

**BOARD OF SELECTMEN'S MEETING**  
**November 21, 2013 5:30PM**

**Quorum noted**

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

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

**Absent:** Mr. Moynahan

**Pledge of Allegiance recited**

**Moment of Silence observed**

**Public Comment:**

**5:31 PM** Mr. (Bob) Fisher asked if there was an update on the unfair labor practice charge filed against the Town and the ECSD move to the school.

Mr. Beckert said that, on the unfair labor practice, that was an ongoing legal item that could not be discussed with the public at this point in time. Regarding the ECSD move, he said that changes to the architectural drawings were being made; that, after that, they needed to get Fire Marshall approval. He said that he would like Mr. Dunkelberger to coordinate with Mr. Stewart once the architect's part was done because the application should come through the school department.

Mr. Dunkelberger agreed.

**5:35 PM** Mr. (Ray) Faulkner discussed the updated FEMA flood plain maps. He said that he knew that the original projected preliminary date was September 16<sup>th</sup> and they were running behind. He asked if the Town was going to accept them, as submitted, or will they review them and possibly appeal. He discussed his concern that there may not have been any on-the-ground verification of the changes in these maps and he wanted to know where the average citizen could review these maps and comment.

**5:37 PM** Mr. Murphy said that the Town had a hard copy of the proposed maps and a letter of explanation from FEMA received November 6<sup>th</sup>; that after 30 days there would be a Consultation Coordination Officer (CCO) meeting called that the public would be informed about. He read the FEMA letter to the public and gave a website citizens could go to and view the maps - [www.fema.gov/preliminaryfloodhazarddata](http://www.fema.gov/preliminaryfloodhazarddata).

Mr. Blanchette added that there was a link for this on the Town website.

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Mr. Murphy added that the letter requested the Town to compare their records with the SMOA list to ensure that FEMA has included all LMOC's that the Town has in their files, which would be an action item for someone at the Town Hall. He added that this information was available to review at the Town Hall.

**Department Head/Committee Reports**

**5:52 PM**  
**G1**

**Administration**

**Report from Rebecca Bergeron on direct deposit**

This was regarding options to establish direct deposit for Town employees.

Mr. Beckert discussed the need for the bank to have 48 hours to receive the payroll files and distribute them to employee banks; that, currently, the pay period ends on Wednesday and checks drawn Thursday and the Treasurer recommended changing the pay date to Monday.

Mr. Blanchette clarified that hard copies of checks would still be available on Fridays; that it did not mean the employees' accounts by banks may not receive it by Friday but the bank would only guarantee 48 hours. He added that, right now, direct deposit is optional.

Mr. Dunkelberger asked if they had gotten any feedback from department heads or employees other than the Police Chief.

The Board said no.

Mr. Dunkelberger said that, while he was inclined to agree with the Treasurer to change the payday to Monday, he wanted to get more feedback from department heads and employees.

**5:55 PM**

Mr. Hirst said that it wasn't clear to him that what the Treasurer proposed tracked completely with what Mr. Short asked for; that he agreed with Mr. Dunkelberger.

Mr. Dunkelberger suggested they needed to touch base with the police union before going forward with this.

Mr. Beckert said that they did not have to but could do so as a professional courtesy. He asked Mr. Blanchette if he could get feedback from employees and department heads for next Tuesday's meeting.

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**5:57 PM** Mr. Blanchette said that he would try to get employee input back to the Board by Tuesday.

**5:58 PM** **Computer Server Update**

Mr. Blanchette said that the computer server was changed over on Wednesday and, with the exception of some email glitches, the changeover went smoothly.

**Update on Ms. Fortin's availability**

Mr. Blanchette said that the earliest Ms. Fortin would be available for the brainstorming session regarding the TIF was December 19<sup>th</sup>. He added that the other question was where the Board wanted the meeting scheduled because there was a BOA meeting that night; that he recommended either the Grange or the Eliot Elementary School (EES).

