

**Eliot Select Board Meeting and Public Hearing  
Thursday, August 13, 2020 at 5:30 pm  
(Zoom: Remote Meeting)**

**\*\* Activate Video Streaming and Microphones \*\***

**AGENDA**

- A. Call to Order:**
- B. Roll Call:**
- C. ~~Pledge of Allegiance:~~**
- D. Moment of Silence:**
  
- E. Public Comment / Requests: Tim Dailey: Property Maintenance Ordinance request**
  
- F. Approval of Minutes of Previous Meeting(s): Regular Select Board Meeting of July 23, 2020**
  
- G. Department Head/Committee Reports:**
  - 1) Appointment / Re-Appointment of Boards, Committee and Commission Members – See Consent Agenda**
  - 2) Fire Dept. – Public Safety Impact Fee Formula (Follow Up)**
  - 3) Sewer Dept. – Ordinance Revisions**
  
- H. Administrative Department/Department Head Reports:**
  - 1) Town Manager Report(s)**
  - 2) Draft: TIF Article for November**
  - 3) FYE 2021 Certified Budget**
  - 4) Annual Adoption of Administrative Articles**
  - 5) Personal Property Accounts – Uncollectible / Abatement**
  - 6) MMA Executive Committee Ballot**
  - 7) Personnel Policy Amendments – 10 Hour Days**
  - 8) Approve Warrants:**
    - a. A/P Warrant # 151 \$10,811.47**
    - b. A/P Warrant # 152 \$37,378.06**
    - c. A/P Warrant # 38 \$ 1,672.00**
    - d. A/P Warrant # 40 \$100,514.33**
    - e. A/P Warrant # 42 \$238,425.52**
  
- I. New Business: Policy on Employee Political Activity**
  
- J. Old Business:**
  - 1) Library MOU**
  
- K. Selectmen's Reports:**
  - 1) Seeking Committee Members**
  
- L. Executive Session: MRSA Title 1, Section 405 (A) Personnel Matter: Animal Control Officer Employment Side Agreement**
  
- M. Adjourn:**

## Select Board

### Remote Zoom Meeting

August 13, 2020 @ 5:30 PM

Remote Meeting Held via Zoom Due to COVID-19

Watch Meeting @ Town Hall Streams [https://townhallstreams.com/towns/elliott\\_maine](https://townhallstreams.com/towns/elliott_maine)

### Public Meeting Participation – Email

Send email inquiries / comments in advance or during the meeting to Dana Lee, Town Manager at [townmanager@eliotme.org](mailto:townmanager@eliotme.org)

Call 1-408-418-9388 \*charges may apply depending on service provider

- Enter Meeting Number: 955 5217 3725 followed by #
- Enter Meeting Code 03903 followed by #
- You will now be connected by voice only to the meeting
- Or if you would like to enter the meeting by video and audio, enter zoom meeting number above enter meeting number. You will still be muted until called upon, if you want to speak, raise hand.
- If you are a call in and want to speak, dial \*9 on your phone.

### Communication / Participation Process

Once you are accepted into the meeting by the host you will be muted until the Chairman of the Committee, and any Official Meeting Participants have ended their discussion on each agenda item. At this time, you along with any other call-in participants will be unmuted one by one in the order that you joined the meeting, asked to identify yourself and allowed the opportunity to ask questions or make comment. Once each caller has made comment / inquiry they will be muted again and the next caller will be opened for comment and so on. We do ask that you disconnect the call if you have no further comment. Any new callers or callers who still remain after each agenda item will again be called upon in the order the call was received. Thank you in advance for your patience and understanding, this is our first meeting of this type and we will do our very best to accommodate everyone's right to participate.

## Chapter 8.2

### PROPERTY MAINTENANCE

#### § 8.2.1. Purpose.

The purpose of this chapter is to recognize the right of individual property owners and occupants within the Town to regulate and maintain their respective property grounds while at the same time setting minimum standards for the maintenance of such grounds to ensure that the condition of the grounds:

- A. Is not offensive to the comfort and enjoyment of owners and occupants of abutting properties in the neighborhood;
- B. Is not injurious to the public health, safety and welfare;
- C. Promotes the preservation of property values of abutting properties; and
- D. Does not pose potential risks to the environment, including groundwater and subsurface water quality, and prevents nuisance conditions from being maintained on the grounds of such properties.

#### § 8.2.2. Definitions.

Except as specifically defined herein, the words and phrases used in this chapter carry their customary and usual dictionary meanings unless otherwise clearly indicated by the context.

**ABUTTING PROPERTY(IES)** — As used herein solely, any property with a portion of it falling within 150 feet of all the boundaries of a property in violation of this chapter.

**CASUALTY** — Any unforeseeable, unintended accident or event adversely affecting a property, such as fire, damage or various events commonly referred to as "acts of God" or "acts of nature."

**GARBAGE** — As defined in § 8.1.2.1, the animal, vegetable and any other waste resulting from the handling, preparation, cooking or consumption of food.

**GROUNDS** — The part of a property not covered by permanent structures.

**INDIVIDUAL** — Persons, as defined in Title 1, § 1.2.2, to be an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, firm or, in the case of a corporation or association, any official thereof, or other legal entity.

**JUNK** — Includes dilapidated, discarded, junked or worn-out material(s) or objects, such as discarded, worn-out or junked plumbing heating supplies, electronic or industrial equipment, household appliances or furniture; discarded, scrapped and junked lumber; and old or scrap copper, brass,

rope, rags, batteries, paper trash, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material.

**LITTER** — All waste materials, including, but not limited to, bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, except waste parts or remains resulting from the normal field dressing of lawfully harvested wild game or the lawful use of waste parts or remains of wild game as bait, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of the primary processes of mining, logging, sawmilling, farming or manufacturing.

**NUISANCE** — As defined in Title 1, § 1.2.2, includes those public and common nuisances as defined by state statute 17 M.R.S. § 2802 et seq.

**OCCUPANT** — As defined in Title 1, § 1.2.2, means the words "tenant" or "occupant"; applied to a building or land, means and include any person holding a written or oral lease or who occupies the whole or a part of such buildings or land, either alone or with others, and is further defined for this chapter to mean any person living, sleeping or having some actual possession of a dwelling unit, rooming unit or place of business located on a property.

**OPERATOR** — Is defined in other titles for particular application. For the purposes of this chapter, it means any person who has charge, care or control of a dwelling or property, or a part thereof, whether with or without the knowledge and consent of the owner.

**RUBBISH** — As defined in § 8.1.2.1; is further defined for this chapter to mean combustible and noncombustible waste materials, except garbage, including but not limited to paper, rags, cartons, boxes, wood (excepting firewood), rubber, tires, leather, tree branches, yard trimmings (e.g., from flowers, weeds, shrubs, hedges, but excluding compost piles), tin cans, metals, mineral matter, glass, crockery and other similar materials.

**STRUCTURE** — Anything built or constructed and permanently affixed on a property that cannot be considered grounds or landscaping.

### **§ 8.2.3. Littering.**

A person may not throw, drop, deposit, discard, dump or otherwise dispose of litter or waste oil anywhere in the Town in any manner or amount as prohibited in 17 M.R.S. § 2263-A, except in public receptacles, in private receptacles for collection, or at the solid waste facility at those times when it is open to receive litter.

### **§ 8.2.4. Required grounds maintenance.**

- A. Required. All property grounds or parts thereof must be maintained in a condition free of any nuisance, unsafe or unsanitary conditions or accumulation of garbage, household trash, rubbish, junk, litter, worn or

discarded plumbing, heating supplies, oil or propane tanks, old or scrap copper, brass, rope, rags, batteries, paper trash, rubber, building debris, waste and all scrap iron, steel, other scrap ferrous or nonferrous material, debris, scrap lumber, tires, automobile parts, worn-out or unused or inoperable machinery or parts thereof, glass, unused and/or inoperable appliances, worn and unused furniture, and more than two vehicles not bearing a valid motor vehicle inspection sticker and a valid motor vehicle registration.

- B. Storage allowed. Materials as listed in Subsection A above, intended for private use of the property owner, occupant or operator, may be stored on the grounds of the property as long as such material is screened from public ways and from abutting properties as provided in Subsection C herein and the material is not otherwise in violation with any municipal ordinance or state statute. Private use does not include resale of the material.
- C. Screening. Where screening is required for the storage of material on property grounds, as provided in this section, the following standards apply:
- (1) Screening may be accomplished by natural or man-made objects, plantings or fences, any of which must completely screen the stored material from view from any portion of any public way or abutting property throughout the entire calendar year. All screening must be located outside of the public way right-of-way limits.
    - (a) Natural or man-made objects are interpreted to be:
      - [1] Hills, gullies or embankments. Such man-made objects must be constructed to blend with the landscape, with loaming and seeding or other treatment as may be necessary to establish a natural appearance.
      - [2] Buildings or other installations.
      - [3] Combinations of above.
    - (b) Plantings. Trees, shrubs or other vegetation of sufficient height, density and depth of planting or growth to completely screen the stored material may be used.
    - (c) Fences. Fences will be so located and of sufficient height to completely screen the stored material. All fences must be an opaque wall or barrier, constructed and erected in a workmanlike manner and well maintained. Only sound, undamaged material, uniform in appearance, is acceptable.
- D. Use allowed. This section may not be construed to prevent uses of property grounds allowed by the Land Use and Development Code (Title 16), Garage Sales (Chapter 5.4), or Sidewalk Sales (Chapter 5.7)

sections of the Town Code or any other state and/or municipal ordinance or statute, provided that all necessary permits or approvals, when required, are obtained and followed.

**§ 8.2.5. Maintenance of grounds following casualty damage.  
[Amended 7-11-2011 by Ord. No. 11-08]**

Within the period of 90 days following the occurrence of a casualty as defined in § 8.2.2 that results in the violation of § 8.2.4, the owner shall cause the removal of all debris or other violations connected therewith so as to be compliant with § 8.2.4. The CEO may grant an extension as provided in § 8.2.10.

**§ 8.2.6. Responsibility for maintaining property grounds.**

Owners, operators, tenants and occupants of a property are jointly and severally liable for maintaining the property grounds free of any violation and are liable to take all corrective actions required to cure and prevent such violations.

**§ 8.2.7. Enforcing authority.**

This chapter is enforced by the Code Enforcement Officer (CEO), designee or the Police Department.

**§ 8.2.8. Notice of violation and order of correction.**

When a violation of this chapter exists, the CEO must notify violators by serving a notice of violation and order of correction ("the notice") upon the violator(s). The notice must be in writing, describe the nature of the violation, and direct the violator(s) to take the action necessary to correct the violation, specifying the time period for correction as provided in § 8.2.10. The notice must also set forth the fine and/or penalty that could be imposed in the event that the violation exists as set out in the notice and is not abated and corrected within the time period set out in the notice.

**§ 8.2.9. Procedure for service of notice of violation and order of correction. [Amended 7-11-2011 by Ord. No. 11-08]**

The notice of violation and order of correction ("the notice") pursuant to § 8.2.8 must either:

- A. Be served in hand to the violator(s) by the CEO or a person duly authorized by the CEO;
- B. Be left at the violator(s)'s dwelling house or usual place of abode with a person of suitable age and discretion then residing therein or with an agent authorized by appointment or by law to receive service of process;
- C. Be mailed by certified United States mail, return receipt requested, to the violator(s)'s last known address. If the return receipt is not

returned, the notice will be conclusively presumed to have been served and received three days after it is mailed if it is also sent by regular United States mail, postage prepaid, which is not returned as undeliverable by the postal service. Such notice sent by regular United States mail is conclusively deemed to be received by the addressee on the third day following the date of mailing; or

- D. Be served by any procedure for service of process authorized by Rule 4 of the Maine Rules of Civil Procedure.

**§ 8.2.10. Time period for corrective action.**

The time period within which a violation must be corrected as set forth in the notice of violation and order of correction is 30 days following receipt of the notice of violation and order, unless:

- A. The CEO determines that a longer reasonable time limit is necessary, considering the nature and extent of the work required to correct the violation and including any weather conditions during the winter months that may prevent or impede the correction of the violation within a thirty-day period.
- B. The CEO determines that a shorter reasonable time limit is appropriate due to the threat posed by said violation to the health, safety and welfare of the public.
- C. The CEO finds that the violator(s) has been previously served a notice of violation and order of correction for a similar violation within the last two years; in which case the time limit for corrective action must be no more than 10 days.

**§ 8.2.11. Violations and penalties.**

- A. When a violation of any provision of this chapter is found to exist and is not corrected within the time period set out in the notice of violation and order of correction, the Town Attorney and the CEO, upon direction from the Town Manager, are authorized to institute a land use citation and complaint pursuant to Maine Rules of Civil Procedure 80K, or any other legal or equitable process that may be appropriate and necessary for the enforcement of the provisions of this chapter, the same to be brought in the name of the Town.
- B. Any person (including tenants in retail businesses) being the owner or tenant of or having control or use of any building or premises who is found to be in violation of any of the provisions of this chapter is guilty of a civil violation. The violator is subject to the fines and other sanctions and remedies provided by 30-A M.R.S. § 4452, currently including, without limitation, a penalty of \$100 to \$2,500 for a specific violation, injunctive relief, and attorneys' fees and costs.

**Draft SELECT BOARD MEETING**  
**July 23, 2020 5:30PM**  
**(Remote Meeting)**

1 **Quorum noted**

2

3 **A. 5:33 PM:** Meeting called to order by Chairperson Donhauser.

4

5 **B. Roll Call:** Mr. Donhauser, Mr. Orestis Mr. Lytle, Mr. McPherson, and Mr. Widi.

6

7 **C. Pledge of Allegiance recited**

8

9 **D. Moment of Silence observed**

10

11 **E. Public Comment:**

12

13                   There was no public comment.

14

15 **F. Selection of Select Board Officers for FYE 21**

16

17 **5:35 PM      Position of Chair:**

18

19                   Richard Donhauser – 4

20

21                   Alex Orestis – 1

22

23                   Richard Donhauser voted as Chair.

24

25 **Position of Vice Chair:**

26

27                   Richard Donhauser – 0

28

29                   Alex Orestis – 5

30

31                   Alex Orestis voted as Vice Chair

32

33 **Position of Secretary:**

34

35                   Bob McPherson – 4

36

37                   Bill Widi – 1

38

39                   Bob McPherson voted as Secretary

40

41

42

43

**Draft SELECT BOARD MEETING  
July 23, 2020 5:30PM (continued)  
(Remote Meeting)**

44 **G. Approval of Minutes of Previous Meeting(s)**

45  
46 **5:39 PM Motion by Mr. Donhauser, second by Mr. Orestis, to approve the minutes of**  
47 **July 7, 2020, as written.**

48  
49 **Roll Call Vote:**

50  
51 **Mr. Donhauser – Yes**  
52 **Mr. Orestis – Yes**  
53 **Mr. Lytle – Yes**  
54 **Mr. McPherson – Yes**  
55 **Mr. Widi - Yes**

56  
57 **Unanimous vote to approve motion.**

58  
59 **H. Department Head/Committee Reports**

60  
61 **5:40 PM 1) Planning Board – Marijuana Applications**

62  
63 This was an update regarding the number of applications coming into the  
64 Planning Office.

65  
66 Mr. Lee said that the Planner put together a summary list of all the pending  
67 applications. There are 11 right now. There are only 4 or 5 parcels that are  
68 developable other than somebody buying out an existing business so it appears to  
69 me that we have a lot of people clamoring for similar spaces/properties that can  
70 meet setbacks.

71  
72 **5:42 PM 2) Fire Dept. – Establish Public Safety Impact Fee Formula**

73  
74 Chief Muzeroll said that he had approached the SB regarding an impact fee and a  
75 possible formula. The SB and Town Manager were very receptive and the Town  
76 Manager helped me re-write that. The template is from Kittery with some  
77 language changes to fit Eliot. The voters voted to accept the Safety Impact Fee  
78 Ordinance, as presented, mentioning that the date of the vote in the document  
79 needs to be changed to reflect the actual date of the vote. We are only looking to  
80 use this for items related to public safety equipment and facilities. In a data sheet  
81 he provided to the SB, it shows that, if we had imposed a \$5/\$1,000 fee for  
82 everything over \$100,000 for building permits for the past four years, we would  
83 have accrued about \$100,000 to be used for infrastructure and facility changes  
84 toward growth in the Town.

