

BOARD OF SELECTMEN'S MEETING
July 10, 2014 5:30PM

Quorum noted

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

Roll Call: Mr. Moynahan, Mr. Beckert, Mr. Hirst, Mr. Fernald 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 June 18, 2014, as written.

VOTE

4-0

Chair concurs

Public Comment:

5:32 PM Mr. (Denny) Lentz asked if the Selectmen could assign a liaison to the school board.

Mr. Fernald said that there were already elected Eliot residents on the school board.

Ms. Davis said that she thought that knowledge of how the school budget works is very important for Eliot residents and something she would be interested in learning more about on behalf of Eliot residents.

Mr. Moynahan asked what Board members thought about one of their members sitting at school board meeting to hear more about budgets and the budget process.

Mr. Hirst asked if that would be in the format of a liaison.

Mr. Moynahan said that he thought not because the school board was not one of the Board's standing committees. He added it would be more of a member of the Board reviewing what happens and reporting back to the Selectmen about the budget process and that sort of thing.

The Board agreed, with the understanding that Ms. Davis did it as a private citizen.

Public Hearing: New General Assistance Overall Maximums/DHHA Required

5:35 PM Mr. Moynahan opened the Public Hearing.
Mr. Lee explained the maximum and said that amounts have gone up slightly.
There was no one from the public who wished to speak.

5:36 PM Mr. Moynahan closed the Public Hearing.

Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen approve the General Assistance Overall Maximums – Appendix A, as presented, effective July 1, 2014 to June 30, 2015.

VOTE

4-0

Chair concurs

At this time, the Board signed the document.

G1. Department Head/Committee Reports

5:38 PM 1) Harbor Commission – Draft By-Laws, 2nd Reading

Mr. Moynahan asked if any members had any changes or additions to this document.

Mr. (Charlie) Rankie said that he thought this was a good idea and gave some history of the Harbor Ordinance. He said that, in the Harbor Ordinance, there was a spot for

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a harbor commission and in the current ordinance it says 'deleted' but he believed that was in error. He added that the Harbor Ordinance says that the Board of Selectmen would hear appeals and the proposed harbor commission says that appeals would be heard by the harbor commission and he felt that needed clarification. He also strongly supported having a harbor commission. He added that the Town had no master mooring plan and the Town ordinance calls for one; that the harbor commission could do that work; that he felt the Town should have a harbor commission and thought it belonged inside the Harbor Ordinance.

Mr. Moynahan asked Mr. Lee if the by-laws were part of the ordinance.

Mr. Lee said that he didn't disagree with Mr. Rankie but thought they needed a Harbor Ordinance 'task force' to look at, revise, and incorporate an actual harbor commission into that document. He added that if the only problem was the appeal – that the appeal should go to the Selectmen not the harbor commission – we could amend that.

Mr. Rankie said they could do a number of things; that they could have two levels of appeal, etc.; that the way it was now was meshing gears.

Mr. Moynahan suggested they could adopt the by-laws for a group, to get them started, knowing that there are some issues that may need to be addressed with the ordinance, which an ordinance takes a Town Meeting to change. He added that at least they could task the group with some work to start with and, maybe, the first is to review that ordinance to make sure it is up-to-date with what we need to do as a Town with our harbor.

Mr. Rankie said that he thought the harbor commission was very important.

5:44 PM

Ms. Davis said that the appeals process did appear to conflict with the ordinance. She added that she did some research and found that other towns have some interesting harbor commission plans and harbor management plans, saying that she thought they could use a little more time to research and maybe add to this document, then revise the part that is conflicting.

Mr. Moynahan asked if that would change the by-laws or would it change the language or make-up of that group or the ordinance; that right now he thought they were just trying to have by-laws for a new committee and not so much guidance or tweaking of an ordinance.

Ms. Davis said that if the appeals process conflict was taken out then this was a good starting point.

Mr. Moynahan said that they could take that piece out in the by-laws until a review was done on the ordinance and asked if that would make the by-laws acceptable.

It was the consensus of the Board to strike Section VII except to leave a reference to the Harbor Ordinance in the draft by-laws so that people would know where to look for the appeals process.

Mr. Lee will revise the draft harbor commission by-laws as requested by the Board and have it ready for a 2nd reading at the next regular Selectmen's meeting.

G2. Administrative Department

5:47 PM 1) Town Manager Activities Report

This was informational.

Mr. Moynahan said that Mr. Lee had added an item and asked him to speak to that.

