

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM**

**Quorum noted**

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

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

**Pledge of Allegiance recited**

**Moment of Silence observed**

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

No minutes were approved tonight.

**Public Comment:**

**5:31 PM** There was no public comment.

**Department Head/Committee Reports**

**G. 1 Administrative Department**

**Code Office Permit Comparison, Kittery and Eliot**

This was provided by Kittery. It will be provided to the Regionalization team and Mr. Lee. Rates for the respective towns were discussed.

**5:34 PM** Mr. Beckert said that the PB agreed that rates should be raised gradually, as they had not been raised for years, and that the Town had approved a rate raise this past June.

Mr. Moynahan said that information regarding third-party inspections from Attar Engineering would be on the Board's next regular agenda.

**5:35 PM Civil Consultants**

This was an invoice from Civil Consultants.

Ms. Muzeroll-Roy said that Mr. Harmon had called her for an update on this. She said that she went back through her emails regarding this and gave the Board a copy of this communication. She added that she told Civil Consultants that she would bring this to the Board.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

There was discussion around who actually engaged the services of Civil Consultants regarding this particular project (ECSD move to school).

Mr. Dunkelberger will discuss this with Mr. (Randy) Stewart (MSAD #35).

**5:37 PM** Mr. Moynahan said that he received a letter of resignation from Ms. Natalie Gould (ECSD Assistant Director), effective January 30, 2014.

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen accept the resignation of Ms. Natalie Gould, effective on the date listed of March 5, 2014, and thank her for her service to the Town of Eliot.

**VOTE**

**4-0**

**Chair concurs**

**5:38 PM** **Current TIF Funds – No Correspondence**

Mr. Moynahan said that, in working with the Treasurer, the Town had no TIF funds – under \$2,000 was the current estimate. He added that this fiscal year there would be none to offset the Town Manager's salary.

**G. 2** **Public Works Department**

**Three month Pay-per-Bag Trial Update**

Mr. (Jim) Tessier updated the Board, discussing the very positive results of this trial, so far, in improved recycling and additional revenue. He suggested that they stay with this program after the six-month trial (February 28, 2014) until they could issue their 6-month report (late March or early April) so that the Board would have the data to decide on whether to continue with this program, or not.

After some discussion, the Board agreed to extend this program with the understanding that they would want public input regarding making this a permanent program.

**5:40 PM** Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen extend the Pay-per-Bag Program through April 30, 2014.

**VOTE**

**4-0**

**Chair concurs**

Mr. Moulton discussed the positive revenue and savings to the Town.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

Mr. Moynahan reminded Mr. Moulton, for budgeting purposes, to be specific to utilize Pay-per-Bag funds.

Mr. Pomerleau discussed the potential to compare the revenue from this program against where they would be without the bag fee; if they could go back to the old system now that people were trained properly, eliminate the bag fee and get similar results.

Mr. Moynahan said that that was being reviewed.

**5:43 PM** Mr. Tessier said that a specific line item had been added to reflect the revenue coming in with this program and to use it to offset the costs to operate the Transfer Station to the Town.

Ms. (Donna) Murphy suggested considering the impact to low-income residents.

Mr. Moynahan said that that was part of the reason this was done on a trial basis.

**Sewer Pump Station Upgrades engineering proposals & budget figures**

**5:46 PM** Mr. (Tom) Page, Underwood Engineers, gave a brief presentation on the proposed improvements to the Maine Street Station and the Kings Highway Station, the costs to implement (\$1,500,000), and the user rate impact. He also addressed recommended future improvements.

**6:05 PM** Mr. Dunkelberger asked Mr. Page why there was a difference in horsepower recommendations between the two pump stations.

Mr. Page said that the Main Street Station was actually pumping a little bit higher; that there was a higher head on the pump and, by its nature, it took a little higher horsepower. He added that the two pumps would serve current and future flows, whereas at the Kings Highway Station, they would need to add a third pump to meet future flows, which ended up being more efficient than two larger pumps. Mr. Page also said that a CWSRF loan was still available and would give the Town a low-interest loan. He added that the next step would be to pursue a warrant article to approve funding for \$1.5 million.

**6:10 PM** Mr. Murphy asked what allowed the pumps at the Main Street Station to be brought to grade level if the collecting mains were still 20-25 feet down.

Mr. Page said that the pumps have the ability to prime themselves by sucking the sewerage up out of the wet-well and bring it up to grade. He added that the Kings Highway Station was a little too deep.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

Mr. Moynahan discussed putting budgets and a warrant together; consider new rate information and how they wanted to proceed, as well as a possible CIP.

Mr. (Mike) Dupuis said that the Sewer Committee (SC) was having a special meeting January 29<sup>th</sup> at 4:15 PM to discuss the rate reviews. This meeting will be video-streamed.

Mr. Moynahan asked Mr. Dupuis if the SC could provide a scenario with the numbers that were provided tonight, as well, so that they would have a side-by-side comparison of what it would look like with and without capital improvements.

Mr. Dupuis said that they could.