85  
86 Mr. Lee asked Chief Muzeroll to repeat the formula.

**Draft SELECT BOARD MEETING**  
**July 23, 2020 5:30PM (continued)**  
**(Remote Meeting)**

87 Chief Muzeroll said that it is \$5/\$1,000 after the first \$100,000 of a new building  
88 permit, and there are some caveats in there, but it is generally designed for new  
89 construction, both residential and commercial. The average cost of new  
90 construction in Eliot is \$300,000, leaving \$200,000 the fee would impact and  
91 would be a fee of \$1,000 for the building permit. His suggestion of using  
92 \$5/\$1,000 was not written into the ordinance on purpose, which allows the SB to  
93 revise that in the future, if necessary.  
94

95 Mr. Donhauser confirmed that it is the SB that established the fee.  
96

97 Chief Muzeroll agreed, saying that it would be a line in the Town's fee schedule.  
98

99 Mr. Lee said that, given the need to change the date on this, the SB will want to  
100 carry this over to a second meeting.  
101

102 Chief Muzeroll said that he didn't know if you could legally impose this fee  
103 before the document has a proper date and is signed.  
104

105 Mr. Lee said that, because of the changes imposed by the pandemic, the date  
106 change would be considered an administrative change to the ordinance date, not  
107 the ordinance itself. I believe the SB could approve the formula of \$5/\$1,000 of  
108 building value over the first \$100,000 of residential or commercial development,  
109 now, if they so choose.  
110

111 Mr. McPherson said that I think we should vote on this, now, rather than put it  
112 off, if Mr. Lee believes it's okay to do.  
113

114 SB members agreed.  
115

116 Mr. Lee noted that Mr. Tessier had been trying to call into the meeting and was  
117 getting a message that the meeting number was not valid. I apologize for that and  
118 encouraged him to keep trying, as we all used the same instructions.  
119

120 **Mr. McPherson moved, second by Mr. Orestis, that the Select Board adopt a**  
121 **\$5 per \$1,000 after \$100,000 Public Safety Impact Fee.**  
122

123 **Roll Call Vote:**  
124

125 **Mr. Donhauser – Yes**

126 **Mr. Orestis – Yes**

127 **Mr. Lytle – Abstain**

128 **Mr. McPherson – Yes**

129 **Mr. Widi - Yes**

**Draft SELECT BOARD MEETING  
July 23, 2020 5:30PM (continued)  
(Remote Meeting)**

130 **Unanimous vote to approve motion.**

131

132 **H. Administrative Department**

133

134 **5:47 PM 1) Town Manager Report(s)**

135

136 There were no comments.

137

138 **a. Financial Report**

139

140 Mr. Lee clarified that this is not exactly the year-end report. At the end of the  
141 fiscal year, we still have bills that trickle in over a 4-6-week period, so it will  
142 probably be the second week of August before we have every single bill in.  
143 However, this is very close to where we will end up.

144

145 Mr. Orestis commented that it looks like we spent less and took in more.

146

147 Mr. Lee agreed. It isn't really the last fiscal year we were too worried about, as  
148 COVID didn't hit until near the end. But even looking forward, so far, we're  
149 almost where we need to be with excises, tax collection. We're ahead of where we  
150 were last year.

151

152 **5:50 PM b. Worker's Compensation Dividend Check - \$3,885**

153

154 As part of the Risk Management Pool, the MMA offers dividends to anyone who  
155 had a loss ratio of 50% or less from what they predicted it would be for 2018-  
156 2019. This is one of the nice things doing business with a non-profit like the  
157 MMA. This will drop down through to General Fund as a revenue that was  
158 unanticipated.

159

160 **5:52 PM c. LPC Election Ballot**

161

162 This is regarding the MMA Legislative Policy Committee, which elects  
163 representatives from each senate district to represent the towns and cities in  
164 Augusta on legislative matters. Mr. Lee (Eliot) and Mr. Perry (South Berwick) are  
165 on the ballot that asks the Boards to vote for two.

166

167 The SB **agreed by consensus** to approve this ballot, as presented.

168

169 **2) Annual Town Meeting Results**

170

171 Mr. Lee said that the voters tended to go with the Budget Committee  
172 recommendations, which I think was four articles. The Treasurer and I have

**Draft SELECT BOARD MEETING**  
**July 23, 2020 5:30PM (continued)**  
**(Remote Meeting)**

173 begun to work to restructure the budget according to the will of the voters. As an  
174 example, we were working today to try to figure out how we would fund the  
175 Animal Control Officer, where \$3,000 was cut from that budget. We met with the  
176 ACO and Police Chief and think we've worked out how we can do it. We went in  
177 and took out any of the items that were voted down, such as the ticket system, as  
178 an example. We will be back on August 13<sup>th</sup> to provide the revised Certified  
179 Budget.

180  
181 **3) FY 20-21 Budget Adjustments to be Made**

182  
183 Mr. Lee reiterated that we are making those adjustments in the original budget  
184 sheets that have to be taken out and make sure that the Certified Budget reflects  
185 what the voters did. We have done that, triple-checked it, and Ms. Rawski has  
186 certified the numbers. It takes a vote of the SB at some point to verify her  
187 certification.

188  
189 **5:58 PM 4) Frost Tufts Lighting Bid**

190  
191 Mr. Lee summarized the history of this item; that no bids came in, he had worked  
192 with OnTarget but they were only able to go down to \$26,000. So, I called an  
193 electrician the Town has worked with in the past as we are left with no choice but  
194 to negotiate with a contractor to make improvements there. The only other choice  
195 we have is to put the \$15,000 we have, put it into a reserve, and ask for another  
196 \$11,000 to \$12,000 in next year's budget. I find it hard to believe that we have to  
197 sink that much money at a tennis court, which is used for only four months and  
198 light out pretty late. I think we use what we've got, do what we can, and improve  
199 it but it won't be perfect.

200  
201 Mr. McPherson said that I will come down next week to talk to you about the  
202 utility pole. I might be able to eliminate that cost. Between that, a Public Works  
203 crew and a backhoe, we could set a pole. We also have the Town's bucket truck.  
204 So, if you could find an electrician and buy those parts, ourselves, and if the  
205 electrician is qualified on a bucket truck, we might be able to save some money  
206 and get some lights up.

207  
208 Mr. Lee suggested we get Mr. Robinson in for that meeting, too, so we're all on  
209 the same page with that. Thank you.

210  
211 Mr. Donhauser said that we will move to the next meeting to approve any  
212 expenditures.

213  
214 **6:01 PM 5) Approve Warrants**

**Draft SELECT BOARD MEETING  
July 23, 2020 5:30PM (continued)  
(Remote Meeting)**

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**Mr. Donhauser moved, second by Mr. Orestis, to approve A/P Warrant #147 in the amount of \$18,132.84, dated July 1, 2020; A/P Warrant #149 in the amount of \$78,131.98, dated July 9, 2020; A/P Warrant #150 in the amount of \$18,287.76, dated July 15, 2020; A/P Warrant #35 in the amount of \$35,988.17, dated July 9, 2020; A/P Warrant #37 in the amount of \$951,969.24, dated July 15, 2020.**

**Roll Call Vote:**

- Mr. Donhauser – Yes**
- Mr. Orestis – Yes**
- Mr. Lytle – Yes**
- Mr. McPherson – Yes**
- Mr. Widi - Yes**

**Unanimous vote to approve motion.**

NOTE: #35 and #37 are for the new fiscal year.

**I. New Business:**

There was no new business.

**J. Old Business:**

**6:04 PM 1) Capital Improvement Committee Draft By-laws (Final Reading)**

Mr. Orestis said that there was a letter in the previous meeting’s packet specifically pertaining to these by-laws and was wondering if Mr. Lee had any comment to that.

Mr. Lee said that I read the letter pretty carefully and the nature of the letter is that committees should draft their own by-laws. At the same time, our Charter requires that by-laws contain certain elements and all I’m doing is creating a template and draft, and the by-laws, themselves, say that they can be changed and resubmitted to the SB. Mr. Rankie was concerned that I was driving the ship too much by creating by-laws that they could not change. But even the sections of the Charter he cited had to do with setting agendas and other things that did not have to do with by-laws. It had to do with anything that might interfere with the committee and I’m just trying to get them structured and started.

Mr. Orestis said that I thought it was important to address that letter. It was well-written and caught my eye.

**Draft SELECT BOARD MEETING  
July 23, 2020 5:30PM (continued)  
(Remote Meeting)**

259  
260 **6:04 PM** **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**  
261 **approve the Capital Improvement Committee drafted by-laws.**

262  
263 **Roll Call Vote:**

264  
265 **Mr. Donhauser – Yes**  
266 **Mr. Orestis – Yes**  
267 **Mr. Lytle – Yes**  
268 **Mr. McPherson – Yes**  
269 **Mr. Widi - Yes**

270  
271 **Unanimous vote to approve motion.**

272  
273 Mr. Lee said that I postponed doing committee appointments until the next SB  
274 meeting

275  
276 **K. Selectmen’s Report:**

277  
278 **6:06 PM** Mr. Orestis asked Mr. Lee to fill us in on what’s going on at the Skate Park.

279  
280 Mr. Lee said that we’ve taken down the dangerous bowl structure, with some of  
281 the other structures. We brought in our ground pavement and filled it in such that  
282 it is now going to be a single level. I met with some people on Tuesday that are  
283 enthused about it – K.C. MacDonald and a couple of people from California that  
284 have designed parks all over the place. One has connections to Eliot and they are  
285 kind of donating their thoughts and advice. The problem that I heard from this  
286 phone call was to make a skate park and do it right and not be a constant  
287 maintenance headache, you want to make it out of concrete with rebar and with a  
288 very smooth finish. They said to do it right, even for a small park, you are  
289 probably looking at \$200,000. What they have done in different parts of the  
290 country is that they go in as consultants and know of several grant sources and  
291 they have involved in many fundraising activities. The next step is to have a  
292 follow-up meeting with more people, including Mr. Orestis. At this point, we are  
293 prepping the grounds and I think the next step is to consider grant-writing and  
294 fundraising to begin putting down the concrete base and begin to buy new  
295 structures. We’ve talked about having a pickle ball court and this park being  
296 multi-generational where we might have tables for checkers or chess or cribbage  
297 and benches. The rest would still be a skate park, which the State wants us to  
298 keep.

299  
300 **6:09 PM** **1) Seeking Committee Members**

301

**Draft SELECT BOARD MEETING  
July 23, 2020 5:30PM (continued)  
(Remote Meeting)**

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Mr. Lee said that the one that is critical, in my mind, is the Conservation Committee because we are very short of members. We are short an alternate on the Planning Board. We also have an opening on the Tax Increment Financing Committee, which is kind of a heart-and-soul project for this Town. This new Capital Improvement Committee is going to be looking at a number of things, all of our capital improvement projects like the Skate Park, Frost Tufts lighting, etc. Plus, they will be looking at the future of Town Hall and the future of Community Service Department space. Now, with school coming back into session, we are being told that the elementary school will probably want every inch of that; that they will have classes in the gym, what used to be Ms. Muzeroll's program area. We need to look at what we're going to do long-term. We could also look at technology as a space solution for the Town Hall, which Mr. Orestis suggested, that might support the Town Hall and Community Services.

**L. Executive Session**

There was no executive session.

**M. Adjourn**

There was a motion and second to adjourn the meeting at 6:13 PM.

**VOTE  
5-0  
Motion approved**

**Respectfully submitted,  
Ellen Lemire, Recording Secretary**

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**Mr. Bob McPherson, Secretary**

**Date approved:**

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**MEMORANDUM**

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**TO: SELECT BOARD**  
**FROM: WENDY RAWSKI, TOWN CLERK**  
**SUBJECT: 2020 APPOINTMENTS - BOARDS, COMMITTEES & COMMISSIONS**  
**DATE: AUGUST 6, 2020**  
**CC: DANA LEE, TOWN MANAGER**

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**Aging-In-Place Committee**

**Three Year Term to June 2023**

Two (2) Regular Members

One (1) Alternate Member

**Applications Received:**

- Ellen Ceppetelli (incumbent-regular member)
- Gail Licciardello (incumbent-regular member)

**Board of Appeals**

**Three Year Term to June 2023**

One (1) Regular Member

One (1) Alternate Member

**Applications Received:**

- Charles Rankie (incumbent-regular member)
- Rosanne Adams (incumbent-alternate member)

**Conservation Commission**

**Three Year Term to June 2023**

Three (3) Regular Members

**Applications Received:**

- Kari Moore (incumbent-regular member)
- Lisa Wise (incumbent-regular member)

## **Capital Improvement Committee – \*New 2020**

**Three Year Term to June 2023**

Three (3) Regular Members

**Two Year Term to June 2022**

Two (2) Regular Members

**One Year Term to June 2021**

Two (2) Regular Members

### **Transfers w/ same term from Energy & CI Commission:**

- Christine Bennett (incumbent-term to 2020) \*reappoint to 2023 – application attached
- Edward Henningsen (incumbent-term to 2022) \*appoint to 2022 as transfer
- Erika McCreedy (incumbent-term to 2022) \*appoint to 2022 as transfer
- Pamela Mondschein (incumbent-term to 2021) \*appoint to 2021 as transfer

### **New Applicants to fill (2) members-term to 2023 & (1) member-term to 2021:**

- Jessica O'Donoghue
- Sam Scott
- Bradford Swanson
- Megan Weeks

## **Tax Increment Financing Committee**

**Three Year Term to June 2023**

Two (2) Regular Members

One (1) Alternate Member

### **Applications Received:**

- Caleb Sloan (incumbent-regular member)



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

**INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS,  
COMMITTEES & COMMISSIONS

**RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES &  
COMMISSIONS

NAME: Ellen Ceppetelli

RESIDENCE: 14 Eventide Cove Lane

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: [ellencepp@gmail.com](mailto:ellencepp@gmail.com) PHONE # (Home)

WORK # \_\_\_\_\_ CELL # 802-356-5933

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate  No Preference

APPOINTMENT TERM: Full Term  Partial Term  No Preference

EDUCATION/TRAINING: RN, BSN, Master's in Community Health Nursing, Tenured Professor of Nursing at Norwich University; faculty of Geisel Medical School Dartmouth, Visiting Professor Harvard School of Public Health, Occupational and Environmental Health.

RELATED EXPERIENCE (Including other Boards/Committees and Commissions) American National Board member of American Lung Association and Commission on Collegiate Nursing Education; Board member of the Vermont Lung Association, Vermont Health Policy Council, and the New England Public Health Association



**TOWN OF ELIOT, MAINE**  
1333 STATE ROAD, ELIOT, ME 03903  
TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

PRESENT EMPLOYMENT: Retired Director of Nursing Education, Castleton University, VT ,  
retired Director of Nursing Education Dartmouth Hitchcock Medical Center, Lebanon, NH

ARE YOU 18 YEARS OR OLDER:  YES  NO

**ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING  
MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING  
QUESTIONS.**

1. Express your interest as to why you want to serve: I would like to continue my work of then last 3years as chair of the AIP.
2. Give a brief reason(s) as to why the Select Board should support your appointment.

The accomplishments of the AIP: Eliot named an AARP Age Friendly Community; community assessment survey; AARP approved and Select Board approved Action Plan; senior tax assistance ordinance. While Chair, I wrote applications and received awards from the following: Grassroots Grant for community response to COVID 19, two ME Community Foundation grants and one from AARP of Maine. Eliot was one of 5 ME communities selected to receive a UME Orono/MCF community fellow for this year that included a \$1,000 award to assist in action plan implementation.

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

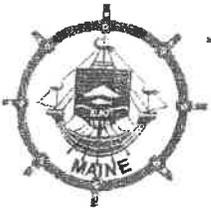
I will continue to invite residents to attend monthly meetings and listen reflectively to varied opinions as I attempt to suspend my assumptions.

4. Any know conflict of interest:  YES  NO if yes, please list

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**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE  
FOLLOWING:**

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

**Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.**

5/13/2020

A handwritten signature in black ink, which appears to read "Ellen Desjardis". The signature is written in a cursive style.

