

BOARD OF SELECTMEN'S MEETING
August 28, 2014 5:30PM

Quorum noted

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

Roll Call: 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 August 14, 2014, as amended.

VOTE

3-0

Chair concurs

Public Comment:

There was no public comment.

Special Presentation: Chad Gregor, Eagle Scout Project, Dog Park

Mr. Gregor was not present for this presentation.

G1. Department Head/Committee Reports

5:32 PM 1) Resignation: Michael Moynahan, Board of Selectmen

Mr. Hirst moved, second by Mr. Fernald, to accept the resignation letter from Mr. Michael Moynahan, with regrets, and to forward him a letter of thank-you from the Board of Selectmen for his service to the Town of Eliot.

VOTE

3-0

Chair concurs

Mr. Lee said that he would draft a letter for the Board.

2) Eliot Energy Committee – Appointment of Nicholas Lillis, Intern

Mr. Lee said that Mr. Lillis could not make it tonight. He added that he is replacing Monique Lillis; that he is the younger brother and is a freshman at Marshwood High School. He said that Mr. Lillis is very interested in Energy and

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the Energy Committee (EEC) is very excited to see if we can get him as an intern and that he will do a great job.

Mr. Hirst asked if we didn't have a standing policy that such people need to be present for appointments.

Mr. Lee said that he didn't know if that applied to interns, as opposed to full members. He added that he did ask him if he could be here and Mr. Lillis wasn't sure he was going to be able to; that Mr. Lee thought he had some conflict.

Mr. Beckert said that they could put this off until the next meeting.

Mr. Hirst said that he sat next to Mr. Lillis at the Energy Committee Meeting; that he seemed very, very bright, very committed and he would be very pleased to have Mr. Lillis on the EEC.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen appoint Nicholas Lillis as an Intern to the Eliot Energy Committee.

VOTE

3-0

Chair concurs

5:37 PM 3) Solid Waste Committee – Appointment of Corinne St. Claire, SW Committee

Ms. Carignan was present, clarifying that she was no longer St. Claire.

Mr. Hirst said that she answered everything we could possibly ask for and she has all kinds of qualifications.

Ms. Carignan said that she was looking at it from a different perspective since she does work part-time at the Transfer Station now. She added that one thing that they might investigate was other sources for the things we can't take care of at our facility; that perhaps we could get a postcard-sized piece of paper that said that 'this' could go to 'this-this-this' place with numbers and when they're open, maybe, so that...if we can help them put it where it should be, we won't see it by the side of the road, basically.

Mr. Hirst asked Mr. Lee if he saw any issue with having even a part-time employee on a committee like this.

Mr. Lee said that he was not a fan of it but he thought it was up to the Board, as that is more policy than administration. He added that he thought that Mr. Lytle was on that committee so we would have two employees. He said that he didn't think it was problematic unless they have trouble and blur lines somehow but he

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didn't think that Ms. Carignan would blur lines; that she is only there one shift a week so it isn't like we have a full-time employee of the DPW sitting on the DPW committee; that he didn't think it was too terribly nerve-wracking to appoint her.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen appoint Corinne Carignan to the Eliot Solid Waste Recycling Committee.

VOTE

3-0

Chair concurs

Mr. Beckert apologized for missing Mr. Rankie and asked him to speak.

Mr. (Charles) Rankie said that he was going to speak in support of Ms. Carignan as he spent years on the Conservation Commission with her; that if she has volunteered to serve on any committee it wasn't to warm a chair; that they would get an active participant who will be engaged.

5:38 PM 4) Charter Commission – Extension of Time Request

Mr. Rankie read his letter to the Board. He said that the Charter Commission was spending the time to thoroughly review each section of the draft charter report they are preparing for the voters to have a well-reviewed and analyzed document to present and that, because of that, they would not be able to comply with the nine-month deadline; that they were requesting a 12-month extension. He also discussed the two public hearings that would be held.

Mr. Beckert asked if that would be enough time.

Mr. Rankie said that the Commission was confident that that would give them enough time.

Ms. Davis asked how their budget was holding up.

Mr. Rankie said that he believed their budget was \$10,000; that they originally had \$100 and expended about \$70 for the first public hearing for their public announcement; that he didn't know if that was carried over. He added that they haven't spent anymore; that they were about to spend a little bit and that was essentially for legal fees. He said that there was another point where they would need to talk to the Town Manager about clerical assistance when they get to the point of polishing this up; that a member was currently volunteering to make the updates and doing all of the clerical work that they need but he has made it clear that he was not going to do the finished product; that the Commission wouldn't ask him to; that it is an incredible amount of work that he is doing for them, now, with these updates.

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Mr. (Denny) Lentz said that it wasn't that he didn't want to polish the charter; that his presence behind the keyboard wasn't acceptable for a finished document, that's for sure.

5:47 PM

Mr. (Bob) Pomerleau encouraged the Board to grant them whatever time they need; that they have done a pretty decent job at establishing the template and foundation of the charter; that there were some controversial issues that had not been touched on very much, yet, and he would not want to see those rushed in any way.

Mr. Hirst moved, second by Ms. Davis, that the Board of Selectmen approve the 12-month extension requested by the Charter Commission through November 6, 2015.

VOTE

2-1 (Mr. Fernald abstained)

Chair concurs in the affirmative

5) Business Development Committee: Appointment of Steve Reiner

Mr. Lee said that Mr. Reiner was not here because he had a business trip that took him out of Town; that Mr. Reiner had called him and Mr. Lee told him that we would have to move this ahead two weeks.

G2. Administrative Department

5:48 PM

1) Town Manager Activities Report

a. Transfer Station Claim Update

Mr. Lee said that they had a Slip-and-Fall at the Transfer Station and MMA responded that we are protected under the Maine Tort Claims Act and, so, that injury claim has been denied.

Mr. Fernald asked if this injury was to someone from the public.

Mr. Lee said yes; that they slipped and fell and wanted the Town to pay the injuries but the MMA denied the claim under the Maine Tort Claims Act.

Mr. Hirst asked if the fall arose out of a defect in the premises and, if so, has it been fixed.

Mr. Lee said no, that it wasn't a defect in the premises. He added that it was actually an operational defect, of sorts; that there is a can that is supposed to be up very close to a barricade and it was set back just far enough that it forced someone

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to lean forward a bit; that they have spoken about that and it is no longer ever slid back but right up front.

b. Capital Assets Update/CIP Planning Update

Mr. Lee said that he had the staff working on an updated Capital Assets Inventory and part of the reason for that is that he felt it would form the basis for an even more comprehensive CIP; that he thought it was back in 2009 that they did this and the auditor and insurance company strongly suggested getting it updated.

c. ECSD/MSAD 35 Lease Agreement Update

Mr. Lee said that this was a surprise to both Ms. Muzeroll-Roy and him; that we had the short-form lease (2 pages) and he thought that they had already approved the lease. He added that he sent something to Ms. Muzeroll-Roy, cc'ing the school, that he thought she was okay to move in and the school said no, that they had a lease coming back from the attorney. He said that they went from a 2-page lease to a pretty substantial lease. He added that he and the Superintendent met on it and reviewed it and did go ahead and execute the lease because we had to get her in over there before school starts. Mr. Lee said that both he and Ms. Muzeroll-Roy reviewed the lease carefully and the ECSD is moved in now; that there were still a few things left to go over there.

