

**BOARD OF SELECTMEN'S MEETING**  
**September 12, 2013 5:30PM**

**Quorum noted**

**5:30 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)**

**5:31 PM** Motion by Mr. Dunkelberger, seconded by Mr. Hirst, to approve the minutes of August 22, 2013, as amended.

**VOTE**

**4-0**

**Chair concurs**

**Public Comment:**

There was no public comment.

**Department Head/Committee Reports**

**5:32 PM G1. Community Services Department**

**Wade Eisner - volunteering**

Mr. Moynahan said that they had a waiver letter, signed, from Mr. Eisner to allow him to continue to do work down at the Boat Basin. He asked if that was satisfactory to all the Board members.

Mr. Murphy asked if Mr. Eisner would have any recourse to the Town if something happened.

The Board discussed the issue of liability and whether this should be reviewed by counsel.

Mr. Blanchette said that he could contact MMA regarding what the Town's policies covered as far as liability for volunteers.

Mr. Murphy moved, second by Mr. Hirst, that the Board of Selectmen get advice on this from Maine Municipal Association.

**DISCUSSION**

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Ms. Muzeroll-Roy asked why this issue was not brought up in July when she brought this to the Board, as he has already signed this and continues to work; that he would have to halt his work again.

Mr. Moynahan clarified that part of it was that the Board didn't see an actual document and now it has raised some additional concerns, and that was why the dialogue was started tonight.

DISCUSSION CLOSED

**VOTE**

**2-2**

**Chair concurs with opposition and the motion fails.**

**5:40 PM      Employee Status Change**

Ms. Muzeroll-Roy said that the Assistant Director was impacted due to the budget cuts. She added that three options were discussed; that they were discussed with the union (not discussed). She said that, with one option, the 30 hours allowed her to keep her insurance; that she would obviously have to pay in but it would give them time to get additional revenue. She added that, with the 30 hours, that would end her position in April; that they were looking for future funding to keep her on.

Mr. Moynahan said, regarding funding additional revenue, that the language at the Town Meeting had raise and appropriate, but not transfer, and even with user fee increases, he didn't know if they would be able to do much to offset.

Ms. Muzeroll-Roy said that she was looking for another partnership similar to the one they had with York Hospital to offset.

**5:42 PM      Update Board – User Rates, Department Activities**

Ms. Muzeroll-Roy discussed the new brochure covering September to February, saying that they had new user fees on some of the youth activities and leagues. She added that she researched surrounding towns and found that ECSD fee prices were comparable. She said that, even with the increases, they were looking at only about \$3,500 in increased revenue. She said that, with the next brochure coming out for the spring, she would look at the senior and adult side of things. She added that she would leave the information with Mr. Blanchette for the Board.

Mr. Dunkelberger asked about a monthly report.

Ms. Muzeroll-Roy said that she had one with her and would leave that with Mr. Blanchette, as well.

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Mr. Hirst asked Ms. Muzeroll-Roy if she would present her additional rate increases before publishing the brochure.

Ms. Muzeroll-Roy said that she would; that she would present something in December/January.

Mr. Moynahan clarified that Ms. Muzeroll-Roy did keep him up on her activity with the rate increases so, if he didn't communicate that back to the Board, he would take that hit.

Ms. Muzeroll-Roy said that their summer programs were the biggest they've ever been; that Kids Play had 129 kiddos and Youthbound had 50 kids.

**5:45 PM** Ms. Muzeroll-Roy said that she was one Kids Play Group Leader short; that they have advertised and interviewed and she would like to present someone to the Board to hire.

Mr. Moynahan said that they should discuss that in a different venue, as it falls under personnel. He asked if they could put this on next week's agenda.

Ms. Muzeroll-Roy agreed.

**5:47 PM**      **Computers**

Ms. Muzeroll-Roy said that she got three quotes: 2-Way was \$3,193, Botany Bay was \$2,970 and Daystar was a no. She added that, even though 2-Way was \$200 more, she preferred 2-Way because they did know everyone's system and were very accommodating.

Mr. Hirst asked her to provide copies of the quotes to Mr. (Dave) Emery and the Board and touch base with Mr. Emery.

Mr. Moynahan asked what the Board wished to do with this.