SIGNATURE OF APPLICANT

DATE



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

**INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

**RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: Gail Licciardello

RESIDENCE: 113 Stacy Lane, Eliot, ME 03903

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: gaillicca@gmail.com PHONE # (Home) \_\_\_\_\_

WORK # \_\_\_\_\_ CELL # 603-502-4401

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_\_\_ No Preference \_\_\_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_\_\_ No Preference \_\_\_\_\_

EDUCATION/TRAINING: MPA from American Univ. B.S. in Occupational Therapy from Boston Univ.

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
As an occupational therapist my work's focus has always been helping people maintain their independence.

PRESENT EMPLOYMENT: semi-retired occupational therapist

ARE YOU 18 YEARS OR OLDER:  YES  NO



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

**ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.**

1. Express your interest as to why you want to serve:

I have served on the AIP committee since its beginning & feel we have accomplished a lot. I would like to continue the work

2. Give a brief reason(s) as to why the Select Board should support your appointment.

Have been an active member of the committee & have made significant contributions to its work

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

I will continue to listen to all points of view with an open mind

4. Any know conflict of interest:  YES  NO if yes, please list

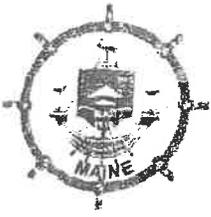
**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:**

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

**Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.**

*Neil Ricciardello*  
 SIGNATURE OF APPLICANT

5-18-2020  
 DATE



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

**INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS

**RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES & COMMISSIONS

NAME: CHARLES L. RANKIE JR.

RESIDENCE: 147 BAIXHAM ROAD

MAILING (if different) PO BOX 600, ELIOT, ME 03903

E-MAIL ADDRESS: heaton.lodge@gmail.com PHONE # <sup>TEXT</sup> (Home) (207) 439-6000

WORK # \_\_\_\_\_ CELL # \_\_\_\_\_

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_ No Preference \_\_\_

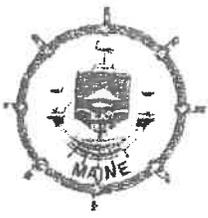
APPOINTMENT TERM: Full Term  Partial Term \_\_\_ No Preference \_\_\_

EDUCATION/TRAINING: N/A

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
YES

PRESENT EMPLOYMENT: N/A

ARE YOU 18 YEARS OR OLDER:  YES  NO



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:

*I am a member in good standing. Additionally, I wish to continue to serve our town.*

2. Give a brief reason(s) as to why the Select Board should support your appointment.

*I am a member in good standing.*

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

*My history speaks for me.*

4. Any know conflict of interest:  YES  NO if yes, please list

## BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:

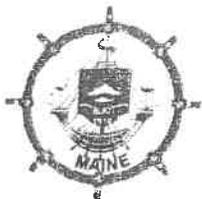
1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions and Committees available at the Town Office or on the Town Website.

*[Handwritten Signature]*  
SIGNATURE OF APPLICANT

*6-5-20*  
DATE

*a. Chairman Hamilton*



**TOWN OF ELIOT, MAINE**  
1333 STATE ROAD, ELIOT, ME 03903  
TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

Rec'd  
07/02/20

- INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS,  
COMMITTEES & COMMISSIONS  
 **RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES &  
COMMISSIONS

NAME: Rosanne M. Adams  
RESIDENCE: 657 Goodwin Rd Eliot ME  
MAILING (if different) \_\_\_\_\_  
E-MAIL ADDRESS: RMA249@yahoo.com PHONE # (Home) \_\_\_\_\_  
WORK # \_\_\_\_\_ CELL # 207-752-0174

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular \_\_\_ Alternate  No Preference \_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_ No Preference \_\_\_

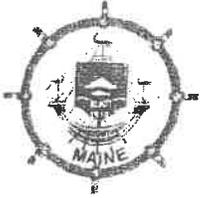
EDUCATION/TRAINING: College, management/supervisor training

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)

Presently serving as Alternate member of BOA, served on Budget Committee,  
Charter Commission, Comprehensive Plan

PRESENT EMPLOYMENT: retired

ARE YOU 18 YEARS OR OLDER:  YES  NO



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:

I would like to continue to have the opportunity to broaden my knowledge of our ordinances + their application

2. Give a brief reason(s) as to why the Select Board should support your appointment.

I have the time + interest to be able to devote to the Board

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

By not attending nor viewing Planning Board meetings leading up to a possible appeal to the BOA; not discussing with the public

4. Any know conflict of interest:  YES  NO if yes, please list

## BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

Roseanne M. Edison  
SIGNATURE OF APPLICANT

6-30-2020  
DATE



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

*Rec'd  
07/20/20*

**INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

**RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: KARI MOORE

RESIDENCE: 3 DOVELN ELIOT ME 03903

MAILING (if different) SAME

E-MAIL ADDRESS: KSCHANK@YAHOO.COM PHONE # (Home) 207-703-0543

WORK # 207 CELL # 716-913-4928

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_ No Preference \_\_\_

APPOINTMENT TERM: Full Term \_\_\_ Partial Term \_\_\_ No Preference

EDUCATION/TRAINING: M.S. ENVIRONMENTAL SCIENCE

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
I have been on the ECC since 2017, and chair since 2018

PRESENT EMPLOYMENT: Navy

ARE YOU 18 YEARS OR OLDER:  YES  NO



**TOWN OF ELIOT, MAINE**  
1333 STATE ROAD, ELIOT, ME 03903  
TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

**ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.**

1. Express your interest as to why you want to serve:  
I hope to continue to further efforts to conserve natural resources in our community.
2. Give a brief reason(s) as to why the Select Board should support your appointment.  
I have 20+ years of experience in natural resources management.
3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.  
I understand regulatory frameworks that must be followed, and always try to convey these requirements to concerned parties.
4. Any known conflict of interest:  YES  NO if yes, please list

**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:**

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

[Signature]  
SIGNATURE OF APPLICANT

7/17/20  
DATE



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

*Rec'd  
 Oct 30 / 2020*

**INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

**RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: Lisa Wise

RESIDENCE: 13 Spinney Creek Road, Eliot, ME 03903

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: [lisa.graichen7@gmail.com](mailto:lisa.graichen7@gmail.com) PHONE # (Home) \_\_\_\_\_

WORK # \_\_\_\_\_ CELL # 207-651-5032

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_ No Preference \_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_ No Preference \_\_\_

EDUCATION/TRAINING: B.S. Environmental Conservation; M.S. Coastal Ecosystem Management

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)

Member of the Conservation Commission since 2017

PRESENT EMPLOYMENT: University of New Hampshire Cooperative Extension

ARE YOU 18 YEARS OR OLDER:  YES  NO



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

**ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.**

1. Express your interest as to why you want to serve:

I am interested in supporting protection, awareness, and enjoyment of the natural resources in Eliot.

2. Give a brief reason(s) as to why the Select Board should support your appointment.

I think the ECC has made some great strides in the past few years and I hope to continue contributing to that progress.

My educational and professional background gives me a lot to contribute to the work of the ECC.

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

I think the variety of members on the board with different backgrounds and experience helps ensure balance.

If we ever have questions about the role of the ECC or any of our decisions, we have been good about checking in with town staff.

In addition, we have access to the expertise of the Maine Association of Conservation Commissions to tap into for advice if needed.

4. Any known conflict of interest:  YES  NO if yes, please list

**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:**

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission or Committee.
2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

**Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.**

Lisa Wise  
 SIGNATURE OF APPLICANT

6/30/2020  
 DATE



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

*re id  
07/07/20*

**INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

**RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: Christine Bennett

RESIDENCE: 140 Moses Gersl Farnar Rd

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: perfect.p.c.h.c@comcast.net PHONE # (Home) \_\_\_\_\_

WORK # \_\_\_\_\_ CELL # 207-351-7039

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission *Transfer to*
- Energy Commission *& New Capital Improvement Committee*
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_\_\_ No Preference \_\_\_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_\_\_ No Preference \_\_\_\_\_

EDUCATION/TRAINING: MS Resource Economics

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
This committee since 2014 Energy/Building Experience with renovating my home. Professional project management

PRESENT EMPLOYMENT: Self

ARE YOU 18 YEARS OR OLDER:  YES  NO



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:  
I have been a member of the Commission since 2014 & would like to continue serving with this group
2. Give a brief reason(s) as to why the Select Board should support your appointment.  
I have experience & expertise to lead to this work.
3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.  
I will assess any conflict of interest or personal biases & share them with the committee; & remove myself if any arise
4. Any know conflict of interest:  YES  NO if yes, please list  

---

### BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:

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2. The Town Manager will review your application, may contact you, and determine any potential conflict of interests.
3. This application will be forwarded to the Select Board for consideration, the Board will want to interview possible appointees. Your application will be placed on the next available agenda.
4. Appointee agrees to take a sworn oath by Town Clerk except for Ad Hoc Committee members/Select Board Advisory Committees.
5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

[Signature]  
SIGNATURE OF APPLICANT

7/6/2020  
DATE



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

**INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

**RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: Jessica H. O'Donoghue

RESIDENCE: 69 Wildbrook Rd

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: naet.familie@gmail.com PHONE # (Home) 207.752.2500

WORK # \_\_\_\_\_ CELL # \_\_\_\_\_

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_\_\_ No Preference \_\_\_\_\_

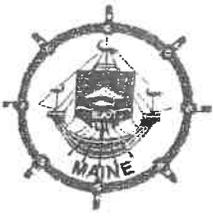
APPOINTMENT TERM: Full Term  Partial Term \_\_\_\_\_ No Preference \_\_\_\_\_

EDUCATION/TRAINING: Life experience

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
Aging-In-Place; TIF Implementation, Conservation Commission,

PRESENT EMPLOYMENT: Director The Silver Lows Project

ARE YOU 18 YEARS OR OLDER:  YES  NO



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:  
There is a need in this town for level-headed volunteers

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2. Give a brief reason(s) as to why the Select Board should support your appointment.  
I have comm. the experience & common sense

---

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.  
I will remain impartial, have no biases affecting me about this issue or opinions that may color my judgement.

---

4. Any know conflict of interest:  YES  NO if yes, please list

---

### BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:

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5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

  
SIGNATURE OF APPLICANT

March 2020  
DATE



**TOWN OF ELIOT, MAINE**  
1333 STATE ROAD, ELIOT, ME 03903  
TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

- INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS,  
COMMITTEES & COMMISSIONS  
 **RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES &  
COMMISSIONS

NAME: Sam Scott

RESIDENCE: 8 Leighton Lane Eliot, ME 03903

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: sam@sadworks.com PHONE # (Home) \_\_\_\_\_

WORK # \_\_\_\_\_ CELL # 619-665-0786

**Please check your choices:**

- Adult-Use Retail Cannabis Committee  
 Aging-In-Place Committee  
 Board of Appeals  
 Building Committee  
 Conservation Commission  
 Energy Commission  
 Planning Board  
 Solid Waste & Recycling Committee  
 Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_ No Preference \_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_ No Preference \_\_\_

EDUCATION/TRAINING: Practicing & Licensed Architect

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)

Building industry professional with experience in Master Planning communities and Facilities and Asset Life Cycle Management.

PRESENT EMPLOYMENT: Naval Facilities Engineering Command & Private Practice

ARE YOU 18 YEARS OR OLDER:  YES  NO



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

**ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.**

1. Express your interest as to why you want to serve:  
As a concerned citizen and taxpayer in Eliot I want to ensure that resources are allocated where they can be used in the most effective manner to serve the required needs of the community.
2. Give a brief reason(s) as to why the Select Board should support your appointment.  
As a registered Architect, I bring a depth of knowledge relevant to the concerns presented to the building committee, whether it be construction related or community growth principles.
3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.  
Being a registered Architect and presenting myself as such legally requires that I have a singular responsibility to uphold and protect the Health, Safety and Welfare of the public. It is through that lens which my role would need to function to remain unbiased.
4. Any known conflict of interest:  YES  NO if yes, please list  


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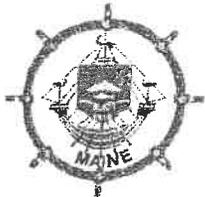
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5. Applicant agrees that if appointed will attend all meetings, except for sickness or emergency, and will advise the Chairperson when you are unable to attend.

**Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.**

Samuel Scott  
 SIGNATURE OF APPLICANT

5/26/2020  
 DATE



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: [wrawski@eliotme.org](mailto:wrawski@eliotme.org)

**INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS

**RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES & COMMISSIONS

NAME: Bradford W. Swanson

RESIDENCE: 20 Forest Ave Eliot, ME

MAILING (if different) same

E-MAIL ADDRESS: bwsanson@comcast.net PHONE # (Home) —

WORK # — CELL # 978-807-4348

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

Eliot Ad Hoc Building Comm

MEMBERSHIP PREFERENCE: Regular \_\_\_ Alternate \_\_\_ No Preference

APPOINTMENT TERM: Full Term \_\_\_ Partial Term \_\_\_ No Preference

EDUCATION/TRAINING: Bus Mgmt / R.E. Muni. taxation

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)  
In Eliot served on Ethics Comm.

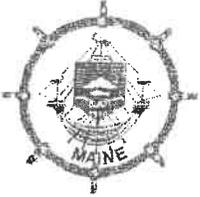
PRESENT EMPLOYMENT: Town of Middleton, MA

ARE YOU 18 YEARS OR OLDER:  YES  NO



**TOWN OF MIDDLETON**  
**Bradford W. Swanson, M.A.A.**  
Assistant Assessor  
Notary Public

Memorial Hall  
8 South Main Street  
Middleton, MA 01949  
office: 978-774-2099  
assessor@townofmiddleton.org



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:

Give back to where I live with my municipal experience over the last 20 years

2. Give a brief reason(s) as to why the Select Board should support your appointment.

Unbiased, understanding of municipal finance & taxation, Facilities mgr for my building at work

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

I live here but have no family relationships locally. Understanding of municipal procurement practices

4. Any know conflict of interest:  YES  NO if yes, please list

## BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THE FOLLOWING:

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Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

[Signature]  
SIGNATURE OF APPLICANT

5/22/20  
DATE



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

**RECEIVED**  
 JUL 27 2020

- INITIAL APPLICATION FOR APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**  
 **RE-APPOINTMENT TO TOWN BOARDS, COMMITTEES & COMMISSIONS**

NAME: MEGAN WEEKS

RESIDENCE: 165 Brixham Rd, Eliot Me 03903

MAILING (if different) \_\_\_\_\_

E-MAIL ADDRESS: Mwzotara@gmail.com PHONE # (Home) \_\_\_\_\_

WORK # \_\_\_\_\_ CELL # 207-451-0382

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular \_\_\_ Alternate \_\_\_ No Preference

APPOINTMENT TERM: Full Term \_\_\_ Partial Term \_\_\_ No Preference

EDUCATION/TRAINING: Business Mgmt Degree - Univ. of NH  
(Trained & certified in Process & Industrial Controls)

RELATED EXPERIENCE (Including other Boards/Committees and Commissions):  
CAPITAL CAMPAIGN William Fogg Library - Building Expansion

PRESENT EMPLOYMENT: Technical Sales

ARE YOU 18 YEARS OR OLDER:  YES  NO



# TOWN OF ELIOT, MAINE

1333 STATE ROAD, ELIOT, ME 03903

TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org

## ACCORDING TO THE TOWN OF ELIOT ORDINANCE GOVERNING MUNICIPAL BOARDS PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. Express your interest as to why you want to serve:

I truly want to be A part of the problem solving & research in our town. I care about the future of Eliot, Maine.

2. Give a brief reason(s) as to why the Select Board should support your appointment.

Excellent team player who wants to help find the best solution(s) for the town AND helping us move forward in the right direction

3. Give a brief summary as to how you will maintain an unbiased participation on a regular and continuing basis throughout term.

My motto is "there are always two-sides to every story" AND in finding the right solutions in the best interest of the town both sides always need to be researched & discussed

4. Any know conflict of interest:  YES  NO if yes, please list

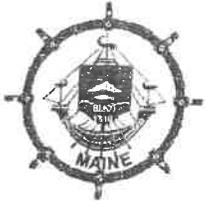
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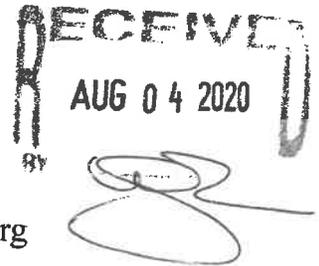
Please read the Town of Eliot, Maine Ordinance Governing Municipal Boards, Commissions, and Committees available at the Town Office or on the Town Website.

