

**Draft BOARD OF SELECTMEN'S MEETING  
January 12, 2012 6:30PM**

**Quorum noted**

**6:30 PM:** Meeting called to order by Chairman Fernald.

**Roll Call:** Mr. Fernald, Mr. Dunkelberger, Mr. Murphy and Ms. Place. Mr. Moynahan was absent.

**Pledge of Allegiance recited**

**Moment of Silence observed**

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

**6:32 PM** The minutes of October 27, 2011 and November 10, 2011 were put aside to be approved at the next regular meeting.

Motion by Mr. Dunkelberger, seconded by Ms. Place, to approve the minutes of December 8, 2011, as written.

**VOTE**

**3-0**

**Chair concurs**

Motion by Mr. Dunkelberger, seconded by Mr. Murphy, to approve the minutes of the Special Meeting of December 22, 2011, as written.

**VOTE**

**3-0**

**Chair concurs**

Motion by Mr. Dunkelberger, seconded by Ms. Place, to approve the minutes of the Regular Meeting of December 22, 2011, as amended.

**VOTE**

**3-0**

**Chair concurs**

**6:41 PM**

**Public Comment:**

Mr. Pomerleau said that he believed the Board had a letter he submitted and wasn't sure how to proceed...if the Board had had a chance to read it or if he should read it to the public or...

Mr. Fernald said that he could read it to the public, if he would like, and that the Board had copies.

Mr. Pomerleau read his letter for the attending public (a hard copy available at Town Hall).

Mr. Fernald thanked him for his letter, adding that they would include all correspondence in talking about the building and, once they got the details from the BC, they would have a Special Meeting for that. He discussed the history of the "Chick House", which previously housed the ECSD. He said that, at the time the Town purchased the pertinent land, it was mentioned that this building was a temporary situation because the building, itself, was deteriorating quite fast. He added that, at that time (10 years or more), they had corresponded with MSAD #35, almost on a yearly basis. He added that they have excellent relations with MSAD #35 and its' personnel, noting that the Director of the ECSD had a very close relationship with the principal of the Eliot Elementary School (EES) and that they use their gym and cafeteria. He discussed that the Town had talked with MSAD #35 every year to see if there was room for ECSD because the building ECSD was in was not good. He added that this was no disrespect to Mr. Dunkelberger because he has gone out to help them find additional space but it is

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not something that the Selectmen have not done in the past. Mr. Fernald thanked him for his letter, saying that the Board appreciated it and they would certainly add that to their meeting and consider his concerns.

Ms. (Melissa) James said that she understood that the Board had been here awhile and talked in the past but things change and the economy changes. She added that, at least in her household, they were repurposing things – that it isn't always built better or built new – and she was wondering what happened to the idea of building onto the Town Hall. She added that she thought it should be for the voters to decide what course of action would be taken. Ms. James said that, from everything she understood, that option kind of fell by the wayside.

Mr. Fernald said that the Board at that time decided that they didn't want to put any more money into looking at adding onto this building, adding that they didn't see any advantages at that time. He explained that the new building will need water – they have water here but it would have to be connected and so would be no advantage – nor for heat, as the heating system here at Town Hall is not large enough for an addition; an addition would need its' own air conditioning – so, when they looked at the overall picture, they made the decision that they should not spend the extra money to look just to put the building addition onto the Town Hall. Mr. Fernald said that the Board would be talking more about that as they move forward regarding the building. He added that they were looking for details about how much it would cost to build and they may decide that it would be too much and look for alternatives, so, it wasn't a done deal but a process they were going through. He said that maybe they might find additional room, suggesting they could section off the Town Hall meeting room and hold Selectmen meetings at the Grange Hall and there are other rooms in the other area of this building that they could possibly utilize.

Ms. James said that she listened to the December 22<sup>nd</sup> Selectmen meeting and asked if MSAD #35 will still be continued to be looked at or is it just being decided that that's not going to happen.

Mr. Fernald said no, not at all, and that Mr. Dunkelberger will continue to look at that and, if there is now room at the elementary school, or somewhere else, and it is a better alternative, then the Board was certainly interested. He invited other Board members to speak to this, as well.

**6:50 PM**

Ms. Place commented that from the beginning, and she knows there have been hints that “we (Board of Selectmen) do what we please - and we do not do as we please”, adding that there was never a step along the way that this was not to be brought to the people, whatever it was; whether a new building or possibly finding something in MSAD #35. She added that the Board does not make the decision in that sort of a thing – it is made by the people – it is taken to Town Meeting and Town folk vote on it. She added that the idea that the Board could arbitrarily spend \$400,000 for a new building was ridiculous – they wouldn't do that and they couldn't do that. Ms. Place said that the people decide whether that building would get built or not and decide if they do not want a building at all - the Board does not decide that.

Ms. James said that, speaking for herself, she believes people want to be presented with all the options and that that might not be happening.

Mr. Fernald clarified that, when it comes to options, it becomes very difficult in his view, to take options to a Town Meeting – that that was what Public Meetings were for in that that the Board would discuss the issues and come up with an option they felt the people would accept, going to a Town Meeting for a yes or no vote on the particular issue. He explained that, if the Town had two or three options, then the Town would vote on each option, with some voting for it and some voting against it, and how that would be handled he wasn't sure. He added that it was usually a yes or no vote after public hearings.

Mr. Dunkelberger said that he was not on the Board when the initial decisions were made with regard to discussing the options. He added that he disagreed with

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the decision then. He said that he understood how the Board might have been thinking but he didn't necessarily agree with that. He added that he liked the idea of presenting options to the Town, however, as the Chairman has pointed out, when presented the options, sometimes one could get a very inconclusive vote where nothing could be done or one now had to make a decision between multiple options, with nothing clear-cut and that could cost both time and money, so he saw the point there. He added that they have not fully explored all the options and that was where the BC came in and should be allowed to do that, which was his personal view.

Mr. Fernald pointed out that the BC did have a task and they did take all the department heads and asked them for their opinions of what spaces were needed, which was taken into consideration when the building was designed.

Mr. Pomerleau said that he had a difficult time understanding the logic in the way that the Board was approaching this and why the Board claims that all options have been explored. He clarified that he didn't know how they would do that without doing an analysis of what was needed, which is what the BC recommended in the beginning. He added that that recommendation was to spend \$7,000 to have a complete space analysis done so that they could sift through all the needs of the departments and decide how to meet those needs – was it to add to the Town Hall, was it a new building; and MSAD #35 wasn't even in the picture then. He said that, to say they have explored other options he felt was pretty empty rhetoric from what he's seen in the minutes and going back to look at all the meetings. He added that it has been pretty much singularly focused on a new building. Mr. Pomerleau said that he thought they had wasted \$8,000 and, if they were seriously going to look at other alternatives, then why wouldn't the Board explore those before spending \$8,000 to get bids on a new building – he just didn't understand that logic.

