

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 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)**

**6:31 PM** Motion by Mr. Hirst, seconded by Mr. Murphy, to approve the minutes of September 6, 2012, as amended.

**VOTE**

**4-0**

**Chair concurs**

**Public Comment:**

**6:32 PM** There was no one from the public who wished to speak.

**Department Head/Committee Reports**

**6:32 PM** Mr. Moulton discussed two capital expenditure projects for the Highway Department, giving pricings for both projects.

The first project was to construct a shed building for the purpose of having containment over the cold patch staging area. The three bids were as follows: John O'Reilly Carpentry for \$6,500; Bill Robinson & Son Building Contr. for \$7,400; P&P Construction for \$8,372.27. This project would be funded from the Highway Building Reserve Account as previously budgeted for.

The second project was to construct/install an overhead door opening and interior partition on the existing Recycling Storage Facility for the purpose of providing cold storage for equipment and materials as they are associated with both the Highway Department and Transfer Station Facilities. The three bids were as follows: P&P Construction for \$1,757.42; John O'Reilly Carpentry for \$1,920; Bill Robinson & Son Building Contr. for \$2,420 (verbal quote only). This project would be funded from the Transfer Station Repair and Maintenance line as previously budgeted for.

Additional, he said that a price from the Overhead Door Company was obtained for a sum of \$3,200. Overhead Door currently maintains and services the doors

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for both facilities. The pricing for the door would also be utilized from the same maintenance account.

Mr. Moynahan asked him where the shed would be located.

Mr. Moulton said that it would be adjacent to the fuel tank on the side of the garage; that it was in the corner and there was already a concrete slab there. He added that the purpose was for the cold patch to be there but, in order to stay in compliance, they had to cover it.

Mr. Moynahan said that, if this was approved, he would probably want to work with the CEO to get permits and that sort of thing. Addressing a second question he had, he said that John O'Reilly on the second portion of this included installation of the door; that the Overhead Door Company also included installation.

Mr. Moulton clarified that he quoted the Overhead Door Company for the \$3,200 so it would be \$1,920 plus \$3,200; that he deducted the \$3,200 out of it just so it was apples to apples for all three bids.

Mr. Dunkelberger moved, second by Mr. Hirst, that the Board of Selectmen enter into contract to construct a shed building for the Public Works Department for \$6,500 with John O'Reilly Carpentry.

**DISCUSSION:**

Mr. Murphy clarified that that was just for #1.

Mr. Dunkelberger said yes.

Mr. Murphy asked Mr. Moulton if there would be any advantage to have John O'Reilly do both of them; would there be any savings by having him do both of them.

Mr. Moynahan clarified if Mr. O'Reilly was awarded both bids would there be a cost-savings from the contractor or any of these contractors.

Mr. Moulton said that he could ask that question to any of them if the Board would like.

Mr. Murphy said yes, that Mr. O'Reilly came out the lowest if one company was hired to do both of them.

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Mr. Dunkelberger withdrew his motion and Mr. Hirst withdrew his second to that motion.

After some discussion, it was agreed that this request would be on the agenda for the next meeting.

**6:38 PM** Mr. Moulton said that he has an employee who has to have surgery and it would affect some of the operation so he would prefer and asked if they could go into executive session for this.

Mr. Moynahan asked Mr. Blanchette to prepare an executive session with employee dealings. He added that they had a full agenda and asked if Mr. Moulton could wait a little while.

Mr. Moulton said that he could.

**6:40 PM** Mr. Muzeroll commented that he was sure that most everyone had been watching the news, saying that they may encounter some severe weather starting at the beginning of the week. He said that the Fire Department and the EMA Department will start their pre-planning tomorrow afternoon at 1 PM and, if people had specific concerns or things he needed to know about from the Fire side or EMA side please give him a shout through Kittery Dispatch at 1638; that they would get in touch with him and he could interview that person. He added that he didn't expect anything dramatic but they were trying to stay ahead of things like they did the last time. He also said that if the Board had any suggestions to let him know and if anybody else had concerns to let him know.

Mr. Case said that the Energy Commission (EC) made a presentation at the last Board meeting on the solar installation and they would just like to know what the procedure was and what the Board would like them to do from here on in; that they did answer Mr. Hirst's question between the last meeting and now. He asked if the Board would like them to schedule something with more detail for the next meeting.

Mr. Moynahan asked the Board members how they had left it with the EC last time.

Mr. Hirst said that he thought they had left it up in the air because they had to do a Public Hearing and the Board didn't consider their consideration of it.

Mr. Moynahan asked how the Board would like to proceed; would they like to bring the EC in again to complete the proposal.

The Board agreed they would like to have the EC in again.

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Mr. Moynahan asked Mr. Blanchette to make a note to schedule the EC with the next couple of weeks that would be great. He added that they would get back to Mr. Case with that information so that they would have more time to finish that presentation. He apologized for having to cut them off at that meeting.

Mr. Case said that he understood and thanked the Board.

**6:42 PM** Mr. Blanchette said that he wanted to update the Board on the findings on the cemetery on River Road and the insurance. He added that he did finally get ahold of the insurance company and they were going to take a look at it. He said that right now it looked like it appeared that they may not have to try to find the owner of the cemetery; that they appeared, at this point, to be willing to repair it.

Mr. Moynahan asked if Mr. Donhauser was here.

Mr. Hirst said that he would be right back.

Mr. Moynahan suggested they take up correspondence under New Business while they were waiting. He said that he actually had a couple of things on their correspondence list: that #1 and #13 went hand-in-hand and suggested they could take them out-of-order and combine them and also under New Business #3 there were two other correspondences - #14 and #15 – that they could combine with #3 and asked if there were any objections.

Mr. Murphy said that he had no objection but added that #1 and #13 also involved #2.

Mr. Moynahan agreed; that he had meant to include that.

The Board agreed to Mr. Moynahan's suggestion.

**New Business (Correspondence List):**

**6:43 PM**

**#1** TO : Board of Selectmen  
FROM : Zachary Fabish, Sierra Club  
REF : Good Neighbor Petition draft

Mr. Moynahan said that the Sierra Club was asked to provide the Board with draft language as it would relate to the Town of Eliot, which they have provided. He added that the second portion of that is that there was a correspondence from Kimberly Richards, who was supporting that petition and the third part of that was that there was a correspondence from PSNH with concerns as it related to the

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Section 126 Petition. He suggested they start with the Sierra Club's draft first and asked for any comments or questions for that specific document.

Mr. Murphy said that he found it very complicated and a little bit repetitive, as it probably had to be as they probably had to be very careful. He added that he thought that before they took action the Town should get legal advice before the Board went forward with it.

Mr. Moynahan said that he had a note to ask the Board to allow that to happen but if they had specific questions of their own as it related to this that they wanted to address to the attorney, also.

Mr. Murphy said that he did not have any specific questions.

Mr. Beckert said that he did not have any specific questions but, if he remembered right from the last meeting when the representative from PSNH was here, the Board agreed that they would sit at the table to discuss this before the Board took any action on it and he would still like to see that done.

Mr. Moynahan said that they still planned on doing that but, until they had this packet it was premature to set that meeting up. He suggested that now that they had several correspondences that it may be wise to send it to the attorney and get all parties involved on an off week where they could be a little bit more productive in having these conversations.

**6:45 PM**

Mr. Hirst agreed that they needed to get advice, saying that this was a very imposing document and he thought that they needed good advice before they went forward with it.

Mr. Moynahan agreed that it was an imposing document; there was a citizen that certainly favored this; and PSNH has brought up some concerns and he thought the only way to answer those concerns was through legal; that this was not something they could discern themselves. He said that he did want to point out in the resident's letter, "*...it is very refreshing to see that you are willing to meet tasks head on, as opposed to the perpetual procrastination that seemed to happen in the past.*" Mr. Moynahan said that he has been on the Board for six years and he took that as a correct.

Mr. Hirst said that he would like to mention to Ms. Richards that this was an excellent, very well-written letter and he thanked her very much for that.

Ms. Richards said thank-you.

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Mr. Dunkelberger said that he thought she could do a better job of writing the petition than the Sierra Club. He said that, since they were touching on some of the other correspondence, he like Mr. Murphy, thought that the Sierra Club presentation was, at least from his perspective, overly complicated and repetitive. He added that the correspondence from PSNH he was somewhat offended by; that a person who wanted to work with the Board to kind of put some veiled legal threats in there; he was offended. He added, however, that they did bring up a good point with regard to the potential accuracy of some of the data included by the Sierra Club. He said that his question would be did the petition actually need to have that particular data in it; that that was a question he would like to ask the Town attorney – could they eliminate some of the questionable data without reducing the potential effectiveness of the petition.

Mr. Moynahan said that the Sierra Club had an attorney draft that and asked if there was a representative from the Sierra Club here.

Ms. Wendler, attorney for the Sierra Club, said she could speak to the draft and the data. She apologized for the very complicated letter; that it was mostly just legalese so it was lawyer speak. As for the data, she said that she believed there were some questions about background concentrations.

Mr. Dunkelberger said the modeling report.