Megan Weers  
SIGNATURE OF APPLICANT

7/25/2020  
DATE



**TOWN OF ELIOT, MAINE**  
 1333 STATE ROAD, ELIOT, ME 03903  
 TELEPHONE: (207) 439-1817 EMAIL: wrawski@eliotme.org



- INITIAL APPLICATION** FOR APPOINTMENT TO TOWN BOARDS,  
 COMMITTEES & COMMISSIONS  
 **RE-APPOINTMENT** TO TOWN BOARDS, COMMITTEES &  
 COMMISSIONS

NAME: Caleb Sloan  
 RESIDENCE: 12 prides crossing, Eliot ME  
 MAILING (if different) \_\_\_\_\_  
 E-MAIL ADDRESS: csloan@jsainc.com PHONE # (Home) 603 812-1834  
 WORK # same CELL # same

**Please check your choices:**

- Adult-Use Retail Cannabis Committee
- Aging-In-Place Committee
- Board of Appeals
- Building Committee
- Conservation Commission
- Energy Commission
- Planning Board
- Solid Waste & Recycling Committee
- Tax Increment Financing (TIF) Committee

MEMBERSHIP PREFERENCE: Regular  Alternate \_\_\_ No Preference \_\_\_

APPOINTMENT TERM: Full Term  Partial Term \_\_\_ No Preference \_\_\_

EDUCATION/TRAINING: Architect

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)

\_\_\_\_\_

\_\_\_\_\_

PRESENT EMPLOYMENT: \_\_\_\_\_

ARE YOU 18 YEARS OR OLDER:  YES  NO

**Public Safety Impact Fee**

**Fee Calculation Formula**

**Adopted July 23, 2020**

**CORRESPONDENCE #** G-2  
**SELECTMEN'S MEETING**  
8-13-2020

A Public Safety Impact Fee ordinance was adopted by the Eliot voters on July 14, 2020. The funds generated by this fee shall be placed into a dedicated reserve for public safety functional support.

The Public Safety Impact Fee formula applies to both residential and commercial properties and is as follows:

**Total Estimated Value of the Development minus \$100,000 divided by 1,000 times \$5.00.**

Example: \$500,000 Value - \$100,000 = \$400,000 / \$1,000 = 400 times \$5.00 = \$2,000 Impact Fee

Sec. 18-21. - Voluntary connection to public sewer.

- (a) Except as provided in section 18-22, the owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes requiring the disposal of wastewater situated within the town and abutting on any street, road, alley or right-of-way in which there is located a public sewer of the town, may at his/her expense, connect such facilities directly to the public sewer in accordance with the provisions of this chapter.
- (b) Connection to any portion of the public sewer owned by the Town of Eliot located outside the boundaries of the town shall not be permitted without written permission from the Town of Kittery per the provisions of the inter-municipal agreement currently in effect.
- (c) Connection to the public sewer is voluntary provided the existing subsurface wastewater disposal system or other private system is in good working condition. ~~Properties-The owner of each lot or abutting a street, road, alley or right-of-way in which there is located a public sewer and upon which houses, buildings or properties used for human occupancy, employment, recreation or other purposes requiring the disposal of wastewater are~~ located within 250 feet of the public sewer, ~~as measured from the closest legal boundary of the property,~~ shall be required to provide the superintendent, at their own expense, a written statement from a site evaluator, licensed in the State of Maine regarding the condition of the existing system and whether or not the system is in compliance with current Maine Subsurface Wastewater Disposal Rules or other applicable state plumbing codes within 90 days after receiving official notice from the town that the public sewer has become available. The superintendent may require, at the owner's expense, re-inspection by a site evaluator of any existing system biannually or whenever failure or misuse is suspected. The Select Board may, upon written request from the owner of a property, grant an exemption from the requirement to provide a written statement from a site evaluator under this subsection where special circumstances exist, including, but not limited to, financial hardship.
- (d) Installations of properly permitted, private wastewater disposal systems under construction on the effective date of this chapter or at the time official notice from the town that the public sewer has become available is received may complete construction under the applicable prior rules if they can provide proof acceptable to the superintendent that a substantial start of construction has been made (see section 1-2 for "substantial start" definition). Upon completion of the private system, the owner or user shall be subject to the provisions of this chapter.
- (e) Any owner who chooses not to connect to the public sewer after receiving official notice from the Town that the public sewer has become available, and whose property abuts a street, road, alley or right-of-way in which there is located a public sewer and upon which houses, buildings or properties used for human occupancy, employment, recreation or other purposes requiring the disposal of wastewater are located within 250 feet of the public sewer, ~~as measured from the closest legal boundary of the property,~~ shall be assessed per unit (including accessory dwelling units):
  - (1) A one-time system development charge (SDC) in the amount established in appendix 1; and
  - (2) A quarterly access-only fee in the amount established in appendix 1.

*Note: See Appendix 1: Sewer Utility Policies and Procedures for an explanation of all fees associated with this chapter.*

(T.M. of 11-5-2013; T.M. of 11-5-2019(3))

Sec. 18-22. - Voluntary connection to public sewer—Exceptions.

- (a) The owner of all property that abuts upon a street, road, alley, or right-of-way containing a public sewer and upon which houses, buildings or properties used for human occupancy, employment, recreation or other purposes requiring the disposal of wastewater ~~situated within the town and are~~ located within 250 feet of the public sewer line, ~~as measured from the closest legal boundary of the property,~~ shall be required to connect, at his/her own expense, to the public sewer in accordance

with the provisions of this chapter, within 90 days after date of official notice to do so when any of the following occur:

- (1) The existing private wastewater disposal system is not in good working condition and/or does not meet current state standards for private septic systems as determined by the superintendent. In making this determination the superintendent may require the property owner to provide, at their own expense, a written statement from a site evaluator, licensed in the State of Maine regarding the condition of the existing system and whether or not the system is in compliance with current Maine Subsurface Wastewater Disposal Rules;
- (2) The existing private wastewater disposal system was installed illegally or is otherwise in violation of state or local plumbing codes as determined by the local plumbing inspector or code enforcement officer. Notwithstanding any other provisions of this chapter, existing violations of any provision of the Municipal Code of Ordinances of the Town of Eliot outside this chapter shall not be cause to mandate connection to the public sewer;
- (3) The existing private wastewater disposal system, regardless of its condition, utilizes a holding tank;
- (4) Any change in deeded ownership of a property, without exception, shall be cause to connect to the public sewer within 90 days of the date the change was recorded at the registry of deeds;
- (5) The expansion of a residential dwelling unit occurs by the addition of one or more bedrooms (excluding expansions of structures such as porches, living rooms or sun rooms, which do not increase the design flow);
- (6) The addition or change of use that results in an increase of design flow of ten percent or more.

(T.M. of 11-5-2013)

Town Manager Report

To: Board of Selectmen

From: Town Manager

Mon., July 20 (from 10 am)

- Spoke to SB Chairman about how to do election of officers
- Updated Agenda
- Trying to get some HHW cost estimates to Recycling Committee
- More back and forth re: \$61,000 COVID Grant; paperwork
- Updated agenda again
- Began getting nominations for officers per Zoom-method
- Called a lady back re: Comcast dissatisfaction
- Spoke with a BC member about the MOU
- Met with AAll; updates from vacations; onboarding new staff; keys, etc.
- Met with CSD Director; her program space is disappearing (most likely) as the school intends to spread to every corner of the building; discussed two scenarios; she is checking
- Making arrangements to get Selectman Widi one of the new laptops; BOA Chair borrowed it
- More edits to SB agenda
- Met w/ Police Chief – couple of issues
- Met with Selectman McPherson on a couple of things, including when do we go to live meetings
- Reviewed / sorted Planner applications; had two land use staff also look them over
- PW agreed to help a guy with two old cemeteries on Kings Highway North; too old to maintain them any more
- Met with Treasurer re: budget changes due to recent budget vote
- Advised need to meet with ACO; budget cut
- Wrote memo re: budget cuts

Tues., July 21

- Read and responded to emails
- Read two planning memos
- Having Land Use Asst. make copies of 236 zoning study report
- Met with HM re: pulling a mooring / appeal process
- Contacted TIF attorney re: sewer / water bond language
- Created a spreadsheet of SB officer nominations
- Met with Independent Boat Hauler owner re: use of Boat Basin
- Helped a guy with some property file info
- Met with Chair of TIF and CIP Committee; discussed bid for lighting (way over); the joint meeting last Thrs., etc.

- 42 • Spoke with Fire Chief about using the old shack for rescue supplies (after Friday); also
- 43 repeater still not working – they missed the last promised date; he’s following up
- 44 • Met with the guy losing his mooring; provided 30 day appeal period and Ordinance for
- 45 his records
- 46 • Started working on pulling together all current fees for all town activities – big job –
- 47 Master Fee Schedule
- 48 • Treasurer working on Certified budget; entry of new budget into TRIO
- 49 • Clerk doing sewer billing
- 50 • Met with Selectman Widi for a while; general discussion
- 51 • More work gathering fee schedules from all depts. for a single book of all fees
- 52 • More communication with TIF atty.
- 53 • Sent a legal question to MMA re: a new fee idea
- 54 • Attended Zoom meeting with Skate Park group

55 Wed., July 22

- 56 • Reviewed and responded to 25 emails
- 57 • Lots of good stuff happening at boat basin; shed finished; moving in; power comes on
- 58 Monday
- 59 • Collected and drafted interview questions for Planner – 2 interviews on Thursday
- 60 • Drafted 6-month goals for new LUAA; meeting next week to discuss
- 61 • Met with HM briefly; reviewed revised letter to fellow losing moorings
- 62 • Visited Boat Basin – looking much better, running better
- 63 • Discussed a couple of bills with PWD and Treasurer
- 64 • Reviewed certified budget
- 65 • Forwarded County Tax assessment to Martine; final step to calculate new mil rate (SB
- 66 Meeting 8/13)
- 67 • Quarterly sewer bills out
- 68 • Reached out to the Regatta as a possible site for the Nov. election
- 69 • Worked on an enhanced policy related to employees and political activity; going into
- 70 November I want to be clear with expectations
- 71 • Called York County liaison to Health Human services / Local Health Officer about a case
- 72 in Eliot that is going to be very tricky; seeking advice, resources
- 73 • Spoke to the County LHO
- 74 • Received and reviewed draft TIF / bond article for November
- 75 • Met with Police Chief, ACO and Treasurer to figure out how to make the Budget
- 76 Committee’s budget work
- 77 • Rec’d word from Kittery Water District that they are not interested in assisting in any
- 78 financial way with our water installation
- 79 • Advised DPW that On-Target bid is way over and they cannot / will not reduce it due to
- 80 so many unknowns once they start; requested he reach out to electricians and request a
- 81 much simpler set of most critical fixes / lighting
- 82 • Got updates from KWD about inspections on water lines; they likely will not subsidize
- 83 the cost; not unusual, but we asked

- 84 Thrs., July 23
- 85 • Read and responded to emails
  - 86 • Touched base with several staffers
  - 87 • Reached out to attorney re: sewer ordinance amendment – residential hookup
  - 88 requirements
  - 89 • Contacted York and Kittery about a regional mental health / hoarding grant – Keep
  - 90 Maine Healthy
  - 91 • More discussion and work on ACO funding problem
  - 92 • Having Treasurer enter new budget into TRIO
  - 93 • Updated ACO draft agreement; sent for senior staff review
  - 94 • Held a staff meeting
  - 95 • Wrote up August Town Office operations plan
  - 96 • Attended Zoom SB Meeting
- 97 Weekend: Emails
- 98 Mon., July 27
- 99 • Read and responded to more emails from weekend
  - 100 • Fulfilled an FOAA
  - 101 • Made a conditional offer of employment to a Planner candidate; now background
  - 102 checks
  - 103 • Sorted SB packet materials; notified staff of actions taken
  - 104 • Finalized by-laws for Capital Improvement Committee
  - 105 • Posted notice of Poison Ivy spraying
  - 106 • Reviewed existing conditions report (236 study); sent report to TIF Committee and SB
  - 107 • Wrote up Public Safety Impact Fee calculation / formula
  - 108 • Some more discussion refining Boat Basin remaining issues
  - 109 • Met with Fire Chief re: Impact Fee
  - 110 • Started drafting the 8-13 SB agenda
  - 111 • Put out calls for references for the Planner applicant
  - 112 • Chatted with Selectman Lytle for a few minutes
  - 113 • AA II sent policies / ordinances to new SB member
  - 114 • Still working on the ACO funding problem
  - 115 • Met with an engineer representing a client with an NOV
  - 116 • Discussed mil rate with Assessor; discussed MRS amount
  - 117 • Worked on the Annual Administrative Articles for SB agenda
  - 118 • Contacted Adult Protective Services about a resident that we are concerned about
  - 119 • Discussed Frost Tufts lighting w/ Selectman McPherson; getting poles; doing more in
  - 120 house, etc.
  - 121 • Gathered and sent some info on why we have blooms in Spinney Creek
  - 122 • Called a concrete company about skate ramps; will call back
- 123 Tues., July 28
- 124 • Read and responded to emails
  - 125 • Updated SB agenda

- 126 • Discussed tax assessment with Assessor
- 127 • Wrote Conditional Offer of Employment for Planner / emailed / background check and
- 128 physical happening
- 129 • Went to Boat Basin to discuss signs / operations
- 130 • Met with Chairman for a bit
- 131 • Instructed Treasurer to back out my 2.5% raise per budget adoption
- 132 • Met with Police Chief and Treasurer again re: ACO compensation; updated employment
- 133 agreement; awaiting reaction
- 134 • Discussed compensation study w/ AA II
- 135 • Met with a man seeking a Property Maintenance Ordinance; added to agenda
- 136 • Sent Skate Park pictures to some consultants I have met
- 137 • Notified TIF Committee of the Rte 236 Zoning analysis; also PB Chairman
- 138 • Tax Anticipation Note (TAN) went to our bond attorney
- 139 • Had to investigate the retainage for the pump stations' contractor; he didn't send a bill
- 140 • Updated agenda again
- 141 • Held a goal-setting session with new LUAA
- 142 • Resolved ACO compensation issue within budget

143 Wed., July 29

- 144 • Reviewed emails
- 145 • Reviewed payroll
- 146 • Set up progress meeting on Rte 236 study
- 147 • Processed a stormwater grant support letter / filed
- 148 • Met with DPW re: Boat Basin, sewer issue. Etc.
- 149 • Met with CSD Director re: fundraising for skate park, etc.
- 150 • Worked out details w/ starting Planner meetings / tour, etc.
- 151 • Worked on a party invite for town staff and SB at Pavilion
- 152 • Registered for a 2.5 hour FOAA training
- 153 • Offered same training to new LUAA and new Planner
- 154 • New Custodian is doing wonderful, thorough job
- 155 • Spoke to CMP about a credit they owe the town and also a payment question related to
- 156 MMS 8 light LED changeout. Still investigating that with SAD 35
- 157 • Got involved with some bank trying to also pay the paid taxes on a foreclosed home;
- 158 mystery solved
- 159 • Working with CEO on a sewer connection question
- 160 • Resolved LED billing issue; rec'd a \$6,000 streetlight credit as well
- 161 • Spoke to school business manager about ensuring use of gym for November and if CSD
- 162 will be able to retain their program space; awaiting word from Supt.
- 163 • Met with Streaming Video guy re: using two rooms for one meeting; remote meeting
- 164 difficulties
- 165 • Sidewalks got seal-cracked today

166 Thrs., July 30 (Half Day)

- 167 • Spent much of the morning with the new Planner (1<sup>st</sup> day): Jeff Brubaker, AICP

- 168 • Read and responded to numerous emails
- 169 • Spoke to Adult Protective about a resident we are concerned about
- 170 • Updated agenda
- 171 • Had a phone conference with copier vendor; seeking improved color copier at no added
- 172 price

173 Fri., July 31

- 174 • Came into the office to send out the TIF info pack; returned some emails
- 175 • Checked in on Boat Basin; talked with Heather