Ms. (Kim) Reed said that she knew it needed to be brought to the people and, if they were considering a Town Meeting vote, she was wondering if they could get a commitment from the Board that, because of all the fervor this has created, that all would commit to doing it in the June meeting; not to hold any Special Town Meeting during the winter or spring, but to wait until the actual Town Meeting. She also asked for the Boards' feeling on why not bring it to a ballot vote. After asking Ms. Place for her position on a ballot vote, she asked if she could ask each member for his or her position.

Mr. Fernald said no, adding that this would be discussed by the Board at another meeting that has to do with the building, itself, and they would decide at that time if there would be a Special Town Meeting or wait until June. He said that at the last meeting that they had on the building he had asked some questions about when the bond information had to be done from Mr. Blanchette and, all of a sudden, people thought they would have a Special Town Meeting because it had to be done in February and that's not the case – it needed to be understood that the Board needed to gather all the information before they could make a decision and that was what the Board was doing.

Ms. Reed said that they all knew that there were two times in the year to submit for bonds so it seemed that the May or March bond might be coming up a little fast.

Mr. Fernald said that the paperwork actually had to be submitted in February.

Ms. Reed asked if they were aiming to do that right now.

Mr. Fernald said that was up to the Board and information they had asked to be gathered.

Ms. Reed said that they all also knew there was a September deadline so why couldn't they wait to include more of the Town's people into the decision-making process, waiting until the September time and, once the Town Meeting was done, then the Board would have that time to go for the bond, if it passes.

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Mr. Fernald agreed that they could do that and that will be a decision of the Board when that time comes.

Ms. Reed commented that they could then wait until the spring, breaking ground in the spring and it would be a wonderful new beginning.

**6:58 PM**

Ms. Shapleigh asked if anyone could answer how long the ECSD has been in the Fire Station which, in her opinion, was an accident waiting to happen with young children and older people utilizing that building with fire calls and fire trucks coming in and out. She added that she thought they had been very lucky that nothing has happened. She added that it seems like every time they start to move forward somebody's got another question when they could have been at the meetings for the last year to year and a half that this has gone on. She said that every time they make a decision, if one wants to readdress, then one is only stalling the whole situation and she thought it was time to fish or cut bait.

Mr. Fernald said that if it came down to there being a situation with the ECSD being at the Fire Department where it was unacceptable, then they would move the ECSD somewhere else and, if that meant using this room, then that is what they would do. He added that that would be a decision that the Board would make.

Mr. Dupuis said that he believed the difference between a new building and an addition to the Town Hall was related to the wetlands and foundation and the site evaluation for it was a \$208,000 difference from the \$400,000 that was proposed for the new building. He explained that he was a committee chairperson in Eliot and he knew that the BC had worked exceptionally long and hard hours. He added that any one of those meetings were open to the public and if they want any information, then go to those meetings. Mr. Dupuis said that, as a committee, they were trying to digest information coming from different places and it was not fair to them that accusations were being made – that they were railroading or not seeking information – they were, reiterating that they worked long and hard. He suggested people find out when those meetings were and go, adding they would have an opportunity to speak at those meetings. He added that the committee takes all the information they can and deciphers what was going on, trying to bring the best option back to the Board. He clarified that that way they could save time rather than rehashing things before the Board.

Ms. James said that she was under the impression that public comments at the Board of Selectmen meetings were an opportunity to speak on the issues.

Both Mr. Fernald and Mr. Dupuis assured her that she could speak.

Mr. Dupuis added that she could also give her opinion at the committee meeting.

Ms. James said that that was good to know. She added that she was starting to understand how it works.

Mr. Dupuis said that all the committees have work sessions that are open to the public, that they advertise and meetings cannot start until the legal time on the clock. He reiterated that anyone from the public can come to those meetings and find out what's being talked about – some people even find themselves later on becoming part of that committee because of their interest.

Mr. Hirst said that the next BC meeting was Monday January 23<sup>rd</sup> at 4:30 PM at the Town Hall.

Ms. Brandon said that she knew her letter came up later in the agenda and she was somewhat divided about whether to say something now or wait until then.

Mr. Fernald said they would be glad to bring it up now.

Ms. Brandon said that she thought it was April, less than a year ago, that the BC recommended spending the \$7,000 to look at all the options to, somehow, take a next step in a comparative kind of perspective. She added that she thought that was

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the concern that, from reading the minutes, a motion was made and there was no second so, essentially, the BC that had met and worked hard and wanted to do was kind of knocked down at that point but there wasn't support for what the BC wanted. She said that, then, they were charged to only explore the freestanding building, adding they were an obedient BC, have gone at that and were doing a really good job. Ms. Brandon said that she didn't know if they could say they were taking shots at the BC when people wish for what they originally wanted to do.

Ms. (Jennifer) Latta said that her question/concern was the issue of spending this amount of money on a part of the Town that does not bring in revenue. She added that it was her understanding that the ECSD did not bring in revenue but, in fact, took money from the Town to pay for services. She asked if that was correct.

Mr. Fernald that there was a certain amount of money to run the department, which was between \$40,000 and \$50,000 for the year, and there is an Enterprise Account, which has fees that people pay for events and programs so the only actual cost to the Town is, as with any other department, the salaries and what it needs to function, such as paper or electricity or heat, etc.

Ms. Latta said that this building (Town Hall) took in taxes and fees for licenses and things like that so the Town is kind of paying for this building in that way. She added that, for the new freestanding building, it seemed the Town would never re-coop any of that money.

Mr. Fernald discussed that the police and fire department buildings were much the same, adding that employees don't give any way to support this building but is all supported and funded by taxpayer money.

Ms. Latta asked if Mr. Dunkelberger was the one who was looking into the other option for the ECSD, alone, or was every Selectman doing that.

Mr. Fernald said that he was and that he was working with the ECSD to see if there were any other alternatives with MSAD #35.

Ms. Latta asked if he had looked into the possibility of the superintendent's office, as she had heard that they were supportive of that idea.

Mr. Dunkelberger said that he had met with the staff and superintendent and business manager of MSAD #35 and have at least talked about space but have not defined where that space might be. He added that whether it might be at the elementary school or superintendent office suite or at the middle school was not talked about specifically yet.