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Mr. Lee said that SEI was Seacoast Energy Initiative; that a few towns got together to create a lending pool for energy efficiency projects and the lending company want to get out of that. He added that the monies in there will be distributed and Eliot submitted for a portion of that money; that Eliot has been awarded \$45,000 in a grant; that they had \$28,000 approved at Town Meeting, which was our match on that. He said that right now bids are going out through SMRPC on behalf of several towns to do LED lighting in all the buildings and to weatherize and tighten the building envelope and those are two of the three big projects the Energy Committee (EC) has wanted to do. He discussed some details and the timeframe. He said that there is a possibility that the towns might even get a bit more in money than what is expected.

There was discussion on how this would impact next year's budget request and it was determined that, once the numbers are in for the third project, the CIP numbers would be adjusted accordingly.

2) Adopt Selectmen By-Laws and Rules for FYE 2015

Mr. Moynahan explained that each year the new Board, by motion, had to adopt the By-Laws and Rules of Order of the Eliot Board of Selectmen.

Mr. Beckert moved, second by Mr. Fernald, that the Board of Selectmen adopt the Board of Selectmen By-Laws and Rules for the fiscal year 2015.

DISCUSSION

Mr. Hirst asked if the hand-written comments within the document were being incorporated.

Mr. Moynahan said no.

Mr. Lee explained that he put those in there because he believed it was their intention to go over these policies and he thought that the work Mr. Murphy did Mr. Lee thought would be helpful when they started the review.

DISCUSSION ENDED

VOTE

4-0

Chair concurs

3) Reappointment/Appointment Requests

Mr. Moynahan said that the Board again advertised for committee positions. He added that just today they had one additional interested party; that Mr. Pomerleau had requested to be on the Comprehensive Plan Implementation Committee. He said that they weren't getting a lot of people expressing an interest and, at this point, he would like to take up the first one – Mr. Dunkelberger's request seeking to be an alternate on the Planning Board (PB).

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen appoint Mr. Leroy "Dutch" Dunkelberger as an alternate member to the Planning Board.

VOTE

4-0

Chair concurs

Mr. Moynahan said that the next request from Mr. Dunkelberger was to be appointed to the Budget Committee (Bud Com). He added that part of the last meeting was to get feedback from the Bud Com as they have the ability to forward on a recommendation to this Board. He asked if they had seen anything from the Bud Com.

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Ms. (Donna) Murphy said that Mr. Pomerleau submitted an application to be appointed to the Bud Com and it was her understanding that that was submitted to the Board.

Mr. Moynahan apologized as the request was on the back side of the Comp Plan request and he didn't see it.

Ms. Murphy said that the Bud Com met, considered those who applied, and voted unanimously to recommend the appointment of Mr. Bob Pomerleau.

Mr. Moynahan said that they had a recommendation from the Bud Com and the Board has two people willing to serve on that committee. He asked for the pleasure of the Board.

Ms. Davis moved that the Board of Selectmen appoint Mr. Robert Pomerleau, per the Budget Committee's request.

There was no second and the motion failed.

Mr. Moynahan asked if there were any other motions regarding the opening on the Bud Com.

There were no other motions.

Ms. Davis said that she believed it was located in the Bud Com by-laws that they would be able to recommend someone be appointed to fill a vacant spot on the Bud Com; therefore she thinks it is incumbent upon this Board to support the recommendation of the Bud Com.

Ms. Davis said she would like to move that the Board of Selectmen appoint Robert Pomerleau, per the recommendation of the Bud Com.

Mr. Moynahan said that the Board did and there was no second; that the Board did hear the recommendation from the Bud Com.

Ms. Davis said that she would like a reconsideration of that because there are few people applying for volunteer positions and she was very disappointed that no one on this Board sees fit to appoint Mr. Pomerleau to that position.

Mr. Moynahan asked if the Board chose to reconsider.
The Board did not choose to reconsider.

Mr. Moynahan said that the Bud Com would be left with a vacancy for the time being.

Mr. Moynahan said that Mr. Murphy expressed an interest to be on the Business Development Committee, Energy Commission, and Conservation Commission.

Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen appoint Mr. Jack Murphy to the Business Development Committee.

VOTE
4-0
Chair concurs

Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen appoint Mr. Jack Murphy to the Conservation Commission.

VOTE
4-0
Chair concurs

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Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen appoint Mr. Jack Murphy to the Energy Commission.

VOTE

4-0

Chair concurs

Mr. Lee said that one of the Selectmen mentioned to him at the last meeting that Mr. Russ McMullen's request to be reappointed to the Business Development Committee was missed.

Mr. Moynahan asked for the pleasure of the Board.

Mr. Fernald moved, second by Ms. Davis, that the Board of Selectmen reappoint Mr. Russ McMullen to the Business Development Committee.