176 Mon., Aug. 3

- 177 • Read and responded to about 35 emails
- 178 • Called back a reporter
- 179 • Advised new Planner about time sheets, mileage sheets; checked on his town email
- 180 being set up
- 181 • Worked on a couple of meeting set ups / Zooms / coordinating who's attending
- 182 • Scanned and distributed the collection of all current fees the town has
- 183 • Checked with Treasurer to ensure CIP history gets populated on spreadsheet
- 184 • Checked with Assessor – working on mil rate
- 185 • Continuing to help make arrangements for the PW BBQ
- 186 • Read through the TIF information; estimates of costs, etc.
- 187 • Spoke to transpo engineer re: tomorrow's meeting re: existing conditions
- 188 • Advised contract planner that he is done with Planner transition on 8/19
- 189 • Gathered some items for the SB packets
- 190 • Requested Clerk prep all appointment forms
- 191 • New truck is coming down from Skowhegan today; we're picking it up
- 192 • Discussed a payroll / employee contribution issue – continued Recreation furloughs, etc.
- 193 • Spoke to a lady about the need to connect to sewer if she buys a house
- 194 • Met with Planner for a bit about local forms we use
- 195 • Met with AA II – possible payroll deduction issue, but it may be on MMA's end
- 196 • More research on above (resolved – no cost / impact)
- 197 • Set a date for staff meeting
- 198 • Had the IT team in to work on printer / routing issues

199 Tues., Aug. 4

- 200 • Read and responded to overnight emails
- 201 • Addressed a complaint of a swastika painted in the road
- 202 • Participated in the parade for Mr. McPherson's 90<sup>th</sup> birthday
- 203 • Spoke to a lady about paving on Beech (why 2 coats)
- 204 • Met with a guy about a sewer issue; left pleased
- 205 • Met with our Copier vendor; demo of new units; will upgrade failing machines with
- 206 better, new ones at no additional cost
- 207 • Met with Planners briefly
- 208 • Finished agenda draft; Sent out draft SB Agenda
- 209 • Had a 1.25 hour Zoom meeting re: 236 safety study

- 210 Wed., Aug. 5
- 211 • Met with new Planner about the PB Meeting and how it went, etc.
  - 212 • Spoke to a lady frustrated with renting boat basin; CSD resolving it
  - 213 • More emails regarding a swastika painted in the road; resident threatening town to take
  - 214 this to the press; says we did it with no evidence
  - 215 • Read and responded to 35 emails
  - 216 • Returned a couple of calls
  - 217 • Revised LUAA goals for first 6 months
  - 218 • Responded to questions from Conservation Commission
  - 219 • Spoke to a fellow about his grinder pump; also gate opening schedule
  - 220 • Worked on the copier lease; requested additional information and clarity
  - 221 • 3<sup>rd</sup> meeting with the fellow losing his mooring / appealing decision of HM
  - 222 • Called Pike Industries about the residential damage done by their blasting
  - 223 • Called Underwood about tomorrow night's presentation
  - 224 • Asked PW to look into a different paving complaint
  - 225 • Reviewed payroll
  - 226 • Held a staff meeting
  - 227 • Received copier lease information to review
  - 228 • Sent out the draft policy on political activity to staff for their review / input
  - 229 • Met with Assessor and Treasurer; discussed mil rate and overlay
  - 230 • More work on the copier lease extension
- 231 Thrs., Aug. 6 (through 7:30 am)
- 232 • Read and reviewed emails

Town of Eliot-Route 236 Project Funding  
Draft: July 22, 2020

**Article** \_\_. Shall the Town (1) approve the design, engineering, construction and equipping of the sewer and water improvement and expansion project primarily along Route 236, including all reasonably related costs thereto (the "Project"); (2) appropriate a sum not to exceed \$ \_\_\_\_\_ for the costs of the Project; and (3) to fund this appropriation, authorize the Treasurer and the Chairperson of the Select Board to issue, at one time or from time to time, general obligation securities of the Town of Eliot, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$ \_\_\_\_\_ and to delegate to the Treasurer and Chairperson of the Select Board the authority and discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, current or advance refunding(s) of the securities, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore and to provide for the sale thereof?

FINANCIAL STATEMENT

Total Town Indebtedness:

- A. Bonds outstanding and unpaid \$ \_\_\_\_\_
- B. Bonds authorized and unissued: \$ \_\_\_\_\_
- C. Bonds to be issued if this Article is approved: \$ \_\_\_\_\_
- Total \$ \_\_\_\_\_

Costs:

At an estimated maximum interest rate of \_\_% for a \_\_\_\_\_ ( ) year maturity, the estimated costs of this bond issue will be:

- Principal: \$ \_\_\_\_\_
- Interest: \$ \_\_\_\_\_
- Total Debt Service: \$ \_\_\_\_\_

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ \_\_\_\_\_, \_\_\_\_\_, Town Treasurer

Select Board recommends a (yes) (no) vote

Budget Committee recommends a (yes) (no) vote

Town of Eliot FYE 2021 Certified Budget

CORRESPONDENCE # H-3  
SELECTMEN'S MEETING  
8-13-2020

<b>Article 4: Revenues</b>	
Excise Tax:	\$1,450,000.00
On-Line Exise:	\$290,000.00
Boat Exise:	\$15,000.00
Revenue Sharing:	\$378,000.00
Interest: Investment/Tax	\$50,000.00
Clerk Fees	\$30,000.00
Snowmobile Reimbursement	\$800.00
CEO Permits	\$119,000.00
Marijuana Licensing Fees	\$35,000.00
Use of Sewer Fees (bonds)	\$98,511.00
Sewer Administration	\$35,804.00
BOA/Planning Fees	\$5,100.00
Police Fees/Grants/Details	\$45,550.00
Misc. Fire Revenues	\$275.00
Boat Basin Launch Fees	\$24,000.00
Tax Liens	\$7,000.00
Pay Per Throw	\$60,000.00
GA Reimbursement	\$7,300.00
Recycling	\$78,700.00
York Hospital Grant(CSD)	\$11,500.00
CSD Program Revenue	\$100,000.00
KidsPlay Program Revenue	\$230,000.00
TIF Revenue	\$163,985.00
Dog Licensing Fees/Violations	\$4,800.00
Miscellaneous	\$5,000.00
Mooring Fees	\$14,000.00
MDOT Road Assistance:	\$34,700.00
Use of Legal Reserve:	\$15,000.00
Aging In Place S.A.L.T Donation	\$2,500.00
Use of PW Reserve (Embankment)	\$12,500.00
	<b>\$3,324,025.00</b>
<b>Article 5: Administration</b>	<b>\$1,279,397.00</b>
<b>Article 6: Hearings and Elections</b>	<b>\$32,970.00</b>
<b>Article 7: Fire Department</b>	<b>\$189,988.00</b>
<b>Article 8: Police Department</b>	<b>\$1,200,840.00</b>
<b>Article 9: Public Safety:</b>	
Fire Hydrants:	\$83,940.00
Dispatching:	\$123,360.00
PSAP (911):	\$20,735.00
Harbormaster:	\$12,789.00
Streetlights:	\$16,000.00
Animal Control Officer:	\$11,305.00
Total:	<b>\$268,129.00</b>
<b>Article 10: Public Works Department</b>	<b>\$942,485.00</b>
<b>Article 11: Snow Removal</b>	<b>\$246,554.00</b>

<b>Article 12: Summer Maintenance</b>	<b>\$82,776.00</b>
<b>Article 13: Roads and Bridges</b>	<b>\$8,000.00</b>
<b>Article 14: Solid Waste Transfer Station</b>	<b>\$265,853.00</b>
<b>Article 15: Federal Stormwater Management Plan</b>	<b>\$129,430.00</b>
<b>Article 16: Community Service Department</b>	<b>\$491,020.00</b>
<b>Article 17: General Assistance</b>	<b>\$20,000.00</b>
<b>Article 18: Capital Improvements:</b>	
Roadway Paving:	\$450,000.00
Public Works Vehicle Reserve:	\$212,710.00 2 vehicles/Backhoe Lease
Transfer Station Vehicle Reserve	\$20,100.00 Roll-Off Truck Lease
Transfer Station Facility Reserve:	\$32,500.00 Recycling Building Paint/Recycling Bailer
Police Vehicle Capital:	\$0.00 Replace Chiefs Car
Police Portable Radios:	\$21,400.00 10 Radios
Police Mobiles:	\$15,200.00 6 Mobiles
Police Station Capital:	\$3,600.00 Interior upgrades
Town Hall Capital:	\$30,000.00 Civil Engineering for New Town Hall
Technology Upgrades:	\$6,500.00 PC's for Clerks/Assessor
Records Preservation/Codification	\$10,000.00
CSD Frost Tufts Playground	\$16,000.00
CSD Skate Park	\$9,000.00
Boat Basin Ticket System	\$0.00
Fire Truck Reserve:	\$125,000.00
SCBA Air Paks(3) Spare bottles (3)	\$29,500.00
EOL Fire Gear	\$3,800.00 2 sets
EOL Fire Helmets	\$10,500.00
Fire Mobile Radio Update	\$7,500.00
Update/Replace Rescue Tool	\$12,000.00
Pre-emptive Traffic Control Device	\$20,500.00 includes 3 transmitters
Fire Station on-going rehab	\$12,500.00
	<b>\$1,048,310.00</b>
<b>Article 19: Reserve Accounts</b>	
Contingency:	\$54,460.00
Health Insurance Reserve:	\$15,000.00
Land Bank Reserve:	\$5,000.00
	<b>\$74,460.00</b>
<b>Article 20: Town Standing Committees</b>	
Board of Appeals	\$3,600.00
Budget Committee	\$1,200.00
Conservation	\$1,520.00
Capital Imp. And Energy Comm.	\$350.00
Planning Board	\$17,000.00
Aging in Place	\$3,300.00
Bicentennial Committee	\$1,500.00
	<b>\$28,470.00</b>
<b>Article 21: William Fogg Library</b>	<b>\$200,600</b>
<b>Article 22: Social Service Agencies</b>	
Agency on Aging	\$1,000.00
Eliot Festival Day	\$1,500.00
Historical Society	\$2,500.00

Maine Home Healthcare	\$1,600.00
Memorial Day	\$520.00
Project Share	\$500.00
Senior Citizens	\$1,500.00
Y.C. Community Action Corp.	\$1,600.00

**\$10,720.00**

**Article 23: Fixed Assessments \$199,789.00**

**Article 24: Debt Service \$115,271.00**

**Total Municipal Spending: \$6,835,062.00**

**Total Municipal Revenue: \$3,324,025.00**

**Total to be Raised by Taxation: \$3,511,037.00**

**Certified FYE 2021 Budget**

**Attest:**

**Wendy J. Rawski, Town Clerk**

SELECT BOARD AUTHORITY TO ACT ON THE FOLLOWING  
ADMINISTRATIVE MATTERS USUALLY ACTED UPON AT THE ANNUAL  
TOWN MEETING FOR FISCAL YEAR JULY 1, 2020-JUNE 30, 2021  
Reference, Section 10-Referendum Town Meeting Ordinance

1. The Select Board is granted the authority to set tax dates in the month of November and the following May. Thursday, November 12<sup>th</sup>, 2020, for the first half of property taxes, and Thursday May 13<sup>th</sup>, 2021 for the second half of property taxes, as the dates when interest on unpaid current tax amounts will begin to accrue. Taxes are due and payable at the time of the mailed demand.
2. To authorize the Select Board to establish the rate of 7% interest charged on each half of taxes after the November and May dates, such rate of interest not to exceed the maximum rate as established annually by the State Treasurer.
3. To Authorize the Select Board to set an interest rate of 3.0% to be paid on abated taxes for the fiscal year.
4. To Authorize the Tax Collector to accept prepayments of taxes not yet committed, pursuant to 36 MRSA, Section 506.
5. To Authorize the Select Board, when Town Meeting is delayed into the next fiscal year, to spend from Unassigned Fund Balance an amount per month not more than 1/12 of the appropriated amount of the current budget from 2020-2021, fiscal year July 1, 2020 June 30, 2021, until the required Town Meeting can be held.
6. To Authorize the Select Board, to annually execute signatures as may be required to borrow funds through Tax Anticipation notes, if necessary for cash flow, and to pay interest on said Tax Anticipation Notes from any general fund reserve.
7. To Authorize Select Board to pay tax abatements and applicable interest granted during the fiscal year 2020-2021, July 1, 2020- June 30, 2021, from the overlay account.
8. To Authorize the Select Board to dispose of Town-owned personal property under such terms and conditions as they deem to be in the best interest of the Town.
9. To authorize the Select Board, on behalf on the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable and to execute quitclaim deeds for such property. The Select Board must first request the advice of the Conservation Commission.
10. To authorize the Select Board to receive insurance and/or other property damage restitution funds and to expend said receipts for materials and labor to correct said damages without further appropriations.

SELECT BOARD AUTHORITY TO ACT ON THE FOLLOWING  
ADMINISTRATIVE MATTERS USUALLY ACTED UPON AT THE ANNUAL  
TOWN MEETING FOR FISCAL YEAR JULY 1, 2020-JUNE 30, 2021  
Reference, Section 10-Referendum Town Meeting Ordinance

11. To authorize the Select Board to accept and appropriate or to reject any and all funds for grants, donations, and reimbursements during the fiscal year 2020-2021, for any Municipal Departments, Committee, Commission and/or project, to include but not limited to reimbursements from F.E.M.A. for any State declared emergencies, Community Development Block Grants, donations for the parks, and capital or program grants for Community Service Department.
12. Authorize the Select Board and Treasurer to borrow on notes or to appropriate money from Unreserved Fund Balance for any further amount needed for snow removal.
13. Select Board to make final determinations regarding the closing and opening of roads to winter maintenance, pursuant to 23 M.R.S.A. Section 2953.

Voted and approved by Select Board by on August 13, 2020

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Richard Donhauser, Chairman

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Alex Orestis, Vice-Chairman

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Robert McPherson, Secretary

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Philip Lytle, Sr., Selectman

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William Widi, Selectman

07/27/2020

TO: ELIOT SELECTBOARD  
RE: PERSONAL PROPERTY

CORRESPONDENCE # *H-5*  
SELECTMEN'S MEETING  
8-13-2020

8/13/2020

After reviewing outstanding balances with Assessor, it was suggested by her to abate the following Personal Property Tax for various reasons:

**Belgrille Inc** Harold L Dow Hgwy.- \$ 137.00

This property was sold at auction and bill will be created for new owners for 2021

**Crooked Cove Records**- Eliot business Park- \$97.71

This business closed in 2011

**DC Power Solutions**- Eliot Business Park — \$71.33

This business closed on 5/18/2018

**Ecomovement Cons & Hauling**- 21 Arc Road- \$1,379.65

This business closed in 2018

**Johnson Printing & Graphics**- Eliot Business Park- \$102.89

This business closed on 12/31/2019

**John Lippincott- Farmstead**. 999 Goodwin Road. \$216.94

This business closed on 12/31/2019



Brenda Harvey

Tax Collector

**PP Account 168 Detail  
as of 08/13/2020**

Name: BELGRILLE INC

Location: 806 HAROLD L DOW HWY

Assessment: 5,900

2020-1 Period Due:  
1) 46.44  
2) 43.36

Mailing DBA ROUTE 236 VARIETY & GRILLE  
Address: 806 HAROLD L DOW HWY  
ELIOT ME 03903

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2020-1 R	10/01/19	Original		86.73	0.00	0.00	86.73
		CURINT		0.00	-3.07	0.00	-3.07
		Total		86.73	3.07	0.00	89.80
2019-1 R	08/31/18	Original		86.73	0.00	0.00	86.73
207969	5/24/2018	PREPAY-A	A Y	1.79	0.00	0.00	1.79
215476	11/26/2018	4027	A P	41.58	0.00	0.00	41.58
		CURINT		0.00	-3.84	0.00	-3.84
		Total		43.36	3.84	0.00	47.20
2018-1 R				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 R				0.00	0.00	0.00	0.00
2015-1 R				0.00	0.00	0.00	0.00
2014-1 R				0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
Account Totals as of 08/13/2020				130.09	6.91	0.00	137.00

**Per Diem**

2020-1	0.0169
2019-1	0.0084
Total	0.0253

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**PP Account 193 Detail  
as of 07/27/2020**