Ms. Wendler, referring to the 126 petition, she said it was just the letter and realized it was complicated; that it could obviously be changed, adding that that basically laid out the legal foundation for the petition, itself, and then the evidence would be, in part, the modeling report. She explained that the modeling report, as they had talked about before, was the EPA's approved model; that it was how they evaluated plants; that it was a third-party contractor who was not an employee of the Sierra Club and he did the modeling report exactly as the EPA would have done it themselves. She added that it looked at two different things: it looked at the emissions limits in Schiller's air permit that NH has given it and it looked at the emissions levels from the plant based on the highest levels emitted over one calendar year. She explained that it took those two factors then added background concentration...she asked if she was getting complicated.

Mr. Dunkelberger said yes and to cut to the quick he wanted to read a paragraph, with permission: *“Regarding the Sierra Club air quality modeling report dated September 2011 that is foundational to its argument, PSNH's consultant has begun review and has identified a number of irregularities that undermine the reliability of the conclusions. You should understand that at this time there is no final modeling guidance by EPA on area designations for the new one-hour SO2 NAAQS standard. The Sierra Club's modeling does not use the most current version of AERMOD, and, very importantly it is based on incorrect data inputs*

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*specific to the Station (such as current emission rates) and includes several unsubstantiated assumptions regarding the effect of operating loads and meteorological data on predicted concentrations. Notwithstanding the numerous irregularities and issues regarding the air quality modeling, it is important to note that there have been no observed violations of the one-hour SO<sub>2</sub> NAAQS in Maine. There also have been no violations measured at the Pierce Island monitor which is only two miles downwind from Schiller Station. We believe the Selectmen should be cautious when sponsoring a petition that is based on questionable modeling data.”*

Ms. Wendler said that that was an argument they would probably bring in court and the Sierra Club would fight over these details.

Mr. Dunkelberger said that he understood that but, again, his most basic question was - were they or were they not using the most current version of the model.

Ms. Wendler said that they absolutely were and it was part of guidance in EPA regulations that this was the model that they used. She added that the EPA was sort of floundering on how they wanted to implement this on a national basis, of whether they wanted to use modeling or monitoring but, regardless of that decision, they would use this type of modeling for the SO<sub>2</sub> short-term designations, if they went that route but that that was a separate issue. She said that EPA has used this model to evaluate another 126 petition that New Jersey brought against a Pennsylvania plant and found that the results showed downwind violation. Ms. Wendler said that she didn't think they had been given that evaluation of their modeling and she could certainly get their expert in touch with whomever, with more details, who did the modeling and they could discuss that. She added that they had even run, more recently, another modeling report with the new emissions data from this draft permit that New Hampshire (NH) has come out with and they were still showing that the plant had potential to violate.

Mr. Moynahan asked if the third-party person who did the modeling was recognized by the EPA as his data something they would recognize and utilize; has he been used by the EPA.

Ms. Wendler said that she could not tell him exactly if EPA had used him but he had all his credentials in line and has been used across the US by numerous organizations.

Mr. Moynahan reiterated that it was a question on the EPA.

Ms. Wendler said that she wasn't sure. She added that she could find out and let the Board know.

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Mr. Dunkelberger asked if he could read one more line from the paragraph below.

Mr. Moynahan said yes.

Mr. Dunkelberger read the pertinent paragraph: *“PSNH urges the Town to review with great care the Sierra Club’s draft documents and to take the time to consult with its legal counsel before filing this petition on Sierra Club’s behalf at EPA. At a minimum, the Town should seek a full indemnification and hold harmless agreement from Sierra Club regarding all costs and liabilities the Town may face as a result of agreeing to file Sierra Club’s petition. With all due respect, we suggest that the Schiller Station draft Title V public comment process might be a more appropriate forum in which residents can voice any concerns.”*, adding that she could see why he was a little offended by that letter.

Ms. Wendler said that that was offensive, yes, adding that there was no cost.

Mr. Dunkelberger said that, regardless of how he felt, he asked if the Sierra Club would provide the Town with the hold harmless indemnification.

Ms. Wendler said that she would have no idea why that would be necessary; that this was a petition that was based on Eliot citizens; that the Sierra Club had done this modeling project and they found this problem and brought it to some of their members to bring to this Board through Eliot citizens; that it was not on the Sierra Club’s behalf; that it would be on the behalf of the citizens of Eliot, not on behalf of the Sierra Club. She reiterated that there would be no cost; that it was literally putting something into the mail and sending it to EPA to evaluate; that if the EPA found that the modeling report had found that they had done something wrong then they would reject the petition and that would be that. She said that it was not anything that would go into a court or went into a long drawn-out legal process; that they had 60 days to look over the data, look over the letter, and decide how to proceed; that it was really as simple as that; that the Town would really just have to pay for the stamp.

Mr. Moynahan said that, as much as the Sierra Club has provided legal review and all that, he thought that it was in the Town’s best interest, still, to have its own counsel review this document and any other concerns that they had before they were to move forward.

Ms. Wendler said that that was just one example of a 126 petition; that it had not necessarily been tailored to how the Town might want to word it but that was just providing a legal background.

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Mr. Moynahan said that that was exactly what the Sierra Club said it was going to provide; that the Board had asked them to follow up with and provide that and the Board appreciated that.

Mr. Despina, Schiller Station Manager, thanked the Board for the opportunity to speak. He said that he was sorry that the Selectman was offended by the letter and said that it was absolutely not intended to be any form of threat of litigation from PSNH to the Town of Eliot; that it was actually on the contrary. He explained that what he was trying to highlight was that PSNH had an obligation to protect its interests; no different than the Town of Eliot has an obligation to protect its interests against organizations or groups that may come to threaten or adversely affect the Town's assets or otherwise. He said that they just wanted to make sure that the Town was fully aware of the potential implications; that there was an appeal process should the EPA give an adverse ruling against Schiller and that was all they wanted to try to point out to the Town. He said that he sat here, he believed, on the first meeting where the Sierra Club presented their information to the Board and he recalled some dialogue between the Board and the Sierra Club about whether or not this was going to involve any legal or otherwise and, if he recalled correctly, their answer to the Board was simply absolutely not; that this was just a letter, they said, it was nothing more than a letter and he was hearing the Board say just exactly what it wasn't – it's a legal document. He clarified that he was not an attorney, that he was a NH native with an engineering background who has worked in the manufacturing field, namely, a power plant, but when he read it he was very concerned that, if he was sitting in their shoes, that there were direct statements in there that said that Schiller Station was in violation of the NAAQS. He said that he had told them repeatedly and he would say it again; that they were in full compliance of all laws; that they operated in full compliance with all of their permits and, as a matter of fact, the paragraph the Selectman alluded to he thought it was very important to note that the Pierce Island air monitoring – this was not modeling data but actual data – that they didn't have to guess if it was the latest version of the AERMOD modeling or not but was actual data. He said that since June 2010, since the new NAAQS has gone into play that would represent, to date, 15,000 to 16,000 to 17,000 hourly data points and it has not picked up one violation of the one-hour SO<sub>2</sub> NAAQS, the new one-hour SO<sub>2</sub> NAAQS. He added that that was located a couple miles to the south of Schiller Station in the same general direction as the community of South Eliot, which was highlighted in the modeling. He said that the way that modeling was presented, as a layman as he was not a modeler, in his opinion it gave the appearance that Schiller Station was not even in the proverbial ballpark when it came to SO<sub>2</sub> emissions and, yet, out of all those hours of data not one violation of the new NAAQS has taken place. He added that that was real information; that it wasn't modeled information and it wasn't based on assumptions. He said that if this model represented what the EPA wanted then why haven't they issued the guidance two years into the new standard being enforced; that they were still

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evaluating. Mr. Despina said that their consultant said that it was not the latest version; that's fine; that he could not stand here and dispute whether it was or not; he provided Schiller with his information; that he was a third-party consultant who was highly respected in the modeling field, just as theirs is as well. He said that the bottom line was that air monitoring data has not shown any violation of the SO<sub>2</sub> NAAQS in the last two years and the coal units have run during that period.

**7:00 PM** Mr. Moynahan said that he thought it would be productive once they had an attorney review the information, which he would forward on with the Board's approval - the information they had received tonight. He added that, once they had that back, he thought it would be wise to have both parties in the room to have a meeting on how Eliot planned on moving forward.

Glen Brand, Director of Sierra Club Maine Chapter, said that he wanted to underscore that EPA would deal with these issues; not the Town of Eliot; not the company.

Mr. Dunkelberger clarified that Mr. Brand was not from Eliot.

Mr. Brand said that he was not but that he represented thousands of Mainer's, including their members in Eliot. He said that he wanted to underscore what this was about - the stakes for public health - and that was the bottom line and they thought that they were serious and real. He added that, according to the American Lung Association (ALA), York County had nearly 4,000 young people under the age of 18 suffering from asthma and over 1,500 adults who also suffer from asthma and over 7,000 afflicted with chronic bronchitis. He said that the Maine DHHS had a report that 16% of all 5<sup>th</sup> and 6<sup>th</sup> graders in York County were diagnosed with asthma in 2009 and nearly 1,140 emergency department visits were due to asthma in 2008, which was a real problem; and these were the thousands of people who were at the greatest risk of having an attack from a bad air day; that would send them to a doctor or hospital and miss school or work. He said that, while Schiller emitted numerous pollutants, the one they were concerned with was SO<sub>2</sub> and, according to the ALA, SO<sub>2</sub> made it harder for people with asthma, chronic pulmonary disease, and other diseases to breathe; that it worsens coughing and wheezing, increases asthma attacks and changes into deadly particles in the atmosphere leading to premature deaths. He said to remember that the Schiller Plant was built in the 1950's and they still had no standard modern pollution-controlled equipment like scrubbers, which was the only thing that really worked to reduce the amount of SO<sub>2</sub>. Mr. Brand said that, simply put, it was time for Schiller to stop delaying; that they needed to become a better and more responsible neighbor in their view. He said that he hoped the Board would work with them to move this forward; it's been decades. He added that, despite the obfuscation and veiled threats from the company, this process

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was really quite simple; that it put it into the hands of the EPA and out of the Town's hands and forced the company to work with the EPA to get them going on a real timeline to fix this problem.

