

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

Quorum noted

5:30 PM: Meeting called to order by Chairman Moynahan.

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

Absent: Mr. Dunkelberger.

Pledge of Allegiance recited

Moment of Silence observed

Approval of Minutes of Previous Meeting(s)

5:31 PM Motion by Mr. Beckert, seconded by Mr. Hirst, to approve the minutes of November 21, 2013, as amended.

VOTE

3-0

Chair concurs

Motion by Mr. Beckert, seconded by Mr. Hirst, to approve the minutes of November 26, 2013, as written.

VOTE

3-0

Chair concurs

Motion by Mr. Beckert, seconded by Mr. Hirst, to approve the minutes of December 6, 2013, as written.

VOTE

3-0

Chair concurs

Public Comment:

5:32 PM Mr. (John) Marshall said that he was present because he was a member of the Board of Appeals (BOA), although not representing the BOA. He said that members of the public came before the BOA, very often with very minor things they would like to do; sometimes put a second floor on a house, sometimes a small addition, carport; that because of some technicality in Eliot zoning ordinances – the last one was that the resident was 3 feet too close to his boundary in an area of Town where all the lots were what was called “non-conforming lots”. He added that it seemed lately that the Town called them “non-conforming lots” rather than “non-conforming lots of record”, which would indicate to him that the lots were legal when they were designed, houses were legal when they were put in and they should still be legal. He said that, because of the technicalities of getting a variance in that one must meet four criteria, the first one was technically impossible in Eliot in any situation. He said that they could sometimes construe to make it work but, when one got right down to it, any piece of property in Eliot would have some financial return. Mr. Marshall said that when the Town built an ordinance that was insurmountable or create laws that make doing things impossible, he found it very grievous that he was many times embarrassed at being a board member and having to turn people down like that. He said that he said that to bring up the issue of a charter commission and creating a new charter in Town; that it appeared to him that there are those that would seek to codify every decision the Town made in a charter – how decisions were supposed to be made, to have it down to all the details, no wisdom or common sense involved; that if one didn't fit the cookie-cutter, sorry. He discussed his concern that they would get to a place, and he thought they already had, that whatever wasn't prohibited was mandatory. Discussing the issue they had about a year ago on the chicken ordinance issue, he said it would be nice to see that wisdom prevailed rather than, “I'm sorry. You can't do that. Our code says right here and you don't quite fit the criteria to allow you to do that. You can't get quite far enough from your boundaries.” He added that Eliot had 10,000-foot lots down in Clay Village and if Eliot strictly applied the zoning, then they couldn't do anything there. He added that he knew it was hard to go back but he grew up in a Town where neighbors were neighborly and in the BOA's last situation every one of the applicant's neighbors came

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in and testified that they had no problem with what the applicant wanted to do but, because of the technicality in Eliot zoning, he couldn't do that. He added that that applicant was not the first, not the only, and he thought there was a growing number of people who have lived in Town – that this man lived in Town all his life, his parents lived here long before, and they were ready to leave because they were just disgusted. Mr. Marshall said that he also wanted to ask how things were going on the 1,000-foot dead-end road issue, which was another grievous issue as far as he was concerned, and hoping they could get some relief on that. He added that he would like to see some relief on the whole thing and cautioned the Board to be very cautious on how the charter situation went.

Mr. Moynahan said that the charter commission was in the process of being formed and will have their first meeting next week (Monday); that once that process was complete the voters would have to vote to approve or not. He said that, regarding Mr. Marshall's zoning questions, if Mr. Marshall had some specific or reasonable changes that could be made that would allow some of those folks to do that, then he thought they could forward that to the Planning Board (PB).

Mr. Marshall said that he thought it was a very broad issue that is going to take a group like the PB to look at it as a whole and not as individual issues; that he thought the whole thing needed to be looked at, again, in its' entirety so that the Town made a more user-friendly document. He added that the current zoning document was written in such a complicated and convoluted way that it required a CEO and PB and BOA to help someone to just understand it and get through it to make application. He added that they often-times have those boards that appear to, at least, work against the applicant, pretty much assuring that whatever it was they wanted to do, they couldn't do it.

Mr. Moynahan said that they would forward Mr. Marshall's concerns on to the PB; that the PB was reviewing the 1,000-foot setback and this Board had it on their AIL to be on top of what the PB was doing.

5:38 PM

Mr. Pomerleau said that the charter development was going to a critically important process for Eliot; that he hoped the commission would encourage public participation and openness during the whole process. He added that, at a minimum, he would like the Board to guarantee that there would be video-streaming so the public could watch it. He acknowledged that the Board typically left it up to committees whether they would participate in video-streaming but he thought that this was so important that he didn't think it should be left up to a committee, reiterating that he thought that the Board should ensure it was video-streamed.

Mr. Moynahan said that the Board would certainly encourage but was not sure the Board could dictate video-streaming.

Ms. Rawski said that the meeting on Monday at 7PM is an organizational meeting to get them on track – get officers elected, set meeting dates, go over general criteria of what their job duties are. She added that that is scheduled to be video-taped and the intent will be to encourage that throughout the process; that she didn't think the committee would have any issue with video-streaming and she could bring that up to the committee.

Mr. Moynahan agreed that, if she could bring that up to them, then that would be much appreciated.

5:40 PM

Mr. Murphy said that that commission must, within 30 days (Monday), hold a public meeting to discuss all matters related to the organization and direction and so forth before they start their work. He added that there would be, in addition, public hearings from time to time in various stages of the development of the charter. He said that the State statute gives a nine-month interval between the election (November 5th) and the development or presentation of a preliminary report and a twelve-month interval from election for the final report; however, if they haven't been able to get it done, then the

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Selectmen can authorize up to an additional twelve months for completion. He said that there would be a copy of the law and other things presented on Monday.

Department Head/Committee Reports

5:42PM

G1

Administrative Department
Petition – TIFD

This is regarding a citizen petition for Route 236 TIFD modifications and amendments.

Ms. Rawski said that this petition has been filed with her, it has been certified, there is the required amount of signatures captured to make it an official filing of a petition that is now in the Board's hands to move forward. She added that she believed that the next time this would be heard by the Town for a vote would be the June 2014 Town Meeting schedule. She said that this would need legal review before the Board accepted it and moved forward with any determination of putting it out to vote, as well as review by DECD.

Mr. Beckert said that, because this was a citizen petition, the Board had no authority to change the wording so they needed to make sure the wording was legal – that it met the legal requirements as written - before putting it forward.

Mr. Beckert moved, second by Mr. Murphy, that the Board of Selectmen formally forward this to both the attorneys at Bernstein and Shur as well as the State Department of Economic and Community Development for their input as to whether this meets the legal criteria to be put forward on a referendum.

DISCUSSION

Mr. Pomerleau said that he didn't have an issue with it going forward to the attorney for language and MMA guidance puts out a great deal of information on this process. He added that it is a citizen petition and the courts give great latitude to the language and errors and, even in instances where a portion could be illegal, the rest of it still goes forward. He said that he didn't believe that DECD had any role, whatsoever, in the petition process.