VOTE

3-1 (Mr. Beckert)

Chair concurs in the affirmative

4) Item has been removed

5) Hiring of CEO/CEO Job Description

Mr. Moynahan asked Mr. Lee if he was looking to fill that vacancy.

Mr. Lee said yes.

Mr. Moynahan asked for input from the Board on this job description and hiring of the CEO position.

There was discussion regarding contracting CEO services out with a user-based third-party inspection structure versus having a CEO in place; that contracting services would not cover everything that the Code Office did and would apply more to new construction inspections. There was also discussion regarding having a part-time CEO and contracting for third-party inspections for new construction.

Mr. Lee will do a more detailed analysis of how the Code Office would work and might be staffed using third-party inspections for the Board and bring that to the next regular meeting.

6:10 PM

6) Hiring of Customer Service Rep.

Mr. Lee said that he and the Town Clerk performed five interviews; that they had 54 applicants; that the new Customer Service Clerk is Deborah (Debbie) Lynne Brock and she will be starting the 16th of July. He added that Brenda Harvey has begun to take on the role of Tax Collector and, as the new Customer Service Representative gets up to speed, Ms. Harvey will move increasingly over to the Tax Collector role.

7) Request for Special Town Meeting/Growth Permits/1,000' Dead End

Mr. Moynahan said that he and Mr. Lee had received a request to move forward with a plan to put the repeal of the Growth Ordinance to a Town vote sooner than November. He asked for Board input on scheduling this and the 1,000' dead end issue sooner than November.

Mr. Hirst asked if there was anything else they could put on the Special Town Meeting agenda, as it cost quite a bit to do one of these.

Mr. Rankie asked what the urgency was, why they couldn't wait until November.

Mr. Moynahan said that there was a negative impact on landowners who wanted to build homes with currently no building permits available. He explained that the

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Town started out with 48 building permits and, because of the imposed State formula, the Town is now down to 24 building permits per year. He added that residents are being taxed on buildable land and they cannot build on their properties because of the way the State does the calculations on the Growth Management Plan.

Mr. Rankie discussed the background of the Growth Ordinance and that it was put in place to control growth. He added that he did not believe they had a crisis and suggested this be allowed to go through the process so that people could be informed about what was being proposed and not push something through quickly. He agreed that the cost was another consideration. He reiterated that there was no crisis and that the consequences of this decision needed to be thought through.

Mr. (Ben) Brickett said that a good friend bought property intending to, and believing she could, build a home on that property last year; that she didn't know about the limited permit number. He added that, whether you are developing your property, you own the property, or you want to sell property, you would expect that you would at least be able to build a house on that property. He said that, unbeknownst to residents, the building permit number went from 48 down to 22 a year. He said that his good friend could not build her house until next year; that there are 11 people on the waiting list and, come January, those 11 would be taken up and what about people who want to build next year.

6:17 PM

Ms. Adams said that she believed they needed time to think about this. She was concerned that allowing more permits to be issued would negatively impact the rural character of the Town and have serious unintended consequences.

Ms. (Vickie) Mills agreed with waiting, saying that she thought some strategic planning needs to take place before we look at changing anything at this point. She added that the Comprehensive Plan Implementation Committee is talking with Mr. Lee about all of the Chairs of the various boards and committees and commissions meeting and discussing where we are going from now on. She said that one of the things that the Comp Plan addresses is impact fees and she thought that, before they open any floodgates to development, they needed to look at that and have certain things in place before we change anything.

Ms. Murphy said that she fully agreed with waiting and was concerned with putting this in a Special Town Meeting with the low number of people voting at those because this impacted everyone in Town.

Mr. Rankie clarified that he was more strongly opposed to having the 1,000' issue on a short fuse than he did the growth. He said that, regarding the 1,000', there has been land donated to the Town and Great Works as a direct result of that and he believed changing that would negatively impact the rural character of the Town. He emphasized that the Town went to the Supreme Court to keep this stuff.

Mr. Pomerleau said that he could see both sides of the argument. He added that he felt the ordinance should be repealed because it was not serving the purpose it was intended to when there was a growth boom. He added that this was a critical issue; that he would be one person who would want to make zoning changes and do away with 3-acre limits, as he thought it was too restrictive. He said that he thought it was critical to have the most people participate in this very controversial issue.

6:20 PM

Ms. Davis said that there were a lot of outstanding questions on this; that she worked up a list of discussion topics (she gave list to Board members); that one would be talking with the Planning Assistant (PA) exploring the possibility of exceptions or talking with the State about the fact that they reset numbers in the middle of a recession and the possibility of challenging those numbers.