Mr. Beckert said that he would like to hear Mr. Emery's input.

The Board agreed.

Mr. Moynahan directed Ms. Muzeroll-Roy to have Mr. Emery review and leave his recommendation in the Selectmen box, then the Board could sign it without having Ms. Muzeroll-Roy back at another meeting to try to facilitate this process.

**5:50 PM**      **Festival Committee**

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Ms. Muzeroll-Roy said that she received a forwarded email regarding feeling as if the Festival Committee was being “blown off” or ignored by her. She added that she would like clarification as to what her Town role was with the Festival Committee. She added that she has always gone to meetings and made it clear to the Chair in May that she couldn't attend any Wednesday meetings, nor could anyone on her staff, and to communicate through email with any information. She asked if she was missing something in her role.

Mr. Moynahan said that it was for her and the committee to figure out; that the Board didn't direct any department head to do anything specific to this. He added that this email may have been caused by miscommunication and that was why he directed her to contact the committee to resolve it.

Ms. Muzeroll-Roy said that she wanted to clarify that she had not ignored the committee and had spoken with them to rectify this.

**Civil Consultants**

Ms. Muzeroll-Roy asked if that had been resolved.

Mr. Moynahan said that the Board was following up with the school. He suggested she follow up with Mr. Blanchette on the status of that tomorrow.

**5:53 PM Building Committee taking over classroom**

Ms. Muzeroll-Roy said that she wanted to vent a little bit about this process after watching last week's video and how unhappy she was to once again be thrown under the bus by Board members and their comments. She added that the Building Committee was formed because she didn't have a building; that she wanted to make her point that she didn't drop the ball; that there was a three-member subcommittee and she was told to do these things. She said that she was very excited that the Building Committee was finally taking it over and was looking forward to moving forward with it. She said that she was kind of getting a sense that the Building Committee was stepping in because she didn't handle it properly. She said that she didn't like that perception and was, again, setting her up for failure; that they asked her to do things that she couldn't do and here they were back with the Building Committee, who hasn't met since April 2012. She reiterated that she just wanted to make her point; that she had three emails after that meeting saying, “Man, they just keep throwing you under the bus.”; asking how she should respond to those things.

Mr. Moynahan said that he hoped they were not throwing her under the bus; that that was not the intent at all and hopefully the process was moving forward and they would get some closure on the space needs for her department. He added that

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he thought that had been the goal the entire time; that he thought it had not been properly handled the entire time.

Ms. Muzeroll-Roy said that she gave a packet to Mr. Hirst yesterday but wasn't sure that was suitable, asking Mr. Beckert if he had looked at it yet.

Mr. Beckert said that he just got it today.

Ms. Muzeroll-Roy asked if she needed to be prepared for any other conversation at Monday's meeting; were they starting over.

Mr. Beckert said that they would look through the packet at the Building Committee meeting on Monday (4:30 PM); that it would be a roundtable discussion on what they needed to do to meet the requirements. He said that he noticed that there was a mandatory Fire Marshall review submission in the packet that required design drawings by an interior designer or architectural engineer and would need to be addressed.

**6 PM** Ms. Muzeroll-Roy said that she had an employee who has expressed an interest in the Harbor Master position and asked if that was being advertised.

Mr. Moynahan said that he wasn't sure advertising had happened, yet, and suggested she speak with Chief Short.

At this time, the Board moved into executive session.

**6:01 PM**  
**#1**

TO : Board of Selectmen  
FROM :  
REF : Executive Session with Linda McGill

Mr. Beckert moved, second by Mr. Dunkelberger, that the Board of Selectmen enter into executive session as allowed by 1 M.R.S.A. § 405.6.E "Consultations between a body or agency and its attorney concerning the legal rights and duties of the body..."

**7:13 PM** Out of executive session. There was no action taken at this time.

**7:14 PM** **Sewer Ordinance for November Ballot**

Ms. (Kate) Pelletier said that, on behalf of the Sewer Committee (SC), this was to add a new chapter to consolidate and update all the standards related to sewer

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construction and use. She added that the only part that needed some work was the fees.

Mr. Moynahan asked Ms. Rawski what the deadline was for submission.