Ms. Davis asked why there was additional money for security; was that a new thing that just came up very recently.

Mr. Lee said yes; that what she said to me was that, after the Sandy Hook incident, they started with a project to enhance security at all the schools and that means every door whether we wanted it, or not, and they never mentioned this to anybody here during the time we were first negotiating the lease; that this was one of those last-minute things – “Oh, by the way, you have two security systems on the two doors – the entrance and the one that goes deeper into the school, and we need you to pay for those improvements to the lease space.”; that that is what that \$1,350, times two, number was. He added that he did follow up with them to see if we could get some kind of a convenience button because, otherwise, as active as that door is going to be with parents and kids and so forth, if staff has to get up and go answer the door, manually, every time it's going to get pretty old; that he is finding out if they can buzz people through and he hasn't heard back yet.

5:50 PM

Ms. Davis asked if the parking situation has been resolved somewhat to satisfaction.

Mr. Lee said that the school has a cultural philosophy of not having reserved parking for anyone, including the principal, etc., so, when we broached them

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about having six spaces they said no because they don't do reserved parking. He added that they did say that, if the ECSD would like to put out some cones to delineate parking near the ECSD door, then they could do that but they need to be portable.

Ms. Davis asked if that would be helpful; would they be able to somewhat live within those constraints.

Ms. Muzeroll-Roy said that, at this point, she really didn't have a choice; that she would have liked designated parking, with signage; that that was part of the original agreement, so she thought. She added that it is a nightmare over at that school for parking so she doesn't see it as convenient at all but she doesn't, at this point, have a choice, either.

Ms. Davis asked if that was a concern for the employees or the people coming in.

Ms. Muzeroll-Roy said that she didn't necessarily care for herself but, now, they have seniors who are going to have to look for parking spaces, and customers, so she finds it completely inconvenient but, again, she is going to have to live with it.

Ms. Davis asked if she would be able to issue times, then, for people and inform them of when there seems to be quiet times that they could come in.

Ms. Muzeroll-Roy said that it was a school and she doesn't know what their quiet time is right now; that they have their lunch schedule, their recess schedule; that nobody takes the bus anymore so parents are constantly dropping off and picking up. She added that she doesn't have a timeframe to tell customers and we are still a business so she didn't expect anyone to follow those hours. She said that, in the brochure going out, it does say that the school provides designated parking, which is obviously not happening so that would probably be a question and concern.

Ms. Davis said that one of these emails said that you would be able to use the cones to mark off three spaces so you will have at least that many on a daily basis.

Ms. Muzeroll-Roy said that she did have three staff so, if she needs to block off the cones for staff but she would do it for customers before the three of them, so.

5:53 PM

Mr. Fernald asked if, when school is closed, that has been resolved if Town employees are still working

Ms. Muzeroll-Roy said no; that that was another thing that she would have to work out with the Board and Mr. Lee because that has not been resolved, either; that as it stands right now she has to call the principal to get permission to go to work in the morning, so, that's something that needs to be a conversation.

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Mr. Lee said that, if school is closed, they insist she make the call and find out why it's closed, and can ECSD still get in. He added that it has been a fairly frustrating thing and, of course, we don't have any real leverage and have our backs against the wall so we are doing the best we can with an ever-changing situation that is not in our favor. He asked Ms. Muzeroll-Roy if that was fair to say

Ms. Muzeroll-Roy said yes and no; that she knew we said our backs were to the wall but we are a business; that it was the school's idea for ECSD to go in there; that she knew that Mr. Lee came into it in progress and wasn't taking it out on him, by any means, but they accommodated ECSD and then they are changing their minds, so, we are still a business and she does expect some accommodations that are not being provided at all. She added that for me to call the principal to get permission to go to work...she calls Mr. Lee and that is one thing but to now call another person to go to work is just another inconvenience.

5:54 PM

Mr. Lee said that their response was that they were only closed twice last year so that would mean only two calls over the course of the year and how bad would that be.

Mr. Beckert said to look into it further, if the Board has to get involved dealing with Dr. Nash and the school board.

Mr. Lee said that he thought that, if anything was going to happen, it would probably have to go to the school board, as a whole, because he thought Dr. Nash was really quite set on these things.

Ms. (Nancy) Shapleigh said that, as a landlord, she has to provide parking for her tenants and she can't tell them what hours of the day they can come in and out; that this was supposed to be such a wonderful deal and there weren't going to be any changes and there weren't going to be extra costs. She added that she thought we were sold a bill of goods and that we made the wrong decision going in there to start with. She said that she was sorry that it is exactly as she expected it to be, ever-changing, dealing with the school.

Mr. Beckert said that he thought it was something we could work with the school department and see what we do come up with because, if we do have to go to the school board, we will go to the school board.

Mr. Lee said that we were trying to work cooperatively on it but there is not a lot of give-and-take going on. He also said that it is when they have events over at the school that it would be difficult regarding parking.

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6:00 PM

Ms. (Janet) Saurman said that she is kind of disappointed to hear it has not gone that well with Dr. Nash. She agreed with Ms. Shapleigh that, as a tax payer, the school belongs to all of us. She added that she knew we have a unique situation of having a school district and a Town form of government but she will certainly, personally, intend to get a little more information and let Dr. Nash know that the biggest thing they say in MSAD #35 is that "We do what's best for kids and communities."; that it seemed to her that if we are all going to be in this community together that we need a little cooperation and to have a 2-page lease turn into several pages is just not right.

d. Air Quality Monitoring Update

Mr. Lee said that he gave the Board a question-and-answer sheet about the location and the operation of the air quality monitoring station that will be located in Eliot; that it would be sent to the residents of Sawgrass Lane, with a cover letter from the Town. He added that we hope to see the monitoring begin late September or early October.

Mr. Fernald said that the Town has done this before and asked if there was a process, if we found that the air quality was unsatisfactory, to rectify the situation.

Mr. Lee said that he couldn't give a hard-and-fast answer on that. He added that the intent right along was that the data we get from the air quality monitoring station will serve to either refute or substantiate work they are doing on modelling; that they do all these emission decisions, what technologies have to be used, based on modelling, not on hard data. He explained that they used hard data they had from previous and reassembled that into a model and the 126 Petition basically questioned their model; that we are don't think they are capturing the SO2 problem so this could, we hope, pick up enough evidence to say their modelling is faulty, there is a problem and they need to go deeper.

November Election Memo

Mr. Lee said this was an update to inform the Board what it of the timeline to get warrant articles written, public hearings done, etc.

6:02 PM

2) Data Back-up and Security

Mr. Lee said that a couple of weeks ago we were trying to access financial data from fiscal year 2013/2014 and he and the Finance Director and the Clerk spent quite a bit of time (2-3 hours) trying to get ahold of TRIO – where's the data, we thought TRIO was backing it up, we can't find the file; that they weren't quite sure where it was, that they didn't seem to know they were backing it up but they're supposed to be backing it up. He added that he got ahold of 2-Way

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Communications who was able to locate the file through something they are backing up. He said that all of our back-ups are being done separately and, sometimes, only to a USB or something like that and it isn't stored off-site; that we could effectively lose all our data. He said that we do not have a security plan for this data; that Two-Way and Mr. Emery both said that this has been a problem for a long time and have tried to make recommendations. He asked Two-Way for a recommendation to have a very secure way to automatically back up, with one vendor, all our data and know where it all is – Vision, TRIO, Police, etc. – the data we don't want to lose and, right now, it is a very shaky system we have. Mr. Lee said that he wasn't looking for the Board to spend any money or take any action tonight. He added that the quotes before the Board are for a mechanical device; that the most expensive part is the monthly subscription fee (\$179/mo). He said that he wanted to get some direction from the Board; that he didn't have this budgeted and didn't have the \$6,000 to \$7,000 to do IT Security. He added that he did think they should start right away with TRIO and Vision; that the ECSD and the Town Hall have precious little back-up and can lose days when something happens. He said that he thought it was fairly critical and wanted direction from the Board to possibly put this on the next agenda and try to find money to do some or all of it. He discussed adding cyber liability coverage (MMA), which covers liability arising out of the failure of the network security, including unauthorized access. He added that he didn't yet know how much this cost.

