

BOARD OF SELECTMEN'S MEETING
September 24, 2015 6:00PM

Quorum noted

A. 6:00 PM: Meeting called to order by Chairman Beckert.

B. Roll Call: Mr. Beckert, Mr. Fernald, Mr. Murphy, Ms. Davis and Mr. Pomerleau.

C. Pledge of Allegiance recited

D. Moment of Silence observed

E. Public Hearing – General Assistance Ordinance/Appendices

6:01 PM Mr. Lee summarized by saying that we are using the 2005 model and the State is recommending we upgrade to the 2013 model; that they have also issued new appendices, which deal with overall maximums families can receive.

6:03 PM Public Hearing opened.

No one from the public spoke.

6:04 PM Public Hearing closed.

Mr. Pomerleau said that, reading through this, you can see how exhausting and complicated the work of determining eligibility can be and it is a fine job that Ms. Albert is doing with it.

Mr. Lee agreed she did a fine job.

Ms. Davis said that the premise is really good; that there were a lot of things to take into consideration.

Mr. Fernald moved, second by Mr. Pomerleau, that the Board of Selectmen adopt the General Assistance Ordinance, dated September 13 and the Appendices A through D, effective October 1, 2015 through September 30, 2016.

VOTE

4-0

Chair concurs

The Board signed the pertinent documents.

F. Public Comment:

6:07 PM There was no one from the public who wished to speak. (Taken out of order.)

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G. Approval of Minutes of Previous Meeting(s)

6:09 PM Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the minutes of July 23, 2015, as amended.

VOTE
4-0
Chair concurs

Motion by Mr. Fernald, seconded by Mr. Murphy, to approve the minutes of September 3, 2015, as written.

VOTE
4-0
Chair concurs

H1. Department Head/Committee Reports

6:19 PM 1) Eliot Energy Committee: Resignation: Charlie Case

Mr. Beckert said that Mr. Case was moving to New Hampshire and would not be able to serve as a member; that he said he could be available, from time to time, for consulting. He added that Mr. Case has been a very valuable member of that committee since it started. He recommended the Board send a letter of thanks to Mr. Case and accept his resignation, with regrets.

Mr. Murphy moved, second by Mr. Fernald, that the Board of Selectmen send a letter of thanks to Mr. Case and accept his resignation, with regrets.

DISCUSSION

Mr. Lee said that on October 22nd as part of our agenda we will be making a presentation regarding the solar array on the landfill and Mr. Case was kind enough to come back to see that through, as he understands it well, and Mr. Lee was pleased that he would do that for us.

DISCUSSION ENDED

VOTE
4-0
Chair concurs

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6:21 PM 2) Harbor Commission Appointment: Rich Russell

Mr. Murphy moved, second by Mr. Fernald, that the Board of Selectmen appoint Richard Russell to the Harbor Commission for the term of three years, to end June 30, 2018.

VOTE

4-0

Chair concurs

H2. Administrative Department

6:22 PM 1) Town Manager Activities Report

Mr. Lee pointed out an error on Line 161 regarding the date; that it should say 1977, not 1997.

Ms. Davis said that, on Line 38, regarding the revised solar panels for the landfill, she knows it's been down-sized, asking if we are going to see a report on the actual savings, costs, or will all that be part of the October presentation.

Mr. Lee said that that would be part of the presentation.

Ms. Davis asked if we would get something ahead of that meeting to review.

Mr. Lee said yes; that he has asked Mr. Case to have that in at least a week in advance; that it will include lots of financial information, as well as potential long-term savings.

6:25 PM Ms. Davis asked, regarding Line 104, if Mr. Lee was continuing to follow up on that.

Mr. Lee said yes; that there were five FOAA requests in one email.

Ms. Davis asked, regarding Line 163 (regional dispatch) how that was proceeding.

Mr. Lee said that it was proceeding very well; that we have the fire chiefs and police chiefs from the four communities, now; that they are going to be meeting on October 26th and they've asked him to facilitate that meeting.