**6:12 PM**

Mr. Pomerleau discussed building in future capacity, asking if this future capacity was based on specific details and was there the assumption that doing this now held cost-savings. He asked if it was not feasible to wait until the increases come and then do it.

Mr. Page said that, typically, they designed the station to handle today's flows and 20-year design flows; that they developed some pretty detailed projected flows in the previous report. He added that it is cost-effective to do this kind of design today; that it wasn't sensible to design for, say, 50 years out. He also added that, with this proposed design, the Town would not have to completely rebuild the stations in 20 years.

Mr. Pomerleau asked, using an analogy, if they were going to add 'this' bigger nut so that the Town could expand in the future, was it not possible to add the bigger nut in the future when the expansion comes.

Mr. Page said that, in this case, 'that' bigger nut is expanding the force mains and putting in larger pipes in the future; that they were going to put 'that' big nut off but put in the right size pumps today.

Mr. Moulton said that today's dollar would make it cheaper; that they would be looking at another rehabilitation to a pump station when they could do it now at a lower cost; that this was planning for the future at a lower-cost dollar now versus later.

Mr. Moynahan asked if the current pumps were adequate for current flows.

Mr. Page said that they were not adequate for the Town's current peak flows.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

Mr. Moynahan clarified that that was where this whole thing started from – that the Town was undersized, already, so they have exceeded the 20-year planning; that this was like building from day one, again.

Mr. Dupuis said that, with current operations, if the Town receives a large flow due to the I&I, then they were in alarm state. He added that he had to man the pump station 24/7; that they were at full maximum so, if they had a problem with a pump was like a pit at the raceway – they have to break it down and get it back up and running and, meanwhile, they had to have several pump trucks there to take over.

Mr. Page emphasized that the Town did not meet their current flows; that the Town needed to expand the stations to meet today's current flows; that if something happened and the Town had a sewage spill it would be very expensive.

There was discussion regarding the age and deterioration of the system and the prohibitive costs should there be a sewage spill.

**Sewer Rate Review – Discussion with correlation to new IMA Agreement & Capital Reserve Funding**

**6:20 PM** Mr. Moulton said that Eliot had received two quarterly bills from Kittery, which is showing an increased cost to Eliot, and recommended the rate increase to provide adequate reserves going into the future. He added that they would continue to monitor the costs but that it would be proactive if the Town moved forward with the pump station upgrades and continue with the I&I to reduce costs. Mr. Moulton noted that the last bill from Kittery showed an increase of about \$20,000; that one meter showed a higher reading and that is under discussion with Kittery.

**Sewer I/I Update**

**6:25 PM** Mr. Moulton updated the Board on I&I work currently in progress, issues they have found and suggested steps moving forward. He discussed the high water table in the Village area, where several issues are occurring and emphasized the critical need to keep up with I&I on a continual basis. He also discussed options around whether the Town would foot the whole bill for residential issues or work with the resident to resolve the issue. He asked the Board if they wanted to let him continue moving forward with I&I; that he would keep them updated and bring large costs to the Board for approval.

**6:30 PM** Mr. Dunkelberger asked if Mr. Moulton currently had a line item for I&I in Sewer.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

Mr. Moulton said no, that it came out of the reserve.

Mr. Dunkelberger suggested Mr. Moulton have a line item just for I&I inspections and repairs could come out of his capital.

Mr. Hirst said that the return on repairs of leaking pipes was very high and he thought that they would want to proceed with that at all possible speed within budgetary limits.

Mr. Moynahan said that he thought the manhole rehabilitation that was done was going to be a permanent fix.

Mr. Moulton explained they did two different repairs; that they had done I&I and they did deterioration because of the methane gas. He said that the Bolt Hill Road manhole was the rehabilitation they did and these others were I&I issues.

Mr. Moynahan suggested they have some type of CIP for this, as well, in planning for future things.

**Charter Commission (Not scheduled)**

**6:35 PM** Mr. Rankie said that they were reviewing their budgetary needs for the current fiscal year and should complete an estimate at their January 28, 2014 meeting.

There was discussion regarding where any funds would come from.

Mr. Moynahan suggested having this discussion again after the Charter Commission's meeting and they could then decide where they might get some money. He added that the Board would work with the Charter Commission on how this would be done.

Mr. Rankie said that their next year's budget looked to be primarily legal fees as Maine State statute requires a written legal opinion accompany the Commission's final report.

**6:41 PM** Mr. Dunkelberger suggested that the Charter Commission put in a line request.

Mr. Moynahan agreed that that would be more consistent with what everyone else was doing.

**6:43 PM** Mr. Moynahan said that he had a letter from Ms. Patricia Levesque regarding retirement plans; that she was planning to retire her position as Deputy Town Clerk and Tax Collector on April 4, 2014. He added that she would like to meet with the Board before she leaves to discuss abating some old personal property

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

taxes dating back to 2006 through 2012 that will never be paid. He said that her retirement plans are now known and the Board should set up a conversation with Mr. Lee regarding past taxes.

**New Business (Correspondence List):**

**#1**            TO     : Board of Selectmen  
                 FROM : MTCMA  
                 REF    : Ambassador Program

This is informational.