6:07 PM

Ms. Davis asked Mr. Lee to have the IT Committee check into services like Carbonite that is less expensive. She added that because of all we do it might be that we need something more sophisticated but is it possible, maybe, to purchase external drives that could be used to back up data then carry it home when we leave for the day.

Mr. Lee said that he could certainly check to see what else there is for services like Carbonite. He said that Two-Way has been doing a lot of work for us and is familiar with our systems; that he asked them what is the cheapest, best alternative and they suggested the ALTO2, with cloud storage redundancy, and gets you in a position where you can't fall on your face; that we have all that assessing data and, suddenly, you ask TRIO where our data is and ask Vision where our data is, and we aren't getting good answers. He said that he would check on other options and hoped we could take this up in a couple of weeks and begin to come up with a plan.

Mr. Fernald said that, obviously, this needs to be done and looked at right away; that over the years the money has often not been there to upgrade; that he felt this was something we needed to jump on right away.

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6:13 PM Mr. Hirst said that what this insurance covers is our liability if we mess up; that it does not cover the cost of reconstruction of records and that is very expensive. He added that he believed that coverage was called Valuable Papers Coverage and they have some of that already but he wasn't sure that they had enough.

Mr. Lee said that we have the standard MMA package that includes, he thinks, \$50,000 for Valuable Papers, etc. He discussed his concern for not only losing data but also hacking events and foreknowledge that the Town system was not as secure as it could be.

Mr. DePaul asked if we had any idea what other towns do in the area.

Mr. Lee said that he would investigate that, along with Carbonite. He added that this just came up the other day and he wanted to inform the Board that it was an issue and we need to look at different options.

Mr. Hirst asked Mr. Lee if, in addition to finding out the cost of the liability insurance, he could find out if we can buy more Valuable Papers Coverage, what it would cost and how much we would need.

Mr. Lee said yes.

6:15 PM **3) Thompson Reuters Subscription – Cancel?**

Mr. Lee said that it was something he has not had for quite some time in the towns he has worked in because it is all so readily available online. He added that to keep big walls full of law books and pay \$2000/year to have paper updates he did not see as a good use of money. He added that he would rather do security back-up.

Mr. Hirst said that we just had an invoice today for which there is a check for \$192 and asked if that was something we should rethink before sending that check out.

Mr. Murphy said that he was probably the biggest user of the State statutes; that he uses them all the time in his research because statutes back up almost everything this Town does.

There was discussion regarding need versus wants.

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Mr. Fernald moved, second by Mr. Hirst, that the Board of Selectmen discontinue the subscription to Thomas Reuters.

VOTE

3-0

Chair concurs

6:21 PM 4) Information Re: Special Procedure for Shortening Nomination Process

Mr. Lee said that the Town Clerk put together this form, if you decide to do this, so that Mr. Moynahan's seat could be filled in November. He read the document and said that nominations would begin on August 29 and signed nomination papers must be returned to the Town Clerk by close of business September 22.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen follow the procedure to have a short nomination period.

VOTE

3-0

Chair concurs

At this time, the Board signed the document.

5) FEMA/Insurance Reimbursement – Draft Policy

Mr. Lee discussed the development of this draft regarding how reimbursements are handled and that it particularly becomes an issue with gross budgeting; that in gross budgeting, theoretically, anything you get in drops through to the General Fund; that it would not be netted out, it would not necessarily be re-used. He added that this draft policy was to cover FEMA money received and insurance reimbursements. He said that he would like this to be a First Reading and see if the Board has any thoughts or changes.

The Board agreed that this would be the First Reading and would get any comments or edits to Mr. Lee before the next meeting, at which time, if there were no substantial changes, that that would be considered the Second Reading.

6:25 PM 6) Re-Purposing Community Building Fund

This was to consider re-purposing the ECSD Building Fund.

Mr. Lee said that he got requested background information regarding the fund; that he thought there was between \$85,000 and \$87,000 in the fund. He added that the staff's concern was with the particular relationship with the school in that we do not know if it was as stable as we hoped it would be and did not know where we would be in three years; that he would hate to have had a back-up fund for

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such an event and, then, not have it. He said that over the course of this past year, given union negotiations and other things, including retirements, some of our reserve funds have been sadly depleted – legal reserve, sick bank reserve, and so forth. He added that if we are going to re-purpose it then he thought that should be part of the discussion of what depleted reserve funds we might address using some of this money instead of raising money from tax payers –do we want to put this money into a different reserve and do we want to leave a fair amount of money behind in case we are in the same spot three years from now.

Mr. Hirst said that he could see several possibilities but, if the lease was not renewed he suggested ECSD could always go back to the Fire Station; that at some point in time, if Kittery and Eliot got together on some sort of collaboration it may be that that wouldn't be necessary. He said that he would favor re-purposing this fund to another location but he didn't know what that is at this point.

Mr. Beckert recommended not rushing into this; that it is in a reserve account and not doing anything detrimental to the Town. He added that it would have to go to the voters to re-purpose this fund.

6:29 PM

Mr. Pomerleau thought that there were some valid concerns all-around but, for him, regarding Mr. Lee's concerns with the lack of security he could think of a real good reason for re-purposing the fund; that this was a serious problem that could jeopardize the Town's business, we have the money in an account that would not, most likely, be used for its intended purpose; that we should take care of the issues we have today and go back to the voters in the future, if needed.

Ms. Shapleigh said that she thought it was unconscionable to think about blending the ECSD with Kittery. She added that we do nothing, to speak of, for our seniors who pay taxes year after year. She said that she thought our community services, particularly for our elderly, should be held in the community in which they live.

Ms. Davis said that it seemed they would have time to see how the year goes and, then, make a decision on this for next June's vote; to give this some time to see how things work out and keep the money where it is right now.

Mr. Hirst said that he didn't believe there was the will in the Town to ever build a community service building so he would certainly support re-purposing it but coming up with a good place for it to go.

6:30 PM

Mr. Fernald disagreed, saying that when ECSD was set up it was voted by the Townspeople that this would be start for a community service building. He added that times change, obviously, and there has been some rethinking along the way;

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however, that may come back again. He said that, right now, he would like to see those funds stay as they are.

Mr. Hirst said that he supported that; to keep it where it was until we figure something out.

It was the consensus of the Board that the ECSD Building Fund would stay where it is, for now.

Mr. Lee asked if we would be more deliberative about it during the budget process.

Mr. Beckert said yes, if need be.

Mr. Lee said that, in the meantime, he would work with staff to identify the pros and cons and so forth.