**7:05 PM**

Ms. Norton said that, with the Schiller plant there, that there have been multiple people in South Eliot – Park Street, Pleasant Street, Rosemary Lane, Riverside Drive – who have been very affected by the pollutants of it. She added that Pierce Island was going out to sea; that it wasn't going upriver; not going in the direction that they were breathing the air and that these pollutions have gone on for a long time. She said that the first generation was affected with cancer and, when they started changing the stacks, it switched over to asthma; those pollutions were real; they have taken her family members, taken her neighbors, and taken a lot of people from the Town of Eliot; people who have already moved because of it – when they tried to come forward and have the Schiller Plant looked at, they were stomped on and moved away. She added that it shouldn't have to happen that the residents of Eliot should all have to move away.

Mr. Moynahan said that he thought that they were aware that there may be some potential air hazards and this Board was trying to move it in the most effective manner that they could for the entire Town.

Ms. Norton said that she appreciated that.

Mr. Faulkner said that he has lived in South Eliot since 1976, 4 years on Pleasant Street and 32 years at his current location on Maple Avenue. He added that he could look out his back window or walk in his back yard, look across his yard through a thin tree line and across the field and across the river and the Schiller Plant was right there; that he wasn't upriver or downriver; that he was directly across less than 900 yards from the plant. He said that he was not now nor has he ever been a member of the Sierra Club; that he was there as a private citizen. He did add, however, that at one point in his life for 18 years he did work in the environmental department of PSNH. He said that when he last testified he spoke briefly about the plant about the Sulfation plate study that was done in the early 1970's and with the wind roses that were plotted; he spoke to the State of New Hampshire-ordered coal conversion in the early 1980's and how PSNH was opposed to it and, as a private citizen here in Eliot, he worked with the Conservation Commission to write a letter to the State of New Hampshire in opposition to the coal conversion using information provided to him by PSNH because they did not want to convert to coal and it did not go through. He said that he mentioned in the early 2000's being at a hearing in Concord, New Hampshire in regard to updating the standards for Schiller or the equipment that was required and being told that, since the electric utility industry was being deregulated, they did not want to make PSNH put too much money into the plant because it might make it economically unattractive to any prospective buyers –

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well, they never did have to separate themselves from the plant and still owned it. Mr. Faulkner said that both the station superintendent and a PSNH spokesman was quoted in the Portsmouth Herald that talked about them being good neighbors. He rhetorically asked how many years they had to talk about particulate fallout and the dust from the coal pile before they actually decided to cover the coal pile. He added that, in the early 2000's again, the then station superintendent and two people came over to his house to collect samples of coal dust that had been deposited. He said that the noise situation that they complained about for years they finally did something about when one of their own employees said that those people over there had an issue. He said that the station superintendent commented that he believed the Sierra Club's agenda was to close down all coal plants, adding that he was not privy to the inner workings of Sierra Club; he's never been one for vast conspiracy theories; that if there was a conspiracy theory it probably had to do with economics. In looking at the Portland Press Herald article of Monday, September 10<sup>th</sup> – The Future Looks Bleak for Coal in New England – he read: "In 2000, coal was the third-most-used fuel for electricity in New England, accounting for 18 percent of the region's power. Now, it produces just 6 percent of regional power, according to grid operator ISO New England.", saying that one of the reasons it was not being used was because of the prohibitive costs of environmental upgrades to comply with current standards. He added that the Salem Harbor Station, which was 60 years old, was being shut down. Mr. Faulkner said that he realized that the purpose of a corporation was to make the most amount of money possible with the least expenditures; that was the way the system worked. He added, however, that they shouldn't have to subsidize the company bottom line with their health and quality of life in South Eliot.

Mr. Moynahan said that no one was asking for that and asked if he had questions or comments about the specific petition they were discussing.

Mr. Faulkner said that it said any state or political subdivision may submit one and that was all they were asking the Board to do, to represent the citizens in this Town.

Mr. Moynahan said that they understood that and they would move forward in the most effective manner for the Town of Eliot.

Mr. Faulkner commented that he did not think there was anything to lose and everything to gain.

Mr. Moynahan said that this was not something where the Board could just sign a piece of paper and float it out the door, sir; that they needed to do their work and make sure it was the best and most effective means...

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Mr. Faulkner said that he realized that and he appreciated that as a citizen but he did not feel there was anything to lose; that the EPA could come back and say that there were no grounds here or they could say there was something there.

**7:10 PM** Ms. Brandon, South Eliot, said that she phoned the Maine EPA in about 1999 about the power plant and the pollution and the man she spoke with; that she wrote it down at the time and might be able to find it; the man at the EPA said that he wouldn't live within 2 miles of that power plant. She added that his recommendation to her was to move so she thought that they needed the local voice if the State was saying to just move.

**7:11 PM** Mr. (Gene) Dupont said that he worked for Public Service for 38 years and worked in the instrumentation department. He said that he maintained the equipment that monitored all the emissions coming out of that plant, making sure that it was in operation and calibrated properly and all that. He added that they were always scrutinized by EPA, quarterly, to make sure the equipment was working correctly. He added that, as Mr. Despina said, they maintained those levels to what was required.

Mr. Moynahan said that he would forward these on to the attorney, wait to get some feedback from them and, once they have that, they would schedule meetings with Sierra Club and PSNH and have a better dialogue on how the Town was looking to move forward.

Ms. Wendler asked if PSNH information could be forwarded to them so that they could evaluate their claims.

Mr. Moynahan asked Mr. Blanchette to forward that to Sierra Club.

**7:13 PM** At this time, Mr. Moynahan moved back to Department Head Reports as Mr. Donhauser was present and he was scheduled for tonight's agenda.

Mr. Donhauser said that his purpose for being here was to give the Board an interim report on where he stood and he passed out an outline to the Board members. He said unlike building a structure, it was difficult for him to show them what he had accomplished; that he could tell them. He added that, essentially, he was in the process of reconciling 931 accounts, which represented balance sheet accounts, income accounts, and expense accounts, adding that he actually looked in the accounts to see what activity was in those accounts to make sure it was appropriate in the accounts. He said it took a while to actually do all those accounts and that he was about three quarters of the way through analyzing those accounts. He added that he has reviewed 19 operating bank accounts to make sure they were where they were supposed to be, adding that there were

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actually 20 accounts and the other account was a trust account where the Town put all their reserve accounts. He added that he has also been helping Ms. Spinney organize the accounting system to properly report by fund; that they had five funds: the General Fund, the Proprietary Fund (includes sewer and ECSD), the Special Revenue Fund (includes Route 236 TIF & Eliot Commons TIF), and a couple of minor funds. He said that they had another fund, which encompassed four trusts and those were small accounts. He said that the Reserve Fund (5<sup>th</sup> fund), which had 17 separate accounts and represented the reserves for fire trucks and contingency and things like that; that those had all been reviewed and were in proper order. He said that he and Ms. Spinney have accumulated the invoices for all fixed asset additions during the year from the period of July 1, 2011 to June 30, 2012 and the purpose of accumulating those invoices and all the supporting documents was to add to the existing depreciation schedule so that could be reported on the financial statement. He added that he still had to put those in the depreciation schedule and he was going to look to see if one of the Town employees could help him do that. Mr. Donhauser said that the accounting firm that the Town was engaging to do the audit has submitted their engagement letter; that he has reviewed that and he was going to recommend that Mr. Blanchette or the Board sign and agree to their engagement letter. He said that, in that engagement letter, there was a request for 59 schedules or documents that they wanted to have before they arrived. He added that they needed to accumulate those documents and that was sort of the next pressing issue he had to address. He said that he has prepared financial statements through June 30, 2012 for the Special Revenue Fund and that was with the TIF accounts, and the Trust Fund, which was small, and the Enterprise Fund, which included sewer and ECSD. He added that he had only done the sewer; that he hadn't received the ECSD QuickBooks, yet; that he has asked for those and they were going to give those to him, so that had to be added to that financial statement before it was complete. He said that the financial statements that still needed to be prepared, and the largest one, was the General Fund and took the most time, too, explaining that he did all the minor funds first because they all played into the General Fund. He added that he was going to try to see if he could interface what the ECSD actually did; instead of having to journalize what they have done, he would like to see if they could have QuickBooks somehow feed into the TRIOS program; that he wasn't sure that they could but he had an inquiry into TRIOS. He said that he had drafted all the footnotes for the financial statements that would be issued and he has completed a rough draft of the MD&A (Management Discussion and Analysis) that went along with the financial statement. He added that most people who read financial statements actually read that part first; that it's like a broad brush discussion of what the financial statements have resolved in. He said that he and Ms. Spinney have reviewed and were currently documenting the stale-dated checks; that that was an issue he found during the audit where there was a reconciling item that was being carried forward on their bank statements all the time. He explained that this was long-outstanding checks; the Town issued

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checks, the checks haven't been cashed and he would say that there were 30. He added that unless they could find who that check belonged to - that some people were either deceased or they may have left the Town - and what they needed to do was to identify and either reissue the check to the person and get them to receive the money or, if they were no longer available or they couldn't find them then it was abandoned property and it had to be remitted to the State; that they were in the process of getting that in there to the State and should be done within the next week or so. He said that was basically where he was; again, he wasn't building a structure so it was difficult to show them like a building, adding that it was quite complex this year; that they had many, many transactions; that Ms. Spinney was constantly going forward and he was sort of catching up to her all the time and she kept going forward and he kept trying to catch up. He added that he was currently working just through June 30, 2012 and as soon as he got to the end then they could make sure that the beginning balance was properly reported. He clarified that that was not to say that the accounting wasn't being done correctly but it was just that he was trying to catch up and make the accounting system report to the financial statements. Mr. Donhauser said that his objective was that, when the auditor walked in, was to hand them a set of financial statements and all the supporting documents underneath those financial statements so that all they did was what was called tic & tie that showed where a number came from. He said that he had never met the auditor, although he knew of him, and they were going to have a preliminary meeting to present documents that they have requested.