Name: CROOKED COVE RECORDS LLC

Location: 384 HAROLD L DOW HWY

Assessment: 3,800

2019-1 Period Due:  
1) 33.68  
2) 27.93

Mailing 384 HAROLD L DOW HWY #17  
Address: ELIOT ME 03903

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2019-1 R	08/31/18	Original		55.86	0.00	0.00	55.86
		CURINT		0.00	-5.75	0.00	-5.75
		Total		55.86	5.75	0.00	61.61
2018-1 R	10/01/17	Original		54.34	0.00	0.00	54.34
234093	3/12/2020	CHGINT	1 I	0.00	-8.00	0.00	-8.00
234093	3/12/2020	4032	A P	19.17	8.00	0.00	27.17
		CURINT		0.00	-0.93	0.00	-0.93
		Total		35.17	0.93	0.00	36.10
2017-1 R				0.00	0.00	0.00	0.00
2016-1 R				0.00	0.00	0.00	0.00
2015-1 R				0.00	0.00	0.00	0.00
2014-1 R				0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
Account Totals as of 07/27/2020				91.03	6.68	0.00	97.71

Per Diem	
2019-1	0.0109
2018-1	0.0068
Total	0.0177

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**PP Account 186 Detail  
as of 07/27/2020**

Name: DC POWER SOLUTIONS LLC

Location: 406 HAROLD L DOW HWY

Assessment: 4,400

2019-1 Period Due:  
1) 38.99  
2) 32.34

Mailing 1403 88TH AVENUE  
Address: KENOSHA WI 53144

Year/Rec #	Date	Reference	P	C	Principal	Interest	Costs	Total
2019-1 R	08/31/18	Original			64.68	0.00	0.00	64.68
		CURINT			0.00	-6.65	0.00	-6.65
		Total			64.68	6.65	0.00	71.33
2018-1 R					0.00	0.00	0.00	0.00
2017-1 R					0.00	0.00	0.00	0.00
2016-1 R					0.00	0.00	0.00	0.00
2015-1 R					0.00	0.00	0.00	0.00
2014-1 R					0.00	0.00	0.00	0.00
2013-1 R					0.00	0.00	0.00	0.00
2012-1 R					0.00	0.00	0.00	0.00
2011-1 R					0.00	0.00	0.00	0.00
Account Totals as of 07/27/2020					64.68	6.65	0.00	71.33

**Per Diem**

2019-1	0.0126
Total	0.0126

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**PP Account 375 Detail  
as of 07/27/2020**

Name: ECOMOVEMENT CONS & HAULING

Location: 16 ARC RD

Assessment: 85,100

2019-1 Period Due:

1) 754.17

2) 625.48

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2019-1 R	08/31/18	Original		1,250.97	0.00	0.00	1,250.97
		CURINT		0.00	-128.68	0.00	-128.68
		Total		1,250.97	128.68	0.00	1,379.65
2018-1 R				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 R				0.00	0.00	0.00	0.00
Account Totals as of 07/27/2020				1,250.97	128.68	0.00	1,379.65

**Per Diem**

2019-1	0.2432
Total	0.2432

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**PP Account 399 Detail  
as of 07/27/2020**

Name: JOHNSON PRINTING & GRAPHICS

Location: 384 HAROLD L DOW HWY

Assessment: 13,800

2020-1 Period Due:  
1) 1.46  
2) 101.43

Mailing Address: 384 HAROLD L DOW HWY  
ELIOT ME 03903

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2020-1 R	10/01/19	Original		202.86	0.00	0.00	202.86
230819	11/19/2019	21735	A P	101.43	0.00	0.00	101.43
		CURINT		0.00	-1.46	0.00	-1.46
		Total		101.43	1.46	0.00	102.89
2019-1 R				0.00	0.00	0.00	0.00
Account Totals as of 07/27/2020				101.43	1.46	0.00	102.89

**Per Diem**

2020-1	0.0197
Total	0.0197

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

**PP Account 30 Detail  
as of 07/27/2020**

Name: LIPPINCOTT JOHN

Location: 999 GOODWIN RD

Assessment: 5,100

2020-1 Period Due:  
1) 39.90  
2) 37.48

Mailing 999 GOODWIN RD  
Address: ELIOT ME 03903

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2020-1 R	10/01/19	Original		74.97	0.00	0.00	74.97
		CURINT		0.00	-2.41	0.00	-2.41
		Total		74.97	2.41	0.00	77.38
2019-1 R	08/31/18	Original		82.32	0.00	0.00	82.32
		CURINT		0.00	-8.47	0.00	-8.47
		Total		82.32	8.47	0.00	90.79
2018-1 R	10/01/17	Original		84.37	0.00	0.00	84.37
197843	10/11/2017	10728	A P	42.19	0.00	0.00	42.19
		CURINT		0.00	-6.59	0.00	-6.59
		Total		42.18	6.59	0.00	48.77
2017-1 R				0.00	0.00	0.00	0.00
2016-1 R				0.00	0.00	0.00	0.00
2015-1 R				0.00	0.00	0.00	0.00
2014-1 R				0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
2008-1 R				0.00	0.00	0.00	0.00
2007-1 R				0.00	0.00	0.00	0.00
2006-1 R				0.00	0.00	0.00	0.00
2005-1 R				0.00	0.00	0.00	0.00
2004-1 R				0.00	0.00	0.00	0.00
Account Totals as of 07/27/2020				199.47	17.47	0.00	216.94

**Per Diem**

2020-1	0.0146
2019-1	0.0160
2018-1	0.0082
Total	0.0388

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.



Maine Municipal  
Association

60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
www.memun.org

CORRESPONDENCE # H-6  
SELECTMEN'S MEETING  
8-13-2020

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, MMA Executive Director

DATE: July 27, 2020

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

**Deadline: Friday, August 21, 2020 by 12:00 noon**

---

**Nomination Process** – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2020 to member municipalities.

**Petition Process** – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 10, by 4:30 pm. There were no municipal officials nominated by petition.

***It is now time for each member municipality to cast its official vote.***

**Election Process** – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers **or** a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 21. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Christine Landes, City Manager, City of Gardiner.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at [www.memun.org](http://www.memun.org) on Monday, August 24. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held Wednesday, October 7, at 11:00 a.m. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2021.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at [chavarie@memun.org](mailto:chavarie@memun.org). Thank you.

**MAINE MUNICIPAL ASSOCIATION  
BIOGRAPHICAL SKETCH OF  
PROPOSED SLATE OF NOMINEES FOR 2021 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT  
(1-Year Term)**

**JAMES BENNETT (CITY MANAGER, CITY OF BIDDEFORD)**

**Professional & Municipal Experience:**

- City of Biddeford, Maine – City Manager (August 2015 – present)
- Adjunct Professor, USM Muskie School, Masters level courses: (1) Public Budgeting and Finance, and (2) Managing Towns and Municipalities
- City of Presque Isle, Maine – City Manager (March 2010 - July 2015)
- Town of Sabattus, Maine – Interim Town Manager (September 2009 – March 2010)
- City of Lewiston, Maine – City Administrator (March 2002 – July 2009)
- Town of Westbrook, Maine – Administrative Assistant to the Mayor (October 1996 – March 2002)
- Town Old Orchard Beach, Maine – Town Manager (May 1990 – October 1996)
- Town of New Gloucester, Maine – Town Manager (February 1988 – May 1990)
- Town of Dixfield, Maine – Town Manager (February 1986 – February 1988)
- Town of Lisbon, Maine – Selectman (May 1982 – February 1986) Vice Chairman (1985 – 1986)

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association (MMA) Executive Committee (1992 – 1996) (2018 – present)
- Member, MMA Property & Casualty Pool Board of Directors (1992 – 1996) (2018 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (1992 – 1996) (2018 – present)
- Member, MMA Strategic & Finance Committee (1995 - 1996, 2018 – present); Chair (1995 -1996, 2019-2020)
- Member, Governor’s Municipal Advisory Committee (1992 – 1996) (2019 – present)
- Member, MMA Legislative Policy Committee (served as member many years since 1990)
- Co-developed and presented 2020 MMA Webinar “Budgeting in Uncertain Times” in response to COVID-19
- Frequent presenter on behalf of MMA Training: Basic Budgeting since 1993; Cash Management for Municipalities since late 1990s; Top Ten Things I wish I Was Told Earlier in My Career since 2014, Leadership Training since 2018
- President, International City/County Management Association ( 2014 – 2015); Regional Vice President, (2008 – 2011) Chairperson, Conference Planning Committee, (2007 – 2008); Committee Member (various years 1997 – 2011); Small Community Task Force (1999 – 2001)
- ICMA Emerging Leaders Development Program Facilitator (2007 – present)
- President, Maine Town & City Management Association (1998 –1999); Board of Directors (1991 – 2000)
- President, Aroostook Municipal Association (2012 – 2014)
- Executive Board, Northern Maine Development Commission (2010 – present)
- Chairperson, Aroostook Tourism Committee (2011 – 2013)
- Member, Revolving Loan Committee, Northern Maine Development Commission (2010 – present)
- Executive Board, Maine Service Center Coalition (2011 – present)
- Treasurer, Martindale Country Club (2005 – 2008)
- Treasurer, Kora Klown Shrine Unit (2004 – 2008)
- Kora Divan, Kora Shriners (2004-2006; 2019 - present)
- Worshipful Master, Ancient York Lodge of Free and Accepted Masons (2007)
- Chairman and Founder, Ginger Bennett Memorial Scholarship Fund (2003 – present)
- Chairman, Joseph Graziano Memorial Scholarship Fund (2004 – 2012)

**Education:**

- Master of Business Administration, University of Southern Maine
- Bachelor of Science, Business Administration, University of Southern Maine
- Associate of Science, Accounting, Bentley College

**Awards and Certifications:**

- ICMA Legacy Leader since 2008
- All –America City, National Civic League (LEW) 2007
- Public Service Leadership Award, Androscoggin Chamber of Commerce 2006
- Maine Town and City Management Association’s “Line Stackpole Manager of the Year” August 2003
- ICMA Credentialed Manager since 2002 (*initial year of program*)
- MTCMA Certified Municipal Manager since 1993

**MMA EXECUTIVE COMMITTEE MEMBERS**  
**(3-Year Terms)**

**ROBERT BUTLER (CHAIR OF SELECTBOARD, TOWN OF WALDOBORO)**

**Professional & Municipal Experience:**

- Town of Waldoboro, Select Board Chair (first year of third non-consecutive term)
- Town of Waldoboro committees, including: Budget Committee, Economic Development Committee, Culinary Arts Committee, Sylvania Task Force, Communications and Technology Committee, Town Manager Search Committee and A.D. Gray Committee, Water Department Committee
- Waldoboro Public Library, Treasurer
- Waldoboro Public Library , Member of Board of Trustees
- Waldoboro Business Association, Member, Board
- Municipal Review Committee, Member, Board

**Other Experience, Committees and Affiliations:**

- Peace Corps, Afghanistan 1968-1970: Taught English as a foreign language in a rural village in the Kuz Konar District of Nangrahar Province and at the Institute of Civil Aviation, Kabul
- Ashland Oil Company, Beirut, Lebanon: Middle East Representative
- Arabian American Oil Company, Dhahran, Saudi Arabia: Government Relations and Contracting Rep
- Bank of Boston, Boston, MA and Tehran, Iran: Middle East Africa Division, Credit Analyst and Middle East Representative
- The National Commercial Bank, Dammam, Saudi Arabia: Head of Corporate Banking, Eastern Province
- Mount Street Holdings, London, England and Al-Khobar, Saudi Arabia: Partner and Financial Advisor
- A.I.N.V. (Arizona), Inc., President. Holding company for a private Saudi investment in a jojoba plantation located in Hyder, Arizona, which my wife and I subsequently purchased.
- Cottonwood Creek, Madera, California, Manager: Certified Organic Grape and Almond farm
- Boston Jojoba Company/The Jojoba Company, President and Co-Owner with my wife. Founded to purchase jojoba seeds and to process and market pure, unrefined golden jojoba world-wide. My wife and I sold the business to Israeli growers in September 2018. She retired immediately upon the sale. I retired in April 2019

**Education:**

- BA/MA German Literature, The Johns Hopkins University, Baltimore, Maryland (1968)
- MA International Relations, The Johns Hopkins University School of Advanced International Studies (1972)
- Middle East Center for Arab Studies, Shemlan, Lebanon (1973), Advanced Arabic
- MBA Boston University, Boston, Massachusetts (1980)

**TERRY HELMS (SELECTPERSON, TOWN OF GRAND ISLE)**

**Professional & Municipal Experience:**

- Town of Grand Isle, Selectperson (July 2015 – present)

**Other Experience, Committees and Affiliations:**

- Assisted in organizing Congrès Mondial Acadien event in northern Maine as part of the Maine Regional Coordinating Committee and Executive Committee
- Self-employed: TH Enterprises, Caribou, Limestone, Lille and Grand Isle, Maine
- Historic Restoration Specialist
- Tom Sawyer Waste Management, Caribou, Maine

- Tony's Major Muffler Mechanic, Presque Isle, Maine
- Power's Roofing and Sheet Metal, Caribou, Maine
- Bacon Chevrolet General Mechanic, Greenwich, Ohio
- United States Air Force Sargent, Loring, Maine, Keflavic NAS, Iceland
- Saranac Central School System, Library Assistant, Saranac, New York

**Education:**

- University of Maine at Presque Isle, completed semester (left due to financial obligations)
- School Without Walls, Washington DC, completed high school education
- Ballou High School, Washington DC
- Saranac Central Elementary, Jr. and High School, Saranac, New York
- Conner Elementary School, Long Beach, Mississippi

**Awards and Certifications:**

- Maine Preservation Honor Award (November 2014)
- Paint and Plaster Repair Seminar (January 2007)
- Maine Preservation Honor Award (May 2006)
- Four Barrel Carburetor Systems (January 1985)
- Computer Command Control Fundamentals (January 1985)
- Transportation Award (June 1983)
- NCO Orientation Phase II – Security (March 1983)
- Steering Systems, Power Brakes, Wheel Alignment and Wheel Balancing (November 1980)
- Air Force Office of Safety and Health (November 1979)
- General Purpose Mechanic Course (September 1979)

**DIANE HINES (TOWN MANAGER, TOWN OF LUDLOW & REED PLANTATION)**

**Professional & Municipal Experience:**

- Town of Reed Plantation, Maine, Town Manager (2015 – Present)
- Town of Ludlow, Maine, Town Manager (2010 – Present)
- Town of Hammond, Maine Town Administrator (2006 – 2014)
- Member, Maine Municipal Association, Legislative Policy Committee
- Treasurer, Aroostook Municipal Association

**Other Experience, Committees and Affiliations:**

- Southern Aroostook Community School – Mathematics Teacher (2009 – 2010)
- Wood Prairie Farm, Bridgewater, Maine – Shipping Room Manager (2008 – 2009)
- Hines Sculpture and Stone Work, Hammond, Maine, Self Employed (1995 – 2012)
- Camden-Rockport School District, Camden, Maine – Substitute Teacher (1994)
- Fogg's Home Center, Houlton, Maine – Assistant Manager Home/Garden (1992 – 1994)
- MSAD #29, Houlton, Maine – Substitute Teacher (1985 – 1992)
- McLaughlin Textile, Houlton, Maine – Assistant Manager/Sales (1981 – 1985)
- Maine Glove Company, Houlton, Maine – Assistant Manager and trainer 1979 – 1981)

**Education:**

- University of Maine at Presque Isle, Presque Isle, Maine (Secondary Education Certification) (1994)
- Philadelphia College of Textiles and Science- Philadelphia, Penna, ( B.S. Textile Design) (1974)
- SAD#29 School Board (2002 – 2007)
- Maine Municipal Association - Training Programs (2006 – 2018)
- Public Relations Chair, Houlton Rotary Club (2014 – 2018)



**MAINE MUNICIPAL ASSOCIATION  
VOTING BALLOT**

**Election of MMA Vice President and Executive Committee Members**  
*Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 21, 2020*

**VICE-PRESIDENT - 1 YEAR TERM**

Vote for One

Proposed by MMA Nominating Committee:

**James Bennett, City Manager, City of Biddeford**

**EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM**

Vote for Three

Proposed by MMA Nominating Committee:

**Robert Butler, Chair of Selectboard, Town of Waldoboro**

**Terry Helms, Selectperson, Town of Grand Isle**

**Diane Hines, Town Manager, Town of Ludlow & Reed Plantation**

*Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.*

*The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

**Date:** \_\_\_\_\_

**Municipality:** \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**OR Signed by a Majority of Municipal Officers**

**Current # of Municipal Officers:** \_\_\_\_\_

**Print Names:**

**Signatures:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Return To:**

*MMA Annual Election  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: (207) 626-3358  
Email: [rlambert@memun.org](mailto:rlambert@memun.org)*

**TOWN OF ELIOT**  
**MANUAL OF PERSONNEL POLICIES**  
**Adopted May 23, 2019**

*A VERY SINCERE WELCOME!*

On behalf of your colleagues, we welcome you to the Town of Eliot and wish you every success here.