Mr. Beckert said that as far as the security of the information and server we previously discussed, Mr. Lee was going to look at possible funding sources for that, anyway.

Mr. Lee said that based on the action the Board just took with regard to the books he's just found it.

Mr. Beckert agreed.

6:34 PM 7) Adoption of Municipal Budget by Referendum

Mr. Fernald said that he thought this was a terrible idea; that it would destroy our Town Meeting form of government; that there would be no reason that he could see as to why we would go to Town Meeting and vote on non-budget items. He added that we have had trouble over the years getting people to come to Town Meeting; that the Townsman this month talked about how hard it is to get people in many towns to come to a town meeting to vote; however, it is still the best form of government that we can have in Eliot and in the State of Maine. He said that we need to go to Town Meeting to discuss the articles before we vote on them and debate them. He added that he knew people would say there will be public hearings but very few people come to public hearings; that the last BudCom public hearing didn't even fill this room. He said that he couldn't imagine, for instance, that we would ask our seniors to go into a polling booth and look at every article without any information in front of them for the next hour, or so, and check off what they feel they want to support.

Ms. Davis said that very few people are willing to devote four or five hours a year to come to the Town Meeting and Town Meeting is not an ideal location in which

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to discuss these things in depth. She added that it was her feeling that a lot of people in Town want to vote a bottom-line number; that she thought if they educated people with a Town Meeting prior to the vote, then that would be their opportunity to learn the budget and to weigh the pros and cons; that they would then be more willing to go into the voting booth and vote maybe two or three options for the budget for that year. She said that she thought that would give more people a say in what they spend for the year.

6:37 PM

Mr. Hirst said that he was very sympathetic to Mr. Pomerleau's concerns on that and he is very concerned that so few people go to the Town Meeting, but while there may be advantages to the referendum-type voting he just could not support changing from the Town Meeting. He added that it is sometimes annoying and long but it is democracy at work; that it is the best that we can do and he's not for changing it.

Mr. Pomerleau disagreed, saying that it was called the purest form of democracy, not the most efficient or effective. He added that, at a typical Town Meeting, when you get 2 to 2½% of the eligible voters he thinks it's failing; that that is not representative government but special interest government; that he didn't think it gave a clear picture of what Town voters wanted because there are too few people weighing in. He said that, regardless of the position anyone holds, we all desire to get more people involved. He said that with all the serious issues we deal with we go to referendum because it is too critical and the highest representation is needed. He said that he agreed with Ms. Davis regarding the Town Meeting to hold the Town Meeting before the vote to have discussion and debate and he thought the advantage of that is that people would have time to think about it. He added that he thought this was the type of issue that should be decided by a referendum vote of the whole Town, not five people.

Mr. DePaul completely agreed with Mr. Pomerleau, saying that he thought the more people participated in making Town decisions then we were way ahead.

Mr. Beckert agreed we needed more people participating but didn't necessarily agree with the forum that is being presented to do that.

6:40 PM

Mr. Fernald commented that he thought that they would have more uninformed voters that are going to vote for a final figure.

Ms. Saurman said that, in having the Town Meeting ahead of time to inform voters, with the vote after, how valid will it be if the Town Meeting still only draws 200 people; that if we find Town Meeting as valid then let's let the Town Meeting be done, but, let's not say that we'll have a Town Meeting to inform 200 people and then we'll put it on the big referendum for 800 or 900 or 1,000 who weren't at the Town Meeting to get the information they needed to get. She added

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that it's a tough call, she supposed, but it's hard to suggest that people should be part of the process and, then, when those of us who decide to be part of the process show up at Town Meeting – “Well, sorry. There weren't quite enough of you there. You really didn't represent the whole Town and, so, there weren't enough.” She said that if we are there, then we are there, and other folks have the choice to be there.

6:42 PM Mr. Rankie said that Mr. Fernald's point of informed voters was critical. He added that, typically, they get 1,100 to 1,500 voters for referendums and anyone can get in a line and check something off. He added that people who are dedicated to go to Town Meeting are informed voters. He discussed his frustration with friends and fellow voters because they won't get involved and they won't take the time to listen but want ready answers; that informed voters was key and he thought that they needed to stay with Town Meeting to get the informed voter.

Ms. Shapleigh said that, in December, she will have been in this community for 50 years and the turn-out hasn't really changed, and Mr. Fernald is 100% right, we need informed voters and we need them informed with the correct information, which we aren't getting. She added that she thought they should stay with the Town Meeting form of government.

6:44 PM Ms. Adams said that there were a lot of pros and cons and questions to this and one way you might deal with this is to put a non-binding question on the warrant that asks if people would be in favor of this, or not, and explains that the Board would be seeking guidance. She added that a lot of towns have gone to referendum and they have reported that they wouldn't go back. She said that we need informed voters and that's the key; that they need to get real information out to the voters and she thinks it's doable but she thinks the people need to decide; that she would suggest that that be the starting point – the non-binding question on the warrant - and ask people, holding a public hearing to explain what it might be about because you will be polarized until you hear from the whole community.

Mr. Lentz said that he supported the referendum and also supported a modified Town Meeting where people can go to get informed; that the real issue is how do you get people out there to be informed.

Mr. Fisher said that he loved Town Meeting; that he understood that the biggest problem was educating the people and, without that, they don't understand what they are voting for. He added that, with absentee ballots, anyone could participate in voting, including seniors, so that was not a good excuse for not having a referendum ballot. He added that he was really torn between the two options but we need to do something and the way to get it done is with referendum, at this point, as long as we educate them.

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6:47 PM Mr. Pomerleau said that he did agree that many people vote less informed, more than uninformed, but that puts an onus on the Town taking some pro-active responsibility to inform them; that everyone knew that the tried-and-true methods (public hearings) didn't amount to much but putting points on paper and mailing to residents is one approach; that you can lead a horse to water but you can't make them drink, but you can get the information to them, then they can be informed; that they are not going to come to these meetings. He said that some think that if we go to referendum we are just voting on a bottom line; with gross budgeting that is what you are voting for at Town Meeting anyway; that no matter what decisions one thinks they are making at Town Meeting, with gross budgeting, the only thing that is binding is the bottom line.

Ms. Davis said that the Bud Com last year spent the last three or four months before the budget vote meeting once a week to inform themselves and make recommendations on the budget, so, to say that people walk in off the street without having come to every Bud Com meeting, and call themselves informed, is a little bit of hyperbole. She added that people are expecting the BOS and the Bud Com, and interested residents, to become informed and to make recommendations for them; that they don't want the details; that they want the informed people to make those choices. She said that 1,200 people who, on average, turn out for a referendum vote have a right to say that they don't want their taxes to go up, or, that they do want their taxes to go up, and what we are doing at Town Meeting is compressing four months' worth of budget deliberation into four hours where we can't possibly debate all the issues thoroughly; so, we are still not as highly-informed as we could be. She added that she thought they should inform the people more throughout the year on what the major issues are and, then, give them the opportunity to say whether they can bear higher taxes and give them levels that they can choose from.

6:50 PM Ms. Davis moved, second by Mr. Hirst, that the Board of Selectmen, at least on this referendum, allow the people the choice of whether they would like to see their budget on a ballot and give the Board time, over the next few months, to develop a system for doing that, then let the people vote on the choices.

Mr. Beckert clarified that the motion was, on the November referendum, to put the straw poll question on there that is non-binding.