**7:17 PM** Mr. Dunkelberger asked him if he was now helping, as he was preparing these documents for the auditor, to identify or plan on how they were going to do it next year.

Mr. Donhauser said yes. He said that he was working with Ms. Spinney so that she knew exactly what was happening and he had some recommendations that would be coming forth. He added that it was his observation that they had a finite number of people and they were all working very diligently in working in their area. He added that he thought that he was going to make a recommendation; that there were a few people that were busy; say as an example, there was a 30-day month and they were busy for 20 but they had to be there that extra 10 days because it was sort of like waiting for the demand; while they were waiting he would like to utilize that or recommend utilization of their time and it wasn't to say they didn't want it, they haven't been asked. He clarified that there's some, not down time, but spare time that they could actually utilize. He said that he has already had an inquiry by one of the employees of the Town that wanted to get involved in the accounting, which he thought was fantastic. He said that they wanted to use their extra time; that if they were sitting there idle they wanted to be working. He said that he was going to make every effort that, when he finished his contractual period, he was not going to walk out and leave a big hole again; he

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wanted to have somebody to pull these schedules together. He added that the way to do a schedule was not to wait until the end of the year after it was all over; it was actually to accumulate the schedule in the form and have the accounting system do a lot of the scheduling, saying that some of the reports that the auditor wanted came right off the computer. He added that what they did need to do was to make sure that, when they gave the auditor a schedule, that it made sense. He said that, in answer to Mr. Dunkelberger's question, he would try to give some type of modus operandi for other employees of the Town to do what they needed to do.

Mr. Moynahan said that they appreciated the update.

Mr. Donhauser commented that they allowed him a very nice office; that he closed the door and worked there all by himself all day long; that it was great. He added that he encouraged anyone to stop in and talk to him at any time; that he had all kinds of stuff to tell them.

Mr. Despina asked if he could ask a procedural question.

Mr. Moynahan said that he could.

Mr. Despina asked if it was safe to assume that items #1, 2, & 13 were closed for the night.

Mr. Moynahan said yes, that he took them all at the same time.

**7:21 PM**  
**#3**

TO : Board of Selectmen  
FROM : Community Service Department  
REF : Memorandum of Understanding between Fire Department & Community Services Department

Mr. Moynahan said that this included correspondence items #14 and #15, that this was a Memorandum of Understanding between the Eliot Fire Department and the ECSD, and he believed Mr. Hirst and Mr. Dunkelberger provided this to the Board.

Mr. Dunkelberger said that it was actually drafted between the Fire Chief and the ECSD, between the department heads; that the subcommittee asked them to come up with a business plan that would support what they would like to do, which was to keep the ECSD in the Fire Station, and they did exactly that. He added that based on that, and Mr. Hirst and Mr. Blanchette correct him if he was wrong, the subcommittee was recommending, based on this Memorandum of Understanding

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between two department heads, that the ECSD be allowed to remain in the Fire Station.

Mr. Murphy said that he was happy to have this resolved in any way like this and that he thought that he would be in favor of approving this Memorandum of Understanding.

Mr. Beckert said that he was not probably going to make any friends with this but he was going to state his opposition to this. He said that he talked with Ms. Muzeroll-Roy about a month ago and said that he had concerns about ECSD staying in the Fire Station. He added that he understood that she needed her own space; that he didn't think the Fire Station was the right fit, that it was an emergency service building and it was never intended to be general public user-friendly on a daily basis for activities such as the ECSD has in the building, so, he was very uncomfortable leaving the ECSD in the building. He said that he understood that the business case may be a little bit cheaper; that he understood that there was an upfront cost to put ECSD in the school to do modifications to the space over there, but he thought that, in this instance and in his opinion, that the functionality of the situation had to be considered far beyond the financial ramifications of a few simple modifications to put them in the building – in the school – and he would not support leaving them in the Fire Station.

Mr. Moynahan said that they did form a subcommittee to review financial indications, fit-up costs, safety concerns, gaining department head inputs, and all that sort of thing and the subcommittee had provided a recommendation.

Mr. Beckert asked through the Chair to the subcommittee if the subcommittee considered anything other than the business example; what did they use for consideration when they came up with the answer that ECSD needed to remain in the Fire Station. He asked if they considered the possible safety ramifications; that he knew that could be disputed; but, again in his opinion, the Fire Station had much more potential for a safety issue to take place than a school building that was already children-friendly and public-friendly just by virtue of it being a school building. He added that they would have a separate entrance and they wouldn't have to go up and down stairs to get into the building. He said that right now there were two ways, apparently from what he understood, to get into the Fire Station; some went in the front and some went up the stairs in the back. He added that he thought that there were other concerns other than the financial aspect of what it would cost to modify the space in the school building and he thought that those they needed to consider far more than the finances.

Mr. Dunkelberger said that the subcommittee, primarily, when they asked the department heads to address it, they wanted to look at it from both a fiscal perspective as well as to address the safety concerns that have been brought up at

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previous meetings. He added that, looking at the MOU, the two department heads addressed specifically on establishing procedures as well as semi-annual staff training to ensure that Fire Department safety protocols were known to all staff members and continually enforced.

Mr. Beckert commented that he wouldn't expect that to be any different in any building that they were in; that it was just more important being in a building like the Fire Station. He said that, again, that a lot of things, in his opinion, to be considered were that a lot of ECSD activities were held in the school and from a logistics standpoint it made a lot of sense to him to put them in the school building; for the time being, he believed the school department has offered a three-year lease with a possible extension beyond that. He said that he didn't know where the economy was going to be a year from now or two years from now but he knew that the Town spoke last June that they didn't have any inkling of building a separate building at this point in time. He said that he thought that the best fit for the ECSD, in his opinion, was to put them in the school building where some of their programs were already being operated.

**7:29 PM**

Mr. Murphy asked the subcommittee how often they talked with the department head involved and what were the true feeling of that department head, as he didn't see any input from that department head here. He reiterated the question and asked which one the department head wanted between these two choices.

Mr. Dunkelberger said yes; which was why the department heads came up with this MOU; that he and Mr. Hirst did not come up with this MOU. He added that all the subcommittee did was to challenge them to establish a business case for what they wanted to do as well as to address the safety concerns that have been brought up.

Mr. Murphy said that, by department head, he meant Ms. Muzeroll-Roy who was running that ECSD; what was her feeling about the choices she had; that Mr. Dunkelberger made it a plural this time – department heads.

Mr. Dunkelberger said that he made it a plural all the time because both the department heads participated – the Fire Department and the ECSD.

Mr. Murphy said that he would like to hear from them or her.

Mr. Moynahan said that both department heads were here, if the Board had questions of them or they wanted to speak to it; that there were also two letters of concern that could be spoken to. He asked if Mr. Murphy had questions of either.

Mr. Murphy asked Ms. Muzeroll-Roy what she would like to do.

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Ms. Muzeroll-Roy said that she would just like to be established someplace until there was a better understanding as to where they were permanently going to be held; that that was her biggest thing right now. She added that if they were going to end up at the school and that would be a permanent thing, then so be it, but they haven't even done a Town needs assessment plan, yet, which was what the Building Committee (BC) was working on; that that could take 6 months or 3 months or a year and they could decide there was room for ECSD here for them so why would they move to the school and back to the Town Hall. She added that they have worked very hard with the subcommittee to come up with specifics; that it took them almost three months to come up to this final plan and so it wasn't like they've just jumped into things. She said that her recommendation, at this point, or her request, however one wanted to say it, would be to remain at the Fire Station, where she has been established for two years, until a Town needs assessment has been done and, then, if by then after a year a Town needs assessment said that the school was still available then they would redo it then. She said that she was established at the Fire Station; that there was no reason for her to move right now until that part of the BC and the Selectmen stuff has been done.

Mr. Murphy thanked her for her input. He said that he has always considered both of these solutions as being temporary, himself. He added that staying at the Fire Station was temporary but, at least, she was used to it now and going to the school would require changes over there and some expenses, so, he would listen to the department head.