Mr. Beckert said that the fact that it had four different areas of discussion on it was one of the reasons he thought it needed to go to legal; that usually referendum questions are specific as to a particular item or subject, not grouped together like in this petition. He added that his motion still stood that the petition go to legal and DECD for their feedback.

Mr. Moynahan said that he thought it was wise to have it reviewed; that the Board always tried to do that to make sure things are legal before being presented and wouldn't treat this any differently.

DISCUSSION ENDED

VOTE

3-0

Chair concurs

Mr. Moynahan asked that this be forwarded on to Bernstein & Shur and the DECD.

5:45 PM

Town Meeting Schedule

This was regarding setting the times and dates for the Town Meeting and Election schedule for the 2014 calendar year.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen set the 2014 Town Meeting and Election Schedule as requested by the Town Clerk in her Memo dated December 4, 2013.

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VOTE
3-0
Chair concurs

5:47 PM Mr. Blanchette said that he had the appointment papers for the Charter Commission people, as well as for the Assistant CEO Brian Shaw, adding that these are appointments the Board has already made but just need signatures.

At this time, the Board signed the appointment papers.

Mr. Blanchette said that the Town has been asked by a resident of the Town for the Town to apply for a commercial property to be listed as a Brownfields Site Assessment. He added that the Town has to do this; that the resident couldn't do it themselves per the DEP; that Ms. Shapleigh was present as executor of the Estate of Merritt Shapleigh. He said that the Estate has been required to do a Phase I and II report to DEP on the property, which can be rather costly, so she is requesting that the property be put on the Brownfields list so that, when monies come up, monies can be received to do the reports. He said that the Town takes absolutely no obligation in this but the Town has to be the one to apply per DEP. He clarified that the Town was sort of sponsoring the application.

Mr. Murphy moved, second by Mr. Hirst, that the Town of Eliot agree to sponsor this application for a Brownfields Site Assessment at 185 Fore Road, Eliot, Maine.

VOTE
3-0
Chair concurs

5:50 PM **General Assistance Software**

Mr. Moynahan said that this was a memo from the Town Clerk regarding GA software tracking program; that it sounded like Melissa Albert would be taking over as a temporary GA Administrator in the interim between Mr. Blanchette's retirement and the new Town Manager.

Ms. Rawski agreed. She said that she didn't know a lot about it but Ms. Albert is very familiar with it and is something that a lot of the communities around them were going to now. She added that it was a computer database that better tracks the GA Program account set-up, makes the process easier and is a pretty minimal expense for ease of use and allowing the person to be more efficient in those job duties.

Mr. Moynahan said that he thought it was between \$600 and \$1,800 for set-up and support; that it sounds like Ms. Albert has had experience in this so she may not need as much assistance.

Ms. Rawski said that Ms. Albert implemented this in the Town of Berwick; that she was the GA Administrator while she was employed there, went through the training and feels she would need minimal support. She added that they would need the set-up of the software here and minimal training. She added that the Board was looking at ways to streamline and this was an option that was out there; that with the transition coming she thought it might be a good time to see if there was funding available.

Mr. Moynahan asked where the software would be installed.

Ms. Rawski said that that would be determined; that it would definitely need to be locked and the information password protected.

Mr. Murphy said that he understood that there would be a yearly fee of \$1,200 for using the software program that belongs to someone else. He added that he didn't think they had a large number of GA clients; that he understood the average may be four people per week and he didn't know if this was going to be cost-effective.

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Mr. Moynahan asked Mr. Blanchette approximately how much, per year, the Town expended in GA.

Mr. Blanchette said that they expended approximately \$60,000 to \$70,000 a year.

Mr. Murphy said that he would like to know the number of people and the number of times they appeared and so forth.

Ms. Rawski said that Ms. Albert's implementation of this program in the Town of Berwick cut their GA budget in half.

Mr. Murphy asked for clarification on how that budget was cut by one half.

Ms. Rawski said that she wasn't versed in GA but believed there were other ways to cut that budget by having better tracking of the clients and assets and also implementing other programs in GA, such as the work program. She added that she thought it was a combination of all the things Ms. Albert did that she was able to take a substantive GA budget in Berwick and cut it by 50% in her first year administering it. She said that Berwick's budget was similar to Eliot's.

Mr. Moynahan asked Mr. Blanchette if he had had a chance to review this software and did he think it would be a benefit to Eliot.

Mr. Blanchette said that he has reviewed it in the past. He added that, looking into the future, it would probably not be the Town Manager who administers GA. He said that if they had someone from the front office, such as Ms. Albert, he thought it would be a benefit for her to have the program. He added that, as far as the expense of the program, he wasn't sure why it couldn't come out of GA because the software was specifically for GA and couldn't be used for anything else.

Mr. Murphy asked if the State reimbursed Eliot for a percentage of that cost.

Mr. Blanchette said that he did not know; that they do 50% for GA.

Ms. Rawski said that her understanding was that funds that are appropriated for GA by Town Meeting vote can only be used for GA and not for any software that would assist in that administration.

Mr. Moynahan said that they could look into it and get an answer on that.

5:58 PM

Mr. Pomerleau agreed that Mr. Murphy raised a good point in whether there was a cost-efficiency in payback given Eliot's volume. He discussed the unemployment program changes years ago that moved from manual input to a database system like this that connected a lot of the following processes and outputs, adding that if there were going to be savings from this he would expect that it wouldn't necessarily impact the output of welfare dollars but, down the road, big savings should come in labor hours here in Town; that it should reduce the work hours at the back end after the application is taken. He added that he thought that one of the key ingredients in a comparison of cost is how much does the Town spend administratively on this program.

It was the **consensus of the Board** to get answers to the questions raised tonight and put it on the agenda for the next meeting.

Discussed were any time constraints; that the only one found was for training.

Ms. Rawski said that the \$1,200/year is not a licensing but is actually a support plan offered. She added that Ms. Albertson has already voiced that she doesn't feel that she would need a \$1,200 support plan, annually, to do that because she knows the system; that there may be times when she would have to call for support that may cost \$50/hour

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but not necessarily looking at \$1,200/year; that they could come up with some other support agreement and they could get answers on that as well.

6:02 PM
G2.

Public Works Department
Safety Audit

This was regarding a Memo from MMA informing Public Works that they were in full compliance with the requirements needed to be done in the Safety Audit. The Safety Coordinator has been made aware of this.

6:03 PM

Storm Water

Mr. Moulton said that Ms. (Kristie) Rabasca was here from Integrated Environmental and she was going to give them an overview of what the Town was looking at for storm water needs and budgets.