Ms. Davis said that she has heard that the second egress to the high school has been completed and asked what the status of that was, as she was told it was gated.

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6:27 PM Mr. Lee said that it was completed but could not recall why it was gated. He added that he would find out more at the next collaboration meeting.

Mr. Murphy asked, regarding seeking committee volunteers for the Senior Luncheon on the To-Do List, if this was the Selectmen's Senior Luncheon.

Mr. Lee said yes, saying the he believed Ms. (Donna) Murphy brought the idea to him after this last luncheon and he made a note of it; that he thought that was up to the Board.

6:28 PM Mr. Beckert said that it's always been open to other Town boards and committees to volunteer that day.

Mr. Lee said that he would make it clear to the committee list that, if they want to volunteer, they may do so.

Mr. Murphy asked about the Punkintown covenants and neighborhood meeting.

6:29 PM Mr. Lee said that, when he first got here, that was still on the table; that he looked into it, quite extensively, and came up with a pretty clear understanding from Attorney McEachern. He added that he went to the Conservation Commission (CC) and explained to them that if they were going to put a trust together, or a land trust on it, that there needed to be certain covenants that reflect what can be done on that property; that it is essentially restricted to the use of a single-family home. He said that you can't overburden the road, so, it would have to be limited to the number of people, no hunting, no mechanized vehicles, no overnight, dawn-to-dusk only, parking, etc.; that he was hoping for them to continue working on those because, once that list was together, they could then meet with the neighborhood to ask, "If these were all in place and monitored would you be able to live with us utilizing this as a public space with very tight limitations". He added that, since then, he doesn't believe the CC has focused a great deal on coming up with those covenants for that land trust; that he's in hopes that they will resume.

6:30 PM Mr. Murphy asked if there was a problem with the Fireworks Ordinance.

Mr. Lee said no; that both the Mass Gathering Ordinance and Fireworks Ordinance are long-term goals to update.

6:32 PM **a. Financial Reports**

Ms. Davis said that there is a fair amount of red, already, and she thinks we need to take a look at how things are categorized with their input into the system; that, for example, the Admin overtime line was approved for around \$6,500 and she

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thinks it needs to be broken out of the regular salaries and put into that line item so that we're not in the red on that. She added that the FICA, OASDI, Medicare, and Retirement in many of the department categories we need to look at because they haven't been allocated money or, for whatever reason, are '2' instead of '1'; that she thought we shifted a lot of Medicare and FICA down to 03-30 and 03-35 and 03-40 and so, in the Admin Department, it's being shared between 01-30, -35, and -40.

6:33 PM Mr. Lee said that he saw her point and we can straighten that out.

Ms. Davis said that the same thing applies as we go down; looking at 10-24 for video, there's a \$250 charge there and she thinks it belongs under video-streaming, which is 05-24, asking Mr. Lee to run through and look at anything that's in red.

Mr. Lee said that he would.

6:34 PM **b. Spectra Energy Response**

This was in response to the question of using the 15+/- acres next to Dead Duck.

Mr. Lee said that he had a discussion with Laura Bailey and she said that Spectra would have no problem if we wanted to design some non-paved trails, or something like that, along their property, with some stipulations, if we ever go that far. He discussed the limitations. He added that he reached out, as requested; that they don't want to sell it but would let us share it.

6:35 PM Mr. Fernald asked, when Mr. Lee said that the Town would be responsible for repairing the trail, what department that would be.

Mr. Lee said that it would probably fall under ECSD, parks and recreation.

2) Joint Selectmen/Budget Committee Workshop – October 6th, 6:30 PM

This meeting will be held on the 13th, not the 6th.

6:36 PM **3) Public Hearing date for Nov. 3 issues – October 8th, 6:00 PM**

This is informational.