**7:32 PM**

Mr. Muzeroll said that one of the sticking points in this MOU has been longevity and he has been vocal that this may not be a permanent solution. He said that they were able to come up with language that was agreeable to the subcommittee and the department heads. He added that he admitted that he was the one who put his foot down that he did not want to say one year or five years or three years; that when they had some discussion about what the school had offered, and both Mr. Hirst and Mr. Dunkelberger agreed, it was just a draft and hadn't gone any farther than that so when they were talking about a three-year obligation from the school, according to Mr. Dunkelberger and Mr. Hirst both, it was just something that was written on paper at the time. He added that his sticking point was that they continue to meet the safety requirements and the control and flow of people in and out of there but, more importantly, was to allow the BC to get on board again; to get moving and come up with what the BC was initially tasked to do; which was to find out what were the Town's needs. He added that that was all he wanted out of that MOU; for the BC to finish what they were tasked to do and, whatever happened at that point, happened at that point. He said that he understood Mr. Beckert's concern about safety; that he thought that most of their safety issues had been addressed or would be addressed, depending on how things went. Mr. Muzeroll said that he didn't want people to be under the misconception that he

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was not concerned about the occupants of that building, no matter who they were; that he had people going in and out of there all the time, whether it was for a fire permit, coming in to deliver stuff, the fire prevention program; that they had methods of taking care of people that were in and out of there and what the ECSD did with their staff was, he believed, discussed with the subcommittee as to how often they were in there and what they would actually be doing. He said that it was satisfactory to him the way that that MOU was; that he knew there was some question amongst the citizenry whether they really needed to do that – move them out now, move them permanent – that he was just asking the Board to consider finishing the job they were tasked to do and, if that was what it ended up being, then that was what it ended up being.

**7:35 PM**

Ms. Norton said that, on her end, she had a great concern about children coming and going from the Fire Department. She added that, when there was a fire, she has seen the trucks when they flew by getting to the Fire Station and she didn't think there was any reason to put children in that position – that they were in a cluster when those trucks were flying in and out and she thought that that was a dangerous situation. She added that the school was well-equipped. She added that, over the two years, there have been multiple choices to join South Berwick, to stay at Eliot, to make other arrangements that they have been totally opposed to with working systems that were already in place. She reiterated that she didn't think it was the right spot for the children to be in.

Ms. Muzeroll-Roy asked to clarify one thing. She said that people kept bringing up children being in the Fire Station and they didn't run programs out of the Fire Station; that they ran one program out of the Fire Station last spring and they had no intention of running any more so there were no children activities going in the Fire Station.

Mr. Murphy asked about Game Night next week.

Ms. Muzeroll-Roy said that that should be at the Eliot Elementary School (EES). She added that she could be misinformed; that she didn't know everything off the top of her head.

Mr. Lentz said that, first of all, he thought a business base was a smart thing. He added that it was illogical to him to have children in the Fire Station and there was a brochure out from the ECSD that listed that the kids were going to be playing games in the Fire Station. He added that there were people in this room, six months ago when the new building was being considered, who said that that was an accident waiting to happen and asked what has changed, how has the safety issue changed. He said that he didn't see anything changed and he would like to hear that. He added that someone said that the Fire Station was handicapped-

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equipped; try getting a wheelchair through that front door; that the only way to get it in was to open the overhead doors, so he was told.

Mr. Muzeroll said that that was correct; that that met the requirements of ADA.

Mr. Lentz said that he was not arguing that one bit to the Chief; that he was saying that that was not a great set-up as far as he was concerned. He added that they couldn't have them going up the back steps and he wouldn't want to see children going up and down those steps so they had to come in through the front door, too, through the fire trucks.

Mr. Moynahan asked for clarification that there was a brochure that there were going to be children's programs in the Fire Station.

Ms. Muzeroll-Roy said no; that she could certainly look it up for the Board and, if it was located at the Fire Station, then that was her bad, that it was an oversight because 90% of their programs should all be within the schools, church, and if that was in there then that was an oversight; that it should not be.

Mr. Muzeroll asked to address the safety issue. He said that they had a plan in place to control flow of people, whether they would be ECSD participants, fire education programs, and people coming in and out of the building to get fire permits. He added that he has yet to set that in place because depending on how that building was to be utilized would determine where his barricades would go up; that they would allow access or deny access to certain areas within the department. He added that it was his intention to certainly never to put anybody in harm's way nor did he want anybody to have problems getting in and out of the building. Addressing the children issue, he said that, other than his own grandchildren, he very rarely saw children in there and he did know that the couple of times they have had calls, when there were clients in the building, that the staff that was there went through a great extent to make sure people were isolated from whatever was going on. Mr. Muzeroll said that Ms. Norton was right that people and trucks were going in and out of the building but it was not that they had a disregard for people; that it was no different than people who were walking in front of the Fire Station on a leisurely walk or sitting out on the park bench or parking there to go to the Police Station. He added that to focus on a specific group of people may not be necessarily fair because he had taken everybody into consideration that went through that building or could go through that building.

Mr. Pomerlau said that, with regard to the long-term space analysis that hasn't happened, yet, that it might down the road; he didn't know how they could overlook what the citizens of this Town told them what they wanted them to do in June. He added that it was a 3-1 margin rejecting their judgment for the need for a

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new building for the ECSD. He said that the citizens didn't do that expecting they would leave the ECSD out in the cold; that they were more than satisfied that they had a perfectly suitable, acceptable place to put them over there in that school. He agreed that what they heard all winter long about the ECSD being in the Fire Station was that it was an accident waiting to happen and not a proper place for the program to be. He added that the citizens said to the Board to try out the school; that it was a good deal; that it was a win-win situation for both the school and the Town; that it was more than suitable because all the programs were there now anyway. He added that if they thought for one moment that this Town was going to move forward and appropriate some half-a-million-dollar expansion for the Town Hall for the purposes of accommodating the ECSD program when they have not made a good-faith effort to try to see if it could work over there at that school, then they were kidding themselves; that it was never going to happen. He said to put the program over there, see how it worked, then come back to the citizens and tell them there was a problem, that it wasn't working and they were looking to consider an alternative. Regarding the issue of safety, when Ms. Muzeroll-Roy said why would she want to move there waiting for this to happen, the injury of the life of one child was enough of a reason; why in the world would they take that chance at all when they had a perfectly suitable place to put them today.

Mr. (Frank) Murphy said that he agreed with Mr. Pomerlau that the Town voted to put the ECSD in the school...

Ms. Muzeroll-Roy said that they did not.

Mr. (Frank) Murphy clarified that they voted not to build the building because the school was available.

There were several who said no.

Ms. Muzeroll-Roy asked if she missed something; wasn't it to turn down the building.

Mr. Moynahan clarified that there was a referendum vote for a building and the building referendum was voted down.

Mr. (Frank) Murphy said that the school was mentioned and the fact that it was only going to cost \$1,500/year to house the ECSD in the school and that was mentioned on the referendum.

After several people said no Mr. Moynahan said that it was mentioned somewhere; that he wasn't sure where it was but it certainly was mentioned; that they could have adding all kinds of things to that question...

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Mr. (Frank) Murphy asked to be allowed to continue. He said that the budget that the ECSO put out said that they needed \$2,000 for electricity and phones and this, that, and the other to total over \$5,000 to stay in the Fire Department and it was still only \$1,500 over there at the school.

Ms. Muzeroll-Roy said no, that that was absolutely incorrect, again; that that was...

Mr. (Frank) Murphy added that, then, it changed; that her budget came out that it was so much for this and then it changed back and, when they had their MOU, it changed again. He said that he didn't know what was going on with the funds but it has changed two or three times and how much it was going to cost exactly to stay in the Fire Department.

Ms. Muzeroll-Roy said that her budget didn't change.

Mr. Moynahan told them to hold on. He asked Mr. Dunkelberger how he came up with the dollar figures for costs; did he work with the Town Treasurer to see what actual costs were for the departments.

Mr. Dunkelberger said that they actually did not; that the two department heads came up with a dollar figure.

Mr. Moynahan asked Ms. Muzeroll-Roy if she worked with Ms. Spinney on the true costs.

Ms. Muzeroll-Roy said that she did.

Mr. Moynahan said that that information could be provided and clarified that it wasn't just something that was made up as was alluded.

Ms. Muzeroll-Roy said no.

Mr. (Frank) Murphy asked why it changed to new costs instead of the old costs; did something change in the Fire Department.

Mr. Moynahan said that it was estimated cost to actual cost, he would assume, if she worked with the Treasurer to get a true dollar figure.

Mr. Muzeroll said that, if he could be specific, then he would try to be specific; that if he was looking at anything in particular.

Mr. (Frank) Murphy said that it said that the phone was going to cost \$2,000/year.

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Mr. Lentz said that the original budget said that it was going to cost \$6,000+ a year.

Mr. Muzeroll asked whose budget they were talking about.

Mr. (Frank) Murphy said that the ECSD submitted a \$2,000/year budget for their telephones.

Mr. Muzeroll said that he couldn't answer that because it wasn't his budget.

Mr. (Frank) Murphy said that, like Mr. Lentz said, it totaled over \$6,000 for them to stay in the Fire Department.

Ms. Muzeroll-Roy said no.

Mr. Muzeroll asked Mr. Murphy if he had a question about the Fire Department budget.

Mr. (Frank) Murphy said no. He said that he was here strictly to see why the Board of Selectmen hasn't put the ECSD in the school; that they've had four months to do it; that the voters voted on it.