We believe that each employee contributes directly to Eliot's growth and success, and we hope you will take pride in being a member of our team.

This manual was developed to describe some of our expectations for our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee manual as soon as possible, for it will answer many questions about employment with the Town of Eliot.

We hope that your experience here will be challenging, enjoyable, and rewarding.

*AGAIN, WELCOME!*

SINCERELY,

**Eliot Select Board**

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**INTRODUCTION:**

This manual is designed to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the manual. It describes many of your responsibilities as an employee and outlines the programs developed by the Town of Eliot to benefit employees. The manual should be interpreted in a logical, common sense manner. Failure to read or be aware of the manual's information is not a valid excuse for non-compliance.

By publishing a manual, we are encouraging the idea that consistency should be a way of life for Town employees. All are asked to recognize that the consistent handling of related employment issues is the fairest system the Town can establish and that the manual will be common reference to rely upon in striving for this objective.

No employee manual can contain every single rule or anticipate every circumstance or question about policy. The manual is an attempt to describe what happens most of the time, particularly in connection with events or activities that are either predictable or recurring. As Eliot continues to grow, the need may arise and the Town of Eliot reserves the right to revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate, in its sole and absolute discretion. Only the Select Board may change a Town policy or this manual. Employees will, of course, be notified of such changes to the manual as they occur.

The manual is not a contract, nor is any part or provision contained in it a contract. This manual should not be read as a guarantee of continued employment or any particular work benefit or

privilege. The rules and policies have been created to provide one set of uniform guidelines in order for employees to function well together.

This Manual applies to all Town employees, including those covered by a Collective Bargaining Agreement, unless specifically noted otherwise. However, to the extent that there is any conflict between this Manual and a Collective Bargaining Agreement, the Collective Bargaining Agreement shall govern for employees covered by the Agreement."

#### **NATURE OF EMPLOYMENT:**

Nothing contained in this manual or any other document provided to the employee is intended to be, nor should it be, construed as a guarantee that employment or any benefit will be continued for any period of time. Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended to and do not create an employment contract for any specific period of time. No person is authorized or permitted to create an employment contract with you.

It is the declared policy of the Town of Eliot that:

1. Employment in the Town government shall be of equal opportunity based on merit and fitness, free of personal and political considerations.
2. Just and equitable incentives and conditions of employment shall be established and maintained to promote efficiency and economy in the operation of the Town government.
3. Positions having similar duties and responsibilities shall be classified and compensated on a uniform basis.
4. High morale shall be maintained by consistent administration of this policy and by every consideration of the rights and interests of employees in keeping with the best interests of the public and the Town.

#### **EMPLOYEE RELATIONS:**

Our experience has shown that when employees deal openly and directly with Department Heads (and supervisors with employees) the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the Town of Eliot amply demonstrates its commitment to employees by responding effectively to employee concerns. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Department Heads.

#### **EQUAL EMPLOYMENT OPPORTUNITY:**

The Town of Eliot is an equal opportunity employer. It is committed to complying with federal and state anti-discrimination laws and providing a workplace that is free from discrimination on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation (including gender identity and expression), disability, age, ancestry, genetic information, whistleblower status, military/veteran status, or any other status protected by law. This policy applies to all employment decisions, including, but not limited to, recruitment, hiring, promotion, compensation, benefits,

May 23, 2019

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transfers, layoffs, returns from layoffs, discipline, termination, and training, and any and all conditions of employment.

Any employee with questions or concerns about any type of discrimination in his or her workplace is encouraged to bring these issues to the attention of his or her immediate supervisor or the Town Manager in the case of purported discrimination by a Department Head. Employees can raise concerns and make reports without fear of reprisal.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

#### **REASONABLE ACCOMMODATIONS FOR EMPLOYEES WITH DISABILITIES**

Pursuant to the Americans with Disabilities Act and Maine law, Employer is committed to providing reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in undue hardship or a direct threat to others. If an employee feels that they need a workplace accommodation in order to do their job or enjoy equal access to the workplace, the employee should make a written request to the Town Manager describing the specific accommodation requested and explaining the need for accommodation.

Upon such request, Employer will promptly engage in an interactive exchange with the employee, as needed, in order to determine the feasibility of providing the requested, or any other reasonably available accommodation. Employer may in some cases request medical documentation to substantiate that the employee has a qualifying disability and needs the reasonable accommodation. Documentation may be requested to: (1) describe the nature, severity, and duration of the employee's impairment, the activity or activities that the impairment limits, and the extent to which the impairment limits the employee's ability to perform the activity or activities; and, (2) substantiate the need, feasibility, and potential efficacy of the requested accommodation. The Employee shall not be required to provide confidential health care information beyond that which meets the substantiation criteria.

#### **ACCESS TO PERSONNEL FILES:**

An employee's personnel file includes such information as job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. Personnel files are the property of the Town of Eliot, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the Town who have a legitimate reason to review information in a file are allowed to do so.

Upon written notice from an employee, the Town will provide an employee or a duly authorized representative the opportunity to review and copy the employee's personnel file. Such reviews and copying must take place at Town offices and during normal office hours. Employees' reviews of employment files are governed by 26 M.R.S.A. § 631.

#### **PERSONAL DATA CHANGES:**

It is the responsibility of each employee to promptly notify the Town of any changes in personal data. Personal addresses, telephone numbers, number and names of dependents, individuals to

be contacted in case of emergency, educational accomplishments, and other such information should be accurate at all times. If any personal data has changed, employees must notify their supervisor or Department Head.

**PROBATIONARY PERIOD:**

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town may end the employment relationship at any time during the probationary period, with or without cause, advance notice or any right of appeal to the Town.

All new and rehired employees work on a probationary basis for the six (6) months after their date of hire (or one year from the date of graduation from the police academy for police officers). Employees who are promoted or transferred within Town must again complete a probationary period of the same length with each reassignment to a new position.

In cases of promotions or transfers within the Town, an employee who, in the judgment of the Town Manager, is not successful in the new position can be removed from that position at any time during the repeated probationary period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the Town's needs. In cases of promotions or transfers within the Town, an employee is entitled to continue to accrue their level of sick and vacation time as before the transfer or promotion.

Upon satisfactory completion of the initial probationary period, employees may be authorized by the Town Manager to enter the "regular" employment classification. Employment status is not changed during the second probationary period that results from a promotion or transfer within the Town of Eliot.

**EMPLOYMENT APPLICATIONS:**

The Town of Eliot relies on the accuracy of information contained in the employment application as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the Town's exclusion of the individual from further consideration for employment or, if the person has been hired, in termination of employment.

**SUPERVISION:**

1. The Town Manager shall be the immediate supervisor of every Department Head (except the Fire Chief), as well as the Treasurer, Assessor, Code Enforcement Officer, Planner and of the Administrative Assistant II, or any other administrative staff.
2. The Town Manager has administrative oversight of the Fire Chief for purposes of personnel administration, budget administration, state and federal safety compliance and similar administrative duties.

**JOB PERFORMANCE REVIEW:**

Every employee shall have an annual performance evaluation and goal-setting discussion performed by their supervisor or Department Head. The completed "job review form" shall be reviewed with and signed by the employee and the Department Head. Probationary employees shall have a performance review within six (6) months of hire and in no case less than fourteen (14) days before the end of their probationary period. The Performance Evaluation is used in determining an employee's eligibility for a step increase.

Every supervisor or Department Head shall have an annual performance evaluation discussion and goal-setting performed by the Town Manager. The performance review form shall be reviewed with and signed by the Department Head and the Town Manager.

Job performance evaluations are confidential reviews of the person's performance in his/her job as outlined in his/her job description. Consideration shall be given to duties performed outside the job description in order that an update or change may be made in the job description.

All job performance evaluation forms shall be approved by the Select Board. The review forms shall be available at the Town hall.

The forms to be used in job performance evaluations shall be added to the employee's personnel file after the review has been completed.

The job performance evaluation review form will not be used for elected officials.

**JOB DESCRIPTIONS:**

The Town Manager, with the assistance of Department Heads, will develop and keep on file job descriptions for all positions. The Select Board must approve job descriptions. Job titles may be amended by the Town Manager as long as such a title change would not result in re-classification of pay grade of the position. If the Town Manager is recommending a change to a job description and job title that may result in re-classifying a position, the Select Board must review and act on said recommendation.

**HIRING OF RELATIVES (NEPOTISM):**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the Town of Eliot may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the organization. This policy applies to any relative \*, higher or lower in the organization, who has the authority to review employment decisions. Town of Eliot employees cannot be transferred into such a reporting relationship.

If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred to a new position, if available, or may otherwise face separation from

employment by the town. If that decision is not made within thirty (30) calendar days, the next level of supervision will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

\* For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, including parents, children, siblings, spouses, in-laws, uncles, aunts, first cousins, nieces and nephews.

#### **OUTSIDE EMPLOYMENT:**

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the Town. All employees will be judged by the same performance standards and will be subject to the Town's scheduling demands, regardless of any existing outside work requirements.

If the Town Manager determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Town of Eliot as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed by the Town of Eliot.

If an employee is injured and incapacitated while working at a second job, once accumulated sick leave, family and medical leave and disability leave, have been used or met, the employee may be terminated from employment by the Town.

Outside employment will present a conflict of interest if it has an adverse impact on the Town of Eliot. If outside employment creates a conflict of interest, the employee will be asked to resign from either their outside employment or from the Town.

#### **COMPENSATION SYSTEM**

**Classification Policy:** It is the policy of the Town to classify or group positions based on the application of a position rating system consisting of a set of objective rating criteria. A position rating evaluation method is used to classify positions. This process is intended to establish the "internal value" or relative importance of each position based upon what the Town requires an employee to do and what the Town establishes as the minimum qualifications of each position. Each position is assigned a numerical point value based upon the application of degree levels within each position evaluation criteria; the sum of the points represents the total points assigned to the position; the total points determine which salary grade a position falls within. The Position Rating Manual contains additional details regarding the application of the position rating system.

## Maintenance of Classification and Compensation Plan

~~It is the policy of the Town maintain a Classification and Compensation plan in a consistent and competitive manner, consisting of salary ranges for each grade level that are competitive with the market place and consistent with the fiscal constraints of the Town. External salary data is collected at least every five years, or more frequently as economic conditions change, in order to maintain competitive salary ranges for each position. The selection of comparable communities is determined on a position by position basis based on the geographic recruitment area for each position (local, state, national etc.) as well as operational and demographic criteria.~~

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~~Based upon the data collected, the Town may make changes to a salary range as it deems necessary to maintain the salary ranges so that they are competitive with the market place on a position by position basis.~~

## New Hire Compensation Policy

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~~It is the policy of the Town to compensate new employees within the hiring range of a classification level with the understanding that the Town reserves the right to hire a new employee above the hiring range based on the qualifications of the employee and/or market conditions.~~

## Salary Range Adjustments

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~~A salary range for each grade level may be adjusted when and if it is determined by the Town that the current salary range is no longer competitive with the market place on a position by position basis.~~

~~Annual salary plan guidelines are used to administer individual employee salaries throughout the fiscal year. Based upon external market data, budget parameters, and the Town's ability to pay funds are provided for employee compensation purposes throughout the year. An employee's movement or growth within a salary range should not be considered an automatic natural progression within a salary range.~~

## COMPENSATION PLAN SUMMARY:

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- ~~1. The length of the Compensation Plan shall be 10 years in length.~~
- ~~2. Each position goes through the grading matrix and is scored for complexity.~~
- ~~3. There will be eight pay grades. Employees are placed within a specific grade based on the point system above.~~
- ~~4. Employees with previous experience may be hired at a wage rate other than the "Hiring" step, commensurate with the applicant's previous work experience and expertise.~~

- ~~5. The increments between steps will be based on 1.5% increases to base pay.~~
- ~~6. A discretionary CPI or Cost of Living Adjustments (COLAs) may be granted under this plan (in addition to the step increase.)
  - ~~a. Application of COLA's are dependent upon funding approval.~~
  - ~~b. Application of COLA's are dependent upon economic conditions such as inflation.~~~~
- ~~7. In order to advance a step in grade, the employee must achieve an annual performance rating of 3.00; a score of below 3.00 and below will prevent a step increase and pay will remain as before.~~
- ~~8. Annual Performance evaluations are based on a 1.00 — 5.00 scale. A 3.00 is considered solid, competent performance.~~
- ~~9. Once market pay rates are again demonstrated to be greater than the employee's rate of pay (new market survey of six — seven operationally comparable towns), they are again eligible for step increases (see below).~~
- ~~10. No less than every five years, a market study will be done to ensure that market rate pay for the various positions remains competitive; the entire matrix gets changed every three years. The Select Board reserves the right to check market wage rates more frequently than every five years as economic conditions may demand.~~
- ~~11. Each year, the pay scale will be adjusted to reflect any COLA adjustment made to the pay scale and to keep the pay scale current.~~

#### **EMPLOYMENT CATEGORIES AND BENEFITS:**

Each employee is designated as either nonexempt or exempt from federal and state wage and hour laws. **Non-exempt** employees are entitled to overtime pay under the specific provisions of federal and state laws. **Exempt** employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one of the following employment category:

#### **SEE THE MATRIX IN THE APPENDICES**

**Regular full-time** employees are those who are not in a temporary or probationary status and who are regularly scheduled to work the Town's full-time schedule of at least forty (40) hours each week.

**Regular part-time** employees are those who are not assigned to a temporary or probationary status and who are regularly scheduled to work less than the full-time work schedule of forty (40) hours per week. In order to be eligible for any benefits, a regular part-time employee must work a minimum of 19 hours per week on average year-round

**Probationary employees** are those whose performance is being evaluated to determine whether further employment with the Town of Eliot or in a specific position is appropriate, and are subject to the probationary requirements set forth in this policy. Probationary employees are eligible to participate in the group health insurance plan (Affordable Care Act) and Maine State Retirement plan, if so elected. Probationary employees also receive one-half of the normal accrual of vacation, bereavement, sick and holiday time off during the probationary period.

**Temporary employees** are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in the category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally-mandated benefits (such as workers' compensation insurance and social security), they are ineligible for all of the Town's other benefit programs, and are not entitled to appeal rights to the Town or to appeal just-cause termination.

**PHYSICAL EXAMINATIONS:**

1. A physician's examination certificate shall be required after selection for employment and before commencement of employment duties for all new employees, except temporary employees.
2. The cost of examination will be paid by the Town of Eliot.
3. Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

**NON-DISCLOSURE:**

The protection of confidential information and records is vital to the interests of the Town of Eliot. Such confidential information includes, but is not limited to the following examples:

- Welfare, general assistance and other protected information.
- Privileged information and documents relating to legal actions pending against the Town.
- Any information not exempt under the public records and proceedings statute or made confidential by statute or law.

Any employee who improperly uses or impermissibly discloses confidential Town business information and/or personnel information, personnel records or other information made confidential by law or statute, will be subject to disciplinary action, up to and including termination of employment and legal action, even if he or she does not actually benefit from the disclosed information.

**HOURS FOR THE TOWN STAFF:**

May 23, 2019  
DKL

Basic workweek: The basic work week is defined as 40 hours- Monday- Thursday 7:00a.m.to 5:00 p.m. employee is entitled to (2) 15 minute paid andbreaks and the work week is defined as beginning Thursday at 12:01 a.m. and ending Wednesdays at Midnight.

The Town Manager is responsible for establishing hours of operation for all departments. The Town Manager may modify hours of operation for unique circumstances on a case-by-case basis. Such modification can be reviewed and / or rescinded at any time by the Select Board Employee's hours must accommodate the public, and shall be prominently posted at each facility.

1. Department Heads have the authority to set hours/time for part-time persons for special projects as approved by the Town Manager.