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4) Appoint J. Peter Dennett: Election Warden, Nov. 3, 2015

Mr. Murphy moved, second by Mr. Fernald, that the Board of Selectmen appoint J. Peter Dennett as Election Warden for the upcoming State Referendum Election to be held on Tuesday, November 3, 2015.

VOTE

4-0

Chair concurs

H3. Public Works

6:38 PM 1) Correspondence from Jack Dougherty

Mr. Lee read Mr. Dougherty's letter for the benefit of the attending public. He said that the recommendation is already on the warrant; that both the Board of Selectmen and Budget Committee have recommended the bond, as is; that this is the first time he was able to get this into the packets because it missed the deadline by a day or two. He added that he did want to share the letter with you, that that was the feeling of Jack and Rose Dougherty; that he thought they shared that with the Budget Committee the other evening, as well.

6:40 PM Mr. Dougherty said that the Town has spoken on four separate occasions; that there should be no expansion of this system and no work done that would further that. He added that he recognized that work has to be done to repair the system; that he also recognizes that those pumps are only approximately ten years old and those pumps are designed to run for twenty years; that there's no sense replacing them when we have only half the life used.

Mrs. Dougherty said that we paid towards the money for the sewer; that whatever the Town told us to pay, we paid, and she feels that this Town has some responsibility for notifying us that we should have paid more; that we have paid what was asked and the Selectmen have to bear some responsibility for not saying that we should be paying more. She said that she would like to know which Selectmen voted to up the part that the people in South Eliot that are on the sewer have to pay from 45% to 100%.

6:41 PM Mr. Beckert said that it was all five.

Mr. Lee said that, after the 55/45 split was defeated, the Board didn't really see an alternative; that he thinks at least some of them swallowed very hard when they voted.

6:42 PM Mr. Fernald said that we tried to be fair, up front, when we went to a 55/45; that we thought that was the best alternative and the people in South Eliot didn't get

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out to vote for it. He added that he thought they had the vote in their hands, if they wanted it; that it was turned down and the 100% was the only other alternative to get those pumps fixed; that we had no choice.

Ms. Davis said that we have not heard from Underwood Engineering for quite a while and she would like to hear from them as far as what the timeline is looking like for this over the next few months.

6:43 PM Ms. (Donna) Murphy asked, if this bond passes, at what point does it go out for bid.

Mr. Lee said that he thought probably with the spring issuance; that the Bond Bank, normally, gives you interim financing until it closes; that they have a fall and spring issuance at the Bond Bank so this would be too late for the fall issuance. He added that the interim financing was so that you can get your project going; that you complete the paperwork when the bond goes through and pay back whatever you had for interim borrowing, also at 1%.

Ms. (Donna) Murphy clarified that she was speaking of bidding for who is going to perform the work.

6:44 PM Mr. Lee said that that would be part of the timeline information he was asked to get.

Mr. (Jim) Tessier said that he looked at some information, recently, on the Bond Bank and it looks like they have about a three-month timeline before the approval of the bond of when we have to get the paperwork in.

Mr. Lee said yes.

Mr. Tessier said that you have to back up from there to send out your estimates, or bids.

6:45 PM Mr. Beckert said that he thought the Bond Bank was sometime in March or the spring issuance so submittal would have to be down to the end of December, first part of January.

Mr. Lee said that, when we develop the timeline, we will also slide in all things having to do with the Maine Bond Bank application.

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2) Sewer Allocation – Steve Sanborn

Mr. Beckert said that Mr. Sanborn was present and discussed the memo from the Public Works Director, which requested specific conditions of approval be added if the Board approved the 5,000 gpd allocation.

Mr. Pomerleau said that that raised the question in his mind that the applicant could just circumvent that by not requesting an extension and, then, resubmitting a new one like he just did. He added that that loophole needed to be closed.

Mr. Beckert asked for the Board's pleasure on the allocation request.