Mr. Murphy asked if he had asked about any permanence of any relationship, that is, once they were there, could they stay forever or would they be subject to being kicked out on short notice.

Mr. Dunkelberger said that he was hoping to pursue an enduring relationship, adding that they were waiting for an answer, that there was a district meeting to take place and they were waiting for them to meet.

Mr. Fernald thanked people for their input.

**7:10 PM**

**Department Head/Committee Reports**

Ms. Muzeroll-Roy said she would like to give the Board a first draft of a carry in – carry out policy for the Board to look at and maybe review at the next Board meeting. She gave each member a copy.

Mr. Fernald thanked her and said that they would review this and discuss it at the next Board meeting.

**New Business (Correspondence List):**

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**7:12 PM**  
**#1**

TO : Board of Selectmen  
FROM : Underwood Engineers  
REF : Route 236 TIF Area Sewer Extension & Sewer Manhole Rehabilitation Work

Mr. (Keith) Pratt, President of Underwood Engineers, said that with him was Phil MacDonald (Project Manager) and that they were here to update them on the TIF project. He briefly framed the history, saying that this was in support of the TIF District, formed in April of 2009, with some engineering done to establish some recommended routes and costs and was delivered in the fall of 2010. He added that, in the spring of 2011, they were retained to basically do a value engineering to make sure the Town was on the right track and to see if there were any other options that were not considered. He said they began in July and had a work session with the subcommittee and some of the staff representatives with their findings in November. Mr. Pratt said that they were proposing and recommending a new route and some changes in what was done and that were recommended last fall. He said that, in a nutshell, in the original project Phase I was in between Beech Road and Bolt Hill Road on Route 236, Phase II was northerly on Route 236 and the recommendation at the time was to run sewer down Beech to Martin Road and to Kittery and the treatment plant. He explained that they used that as their baseline comparison and looked at five new options against that to see if they could come up with a more cost-effective alternative. He said that the major considerations with those options were whether they would stay with the connection point to Martin Road or somehow route this through the Village and into the Town's existing collection system and pumping station. He added that the other major decision point was the location of some of the pumping stations out there, primarily the first one in Phase I. He said that, once they were able to make those decisions, they were able to come up with a revised recommendation. He briefly discussed that they had considered some sub-options and that, in the end when they compared connecting Martin Road or the Village, they came back saying they would rather see the connection point come through the Village, somehow, and use the existing force main and pumping station. Mr. Pratt said that their other recommendation was to relocate the pump station, originally on Route 236 near Jenkins Fuel and move it down to Beech Hill. Discussing the reasons, he explained that the recommendations were driven by lower costs with a number of other advantages, which he summarized. He said that the original project recommended last year had an approximate 6.8 million dollar price tag and looking at it in the COD report it was more like 7.4 million, saying that they added 1.2 million to it because there were some problems with some existing sewer collection systems and pumping stations. He clarified that they did that so that when they did the route through the Village they were comparing apples to apples because, even if they built the sewer system up, there they would still have the infrastructure down here that they would need to maintain (pointing to a diagram map) and a lot of this is at the end of its useful life (25-30 years old). He said that when they rerouted the sewer through the Village their estimated cost came back at approximately 5.7 million and that would save about 2-3 million dollars on the Phase I project. He added that the Phase I was a lot less but, overall, it was about 1-1.5 million less so, not only is their recommendation less money, but it also has a lot of other significant advantages. He said that it would allow them to look at other areas in the Village – that they could put sewer down in areas that made sense for Eliot and not for their neighboring towns. He added that coming down Beech Road might open up some other opportunities. Mr. Pratt said that, because they knew there was some aging infrastructure issues, these pumping station improvements could now be driven by the TIF as part of the TIF revenues so that the TIF could actually support some of the improvements that were needed anyway, which would save the users money. He explained that, not only was the project less, but they would be investing some of the money from the TIF into some of Eliot's existing infrastructure that would have had to be invested anyway. He said that some of the options would eliminate problem sewer issues with some of the private lines that would make a lot of that go away and benefit the Town.

**7:18 PM**

Discussing Phase II, Mr. Pratt said that the recommended changes would allow expansion of that without building another pumping station. He added that he

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could do a lot more with gravity sewers with this option than he could with the other ones. He said that he and Mr. MacDonald talked a lot about this in that the original option had a lot of non-TIF costs associated with it and they tried to design it so that there were none – that everything they were doing would be TIF associated, investing in sewers in Eliot, and it would be less money. He reiterated that he believes they would save between 1 and 1.5 million as a result of the rerouting and provide a better sewer route for the people who want it, include some backcountry sewers through some backlots (which avoids a lot of those properties from pumping themselves), proposing some gravity sewers through Eliot Commons, which could eliminate a lot of the private pump stations and nuisance stations – actually less money from the Town and it would help the users. Mr. Pratt said that other things that this would allow considering was that there would be a new force main on Beech Road so there would be a new pumping station on Beech Road right across from the Baran Place driveway, a low point. He added that everything in the Route 236 area would flow by gravity to it and then pump the force main down Beech Road to State Road and into the existing collection system. He said that the force main on Bolt Hill Road and Route 236, currently, could be abandoned. He clarified that they might be able to use it as a pipeline or something but it really wouldn't be needed for the pumping station flows. He said that, because they would be on Beech Road, if the Town elects to, then that would be the opportunity to put in gravity sewers on Beech Road as part of the project, clarifying that it would not be a TIF cost but would be something that "they dig the hole once while they were out there", lowering those costs. Mr. Pratt said that what they were recommending was to pursue this route, to move forward with the next phase of designing the sewers on Route 236 and Beech Road, including the improvements to the stations down here, estimating a 5.7 million +/- Phase I cost and, based on their calculations, the TIF would support between 6.1 and 6.6 million dollars in bonds, suggesting that, whatever the TIF could support, might be the bond the Town might want to pursue. He added that, from that, not only would they be able to get Phase I done, but they would probably be able to get a lot of Phase II done for those same dollars and that was what they were proposing. Mr. Pratt said that the other big point that this option provided for the Town of Eliot was that the original recommendation to come through Martin Road and across country areas, such as the old trolley tracks, required an investment in Kittery (more infrastructure being built in Kittery closer to 4-4.5 million dollars of that total), clarifying that there were some costs associated with Kittery but Eliot was down in the about 1.6 million dollar range, which would mean a significant amount of more money that would be invested in Eliot. He added that they thought this was a much better deal for the Town. Mr. Pratt discussed their outstanding work, saying that they were still under contract to finish the report, but that they were here in front of the Board to get a nod or consensus that they were on the right track, that they would still deliver the final report, adding that they were still under contract to work with the Town to review some of the right information so that they had that information for the Town Meeting in June, that they were still working with the Town on the Inter-Municipal Agreement (IMA) with Kittery, and they would provide fact sheets at a public informational meeting to educate the public as they move forward to June. He said that their recommendation in front of the Board was another engineering contract to take to the next step – the moneys to support this were TIF monies and have met with staff to review this – that was authorized back in June of last year. He clarified that \$175,000 was authorized for engineering, that they did the first part of that, and the balance of funds would be to advance the preliminary design of this route. He added that they thought it was important because it would allow them to do a better job actually routing the sewers through people's properties, being in the backlots of a lot of these areas, Mr. MacDonald having contacted and spoken to every property owner within the town so that everyone knew that there was an interest in them going there. He said that, by pursuing the preliminary design, they could meet with the property owners and actually get the sewer routes pinned down and, much more importantly, come back with a much stronger cost, so that the 5.7 million (really a study phase cost) could be refined, they would have more information on routes, more information on rock, ledge, topography, do preliminary designs, have plans and profiles prepared, so that when they were at the Town Meeting there would be a lot more information that they could share with the public. He said that the other part that was in there was to work with the property owners to get easements. He explained

