

**BOARD OF SELECTMEN'S MEETING  
January 8, 2015 5:30PM**

**Quorum noted**

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

**Roll Call:** Mr. Beckert, Mr. Hirst, Mr. Fernald, Mr. Murphy and Ms. Davis.

**Pledge of Allegiance recited**

**Moment of Silence observed**

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

**5:31 PM** Motion by Mr. Fernald, seconded by Mr. Hirst, to approve the minutes of December 11, 2014, as amended.

**VOTE  
4-0  
Chair concurs**

Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the minutes of December 18, 2014, as written.

**VOTE  
4-0  
Chair concurs**

Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the minutes of December 22, 2014, as amended.

**VOTE  
4-0  
Chair concurs**

**Public Comment:**

**5:43 PM** There was no public comment.

**G1. Department Head/Committee Reports**

**5:44 PM 1) Sewer Committee Report**

Mr. Lee said that this was a memo regarding the Cole Brown Subdivision and the owner's request that the current homes be granted irrigation abatements despite no water meters to measure usage. He added that, at the December SC meeting, the SC recommended that the abatements not be recommended, as it would set a terrible precedent, and suggested to the owner that he change the subdivision rule requiring lawn irrigation. He added that Mr. Sylvester asked him whether there

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was an appeal process and, in looking at the sewer ordinance Mr. Lee found that abatements are decided by the Sewer Superintendent and any appeal would go to the BOS. He said that he didn't think this was an actionable item for the BOS; that he thought it was more that the Sewer Superintendent recommended no and the SC supported that decision. He added that Mr. Sylvester did not file an appeal; that we did not have an appeal form in the ordinance but we do now.

**G2. Administrative Department**

**5:46 PM 1) Town Manager Activities Report**

**a. York County Advocacy Group Minutes**

This group focuses on a handful of non-partisan issues of importance to the region.

Mr. Lee said that the group is looking at skilled workforce, transportation, regional grants, broadband, funding the County jail. He added that part of the early focus was regarding losing municipal revenue sharing, excise tax, etc.; that that is really the purview of MMA to get towns behind that push. He said that this group is trying to stay away from that and stay with things that are likely to succeed, such as enhancing the York County Community School and getting grant money for transportation.

Ms. (Donna) Murphy clarified that, on line 41 of the Manager's Report, she did not address this discussion as Budget Committee Chair but as an Eliot citizen.

Mr. Lee apologized, saying he tried to use titles because he didn't like using names.

Ms. Murphy said that it was fine to use her name.

Ms. Davis said that she noticed road turnbacks, loss of excise taxes, etc., asking if the group is keeping an eye on these things

Mr. Lee strongly agreed that they were; that MMA is, as well, and has a 70-person legislative policy committee that meets very often; that those things are definitely being monitored by towns and cities and our MMA lobbyists are up there trying to stave off the people that want the towns' money.

**5:50 PM** Mr. Hirst asked if Mr. Lee could update the BOS on the potential loss of revenue sharing and, if we do lose it, the implication to our budget process.

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Mr. Lee said that he thought that municipal revenue sharing was cut last year \$75,000 or \$76,000 and he believed the push this year was to take all remaining municipal revenue sharing, which he believes is \$224,000 and would potentially result in big cuts, and that is just the tip of the iceberg. He added that he thought the effort in Augusta would be to lower the income tax, again, and to get rid of the 5.5% sales tax sunsets; that he thought the Governor and others wanted that to go back to 5% and stay there. He said that that is like an \$80 million hit; that everything to do with income tax is in the hundreds of millions that we lose; that the towns and schools and County jail are about the last places that they can still take money away.

**5:52 PM** Ms. Davis asked if we actually got \$224,000 this year or has that been cut or could it be cut.

Mr. Lee said that that money came in chunks over the year but we are expecting to get the full \$224,000; that he believes they will not cut this year but next year is way up in the air.