6:48 PM

Mr. Murphy moved, second by Mr. Fernald, that the Board of Selectmen approve Mr. Sanborn's application for 5,000 gpd, together with the recommended conditions of approval:

1. The holder of an approved sewer capacity allocation shall not apply for a building sewer connection permit from the Superintendent without first obtaining the necessary land use approvals, if necessary, from the Code Enforcement Officer and/or Planning Board in accordance with Chapter 45 (Zoning) of the Town of Eliot Municipal Code of Ordinances.
2. In accordance with § 18-49(b)(3) of the sewer ordinance, if connection to the public sewer is not made within 180 days of approval and an extension is granted to the owner, the owner shall be immediately assessed a quarterly access-only fee until such time connection to the public sewer is made.

DISCUSSION

Mr. Beckert asked Mr. Sanborn if he agreed to abide by the conditions of approval that are on here (memo and motion).

Mr. Sanborn said that he was confused about the 6-month (180 days) change.

Mr. Lee explained that, generally, when you get the 5,000 gpd, we have to set that 5,000 gallons aside and, in so doing, we don't want it to sit and sit so, as a disincentive to sit on it for a long time, you have six months in which to make that connection. He added that, if you don't, then there is an access-only fee that gets charged each quarter; meaning that you reserve that access even though you aren't using it; that there are no user fees, no consumption, and none of that, just the access-only fee.

Mr. Sanborn said that he has a buyer looking at it, now, but nothing is firmed up yet.

Ms. Davis asked if we knew what the access-fee amount is.

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Mr. Beckert said that he could not; that the amount is in the ordinance.

Ms. Davis said that it's just that Mr. Sanborn is agreeing to it without knowing what it might cost.

Mr. Sanborn said yes; that he tried to find out about the fees and he hasn't gotten them as of yet.

Mr. Lee said that he could get that to Mr. Sanborn.

VOTE

4-0

Chair concurs

H4. Public Safety

6:51 PM 1) Eliot Police Auxiliary Update

Mr. Lee said that the Police Auxiliary has not yet acted on the rest of the recommendations and he has not heard back, yet, from Susan Caston (MMA); that there are still three remaining questions they had; that, for now, this should be tabled. He said that we need them to act before we can act; that we will table this until they feel comfortable with the change in the structure, do their voting and we ours, then make them volunteer employees of the Police Department so they are covered for liability and some other things. He added that they want to know exactly what that coverage is so he is trying to get those answers.

Ms. Davis said that Mr. Lee talked about this going on a future warrant and wondered if he anticipated an increased cost for the Police Auxiliary or how are you planning to budget it or will it be largely self-funded.

6:52 PM Mr. Lee said that they would be largely self-funded so long as the Chief authorized them to continue to go do donations, whether it is the Clink bags or whatever it might be, then they can continue to fundraise. He added that those funds would be in a separate account under the Police Department and only for their training, shirts, vests, events, the winter thing they do for the kids, which is that they distribute \$1,000 for kids at Thanksgiving and Christmas; that they want to make sure that those funds can be raised by them, used by them, and that they won't suddenly lose control of what they normally do. He said that he assured them that that was the case. He added that we would have to appropriate it as money from the Police budget but it would also have its own revenue source, which would be the Police Auxiliary Fund revenue/expense lines.

6:53 PM Ms. Davis said that, generally speaking, they have a history of how much they spend every year and we would just allocate that and then gross budget the revenue back in.

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Mr. Lee said yes.

6:54 PM 2) Police Cruiser Bids

Mr. Lee said that the Board has material before them regarding the bids; that Police Chief Short has made a recommendation that, although Quirk was the lowest bidder by \$116.00, Starkey is in York and Quirk is in Augusta and, for \$116.00, if we needed to have work done it would be better to have someone closer; that the price difference doesn't warrant our having our dealer in Augusta.