Mr. Lee said that from what they have learned, if you are going to have a growth limitation ordinance, then there is only one game in Town, and that is the one the

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legislature has laid out – a single formula, one-size-fits-all. He discussed a letter he sent today to State representatives discussing this issue, the negative impact to Eliot and asking them to look at this legislation. He also discussed the negative economic impact to land values in Eliot and the price increase to existing homes because of the current situation. He added that it was tweaking the economy of the Eliot housing market in very strange ways and does sort of amount to a taking because of being taxed for a buildable lot that, right now, is really not. He said that he was concerned that it might have overall impacts to our tax base if people decide, because it isn't currently buildable, they make it back acreage.

Mr. Moynahan said that he didn't think anyone wanted to do away with growth management; that it was the formula that was flawed; that when we start with 48 and the State cuts it in half in seven years' time, then that didn't seem to be a practical approach for the Town.

Mr. Lee added that there was no middle ground on this per the State.

Mr. Beckert agreed, adding that that was his concern; that the State did this without any input from municipalities. He said that he thought the legislature was the first place the Town should go because the legislature caused the problem and ask them what they were going to do to afford the Town some relief, as growth is not an issue, or the flexibility to go back to the 48.

Mr. Lee said that he thought everyone would agree that we favor Home Rule rather than the State telling us what is best for Eliot. He added that it would be great if they allowed towns to come up with their own systems that work for that town in that location in that time in history. He added that this is starting to have consequences that are not great.

Mr. Moynahan brought the Board back to the issue of whether to have a Special Town Meeting to deal with the two issues in front of them.

The Board agreed by consensus to wait and get more information before making a final decision.

6:27 PM

Mr. Lee said that they still had to deal with the sewer pump issue, as well; whether we would bond it, etc., thinking that that triggered a discussion about a November meeting.

Mr. Moynahan said that this Board should bear this on their shoulders, too, and collectively start getting some of the answers and having a dialogue amongst themselves. He suggested they have an off-Thursday meeting specifically with these two items and come up with guidelines of what the Board might put forth to voters and have input from the PA, residents, and others.

Mr. Beckert suggested they invite the two sitting legislators, as well.

Mr. Moynahan said that at this point the Board would not move this forward, apologizing to impacted residents but the Board wanted to make sure that they did things right.

8) TAN Borrowing: Key Bank (.6%)

This was regarding the tax anticipation note and required approval from the Board to do any borrowing through Key Bank.

Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen to allow Tax Anticipation borrowing with Key Bank not to exceed .6%.

DISCUSSION

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Ms. Davis asked if they had shopped around to see if there was a better percentage.

Mr. Lee said that some months ago they started consolidating all their accounts with Key Bank and he believed they have offered us an attractive rate. He said that they did not shop around, adding that they would likely not use much TAN money, as he thought the fund balance was enough to get by most of the time.

Mr. Murphy said that it was his recollection that this operation required a very specific and rather lengthy motion that has to be in the minutes.

Mr. Lee said that he was unaware that there was special language for this.

Mr. Moynahan said that in years past there has been.

Mr. Lee will get the motion language.

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

Mr. Lee said that what was peculiar was that the Town didn't have an article for TAN borrowing; that he thought what the Board was talking about was a Treasurer's Statement that they would read as they would for any kind of a borrowing. He reiterated that it was peculiar that it didn't have its own warrant article with that language in it; that that was how it played out in most communities.

Ms. Davis requested that they shop around as not doing that might give the impression they were not interested in looking around at other prices.

Mr. Moynahan asked if the Board would like to have more than one price.

The Board agreed that they would.

Mr. Lee will check other banks for percentages.

6:36 PM 9) Date of Workshop: Selectmen's Policies

The Board set the date for July 31, 2014 at 5:30 PM to hold this workshop.

Mr. Moynahan suggested Mr. Lee send an email reminder to Board members.

6:37 PM Readdress Town Clerk as Department Head

Mr. Moynahan said that they had lengthy discussions regarding making a department head change to the Town Clerk position but the minutes do not reflect making the Town Clerk a department head in a motion. He added that even though discussion and following discussion clearly indicated that he felt they should formalize it more in a true motion.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen that the Town Clerk also be designated a Department Head.

DISCUSSION

Mr. Beckert clarified that this dealt with a position, not a person, so he would keep names out of the discussion.

Ms. Davis voiced her opposition; that their budget was increasing every year; that they now had a Town Manager; that they were hasty increasing the salary for this position and they needed to slow the spending down.