**2) Shellfish/Water Sampling**

Mr. Lee said that in order to get our clam flats open for recreational harvesting we have to have 30 samples within a 5-year period at each location. He added that there was a reason to believe that we could, as a Shellfish Committee and with some other volunteers, do the required Shoreline Survey. He said that the DMR was supposed to do this survey between June and November of 2014 and never arrived and it seems like we will have to take matters into our own hands, to a certain extent, if we ever plan on redeeming our shellfish flats. He added that the Shellfish Committee would like to begin pursuing that and believes there is strong support for doing the sampling; that within two years, theoretically, we could have the clam flats opened back up. He said that he thought we could do this; that we have people in Town with laboratories that can do the testing for us.

**5:54 PM** Mr. Beckert asked if we had any idea why DMR didn't show up.

Mr. Lee said that he heard that they are short-staffed and they tend to overly focus on areas where there is more commercial purpose; that in Eliot there isn't much commercial and the Town is notoriously overlooked.

Mr. Beckert said that DMR is still the State agency that oversees this. He suggested to the BOS that, through Mr. Lee, we contact DMR and let them know we are serious and that our tax money goes to the State just like these other communities. He added that when the BOS first formed the Shellfish Committee they were very committed to this and hoped he could get consensus from the BOS tonight to have the Town Manager move forward with the Shellfish committee

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and contact the DMR to tell them we are serious and want them down here to do their work.

Mr. Lee added and/or to bless the Shellfish Committee's work and be supportive of us if we go out and do it on the DMR's behalf because they are short-staffed and we are not a priority.

**5:56 PM**

Ms. Davis asked if we needed a budget for this or is this something the DMR covers for us; that if we volunteer to get the samples they will test them.

Mr. Lee agreed, saying this is just labor only; that, as he understands, when Mr. Phillips does the water sampling he sends it up to Castine or Booth Bay; that we don't pay anything for it but just need volunteers to go out and do the sampling using a certain method with somebody trained to do the sampling or get DMR down here to do it. He added that our CEO is certified to do the Shoreline Survey so she could dedicate some of her time to working with volunteers. He said that we almost have to do it as part of our Stormwater Management anyway.

Ms. Davis said that we received a report a few weeks ago about some testing that had been done because of the stormwater and asked if that was an indication of what the entire shoreline looks like; do we have a problem.

Mr. Lee said that the report caused him concern, as well, but he was told by Mr. Howell that he took those results and one out of thirty samples is not statistically significant; that one little thing you pick up in a sampling can throw the results to the wind and the next 29 samples could be fine.

It was the **consensus** of the BOS to have Mr. Lee and the Shellfish Committee move forward.

**6:00 PM**

**3) Refund of Legal Retainer**

Mr. Lee explained that several years ago Bernstein Shur asked for a retainer from the Town, which we paid and, recently, while our check was going to them they used the retainer to pay a bill; that Bernstein Shur sent the retainer money (\$2,285.00) back to Eliot. He added that we thought that given our Legal Reserve is tapped out to virtually nothing that this retainer money might be put back in the Legal Reserve.

Mr. Murphy said that he thought they had adopted a policy that we were going to have this all income and all revenues and keep them separate; that any income would go into income with an identifier. He asked if we weren't going to follow that.

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Mr. Lee said that was why he was asking the question; that all things being equal in a gross budgeting system money like this should drop through to the General Fund.

Mr. Murphy asked why they couldn't do that this time.

Mr. Lee said that we can. He added that the idea came up because going into budget season with a completely depleted Legal Reserve there will probably be a need to replenish it to some extent. He said that he would be facing an uphill battle in a budget year with municipal revenue sharing fading out and this seemed like a way to put a little bit in.

**6:02 PM**

Mr. Murphy said that that was going to be the new problem; that if everything goes into revenue then we're going to have the problem of meeting an unexpected expenditure and how do we do that. He added that if we know we are going to be running down the legal fund is it going to come out of Contingency or do we call a Special Town Meeting to get our legal funds back up where they should be.