Ms. Davis said yes; however they needed to word that to give the people the choice of whether they would like to see their budget on a ballot.

DISCUSSION

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Ms. Murphy asked that, when this question goes on, this is for us to see if people choose that they would like to see it on a referendum and then further explore what that would look like.

Mr. Beckert said yes; that it was non-binding, which means we look at it, get feedback from the public on the referendum question and the Board would look at it to decide whether to move forward with it, or not.

Mr. Fernald clarified that at that Town Meeting we would have the opportunity to discuss the pros and cons of putting it on the referendum.

Ms. Davis said that she thought that we ask the people this November whether they are interested in seeing the budget on a ballot, then we take the next few months to decide how we would do that and when we would implement that. She added that it would require a lot of decisions to decide what options would be on the ballot and how we would structure it.

Mr. Fernald reiterated that we need to have the debate regarding the feelings of the Townspeople; that he wanted to be able to explain his position and have others be able to do the same.

Mr. Beckert said that that would be a public hearing that would be held prior to.

Mr. Fernald said that, again, we don't have that many people who come to public hearings; that he would rather see that at Town Meeting so that they could explain to the people how this would affect them.

6:52 PM

Ms. Saurman said that if we want people to be informed, which she thinks is what she's hearing, then she thought popping a question on a November ballot, which will surprise many, many voters regardless of how many public hearings you have... She added that she thought it was a fair question to ask the voter's preference but, to put it on November, that it doing exactly what folks are saying we don't want to do – have uninformed people. She said that we might want to give ourselves more than two months to work something out to put on the ballot; that maybe June is more reasonable to shoot for.

Ms. Murphy said that it was a non-binding question and would give you some direction in which to go; that she thought you would get far more people in November than you would next June.

Mr. Pomerleau agreed and, as far as having debate on it, he didn't think it was rocket science on either side and probably had two or three points to make; that a mailer with the information sent out to voters would give them what they needed

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to tell the Town what they wanted; that the meeting aspect was just perpetuating the problem.

Ms. Adams said that she thought it was just for informational purposes and agreed they didn't need to wait because, if the vote came back no, then that would be the end of it and, if it said yes, then you would begin to figure out what that would look like; that it would still have to go back to the voters with more public hearings to be voted to actually do it. She said that you would just be trying to get feedback from the citizens; that you were just getting a feel and didn't think it would need to wait.

6:57 PM

Mr. Lee said that he thought that on September 18th we would have to have a special meeting to do the warrant, anyway, because it has to be in to the Clerk the 22nd. He added that that would give them 20 days to get a completed warrant, total, so if there is going to be any kind of a hearing, which requires seven days' notice, we are very, very tight on time.

DISCUSSION ENDED

VOTE

2-1 (Mr. Fernald against)

Chair concurs in the affirmative.

Mr. Pomerleau asked if, since this is a non-legal, non-binding question, this was still subject to the public hearing requirements.

Mr. Lee said that it didn't require a public hearing but was speaking to Mr. Fernald's point regarding an opportunity to speak about the pros and cons on this and all he was suggesting is that we are preciously out of time.

Mr. Pomerleau said that we had between now and November to have a public discussion on this.

G3. Public Works

7:00 PM

1) Sewer Rate: Various Fees Structure Approval

Mr. Lee said that Keith Pratt, Underwood Engineering, was here tonight to explain what the study was about, what the findings were, and what the recommendations are for amending fixed charges to support the sewer betterment fees and any other rate adjustments needed to support the pumping station bond and some increasing charges from Kittery for capital projects in their operations and maintenance.

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Mr. (Keith) Pratt, Underwood Engineers, discussed their findings based on the tasks they were given. He said that they looked first at establishing what the budget would need to be going forward; that the key things are maintenance and upkeep of the system, actual cost of disposal at Kittery for operations and also some capital improvements Kittery is proposing that Eliot sewer users would have to support. He added that they have found that some flows have changed in Kittery and Eliot that have increased charges to Eliot of about \$24,000/year. He said that because the Eliot DPW spends a lot of their time on the sewer system that, maybe, a portion of their salaries and expenses for the Sewer Department, which is currently covered by the Town's General Fund, be put on the users, might be carried in the sewer budget of about \$30,000 to help offset some of the department's costs regarding sewer. He said that, additionally, Kittery is proposing some CIP improvements that Eliot is using – the treatment plant and Pump Station #7 – and that is about \$28,000/year starting in 2015. He said that they found some other things where they have optimized so some of the things for operations have been a little more efficient. He said that, with all that, the overall sewer budget went up about \$50,000; that we are currently budgeting for \$350,000 and were previously budgeting for about \$300,000. He added that they were seeing a drop in consumption so that meant a drop in revenue that had to be compensated for.

7:02 PM Mr. Pratt said that they looked at four scenarios in the rate model; that one was to just cover the upgraded operating budget (20%), the second was to add the Kittery CIP projects (30%); that the last two took into account the rate impact if the sewer bond moved forward – one would be paid for by sewer users only (65%) and one shared 50/50 by the Town (48%). He said that the bottom line was that the current rates would not cover the expenses so we knew we had to have at least a 20% increase and, depending on the scenario, rates could increase by 65%. Mr. Pratt said that they recommend a revisit on the betterment fees to determine whether it is the right number and if it is structured properly. He added that they needed to go back and look at the original establishment of this fee and, if possible as sewer systems possibly expand, make sure the right fee structures were in place and an SDC (System Development Charge) system is a good option; that that is becoming the industry standard and is based on the equity of the system. He said that they were recommending a fee increase, as well.

7:05 PM Mr. Pratt said that they also looked at fixed charges and they are making recommendations to the department to add some fees to help cover administration-type things like inspections, observations when installing sewer, or problems that come up; that they researched other towns to make sure the fees were consistent and in range with other communities. He added that what they are recommending at this time is to continue monitoring Kittery billing for potential future adjustments; that they asked Kittery for more information on the capital projects they are proposing and the basis for their pay-in schedule they

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provided to make sure Eliot is paying for things we should be paying for and nothing else. He said that because of the schedule on these things that a 30% rate increase is probably needed at this point but an additional 18% to 35% increase would be needed if the pumping station project passed. He said that they did meet and review this with the Sewer Committee, as well.

7:10 PM Mr. Hirst said that currently we are purchasing 200,000 gallons per day capacity from Kittery.

Mr. Pratt clarified that you have a reserve capacity that you previously purchased for 200,000 gallons per day.

Mr. Hirst asked what the maximum capacity was of Pump Station #7 to receive our sewerage with the currently proposed changes to Pump Station #7.

Mr. Pratt said that he didn't know what Kittery is doing, for sure, and that is part of the information they were seeking from Kittery; that he believes they are looking at what you currently have allocated; that based on some in initial feedback we had from them, they will only be able to continue Eliot's 200,000.

Mr. Hirst asked if, in the event that there were substantially more capacity needed from Kittery after they complete their work, their Pump Station #7 capable of accepting more or would it cost a vast amount to refurbish it so that it could take another 50,000 or 100,000 gallons.

Mr. Pratt said that it would require additional work to increase its' capacity so it has the potential to add costs.

Mr. Lee said that feedback we got from them initially was that, since they had seen the vote on the expansion of the sewer system go down here three times they did not go forward with a design to expand capacity anticipating we were going to be adding more to it; that they shrank their design down to current needs because they came to believe we would never expand sewer.