Ms. Rabasca said that she was an environmental engineer and had been working with Mr. Moulton and Ms. Pelletier for the past few years on the Stormwater Program; that she was here to give them an overview of a Stormwater Program Management Plan that they have to submit to the DEP, an overview of a Capital and Maintenance Funding Request and a couple of grants, one that they have received and one they were going to be applying for. She discussed the Stormwater Program Management Plan: Five-year plan effective 2013 – 2018, must be to Maine DEP 12/20/2013, Eliot and four other communities have been involved in this since 2003, required by the Clean Water Act Permit that the Town holds. She explained that it was called a General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) and this talked about storm water, not sewer water; the separated stormwater drainage system. She showed a map that indicated the 30 communities in Maine that have to follow this permit and its' requirements, including Kittery, Eliot, Berwick, South Berwick and York, and how areas are chosen by density, with higher densities creating more impervious surfaces with the resultant pollutants being carried into water bodies. She added that the plan (50 pages) was to protect water bodies from being polluted by stormwater and that it works by implementing six minimum control measures: public education & outreach, public involvement & participation, illicit discharge detection & elimination, construction runoff, post-construction runoff and good housekeeping for municipal operations. She discussed new items that had to be implemented: a Municipal (Permit) Awareness Plan, targeted outreach in priority watershed or statewide, more outfall/ditch inspections, document/evaluate aging septic systems, through Kittery Water District to assess if potable water discharges impact MS4 and work with DMR to assess sources of bacteria in impaired waters (that prevent shell fishing).

Mr. Dudek asked what she considered an aging septic system.

Ms. Rabasca said twenty years, explaining that the concrete in the tanks starts to fail and corrode and the leach fields become blinded. She discussed the increased inspections to prevent storm erosion from construction and post-construction sites and keep the storm drain system healthy, as one of the biggest pollutants can be dirt. Ms. Rabasca discussed the Capital Maintenance Funding Request, which they felt was important to be placed on the budget ballot for the June 2014 Town Meeting. She added that the plan has recommendations in it; that some of them are small – in the \$500 to \$800 range (Houde Road) and some of the recommendations are much more significant - \$86,000 to \$95,000 range (Pleasant Street). She added that they ranked the outfalls in priority, basing those rankings on the quality of infrastructure, and that the request was for approximately \$300,000 over five years. Ms. Rabasca discussed planning grants; that there was potential funding from the Maine Coastal Program (MCP) to improve access to water and she knew that the Pleasant Street site had a boat ramp that was not in the best of repair and that the Park Street site had what appeared to be previous access; that they met with immediate neighbors to these sites and had a good response as well as concerns for parking on lawns, capital costs and long-term maintenance costs. She added that they received the planning grant from the MCP so the \$85,000 estimate for Park Street is reduced to \$78,000 and the \$99,500 for Pleasant Street is reduced to

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\$91,300, adding that they have identified a construction grant that they would be applying for in February, clarifying that the grants would be for improvements to the water, not the drainage system.

6:28 PM

Mr. Moynahan said that those grants were not for stormwater management.

Ms. Rabasca agreed those grants were not for the MS4 permit requirements.

Mr. Moynahan said that he didn't understand why it was in the stormwater program planning; that they were taking money out of the cost of the stormwater but the grants didn't do anything for the stormwater; that they have actually inflated the cost of stormwater management for access to the water.

Ms. Rabasca said that, yes, if one read the descriptors one would see that the cost estimates that they have shown there do include improved water access. She said that, on the Park Street site, Park Street ends and then there are a few hundred feet – basically a gully – that goes straight down to the Piscataqua River that is all overgrown and people have been throwing Christmas trees in there and it needs to be cleaned out; that there are two or three pipes in there that need to be removed and, so, all of that work needs to get done.

Mr. Moynahan said that was separate from the \$40,000 that she showed in the grant money; that the stormwater is still going to be a separate cost.

Ms. Rabasca said correct but they felt that, if they were going to go in and do all of the work for the stormwater infrastructure, also, that when Eliot reconstructed, then Eliot should do the water access improvement during the reconstruction.

Mr. Moynahan said that he wasn't disagreeing with the water access part but wasn't sure he agreed with it being a be part of the stormwater plan because that wasn't stormwater management; that it was improved access to the water - and two totally separate things. He added that he agreed, on its merits, that the stormwater clean-up and those improvements should be done at the same time from a cost standpoint but it's not part of a stormwater plan and it doesn't have any bearing on stormwater management. He added that they were showing it in cost estimates, etc. and thought that was confusing.

Ms. Rabasca said that part of what they were going to have the landscape architect look at was the potential to try to at least infiltrate some of the smaller storms; that they were going to look at low-impact development best management practices (BMP) for the improved water access; that it was a little more holistic look and the lines got grayed between improving the physical surroundings for people to enjoy, improving the stormwater management piece and, then, improving the water access; that it was kind of a three-part program and the landscape architect is going to help them meld things together. She reiterated it was a gray area and it may be a stretch for some people; that if they needed to show costs separately they could try to figure out how to do that; that it might be a little tough combing through the threads.

Ms. Shapleigh said she thought that the water access is not public water access but is private for people on Park Street; that she thought that the deeds for that may show that that is really not public, it's only for the street.

Ms. Rabasca said that they reviewed the parcel information; that Park Street, itself, continues down to the Piscataqua River so the Park Street parcel does continue down to the river so it is a Town property – Pleasant and Park. She added that there are portions that are private.

Ms. Shapleigh said that she has sold real estate for 42 years in this Town and that's a new concept for her; that that is why she was asking the question. She added that she isn't opposed to any of this but was just saying that they did have public access at the

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Boat Basin and, as she understood it all these years, the access to the water was strictly for those people on that street. She said that what made her think was when Ms. Rabasca talked about parking on lawns because that is exactly what people do; that she lived on the river and, when clamming was open on the river, people were parking on her property rather than on public land.

Ms. Rabasca said that they have not done a full deed search but the parcel lines show Park Street and Pleasant Street as public, not private, land. She discussed her last slide, which was from Dr. Seuss' "Did I Ever Tell You How Lucky You Are?" and was the Bee-watcher-watcher-watcher-watcher – the town doing the work, the Maine DEP enforcing the program and, new in Maine is the EPA, which has, although they don't directly enforce this permit, stationed an enforcement official in the State of Maine who is going around doing inspections and audits; then there are the environmental organizations, grassroots organizations - like Conservation Law Foundation – and they are making sure that the EPA is doing their job; that they have a lot of eyes and Stormwater is a nationally-recognized program – that it is on the top of the EPA's list and is on the top of a lot of environmental groups' lists because it is one of the top polluters of storm water in the nation; that it is one of the top reasons water bodies become impaired in the United States. She added that implementation of these stormwater programs is very important and there are a lot of people watching.

6:37 PM

End of presentation.

Mr. DePaul asked where the typical stormwater drain eventually end up; that he didn't realize they had stormwater drains in Town.

Mr. Moulton said that, inevitably, it ends up in the river and that is why Eliot had this MS4 Permit; that the discharge in Town made it to the river, in one way or another, and that was why they were required by State law to implement and have this permit in place and do maintenance, managing what went into the stormwater flow.

Ms. (Donna) Murphy said that she completely agreed with what Mr. Moynahan stated with the costs; that those are two separate issues so, to present that this is the actual cost stormwater and look how much the Town was saving through grants, is misleading. She added that she would prefer to see the cost of the stormwater program and here's the cost of improved access to the water so that people who are interested could see the true costs.