The Board requested Mr. Blanchette try to schedule the EES first, the Grange second.

It was requested that they have a speaker system available.

Mr. Blanchette said that they would try to have the school's speaker system available; that to use the better one cost between \$500 and \$550. He added that, if they couldn't get the EES, then they might have to go with another system for the Grange.

**6:03 PM** **Transfer Station temporary employee replacement**

Mr. Blanchette said that Mr. Moulton's letter explained that he had a couple of employees out and he was using authorized people to fill those positions until the employees returned.

**Code Enforcement**

Mr. Blanchette said that the CEO wanted to make the Board aware that there was a suit that was, or would be, happening over the maintenance of Littlebrook Lane; that the Town was not involved.

**Assessing Department**

Mr. Blanchette said that he believed the Board had received a copy of the Eaton Peabody report on the Assessor position. He added that he had some business for executive session, as well.

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**6:05 PM      Town Manager Search Committee**

Mr. Rankie said that their committee had agreed to hand off an envelope to Mr. Blanchette on Monday but, due to changes in some personal schedules, the Vice-Chair and he would be available to come to the Board's executive session on Tuesday to hand things off to the Board, if that was agreeable.

Mr. Beckert said that that should be fine.

**New Business (Correspondence List):**

**6:06 PM**

**#1**            TO        : Board of Selectmen  
FROM :  
REF     : Workshop on Selectmen's Policies

Mr. Beckert asked if Board members were ready to do any work on this at this point.

Mr. Hirst said that he had a page and a half of mostly small changes and thought that they might hold this off and hand it to the new Town Manager.

Mr. Dunkelberger suggested they develop the Consent Agreement (C.A.) policy a little bit more and incorporate it into the overall Selectmen's Policies.

Mr. Murphy agreed that that should be incorporated. He discussed the mark-ups he was making and suggested they may have to go through this page-by-page and line-by-line.

Mr. Beckert suggested putting the changes everyone was coming up with be put in a completed copy in a different color to keep track of the changes. After the Board agreed to using a different color, he asked who wanted to be the subcommittee and take that on and work with Ms. Thain.

**6:10 PM**      After discussion, the Board agreed to have Mr. Dunkelberger be the point for this; that members would give their suggestions to him for him to plug into the document.

**#2**            TO        : Board of Selectmen  
FROM : Dennis Lentz  
REF     : Letter of Interest for Charter Commission

Mr. Beckert said that they now had three in their packets – Dennis Lentz, Charles Rankie, and Ruth Bowen. He added that they had two positions remaining to fill.

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Mr. Hirst moved, second by Mr. Dunkelberger, that the Board of Selectmen accept the request of Dennis Lentz and Charles Rankie to be appointed to the Charter Commission.

DISCUSSION

**6:12 PM** Mr. Dunkelberger said that his thought was to give this more time to see if anyone else was going to step forward because he knew that these have trickled in over the past few days.

Mr. Beckert said that they had 30 days to decide, by law, and asked what the Board wanted to do.

Mr. Hirst said that, as long as they met the time constraints, it didn't bother him to wait.

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

Mr. Beckert said that they would make a decision on this next Tuesday.

**6:13 PM**  
**#3**

TO : Board of Selectmen  
FROM : Robert Pomerleau, Rebecca Davis, Donna Murphy  
REF : Letters of Interest if Town forms a committee to review economic development

This was regarding an interest to be on a committee to develop economic development projects within the TIF District.

Mr. Dunkelberger said that, as far as he knew, the Board had not decided to form such a committee; that this was a proposal put forth by the Chairman and they didn't do anything about it then.

Mr. Beckert recommended, as acting Chair, holding these letters of interest until such time the Board decided, or didn't, to form a committee.

Mr. Murphy said that he thought this was precipitate before having discussion with their legal advisors, as they didn't know what legal would say, or the State, as they had an interest in this, also. He added that it was certainly too early to appoint someone on a committee that didn't exist and had no clear mission.