Mr. Lee agreed that was an alternative; that he just wanted to lay out a choice, reiterating that the Legal Reserve is tapped out and his intent was to replenish to some extent, somehow; that it would be wildly unpopular to do so.

Mr. Hirst asked to do that would it be contrary to established policy.

Mr. Lee said that under gross budgeting it would be; that it should be the exception, not the rule; that if the Board doesn't want to do that then that's fine; that he just wanted to give them a reminder that our Legal Reserve is next to nothing and should be addressed somehow.

Mr. Hirst said that he would like to do it but if it's contrary to the policy that we've already established then he didn't think the BOS had any choice.

After further discussion, the BOS agreed by **consensus** to put the retainer money in the General Fund.

**6:05 PM**

Ms. Murphy said that previously there was a refund check through General Assistance that this Board voted to put in a non-Town account and asked how that was different and why did that not drop through to the General Fund.

Mr. Lee clarified that it was a Town account. He added that that was no different; that that was also an exception to the rule, he brought it in, and it was viewed differently by this Board.

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Mr. Lee asked if he should come to the Board on only very, very special occasions in the future and not otherwise bother you with these.

Mr. Murphy said that they wanted to know if there are unusual circumstances and know that there are monies coming back to us for some reason or another.

Mr. Lee said that, generally speaking, it sounds like the Board would like to follow gross budgeting and let it drop through to the general fund.

Mr. Murphy agreed.

**6:08 PM**      **4) Referendum Town Meeting Ordinance/Sample Ballot**

Mr. Lee said that he would like to get some guidance on this; that this was an ordinance from Mexico, Maine and he amended it to work and look like the way we do things. He asked if the Board wanted to do a referendum budget vote and is this the way you want to do it, do we want to be ready for June and how does the Board want to go about seeing if the language in this proposed ordinance is what the Board wishes to see. He added that we do have an active citizen petition and that citizen has agreed, if we do a decent job with an ordinance that has the same affect, he would recommend against his and for ours.

Mr. Murphy said that he was somewhat confused because he was not sure which lines would actually have monies out to the right; would it be where the numeral 1, 2, 3, 4, etc. or, under 2., for instance, there are subheadings for Buildings and Other and asked if each subheading would have its own dollar line or would it be just one dollar line for the line 2 heading.

Mr. Lee said that it was up to the Board how they wanted to do it. He added that they could have more detail but reminded that each time that is done you have another ballot question and another minute in the voting booth and lines get longer; that you have to find a happy medium between a functional, timely ability to get into the voting booth and out and having more detail, which will slow you down.

**6:10 PM**      There was discussion regarding the design of the ballot.

Mr. Lee added that the Town Clerk would be involved in this because of the impact to her, including budgetary; that this was a serious topic that deserved, maybe, a Saturday afternoon or Saturday morning workshop.

Mr. Murphy suggested they schedule that; that we should be working on this right away.

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Mr. Lee said that they have others that are coming right up; that it was going to be every Thursday, really, and budget review, as well. He added that his hope was that the Board looked this over very carefully and think about what you do and do not like about it; likewise, the BudCom might want to look at this, as well as Mr. Fisher as the petitioner and offering ideas; that ultimately the Board would have to decide what goes in.

**6:15 PM** Mr. Hirst asked if we knew how Mexico made out with this wording.

Mr. Lee said that they have been using it for a number of years; that he did know that they had some logistical problems in the first year that he was talking about and Ms. Rawski is concerned about. He added that he didn't think their Town Manager was a big fan but the community likes it and continues to endorse it year after year. He said that the issue is that this doesn't solve the question of better informed voters, suggesting that a mailer might be worth sending out – where, when, and what they would be voting on.