Mr. Moynahan said that he thought that they would take questions and concerns up during budget season, as this is a department CIP plan and stormwater management plan that will be budgeted yearly.

Mr. Dudek asked what happened to stormwater, for example, that comes off, say, Great Hill or up in the Route 101 area.

Mr. Moulton said that, inevitably, it will travel cross-country or down the ditch line down Depot Road; that they had a stream crossing by the school that crosses under Route 236 and goes down and discharges down across River Road and right out into the river. He added that the stormwater shed is the flow area and that was transmitted through ditch lines, drainage pipes, cross culverts; that everything, inevitably, makes it to a body of water.

A member of the audience asked about run-off from farms and if that was something they would have to be concerned with in the future regarding additional regulations.

6:40 PM

Ms. Pelletier said that, if they were creating an illicit discharge into the storm drain, then that was something they could enforce. She added that there were construction and post-construction inspections in place to monitor that and they were required to report on those on a yearly basis.

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Ms. Rabasca said that there was a federal general permit for concentrated animal feed operations (CAFO) and has been in place for at least five years, now, which is primarily for large mid-western cattle/pig operations.

Mr. Dudek asked about the water from the wells, as some of that must leach at some point in time into the wells and into the aquifers and if there was anything coming from the 'watchers-watchers-watchers' regarding regulations.

6:42 PM Ms. Rabasca said that she has seen some regulations at the State level for groundwater protection. She added that a couple of years ago there was a draft regulation that the DEP put forth that was trying to regulate use of property in the vicinity of groundwater wells that are used as a public water supply but they were encroaching upon private water supplies, also, with this land use and they ended up pushing the whole regulation back because they had gone too far with it. She said that there are attempts; that it was give-and-take and you kind of have to watch what is going on.

Mr. Moynahan said that there would be nothing in this five-year period.

Ms. Rabasca agreed that there was nothing she could see for groundwater.

6:43 PM
G3.

Fire Department
Fire Safety Inspections

Mr. Moynahan said that Mr. Muzeroll offered his assistance, if needed, for Life Safety Code Inspections where they have a vacancy in the Code Office.

Mr. Muzeroll said that he spoke to Mr. Blanchette and understands this portion may have been resolved, adding that if that didn't work out or if he needed a hand, then he would be willing to help.

Mr. Moynahan thanked Mr. Muzeroll for offering.

6:44 PM

Community C.P.R.

Mr. Muzeroll said that, as part of the Town's ambulance contract, they are required to provide free CPR training to the citizens and employees of the Town of Eliot. He explained that CPR training has changed considerably over the last few years because people are reluctant to do mouth-to-mouth resuscitations and studies that have shown that chest compression, alone, provides almost as much chance of successful recovery of the patient as chest compressions and mouth-to-mouth combined. He added that that is the community standard; that the responder standard is still to provide everything one could to provide oxygen supply. He said that American Ambulance is required and, very graciously, is going to be doing this quarterly; that this time it will be held in Kittery, next time it will be held in Eliot, which he believed would happen around the beginning of March at the Fire Station, with no age limit.

Mr. (Bill) Jacques asked if this included AED training.

Mr. Muzeroll said that the community C.P.R. did not include AED; that AED training is either a separate module for community people or as part of advanced training. He added that as they implemented AED's throughout the community they become pretty easy; that as long as you can read they become pretty easy to use and they are voice-driven if you don't read well.

6:47 PM

Storm Nemo Cost Recovery

Mr. Muzeroll said that on July 12th FEMA and Maine MEMA approved the Town's request for cost recovery for emergency measures taken during that storm; that the amount approved was derived from Fire, Police and Public Works and submitted through the Eliot EMA Division. He added that the Town's total recovery approval was \$43,109.77 and explained that FEMA and MEMA pay a percentage of that amount, with 10% assessed as the Town's share and taken off the top, which makes the Town eligible to recover \$38,798.80. He said that the Town has already received the federal

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share of \$32,332.32 and is sitting in the Treasurer's line item for money received waiting for a home; that the State still owes the Town and will not pay the Town the \$6,466 probably until the April-May timeframe unless more money is allocated. He broke down the amount by each department: DPW - \$34,500+; Police - \$1,872+; Fire - \$2,339+. Mr. Muzeroll said that, in the past couple storms we've had FEMA/MEMA money recovered, we have established (still established) separate accounts for use of that money; that he was requesting the Board continue that; that the monies were currently being used for emergency management supplies and materials not usually budgeted for, such as portable radios, barricade systems, protective wear, portable generators and training was a big thing. He added that he and Mr. Moulton and Mr. Short have talked about and would like to look into getting 'signs on wheels' – an example was posting a warning of something out on Route 236 to reach more people. He reiterated that, in the past, they have been able to divide the money with the Board's approval and that was what he was asking for tonight.

Mr. Hirst said that they spent it and he thought it should go back to the departments that spent it.

Mr. Beckert agreed.

Mr. Moynahan agreed, saying that it was the burden the departments took during the storm and should be reimbursed accordingly.

Mr. Hirst moved, second by Mr. Murphy, that the reimbursements go to the departments in the amounts they were reimbursed as discussed by the Emergency Management Director.

VOTE

3-0

Chair concurs

Mr. Moynahan asked Mr. Blanchette to follow up with the Treasurer on this.

Grant submittal update

Mr. Muzeroll said that for the past two years he has applied for Forestry Grants through Maine Forestry; that he hasn't heard anything yet. He added that in 2013 he applied for a 50/50 matching grant and was approved for \$1,900 (total grant submittal was for \$3,800); that he hasn't received that money, yet, from the State. He added that, for 2014, the grant period just ended and he put in for another \$2,900 hoping he could get a match for \$1,450. He said that the 2013 money was spent on forest fire equipment, pagers and some miscellaneous forestry equipment. He added that he would come back to the Board as the 2014 grant came in but, as the money comes in for the 2013 grant he would like to use that for the same thing – for reimbursement of supplies; that he had to buy it before he could get reimbursed from the State through the grant.

Mr. Moynahan said that the Board would take that up when the money was received.

6:53 PM

G4.

Board of Appeals

Mr. Moynahan said that this was a Memo from the BOA looking to be involved in any discussions on Consent Agreements (C. A.) and had questions about the accuracy of the draft minutes of the meeting they had with the Board. He added that he wasn't sure what that was about.

6:53 PM

Budget Committee

Ms. (Rebecca) Davis asked if the Board had a finalized list of joint meetings and budget review meetings for the years so she could coordinate all her dates.

Mr. Moynahan said that he had a budget calendar in the Treasurer's office with any of the dates that were given to the departments and key dates for when budget information was due, etc. He added that he thought that was forwarded on to everyone and did not believe anything had changed.

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

Ms. Davis said that, as a matter of interest on the money the Town was getting back from the emergency, did she understand that that was \$38,000 and \$32,000 was coming from the feds – was that a total of \$70,000.

Mr. Moynahan said no; that it was a total of \$42,000, of which \$38,000 was from FEMA and \$4,600 was from MEMA.

Ms. Davis asked if the budgets were over-expended that year so that, perhaps, the Town savings should be reimbursed with those funds.