Mr. Blanchette said that they received a note from the EBDC on the same subject that they could hold with those three letters.

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The Board agreed by consensus to hold all the letters together in the file until a decision was made regarding a subcommittee.

**6:15 PM**

**#4**

TO : Board of Selectmen  
FROM : Maine Municipal Employee Health Trust  
REF : Monthly rates effective January 1, 2014

This was regarding monthly rate changes to be effective January 1, 2014.

Mr. Blanchette said that they received a correction on that today so, as he has said in the past, he would wait until he got the bill in December, which would show what the actual rates were.

Mr. Blanchette **reminded the Board** that, when they appointed the Charter Commission members, they had to **allot \$100 for the Charter Commission's expenses**, by State law. He recommended that that come out of the Contingency Fund.

**Old Business (Action List):**

**6:16 PM**

1. Tax Increment Finance Program – Potential projects, next steps, schedule workshop  
  
This was discussed earlier tonight.
2. Good Neighbor Petition  
  
This is ongoing.
3. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short  
  
This is ongoing.
4. Community Service Space: Relocation to Elementary School – explore school space – fit up costs, service impacts, insurance, MSAD #35 contract - CSD Director, Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette  
  
This was discussed earlier tonight.
5. Town Manager - Job description, sample contracts, hiring committee  
  
This was discussed earlier tonight.

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6. Policy creation/review – Ordinance Governing Boards and Committees, Park Ban Ordinance

This was discussed earlier tonight.

7. Employees – cross-training, charting earned times, job descriptions – BOS

This is ongoing.

8. Liaisons to boards, committees, and commissions – review existing members, try to fill open spots; Committee/Board – Mission Statement Review – BOS

Mr. Hirst said that he thought they needed a list of groups that had a liaison, who that liaison was, and who was missing a liaison that wanted one.

Mr. Blanchette said that they could make a list right now – Mr. Dunkelberger was liaison to the Building Committee, Business Development Committee and Internet Technology; Mr. Murphy was liaison to the Conservation Commission, Sewer Committee, Comprehensive Plan Implementation Committee, and Energy Committee; Mr. Hirst was liaison to the Safety Committee. Mr. Beckert and Mr. Moynahan were not liaisons to any committee at this time.

Mr. Beckert said that they would follow up to see if there were any other groups that wanted a liaison.

9. Budget Preparation – Fiscal year 2015, goals, formats, etc. Department Head Workshop – BOS

This is ongoing.

10. Pay-per-Bag Recycling – 6-month trial, public information sessions

This is ongoing.

11. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst

Mr. Hirst said that they were meeting regularly with Kittery and quarterly with South Berwick. He added that they had established very good communications and are discussing a whole bunch of collaborations.

Mr. Fisher said that Kittery has opened up their athletic facility for a small fee to neighboring towns, suggesting the Town look into what Eliot might get for a lesser price and possibly utilize a bus to take Eliot people there once a day.

It was suggested that an invitation to the Board to take a tour of the facility would be welcome so that the Board could disseminate that information to Eliot residents.

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12. Legal issues – BOS  

There was nothing at this time.
13. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton  

This is waiting on Kittery's new billing.
14. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews – BOS  

This was discussed earlier.
15. Research grant opportunities – AED's for Town buildings  

This is ongoing.
16. Comp Plan follow-up  

This is ongoing.
17. Public Works Union Negotiations – Mr. Moynahan, Mr. Dunkelberger, Mr. Moulton and Mr. Dave Barrett  

This is ongoing.

Town Hall/Recreation Union Negotiations - Mr. Moynahan, Mr. Dunkelberger, Mr. Moulton and Mr. Dave Barrett

This is ongoing.
18. Public Hearings Scheduled – November Referendum for Municipal Charter, Sewer Improvements and Sewer Ordinance  

This is ongoing.

**6:24 PM**

**Selectmen's Report:**

There were no Selectmen's reports tonight.