Ms. (Rosanne) Adams said the petition calls it an annual budget meeting but a public hearing is probably what the Board is thinking of. She asked if they were looking to have the ability of the people at that budget meeting to make their own recommendations – a third recommendation – if they wish; that that is what happens at Town Meeting, the people have a chance to voice their own and make their own motions; that you could have a third because that is what the citizen petition has in it – that the Townspeople have a vote at that public hearing, or whatever it is called, that would be on the ballot.

**6:17 PM** Mr. Beckert said that it was his understanding that, when you get to the point of the public hearing prior to the actual referendum vote, you're probably at the point where you are not able to change the referendum ballot.

Mr. Lee added that the timing wouldn't work, logistically; that the ballots are set.

Mr. Beckert said that, in that case, you aren't affording the voter, by referendum vote, to make changes like you can on an Open Town Meeting floor.

Ms. Adams said that the actual voting occurs in June but the public hearing can be two or three months before that and, at that public hearing, the recommendation of the people can be put on that ballot, also.

Mr. Lee said that we would still be in the throes of developing the budget; that the BudCom and BOS are still working at that time.

Mr. Beckert said that public input would be part of the workshop meetings; that once the ballot was written in stone you can't change it.

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Ms. Adams said that she was thinking before the ballot is written, which would mean you would have to up the process.

**6:19 PM** Mr. Fernald said that he was confused and asked if she was saying that, at a public hearing, you take a vote of those people that are there and that recommendation would be put on the ballot.

Ms. Adams said that if a motion is made and people want to make their own recommendation then that be put on the ballot.

Mr. Beckert said that you can't take a motion from the people at a public hearing; that the public hearing is run by the board that is putting the stuff forward on the ballot.

Mr. Fernald commented that the number of people attending public hearings was much smaller than those who attended the Annual Town Meeting.

Ms. Adams said that it was only another piece of a recommendation; that it is not the final vote; that 100 people voting on a budget for a town of 6,000 is one thing but 30, 40, 50 people making another recommendation is just another recommendation; that they are not deciding the budget for the entire Town.

**6:21 PM** Mr. Lee said that another concern with having three options is that in all likelihood you would never get a majority. He added that he thought Ms. Rawski might have said something about ballots having three choices might be a problem, too.

Mr. Beckert said that the best thing they could do at this point was to schedule a workshop to iron this stuff out.

Mr. Pomerleau said that a workshop was definitely needed because there were a lot of inherent problems with the petition, adding that he thought there was a problem regarding the third option from the draft ordinance, as well.

There was discussion regarding plurality versus majority.

**6:25 PM** **5) Draft Timeline/Special Town Meeting**

Mr. Beckert said that, at this point, he honestly didn't see that we could fit a Special Town Meeting in.

Mr. Lee agreed; that we would almost have to have the work done on this ordinance done now or, perhaps, we could do it if it were done by the 22<sup>nd</sup> of this

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month but he did not see that happening. He added that he thought they were looking at an Open Town Meeting this year and during the balloting portion on Tuesday a vote on this ordinance for the following year that it be implemented.