DISCUSSION ENDED

VOTE

3-1 (Ms. Davis)

Chair concurs in the affirmative

G3. Public Works

6:39 PM 1) Paving Bids/SMRPC

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Mr. Moynahan said that this was a list of vendor bids (three) and it looked like LibbyScott, Inc. was the most cost-effective vendor. He added that Mr. Moulton and Mr. Lee were looking for Board approval.

Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen approve LibbyScott, Inc. to provide asphalt for the Town of Eliot based on the RFP results of \$1.40 per ton.

VOTE
4-0
Chair concurs

2) Centerline Striping (SMRPC) and Pavement Marking

Mr. Moynahan said that of the three RFP bids, Poirer Guide Lines seemed to be the lowest price, with a lump sum cost of \$6,103.68.

6:43 PM

Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen award the bid for paving centerline striping to Poirer Guide Lines of Athol, MA for the lump sum cost of \$6,103.68.

DISCUSSION

Ms. Davis asked if the money they received from the MDOT be used to do the centerline striping.

Mr. Lee said no because he did not believe that was considered a capital repair.

Ms. Davis asked Mr. Lee if he would provide the rules governing how that money is spent.

Mr. Lee said that he would. He clarified that it wasn't black and white, though; that it has to be used for capital investments and the MDOT gives examples. He added that he could get that for the Board, if they wished.

The Board agreed.

Ms. Davis asked again if, given the increase in the budget, there are any items on here that could potentially be delayed for one more year in order to reduce this amount this year.

Mr. Moynahan clarified that these items have already been voted on and approved at Town Meeting for their expenditures; that the Board's job was to make sure that whatever was appropriated at Town Meeting is within the budgets and administered accordingly. He said that this was part of a budget that was put in front of voters and now the Board is looking to administer those funds in the manner in which they were voted for.

Ms. Davis said that any money not expended can either be returned to the general fund or carried over to the next year. She asked if there was anything here that could be delayed and carried over to next year to reduce next year's budget by some amount.

Mr. Lee said that he thought that was not a fair question; of course they could delay and not do something for a year...

Mr. Fernald said that this is what the Townspeople voted for and the Board's duty was to act on what the Townspeople wanted.

Ms. Adams asked if the same striping was done every year or were the areas to be striped alternated.

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6:46 PM

Mr. Moulton said that one of the things that he believes are critical that they do every year are the crosswalks, as they have high activity, especially with the kids. He added that everything that was listed in his requested budget was put off last year because of the reduction in his budget. He explained that if you lose what you have, it cost you more next time to get it laid out again. He said that now that they are on an alternating every other year basis, they would be able to have someone come in and just stripe it for less time and less money. He added that the Route 236 project will not be done next year so the request for this year is for the second time in a row because it had to be laid out again and relocated last year. He said that that budget line would be smaller next year.

Ms. Murphy said that Mr. Moulton said his budget was reduced last year and asked if the striping voters approved last year was not done.

Mr. Moulton agreed his budget was reduced \$20,000 last year at Town Meeting; that some incidental striping, like parking lots, was not done because he had to make cuts to achieve that \$20,000 cut.

Ms. Davis said that the voters vote on a budget; a lump sum, not specifics, and she did not believe it was incumbent upon every department head to spend the money just because they receive the money. She added that she thought there was some latitude, here, and she didn't think it was incorrect for the question to be asked if they could occasionally delay some spending in order to reduce the budget in the following year.

DISCUSSION ENDED

VOTE

3-1 (Ms. Davis)

Chair concurs in the affirmative

Pavement Marking Request

Mr. Moynahan said that this \$14,000 project was put out to bid as a follow-up request from the last meeting.

6:48 PM

Mr. Lee said that they put it out to bid and had no response; that they were back to Kaz's Fine Lines in Dover, NH at \$14,403.92 utilizing chlorinated rubber retro reflective marking paint.

Mr. Hirst moved, second by Mr. Beckert, that the Board of Selectmen award the contract to Kaz's Fine Lines in the amount of \$14,403.92.

VOTE

4-0

Chair concurs

6:49 PM

3) NRRA Award (2014 Recycler of the Year)

Mr. (Jim) Tessier said that he attended the 33rd annual Northeast Resource Recovery Association Conference and, at that conference, Eliot was awarded the Composting Program of the Year Award. He had the award with him and read the presentation to the attending public; he then presented the award to the Board of Selectmen and the Town. He added that the NRRA did a press release and then he was contacted by the Portsmouth Herald and there was an article put in the paper. He clarified that the only thing in the article that was inaccurate was the amount of waste recycled. He also talked with Christine Bealing, a project engineer for the EPA out of the Boston office, and she was so impressed with the progress that Eliot has made that she is working on an informational piece about what we have accomplished in Eliot.