Ms. Rawski said that she needed to have the warrant language in on September 23<sup>rd</sup> by 5 PM.

It was the consensus of the Board to move the warrant language forward to have this ready for November.

Mr. (Mike) Dupuis, on behalf of the SC, thanked Ms. Pelletier for all her hard work on this.

**At this time, the Board agreed to take H#8 out of order.**

**7:20 PM  
#8**

TO : Board of Selectmen  
FROM : Town Clerk  
REF : Citizen Petition, Sewer Expansion

Ms. Rawski said that this was a citizen petition submitted to her on Monday to bring the sewer expansion question back to the Town on November 5<sup>th</sup>; that the citizen petition language is exactly as it was in the June warrant article; that this petition qualified with 297 certified signatures.

**7:23 PM**

Mr. Hirst moved, second by Mr. Murphy, that the citizen petition appear on the November 2013 ballot according to the report of Ms. Rawski, Town Clerk.

**VOTE**

**4-0**

**Chair concurs**

**G2.**

**Department of Public Works**

**Week One Pay-per-Bag update**

Mr. (Joel) Moulton said that some people came who didn't have bags and had to go get them, adding that there were mixed emotions – people said that they weren't informed. He discussed the different ways they had gotten the information out; that they didn't use handouts at the Transfer Station because of the cost. He added that this week was better, only having five people come in without the purple bags and thought that people were adjusting to the changes. He said that the composting has taken off significantly.

**Road Salt Bids**

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Mr. Moulton said that the SMRPC assisted with this, as they did for other towns. He said that through Granite State Minerals the price for salt was \$48/ton, which was lower than last year, and he recommended the Town continue to use Granite State Minerals for the Town of Eliot road salt materials.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen authorize the Public Works Director to continue purchasing road salt for the 2013/2014 season from Granite State Minerals for \$48.00 per ton.

**VOTE**

**4-0**

**Chair concurs**

**7:29 PM      Hazardous Waste Day contract**

Mr. Moulton said that this was done every year to allow residents to bring in things deemed hazardous for disposal and is something the Town has to do for the MS4 Permit with the State of Maine. He added that he has budgeted \$12,000 this year so that would be the number not to exceed for this; that with the Board's approval the date would be November 2, 2013.

Mr. Moynahan asked how the company knew to stop as they got closer to the \$12,000.

Mr. Moulton said that the company was given the budget figures so they knew to bring the pertinent containers and, as it got closer, the company could let him know when to stop. He added that they didn't spend to the limit every year; that last year the Town spent about \$9,000.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen authorize the Public Works Director to enter into agreement with Clean Harbors to do the Town's Household Hazardous Waste Day, not to exceed \$12,000, and that date to be set for November 2, 2013.

**VOTE**

**4-0**

**Chair concurs**

**7:31 PM      Discussion about I/I work**

Mr. Moulton said that this was a summary of the I/I sewer work done and his proposed recommendations for repairs for an estimated savings to the Town of 30,920 gpd. He added that the projected cost of these repairs was about \$25,000 and proposed utilizing the sewer reserve account for this work.

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Mr. Hirst said that he did a rough calculation on the benefit from the completed work, saying that they would no longer be pumping fresh water into Kittery in the amount of about 14 million gallons for one year; that he thought that the return on investment was going to be very good on this.

**7:39 PM** Mr. Beckert moved, second by Mr. Murphy, that the Board of Selectmen authorize the Public Works Director to move forward with this I/I repair work as he has laid out the pricing for each item and authorize that the approximate \$25,000 come from the Sewer Reserve Account.

**DISCUSSION**

Mr. Dunkelberger said that he noticed there were four areas the Town was denied access for inspection, with two of the four areas being trouble-prone regarding infiltration and asked if the Town was going to do anything about that.

There was discussion on the issue of enforcement as well as doing CCTV work from the public side to get better documentation, which would help when approaching residents, and the possibility of finding foundation drains tapped into sewer lines that were unknown to everyone; that the Town had the ability to charge for clearly measured and documented I/I amounts.

**DISCUSSION CLOSED**

**VOTE**

**4-0**

**Chair concurs**

**Pump Station Engineering Contract (authorized, just needs signature).**

Mr. Moulton said that Mr. Blanchette signed the contract with Underwood and forwarded to Underwood.