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that their plan would be, with everybody's permissions of the property owners, they would be able to secure an easement, then the Town would have that in hand going into June. He said that everyone they have spoken too was receptive and very interested in it because they understand it would benefit them. He also reiterated that having easements in place and cost estimates was the next phase of the engineering.

**7:25 PM**

Mr. Pratt said that they had also been talking a lot about I&I in the Village, working with the Town, and there was another step of Infiltration and Inflow studies in here (package presented to Board) and that was to look at defining a project to help reduce some of the I&I. He added that, if the Town was interested, then they would be able to go forward with a warrant article to consider that work, as well. He clarified that the whole purpose of that was to find extraneous water in the system and get it out so that, instead of paying for ground water/surface water to Kittery, they could sell it to users who wanted it on Route 236 and it would be a much cheaper way for Eliot in the long run to get capacity back in their Kittery system. He reiterated that they would recommend moving that forward. Mr. Pratt said that the last thing was, in their packet, that there was a non-TIF related sewer issue that has been ongoing for the Town on Bolt Hill Road. He said that the private force main that came out of Bolt Hill up to Bolt Hill from the Eliot Commons area and it discharges to the gravity sewers on Bolt Hill. He added that, while there have been a lot of issues there, the one that has been coming up lately is that the concrete manholes were seriously corroding and the staff has asked them to take a look at them, with the idea that they may need to be replaced or lined. He said that they think it was hydrogen sulfide and some other things happening that created an acidic condition that was corroding those manholes. He said that they would test them, inspect them and decide whether or not they could be lined or replaced, then put together a bid package that could be put out for bidding. He said that he believes this would be a non-TIF project and that engineering project would be about \$8,000. Wrapping up, he said that there were two contracts, one was to proceed with the TIF and the other was to look at the Bolt Hill manholes, adding that the TIF contract was for \$53,500, which is under the balance in the TIF revenues. He added that he realized there was a lot in their but they wanted to give them an overview and see if the Board had any questions.

Mr. Fernald discussed their recommended route down Beech Road. He clarified that (pointing to diagram) that, from here, which is the compressor station area to Beech Road and down Beech Road, so nothing would go from the Beech Road to Kittery from that area.

Mr. Pratt said that they would put sewers, as part of Phase I, on Bolt Hill all the way to Beech, which means they would be on Route 236 from Bolt Hill to Beech. He added that, when it gets to the Dunkin' Donuts area, they would go cross-country down through the Eliot Commons and the Baran Place area. He said that they probably wouldn't go all the way out to the lights, although they may put a small extension in to get the people on the other side, but the major interceptor would go on Route 236 from Bolt Hill Road (probably a low pressure sewer system here), gravity sewers through by Dunkin' Donuts, behind the bank, by the post office and behind Baran Place to the pumping station at Baran Place. He added that that was one of the ways they were able to save some money. He discussed that people on certain low-lying properties would have to pump. Mr. Keith said that, in the Phase II area, they would have gravity sewers behind and by the Grover property and come up and out through Julie Lane about halfway and then be on Route 236 the rest of the way. He also said that, to make sure they caught everybody on the northerly side of Route 236 there would be some stubs up to pick them up, too.

Mr. Fernald clarified that all of what Mr. Pratt was telling them for that route was all within the TIF.

Mr. Keith said that it captures all the TIF Districts, clarifying that the design includes sewers that front and capture all the TIF properties that were identified.

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Mr. Fernald said that he was just verifying that no additional funds needed to come from the Town for any of that and that it was all from the TIF.

Mr. Keith said that one of the things that was important to them was to make sure this was primarily a TIF project, reiterating that he thought the other option may have some non-TIF participation. He added that he believed this project was 100% TIF.

Mr. Dunkelberger said that he thought the folks at Underwood had done a great job, potentially saving the Town a lot of money, improving the Town's current infrastructure, particularly for the long term, as well as giving them an opportunity that went beyond their TIF discussion, about the possibility of adding some of the residents on to the sewer system. He added that he thought they ought to press forward with this.

**7:29 PM**

Mr. Murphy said that Mr. Keith mentioned putting the force main from the pumping station, across from Baran Place, down Beech Road to State Road and that having it open would allow a gravity sewer to go in the other direction and he wasn't sure it would work that way. He asked if they could put a force main and a gravity line in the same ditch, discussing the different functions, and asked how that would work.

Mr. Keith said that it could be done and has been done, but there could be challenges to it depending how deep the sewer was. He added that what they really do to make sure they could be put in the same trench was that, if the Town's crew or staff – a contractor – had to come back and dig up the force main, then they could do it without worrying about the gravity or, if they had to dig up the gravity, then they could do that without worrying about the force main falling in the trench. Mr. Pratt said that it depended on the elevations and the offsets would be dictated by that and, sometimes, one won't be in the same trench, other times one could be close to being in the same trench, so there is a little bit of both, but they did gain the benefit of having a contractor out there, he would be paving anyway, he would be mobilized and paid for all his overhead – so if there was an advantage to doing it, it was usually when one was building another utility on the street, anyway.

Mr. Fernald asked if the SC had seen this presentation.

Mr. Dupuis (SC) said that they (Underwood) had met with them several times and, through the committee work, they gave them some direction because of the cost saving, this is the route they would like to see. He added that the SC did highly support this route.