**#2**            TO     : Board of Selectmen  
                 FROM : American Red Cross  
                 REF    : Thank You Letter

This was regarding Eliot's financial support of the Red Cross.

**#3**            TO     : Board of Selectmen  
                 FROM : MMA  
                 REF    : Membership Dues

This is informational.

**#4**            TO     : Board of Selectmen  
                 FROM : Central Maine Power  
                 REF    : Tree Work

This is informational.

**#5**            TO     : Board of Selectmen  
                 FROM : Central Maine Power  
                 REF    : State Pole Permit

This is informational.

**#6**            TO     : Board of Selectmen  
                 FROM : eric@shareinmyday.com  
                 REF    : Streaming Summary Report

This is informational.

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

**6:45 PM**  
**#7**

TO : Board of Selectmen  
FROM : Tony Manero  
REF : Suggestions for Public Input

Mr. Moynahan said that this was a follow-up from the last meeting and included some thoughts on any policy change that the Board makes. He added that the policy change was added to the AIL.

Mr. Manero said that he read the policy, particularly the portion that had to do with public input, and that he completely agreed with the policy, as written; that it well fit the needs of the Town. He added that he proposed something that would be additive to that policy that might clarify issues that might come up and offered it to the Board as they saw fit to use. He reiterated that he was not contradicting or criticizing, in any way, the existing policy but was only trying to be helpful by amplifying on points that may be beneficial to the Town in the long run.

The Board thanked Mr. Manero for his input.

**Old Business (Action List):**

**6:48 PM**

1. Tax Increment Finance Program – Potential projects, next steps, schedule workshop

Friday is the deadline for forming a new group. There are five people, so far, who have expressed interest. This will be on the Board's agenda for their next meeting.

2. Good Neighbor Petition

This is ongoing.

3. Police Union Contract – Mr. Moynahan, Mr. Dunkelberger, Mr. Blanchette, & Chief Short

This is ongoing.

4. Community Service Space: Relocation to Elementary School – fit up costs, service impacts, insurance, MSAD #35 contract - CSD Director, Mr. Dunkelberger, Mr. Hirst, & Mr. Blanchette

This is waiting for a response from the State Fire Marshall's office.

5. Policy creation/review

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

- a. Selectmen's Policies – Modify to allow all people to speak

This was previously discussed tonight.

- b. Consent Agreements – Guidelines to Policy

There was general agreement regarding adding this as an appendix to the Board's policies after review and any potential revisions are made.

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

This will be given to the Town Manager.

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

No new information.

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

This is ongoing.

9. Pay-per-Bag Recycling – 6-month trial, started September 13, 2013

This was previously discussed tonight.

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

**6:55 PM**

Mr. Hirst said that he and Mr. Dunkelberger were meeting with MSAD #35 in the South Berwick Town Manager's office on February 12<sup>th</sup> around collaboration; that they were meeting with them again on the 18<sup>th</sup> on another issue; that they were meeting with Kittery at 1 PM on February 20<sup>th</sup> at Kittery Town Hall on other areas of consolidation and cooperation. He added that they were actively working with bordering towns on things they could do that might save money.

11. Legal issues – Unfair Labor Practice Complaints – BOS

This is ongoing.

12. Sewer - User Rates, reserved allotments, odor, maintenance– Sewer Committee, Underwood Engineers, Mr. Moulton

**BOARD OF SELECTMEN'S MEETING**  
**January 23, 2014 5:30PM (continued)**

This will be updated next week.

13. Department Heads – monthly reports, employee reviews, financial oversight, policy reviews, and department reviews – BOS

Mr. Moynahan said that he will send out a reminder email; that he has received a report only from the ECSD Director.

14. Research grant opportunities – AED's for Town buildings – Fire Chief

There is the possibility that the Town may get a grant for one or more AED's; that Mr. Muzeroll is working on that directly with that potential source.

15. Comp Plan follow-up

Work with Town Manager on this.

16. Public Works Union Negotiations (in mediation) – Mr. Moynahan, Mr. Dunkelberger, Mr. Moulton and Mr. Dave Barrett

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

Both are still in mediation. There is a mediation scheduled February 6<sup>th</sup>.

17. Public Hearings Scheduled –

There are none scheduled at this time.

18. FEMA – Updated Preliminary Flood Insurance – review findings; notify affected residents

This is ongoing.

19. Code Enforcement Officer Vacancy – Town Manager

This will be given to the Town Manager.

20. Planning Board – Review 1,000' language in ordinance; Review reducing 250' IWWF setbacks per DEP

Mr. Beckert said that the PB had some good discussion on this and Ms. Pelletier is doing research on this. He added that there is very little information on why these are in the ordinances at all.

The Board will add 'Tax Collector search' to the list.

**BOARD OF SELECTMEN'S MEETING  
January 23, 2014 5:30PM (continued)**

**Selectmen's Report:**

There were no Selectmen's reports tonight.

**Other Business as Needed**

There was no other business tonight.

**Executive Session**

There were no executive sessions tonight.

**Adjourn**

There was a motion and second to adjourn the meeting at 7:00 PM.

**VOTE**

**4-0**

**Chair concurs**

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

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