7:12 PM Ms. Shapleigh asked, if you were looking to increase the betterment fee from \$850, to what did you estimate that you would have to put that to. She added that she wanted to say that the people on the sewer now did not pay more than 15% for the installation of the sewer; that the federal government mandated and paid for about 85% of that cost so, if we're trying to give out accurate information, that she didn't think that was correct.

Mr. Pratt said that we understood that and there was some discussion whether this would even be possible because of the way it was established and done back then and whether this would be in violation of some requirement or law; that some

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additional research was needed before we could recommend implementing it at this point.

Ms. Davis asked, regarding Pump Station #7, why they were listing that as a replacement; that when she spoke with George he said that they kind of maintain their equipment and stuff like that and that they weren't really looking for a lot of replacement. She asked if Pump Station #7 was in bad shape for any reason.

7:14 PM Mr. Moulton said that, as far as he knows, it is operation for the current needs but they (Kittery) are planning for their future needs and not really concerned with Eliot's future needs because of vote has failed three times.

Ms. Davis said that it looks like they have budgeted close to \$1.3 million for that Pump Station #7 and she hasn't had a chance to really study this to see how much Eliot will be kicking in towards that.

Mr. Pratt said that they were looking into that because we don't know exactly what Kittery is doing; that he was concerned about allocation regarding whether Eliot was paying a true allocation. He added that they sent a letter out to Kittery last week requesting additional information.

Ms. Davis asked, if River Road had to have sewer, will Pump Station #7 now cover that if that were to come on line and how does the capacity of #7 compare with the capacity of what we're doing for repairs and replacements within Eliot. She asked if we are putting in something that is bigger than Pump Station #7.

Mr. Moulton said that we are planning for the future as it is cheaper to do it now than in the future; that Kittery is holding at 200,000 with Pump Station #7 (PS#7) and, if we need to expand for any reason, then we will have to invest more money in PS#7 to accommodate our needs.

Mr. Pratt said that, as it was laid out, we know we can't pump more than what PS#7 can handle, or our allocation, so we are designing it to operate at that point but what we are doing is make the building big enough and the space big enough or a pad big enough so that a third pump could be added and piped right into the existing system so that, if and when, you decided that growth and expansion were going to happen, it would be a simple add.

7:16 PM Mr. Fisher said that he didn't think there would be a need for additional capacity in South Eliot. He added that Kittery is going to run up Route 236, probably up as far as Fernald Road, and our distance between there and where our first pump station will be at Beech Road is probably half the distance of the one we would run all the way back to Kittery. He asked if we were making arrangements of

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securing the South Eliot area so that we could bring everything back up onto Route 236 and into that line.

Mr. Pratt said that that was the original plan, to run it through to Route 236 and into Kittery through Martin Road and expansions down into the treatment plant but that was more expensive for Eliot to do that. He added that taking advantage of the existing infrastructure and taking advantage of the stuff you already had, it was a lot less money, if the expansion on Route 236 occurred, to go down Beech Road and State Road into the existing stations.

Mr. Fisher said that if we tied it into Route 236 we could take that TIF money and run that down through Eliot, which would also save us more money. He added that they have a big construction job going on in Kittery and they are going to need that sewer up there so he was wondering whether if that would even be a...because what Kittery wanted us to do was buy pipe all the way down to their sewer system; that they are going to be running it back up Route 236 and so we wouldn't have to take that into consideration.

Mr. Hirst said to Mr. Pratt that this was new information in what he was saying tonight; that he was terribly concerned that, if we ever did have to exceed 200,000 gallons/day, their pump station would not be able to accommodate it without an addition or additional pads or an additional pump but you are saying that they are planning to do that as part of their renovations.

Mr. Pratt said that what he was saying was that we don't know. He added that when we negotiated the new IMA this was exactly what we were trying to avoid. He said that when we wrote some conditions in the IMA, Kittery was supposed to give us a 5-year CIP and submit, at certain points, their designs so that, if we're going to participate in cost-sharing in things they are building, we should have an opportunity to review them. He added that that was also in the letter we sent to them in that Eliot would willingly participate in our fair share but what is it we're participating in and please submit the drawings in accordance with the IMA. He said that we are concerned, as you are, that that is a possibility.

7:18 PM

Mr. Hirst said that, if at some point in the future we should have to expand our capacity substantially, such as, if EPA came in and said we had to sewer from Baha'i all the way up to the South Berwick line everything along the shore, then we would need to have additional capacity for PS#7. He added that he thought that planning for an additional pad, additional pump and additional big enough space to accommodate that would be very handy.

Mr. Pomerleau asked if there was any way that Kittery could refuse our expansion.

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Mr. Pratt said that he suggested they might if they didn't have the capacity; that that was a question. He added that we are asking that question; that that was the whole basis of reaching out and saying that, in accordance with the IMA, you owe us this information so please provide it. He said that we are waiting for those answers.

Mr. Moulton said that in discussions around expansion there was always discussed a different scenario that that added capacity was still on the table as a possibility.

7:25 PM

Mr. Pratt added that we sent the letter requesting a lot of information including the fact that Eliot may not be done planning for expansion and to please know that we are still discussing the possibility, that we may want to expand up to by as much to 200,000 gallons/day and asking if they are still able to accommodate that. He said that all the questions being raised here have been raised with Kittery.

Mr. Lee said that we would recommend Scenario #2 at this point, the 30% increase and, then, we would have to see what happens with the vote on the pump stations; that then there would be another one right on the heels of this, unfortunately. He added that, otherwise, we would run a shortfall.

Mr. Hirst moved, second by Ms. Davis, that the Board of Selectmen adopt Scenario #2 to be effective with the next billing, which would be October for July through September.

VOTE

3-0

Chair concurs

7:28 PM

2) Engineering Service Request: Preliminary Design – Pump Station Repairs

Mr. Lee said that there were six phases to it and we would be seeking the first five phases to be approved tonight; that that totals \$55,000 worth of engineering to do all the design, everything up to the final design of those two pump stations; that he spelled every step out.

Ms. Davis asked why the price was so expensive, now, when it would seem like a lot of this preliminary work would have already been done during TIF research.

Mr. Pratt said that we did do what we call a 'Basis of Design' and conceptual engineering when we developed the cost for the TIF; that the approach that the group wanted to do back then was not to design the whole thing; to get the conceptual costs and approach together, which is not inexpensive but it was a lot less expensive had we just gone out and designed everything and then find out it was going to fail. He reiterated that all the work that was done was conceptual and

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the work we are proposing now. He said that, as you move toward an actual vote, we are going into an optimization phase; that they were going to go in and do some subsurface investigations; that there are some land acquisitions that are now involved with the expansion and some improvements we are making at the Kings Highway Station. He added that we are doing this to get the costs refined in hopes that we can come up with an absolute better solid number in an effort to, if we can't save costs, at least know that what we have, what we are doing, is better to find. He said that this was taking it from conceptual to preliminary and he thought it would be into the 30% to, maybe, 60% design so that you will have more information to present to the voters. He added that if it passes there is still a final design phase where contract documents, specifications, and final designs need to be put together, so there will be a step beyond that but we felt that the first five would get us to the point of feeling confident we have the right project and we have the right cost.

7:30 PM

Ms. Davis asked for clarification on how the process worked; would there be any more votes on the sewer after the Bond vote in November.