**7:32 PM**

Mr. Moulton said that he thought it was the best alternative. He added that coming down Beech Road, as discussed, they would have force and gravity and it also gave them the alternative of an expansion along State Road, which could make it up, potentially, towards the Library and would mean, if they ever had an issue with, say, Riverview, then there would be an alternative with tying in. He said that this route allows for less money, more options, and a better chance for expansion in the future.

Mr. Murphy said that, in the way this system operates, currently, there has been a curious difference in the amount of flowage that's measured at Eliot's final destination at the pump station in Kittery. He added that Kittery detected a smaller flow than Eliot detected and wondered if this was something they should look into as Eliot's new pump was evaluated to detect possible leakage in Eliot's current force main or in the gravity line from their force main down to Pump Station #7. He suggested that Eliot might be losing sewage in there that hasn't been detected.

Mr. Moulton said that the new flow meter was put in in September so they should have one full quarter of readings for this billing cycle in January. He added that this should give them a comparable apples to apples – new meter to Kittery's Pump Station #7. He also added that that would give them a better indication and, if it was still an issue, then they could look to address it that way.

**Draft BOARD OF SELECTMEN'S MEETING**  
**January 12, 2012 6:30PM (continued)**

Mr. Keith said that, in their proposal, they did not believe they needed to replace the force main as part of Phase I but would have to replace it as part of Phase II. He added that another thing was that they were trying to phase in the work so that they only did the work they needed to do when they needed to do it. He explained that he thought that that was part of the problem with the other option because Eliot had to invest so much, up front, just to get what they needed but this option allows Eliot to incrementally add. Mr. Keith said that the force main would need to be replaced in Phase II and, at that time if they could not reconcile the issue, then that was when they could deal with it.

**7:33 PM**

Mr. MacDonald said that the work of replacing those force mains in the Village would also depend on the flow coming down the pipe so that would be what would drive the timing of replacing that. Instead of putting a date on replacement, he said that it could be monitored by flows, dependent on growth and the TIF so, once they had that growth, then they would have more revenue to support those improvements at that time. He added that the only thing that really needed to be done in Phase I, regardless of what alternative they choose, were the pumping stations, as they do not meet current standards for the designed flows. He explained that, with the flows that are going through there, they require manual operation during rain events – present day issues the Town has that they need to reconcile today.

Mr. Place wanted to know how many new residential customers would be picked up in the Beech Road/ State Road area.

Mr. Keith said that he could not answer that off the top of his head but what they did as part of this work was to work with the SC to look at the planning projections for different areas of Town so, with the SC's help, they sort of ballooned areas, saying, "What have you got here?"; "What have you got here?"; "What have you got here?"; "What do guys want to have included as far as the planning?", adding that what was in this document was the house counts – and they do know how many houses would be connected and they did know what they project might happen in 20 years, ultimately.

Ms. Reed said that she would like to thank them for running down Bolt Hill Road because they still have that smell issue so this may solve it.

Mr. Keith clarified that they were not eliminating all sewer from Bolt Hill Road but this would take the bulk of it away so there would be local sewer on Bolt Hill Road. He added that they would do their best to keep those issues to a minimum for folks on State and Beech Road, as well.

Mr. Fernald asked how Baran Place would connect.

Mr. Keith said that, right now, the proposal is, working with Baran Place, and they have said they would be very interested in offering it, was to actually build the sewers behind their property. He said that they would pick up their sewers, get rid of their station, and everything would be by gravity.

Mr. MacDonald said that Baran Place was one of the ones that said that they would grant an easement for a dollar.

Mr. Marchese was wondering if it wasn't worth it for the Board to recognize that, although this was saving the Town money on the short term – on the long term, the other plan did have one less pumping station. He added that, when they were installing sewers, the more one uses gravity, the cheaper it was. He said that it was his belief that, in the long term, the other system would save them money.

Mr. Keith said that the stations were the same.

Mr. Marchese said that there was one more station with this scenario.

Mr. Keith said that there were actually less because the private ones were going away. He reiterated that he thought the stations were the same for the Town and less for the private sewers.

**Draft BOARD OF SELECTMEN'S MEETING  
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Mr. Marchese clarified that the Town would have four pumping stations through Underwood's scenario...

Mr. Keith said that CLD did, too.

Mr. Marchese said that he believed they only had three in Phase I.

Mr. Keith agreed but that they had another one for Phase II.

Mr. Marchese said that Underwood would have another pump station for their next phase.

Mr. Keith agreed and added that CLD did, as well.

Mr. Marchese said that was correct.

Mr. Keith said that they could look at it but he thought it was the same.

Ms. Shapleigh said that the big difference was that they would be spending their money in Eliot, not Kittery.

Ms. Brandon asked, if it went down Beech Road and some people hooked into it and others did not, would they all have to pay a betterment fee.

**7:39 PM**

Mr. Blanchette said that that would depend on the ordinance that would be adopted at the time, as one would have to have ordinances that would control that but, generally speaking, he believed that one would find that State law mandated that, if one's building (not the property) was within 200 feet of a public line, then one had to hook in. He added that all properties, generally speaking, are subject to a betterment fee.

There was no more discussion.

It was the consensus of the Board to move forward.

**7:40 PM**

Mr. Blanchette said that the Board had two contracts in front of them and, while it said draft on them but, in order to move forward, the Board would have to approve those proposed contracts. He added that one (manholes) was for \$8,800, he believed, and the other was for \$53,500, which was for the actual design.

Mr. Fernald clarified that this was for money already appropriated by the Town for this purpose.

Mr. Blanchette clarified that the \$53,500 was TIF funds, which they already had, saying they had over \$600,000 in that account but, beyond that, it was part of the monies that were appropriated at the June Town Meeting of \$175,000 – out of that, \$145,000 was for engineering and this contract, in conjunction with the contract that they were just ending, was under \$145,000.

Mr. Fernald said that he would entertain a motion from the Board.

Mr. Dunkelberger moved, second by Mr. Murphy, that the Board of Selectmen enter into a contract for preliminary design and planning, referencing an engineering service request, for the amount of \$53,500.

**VOTE**

**3-0**

**Chair concurs**

Mr. Dunkelberger moved, second by Mr. Murphy, that the Board of Selectmen enter into a contract for sewer manhole rehabilitation in the amount of \$8,800.