Mr. Moynahan said very good.

**7:42 PM Discussion of pavement management.**

Mr. Moulton said that this was an inquiry to the Board regarding obtaining engineering services relating to the inventory and assessment of the Town's roadways, with a draft RFP attached, and would help in planning and budgeting. He added that he would like to utilize the Maine Department of Transportation Local Road Assistance Program Funding, with the Town's portion being \$37,132.

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Mr. Murphy said that he was under the impression that that money coming from the DOT had to be used directly on the roads.

Mr. Moulton said that there was a list of 12 items towns could use that money for and he would provide the Board with that list.

Mr. Beckert said that he thought it would be wise to at least put out the RFP and see what they came up with for an estimate.

**7:43 PM** It was the consensus of the Board to have Mr. Moulton create a RFP.

Mr. Fisher asked Mr. Moulton how he would handle any discovery of foundation drains in private homes.

Mr. Moulton said that that would be a discussion with the homeowner to try to come up with a resolution that would be beneficial to all; that it might be as simple as daylighting it out onto their property, adding that there were various things that could be done depending on the property itself. He added that, if there was confrontation, then it could be brought back before the Board for discussion as to how to proceed.

**G3. Police Department – current department openings.**

Mr. Moynahan discussed that they had hired Mr. Day two weeks ago, who was going to the Academy and filling Mr. Arsenault's position; that they still had an open position for Candice Simeoni and there was another opening that would be available in two weeks. He added that they were not adding staff but just filling positions for people leaving. He said that Chief Short was okay, budget-wise, as he has made corrections with the schedules to reduce overtime. He added that he and the Chief worked on the safety assessment at the Transfer Station and the Board should see something in two weeks from Chief Short on that.

Mr. Hirst said that Ms. Simeoni was both the representative to and Chair of the Safety Committee and the Board needed to think about getting a replacement from the Police Department. He added that this committee helped the Town with its insurance premium.

Mr. Moynahan asked Mr. Blanchette to follow up on that.

**7:48 PM Town Manager Search Committee**

Mr. Moynahan said that the TMSC was looking for additional direction and invited Mr. Rankie to speak.

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Mr. Rankie said that they held their first meeting on September 7, 2013, elected officers and outlined their approach to provide good candidates to the Board within the time period allotted. He added that the committee had several questions before they could send a recommended job description and advertisement. He discussed the questions with the Board.

**“What are our requirements for keeping our meetings open to the public?”**

Mr. Rankie discussed weighing strengths based on question criteria and the committee felt that was proprietary information; that they were concerned that a candidate might slant his/her resume to that weighting of criteria and looked to the Board for guidance.

Mr. Moynahan said that his thought was that they would all be public meetings, except for the application review and interview process.

Mr. Dunkelberger agreed, saying that if someone slanted a resume then he thought it would become fairly obvious through the interview.

Mr. Beckert agreed, as well as Mr. Hirst and Mr. Murphy.

**7:50 PM “Do you approve a salary range of \$95,000 to \$105,000?”**

Mr. Rankie said that the committee looked at what town managers were getting in York County; that they found compensation ranging from \$101,504 to \$115,000 with a vehicle allowance so, with that in mind, the committee was asking if the Board agreed with their salary range in the advertisement, obviously tailoring that to the qualifications.

Mr. Dunkelberger asked if they had considered a lower base salary with performance incentives.

Mr. Rankie said no; that his thought was that that was something the Board might discuss when they got to their final level of the interview process. He added that their question was relative to bringing in qualified, good applicants to look at to pass on to the Board.

Mr. Dunkelberger discussed his concern with advertising a certain salary and changing that, mid-stream during the interview process, to a lower base salary with performance incentives.

Mr. Moynahan said that the salary range discussed in public hearings was \$85,000 to \$110,000 so what their committee was considering was pretty consistent.

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Mr. Rankie agreed, adding that, once they started looking and recognizing the need to play to the market, this raised the question.

Mr. Moynahan said that he thought the Board could go along with the committee's suggestion, as the Board would review it all and make modifications, if required, for the advertisement at that point.

Mr. Hirst asked Mr. Blanchette if the Town could afford that level of salary with the budgetary constraints.