Mr. Moynahan said that he was going to stop this now; that this Board of Selectmen set up a subcommittee to review the space that was available at the school and at the Fire Station; that they set up the subcommittee to review all the concerns – safety, financial, department head input – all those things were to be reviewed by the subcommittee, which were Mr. Dunkelberger, Mr. Hirst, and Mr. Blanchette with involvement from department heads, so, the Board did their job, they set up a subcommittee to review those two locations and what was the best fit for the department and the Town. He added that the subcommittee has presented an MOU tonight that indicated that the Fire Department was a suitable place, temporarily, for whatever the terms of the contract were – that was the report from the subcommittee.

**7:45 PM**

Ms. Adams said that a memorandum of agreement was not, in her view, a report from the subcommittee. She added that she has not heard from the subcommittee why – what the choices were, why they chose the Fire Department; that she didn't even know if they did or if it was the department heads who chose the Fire Department. She said that she would really like that question answered that was asked before – what other factors went into this. She said that they haven't heard anything about the school; were there safety concerns there, was there too much cost to put them in; they haven't heard anything. She added that all they had heard about was this memorandum of agreement that two department heads came up

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with and now it was presented as if it was the decision of the subcommittee. She asked if this was a decision of the subcommittee to stay at the Fire Station.

Mr. Dunkelberger said that the subcommittee, before they met with the department heads, basically decided that there were two options on the table: one being that the ECSD would remain in the Fire Station and the other being that they moved to the school. He added that they knew what the conditions were with the school. He explained that what they did, based on a mutual decision of the three members of the subcommittee and knowing what the preference was between the two department heads, was that they challenged them to make a business case addressing the cost of the ECSD remaining in the Fire Station as well as address the safety concerns that have been brought up by the public; that they had meetings with the two department heads to address those specific things. He said that, at least from the subcommittee's point of view, the department heads were effective in making their case from a business perspective as well as giving them the assurances that the safety concerns, if not already addressed, would be continually addressed with training as well as exercise. Mr. Dunkelberger said that, based on that, the subcommittee was recommending to the entire Board that the ECSD remain in the Fire Station or be allowed to remain in the Fire Station. He added that it would be up to the Board with a full vote to decide one way or the other.

**7:48 PM** Ms. Adams asked if it was cost-effective for the ECSD to stay in the Fire Station and the reason she asked was because it was her understanding that the Fire Station was not open eight hours a day; that without the ECSD it wasn't open for eight hours a day; it didn't need to be heated to the degree it has to be heated; it didn't have the extra expense of them being there. She asked if it was cost-effective to be heating a building when the school was over there; it had to be heated; there were children in it. She said that she was just saying that there was a place that had space, and Ms. Muzeroll-Roy could correct her if she was wrong, but she thought that 90% of what she saw on the internet on her website was held at the school or in the gym or in the science room or the art room or outside so that the programming was already there. She said that she really questioned whether it really was cost-effective and was a good business model for it to be held at the Fire Station. She added not only the concerns for safety; she was sorry, but there was nothing that was going to convince her that this kind of office at the Fire Station was a good idea; that all that was asked for was office space; a building was not asked for, office space was asked for, and there was office space at the school, including a private office if the Director needed one.

Ms. Shapleigh said that she had a concern about the location in the school. She said that, as a person who had to give up driving because of loss of sight and knowing many people who drive long beyond the time that they should have given up their license and was not an easy thing to do, she thought that having

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people drive between the driveways over there down to the back of that building was asking for far more trouble than keeping it where it was. She said that the other thing was that the Town voted, and many, many people voted, for a stand-alone building; that it had to be torn down; so the Town did want a stand-alone building for the ECSD. She added that there were those that wanted to put an addition on this building; which wasn't the best built building in the world. She added that most people would say to not put all their eggs in one basket so to put an addition on this building for an ECSD building seemed to her to be foolhardy, particularly since they had the land and once had a community service department. She said that she knew that they were having tough times, now, but she thought, in time, they could build what the Town originally wanted. She added that that was after surveys; that it wasn't after listening to a few people who seemed to oppose everything that spent money. She added that she would just like the Board to think long and hard before the Town went and rented space in a building the Town should own. She said that the Town of South Berwick had three schools and far more value in those buildings in their town than Eliot did in the two in this Town and for this Town to pay even one cent for buildings they already owned was very offensive to her.

Mr. Moynahan said that he was not going to take any more public comment on this; that he thought the Board needed to something; that they had a subcommittee that prepared a document for them – a draft MOU – and he asked for the direction of the Board.

Mr. Beckert said that he had one concern about the document. He said that, as Chairman and member of the BC, he did not recommend that the Board tie anything in the MOU to any space needs assessment; that the BC has been meeting; they have been talking about getting back on track with the space needs assessment; they didn't know if that was going to happen; that they didn't even know if there was full funding in order to make it happen and they didn't know if this Board would approve it to happen. He said to tie this MOU to something that was an unknown at this point in time, to him, was the wrong thing to do on that aspect. He said that he would like to see that stricken from this MOU.

Mr. Moynahan asked for subcommittee thoughts on that.

Mr. Hirst said that he would have no objections to that being stricken, if that was the will of the Board.

**7:51 PM**

Mr. Dunkelberger said that he would have to disagree with his esteemed colleague. He said that, at some point, they were going to do a needs assessment; that they had this discussion amongst the department heads, well as amongst the subcommittee, with regard to whether they did a 3-year term, did they do open-ended, what should they do. He said that Chief Muzeroll came out with the idea

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**October 25, 2012 6:30PM (continued)**

of tying it to the BC or space examination, which he thought was a great way to do it; whether it took one year or whether it took five years, they had a time frame.

Mr. Beckert said that he would go on record with his esteemed colleague to disagree, too.

Mr. Moynahan asked how the Board wanted to move forward with this.

Mr. Fisher asked to be recognized.

Mr. Moynahan reiterated that he was not taking any more public comment on this subject.

Mr. Fisher asked why, had there been a motion made.

Mr. Moynahan said that there had not; that he stopped public comment; that he had enough public comment and it was time for the Board to do something with this.

Mr. Fisher said a point of order here.

Mr. Moynahan again reiterated that he was not taking public comment.

Mr. Fisher said that he didn't care what the Chair wanted to do but he was going to tell him right now the meeting would continue because there hadn't been a motion yet and they could still put input in.

Mr. Moynahan asked for the direction of the Board...not when he turned it off, he couldn't, sir.

Mr. Fisher argued that he could; that if they made a motion he would shut up but, until then, the Board had to take input from the public.

Mr. Moynahan said that he already said that he was not taking any more public comment on this item; he's said that already; he was not taking any more.

Mr. Murphy confirmed that Mr. Moynahan was right.

Mr. Moynahan asked what direction the Board wanted to go with this MOU, knowing it was going to be wrong no matter what.

Mr. Murphy said that he was reassured by the Director of the ECSD stating that there would not be any children in the Fire House and, on that basis, he would

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approve this MOU and let them stay in the Fire house until they knew better what was going on.

**7:55 PM** Mr. Murphy moved that the Board of Selectmen accept the Memorandum of Understanding and let the ECSD remain in the Fire House on the assumption that children would not be there.

Mr. Moynahan said that there was a motion on the floor and asked if there was a second.

There was no second and the motion died.

Mr. Moynahan asked if there was another motion.

**7:56 PM** Mr. Beckert moved, second by Mr. Murphy, that the Board of Selectmen move the Eliot Community Service Department into the Eliot Elementary School.

**DISCUSSION:**

Mr. Moynahan asked where the funds would come from for fit-up costs; what were those costs, timelines, and things of that nature. He asked if there was a timeline in mind with the motion.

Mr. Beckert commented that this past August would have been nice. He asked if he could ask Mr. Blanchette on the funding.

Mr. Moynahan said that he sure could.

Mr. Beckert asked Mr. Blanchette what was in the Facilities Account.

Mr. Blanchette said that there was very little in the Facilities Account; that he thought that there was about \$6,300.

Mr. Beckert asked if there were other possibilities of where to take the funding from.

Mr. Blanchette said that he didn't know; that he didn't think it could technically be taken from the facilities Account because it wasn't their facility. He added that the only place he was aware of that they could take it out of was the Contingency Account, right off hand, and every time they used it, it was going down.

Mr. Beckert said that he understood.

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Mr. Blanchette said that he thought that that was the only place it could be taken out of without discussion with the Treasurer.

Mr. Beckert amended his motion to include that the necessary funds to retro-fit the space in the school will come from the Contingency Fund.

Mr. Moynahan said that the motion had been amended.

Mr. Murphy said that he did not like using the Contingency Fund for something like this.

Mr. Dunkelberger said that, for the purposes of discussion, he would second the motion.

Mr. Moynahan clarified that the amended motion was to include the use of Contingency Account being utilized has been seconded.

Ms. Lemire requested a point of order, saying that she thought that the person who seconded the original motion had to second the amendment to that motion. She asked if that was correct to Mr. Murphy.

Mr. Murphy said that he didn't know if the original second didn't want to second the amendment to that motion but he believed someone else could but he would have to go back to look it up.

Mr. Muzeroll said that he believed that they had to vote on the amendment, first, before they could vote on the original motion.

Mr. Murphy suggested he could withdraw his motion and start all over again.

Mr. Beckert withdrew his entire motion and made another motion.