Mr. Tessier said that Stephen Brandon, who has been on the Solid Waste Recycling Committee (SWRC) for several years, has decided he needs to step down from the

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committee because of family concerns. He added that they have five members currently on the committee and thought that was working well.

Mr. Beckert recommended the Board send Mr. Brandon a letter of thanks for his efforts on the committee.

The Board agreed and asked Mr. Lee to have that done.

Mr. Hirst said that he would also like to recognize Mr. Tessier, the entire SWRC, and Mr. Moulton and his people for pulling something together that is working extremely well and saving the Town a bucket of money.

Mr. Tessier said that the committee would be reviewing the ordinance to bring it current, try to work with the school to help reduce costs, and try to improve the signage out at the Transfer Station.

6:55 PM 4) Guardrail Bids

This was the RFP results for the guard rail project.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen engage 125 Fence of Barrington, NH for the lump sum cost of \$56,035.00, in accordance with Mr. Moulton's recommendation.

DISCUSSION

Ms. Davis asked if all this was necessary for this year or is there anything we can delay until next year in order to give the tax payers a little break on this.

Mr. Moulton said that it has already been reduced from the original request; that there are critical areas that could be considered safety issues should vehicles go over and such.

Mr. Beckert said that on Mr. Moulton's cover sheet the amount from 125 Fence was \$56,035 and on 125 Fence's bid sheet it is \$56,035.99; that it was a minor point.

Mr. Hirst modified his motion to include the .99 cents.

Ms. Davis asked if there was any cost-savings to combining the order for the Old Fields job with this order or would it all be the same regardless.

Mr. Moulton said that the Old Fields project was a two-town project and this is strictly for Eliot. He added that it would come back before the Board and wouldn't make much difference.

Ms. Adams asked what was done with the discarded guard rails.

Mr. Moulton said that the Town retained them as they were damaged and returned them to scrap; that it goes into the metal bin at the Transfer Station and the Town receives recycling money for it.

DISCUSSION ENDED

VOTE
4-0
Chair concurs

7:04 PM 5) Old Fields Bridge – Approval of Town Forces

Mr. Moynahan said that the Board asked Mr. Moulton to bring back some additional information from the last meeting. He added that the information indicated the Town

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portion utilizing staff and equipment would be \$36,340, down from the \$56,781 break-down of the Shapleigh bid. He asked if this information was adequate for the Board.

Ms. Davis said that it will take six men two full weeks to work on this project and the Board approved money last week on the culvert for two extra guys. She asked what they would be doing.

Mr. Moulton said that the two came with the culvert bid; that they are the manufacturer's representatives and they will assist the Town in the setting and placement of the culvert then, when that is done, Town forces would continue the work.

Mr. Moynahan said that those two are there to just set and place that box culvert.

Mr. Lee said that he believed Mr. Moulton estimated this longer than he thought it would actually take.

Mr. Moulton agreed.

Mr. Lee said that he didn't want the estimate to be too conservative with weather and other unforeseen events.

Ms. Davis asked if the construction signs and changeable message signs for \$2,500 and \$5,000 necessary for this project.

Mr. Moulton said that they were necessary because they had to identify construction and detours and give an alternate way, post 'bridge closed', etc. He added that a lot of it was safety and requirements because they were closing local roads.

Mr. Lee said that, more specifically, there are rules regarding work zone safety that need to be followed – OSHA, Dept. of Labor, Bureau of Labor Standards – and requires a certain exact signage.

Ms. Davis said that she thought that would be materials they already had in stock; that they would also be closing Depot Road for work like that.

Mr. Moulton said that they had cones and work zone safety signs for single lanes but they don't have anything specific for this project closure.

Ms. Davis said that, regarding the culvert, they went with the \$4,000 extra company because they provide men and the other company only provided advice but it sounded to her like, for the \$4,000, these men will only provide advice and asked what was the advantage to the more expensive company.

Mr. Moulton said that they would provide advice and actually assist in the placement of the culvert; that the other company would just have someone on-site as a rep – verbal only. He added that the two guys will physically help place this box culvert.

7:08 PM Mr. Beckert moved, second by Mr. Hirst, that the Board of Selectmen approve the use of Town forces for the Shorey's Bridge Project based on the DPW Director's estimate of \$36,340, which appears to have a savings of \$20,441.

VOTE

4-0

Chair concurs

G4. Public Safety

7:09 PM 1) Hiring of Lieutenant

This has been removed from the agenda.

H. New Business:

BOARD OF SELECTMEN'S MEETING
July 10, 2014 5:30PM (continued)

7:10 PM

#1

TO : Board of Selectmen
FROM: MDMR
REF : Shoreline Survey

This was regarding a shoreline survey in Eliot for the 2014 season.