Ms. Davis said, discussing the type of vehicle being purchased, the fuel economy of a SUV versus a sedan versus the Ford over the Dodge Charger and fit-up costs; that we aren't looking at a full cost package, here, when we're looking at the vehicle purchase. She asked how much the fit-up and painting would be. She added that the fact that we're going to a SUV, now, rather than staying with the Charger means that we're not able to transfer the fit-up equipment over to the new vehicle. She said that it seemed like he had difficulty getting the third bid and she was wondering why we didn't try some of the bigger dealerships in, say, Manchester or Concord or Portland. She added that there are a lot of unanswered questions and he must have had some rationale for why he selected this vehicle but it isn't presented in the package. She asked if that was something we could look into if the Board is interested in finding out. She added that gas mileage and gas fuel usage did seem to be a large issue in the articles she read about this - the SUV versus the sedan; asking, even if you swap from the Dodge to the Ford, if a sedan is better; that she thought they had an all-wheel-drive sedan and asked if we considered that. She asked if these were things he took into consideration that maybe he could fill us in a little on before we make a decision.

6:57 PM Mr. Lee said that, if that's the request of the Board.

Mr. Beckert asked for the pleasure of the Board.

Mr. Murphy said that he wouldn't mind knowing more if there's more to be known.

Mr. Fernald said that, usually when we have this kind of thing in front of us, the Chief does come in and we are able to ask questions before making a decision.

Mr. Lee said that the Chief offered to be here but Mr. Lee didn't realize it was going to be an issue.

Mr. Beckert asked if we had enough time to do this.

Mr. Lee said that we can do it in two weeks.

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6:59 PM Mr. Pomerleau said that his concern was more with Chief Short's explanation of the bidding process; that it bothers him that the Chief got two bids in and opened them and, then, suddenly becomes aware that he needs three. He added that, if our current policy doesn't prohibit the opening of the bids, if there are three, without a decision from the Board saying that they would allow him to proceed with two but we want him to get the third; that that's been the root of the problem with people coming in here with exposed bids and, therefore, threatening the legitimacy of the third one, now that it's public. He said that he was kind of dismayed to read that and the Chief can't tell us he doesn't know we require three bids.

Mr. Murphy said that we also don't know that those two were made public right away; that the Chief may have known to keep them silent until they got approved.

Mr. Pomerleau said that his point is that they shouldn't be opened.

Mr. Murphy said that we understand that but it may not have affected this operation; that we don't have the Chief here to answer that.

7:00 PM Mr. Beckert said that, if it's at all possible, he's hearing that we should wait two weeks as the Board would like to have the Chief come in so that they can ask questions on this. He added that, if we find out, though, that these bids are not going to be valid for some reason, then let's schedule it for one of the nights that we're going to be here before the two-week period

Ms. (Donna) Murphy, speaking as a citizen, said that last year when the Chief brought his proposal in for the new vehicles, she questioned whether they would be looking at SUV's and his answer to me was absolutely not; that there was a significant cost difference between looking at a sedan versus a SUV; that the money he was requesting was for the sedans. She added that she would question, as the Board is looking at this, why the change and, then, looking at the cost a sedan would be with the fit-up cost included as opposed to the SUV. She said that the history that has been with this department coming in and assuring us that that 'here's what I need it for' and that's not what it's on; that she would just like those questions answered.

7:01 PM Mr. Beckert said that those are questions we can certainly ask the Chief as to why the determination was made to go with the SUVs. He added that he, for one, chooses to exercise his right to change his mind a year later if he has to make a decision on something; that what he stated a year ago may not be the case and he would like to hear the Chief's explanation.

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7:02 PM 3) Weatherization/Water Heater Bids Out: Fire Department Building

This is informational.

I. New Business:

There was no new business.