**7:58 PM**

Mr. Beckert moved, second by Mr. Dunkelberger, that the Board of Selectmen move the Eliot Community Service Department into the space offered by MSAD #35 and that any funds required to retro-fit the space be taken from the Contingency Fund.

**DISCUSSION:**

Mr. Dunkelberger asked if he could ask the Board to just consider another possibility. He suggested that, since their funds were getting a little scarce and he knew there was some discomfort with regard to the Contingency Fund, they plan on doing this in the coming summer after the June Town Meeting. He said that he thought that it would probably be beneficial in that they could put in a warrant

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

article for the Town to vote on funding to support the move as well as timing-wise for the school district to prevent any disruptions to the current school year.

Mr. Moynahan asked for thoughts.

Mr. Hirst said that he would be content with letting the people decide in June.

Mr. Moynahan clarified that this was to have this as a referendum article in June for funding for fit-up costs and relocating the ECSD to the school.

Mr. Dunkelberger said that, in the meantime, they could pursue an agreement that would establish what their exact cost would be.

Mr. Moynahan said that there was a motion and a second; was there any other discussion.

Mr. Hirst asked that the motion be repeated.

Mr. Beckert asked Mr. Dunkelberger would put that in the form of a motion if he withdrew his original motion.

Mr. Dunkelberger said yes.

Mr. Beckert withdrew his second original motion and Mr. Dunkelberger withdrew his second to that motion.

**8:02 PM** Mr. Dunkelberger moved, second by Mr. Beckert, that the Board of Selectmen plan to move the Eliot Community Service Department with concurrence of MSAD #35 and an appropriate agreement to support that move to the Eliot Elementary School; that the Board of Selectmen pursue funding with a June Warrant Article to accommodate that move and wait until after the end of the school year before making the move.

Mr. Moynahan said that there was a motion and a second and asked if there was further discussion on the motion on the floor.

**VOTE**

**4-0**

**Chair concurs**

Mr. Moynahan said that a warrant article would be drafted to put in front of the voters for funding and relocating the ECSD to the EES in June.

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**October 25, 2012 6:30PM (continued)**

**8:03 PM**  
**#4**

TO : Board of Selectmen  
FROM : Kate Pelletier, Planning Assistant  
REF : Proposed amendments to the municipal fee schedule

Mr. Moynahan has proposed amendments to the municipal fee schedule.

Ms. Pelletier said that the amendment that the Board had the Planning Board (PB) drafted and had their public hearing on last month.

Mr. Moynahan asked if she could hold on one second. He recognized Ms. Lemire.

Ms. Lemire wanted to remind the audience that she picked up everything on this recorder so, if they were having even really quiet conversations, it interferes with her ability to hear the recording of them later on.

Ms. Pelletier said that this was an amendment to the fee schedule in the Town ordinances, which was § 1-15. She added that they have reorganized it so that the fees were categorized by department or board where it was before in just sort of a list format and didn't really make any sense. She added that they also came up with a new formula for calculating building permit fees based on square footage instead of market value, explaining that market value was sort of a subjective way to calculate permit fees and really didn't have any effect on the cost of administering the ordinances or enforcing them so they did it based on square footage, which was what most other towns did in the area. She said that the attachment she gave the Board, and she had copies for anyone else who wanted one, just showed some comparisons; that she took a couple of permits that have been issued in the past year for a single family dwelling, a couple of those with varying sizes, a garage, a shed, and an in-ground pool just so that they could see what the difference would be.

Mr. Dunkelberger asked why in-ground pool went down.

Ms. Pelletier said that they didn't really have a permit category for in-ground pool; that it was based on market value and the fees really had to be in line with the cost of the enforcing, the reviewing of the plans, and it didn't really seem to make sense the way it was before so they decided to come up with a flat fee for that because they didn't really require much review or inspection. She added that they didn't all go up; that some fees went down. She said that they added some more specific permit categories for things like for example: before, they just had a fee for electrical permits, for instance, and they were based on the number of inspections required so it was \$15 per inspection whereas now they had separate categories for new, single-family dwelling wirings, amp service upgrades, sub

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**October 25, 2012 6:30PM (continued)**

panels, and things like that. She clarified that they were just more specific and related to the cost of actually enforcing these.

Mr. Moynahan said that he had a question on the electrical permits for wiring. He said that the fee includes the electrical permit and one inspection and, typically, there was a rough-in inspection and a final inspection so does the applicant, then, have to pay a re-inspection fee so that it was an additional \$50 for a new home or an addition.

Ms. Pelletier said that, if it was just wiring, according to the CEO, it would only require one inspection. She added that he proposed these fees based on the number of inspections he conducted. She said that, if it was a new home, the fee for that would be \$100 and that would include two inspections and, if someone was just doing wiring, then that would include one inspection for an addition or something like that. She said that, if the person did something wrong that required an additional inspection above and beyond what they normally did, then that \$50-fee would come into play. She added that the CEO was the one who decided those fees.

**8:10 PM** Mr. Dunkelberger asked Mr. Moynahan how this would work.

Mr. Moynahan said that he thought that this would be pretty easy once a person went through it once, then it would be pretty easy to use and certainly more in line with other communities as far as costs went; that they had certainly been behind the times.

Mr. Dunkelberger agreed.

Ms. Pelletier said that they were still far below what other towns were charging; that they haven't updated their fees since 2004 and they were still quite a bit lower than other towns in the area. She added that they felt that they didn't want to hit people with such a huge increase right off the bat; that they would see what happened in a couple of years; it was at least an improvement.

Mr. Beckert said that these seemed to adequately cover the actual cost of going out and doing the inspections.

Mr. Moynahan agreed that it was more black and white; that it wasn't a subjective view when someone filled a permit out and said it was a \$6,000 house.

Ms. Pelletier added that, really, the market value had no reflection on the costs of inspections or reviewing the permits.

Mr. Beckert commented that it seemed fairer doing it this way.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

Mr. Murphy asked her if they meant to omit the Harbor Master fees.

Ms. Pelletier said that she thought those were State fees.

Mr. Murphy clarified that those were State fees and not municipal fees.

Ms. Pelletier said that she didn't know that for sure but she had never seen them referenced anywhere in the Town ordinances. She added that they could certainly ask, though, if those were State proscribed.

Mr. Murphy said that he was trying to look for the exceptions of any fee that was not on this list and that just popped into his mind as a possibility. He added that he knew nothing about it; that maybe it shouldn't be here but maybe it should.

Ms. Pelletier said that there were probably many and she used, as an example, of discussing with Ms. Rawski putting the price of copies at the Town Hall in the fee schedule but, for what they were trying to do, she thought that this was good for now. She added that they could go back when they had more time and look at all municipal fees and think about codifying them in the future.

Mr. Murphy asked if a motion was needed.

Mr. Moynahan said that he thought the Board would have to accept the PB's presented proposed amendments to be put to vote so, yes, a motion would be needed.

**8:12 PM** Mr. Murphy moved, second by Mr. Hirst, that the Board of Selectmen approve these proposed amendments to the municipal fee schedule, as presented.

**VOTE**

**4-0**

**Chair concurs**

Mr. Moynahan told Ms. Pelletier she did a nice job.

Ms. Pelletier clarified that that included putting it on a future warrant.

Mr. Moynahan said yes.

Ms. Pelletier thanked the Board.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

**#5**           TO     : Board of Selectmen  
          FROM : John Lang  
          REF   : JLS Business Suites

Mr. Moynahan said that, as they discussed, a letter went out to some of the business parks and they had one response; that it was from John Lang indicating that he had provided an updated list to their CEO very recently and no changes had been made so they had a building list as it related to that.

**#6**           TO     : Board of Selectmen  
          FROM : Xfinity  
          REF   : Grandfathered cable packages

Mr. Moynahan said that this was informational from Xfinity that talked about grandfathered AT&T packages that would affect less than 1% of their customers

**8:13 PM**  
**#7**

          TO     : Board of Selectmen  
          FROM : CMP  
          REF   : Utility Location Permit

Mr. Moynahan said that this was from CMP regarding a State pole permit on Route 101, Goodwin Road, which they tended to approve if there were no questions. He asked if Mr. Moulton had any concerns with the pole permit.

Mr. Moulton said that he had no concerns.

Mr. Blanchette clarified that this was not for the Town's approval; that it was just informational; that it was a State permit.

**#8**           TO     : Board of Selectmen  
          FROM : Ahlgren, Perrault, & Pudloski, P.A.  
          REF   : Great Hill Reclamation Project

Mr. Dunkelberger said that this was another lawyer that has been offended by sensibilities and why he chose to pick what was totally neutral comments by the Chair and threatening a liable or slander action; that he just didn't understand it; and why he waited so long to say anything at all, again, he didn't understand it.

Mr. Moynahan said that he thought he may have misunderstood; that the article in question was not comments from the Board as far as toxic waste.

Mr. Dunkelberger agreed.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

Mr. Moynahan said that the comments from the Board were follow up accordingly...

Mr. Dunkelberger added in getting the records back so that they had...

Mr. Moynahan said that that was correct.

**#9** TO : Board of Selectmen  
FROM : No Correspondence  
REF :

Mr. Moynahan said that he had provided the updated June 2013 scheduling calendar and of that they needed to approve the dates of June 11, 2013 8AM to 8PM Town Meeting at the Marshwood Middle School, Referendum and Elections on June 15, 2013 6:30 PM Open Floor Town Meeting and Warrant Articles. He said that, once those dates were set and the calendar was provided, it could be put on websites and distributed and that sort of thing.