**G3. Public Works**

**6:28 PM 1) Pump Station Bond – Allocation Formula**

Mr. (Keith) Pratt, Underwood Engineering, said that in the December 29<sup>th</sup> version the numbers are the same and that the revisions were clarifying comments. He discussed scenarios for cost allocation. He said that, typically, when we do this we make recommendations that are flow-based so we use flows the station is designed for as the basis for allocation. He added that some of the confusion may be some of the phasing for future flows. He said that the \$1.5 million project we are recommending is designed to meet the flow capacity you have, currently, in agreement with Kittery for 200,000 gallons/day; that that is what we talked about with Phase I. He added that there are some future capacities built in to that 200,000 because you're not using all of that so, sometimes, you'll hear us talk a little bit about the reserve capacity that's in that 200,000; that you are using only about 110,000 gallons so 45% of the station that's going to be built for this \$1.5 million is capacity that can still be used for somebody. He said that some of that is allocated through some of your current subdivisions and some of it is not being used; that that is one of the future flow components that is being built into it. He said that if the \$1.5 million project is passed, as it stands, it would be designed for 200,000 of which just under half of it has room for growth. He added that they also talked about Phase II and that's over 200,000 gallons/day and he thought there had been some questions as to what we're doing at the station to expand for Phase II, which will allow for expansion for Phase II. He explained that, if the project is passed and built at \$1.5 million, the stations are going to be designed such that they are easily expanded for future flows beyond 200,000. He said that, with the King's Highway Station, the building is going to be big enough to add that third pump; that there was a 2-foot additional building space being provided, currently, that would allow a third pump to be put in. He said that, at the Main Street Station, we would be sizing the horsepower of the pumps so that it could accommodate future things; that he wanted to make clear that there are certain provisions that are being accommodated in the station today that would meet those future flows. He clarified that when we talked about the allocation of the \$1.5 million we're really just talking about allocating the 200,000 and those are the three or four scenarios we laid out for you in this letter. He said that Option A and Option B were based on allocation of flows that were based on the IMA and on reasonable growth projections in the next 15-20 years, which came out to a little under 200,000. Mr. Pratt said that, based on those flow allocations, we could apportion the costs based on some rationality between users and the tax base; that oftentimes the tax base is justifiable for the expanded flows because we don't

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know who is going to be using it yet. He said that Option D was a full-cost allocation to users and that would be if there was a local decision to put all the costs on the users, which would have a great impact on them. He said that Option C came out of a question at a previous meeting because there was a shifting in costs from 2012 to 2015 when the cost of the station went up; that he wanted people to at least understand what we did when we did that; that we'd always talked about Phase I and set-up project costs; that we had shifted recommendations after further preliminary design to recommend pulling some of the Phase II costs forward into Phase I because that actually allowed us to reduce the cost overall so that Phase I and Phase II is a little less expensive, in whole, if we pull some of the Phase II costs into Phase I; that that's why the increase was recommended by us. He added that he thought that some had considered whether that increase could be a justifiable cost on the tax base. He said that we ran the numbers and we are suggesting it's a method but it's not one that's truly based on flow allocation or growth. He said that we would suggest that Option B is the one that is most appropriate; that that would put 55% of the cost of this station on the users and 45% on the tax base or other source. He added that Option D would put 100% on the users and nothing on the tax base; that the difference with those two would be an increase to your current rates; that Option B would be an add-on of \$71/year based on the debt schedules and the SRF payments that the State gave us. He said to take your current rate today after the 30% we just did, add another \$71/year. And that was what would happen if we put 55% of the debt service on the sewer users. He added that if we put 100% of the debt service on the sewer users it would be almost twice that, another \$130. He said that it is those two options that we see as the bracket where you would fall; that in our letter we recommended Option B.

**6:34 PM** Ms. Davis asked if there was some paperwork that show what Phase I and Phase II are; that she didn't think she had seen anything for conditions as they are now (no TIF).

Mr. Pratt said that there was a January 2014 report that outlines all that, including how Phase I was shifted and what Phase I and Phase II currently include, with associated costs; that the numbers came right out of that report.

Ms. Davis asked if they could get a copy of that.

Mr. Pratt said that the Board did have copies; that at another meeting we had summarized it and there is a 2-page executive summary on that that you could probably get a copy of from the Town Manager or he could resend it.

Mr. Lee said that resending would be great; that he would get copies to Ms. Davis and Mr. Fernald. Mr. Lee said that the Board didn't need to make the decision tonight; that we wanted to give you some options and justification for each option,

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some stronger than others perhaps. He added that he thought this would be a great opportunity to ask real specific questions while we have Mr. Pratt here.