**Other Business as Needed**

Mr. Pomerleau asked about the meeting at the superintendent's office.

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**6:25 PM** Mr. Dunkelberger said they were looking for opportunities for, primarily, high school students to do community service, whether it be labor or actual participation much like the school board has two student non-voting members; that they were looking to establish similar relationships with the town boards in South Berwick and Eliot. He added that something the Board asked about was the septic system at the middle school. He said that, right now, it runs by permit because of the type of system that it is, as it currently dumps right into the creek. He said that they monitor the system on a very regular basis and watch it closely; that the Maine DEP does not like the system so he would suspect that if anything went wrong with the system or, in ten years when their permit runs out, he was not certain it would be renewed.

Mr. Murphy said that the leachate from their septic field is collected and tested and treated before it is allowed to enter Sturgeon Creek so it doesn't flow directly into Sturgeon Creek.

Mr. Dunkelberger added that there were rumors that the system was not in the best of shape and the school said that it is in good shape, it is well-maintained.

Mr. Pomerleau asked if there was anything on the budget process.

**6:30 PM** Mr. Dunkelberger said that the next meeting would be on December 11<sup>th</sup> in Eliot and that was all they were going to talk about – the budget process; that they would like to understand the budget process from the Town's perspective, Eliot and South Berwick – and the towns would like to better understand the school's process. He added that they would be meeting at 8AM.

Mr. Hirst said that that was one of about nine meetings to be held into June and they would alternate between Eliot, South Berwick, and the superintendent's office.

Mr. Dunkelberger said that he wanted to ask department heads if they had any projects students could work on for community service.

Ms. S\_\_\_\_\_ said that, in her capacity as programming director of the Active Retirement Association, she has just started a community service with Marshwood where their kids would be teaching her seniors how to use their devices. She added that she started a session with the Dover High School today that went very well and was hoping the people in the Maine area would do the same thing. She said that the Board may want to send this to ECSD to consider it, as well, to start a project like this because there were a lot of kids who wanted to do it and a lot of seniors, or older people, who were terrified of their technology and could use it.

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**6:33 PM** Mr. Dunkelberger asked if she would reach out to Ms. Muzeroll-Roy to talk to her about the program.

Ms. S \_\_\_\_\_ said that she would.

Mr. Fisher said that he read in the paper that Kittery was going to drill a water line up Route 236 all the way to South Berwick; that the reason for drilling instead of digging was that they could put a pipe in all the way up in about four or five places that would come out of the ground; that any time anyone wanted to hook into it all they would have to do was drill a hole; that he thought that was going to be a good thing. He added that Kittery was doing it now before there was too much construction in place in the area, as the only thing that they would have to go over right now was the gas line; that he thought it would probably terminate at the Goodwin Road intersection.

Ms. (Donna) Murphy asked if any of the meetings held between the school board and Selectmen be held in the evening so that the working public could attend.

After some discussion, Mr. Beckert suggested the subcommittee take that request from the public back to the school superintendent and school board.

Video-streaming the meetings were discussed as a way for the public to be informed.

**6:37 PM  
Executive Session**

Mr. Dunkelberger moved, second by Mr. Hirst, that the Board of Selectmen enter into executive session as allowed by 1 M.R.S.A § 405.6.A "Discussion or consideration of employment, appointments..." Personnel issue.

**VOTE**

**3-0**

**Chair concurs**

**7:08 PM** **Out of executive session.**

**7:08 PM** Mr. Hirst moved, second by Mr. Murphy, that the Board of Selectmen, pursuant to his letter of resignation dated November 18, 2013 and to be effective 4 December 2013, accept the resignation of the Eliot Code Enforcement Officer, Jim Marchese.

**VOTE**

**3-0**

**Chair concurs**

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**Adjourn**

There was a motion and second to adjourn the meeting at 7:10 PM.

**VOTE  
3-0  
Chair concurs**

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

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