Mr. Blanchette said that the bigger question was could the Town afford not to, adding he was being serious; that what was budgeted for was his salary and only his salary, which was around \$86,000 to \$87,000, but could the Town afford to keep it at that – that was the question.

Mr. Rankie said that the committee discussed that and, with no disrespect to the Administrative Assistant, they were talking about a town manager; that these were real numbers of what the market was bearing; that there was other work the Board had to do along with the Town. He added that one thing was that Mr. Blanchette's salary was budgeted and, at some point sooner rather than later, the Town was going to have to look at Mr. Blanchette's severance package, recognizing that when people retired there were other things that came along with that; that whatever was in that severance package, that money had to come from someplace; that that was a different thing from the committee question but it was all money and they had significant budget constraints within the Town.

Mr. Murphy said that it was obvious to him that they would have to have a Special Town Meeting early in the year to find additional monies – how much and when they would have to work out then – but they didn't have the money now to fully pay a new town manager through the end of June.

**7:58 PM**

Mr. Pomerleau discussed research he had done and questioned whether communities used by the committee were truly comparable to Eliot regarding size of budgets, population, etc., using South Berwick and inland communities as examples. He added that what the committee had may be okay but suggested it may be wise to expand to communities more Eliot's size as opposed to coastal communities.

Mr. Moynahan agreed that the Board would review salary ranges once the committee had finished its work.

Ms. (Donna) Murphy asked if length of service was considered when looking at the range of salaries of the town managers who were in those positions.

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Mr. Rankie discussed the length of service for the different town managers the committee researched, with specific information for each of the towns; that the committee had considered and researched the length of service.

Mr. Moulton said that the salary of the South Berwick Town Manager was within the range presented tonight, adding that he didn't know the benefit portion.

The Board directed the committee to go ahead and provide what they had and the Board would review it.

**8 PM**            **“Will a condition of employment be to be a resident of Eliot or to reside within a set distance from Eliot?”**

Mr. Rankie discussed several professionals that he knew who did not originally live in the town they worked in until the probationary period was done and, certainly, Eliot had a Public Works Director who lived next door; that he didn't see anything wrong with that, personally, but Eliot had a CEO who lived in Bar Harbor and had a room down here, so it was something the Board needed to address.

Mr. Moynahan said that he thought they would not want to limit it to someone who lived in Eliot but, certainly, a mile range – an hour away, maybe 60 miles or something, asking how many people commuted to Boston every day for jobs that paid this, or more.

Mr. Murphy said that he didn't think they should limit it to that because I-95 was a quick ride from far away, but to leave it up to something that was negotiable. He added that he believed that the State statute required the town manager to live in the town unless the Selectmen voted that he may not; that they would have to verify that.

Mr. Rankie discussed personal concern for candidates that did not live in Eliot and did not have a sense of proprietorship and what that might mean to the Town.

Mr. Moynahan said that he thought that was something for the committee to struggle with and come back to the Board with and the Board would chew on that a little more.

Mr. Rankie said that the committee would probably say ‘within one hour’ and let the Board discuss and review.

**8:04 PM**            **“What is the benefit package that was being offered?”**

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Mr. Moynahan said that the Town offered a benefit package to all employees and could provide a brief overview, for starters.

Mr. Rankie asked if that would be similar to what Mr. Blanchette had.

Mr. Moynahan said that he thought that would be a starting point, at least.

Mr. Rankie asked if they could bring that to the committee. He asked if there was anything he could take back.

Mr. Hirst suggested a timeframe.

Mr. Rankie said that the committee's primary objectives at their next meeting were to provide the Board with a job description, a job advertisement and an outline of a timeframe.

The Board thanked him for his and the committee's time.

**New Business (Correspondence List):**

**8:07 PM**

**#2**

TO : Board of Selectmen  
FROM : Code Enforcement Officer  
REF : Growth Ordinance update

Mr. Moynahan said that this was to let the Board know that the Town had reached their limit on lots regarding subdivisions; that it gave information on what was available for single-family lots and ADU's. He added that this was a first in a long while they had maxed their limit on this.