**6:37 PM**

Mr. Pomerleau said that he didn't understand the rationale for this allocation method at all; especially if you try to attribute some portion of that to tax payers. He added that there is nothing that's going to happen here that doesn't happen within the existing infrastructure of the sewer; that you're not laying new pipe, you're not adding additional pumping requirements like you were going to for the TIF. He said that, there, expansion was easy to understand; that, here, there's no real expansion; that you're talking about users within the current, existing system. He added that, if he remembered correctly, at one point we had a moratorium because that 200,000 had already been reached and he has a hard time grasping how you're attributing 45% of this cost should somehow be allocated to the Town because the Town benefits. He said that if that was all captured today, and some of it is being held; that it isn't going through Kittery because someone is paying for the allocation but they are "current" sewer users. He added that the bottom line of what we were looking for was what was justified as far as current sewer users for repair and maintenance to get it up to grade; that it looks like it's all related to current sewer; that it's all repair and maintenance to get it up to the current grade and there is no real expansion built into this cost like was said in the first memo. He said that if we threw out the expansion capacity, for discussion purposes, you'd have \$1.16 million to spend right now to get the current system up to grade no matter what happens.

**6:40 PM**

Mr. Pratt clarified that the \$1.16 million was a cost not based on a difference in flow; that what we did was reprogram some of the phasing; that we are saying that the \$1.5 million project is more cost-effective to get what you need to do; that it would save you money in the long-run. He added that, on our flow projections, we did not project those flows to come from the existing sewer service areas; that we looked at potential growth areas after sitting with the SC in many meetings to look at where potential growth would occur; that the discussion wasn't about the existing sewer user; that there was some growth identified in the existing sewer service areas but a lot of it was to look outside, too. He said that if you look at our 2012 report you will see those planning areas that go beyond the existing sewer service areas.

Mr. Pomerleau said that whatever was projected for growth wasn't adding new pipe; that it was just tapping into the existing system.

Mr. Pratt said that it would take new pipe; that based on the flow zones that we planned for it would take pipe extensions.

Mr. Pomerleau asked if that was built into this.

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Mr. Pratt said yes; that we don't know where it's actually going to be but we had to come up with some planning flows and there were zones outside of your existing piping areas that were identified as potential sewer service areas.

Mr. Pomerleau asked Mr. Pratt to explain the rationale so the Town benefits; that it seemed the people that benefit would be the sewer users.

Mr. Pratt said that he was saying that this is a very common method for allocating flows for capacity in a system, whether it be a treatment plan or a pumping station, that is outside what the current sewer users are using. He added that it's a local decision but it's a very common method to do that because the users that would come on are not currently the users paying for it; that there are pluses and minuses but what we're suggesting, here, is what we see done very commonly.

**6:42 PM**

Ms. Davis said that without seeing the report it was difficult to make a judgment on what we are receiving; that Mr. Pratt was talking about .34 million is what we are buying above and beyond what needs to be used to repair the sewer, so, are you saying that the .34 million was optional amount - \$1.16 million has to be spent, period, to fix the sewer and \$.34 million is optional for expansion.

Mr. Pratt said that one of the things that happened when the 2012 report was done was that we did a value engineering and we were looking at the TIF expansion areas; that we used some of the costs that were identified with CLD; that the \$1.16 million came from the CLD reports. He added that we always recognized that there was some concern about where those costs came from; that as a result the Town decided to take a closer look at what's needed at the stations and, so, we did this January 2014 report, which corrected, to some degree, the costs associated with the improvements. He said that the .34 we are not suggesting is optional; that there are some optional costs in there; that he thought they identified them and don't recommend them because he thought they were long-term, shortsighted things. He said that the .34 was because we actually had thought initially, when CLD did it and we looked at it, we might be able to do some of the pumping station repairs without an addition. He said that as a result of looking at it in more detail - the code issues and the electrical panel offsets - we said we can't. He added that when we did the January report we said that we really need to do the addition; that what we found by doing that is that it actually reduced Phase II costs because we knew in the future we probably would have had to do the addition; that all we said was that we would have to do the addition sooner than we thought. He said that we brought that forward, it reduced Phase II costs but it did increase Phase I costs; that, overall, when you add them together it reduced everything. He added that that was where the .34 came from; that it wasn't because there was a difference in growth or different planning areas; that it was really a function of things that were not identified with first looks at the costs that really needed to be done in Phase I.