Mr. Lee said that it began in June and ran through November; that this is an FYI that they will be paying attention to Eliot's coastline this summer and doing some classifying of our shellfish harvest areas.

Mr. Lee discussed advertising for a Shellfish Warden, as they don't have one. He added that they already had one applicant and could get the advertisement out right away.

The Board agreed to advertise and that this would be added to the next regular meeting.

7:12 PM

#2

TO : Board of Selectmen
FROM: MMA
REF : Ballots for Election to MMA's Legislative Policy Committee

This was the official ballot with two specific candidates and the option to write in an additional candidate.

It was the consensus of the Board to check the two specific candidates listed on the ballot and sign the document.

I. Old Business

7:13 PM

1) Personnel Policy Workshop II date – July 17 at 5:30 PM.

This was confirmed.

2) Update – Park Street Meeting (6/30)

This was regarding the stormwater project and the public right-of-way.

Mr. Lee said that they had a good meeting with a number of people; that a lot of the resident's concerns had to do with public parking and they gave good input; that they also had the landscape architect down there and the engineer. He added that he thought the residents were very pleased that we listened to them and were taking their advice very seriously.

7:16 PM

3) Revised Certified Budget as Amended

Mr. Lee said that the only changes were the actions taken at the last meeting. He added that it should be re-adopted, as amended.

Mr. Beckert moved, second by Mr. Fernald, that the Board of Selectmen re-adopt the fiscal year 2015 Certified Approved Municipal Budget, as the Board of Selectmen had it before them tonight in its amended form; total approved budget is \$5,220,118.48 and approved estimated revenue of \$2,031,320.00 for a total net budget of \$3,188,798.48

VOTE

4-0

Chair concurs

Selectmen's Report:

7:18 PM

Ms. Davis asked when the **year-end financial report** would be available.

BOARD OF SELECTMEN'S MEETING
July 10, 2014 5:30PM (continued)

Mr. Lee said probably late July; that they had to allow themselves between two and three weeks after June 30 for the final bills to come in and, after they know all outstanding invoices from the last fiscal year have cleared, then they would print that out.

Ms. Davis asked if it was possible to have an electronic intermediate report.
Mr. Lee said that he could give the Board a digital current status.

Ms. Davis asked if the **Lieutenant** was up for discussion as to whether they were actually going to have one or actually hire one.

Mr. Lee said that, initially, he had put that on the agenda as a placeholder but they have not gotten far enough along in discussions. He added that they still had staff discussions with the Chief as to how this might work out, budget impacts, etc. He said that they were going to wait on the Chief to give a thorough report on that.

Ms. Davis asked if the **amount of our taxation** dependent on the State's town valuation number; is the amount of each person's taxes determined by the State's valuation number for the Town. She gave an example: if she had a certain number last year for taxes; now we've approved a budget and taxes need to be recalculated – what number is used to determine that amount.

Mr. Lee said it was local valuation not State valuation. He explained that the State valuation was used to determine things like General Purpose Aid to Education, URIP Money, Veteran's exemptions; that with the money the State gives us, the State uses their own adjusted valuation of our community; that for our purposes we go through the assessor and the local valuation to determine that mil rate.

7:23 PM

Ms. Davis asked where we were in the **TIF alternatives** process.

Mr. Moynahan said that the Board would have that on a future agenda.
Mr. Lee said that they were really back at square one with this.

Mr. Moynahan said that they should have this on the next agenda for a full Board discussion on what direction the Board should start pointing some people in.

Ms. Davis asked about getting a **school budget book** from last year.
Mr. Moynahan said that he would give her his copy.

7:24 PM

Mr. Hirst said that he went by the **River Road Cemetery** the other day while they were doing the work and wondered if anyone had been up there to check on the work to see if it was satisfactory.

Ms. Adams said she was there. She said that he left the old historical granite and is not impacting the cemetery. She added that the railings were not all put back and the original estimate said to put back the railings. She added that some of them had to be straightened out, as well. She did say that he put one railing at the top on the road side. Ms. Adams said that she was very impressed with the work on the stone.

Mr. Lee said that he had spoken with Mr. Moulton about possibly picking up that granite and getting it out of there and, maybe late fall, get up there and see if they couldn't get those rails straightened and back in.

Ms. Adams asked if that granite could be used to mark the Maple Avenue Cemetery because there is always a problem with that cemetery and stuff being plowed into it and then having to be cleaned out. She recognized that it was a very narrow roadway but said that it was their hope to do that, at some point, in order to mark that. She added that, if that couldn't be done, then the Historical Society would like the granite moved to the Schoolhouse property.