Mr. Beckert added that everyone needed to understand that, due to the State's new way of figuring the formula for growth permit allowance, the numbers have reduced per activity of the previous year with the State's allowance, so, they were never going to get back to the 48 Eliot originally had. He commented that he didn't know if the legislature had taken into account how their formula worked when the economy dropped off within any given year because the next year's allowance was based on the previous year' activity.

Mr. Hirst said that he noticed that, perhaps, there seemed to be a disagreement between the Assistant Planner and the CEO down at the bottom and asked if that was an issue the Board should be concerned about.

Mr. Moynahan said no; that he thought that they had worked together on this.

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Mr. Hirst said that he didn't know what it meant; that he just saw the asterisk.

Mr. Beckert said that Ms. Pelletier's note regarding ADU's referencing Section 45-459 was something they would have to look at.

**8:09 PM**  
**#3**

TO : Board of Selectmen  
FROM : MMA  
REF : Tax Levy Limit Survey – LD 1

After some Board discussion, it was determined this was for the Assessor.

**8:10 PM**  
**#4**

TO : Board of Selectmen  
FROM : MMA  
REF : Voting Credentials for MMA Annual Business Meeting

Mr. Blanchette said that he was going to the meeting and, in the past, he has been the voting delegate.

Mr. Beckert moved, second by Mr. Dunkelberger, that Mr. Blanchette be the voting delegate representing the Town of Eliot at Maine Municipal Association's Annual Business Meeting.

**VOTE**

**4-0**

**Chair concurs**

**8:12 PM**  
**#5**

TO : Board of Selectmen  
FROM :  
REF : Communicating Town changes

Mr. Moynahan said that he spent three hours at the Transfer Station observing how the pay-per-bag implementation was going and exchanging conversation with several people unknowing of this change. He discussed feedback he had received from talking to people on effective ways to reach citizens – postcard mailings; an event board (similar to what was out front at the Town Hall) somewhere on Route 236, maybe at the Transfer Station, in a more visible area and, then, emails. He added that he informed residents he talked with that that was already in place on the Town web site. He discussed considering the postcard mailings and an event board regarding bigger changes/voting within the Town and budget accordingly for that. He said that, certainly with what he saw on Saturday, they did not reach everybody; that that was the biggest population they would see (at the Transfer Station) and, considering that many said that they were

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not informed, then the Board should consider another resource in reaching out to the people; adding that he was just sharing his experience of a day at the 'dump'.

Mr. Dunkelberger said that he thought that handing out flyers at the Transfer Station, whether they be for Transfer Station changes or significant Town changes, would be effective. He added that he wasn't sure about postcards.

Mr. Beckert said that one thing that went to every resident in Town was the Sentinel Newspaper, adding that the \$300 was fairly inexpensive to inform every single household.

Discussed was putting items in mailboxes and that putting anything in mailboxes other than official US mail was against the law. Additionally, the Town E-alert email option was discussed.

**8:18 PM**

Mr. Pomerleau said that he was delighted that the Board wanted to proactively reach out to people, adding that he thought postcards might be particularly effective because they were addressed to specific households; that the Sentinel would certainly be the cheapest way of getting into every household and, in doing that, the Board would have done everything they could do to reach every resident.

Mr. Moynahan suggested the Board consider a test run on this to find out if it would reach all the residents, or not.

Mr. Beckert asked Mr. Blanchette if they still had an advertising line item and, if so, was it enough to cover coming into the next budget season.

Mr. Blanchette said that he believed so, yes.

Ms. (Roseanne) Adams said that it was very cost-effective.

**8:20 PM**

**#6**

TO : Board of Selectmen  
FROM : Chairman Moynahan  
REF : Budget Letter changes/approval

Mr. Moynahan said that he was looking for feedback on this.

Mr. Dunkelberger said that, under A., he would like to see actual expenditures on the budget history.

Mr. Blanchette said that history could be what was approved, not necessarily what was expended. He added that, if the Board wanted both, then they should put both in the request.

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Mr. Moulton said that he used the budget format provided to him by the Budget Committee (BC) and wasn't sure that was the one the Board wanted.

Mr. Moynahan said that the BC shouldn't have been providing a format; that the Board directed the formats to the department heads. He added that, if the format was Mr. Blanchette's, then they could work together to figure out what that budget format would be.