Mr. Beckert said that there would be the final design phase, if it passes. He added that this \$55,000 in work would be started now and leading up to the vote in November and, hopefully, done by the November vote. He said that, if it passes in November, then you come into the final design requirement, which is Item #6 on this proposal – the final design for \$69,600.

Ms. Davis said that if by some freak vote that the bond doesn't pass, that we've spent \$55,000.

Mr. Beckert said shame on us if it doesn't pass; that this is required work for that system; that it has to be done. He added that, if it fails, we will be paying a whole lot more.

Mr. Lee added that the design work that would be done has shelf life, explaining that if it didn't pass this year, it would pass two years from now when they actually fail; that we would actually pull this design off the shelf as there would be very little updating except, maybe, for costs because of the price index.

Mr. Hirst moved, second by Mr. Fernald, that the Board of Selectmen authorize the expenditure of up to \$55,000 from Sewer funds for the accomplishment of Items #1 through #5 as presented in the Keith Pratt Memorandum before the Board of Selectmen.

VOTE

3-0

Chair concurs

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7:32 PM 3) Sewer Allocation: 120 Gallons – Donohue

Mr. Beckert said that this was a request for sewer allocation of 120 gallons/day from Mr. Kevin Donohue, 6 Spruce Lane, for residential use; that at the current time he will be connecting into the private force main of Scott West, also of Spruce Lane, which then ties into the larger force main of Green Acre that runs along Main Street to the Clark Street manhole, which is the terminus for sewer service of the Town. He added that this request has been reviewed by the SC at their meeting of August 20, 2014 and they have recommended approval.

Mr. Fernald moved, second by Ms. Davis, that the Board of Selectmen allocate 120 gallons to Kevin Donohue of 16 Spruce Lane.

DISCUSSION

Mr. Fernald asked if we inspected that when it goes into the station.

Mr. Moulton said yes, that everything got inspected.

Ms. Davis said that she thought she saw something about Green Acre and asked if that had any bearing on the allocation.

Mr. Lee said that it does in a sense; that it is a related discussion. He added that Green Acre has about 650' of private sewer line; that they currently have two residential connections on there and they do not want to be in the sewer business; that they are allowing Mr. Donohue to be the third one. He said that there is a request for us to accept that 650' of sewer line as an asset at a Town Meeting and, ideally, that request would be on the November ballot. He added that the SC did recommend that we accept it and he was going to ask if the Board wanted to put this in a warrant article on the November ballot to ask the voters under Other Business later tonight.

Ms. Davis asked if this committed us to that course of action.

Mr. Lee said no, it does not; that this simply allocates 120 gallons of capacity, whether they go into a private line or our public one.

Ms. Davis said that between now and November we would need to debate the pros and cons of taking this on; that it seemed short notice.

Mr. Moulton said that the Baha'i is committed to doing pressure testing and doing some additional inspections of the service in preparation for the vote. He added that they are allowing Mr. Donohue knowing that, in faith, that the Town would put it on a referendum, whether the Town accepts it, or not; that given that the

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Town is willing just to bring it forward they are allowing Mr. Donohue to tie into it as another resident. He said that it doesn't tie the hands of the Town but does give Green Acre the opportunity to ask.

Mr. Lee said that Green Acre had committed to about \$3,200 in inspection work the Town would require before we would even entertain taking this on. He added that they are not only letting Mr. Donohue on and, next Thursday, there would be a pressure test and they would spend about \$3,200 in inspections to demonstrate to the Town that we are not getting a pig-in-a-poke.

Ms. Davis asked to withdraw her second, as she would like to read up more on this before we make a final decision.

7:37 PM

Mr. Beckert said that the allocation is related but it isn't; that Mr. Donohue has asked to put 120 gallons per day into the Town sewer system through this private line, whether the Town owns it, or not. He added that we don't have to approve it but we better have a very good reason for not approving it.

Ms. Davis asked if him connecting was contingent on this approval; that it seems by approving it we are going in that direction and are we ready to do that.

Mr. Beckert reiterated that Mr. Donohue is asking to put 120 gallons a day into the sewer system; how it gets there, right now, is between him and Green Acre; that this is no different from approving an allocation for someone to tie into the private line on Route 236, which the Board has done on the SC recommendation.

Ms. Davis said that it seemed a 'good faith' motion, though, and she wasn't ready to make a 'good faith' motion on this; that the two things, whereas they are not contingent, they are complementary and she would rather not; that she was going to withdraw her second if that's allowed.

Mr. Beckert said that she could certainly withdraw her second.

Mr. Beckert asked if Mr. Fernald wished to withdraw his first.

Mr. Fernald said no.

Mr. Beckert said that we are back with a motion to allot 120 gallons per day to Mr. Donahue of 16 Spruce Lane and he needs a second to that motion.

7:43 PM

Mr. Hirst seconded the motion to allot 120 gallons to Mr. Donohue of 16 Spruce Lane.

There was no further discussion.

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VOTE

2-1 (Ms. Davis against)

Chair concurs in the affirmative

Mr. Beckert said that the issue of whether the Town takes over the 650' of sewer line that currently belongs to Green Acre is something the Board needs to discuss, as to whether we're going to put it on the November ballot, or not.

Mr. Murphy said that it was his understanding that Mr. Donohue would be allowed to get on that even if Green Acre kept it; that he is an Eliot citizen who wants to be able to use his bathroom and this is the normal way of doing this.

Mr. Fisher asked how much of the line we would take.

Mr. Lee said that we would not leave any private line; that if we take it the idea is to take all of it. He added that he recommended going forward with this and suggested they make it contingent on investigations and inspections to our satisfaction and if, for some reason, those didn't come back to our satisfaction then he would fashion the motion such that we do not put it on the warrant at all.

7:47 PM

Mr. Pomerleau said that he went to that SC Meeting and it sounded like the engineering experts in the room thought that this is a nice addition to the sewer system that comes free and is contingent on that we're not buying twenty years of upgrades like the old sewer. He added that Mr. Donohue had financing contingent on this, as well; that he didn't hear anything that caused him to have any major concern in picking up this sewer.

Mr. Dudek asked if there were any associated costs.

Mr. Lee said no.

Ms. Davis said that it was difficult to make a decision when we haven't been presented any actual pros and cons. She said that we would be taking on an expense and asked what there would be to our advantage; how old is it; how many other people could connect to it so that there would be enough potential users to offset the cost of our potential maintenance.

Mr. Moulton said that it was constructed in, or about, 1992; that we will do a pressure test and we have a pump station inspection; that all the pump station inspections will be given to the Town to review; that that is all part of the request that has been made; that he has meet with members of Green Acre and their testing sub-contractor; that there are a couple of manholes they are willing to commit and essentially raise to grade – from an inspection he did the manholes exist and are fine but they need to be brought up to grade, so Green Acre is

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willing to put the cost into that. He added that they have all the records to make a value decision and Underwood is going to take a look at it with us and the Baha'i is paying for all those costs.

Mr. Lee said that he wasn't sure what the additional potential number of users was but we could check on that. He added that this could be on our next agenda September 11th with more information with the test results, etc. He added that he didn't think the Board needed to act on it this evening but he did want to plant the seed that this may end up wanting to go on the November ballot.

Mr. Hirst said that, once this section of sewer potentially becomes ours, people whose houses it runs in front of are liable to pay a betterment fee.