**VOTE**

**3-0**

**Chair concurs**

**7:43 PM**

**#2**

TO : Board of Selectmen

FROM : Town Clerk

REF : 2012 Town Meeting & Election Year

Ms. Place moved, second by Mr. Dunkelberger, to accept the dates of Tuesday June 12<sup>th</sup>, as the Primary Election 8AM to 8PM, Saturday June 16<sup>th</sup>, for the Town Meeting starting at 6:30PM, and Tuesday November 6<sup>th</sup>, as the General and

**Draft BOARD OF SELECTMEN'S MEETING  
January 12, 2012 6:30PM (continued)**

Presidential Election, 8AM to 8PM, all to be held at the Marshwood Middle School Gymnasium.

**VOTE  
3-0  
Chair concurs**

**7:45 PM  
#3**

TO : Board of Selectmen  
FROM : Xfinity (Comcast)  
REF : Price Adjustments

This was informational.

**7:46 PM  
#4**

TO : Board of Selectmen  
FROM : US Army Corps of Engineers (ACE)  
REF : Maintenance Dredging  
Mr. Fernald said that this had to do with dredging of the river and explained why.

For the benefit of the attending public, Mr. Dunkelberger read portions of the correspondence.

Ms. Brandon said that, as she understood it that, when they dredge, a lot of pollutants come up and there was a lot of heavy metals down there and asked if there would be any public health information alerts that went out or warnings regarding water quality.

Ms. Place read Section 5 for the benefit of the attending public, which dealt with this issue.

Mr. Dunkelberger said that the DEP has approved the Army Corps of Engineers (ACE) to do this dredging project so this was for the Town's information that would happen. He added that they (DEP) have no concerns with that and he knew that the ACE had chosen a method by which to minimize subsurface disturbance.

Ms. Brandon said there was no date when they were going to do this.

Mr. Murphy said that they wanted to have it done by March 15<sup>th</sup>, adding that they said that there would necessarily be some turbidity or muddiness to the quality of the river and, because it was a tidal river, the mud disturbed would sometimes flow downstream and sometimes flow upstream, but they hope to minimize that by careful lifting.

Ms. Brandon said that that would settle by summer and that seemed good. She thanked the Board for the discussion and clarification.

**#5**

TO : Board of Selectmen  
FROM : Diane Brandon  
REF : Comment for BOS members on new building initiative

Mr. Fernald said that they would take her letter into consideration as part of the building, itself.

Ms. Brandon said that the Board had discussed the number of buildings in Town, which was what her letter was about. She commented that she had considered neighboring towns and, in each case, they had combined uses of buildings to quite a large degree. In looking at all the issues for the different towns, she said that three were the most she had seen in any of the local surrounding towns, while Eliot currently had four, with the potential for one more. She added that it seemed to her, and that maybe she was wrong (which was why she would like to have the BC explore the task), but it seemed like there might be some efficiencies to keeping it down to the four Eliot has instead of adding a fifth. She said that, with this display that Underwood just did, she thought "apples to apples" because they said that the old sewer over there needed work, that money had to be spent there, and now they would take the new need and tie it in so that it was done in one project. Ms. Brandon said that it seemed to her that the Town Hall would need some work, that

**Draft BOARD OF SELECTMEN'S MEETING  
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people have been talking about it, she wasn't sure – and that, even though it may cost more to put an addition on the Town Hall maybe that would solve - the process of the work – when they put it all together it might come out to be reasonable. She added that she would love to have all the information, otherwise, it was hard to make a decision. She added that maybe a new building was the best way to go but she didn't know because she had not seen any good facts and figures.

The Board thanked her for her letter and input.

**7:50 PM  
#6**

TO : Board of Selectmen  
FROM : Public Works Dept.  
REF : Proposed letter to residents on Dept. of Transportation project

Mr. Moulton said that he has sent out notifications to Eliot residents, as requested, and he has not heard anything.

Mr. Fernald clarified that this was, basically, for a culvert that would be at the bridge where the Eliot/South Berwick line was.

Mr. Moulton agreed, discussing that he did not anticipate any road closure but a phased process that would allow the continued flow of traffic because of the amount of flow of traffic.

**7:53 PM  
#7**

TO : Board of Selectmen  
FROM : WAHL to WAHL Sound  
REF : Price Increase

Mr. Fernald said that this had to do with the company they rented their sound system from when they went to Town meeting, etc., and that they were going up on their price by one hundred dollars, per meeting.

Mr. Dunkelberger said that that was quite a significant price increase and asked if it was time to look elsewhere.

Mr. Blanchette said that they had not had a price increase in about ten years.

**VOTE  
4-0  
Chair concurs**

**#8**

TO : Board of Selectmen  
FROM : MMA Risk Management Services  
REF : Audited Financial Statement

Mr. Fernald commented that there was more in their reading file on this and asked the Board to review this.

**#9**

TO : Board of Selectmen  
FROM :  
REF :

This was removed.

**#10**

TO : Board of Selectmen  
FROM : Brian F. McClellan, MHA  
REF : Chicken Coop, Tax Map 7, Lot 61

Mr. Fernald said that they had a letter regarding the chicken coop from Mr. Marchese (CEO) and asked if he would like to speak on it.

Mr. Marchese said that the issue was moving forward, that he had mailed a letter to the owners indicating his concerns and they have mailed a letter back indicating their concerns, that they were given by him and, unfortunately, the guidance he gave them was questionable. He discussed the ambiguity in the ordinance and that the ordinance deals with “animals” and there is a definition of agriculture versus a

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**January 12, 2012 6:30PM (continued)**

definition of (he forgot the term he was looking for) .....saying he has asked for legal assistance and they believe he should have required them to get a building permit for a structure to house animals. He questioned whether chickens are considered animals and said that, to him, it still remained a gray area. Mr. Marchese said that he believed the Town's next step should be for the Board to allow him to issue the owners a Notice of Violation (NOV), which would stipulate fines and ask for removal of the structure. He added that it would also include their ability for them to take it to the Board of Appeals (BOA) and file an Administrative Appeal, which would also give the Town an opinion from the BOA on this case. Mr. Marchese added that he had done some research, found that this was a problem throughout the State of Maine, and that there were a couple of towns in Maine that have a chicken coop ordinance. He said that, with the Board's approval, he would like to take that ordinance, adapt it to the Town of Eliot, and let the citizens of Eliot vote on whether they want to have chicken coops in the Village and Suburban Zones. He said that there are a number of them in the Village Zone and, in this particular case, there was a chicken coop right across the street.

**7:58 PM**

Mr. Fernald clarified that, presently, it wasn't against the ordinance to have chickens, that the problem was the building, itself, in which the chickens were housed.

Mr. Marchese said that that depended on how one looked at the ordinance, adding that, if they were considered farm animals, then they had to be 100 feet from the property line.