Mr. Blanchette clarified it was the same format but had more columns.

Mr. Murphy said that each letter required information back to the Board by different dates.

Mr. Moynahan said that all three should have had the same date – November.

Mr. Murphy suggested the proposed CIP be for twenty years, not ten. He also suggested that A, B, C, and D should have the word 'provide' at the beginning of each.

Mr. Moynahan suggested – "Please adhere to the following guidelines when submitting your request *by providing the following.*"

It was agreed to add *as a minimum* at the end of D regarding the CIP.

Mr. Hirst said that he did not see any consequences for failure to meet the deadlines.

Mr. Murphy read, "Failure to submit a complete request on time may slow the entire process and may result in flat funding for the ensuing year."

The Board agreed to add "or no funding" to the Boards, Committees letter.

There was discussion around getting department heads to get budgets in in a timely manner.

**8:30 PM**

Mr. Moulton said that he had a difficult time meeting the deadlines because he had to plan projects and cost each project out so was a little more involved for him than personnel.

Mr. Dunkelberger suggested that, if department heads did not meet deadlines, then the Board should deal with that on a one-on-one basis to determine why and deal with it as a management issue.

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The Board agreed. They also agreed to adjust the joint meeting schedule to have the Public Works Department be last in that schedule, not first.

Mr. Moulton said that last year he and the Police Chief asked for an adjustment to December because that gave them a six-month window and a better picture of their budgets versus four months.

It was discussed extending the deadline for budget submissions to December and keep the same January joint meeting schedule. The Board agreed to change the submission date to December 30.

**8:35 PM** Mr. Moulton asked if everything could come through the Board because, sometimes as department heads, they were getting discussions and requests from the BC.

Mr. Moynahan said that it was indicated in #7 (Directives) that everything would go through the Administrative Assistant.

**8:38 PM**  
**#7**

TO : Board of Selectmen  
FROM : Town Clerk  
REF : Fire Works Ordinance, fees

This was a request to set a permit fee amount for the new Fireworks Ordinance.

The Board discussed whether they needed to create a permit, as well.

Mr. Fisher explained that his intent was that the Police Department and/or Fire Department would know other activities were going on.

**8:42 PM** Mr. Beckert moved, second by Mr. Dunkelberger, that the Board of Selectmen put a \$25.00 permit fee on the Fireworks Ordinance for the times that were other than the specified dates listed.

**DISCUSSION**

Mr. Hirst said that he thought \$25 was somewhat rugged and was not in favor of this regulation.

**VOTE**

**3-1 (Mr. Hirst)-1, Chair opposed**

Mr. Moynahan said that he thought the fee was too much, as well.

**#9**

TO : Board of Selectmen  
FROM : Action List #1 Tax Increment Finance Program

**BOARD OF SELECTMEN'S MEETING**  
**September 12, 2013 5:30PM (continued)**

REF : Next Steps

Mr. Moynahan said that his handout discussed setting up a subcommittee to develop potential projects and present to the Board by a specific deadline of November 14<sup>th</sup>.

**8:45 PM** Mr. Dunkelberger said that his vision was that the Board would have a workshop and invite anyone who wanted to attend to brainstorm the future of the TIF.

The Board discussed having a workshop versus the subcommittee and agreed to start with holding a workshop.

After discussion, it was agreed that Mr. Moynahan would determine a date in the future to have a workshop dedicated to just this one topic.

**8:52 PM**  
**#10**

TO : Board of Selectmen  
FROM : Action List #15 Sewer User Rates  
REF : Underwood recommendation vs. Sewer Committee

Mr. Hirst said that they were meeting tomorrow morning at 10:30 AM with Underwood on rate setting.

**8:53 PM**  
**#11**

TO : Board of Selectmen  
FROM : Action List #10 Budget Preparation  
REF : Goals

Mr. Moynahan asked if there were additional goals or specific things they wanted to emphasize.

Mr. Hirst discussed other letters he has seen come out with 'not to exceed' language regarding budgets or not to exceed 3% of last year's budget or 4% less than last year or something like that. He added that he thought they owed it to department heads to give guidelines beyond just the minimum programs needed.