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**6:45 PM** Mr. Fisher asked what 'or other source' meant.

Mr. Pratt said that he wasn't suggesting this but, at one point, the TIF Funds were considered.

Mr. Beckert said that that location was off the table; that they don't know what a TIF alternative might come up; that they might come up and tell us that we need to look at expanding sewer up through 'this' part of Town – up along the river – we don't know that. He added that it is the Chair's opinion is that it is shortsighted not to put in the necessary construction requirements now in order to make the stations compatible with expansion later on; that today's dollar is much cheaper than it's going to be 10 years down the road, if we expand; if you have to build a building two feet longer or you have to put in another cement abutment inside the building to set a pump on, then it's cheaper to do it now than later. He said that that was why we hire the engineers to do their job and make the recommendations so that, hopefully, the voters will make a well-informed decision based on fact and something that is fiscally responsible.

**6:47 PM** Mr. Pomerleau asked how a recommendation to expand sewer in the Village area from the TIF Alternative group impact the current recommendation, if at all, and if you thought that was going to happen are you suggesting that we somehow look at this differently.

Mr. Pratt said no; that that fits because of the plan that we laid out in terms of the planning areas, including the Village and River Road; that we did this because, if that ever happened, it would get routed through the Main Street Pumping Station.

Mr. Pomerleau said that he wasn't looking at the technical aspects but looking at the finance piece of it where, when you had the TIF before, you were going to be able to, under 'related to or caused by' provision in the TIF law, pick up some of the cost of the South Eliot sewer; that that would be the same application if that sewer was coming down here but just in a different direction; that the TIF statute would allow the same funding of anything 'caused by or related to' to get that capacity down here. He said that, from a financing perspective, if you thought that might be available, again, would that change your funding recommendation, in terms of what you might do, now, as opposed to what you might do later with TIF money.

Mr. Lee suggested that what Mr. Pomerleau was saying was that, if we had the TIF amended right now and the plan was to do something in the Village area, sneaking down to South Eliot a little bit, out toward the river a little bit, and we had an economic development plan that sort of went with it that the State bought, knowing that we had \$2 million in the bank and another ½ million coming in next year, would that change how much you brought in from Phase II; did you limit

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yourself to \$340,000 because it was sensible or because it was, financially, we didn't want to scare people; that he thought what Mr. Pomerleau was saying is, if we have more money available – we have all \$2.5 million on the table – would you change what your recommendation is.

**6:50 PM** Mr. Pratt said that he didn't think so; that he wanted to make sure he understood the question right but, if it's based on the allocation of how much users and tax base or TIF pays...

Mr. Pomerleau said that it wasn't just that; that it's just right now you're really not building any added capacity into this current point; that that was Phase II as far as adding more pump and more pipe, so, you scale that all back to handle the current infrastructure, only, with some potential for increased flow capacity but you're not really building in more sewer. He added that the TIF alternative in the Village could bring that back and, then, you'd be looking at need for real increased capacity, so, would we be spending money now that may not be wise to do if you knew you were going to need more and bigger in six months.

Mr. Pratt said no because most of Phase II costs will be in force mains so that, if something happens, no matter if it is Route 236 or the Village, the pumping stations are being designed, now, to accommodate that by either adding a third pump (space) or speeding up the shifts (horsepower); that you are spending the right money, there, to accommodate what you might want to do. He added that if you come up with another 100,000 gallons/day those stations are going to cost very little to get those to what you need to do; that the real cost is going to be in the force main that needs to be changed, as we can't get the wastewater from the station to there; that that's where the triggers really start costing you, once we get above some number above 200,000. He clarified that the answer was no, he wouldn't change, based on that.

**6:52 PM** Mr. Pomerleau said based on that State statute and whatever rationale you used before to associate 'caused by or related to' would there be the ability of that money to pick up some of this cost you are looking at.