Mr. Fernald said that he understood the CEO's point because, in the CEO's letter, they were referenced as pets, so they have to determine, in some way, which they were.

Mr. Marchese said that he had learned that, in 2009, the BOA did have a similar case, understanding that cases heard by the BOA only pertain to that particular situation – that they don't affect the Town, as a whole. He added that the BOA could not determine that chicken coops fell under a particular category but that the Town had to vote on it.

Ms. Place asked how many chickens they were talking about.

The CEO said that he wasn't sure of the number of chickens.

Mr. Fernald said that it evidently didn't matter.

Mr. Murphy said that the CEO said that this happened frequently in Town and asked him if he knew how many cases there were.

The CEO said that he knew of four other situations in the Village District with chickens that were not even fenced in and were allowed to run free in the neighborhood. He added that he didn't know if that would be impacted by the Town's new Animal Control Ordinance or not.

Mr. Murphy recommended not rushing to institute fining, etc., on this family if others have been doing that or are doing it unless he was taking similar action with them.

There was discussion regarding the photos sent by the owners, that the structure, itself, was 10 feet from the property line (met the ordinance for an accessory structure) but the fencing that the chickens were in was against the property line; that the Eliot ordinances did not differentiate between farm animals and pets.

Mr. Murphy suggested looking at these other ordinances in the other towns and move carefully and slowly rather than slam down on this one family – why should they be picked out when they just want to do something to let their children learn how to deal with animals.

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Ms. (Ellen) Robinson said that she could understand anyone having chickens, that she loved fresh eggs, but this chicken coop was 27 feet from her living room window and less than that from her bedroom window so the smell was particularly offensive. She added that she has had to put up a 6-foot fence because she has a Labrador Retriever and her Labrador Retriever thinks the birds want to be retrieved. She clarified that it has caused quite an uncomfortable situation.

Mr. Murphy clarified that she got her Labrador Retriever before they got their chickens.

Ms. Robinson said yes. She added that she could understand anyone having a pet for their child but there was interaction with a pet and there was not a lot of interaction with some farm animals. She reiterated the impact of the smell on her and her family.

**8:04 PM**

Ms. Shapleigh said that, when considering an ordinance, then they needed to think about whether the owner of the chickens was downwind of the coop or manure pile or their neighbor was. She added that the City of Portland was allowing chicken coops so she thought they needed to do a better job of taking care of it and, maybe, the chicken coop should be placed near their own bedroom instead of the neighbor's. She clarified that she thought they ought to be allowed their chickens but that everyone should be a bit reasonable about it.

Mr. Pomerleau discussed that he had gotten some guinea hens several years ago because they were tick-eating machines and they were wonderful. He said that they managed to creep over to his neighbor's, while he was out of town, onto her porch and made a mess there. He added that, when he got home, there was a phone message from the ACO saying that they needed to do something about this because they could be charged with six counts of animal trespass. He said that they didn't want to clip their wings because they roamed the property so their only option was to give them to the York Zoo, which they did. He clarified that the bottom line was that they did what was necessary to be good neighbors, adding that he didn't think the Town could declare an ordinance that forced people to be good neighbors.

Mr. Dunkelberger said that he would normally agree with Mr. Murphy as far as going slow but the reality was that they had ordinances in place and they had a complaint with regard to someone who has violated the ordinance. He added that the CEO's course of action with regard to issuing a NOV certainly made sense to him.

**8:07 PM**

Ms. Place said that, if the process this gentleman went through was correct, then the information the CEO gave her was not correct.

The CEO said that he put in a letter to the owner both definitions and he told the owner that it would be in the owner's best interest to locate the chicken coop in a location that was best for the neighborhood.

Ms. Place clarified that 10 feet from the property line was what the ordinance said.

Mr. Marchese said that 10 feet from the property line said for an accessory structure.

Ms. Place then asked what this owner was in violation of.

The CEO said that, if one looked at the statement of both definitions, one could go one way or the other. He added that, when someone came to him with an application to do something and if there were a question mark of whether they could or could not do it, then he allowed them to do it because he couldn't say one way or the other.

Mr. Dunkelberger said that his (CEO) letter cites ordinance 45-290, which concerns a 100-foot setback from the property line for animal breeding and care.

Mr. Marchese clarified that would be the more restrictive definition.

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Mr. Dunkelberger said that he believed the BOA also hung their hat on.  
Mr. Marchese agreed.  
Mr. Fernald asked for the pleasure of the Board on this issue.  
Mr. Dunkelberger supported the CEO's proposed actions on this case.  
Ms. Place said that she did not.  
Mr. Murphy said that he thought the chickens should be moved 100 feet from the property line.

The CEO said that he believed that, in this case, it was a smaller lot in the Village Zone and there was no location on the property that would be 100 feet from an abutting property.

Mr. Murphy commented that he thought that that was too close and crowded and, if they could not find a spot 100 feet from the property line, then he thought, probably they should not be allowed to keep animals. He added that the steps sounded drastic when the CEO enumerated them but, at least, take them step-by-step and persuade the owner to be reasonable.

Mr. Fernald said that because there was some disagreement he was going to ask for a motion and a vote for the CEO to proceed.

Mr. Dunkelberger moved, second by Mr. Murphy, to allow the Code Enforcement Officer to proceed with his proposed course of action, issuing a Notice of Violation, with the appropriate steps after that.

**VOTE**

**2-1 (Ms. Place)**

**Chair concurs in the affirmative**

**8:12 PM**

**#11**

TO : Board of Selectmen  
FROM : Mark Phillips  
REF : Marshwood Estates Notice of Violation

Mr. Fernald asked the CEO to talk to this issue.

Mr. Marchese said that Marshwood Estates had taken aggressive steps to correct the situation. He added that they had already made emergency repairs, that they were in the process of doing investigations into their sewer systems so that it would make it more easy for them to operate...they already have an application with the State to make sure it's an engineered system and reviewed by DEP and that process was ongoing.

Mr. Murphy asked if they had a timeline for when they expected this to be done.

Mr. Marchese said that he was sure that the State of Maine would process the application as quickly as possible and that they would get the work done before winter as much as they could.

**8:14 PM**

**#12**

TO : Board of Selectmen  
FROM : Credit Capital  
REF : Municipal Lending

Mr. Fernald asked Mr. Blanchette to talk on this.

Mr. Blanchette clarified that this was a new avenue for borrowing on projects that had not been open before. He said that he wasn't quite sure he understood the full impact of it because what they were saying was that, basically, it was a non-bonding process. He said he did know what the advantage would be, as it cost money to do bonding, so they would see savings there but he wasn't sure this process would be necessarily advantageous to the Town. He added that they should keep it in mind as an option.