J. Old Business

7:04 PM 1) Personnel Policy Amendment

Mr. Lee said that this version is really the same the Board has seen in previous ones; that he called it Payment in Lieu of Medical Insurance because it would go in our Personnel Policy; that it's the one area we never got finalized. He discussed the handout he gave the Board. He said that he had learned that Selectman Pomerleau had come in to try to discuss with one of the staff members what he had in mind for a system that would work for Payment in Lieu Of; that Mr. Pomerleau gave a State of Maine example using some numbers with the State policy premiums and suggested that the actual numbers needed to be substituted. Mr. Lee said that he asked the Finance Director to do that and the long-and-short of it is that the proposed reimbursement under the system proffered by Selectman Pomerleau actually came out to \$3,289.44 and it still has a remaining out-of-pocket for the employee and family of \$1,587. He added that what the employees had proposed before was simply to go with \$3,000. He said that he doesn't think we are too far off; that even doing it with the methods that Selectman Pomerleau and Selectman Davis recommended, it's still very close to what we have come in with before. He added that he was bringing this to the Board's attention one more time because he is very concerned that we did not budget funds for a change in their insurance.

7:07 PM Mr. Pomerleau said that, just for clarity, the employee approached him. He said that he sent her the numbers he had because he couldn't find the real ones to plug in.

Mr. Beckert said that it is within the ballpark.

Mr. Pomerleau said that he would think so if they followed his template.

Mr. Lee said that that's what we did and double-checked our work.

Mr. Murphy asked if Mr. Lee wanted us to approve this \$250/month.

Mr. Lee said yes.

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Mr. Murphy said that we've been around this for several months and he didn't see why we can't go ahead and approve it.

7:08 PM Ms. Davis said that, according to the previous letter that we had received from the Finance Director, Town of Eliot employees pay \$406.40/month (family plan) and, if we look at spouse's plan, they pay \$440/month; that what's happening here is that the spouse is only paying \$34 more a month than our Town of Eliot employees are paying. She added that that means that each employer is expecting their employee to pay in the neighborhood of 15% and 20% for health insurance for a family plan. She said that if we do what's on this paper, here, we will be subsidizing the spouse for that extra \$3,000 so that that brings their annual payment down to \$1,587/year, which is considerably more than the average Eliot Town employee pays for their health insurance. She added that where she thinks we need to go here is to pay the spouse for the amount above what an Eliot employee would pay for their health insurance, which would be the \$34/month; otherwise, the other Eliot Town employees will be paying a disproportionate amount for their health insurance than these three Town employees.

7:10 PM Mr. Lee said that the Public Works budget is structured in such a manner that they have that \$250/month payment in lieu of without giving up any financial, or other, information so, at least with regard to those employees, it would be very, very comparable; that the Police negotiated a whole different thing and didn't seem to be a big, big matter to them and don't get nearly as much when they don't take health insurance but that's because he thinks they all take health insurance and they don't care about a payment in lieu of. He added that the one thing that we have to keep in mind is the alternative that is a very expensive alternative; that he understood the principle at work and he understands the desire for cost-savings; that he's just of the opinion that it well may backfire on us and cost us far, far more money, perhaps six times more.

7:11 PM Ms. Davis said that she doesn't believe there are any Public Works employees taking that benefit at this time. She added that the other Administrative employees in Town would look at this and say it was disproportionate when you compare it to them; that in either case we start a spiral of continually going up like 'this'; that she thinks, down the road, other employees are going to look at this and, then, they're going to be in here at a meeting saying it's not fair.

Mr. Lee said that we had one employee who was of that opinion, and you received that letter, and other than that he has not heard an ounce of grouching about it except that the staff feels it unfortunate that they're thinking about having to go into an insurance plan and hurt the budget and the Town.

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Ms. Davis said that they are getting insurance right now so they would have to voluntarily, for whatever reason, change to Eliot. She added that she would say it would be good if we offered them the difference to make them equal to Eliot employees.

7:13 PM Mr. Lee said that he can't say it any clearer than he has; that they have told him that they will all be signing up for it.

Mr. Pomerleau said that what it looks like to him is that, if it follows the scenario he submitted and what we would be reimbursing them would be to pay for that health insurance, then he is totally satisfied with the \$250. He added that he understood this miraculous effort to find equity among all the employees, which he thinks is unattainable; that he thinks we've tried to strike a fundamental fairness that uses the money we would allocate to provide our Town employees health care; that the money goes to reimburse them for insurance costs and it's not income nor a windfall of any sort. He said that he doesn't think we should ignore the fact that there's a substantial tax savings for the taxpayers. He added that, in the business sector, this would be a no-brainer.