Mr. Moynahan said that the last couple of times they have had these they have reimbursed the departments for the unexpected overages for labor and materials, adding that he thought that in the past when the Board has asked the questions the departments were going to be short but it was at this time of year, not at the end of a budget season, that they saw that.

Ms. Davis said that they didn't, then, go over budget.

Mr. Moulton said that he didn't remember last year's numbers off the top but he thought that there was some overage; that it would have been the snow line.

Ms. Davis said that they went over by \$120,000, or thereabouts, so shouldn't the undesignated balance be reimbursed rather than the departments since the overage would have come out of the Town savings.

Mr. Moynahan said that, in the past, they have not done that but she made a good point.

Mr. Beckert said that they could take a look at that; that they were not ready to change their decision tonight.

Mr. Murphy said that he thought they could consider snow as an act of God, it is not a mismanagement; that FEMA was reimbursing for particular storm work that they did.

Mr. Moynahan said that if they paid those costs, specific to the DPW out of the snow line, then he guessed what Ms. Davis was saying was that the snow line should have been reimbursed or in the general fund is where those funds should go as opposed to back to departments. He added that the Board would look at those before deposits are made.

6:58 PM

Ms. Davis said that on November 11th the BC submitted a list of questions to the Administrative Assistant on the Administrative budget and they would really like to have a meeting with the Administrative Assistant prior to the end of the year; that they seemed to be having difficulty finding a mutual time and she was wondering if they could encourage some kind of a cooperative time tonight.

Mr. Moynahan said that he was right here.

Mr. Blanchette clarified that she had given him one time that he told her that he could not make; that that was not uncooperative; that there was a Selectmen's meeting that night.

Mr. Moynahan said that he has been included in all these emails and thought that Mr. Blanchette was right; that there was one date that was given so, if there were multiple dates that worked for both, then he would think that was the way they would do that.

Mr. Blanchette said that the BC had given him, as of today, given him another date and he had to check that with his calendar but, thus far, he has refused only one date.

Ms. Davis said that it was just that they had had over three weeks since they sent him the letter and she wasn't criticizing.

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

Mr. Blanchette said that he told her it would take time to answer those questions.

Mr. Moynahan said that he and Mr. Blanchette did get together on those questions and some of those were going to be time-consuming to answer; that some of them had questions about how budgets from last year were done and that sort of thing; that they had already started that process to answer as many as they can as best as they can; that that is ongoing and happening so, if Ms. Davis was not happy with the timing, he was sorry, but they weren't happy with the questions being asked at the 11th hour with an expectation of having those answers tomorrow; that that was impossible.

Ms. Davis said that it had been three weeks and she hadn't heard anything.

Mr. Moynahan said that they got back to her that it would take several weeks to get those back to her.

Mr. Blanchette said that she did hear from him on that; that he told her, in writing, that it would be considerable time to answer those so she did hear from him.

Ms. Davis said that it has just been three weeks and she thought, being familiar with the budget; that the BC said they weren't looking for an excessive amount of detail and the BC was very interested...

Mr. Moynahan said that the questions were an excessive amount of detail going back and trying to break things down; that he and Mr. Blanchette spent some time on those and it would take a lot of time. He added that, in the normal day-to-day operations, to find that additional time to do every single one of those categories was going to be time-consuming. He added that he and Mr. Blanchette talked about that and it was estimated that it would take several weeks and, if that was what was forwarded on to her, then they were going to still stick with that.

Mr. Jacques asked Mr. Blanchette if there was any time that they could set, off his head right now, that the BC could sit down and meet with him on some of these issues.

Mr. Blanchette said no because it was date-specific and he had to look at his calendar to see if he was available that night and he didn't have his calendar with him right now.

Mr. Jacques said that as soon as he could determine a time he would let Ms. Davis know.

Mr. Blanchette said yes; that she had given him another date and he would have to look at that to see if he was available that night.

Mr. Moynahan suggested calling the office and getting Mr. Blanchette on the phone; that he and the BC Chair would have their calendars in front of them and, perhaps, that might be more productive than going back and forth on emails on dates that don't work for either party. He added that he was trying to simplify this; that it seemed over-complicated and it shouldn't be for you to get together.

Mr. Murphy asked if this concerned actual information that's been published, like monthly reports of expenditures from the Treasurer's office, which would already be available and the BC could dig them out themselves.

Mr. Moynahan said that some of these were specific to the Administrative Department and reviewed them; that they could forward them on to Mr. Murphy for his review, if he wanted, but they were questions asked of Mr. Blanchette; that they did look at them.

Mr. Blanchette said that he believed that the questions had already been forwarded to the Selectmen; that it was informational to the Board.

Mr. Moynahan expressed his hope that this could be resolved.

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

7:02 PM

Ms. Davis said that Mr. (Ed) Strong would be in Florida from the end of February until the second week of April; that she did go back and review some of the information on Skyping and the State didn't have a problem with that; that she would like to ask, this year, that Mr. Strong be allowed to vote via Skype while he is away; that he was a very valuable member of the BC and she thought that since it did have precedent within the State that, until this thing is formalized, she would like for him to be included this year.

Mr. Moynahan said that, although that policy has been reviewed, it has to go in front of voters for approval.

Mr. Blanchette said that the present policy was reviewed by the attorney and it was the attorney who determined that Skyping in did not count. He added that the policy has not changed so the opinion has not changed; that the Board was working to change the policy...actually the Board was working to change the ordinance on Town committees, and so forth, and that ordinance needs to go before a Town Meeting vote.

Mr. Moynahan said that the attorney has indicated that voting by Skype was not a practice that was supported.

Mr. Blanchette agreed, saying that that was what they got last spring from the attorney in a response from a letter sent to them on that specific question.

Mr. Jacques said that it was his understanding that Mr. Strong could participate but not vote.

Mr. Blanchette said that there was nothing wrong with participation; that it was counting him as part of the quorum and voting; that he could participate any way the committee wanted to allow it.

Mr. Moynahan said that he would use the attorney's guidance, again, this year as far as counting towards a quorum or voting until that ordinance is put in front of the voters for change.

Ms. Davis said that she just thought that there had been precedent in the State for even Board of Selectmen and that they could make an exception here.

7:04 PM

Mr. Beckert said that they couldn't make an exception; that this was a law – an ordinance was a law; that that ordinance had to go to the voters to be voted on, period, so for the Board to give special exception to any committee was against the Town's existing law; that the BC would have to get along with Mr. Strong participating in the meeting but not voting or not counting as part of the quorum, period. He added that if it was a policy then that would be another thing; that the Board could change it but it isn't; it's part of an ordinance.

Mr. Moynahan said that changes were being put in front of the voters and Skype has been included; that the Board had used a lot of information that some of which came from Ms. Davis and BC members – from people who offered some pretty good insight and believed that was incorporated within the new ordinance to put in front of the voters.

Mr. Murphy agreed that the ordinance is ready to be voted on, to include Skype, but has not been voted on.

Mr. Beckert agreed, saying that until that was done it was not legal to do it.

