pleasure of the Board.

Mr. Murphy said that he liked the meaning of the policy but he felt strongly that they needed more than just the two examples shown.

Mr. Blanchette said that they could add as many examples as the Board wanted.

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Ms. Place said that this was very difficult, adding that she didn't mean to imply that anyone would misuse overtime, but she didn't see a way of preventing abuse from happening. She added that she didn't know how the policy could be changed to address that issue.

Mr. Fernald said that they have a policy, in hand, and it would be necessary to make a motion to make changes to the policy.

Mr. Dunkelberger said that, at first, he was in agreement in his thoughts with Mr. Moynahan but, after discussions with a couple of the department heads, he has been persuaded that it is in their best interest to leave the overtime policy as it is written.

**7:20 PM** Mr. Dunkelberger moved, second by Mr. Murphy, to maintain the current overtime policy.

**VOTE**

**2-2 (Mr. Moynahan, Ms. Place)**  
**Chair votes in the affirmative**

Mr. Moynahan pointed out that approval of overtime is required by the Chairman and, if he's not available, then the Vice Chairman, etc., and "authorized overtime shall be reported to the Board of Selectmen at the next meeting.", so they should be consistent with that policy, also.

**7:21 PM**  
**#5**

TO : Board of Selectmen  
FROM : Maine Municipal Association  
REF : "Then and Now" Photo Contest (informational)

This was informational.

**7:22 PM**

**Old Business (Action List):**

1. Sewer Contract Committee – Mr. Moynahan, Mr. Moulton, Mr. Murphy, Mr. Marchese and Mr. Blanchette (IMA Update)  
Mr. Murphy said that was being reviewed.

Mr. Moynahan said that they met with Kittery a while back, that they were waiting for Eliot to review the contract that they currently have and Mr. Murphy was making those changes. He added that they were tasked to be back to Kittery within three weeks of that meeting, which was probably pretty close to where they were right now.

2. Comp Plan Action Items

Mr. Fernald confirmed that this was going to be reviewed at their next workshop meeting.

3. Monthly reports from department heads

Mr. Fernald said that the majority of the department heads have been giving monthly reports. He asked if they had gotten one from ECSD.

It was agreed that one had been received, for sure.

Mr. Moynahan said that Mr. Moulton had been doing these for a while, consistently, and asked if it was too much to do monthly.

Mr. Moulton said that it was not.

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Mr. Murphy complimented Mr. Moulton on his monthly reports, saying they were well-done, and that it was very reassuring to go down the list to see what has been done and the planning done.

4. TIFD reports and updates

Mr. Blanchette said that he was pretty sure he sent the Board an update from Underwood Engineers.

Mr. Fernald agreed and said that that should be reviewed by the Board.

5. Health Insurance costs

Mr. Blanchette clarified that the key point from the Board was more employee participation, shared costs, and, in particular, any future increase.

Mr. Moynahan agreed that they had discussed at their last workshop to have some additional employee contributions and certainly to address future costs, as well.

6. Review existing Sewer User Rates and update

Mr. Blanchette clarified that that was not part of Underwood's undertaking. He said that that was something the Board would have to decide when to do and whether the Board wants to do this prior to changing the contract with Kittery, that's a Board decision. He said that, as of July 2010, they have been a couple of hundred dollars in the hole in the Operational Fund. He explained that Eliot does their collections after the quarter so, while they were in the hole, they had not made their collections for the quarter ending June 30, 2010. He added that they should be seriously thinking about whether they should increase the rates.

Mr. Fernald asked if they didn't have to get more information from Underwood about the sewer situation.

Mr. Moynahan suggested that it came down to what it cost Eliot to get rid of their sewerage and what it cost to operate and maintain Eliot's system. He said that the Sewer Committee (SC) was working on that. He added that, if it was costing more than they were receiving, then they were not charging enough to the sewer users and that information was what they were waiting to get from the SC. He questioned if they were charging enough and, based on what he has been told, he doesn't think they are. He added that, regardless of Kittery, this was Eliot's own housekeeping.

Mr. Fernald said that, if that was the case, then they still needed to know what those figures were so that the Board could make a decision of how much to increase.

Mr. Dunkelberger said that he was still relatively new to the sewer issue. He asked if the costs collected on the sewer included any repairs to the sewer system or was that a whole separate issue.

**7:30 PM**

Mr. Blanchette said that all of the expenses of the sewer, including repairs, come out of the Sewer Enterprise Fund (SEF), other than paying back the original bond. He explained that the ESF has a couple of different pockets – one of them was what they called the "daily operational" and is the one in the red and, with the other one (capital reserve fund), depending on what was being repaired, might be considered a capital reserve repair.

Mr. Dunkelberger asked how healthy was that fund.

Mr. Blanchette did not know off the top of his head but, at the end of last year, it was approximately \$120,000 in the black.

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Mr. Dunkelberger said that his sense was that they needed to put the residents on notice that sewer rates would be going up, even though they didn't know the number, yet.

Mr. Moynahan commented that it should have been increased incrementally through the years and, again, by not being proactive with this, they were going to hit them with a lump increase and that was just not a good way to do business.

Mr. Dunkelberger agreed. He added that he was concerned with how far the SEF would go to affect sewer repairs to some of the needed repairs to some of the needed sections of the sewer.

Mr. Moulton said that Eliot still had a sewer gas issue on Bolt Hill Road, deteriorating manholes, IMI repair issues, and they were behind in maintenance, discussing some of the issues with that and adding that they held some significant costs.

Mr. Moynahan asked how much sewer could be replaced for \$100,000.

Mr. Moulton said not much.

It was discussed that this system was 30+ years old and was deteriorating.

Ms. Place suggested putting this at the top of their list at the next workshop meeting.