Mr. Lee said that, yeah, if we had a TIF alternative plan done, submitted to the State and elements of it included sewer, he thought that all of these improvements to the pump station could be built in to that; that if we could get the State to approve that we need to first upgrade our system and extending force mains into our commercial area he believed all of it could be done with TIF money.

Ms. Murphy asked what the current sewer maintenance balance was and how much could be used to reduce the amount of this bond.

**BOARD OF SELECTMEN'S MEETING**  
**January 8, 2015 5:30PM (continued)**

Mr. Lee said that he wasn't sure but thought it might be around \$80,000 so not much.

**6:54 PM** Ms. Davis said that it just sounds like there's really not any expansion, here; that what's going in will go in regardless.

Mr. Pratt said that we've always said that the station costs are going to be similar because Main Street is being replaced completely; that the cost is the cost and to add 50,000 or 60,000 gallons a day, which we are doing, the cost is negligible. He said that allocating it based on flow and what's reserved for future, and we should be planning for future, which we are, is not an unreasonable way to do it but it is a local choice.

**G4. Public Safety**

**6:56 PM 1) Election of Fire Chief**

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen appoint Jay Muzeroll as Fire Chief.

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

At this time, the Board signed the appointment document.

**H) New Business:**

There was no new business.

**I) Old Business**

**6:58 PM 1) PW Garage Boiler Replacement Bids & Funding Mechanism**

Mr. Lee said that Gino's Plumbing & Heating was the lowest; that we sought out three vendors and got two bids; that Gino's was far and away the lower one. He discussed the clarification Gino's sent on the purchase prices of the boiler and the electric water heater.

Mr. Beckert asked about the funding mechanism.

Mr. Lee said that we have adequate Contingency and suggested this would be an appropriate emergency use of Contingency Funds, as the furnace is failing and we did not plan for this.

## **BOARD OF SELECTMEN'S MEETING**

**January 8, 2015 5:30PM (continued)**

**7:01 PM** Ms. Davis asked if we take this out of the Contingency Fund and then things come up roses by the end of the year that we can pay back the Contingency Fund from the department budget.

Mr. Lee said absolutely; that this could be a loan from Contingency Fund and, if we manage to get through this year with \$7,300 left over in that budget we could throw it back into Contingency.

Ms. Davis moved, second by Mr. Hirst, that the Board of Selectmen take \$7,300 out of the Contingency Fund with the proviso that if we look good at the end of the year it is repaid from the department budget.

**VOTE**

**4-0**

**Chair concurs**

### **J) Selectmen's Report:**

Ms. Davis asked about the Worker's Comp dividend check.

Mr. Lee said that we were notifying the Board that we did receive a check that dropped into the General Fund. He added that this comes in every year for towns with good ratings and could be planned for as revenue barring three years of constant claims.

### **K) Other Business as needed**

**7:04 PM** Mr. Lee said that Mr. Murphy suggested we nail down the dates coming forward on when we are going to meet for budgets; that he had a rough outline, at one point, but he has since gotten some hard dates that he put in the members' boxes. He added that it would probably be courteous to get that out to the BudCom. He said that a lot of the dates are on Tuesdays; that a joint review might be on a Thursday. He asked the BOS and BudCom to check their calendars for any conflicts; that he would put this on the next agenda.

### **L) Executive Session**

**7:07 PM** Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen enter into executive session as allowed by 1 M.R.S.A §405.F information not to be publicly discussed and 1 M.R.S.A §405.A discussion of personnel issues.

**VOTE**

**4-0**

**Chair concurs**

**8:00 PM** Out of executive session. There was no action taken.

**BOARD OF SELECTMEN'S MEETING**  
**January 8, 2015 5:30PM (continued)**

**M) Adjourn**

There was a motion and second to adjourn the meeting at 8:02 PM.

**VOTE**

**4-0**

**Chair concurs**

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**DATE**

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**Mr. Grant Hirst, Secretary**