Mr. Moynahan agreed that, until that time, they would have to listen to the Town attorney's letter guiding on how they should conduct business.

7:07 PM

Ms. Davis asked about financial reports in electronic format.

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

Mr. Moynahan said that this was being looked into and trying to find out exactly what detail the BC was after so that they could see any issues with the formatting and a new Treasurer. He added that, hopefully, they would be able to get something although not sure what; that he knew they ran into stumbling blocks before over what could be produced out of the financial pdf files but he would let them know.

7:08 PM

Ms. Davis said that financial reports so far this year have been spotty and they don't seem to have all the numbers in them. She asked if there was a target date for financial reports.

Mr. Blanchette said that his aim was that they would have November's report by the end of next week.

Mr. Moynahan discussed the transition going on and suggested that, if something seemed to be missing, then collectively they might get with the Treasurer, as she may be changing the way some of the information is being shown or departments may have changed, etc.

Ms. Davis said that some of the questions the BC is asking could be figured out if they had a complete set of reports and, ultimately, what they would be looking for is probably three years back and that was why she wanted electronic reports; that they would like a clear picture of year-end and AP warrants. She added that the BC was creating some reports that would be standardized so that when new members come in the budget break-downs for each department are going to be there; that they knew every year what they were dealing with, what the questions are and how things change; that in order to establish a datum for that they needed to be looking back a bit and that was where the BC was coming from.

Mr. Moynahan said that the Board tried to do the same thing with budget formats to have three-year look-backs, etc.; that he thought it was important to have more than one year of information in front of them.

Ms. Davis said that she thought she got an email out for reserve fund balance today. Mr. Blanchette agreed she got it out today and he just received it.

Ms. Davis asked if there was a way to tell what items in line items have been rolled over to the next year.

Mr. Blanchette said that it was whatever the Selectmen vote.

Ms. Davis said that any rollovers would be found in the minutes, then, and she could find that information by searching the minutes.

Mr. Moynahan agreed, saying that (vote) was the only way someone could roll over their funds.

Ms. Davis asked if the BC could have a copy of the RFP and any associated paperwork for the road study.

Mr. Moynahan said yes.

Ms. Davis asked if they could have a copy of the draft audit.

Mr. Moynahan said no; that the auditor doesn't want it sent out in draft form.

Ms. Davis asked if they could explain to her what changes were made between the draft audit and the final audit; why is one a draft; why do you keep it and there were changes made later.

Mr. Blanchette said that all he could tell her was that the auditor made a draft warrant, had the Treasurer review it and then, if there were any changes to be made (most likely

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

there would be none), then the auditor issued the final report and that was the one that was public. He added that they would have it very shortly (end of December).

Mr. Moynahan said that, once the Town received it, then it would be a public document at that point.

Mr. Beckert said that they had to receive it at a Board meeting for it to be public.

Mr. Pomerleau said that if it was a document in possession of someone in this building why wasn't it subject to the State's Right-to-Know laws; that he didn't believe draft was an exception to that.

Mr. Blanchette said that it was not in possession of the Town; that it was in possession of the auditor; that the auditor has not released it.

Mr. Pomerleau said that that was playing on words and asked if he had a copy or didn't he.

Mr. Blanchette said that he did not have a copy.

Mr. Pomerleau confirmed that there was no draft copy in possession by anyone in the Town.

The Board members agreed they didn't have a copy, either.

Ms. Davis said that rumors abound about a Special Town Meeting and asked if there was one in the works.

Mr. Moynahan said no; that their calendar would show anything scheduled and on the Board's AIL; that it would also note any special meetings, plans, etc.

Ms. Davis asked for an update on the alternative TIFD meeting.

Mr. Moynahan said that it was next Thursday at the Eliot Elementary School at 6:30 PM.

She asked whether they were going to notify people through more than the e-alert.

Mr. Blanchette said that it has been in the paper; that it was posted in the physical spots around Town and on the Town website, as well.

7:13 PM Christmas disposal at Transfer Station

Mr. Moulton discussed allowing residents to put their Christmas paper, bows, etc. into clear bags and have that a no-charge disposal between December 26 and January 4. He added as an update that in the past three months the Transfer Station has saved approximately \$7,000 with the Pay-per-Bag Program and the recycling is staying level.

It was the **consensus of the Board** to offer this to residents.

New Business (Correspondence List):

At this time, H#8 was taken out of order to hold a Public Hearing.

H#8 TO : Board of Selectmen
FROM : Dan Blanchette
REF : Posting for Public Hearing on revised GA Ordinance

7:15 PM The Public Hearing was opened for the revised General Assistance ordinance.

Mr. Blanchette said that this doesn't really change the ordinance but has encompassed into the ordinance any changes that have occurred over the last five years; that along the way there have been amendments to the ordinance; that this was just a rewrite to encompass all the changes in it.

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

Mr. Moynahan asked if there was anyone present who wished to speak for or against the GA Ordinance.

There was no one.

7:16 PM The Public Hearing was closed.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen approve the amended General Assistance Ordinance, as revised, dated September 2013.

VOTE

3-0

Chair concurs

7:17 PM

H#1

TO : Board of Selectmen

FROM : Eaton Peabody

REF : Report

Mr. Moynahan said that Eaton Peabody was asked three specific questions in review of the Assessor's position in the Town of Eliot and this is a report on that. He added that the Board has been reviewing that for quite some time and this indicates how that job is currently being done. He said that he knew there had been discussion in the past about getting other cost options for that, so, this better tells the tale if the Board wanted to do anything in that department whether there is a cost benefit anywhere. He asked for Board input.

Mr. Murphy said that he felt that Mr. Gerrish did what he was asked to do but hoped that he would go a lot deeper than he did; that he wasn't sure that was necessary. He added that he was satisfied that the information they have available to compare the Town's position with positions of towns slightly above and slightly below Eliot in population and town valuation shows that Eliot still has a good value. He said that he has not seen cost evaluations to show him otherwise but would be happy to look at them if they were provided.

Mr. Moynahan said that that was why he asked for input because he wanted to know if the Board wanted to pursue another avenue because that was part of the discussion regarding what a private company would cost, what they would cover, etc.

Mr. Beckert asked Mr. Blanchette if Eaton Peabody's proposal included coming down and going over this report with the Board.

Mr. Blanchette said that he would have to check. He added that he was sure that they would be willing to do that; that their proposal was per hour, so, yes, anything the Board asked them to come down for they would charge the Board for. Mr. Beckert requested that the Board hold off on any in-depth discussion on this until all five members of the Board were here.

The Board agreed.

7:19 PM

H#2

TO : Board of Selectmen

FROM : Harris Local Government

REF : Software

Mr. Moynahan said that this was for back-up, currently being done by 2-Way; that he wasn't sure that they should forward this on to the IT Committee. He said that this was Harris Local Government offering to do a service they currently have with 2-Way.

Mr. Blanchette said that, personally, he wouldn't; that the Town has been happy with 2-Way; that they do other services dealing with the Town computers and he would stay with 2-Way.

Mr. Beckert asked if the Town solicited this or is this something that they were looking for business.