BOARD OF SELECTMEN'S MEETING
July 10, 2014 5:30PM (continued)

Mr. Moulton said that they would look at that.

Mr. Lentz said he was disappointed in the amount of work that they did, for the amount of money. He agreed the man did a nice job on the stone. He added that the granite posts are all set at different heights.

Mr. Moynahan said that they did have a quote with some guarantees in the language.

Mr. Lee said that it wasn't much more than an estimate of what it would cost. He added that he thought you could always fall back on the standard of quality workmanship if there was a sense that it was not done correctly.

Mr. Hirst wondered if they could get the guy back if he didn't do what he was supposed to do.

Mr. Lee said that he thought they could; that the man seemed like a very nice, genuine guy that would probably want to honor his work.

Mr. Hirst said that if it was not satisfactory he thought they should ask him to come back and fix it.

7:29 PM

Mr. Lee and Mr. Lentz agreed that they would go to the cemetery to evaluate.

Mr. Beckert said that he got a call from John Lippincott, Chair **Eliot Festival Day** Committee (EFDC), very concerned that they needed volunteers; that their funding got cut at Town Meeting, they have no one to organize the parade, and their Treasurer is stepping down after this year. He added that he told Mr. Lippincott that he would bring that to the Board so that it was publicly known that the EFDC was concerned about the future of festival, itself, and looking for volunteers to step up to the plate and help. He suggested they needed to infuse that committee with some new membership to help carry it on.

Mr. Lee said that they could post it and send out an e-alert.

Mr. Moynahan agreed that there was a need to infuse this event, saying that Kittery's Block party was a huge success and we certainly don't want to lose the ability to continue with Eliot Festival Day.

7:31 PM

Mr. Fernald said that the Charter Commission had posted articles to their website that he strongly felt everyone ought to look at, Article 2 – Select Board, and Article 6 – Financial Procedures.

Mr. Fernald said that Comcast was cutting trees on Beech Road and had a few neighbors give him a call to indicate that some trees were cut on their land that was not in the Comcast ROW.

Mr. Lee said that after they talked he got ahold of his friend in the Lewiston office, who gave me the same person down here in the Alfred office; called and left two messages and nobody got back to me. He will keep pursuing this.

7:35 PM

Mr. Moynahan said that, regarding **liaisons**, they should get a list of boards and committees that did not have one now that there was a new Board. He added that, if something appeals to a member, then it was encouraged they be part of those to help guide the meetings.

Mr. Lee will put a list together for the Board.

Mr. (Richard) Philbrick, Harbor Master, asked if they had a **harbor advisory committee** yet.

BOARD OF SELECTMEN'S MEETING
July 10, 2014 5:30PM (continued)

Mr. Moynahan said that they were working on by-laws, with memberships, and they would start advertising for that.

Mr. Lee said that it was his understanding that, in two weeks, there would be an amended set of by-laws that would go before the Board. He added that if that is adopted then he will begin taking applications for membership on that harbor commission.

Mr. Philbrick said that, until then, Mr. Lee would be the one he would hang on the line for whether he could do something or not.

Mr. Lee agreed.

7:37 PM

Mr. Fisher asked if, for vacancies that are already put up on the website, did people like Mr. Pomerleau have to put in another request for committee vacancies.

Mr. Moynahan said that tonight they were specifically talking about the Eliot Festival Day Committee and, if Mr. Fisher was talking about two weeks from today, they were putting out an advertisement for the harbor committee; that they had an ongoing advertisement for any openings on committees.

Mr. Fisher said that the Bud Com gave the Board a recommendation and he was disappointed there was no second. He asked how they now got someone they thought they could work with and would do a good job for the Town.

Mr. Moynahan said that he thought the Board would be reviewing their (Bud Com) work to see if they truly need another person and, if they did not, then they could operate without the additional person until the next election.

Mr. Fisher said that the Bud Com would just invite Mr. Pomerleau to sit as a guest and function with them; that they didn't need to have the Board appoint him if they didn't want to do that; that they would use him as a guest to the Bud Com and function with them. He added that he would like to see him appointed.

Mr. Moynahan said that as long as meetings were operated within parameters that were spelled out by the Town then any member of the public could be there and participate to a certain level; that they needed to be cautious with that as there are certain guidelines to be followed.

Executive Session

There were no executive sessions.

Other Business as needed

There was no other business.

Adjourn

There was a motion and second to adjourn the meeting at 7:38 PM.

VOTE

4-0

Chair concurs

DATE

Mr. Grant Hirst, Secretary