7:15 PM Ms. Davis moved that the Board of Selectmen pay the difference between so that all Town employees are essentially paying the same amount for their health insurance.

There was no second and the motion fails.

Mr. Pomerleau moved, second by Mr. Fernald, that the Board of Selectmen adopt the Town Manager's recommendation to pay up to \$250 a month that would go for reimbursable insurance expenses with the condition that proof of insurance is provided.

DISCUSSION

There was discussion to clarify that the payment in lieu of would be up to \$250/month with confirmation that the out-of-pocket is at least that \$250 and, if it doesn't, the Town pays the lesser amount; that if it was \$210 upon confirmation then it is \$210 the employee would get.

Mr. Lee asked who would confirm.

The Board agreed it would be the Town Manager and that it would not be public.

Ms. Davis said that she still felt that, ultimately, the other employees are going to feel short-changed about this; that she thinks the Town is giving a generous benefit and that everyone should pay an equitable amount for their insurance; that,

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quite frankly, it feels a bit like blackmail to hear employees say that they already have a good policy, that we would bring them level with the other Town employees but that they would change, anyway, because they don't like the fact that we're not giving them even more.

7:20 PM Mr. Lee said that he didn't disagree; that he thinks, perhaps, there is a feeling that bad faith has been used for years and, maybe, they're just tired of it.

Mr. Pomerleau said that he is not the least bit influenced by that; that he is looking at what he thinks is going to be a fair application of a policy, regardless of who the employees end up being.

VOTE
3-1 (Ms. Davis against)
Chair concurs in the affirmative

Mr. Lee said that he would write that up for inclusion in the Personnel Policy and run it by the Board for a final look at it just to make sure it's written properly.

7:21 PM **2) Over-the-Road Banner Policy**

Mr. Lee said that he reached out to our underwriter and ran this policy by them, as requested, and they came back with several different things; that we should have forms, we should ask for copies of this and that, waivers of liability, etc., and it really became just a big insurance nightmare. He added that we only do two things a year; that one is Festival Day and the other is something about the Garden Club. He said that our recommendation is just to leave it the way it was and take it on a case-by-case basis; that all we want is a simple policy and it has become something quite different.

7:22 PM Mr. Murphy said that he has spent some time with this policy and is very unhappy with it; that he thinks it's poorly written and he has many questions about what it actually means and who is going to do things and who can't do it; that the wording is confusing. He added that he wouldn't approve this.

Mr. Lee said that his point tonight was that, all other things being equal, we will probably not re-propose this in any other format and let this go the way of the dodo.

Mr. Pomerleau asked what would be the policy on banners, then.

7:23 PM Mr. Lee said that we only do two Town events per year; that they are things sponsored here in Town by us, basically; that we are not going to utilize it for 501-C3's, non-profits, or other community groups. He added that that is essentially the policy, as it stands today, and it will remain that way.

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Mr. Pomerleau said that we need a written policy, one way or another.

Mr. Lee agreed, saying that the Board would probably see a very stream-lined policy come back.

The Board agreed.

7:24 PM Ms. Davis asked Selectman Fernald if he felt like there were other entities in Town that would want banners that wouldn't be able to have them now, either now or as a result of implementing this policy.

Mr. Fernald said that his point was that it was taking away from smaller entities that wanted to distribute information for different purposes. He added, however, that it's the same old story of more insurance, more concerns, etc., so he would feel much better if it was a different type of policy where the Town controlled it, as Mr. Lee had recommended. He said that he thinks it's better not having a policy, at all, than to have something like this.

Ms. Davis asked if we could just make a phone call to York to see what their policy may be.