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

Mr. Blanchette said that the Town did not request this; that this was something Harris sent to the Town.

The Board agreed to take no action on this.

H#3 TO : Board of Selectmen
FROM : Maine Municipal Employees Health Trust
REF : Update
This was informational.

7:20 PM

H#4 TO : Board of Selectmen
FROM : Federal Energy Regulatory Commission
REF : Project Update on LNG
This was informational. This will be forwarded to the Code Office and Planning Board.

7:21 PM

H#5 TO : Board of Selectmen
FROM : Joe Falzone
REF : Requesting meeting with Selectmen and Planning Board Representative

Mr. Falzone said that he was the new developer for Briarwood Estates. He added that he was based out of Stratham, NH and has four or five residential developments going on at any given time. He said that he knew that this had a colorful past to it and he thought it would be good to come in and introduce himself and see if there is anything the Board thought he should be addressing up there that may not have been addressed by the prior owner. He added that he thought to show them a rendering of some of the homes that are going in there and wanted to try to forge a good relationship from the beginning. He said that he read, in depth, the history and an emergency or secondary access was something that was discussed; that he would like to pursue that, not that he had to base that on court documents but, if he did that and he took a look at the roadways that he could get out to, he could usually get out to anything he put his mind to. He added that he got out to roads that really weren't up to today's standards and he wanted to get a feeling of how the Board would treat that because he didn't want start pursuing that or throwing money and time at it if the Board didn't feel he should be doing that.

Mr. Beckert said that he thought that was something that should go before the Code Enforcement Office and then, if deemed necessary, go before the PB.

Mr. Moynahan said that that was not the Board's purview. He added that he thought that secondary emergency accesses were always important but that was with another faction in the Town that would guide Mr. Falzone in the right direction.

Mr. Falzone asked if there was anything else the Board felt he should look into or address.

Mr. Moynahan said that what didn't make it onto the agenda was a note he had from a resident down there expressing their pleasure with the transition; that they were very pleased with the transition of ownership there with the development group that Mr. Falzone has.

Mr. Falzone said that they have had several meetings with residents on Saturdays and Sundays. He added that he started buying up some of the trailers that are in there that were either up for sale or going to be sold; that they were talking to a couple of people who may move from a trailer into a house and they have Attar Engineer applying for a dock permit in the common lots the residents will all share in. He added that they were considering paving the roads down there as they move forward; that the residents are spending more money on gravel each year but they don't have the funds to make that one big expenditure and get it done.

Mr. Jacques asked how many units they planned in there.

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

Mr. Falzone said that, right now, they had lawful permits for 63 and they have bought some outside their original purchase; that they have bought a couple of additional and about to sign a contract on another two or three.

Mr. Jacques said that he was in there the other day and noticed that the numbers ran up to 197.

Mr. Falzone said that some of those numbers were assigned and there were 35 already sold.

It was said that these were the tax map numbers that they were using – tax map and lot – so he didn't think they were necessarily consecutive.

Mr. Murphy said that in the letter Mr. Moynahan discussed, under #5, there was a description in reference to the clearing of the overgrown trees and bushes on the waterfront. He asked if that was accomplished consistent with Shoreland Zone requirements for maintaining vegetation.

Mr. Falzone said that he was an expert at not getting in trouble so the first thing he did was to hire a local engineer (Attar) to tell him what he could do and Attar has since written a letter to Mr. Blanchette.

Mr. Moynahan said that he has seen that letter.

Mr. Falzone said that there was a problem or disturbance up there prior to them coming along; that the prior owner dumped 20 logs and he wouldn't remove them because he wasn't happy with whatever was going on; that he went down and cut them up and took the deadwood out, trimmed some limbs off some trees; that they fixed what he would call a mess.

Mr. Moynahan said that Mr. Falzone had a couple other questions on his note and asked if they had been answered.

Mr. Falzone said that Ms. Pelletier was working on them.

The Board thanked Mr. Falzone for coming in and being pro-active.

Mr. Falzone said that they were working with the power company to build and pay for a school bus stop because right now, in the morning there, it is chaos. He added that they were willing to put in a shelter; that they might ask for the Town to just endorse to the power company because, usually, you didn't get them to move quickly; that they would pay to have the stop put in and the Town wouldn't have that car problem anymore. He added that the power company wasn't using the land, anyway, at the corner there; that they just bought it all to protect what they just did down there.

Mr. Moynahan said that from a Life Safety standpoint that would be a benefit for the neighborhood and less of a traffic mess.

7:30 PM
H#6

TO : Board of Selectmen
FROM : Grant Hirst
REF : Alarm Systems

Mr. Hirst said that, with the Board's permission, he would like to get the current alarm system folks to come to the Board and explain exactly what they are monitoring, what their costs are and, possibly, putting it back out to bid because they have had it for four years. He added that, in 2009, the Town appropriated \$16,000 and upgraded and/or put in new alarm systems where they didn't exist before. He said that the Town pays a fair amount each month for monitoring; that he would like to make them sharpen their

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

pencils and see if they would like to bid it, again, and make sure they were doing what they agreed to do in the first place.

Mr. Murphy asked if the Town got reports from them.
Mr. Hirst said that the Town did not, just a bill every month.
Mr. Beckert asked what the company's name was.

Mr. Moulton said that they had three – Seacoast Security does the Transfer Station Facility, American Security does the Highway and Spaulding does all the pump stations.

Mr. Hirst said that Seacoast also does the other Town buildings. He added that he would like to put together a matrix and find out what each company does and see if it is valuable to have all (one?) of them do the same thing or keep it separate; just basically an evaluation of where they stood and what they might ought to do.

Mr. Moynahan suggested Mr. Hirst work with Mr. Moulton to devise a review.

Mr. Hirst and Mr. Moulton agreed.

Mr. Hirst asked if the Board felt it would be worthwhile to maybe ask these alarm system folks to re-bid the work.

Mr. Beckert suggested seeing what they were supposed to be doing for the Town first and make sure they are doing it.

Mr. Moynahan said that if they are all capable of doing all the alarm systems there may be one company that prices all the Town things; that that would be where they would see any savings and, if they were not able to do that then the Town may not see any savings.

Mr. Moulton suggested that he and Mr. Hirst grab all three contracts, review them to see what they say, then they could write one RFP.

Mr. Beckert said that sounded good to him.

Mr. Moynahan said that Mr. Hirst and Mr. Moulton would work on that together and report back to the Board.

7:32 PM
H#7

TO : Board of Selectmen
FROM : Robert Pomerleau
REF : Town Budget Voting

Mr. Moynahan said that this was a letter from Mr. Pomerleau offering some thoughts on some issues that the Town always faced come voting time.

Mr. Pomerleau said that they all agreed they would like to see a higher voter turn-out. He added that he thought the tough part about it would be the timeframe between the referendum and the Town Meeting; that that might require some reexamination about how much time it would take to act, as far as the cap, once the referendum had been voted.

Mr. Moynahan said that if the whole budget was voted in referendum that would solve the votership but it would take away some of the discussion that occurs, so, to meld those two is a good idea; that he wasn't sure how that would get put together. He added that the school board did something like this but he didn't know how effective it was.