Mr. Beckert moved, second by Mr. Dunkelberger, that June 11, 2013 be set as the start of Town Meeting for the purpose of voting referendum questions and that the polls be open from 8 AM to 8 PM and that it be held at the Marshwood Middle School.

**VOTE**  
**4-0**  
**Chair concurs**

**8:16 PM** Mr. Dunkelberger moved, second by Mr. Hirst, that the Board of Selectmen have the Open Floor Town Meeting June 15, 2013 beginning at 6:30 PM.

**VOTE**  
**4-0**  
**Chair concurs**

Mr. Moynahan said that with that, if everyone has reviewed the calendar and it was acceptable leading up to referendum vote, then he would distribute to all those involved, with Eaton Peabody and Underwood Engineers for their presentations and try to secure the EES for all public hearings as it related to the referendum articles.

Mr. Hirst asked if they could just read these dates for the public.

Mr. Moynahan read the dates.

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**October 25, 2012 6:30PM (continued)**

**8:19 PM**  
**#10**

TO : Board of Selectmen  
FROM : No Correspondence  
REF :

Mr. Moynahan said that they did have an updated IMA and, if the Board were to consider discussion of this final IMA agreement, then they would need to discuss this IMA in executive session. He added that, if there were other comments outside of approving this, they could have it now or they should enter into executive session.

**8:20 PM**

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

**VOTE**

**4-0**

**Chair concurs**

Mr. Moynahan said that, at this time, if they were going into executive session he asked Mr. Blanchette if he had a number for executive session could they conduct both at one time.

Mr. Blanchette said that it would be best not to, where they were separate sections.

Mr. Moynahan said that the Board was in executive session and asked everyone to leave momentarily.

**8:29 PM**

Out of executive session.

Mr. Moynahan asked if there was any action from this Board as it related to the inter-municipal agreement (IMA) between the Town of Kittery and the Town of Eliot.

Mr. Murphy moved, second by Mr. Beckert, that the Board of Selectmen agree that this final version of the Inter-Municipal Agreement between the Town of Kittery and the Town of Eliot with respect to the treatment and disposal of waste water from the Eliot sewer system draft dated 10/22/2012 be presented by the IMA Committee with Underwood Engineers to Kittery for their approval.

DISCUSSION:

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

Mr. Hirst said that he would like to thank Mr. Murphy, in public, for four years of dedication of putting this thing together with the help of others; that he has been behind this and he's put an awful lot of work into it.

Mr. Beckert said 'here, here'.

Everyone present acknowledged his efforts.

Mr. Moynahan said that there was a motion and a second and asked if there was further discussion.

There was none.

**VOTE**

**4-0**

**Chair concurs**

Mr. Moynahan said that they would contact the committee and set up a date with Kittery.

Mr. Murphy clarified that what was expected now was that the committee would take it to Kittery and say that Eliot was ready to sign on to this. He said that the Selectmen wouldn't sign it yet because they wanted Kittery to be sure that Kittery would sign it. He added that then it would come back and go to Town Meeting here in Eliot and, when the Town accepted it, then the Board could sign it and, then, Kittery would feel safe to sign it. He added that this only affected the current system in Town as a result of Kittery's change in the way they were making charges for the whole system; that even if there were no Route 236 sewer, they would have to do this. He added that this was written in such a way that it could be modified for changes in the future.

**8:31 PM**  
**#11**

TO : Board of Selectmen  
FROM : No Correspondence  
REF :

Mr. Moynahan said that this was regarding Ordinance Governing Boards, Committees and Commissions; that he added please review and bring any proposed changes and he didn't even bring his ordinance so he was not prepared and he apologized. He added that he was the one who emphasized it for everyone else and...

Several other Board members said that they didn't either.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

Mr. Moynahan said that he would schedule this for another meeting.

The Board agreed.

**8:32 PM**  
**#12**

TO : Board of Selectmen  
FROM : No Correspondence  
REF :

Mr. Moynahan said that this was regarding Town Manager form of government and put subcommittee with a question mark. He said that they were putting this on a referendum vote for June and having public hearings and asked if they should consider having a subcommittee to review the State guidelines for having a Town Manager and maybe better define and come up with a salary and benefit package; a contract, was that going to be required; that most towns had those. He added that they were going to start reviewing process timelines and that sort of thing. He said that with the PWD they set up a committee and they had two local business contractors (same type of field), two members of the Board, another citizen and someone else; that they came up with a pretty detailed job specification or requirements, background, salary requirements and all that. He said that the interview processes were thorough, defined, and consistent with everyone. He said that he thought that, with the type of professional move that the Town was going into, they should afford the same thing of a subcommittee of diverse people in the Town.

Mr. Beckert agreed and said that they could start getting some of the information; that Mr. Blanchette could request some information from MMA on sample contracts, job descriptions, and everything based on the State statute.

Mr. Murphy asked the Chair if he wanted to outline, briefly, what they thought the plan was now. He added that, as he understood it, they would persuade the Town to make the decision this June but it could not become effective for another whole year.

Mr. Moynahan said that that was correct.

Mr. Murphy said that there was, then, lots of time to think about it and move into it and make selections.

Mr. Moynahan said that, in order to propose that they should at least have a pretty thorough definition, job description, pay sales, and all that sort of thing. He added that he included the interviewing process, as well, because he thought it was very important.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

Mr. Murphy agreed.

Mr. Moynahan asked if they should advertise for a subcommittee, should they hand-select, or ask some local business folks that may want to be involved with something like this.

Mr. Dunkelberger said that he could put him down as a volunteer.

Mr. Moynahan said that maybe they could all think of members of the community that would be very valuable in moving towards this form of government for the Town.

**#13** TO : Board of Selectmen  
FROM : Public Service of New Hampshire  
REF : Clean Air Act Section 126 Petition

This was already addressed.

**#14** TO : Board of Selectmen  
FROM : Michele Duval  
REF : ECSD conducting activities at EFD

This was already addressed.

**#15** TO : Board of Selectmen  
FROM : Robert Pomerlau  
REF : Proposed decision to allow ECSD to remain at Fire Station

This was already addressed.

**8:35 PM**  
**#16**

TO : Board of Selectmen  
FROM : Joan Fortin  
REF : Approved Municipal and County TIF Investment Plans

Mr. Moynahan said that Ms. Fortin provided a list of other TIF projects for their review and, at this point, this was informational only; that they had a referendum vote in June as it related to sewer improvements. He added that the first portion of this, which was most of it, was wind-related. He added that, with the City of Portland, however, she did provide what was approved there and some of them were pretty specific – like intersection crossings and all that to ease congestion. He added that he thought that they should keep this with their TIF package in the event that the Town chose not to move forward with sewer; that they may be able

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

to do something different within what has already proved to work with the State EECD.

Mr. Murphy said that in looking through this he found it interesting to see the difference in attitude. He added that here were municipalities that were planning economic development where there was nothing and they were hoping to be paid off just by filling that in afterwards; the kinds of tasks and so forth that they laid out and planned to pay for mostly, partially, a certain percentage of them were paid by the TIF and a certain percentage by the town, itself, apparently. He said that there were many things included and they were much more complicated than Eliot's TIF, which was being sort of paid for almost in advance or with a very clear source of funds and they were very lucky in that respect.

Mr. Dunkelberger said that, along with that, they did present some interesting possibilities in regard to an at-point fee, even though it's wind, the town manager salary cost percentages – that they include that part of the management piece to that, which made a lot of sense.

Mr. Moynahan agreed, adding that they do the TIF administrator under the confines of existing salaries but they did allow salaries, or portions of it, to come out to facilitate the TIF.

**Old Business (Action List):**

**8:38 PM** Mr. Moynahan said that they were not doing the AIL until their off weeks. He added that he had a calendar in Ms. Spinney's office and he thought that the month of November has been prescheduled for what the AIL would be, again, subject to change, but those were what they were trying to preschedule.

1. Sewer Contract Committee – Mr. Moynahan, Mr. Murphy, Mr. Marchese, Mr. Moulton and Mr. Blanchette – IMA Update
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.

**BOARD OF SELECTMEN'S MEETING**  
**October 25, 2012 6:30PM (continued)**

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. Sewer User Rates
17. Monthly Special Meetings for Action List School

**Selectmen's Report:**

There were no Selectmen's reports tonight.

**Other Business as Needed**

Mr. Moynahan said that there was going to be a Halloween Costume Event at the Eliot Elementary School and they were looking for volunteers to judge. He added that he has done that the past six years and he could not this year.

Mr. Dunkelberger said that he would be happy to volunteer.

Mr. Moynahan said that, when he was putting the calendars together, he noticed on the budget calendar sent out to department heads and that, that he had one date that was incorrect. He added that luckily it only affected administration and was only a date change; that it was January 6 and it was supposed to be January 16 so he had Ms. Thain change that and they would notify the BC to that change

**8:41 PM**  
**Executive Session**

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.A "Discussion of consideration of the employment, appointment, assignment...such as an employee."

**BOARD OF SELECTMEN'S MEETING  
October 25, 2012 6:30PM (continued)**

**VOTE  
4-0  
Chair concurs**

**8:53 PM** Out of executive session.

**Adjourn**

There was a motion and second to adjourn the meeting at 8:54 PM.

**VOTE  
4-0  
Chair concurs**

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**DATE**

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