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**January 12, 2012 6:30PM (continued)**

Mr. Fernald said that they needed to find out as much as possible about this as it could be another avenue for the Town to consider.

Mr. Blanchette agreed.

Mr. Murphy said that there was no mention of collateral and wondered how they secured these loans.

Mr. Blanchette said that he didn't know but that he would get more information.

**8:15 PM**

**Old Business (Action List):**

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

Mr. Murphy said that they had a meeting on the update of the IMA and the conclusion was to not move in the direction Kittery was suggesting – that is to modify the current contract – but this committee wants to continue revising their proposed IMA, the first version of which they gave to Eliot in May of 2008. He added that a lot of water had passed under the bridge since then and they were still working on making it their (Eliot's) version of this IMA

2. Monthly Reports from Department Heads

Mr. Dupuis (SC) said that they have had several meetings in discussion with Jay and the IMA. He added that they were bringing to the Board in February sewer standards rules and regulations to adopt for the Town. He said that they have been working with Public Works to bring up revenue incomes for the SC, itself, and those reports should be good. He said that he would like to thank all the committee members for all their hard work.

Mr. Fernald said that they had received a report from the Police Department.

Mr. Blanchette said that they just today received a report from the Fire Department. He added that he had not seen a report from ECSD.

3. TIFD reports and updates

Mr. Blanchette reiterated that they had over \$600,000 in the account. He said that he thought this years' money coming into the account was about \$460,000.

4. Health Insurance Costs

Mr. Blanchette said that he was waiting for the new costs, which they should be getting this month.

5. Review existing Sewer User Rates and update – Sewer Committee

This has been done but the Board will keep this on the Action List as a reminder for yearly review.

6. Regionalization of Town Services

Mr. Blanchette said that this was ongoing and that he was meeting with the South Berwick Town Manager next week about some possibilities. He said that he thought the best way to regionalize was to merge the two towns.

7. Sewer Allotments – fee for reserving such

Mr. Blanchette said that he thought they were waiting to see what kind of IMA contract they would have with Kittery to see if Eliot was going to incur costs for any unused capacity.

8. Auditor – Management Letter

Mr. Fernald said that the Board would be meeting with Randy Stewart next Thursday at 6:30 PM.

Mr. Blanchette said that the BC would be able to meet next Thursday at 7 PM.

Mr. Dunkelberger asked if they had gotten the audit report.

Mr. Blanchette said that they did not have the audit report from the year ending June of 2011.

Mr. Dunkelberger asked when they normally got that report.

**Draft BOARD OF SELECTMEN'S MEETING  
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Mr. Blanchette said in February or March. He added that it was his opinion that it was late, as he considered anything after November late. He was not sure of the reason for not having it yet.

9. Consistent Format – Budget, Time Sheets, etc. – Mr. Moynahan and Mr. Dunkelberger  
Mr. Dunkelberger said that they were much closer getting together a proposal for the Board that takes into account the time-keeping and budget issues.
10. Monthly Workshops – 3<sup>rd</sup> Thursday of the month  
This was ongoing.
11. Employee Reviews in monthly Department Head Reports  
This was ongoing.
12. Carry in – Carry out Policy for Town parks - Ms. Muzeroll-Roy  
Mr. Fernald said that they had received a draft from Ms. Muzeroll-Roy to review.
13. Legal issues – pending and Consent Agreements  
This was ongoing.
14. Community Services Building  
This was previously discussed.
15. Police Union Contract  
Mr. Blanchette said that they were waiting for the union to give the Board a proposal and he sent a reminder to them last week through an email.
16. Finance Director/Comptroller  
Mr. Fernald said that this would be part of their discussion with Mr. Stewart.
17. Personal property tax  
Mr. Murphy said that this was one of Mr. Donhauser's concerns and the Board should probably look into that.
18. Town Forest – Johnson's Lane  
Mr. Blanchette said that he was working on some of that, that he was doing research.
19. Taping of meetings  
Mr. Fernald said that they were doing this. He asked if they intended to tape the June Town Meeting.

Mr. Blanchette said that the way he thought it was set up right now that they could tape the Town Meeting but it would be able to be viewed while it was in session. He added that someone would have to tape the meeting so they were looking for a volunteer.

**Selectmen's Report:**

There were no Selectmen's reports tonight.

**Other Business as Needed**

There was no other business.

**8:25 PM**

**Executive Session**

Mr. Dunkelberger moved, second by Mr. Murphy, to enter into executive session as allowed by 1 MRSA § 405.6.F "Discussion of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;" such as property abatement.

**VOTE**

**3-0**

**Chair concurs**

**8:37 PM** Out of executive session.

**8:38 PM** Mr. Dunkelberger moved, seconded by Ms. Place, that we abate the balance of the 2010 taxes, interest, and fees on the property known as Map 19, Lot 3 (\$572.53).

**VOTE**

**3-0**

**Chair concurs**

**Draft BOARD OF SELECTMEN'S MEETING  
January 12, 2012 6:30PM (continued)**

**8:41 PM** Mr. Dunkelberger moved, second by Ms. Place, to enter into executive session as allowed by 1 MRSA §405.6.F "Discussion of information in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;" such as property abatement.

**VOTE**

**3-0**

**Chair concurs**

**8:45 PM** Out of executive session.

**8:46 PM** Mr. Dunkelberger moved, seconded by Ms. Place, that we abate the balance of the 2010 taxes, interest, and fees on the property known as Map 0, Lot 81 (\$2579.39).

**VOTE**

**3-0**

**Chair concurs**

**8:47 PM** Ms. Place moved, second by Mr. Dunkelberger, to enter into executive session as allowed by 1 MRSA §405.6.F "Discussion of information in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;" such as property abatement.

**VOTE**

**3-0**

**Chair concurs**

**8:50 PM** Out of executive session.

**8:51 PM** Ms. Place moved, seconded by Mr. Murphy, that we abate the balance of the 2010 taxes, interest, and fees on the property known as Map 82, Lot 4 (\$1037.59).

**VOTE**

**3-0**

**Chair concurs**

**8:52 PM** Ms. Place moved, second by Mr. Dunkelberger, to enter into executive session as allowed by 1 MRSA §405.6.F "Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation..." Personnel matters.

**VOTE**

**3-0**

**Chair concurs**

**8:59 PM** Out of executive session.

**Adjourn**

There was a motion and second to adjourn the meeting at 9:00PM.

**VOTE**

**3-0**

**Chair concurs**

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**DATE**

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**Roberta Place, Secretary**