Mr. Pomerleau said that he thought York did something like this; very close to it.

Mr. Beckert suggested this might be something for the Charter Commission to look at.

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

7:36 PM

Mr. Moynahan said that there was a tentative date on the calendar because the Board has talked about having a public information session on the BOS budget prior to everything; that you hope you get a pool of people coming and getting educated on and ask questions of department heads and the Board members of just what that budget is made up of. He added that the new Town Manager might have some fresh ideas, as well.

Ms. Shapleigh said that her grandson seemed to think that people don't know because they don't read the paper or one thing or another and thinks you'd be way ahead of the game if you had, perhaps, a few digital signs on major roads in Town so that people had to see it because they travel the different roads; that she thought he may be right.

Mr. Moynahan agreed, saying they had talked about that; that they had discussed banners and the like at access points in the Town and, if Mr. Muzeroll gets his EMA money then the Town may have a digital sign coming.

Ms. Shapleigh said that people don't come in to read it at Town Hall or the store or it was limited how many people do. She added that if there were signs on Route 236, 103, 101, etc.....

Mr. Moynahan said that, even with that said, people are not real knowledgeable about the 4-6 month budget process that everyone had been through.

Ms. Shapleigh said that the signs might spark their curiosity.

Mr. Moynahan agreed, saying that the Board would work on doing something; that he thought they had been, collectively, committed for a while.

Mr. Beckert gave a bit of history, saying that, when Harold Dow was Chair of the BOS, before the election and the day of the election or Town Meeting vote, used to go around Town with his car and a loud speaker to get people out to vote in the late '50's and early '60's.

Mr. Pomerleau said that a referendum brought out many times more voters, which showed him that they do want to vote but don't want to listen to four to five hours of details and that sent a message that they would turn out and get the facts to them before.

Mr. Beckert agreed that was key – to educate them. He added that he has stood at the polls, working as a warden – and he didn't want this to sound crass to the public – and J. Q. Public was basically stupid because there was a majority of people who would go to the polls and had no idea what they were there to vote on; that he based that on the questions that the wardens were asked; that voters tried to get the wardens to help them with the ballot and the questions on the ballot, which they can't do, but it shows him that the education part is a big part regardless whether it was Town Meeting or referendum vote.

Mr. Moynahan said that they would continue working on that, to inform the public and get numbers up and all that.

H#9

TO : Board of Selectmen
FROM : Dept. of Environmental Protection
REF : SO₂ National Ambient Air Quality Standard

Mr. Moynahan said that, from this report, it appears that SO₂ issues may not be really prevalent in our Town, which is great; that they (MDEP) have given us a pretty detailed follow-up on how they do their studies and what their findings were actually have reduced levels. He added that he did not know if this paralleled with the Clean Air petition or a separate report. He said that this was the MDEP, not the EPA; that he thought it would be comforting to the residents in South Eliot if this was, in fact, the

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

case that the SO₂ levels are not at a powerful level. He said that it was good that the Town followed up with this petition; that they were starting to get some answers for the Town.

Mr. Murphy said that they do admit that there have been no measurements in Eliot.

Mr. Moynahan agreed but said that they did show how the modelling is done, what the numbers are from the surrounding communities and the reduced amounts of SO₂ in the other portions around Eliot; that all the indicators were there. He added that that was for the Board's review and would put it in the Clean Air file and see if it matches anything the EPA does.

H#10 TO : Board of Selectmen
FROM : No Correspondence
REF : Labor Negotiation Update

Mr. Moynahan updated to say that mediation has been chosen for all three bargaining units so there will be no activity on that for the negotiating groups.

H#11 TO : Board of Selectmen
FROM : Bob Long
REF : Sewer Allocation (no correspondence at this time)

Mr. Moynahan said that Mr. Long had asked to talk about sewer allocation; that he thought that Mr. Long was going to be in with a request, which was why he was on the agenda, but he is not here so he must have chosen to do something else, unless he has contacted someone.

Mr. Moulton said that Mr. Long contacted him and he told Mr. Long that he needed to put in a formal request, in writing, and bring it forth to him and he would bring it through the channels, as they always did, through the SC and then to the BOS.

Ms. Pelletier said that he was still challenging whether or not the allocation had expired.

Mr. Moynahan said that this was for the Bolt Hill property; that he wasn't here and he has been talking to Town staff and that's great; that, hopefully, answers can be found.

Old Business (Action List):
This was not discussed tonight.

1. Tax Increment Finance Program – Potential projects, next steps, schedule workshop
2. Good Neighbor Petition
3. Police Union Contract – in mediation - Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short
4. Community Service Space: Relocation to Elementary School – fit up costs, service impacts, insurance, MSAD #35 contract - CSD Director, Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette
5. Town Manager - Job description, sample contracts, hiring committee
6. Policy creation/review – Selectmen's Policies, Consent Agreements
7. Employees – cross-training, charting earned times, job descriptions - BOS
8. Liaisons to boards, committees, and commissions – review existing members, try to fill open spots; Committee/Board – Mission Statement Review - BOS
9. Budget Preparation – Fiscal year 2015, goals, formats, etc. Department Head Workshop - BOS
10. Pay-per-Bag Recycling – 6-month trial, public information sessions
11. Regionalization – explore areas of potential collaboration, cost reductions & enhancements to services – Mr. Moynahan, Mr. Hirst
12. Legal issues – Unfair Labor Practice Complaint - OS
13. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton

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14. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews – BOS
15. Research grant opportunities – AED's for Town buildings
16. Comp Plan follow-up
17. Public Works Union Negotiations – in meditation – Mr. Moynahan, Mr. Dunkelberger, Mr. Moulton and Mr. Dave Barrett
Town Hall/Recreation Union Negotiations in mediation - Mr. Moynahan, Mr. Dunkelberger, Mr. Moulton and Mr. Dave Barrett
18. Public Hearings Scheduled –
19. FEMA – Updated Preliminary Flood Insurance – Review Findings – Notify affected residents
20. Code Enforcement Officer Vacancy
21. Planning Board – Review 1,000' language in Ordinance, Review reducing 250' IWWF setbacks per DEP

Selectmen's Report:

There were no Selectmen's reports tonight.

Other Business as Needed

There was no other business tonight.

7:43 PM

Executive Session

Mr. Beckert 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 the employment..." Personnel issue

VOTE

3-0

Chair concurs

7:55 PM

Out of executive session. No action taken.

7:56 PM

Mr. Beckert moved, second by Mr. Murphy, that the Board of Selectmen enter into executive session as allowed by 1 M.R.S.A. 405.6.F "Discussion of information contained in records..." Abatement request for inability to pay.

8:07 PM

Out of executive session.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen abate the balance of the 2012 taxes on Map 47, Lot 14 in the amount of \$2,237.13.

VOTE

3-0

Chair concurs

Adjourn

There was a motion and second to adjourn the meeting at 8:09 PM.

VOTE

3-0

Chair concurs

DATE

Mr. John J. Murphy, Secretary