Mr. Murphy said that he thought the letter did that in the first two directives.

Mr. Dunkelberger suggested they sit down with all department heads to let them know what the Board was thinking in terms of having a reasonable budget and, if a department head came in with something different or higher, then it needed to have a good explanation as to why.

**BOARD OF SELECTMEN'S MEETING**  
**September 12, 2013 5:30PM (continued)**

The Board agreed to meet with department heads once they had received the letter to go over the letter and have a conversation of what the expectations were. They also agreed to have the meeting as a group so that everyone was on the same page.

**Old Business (Action List):**

1. Tax Increment Finance Program – Potential projects, next steps, subcommittee
2. Good Neighbor Petition
3. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short
4. Community Service Space: Relocation to Elementary School – explore school space – fit up costs, service impacts, insurance, MSAD #35 contract - CSD Director, Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette
5. Town Manager - Job description, sample contracts, hiring committee
6. Municipal Charter November Referendum
7. Policy creation/review – Ordinance Governing Boards and Committees, Park Ban Ordinance
8. Employees – cross-training, charting earned times, job descriptions - BOS
9. Liaisons to boards, committees, and commissions – review existing members, try to fill open spots; Committee/Board – Mission Statement Review - BOS
10. Budget Preparation – Fiscal year 2015, goals, formats, etc. - BOS
11. Auditor – R<sub>H</sub>R – BOS
12. Pay-per-Bag Recycling – 6-month trial, public information sessions
13. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst
14. Legal issues – BOS
15. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton
16. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews – BOS

**BOARD OF SELECTMEN'S MEETING**  
**September 12, 2013 5:30PM (continued)**

17. Research grant opportunities – AED's for Town buildings
18. Comp Plan follow-up
19. Pending - new unions
20. Treasurer Hiring Committee

**8:57 PM**

**Selectmen's Report:**

Mr. Dunkelberger said that he and Mr. Murphy have been working on the Ordinance Governing Municipal Boards, Commissions, and Committees and handed out a draft at the beginning of the meeting. He asked the Board members to review this draft and take it up at the earliest to get it off the plate. He added that they had included some language on video conferencing.

Mr. Murphy said that they also added language to include 'intern members'.

**9:00 PM**

Mr. Moynahan said that the Selectmen's Policies have been reorganized; that there were no changes made, and they really needed to accept and recognize them

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen approve the current Selectmen's Policies as reorganized.

**VOTE**

**4-0**

**Chair concurs**

**9:01 PM**

Mr. Moynahan said that he got a note from Maryann Place; that it was mentioned to her that a citizen on the Search Committee backed out and she wanted the Board to know that she would be interested in serving on that committee if they needed someone to fill that spot.

Mr. Murphy said that they had not officially lost a member on that committee.

Mr. Moynahan said that until the committee comes with a need for a membership they would take it up at that point.

Mr. Dunkelberger suggested the committee look at bringing her on as a consultant since she has been heavily involved in the current search in Kittery.

Mr. Moynahan suggested they might bring her in as a consultant when the Board was reviewing.

**BOARD OF SELECTMEN'S MEETING**  
**September 12, 2013 5:30PM (continued)**

The Board agreed.

**9:03 PM** Mr. Moynahan said that this had to do with the senior housing project going in on Route 236 (Attar Engineering) and that they were requesting municipal assistance in two categories of the application – Comprehensive Plan information and if it was part of a Community Revitalization Plan.

The Board asked Mr. Blanchette to review this to see if this was something the Board would consider or not.

**9:05 PM** The Board agreed to remove #20 and #11 from the Action Item List.

Mr. Hirst said that, on #17 (AIL), he didn't think they had received any reports about AED's for Town buildings.

Mr. Moynahan said that he would follow up with the Chief.

**9:08 PM** Mr. Murphy said that he had become aware of the possibility of having EpiPens on hand.

Mr. Hirst suggested that Ms. Shannon Darr, Eliot Health Officer, might be able to help with that.

**Other Business as Needed**

There was no other business.

**Executive Session**

There were no additional executive sessions.

**Adjourn**

There was a motion and second to adjourn the meeting at 9:10 PM.

**VOTE**

**4-0**

**Chair concurs**

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**DATE**

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