Mr. Moynahan asked if the SC had come up with any thoughts on this.

Mr. Murphy said that they had had thoughts but they have not had a complete workshop on that, yet. He discussed the many unknowns at this point that were hampering this process. He added that the committee was ready anytime to take it forward and, maybe on an interim basis, they knew there was not a final answer but needed to start moving in that direction just to make sure they didn't lose too much money from not collecting.

Mr. Moulton suggested he could put together a rough estimate of what he had just discussed for the next meeting, of what things (repairs) would cost and would, at least, give the Board some perspective on what they had and what they needed.

Mr. Fernald suggested assigning that task to the SC, with Mr. Moulton working with them, to come up with something the Board could address.

It was the consensus of the Board to have the SC and Mr. Moulton work together to come up with what they thought the sewer rates should be.

Mr. Hirst said that, along with that, he thought it would be useful to get some long-term revenue projections from the sewer users – what Eliot could expect from them over the next ten years, say, so they could see where they were going.

**7. Regionalization of Town services**

This was ongoing.

**8. Sawgrass Lane Association**

Mr. Fernald said that they had talked about Sawgrass Lane coming in to talk with the Board about whether they have an association.

Mr. Blanchette said that they have formed an association and he was supposed to be getting the contact person information from them.

Mr. Moynahan said that Mr. Moulton speaks to this in his monthly report, too, and they say they do not have an association.

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Mr. Moulton said that he had gotten a phone call from one of the residents, who was concerned that no one was monitoring that pump station, and that he and Mr. Moynahan had gone down to talk with him. He added that it was his understanding that the developer basically wiped his hands of Sawgrass Lane at the end of June. He said that he was told that they have or are forming an association but have not gotten together with the lawyer to clarify what everyone's rights and responsibilities are. Mr. Moulton said that they could help them to a certain extent but could not pay for anything.

9. Comp Time and Overtime Policies – Joel to come up with proposal  
This was already discussed.

10. Police Union Contract  
This was ongoing.

11. Ambulance Service Contract  
Mr. Moynahan said that AMR was supposed to follow up with a letter indicating those changes were not made and they are still waiting for that letter.

Mr. Fernald clarified with Mr. Blanchette that the Board was still waiting for a corrected bill.

Mr. Blanchette agreed and said that they had not received that, yet.

12. Waste Management – Charges  
Mr. Moynahan asked Mr. Moulton if he had any updates on these overcharges from Waste Management.

Mr. Moulton said no, that he had compiled all his data and forwarded it on to counsel, but he did not know where that was right now.

Mr. Blanchette said that he had turned over all the paperwork Mr. Moulton gave to him. He added that he thought it was time they should schedule another appointment with the attorney to make sure he has had time to do the review.

13. Consistent format – Budget, time sheets, etc.  
Mr. Fernald said that this item was being addressed by Mr. Moynahan and Mr. Dunkelberger that was supposed to be reviewed at the next Board meeting.

Mr. Moynahan said that he had had several conversations with Ms. Spinney so Mr. Dunkelberger and I need to get together and have the same conversations.

Mr. Dunkelberger agreed.

14. Monthly workshops  
These are being done.

15. Employee reviews in monthly Department Head Reports  
This will be done at the end of the year.

16. Carry in – Carry out Policy for Town parks  
Mr. Moynahan clarified that they were passing that on to Ms. Muzeroll-Roy for her input and asked if they had heard anything from her.

Mr. Blanchette said that he would check with her regarding this.

17. Legal issues – pending and consent agreements  
Mr. Blanchette said that they have the suit from the strip club that is ongoing. He added that they had what they thought was a completed C.A. with Eliot Shores, LLC. He clarified that the Town's part of it still appears to be intact and it appears

**BOARD OF SELECTMEN'S MEETING**  
**September 8, 2011 6:30PM (continued)**

they are having some difficulties amongst themselves agreeing to particular details but that detail would not necessarily change Eliot's agreement at all. Mr. Fernald asked if there was a process they were going through to settle this.

Mr. Blanchette said that they were meeting with the arbitrator and that he forwarded a copy of a proposed letter that Eliot's attorney wrote to each Board member, explaining that he felt Eliot did not need to meet as long as everything stayed in check on Eliot's part.

18. Community Service building

Mr. Dunkelberger said that the BC was meeting next week and are approaching the final stages on the design. He added that they only have very rough cost estimates.

19. Fireworks Ordinance

This has been addressed.

Mr. Murphy wanted to add a reminder to ask Mr. Donhauser to come in to meet with the Board to discuss the possibility of getting a part-time Controller. He also wanted to add review of the Comcast contract.

Mr. Fernald asked Mr. Blanchette to add those two items to the Action List.

Mr. Dunkelberger asked if they had received the management letter to the audit report yet.

Mr. Blanchette said no.

**Selectmen's Report:**

Mr. Murphy said he was doing some comparison research on how Kittery and South Berwick do their budgeting in hopes of bringing more insight in to Eliot's process.

Mr. Dunkelberger said that he attended the Sewer Committee (SC) last night and it was very informative. He said there were some very interesting numbers in his summary with regards to what was going down the sewer system and what should be, suggesting they needed to pay attention to that.

Mr. Fernald reminded all Selectmen that they needed to sign the bills every Thursday night. He added that, if someone would not be available, then please call Mr. Blanchette to let him know, as they need to have at least three Selectmen sign the warrant every week

**Other Business as Needed**

There was no other business.

**Executive Session**

There was no executive session.

**Adjourn**

There was a motion and second to adjourn the meeting at 7:51 PM.

**VOTE**

**4-0**

**Chair concurs**

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**DATE**

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**Roberta Place, Secretary**