7:26 PM Mr. Lee said that we could; that he thinks, however, that what he's hearing from the Board is just to write it the way it is – this is when we hang banners, under what conditions, and no other.

K. Selectmen's Report:

7:27 PM 1) Committee Vacancy Report

Mr. Murphy said that we have seventeen vacancies on seven different committees.

Ms. Davis asked what conclusions we came to about **Dixon Avenue**.

Mr. Beckert said that it was consensus to dig it up and have it as a dirt road.

Ms. Davis said that she looked at it on her way by today; that there's a couple of places that need to be patched but, honestly, to go in there and turn a paved road into a dirt road seems like what we are looking at are future mini-ruts; whereas, right now, if we did a few mini-patches in some of the rough spots, we've got a better road there than we would have if we'd dug it up; that it just doesn't seem to make sense to her to eliminate pavement and go to a dirt road. She asked the Board how they felt about that.

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Mr. Beckert reiterated that, at the last meeting, it was consensus that we dig it up and put it as dirt and the PW Director felt it was easier for him to maintain as a dirt road and less costly than as a hot-top road.

7:29 PM

Mr. Lee said that he gave the Board a draft of the **municipal budget meeting schedule deadlines**; that the important thing to note was that, at the bottom of the page, it says that with the charter and the Referendum Town Meeting Ordinance on the warrant for November 3rd, if both of these pass, this will have to be the timeline that will have to be adhered to, and the timeline for future budgets; so, if both pass, the charter requires him to get the Town Manager's proposed budget out by the first week of January. He added that in the past couple of budgets he has been aiming for January 22nd to get them out so this backs that up about three weeks and, then, with the revised Town Meeting Referendum Ordinance with the citizen's option, that adds in a pretty significant amount of time in terms of notice and a warrant and that sort of thing. He said that this is a very, very tight timeframe and, if you study it, it almost feels like dominos – God forbid anyone miss a deadline in here because this is tight, tight, tight.

Mr. Fernald said that, if the charter passes, it doesn't come into effect until next year.

Mr. Lee said that that was true but, what he has said internally is that, we might as well try to get it done this year; that it is the will of the people if it passes; it's only three weeks; we've got to change the budget all over the place for citizen option, anyway, so let's just get it done. He added that he has given a copy to the Chair of the Budget Committee, as well.

Ms. (Donna) Murphy said that some of the Tuesdays that Mr. Lee has down on his timeline are the 1st and 3rd Tuesdays, which she believes are Planning Board meeting nights.

Mr. Lee said that there aren't enough days, suggesting everyone look it over for those very reasons.

7:32 PM

Ms. Davis said that she had a **list of specific questions regarding the cruisers** so she would like to email them to everybody so the Chief would know in advance.

Mr. Lee said that that would help.

Mr. Pomerleau said that, regarding **the budget schedule**, one little complexity that would come up, particularly if the charter passes, is on public notice requirements; that he found out that, if you put it on the website, that helps to satisfy the notice requirements because they are less stringent on a regularly

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scheduled meeting, like PB notices every Tuesday; that you're not jammed in with five days' notice as long as there is an advanced publication that the public could have in advance of the meeting that is going to occur; that you allow yourself more flexibility with a notice just before it.

Mr. Lee said that that was a good idea.

7:35 PM Mr. Tessier **asked for clarification** of board and committee meetings and whether some of them would be joint meetings.

Mr. Lee said that he envisioned that each group would have their own space to do their own talking; that when he presents material to everybody he would like to have everybody together when he is presenting the budget but then, when people break up to deliberate, he thinks everybody is going to want to break up into their own groups.

Mr. Beckert reminded everyone that this weekend was Festival Day and to come out for all the events.

L. Other Business as needed

There was no other business.

M. Executive Session

There were no executive sessions.

N. Adjourn

There was a motion and second to adjourn the meeting at 7:37 PM.

VOTE

4-0

Chair concurs

DATE

Mr. John Murphy, Secretary