Mr. Moulton said that that was a good question; that he would research that, as well.

Ms. Davis reiterated her question regarding what would, or would not, be the advantage to the Town.

7:49 PM

Mr. Moulton said that they would know exactly what was going into the system; potential for additional residents; the asset for the Town is just maintaining and controlling it. He added that you wouldn't be taking care of the pump station but just the main line so anything that pumps to the main structure all belongs to the Baha'i; that from the primary structure there are four structures that get you to the terminus where it turns into the gravity line for the Town; that we would be looking at four structures and approximately 600' of line. He added that it is 4-inch diameter, SDR21 pipe; that the value was accommodating residents who could potentially attach to it.

Mr. Fernald asked if, with the three users on that now, the sewer was being pumped to Green Acre.

Mr. Moulton said yes; that they all have individual pumps at their residents and it is pumped up to the Green Acre force main, then, travels down to the Town.

Mr. Fernald said that we would not be responsible for those pumps.

Mr. Moulton said no.

It was the consensus of the Board to move forward with this and put it on the agenda in two weeks to review.

G4. Public Safety

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August 28, 2014 5:30PM (continued)

7:52 PM 1) American Ambulance Annual Report

Mr. Lee said that this was informational. He added that they just went through the CAAS accreditation; that they were verbally told that they are now accredited and expecting to get the documentation next week, so that is good news.

New Business:

There was no new business.

Old Business

a. ECSD Renovation Overage/Carry-over/Use of Building Reserves – Additional Information

Mr. Lee said that we had some cost-overruns on the renovation project; that they were still going because the phone jacks were not designed in. He added that last year ECSD had a balance left in their budget, unspent money, and the Board wanted to know a couple of things so this is the additional information. He said that if the Board did not want to go into the Building Fund, then they could do a carry-forward of up to \$5,000 from last year's ECSD Budget into this year's ECSD Budget for the purpose of 'that', just 'that'; that we would use only the minimum necessary to finish and any left would go back to the fund balance.

Mr. Hirst moved, second by Ms. Davis, that the Board of Selectmen authorize carrying forward up to \$5,000 from the 13/14 Eliot Community Services Department Budget for purposes of completing renovation work.

VOTE

3-0

Chair concurs

b. Compensation Study RFP – Additional Information

This was requested additional information.

c. Last 5 pages of Personnel Policy – Workshop Format

This will be taken up at a later date.

d. MSAD Cost-sharing – Additional Information

This was additional requested information.

Selectmen's Report:

BOARD OF SELECTMEN'S MEETING

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7:52 PM

Ms. Davis said that she and Mr. Hirst went to a collaboration meeting with South Berwick last week and they told us that they only carried a CEO officer for three days a week; that she would like to seriously investigate the cost of Eliot hiring a full-time CEO without any prospect of sharing at this time and that we hold off, do some more research, and try to cut down some costs for the tax payer by sharing a CEO or potentially stay with the subcontractor that is coming in. She said that she realized that we have had more work this year but last year we had substantially less work and she thought that, since we're in the mood to cut some expenses tonight, that this is one item that we could easily delay until we do some more research to find out what we could do to minimize the cost.

Mr. Beckert said that it was his understanding that at the July 24th Board meeting there was a motion and a vote to move forward with the hiring of a CEO; that the budget passed in June also appropriated the funds for a CEO. He added that it was his understanding that there were already interviews set up with candidates.

Mr. Lee said yes, tomorrow morning.

Mr. Beckert said that they could certainly revisit that but a motion to reconsider would have to be done at the meeting immediately following the original vote. He asked for the Board's pleasure.

Mr. Fernald said that we have dealt with this before, over and over again, and actually gone to other towns to see if there are ways we can combine our code enforcement and other departments, unsuccessfully. He added that we are not South Berwick, or other towns, and believes we have other issues. He said that, although we have part-time people coming in to do inspections, we have code enforcement that needs to be addressed and he thinks that needs to be done by a full-time person.

Mr. Hirst said that he thought this was already discussed and decided. He added that, having said that, if it comes to pass that we hire someone and we have not enough work for them, we could very well offer their services to somebody else. He said that he couldn't discount the possibility that their presence will generate even more fees than we have had in the past. He said that he would not want to change what we have already decided.

Mr. Beckert said that what the Chair is hearing from the majority of the Board is that we stay the course.

Mr. Hirst and Mr. Fernald agreed.

Ms. Davis said that the day may come when the taxpayers find all of this unbearable. She added that we have had an opportunity; that we went forward

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with this before we researched what South Berwick was doing; that we haven't made an offer to anyone, yet. She said that we have an opportunity to rethink this; that we are cutting \$200/month and we're hiring somebody for \$90,000/year. She said that she thought we were doing things backwards and, at some point, the people are going to express their displeasure.

Mr. Beckert asked if anyone knew what the vote was on July 24th.

Mr. Lee and Ms. Lemire could not remember the exact wording.

Mr. Beckert said that what the Chair was hearing right now from the majority of the Board members sitting tonight is that we stay the course and move forward with the hiring of the CEO.

8:02 PM

Ms. Saurman said that the Board is staying the course based on a previous vote that the voters made.

Mr. Beckert said yes, from a requested budget for CEO.

Ms. Saurman said that she felt that if you folks were to change your minds you are breaking a big promise we thought we already had squared away; that we already thought this was taken care of and, suddenly, with interviews happening tomorrow morning, now we're going to say, "Wait a minute. We don't want to do this." She said that there are a lot of people who are quite sure, when she comes to these meetings, about what the voters are going to decide; that they seem to have some insight into what voters decide until voters actually decide it so, if the time comes when the voters have had enough, you will hear from us, she is sure you will.

Ms. Davis said that he thought the voters spoke at the last LD1 vote; that when you by-pass the Town Meeting, when only 124 people show up, when you put it to the people the people voted for LD1 and she thinks that speaks very loudly and everybody is disregarding it; that people will have to wake up or they're going to get what they're getting.

Ms. Shapleigh said that right now you have three people doing the job and she has heard the comment on the street asking why we didn't have one person doing the job; that they don't want to go to one on one day and another one another day and try to coordinate; that that is hard when you want to get work done and you have to have inspections.

Mr. Lee said that Tuesdays and Thursdays are just as busy as Mondays, Wednesdays, and Fridays; that when people come in they are exasperated that there's no one there; that we have also had things like, "Well, I don't want to deal

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with that CEO, so when does the other one come in.”; that there are a bunch of problems with doing it that way.

Mr. Beckert said that the direction from the Board, right now, is to move forward with hiring a CEO for the Town of Eliot, full-time. He added that if we, at some point, determine that we can share that CEO with another community and share that cost, then so be it.

Mr. Fernald said that we still have some **union negotiations** and he was requesting another Selectman because Mr. Moynahan was one of the people on the team.

Mr. Lee said that the next one is Tuesday at 4 PM.

Mr. Hirst volunteered to be on the union negotiating team.

Executive Session

There were no executive sessions.

Other Business as needed

8:10 PM Mr. Pomerleau discussed the growth permit research he did after the last discussion on this issue, what he found, and offered it to the Town; that he also had it in pdf form.

Mr. Lee and the Board thanked him for his work.

Adjourn

There was a motion and second to adjourn the meeting at 8:12 PM.

VOTE

3-0

Chair concurs

DATE

Mr. Grant Hirst, Secretary