#### **ATTENDANCE AND PUNCTUALITY:**

Regular and punctual attendance is essential to the success of the Town of Eliot; therefore the employee must be at work and on time to perform their job duties. Except for hazardous weather conditions or other emergency situations, an employee who reports to work after his or her scheduled work time will be considered late.

If an employee knows in advance that he or she will be late or absent, or will need to leave early, the employee must notify their Department Head or their designee as far in advance as possible. In the event of an unanticipated absence or lateness, the employee must notify their Department Head or their designee as soon as possible. Excessive or habitual tardiness or chronic absenteeism is not acceptable and may result in disciplinary action, up to and including termination.

If an employee is unable to speak directly to their Department Head or their designee when attempting to notify them, the employee should leave a detailed message, which explains the reason for the absence or tardiness and a telephone number where the employee can be reached. If it is an emergency, the employee should have someone else contact their Department Head or their designee.

If an employee is absent from work due to illness or injury for three or more consecutive business days, the Town may require a statement from the employee's health care provider, verifying the medical need for their absence. An employee may also be required to provide a statement from their health care provider that the employee are fit to return to work and resume their regular work schedule and duties. As appropriate, the Town may require the employee to report for a physical examination prior to returning for duty by a physician retained and paid by the Town. Employees may be placed on paid administrative leave pending the receipt by the Town of the results of any such "fitness for duty" examination.

If an employee is absent from work for three or more consecutive days without notifying the Town of the reason for their absence, the employee will be considered to have voluntarily resigned their employment with the Town.

#### **OVERTIME FOR NON-UNION (NON-EXEMPT) HOURLY EMPLOYEES:**

Overtime will be paid at a rate of one and one-half (1 ½) times the employee's base rate, for hours actually worked on the job beyond the normally scheduled and compensated forty (40) hour week.

1. Normally scheduled workweek shall be each department's regularly scheduled hours of daily operation for a ~~five (four (54))~~ day workweek. 10-hour days
2. Compensation for the regular forty (40) hour week -week shall consist of one of the following or a combination of the following categories of time.
  - A. Actual hours worked
  - B. Holiday hours

**TIMEKEEPING:**

Federal and state laws require the Town to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal or break period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons. Time will be recorded on the daily and weekly time sheets approved by the Select Board. Accurately recording time worked is the responsibility of every non-exempt employee.

The employee's Department Head or their designee must approve all overtime work before the work is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work no more than ten (10) minutes prior to their scheduled starting time or stay no more than ten (10) minutes after their scheduled stop time without express, prior authorization from their Department Head or their designee. Employees who report to work prior to or stay after scheduled work times, are not required to work during this time, unless specifically requested to do so by the Town. In such circumstances, employees will be compensated by the Town.

Lunch breaks, regardless of their duration, are unpaid. During any eight (8) hour work day, employees are entitled and expected to take two (2) fifteen (15) minute breaks, one in the morning and one in the afternoon.

It is the employee's responsibility to sign his or her weekly time record to certify the accuracy of all time recorded. The Department Head or their designee will review and then sign the weekly time record before submitting it for payroll processing by the Town Manager. In addition, if corrections or modifications are made to the time record, both the employee and the Department Head or their designee must verify the accuracy of the changes by initialing the time record.

**PAYDAYS:**

All employees are paid weekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period, as well as current benefit accumulations (sick / vacation time). The Town offers direct deposit to all of its employees. In the event that a regularly

scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

The Town reserves the right to amend employee pay cycles to bi-weekly (every two weeks) and to require direct deposit for all employees on the Town's payroll.

**ADMINISTRATIVE PAY CORRECTIONS:**

The Town takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Town Manager so that corrections can be made as quickly as possible.

**PAY DEDUCTIONS:**

The law requires that the Town make certain deductions from every employee's compensation, such as applicable federal and state income taxes. The Town offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

If an employee has questions concerning why deductions were made from their paycheck or how they were calculated, their Department Head or their designee, or, if necessary, the Town Manager, can assist in answering their questions.

**FRINGE BENEFITS:**

Eligible employees of the Town of Eliot are provided a wide range of benefits. A number of the programs (such as social security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The employee's Department Head or their designee, or if necessary, the Town Manager can identify the programs for which employees are eligible (See Appendices).

The following benefit programs are available to eligible employees: (Note: Some benefits are fully paid by the Town, some are partially paid by the Town, and some are paid by the employee).

- BENEFIT CONVERSION AT TERMINATION
- BEREAVEMENT LEAVE
- DENTAL INSURANCE
- FAMILY LEAVE
- HEALTH INSURANCE
- HOLIDAYS
- JURY DUTY LEAVE

- LIFE INSURANCE (1 TIMES SALARY)
- MEMBERSHIP DUES (FOR APPROVED PROFESSIONAL ASSOCIATIONS)
- MILITARY LEAVE
- PENSION PLANS
- SICK LEAVE
- TRAVEL REIMBURSEMENT
- UNIFORM AND UNIFORM MAINTENANCE (SOME POSITIONS)
- VACATION LEAVE
- VISION SUPPLEMENT PLAN (EYE EXAMS / REDUCED CONTACTS-GLASSES COSTS)

Some benefit programs require contributions from employees and some are fully paid by the Town. The benefit package for regular full-time employees represents a significant additional cost to the Town well above employee wages.

**BENEFITS CONTINUATION (COBRA):**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town's health plan when a qualifying event would normally result in the loss of eligibility. Some common qualifying COBRA events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Town's group rates plus an administrative fee.

The Town or its insurer provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Town's health insurance plan. The notice contains important information about the employee's rights and obligations.

**BEREAVEMENT LEAVE:**

1. Employees shall be allowed three (3) days with pay, per year, for death within the immediate family (immediate family means spouse, children, siblings, mother, and father.)
2. For other relatives, up to one (1) day is allowed.

**MAINE FAMILY MEDICAL LEAVE ACT**

Under the Maine Family Medical Leave Act (FMLA), any employee who has worked for Employer for at least 12 consecutive months is entitled to up to 10 work weeks of job-protected family medical leave in any 2-year period. The FMLA will not apply if at any time Employer employs fewer than 15 employees at the job site. Eligibility for leave is measured on a rolling basis

backward from the date employee would begin leave. Family medical leave may be taken for the following reasons:

- Birth of a child of the employee or the employee's domestic partner;
- Placement of a child 16 years of age or less with the employee or employee's domestic partner by adoption;
- The "serious health condition" of the employee or the employee's spouse, domestic partner, parent, child, sibling or domestic partner's child;
- The donation of an organ by the employee for a human organ transplant;
- The death or "serious health condition" of the employee's spouse, domestic partner, parent, sibling, or child, if that person is a member of the military and is on active duty.

"Domestic partner" means someone who is a mentally competent adult, has lived with the employee for at least 12 months, is the employee's sole partner and expects to remain so, and who is not married to, legally separated from, or the sibling of, the employee, and who is jointly responsible with the employee for each other's common welfare as evidenced by joint living or financial arrangements, or joint property ownership. "Sibling" means a sibling of an employee who is jointly responsible with the employee for each other's common welfare as evidenced by joint living or financial arrangements, or joint property ownership. "Serious health condition" means illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or continuing treatment by a health care provider.

Except in cases of medical emergency, the employee must provide Employer with at least thirty (30) days' notice of the employee's intention to take leave, including the expected start and end date of the leave. If the need for leave is not foreseeable, the employee must provide such notice as soon as practicable. Employer may require certification from a physician to verify the amount of leave requested by the employee, except that an employee who in good faith relies on treatment by prayer or spiritual means, in accordance with the tenets and practice of a recognized church or religious denomination, may submit certification from an accredited practitioner of those healing methods.

All requests for leave or questions about an employee's eligibility should be directed to the Town Manager. If an employee is absent without affirmatively requesting FMLA, and Employer determines that the absence is due to a FMLA-qualifying reason, Employer will designate and count the absence as FMLA leave.

Employees are required to use any available paid time off **concurrently with** any unpaid FMLA leave. For example, if an employee plans to use the full ten (10) weeks of FMLA leave and has two (2) weeks of paid medical leave available, the first two (2) weeks of FMLA will be paid as a medical leave benefit, and the remaining eight (8) will be unpaid.

Please note also that that if an employee receives Workers Compensation benefits, Short Term Disability or any other paid benefits in connection with an absence from work, such absence will generally be designated as FMLA leave if it is needed for an FMLA qualifying reason.

In the case of FMLA leave for a serious health conditions or organ donation, the leave may be taken intermittently or on a reduced-hours basis if such leave is medically necessary. When leave is related

to the birth or adoption of a child, it may be taken intermittently or on a reduced-hours basis only when Employer agrees. In some cases, Employer will have the option of transferring the employee to a temporary alternative job for which the employee is qualified and which better accommodates the recurring leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

During FMLA leaves of absence, Employer will make it possible for employees to continue their employee benefits at the employee's expense. The employee and Employer may negotiate for Employer to maintain benefits at Employer's expense during the leave, but Employer is not obligated to do so. Failure of the employee to pay his/her share of any premiums may result in loss of coverage. Upon return from leave, an employee is entitled to be restored to the position held by the employee before leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. The taking of FMLA leave will not result in the loss of any employee benefit accrued before the date on which the leave commenced.

#### **FEDERAL FAMILY MEDICAL LEAVE ACT**

Any employee who has worked for Employer for at least 12 months, and for at least 1250 hours during the previous 12-month period, is entitled to up to 12 work weeks of family medical leave in any 1-year period, unless employed at a worksite where the total number of employees within 75 miles of that worksite is less than 50. Eligibility for leave is measured on a rolling basis backward from the date employee would begin leave. Family medical leave may be taken for the following reasons:

- Birth of a child of the employee, in order to care for the child;
- Placement of a child with the employee by adoption or foster care;
- The "serious health condition" of the employee or the employee's spouse, child, or parent;
- Because of any "qualifying exigency" arising out of the fact that the spouse, child, or parent of the employee is on covered active duty, or has been called to active duty, in the Armed Forces. There are currently nine qualifying circumstances recognized by the Department of Labor that can be reviewed at: <http://www.dol.gov/whd/regs/compliance/whdfs28mc.pdf>.
- Additionally, an employee who is the spouse, son, daughter, parent, or next of kin of a "covered servicemember" shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the servicemember.

*"Serious health condition"* means illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or continuing treatment by a health care provider. *"Covered servicemember"* generally means a member or veteran of the Armed Forces who is undergoing medical treatment, recuperation, or therapy related to a serious injury or illness.

In the case of FMLA leave related to a serious health condition or to care for a covered servicemember, the leave may be taken intermittently or on a reduced-hours basis if such leave is medically necessary. When leave is related to the birth or placement of a child, it may be taken

intermittently or on a reduced-hours basis only when the Employer agrees. "Qualifying exigency" leave may always be taken intermittently. In some cases, Employer will have the option of transferring the employee to a temporary alternative job for which the employee is qualified and which better accommodates the recurring leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

When the need for FMLA leave is foreseeable, the employee must generally provide Employer with at least thirty (30) days' notice of the employee's intention to take leave. Otherwise, the employee must provide such notice as soon as practicable. All requests for leave or questions about an employee's eligibility should be directed to the Town Manager. Within 5 business days, the Employer will notify the employee whether she is eligible for FMLA generally. At that time, the Employer will provide the employee a notice of their eligibility and rights and responsibilities under the FMLA (Form WH-381), which may include a request for more information or certification in order to determine whether the request qualifies for FMLA.

If an employee is absent without affirmatively requesting FMLA, and Employer determines that the absence is due to a FMLA-qualifying reason, Employer will designate and count the absence as FMLA leave. Employees are required to use any available paid time off **concurrently with** any unpaid FMLA leave. For example, if an employee plans to use the full twelve (12) weeks of FMLA leave and has two (2) weeks of paid medical leave available, the first two (2) weeks of FMLA will be paid as a medical leave benefit, and the remaining ten (10) will be unpaid.

Please note also that that if an employee receives Workers Compensation benefits, Short Term Disability or any other paid benefits in connection with an absence from work, such absence will generally be designated as FMLA leave if it is needed for an FMLA qualifying reason.

In the case of FMLA leave related to a serious health condition or to care for a covered servicemember, Employer may require certification from a health care provider supporting the need for leave. In some instances, the Employer may require the employee to get a second opinion of a health care provider designated by, and paid for by, the Employer. A third opinion may be required in cases where the first two opinions conflict. The Employer may also require that the eligible employee obtain subsequent re-certifications on a reasonable basis.

Spouses who are both employed by Employer are jointly entitled to a combined total of 12 weeks of leave for the birth of a newborn child, for the placement of a child for adoption or foster care and to care for a parent who has a serious health condition (meaning separate parents, as the FMLA does not cover care for parents-in-law). If leave is taken for other reasons, each spouse can use the full amount of leave individually.

During FMLA leaves of absence, the Employer will maintain coverage under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued employment during the leave. If the employee does not return to work after the expiration of FMLA leave, the employee may be required to reimburse Employer for any health insurance premiums it paid, unless the employee does not return because of the continuance of a serious health condition or other circumstances beyond the control of the employee. Upon return from leave, an employee is entitled to be restored to the position held by the employee before leave commenced or to a position with equivalent employee benefits, pay and other terms and conditions of employment. The taking of FMLA leave will not result in the loss of any employee benefit accrued before the date on which the leave commenced.

Employer may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also periodic recertification of the medical condition. An employee taking leave due to the employee's serious health condition may be required to obtain certification from a health care provider that the employee is able to resume work prior to returning to work.

Employer will in no way discriminate or retaliate against, or otherwise interfere with, any employee who uses or attempts to use FMLA leave.

*Maine FMLA:* Maine State law provides for ten (10) weeks of family medical leave every two years. In some cases, an employee may be eligible for Maine FMLA but not federal FMLA, or vice versa. To be eligible for Maine FMLA, an employee must have been employed for at least 12 consecutive months, and there is no minimum number of hours that the employee must have worked in order to qualify or number of employees within a certain radius. Eligibility for leave is measured on a 24-month rolling basis backward from the date employee would begin leave. The qualifying reasons FMLA may be taken under the Maine act are very similar as under the federal act, but also allows for leave related to an organ donation by the employee and to care for a domestic partner with a serious health condition. While out on Maine FMLA, the employee is eligible to maintain their benefits at the COBRA rate at their sole expense. Employer will otherwise use procedures similar to those discussed above. If an employee is eligible to take leave under both the Federal and the State FMLA, the leaves shall run concurrently.

#### **LEAVE FOR VICTIMS OF VIOLENCE**

Under Maine law, an employee may take reasonable and necessary leave from work when the employee (or certain relatives of the employee) is a victim of violence, assault, sexual assault, stalking or any act that would support an order for protection. The leave may be taken to prepare for and attend court proceedings, receive medical treatment, or obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking. The leave may be with or without pay at the discretion of Employer. Employer may not sanction an employee or deprive the employee of pay or benefits for taking the leave. However, Employer does not have to grant this leave if granting it would cause undue hardship to the Town, if the request for leave is not communicated to the employer within a reasonable time under the circumstances, or the requested leave is impractical, unreasonable, or unnecessary based on the facts then known to the employer.

Employer will not sanction an employee or deprive an employee of pay or benefits for exercising a right granted by this section.

#### **MILITARY LEAVE**

Under Federal law (USERRA) and/or Maine law, Employer may not discriminate against any employee due to that employee's military activity or status. Employees may be eligible to take a leave of absence for military purposes (including active duty, reserve duty, or National Guard duty), and be entitled to reinstatement to the same or equivalent position upon return to work. Under USERRA, military leave generally must not exceed 5 years for the protections to apply. Military leave is unpaid.

The employee must give prior reasonable notice, if possible, to Employer of the anticipated absence for military duty. If the Employer so requests, the employee must provide copies of his or her military orders prior to leaving for service, or as soon as practicable.

The law also provides that an employer may not require an employee returning from military leave to report back to work in less than certain minimum time periods depending on the length of the leave.

USERRA and Maine law contain detailed provisions concerning military members' civilian employment and re-employment rights, and the conditions for exercising those rights. Employees should contact the Town Manager if they are anticipating a military leave of absence in order work through the process.

#### **FAMILY MILITARY LEAVE**

Under Maine law, eligible employees may receive up to 15 days of unpaid family military leave, upon notice and request, in connection with a covered deployment of certain family members. Please note that depending upon the number of employees employed by Employer at any given time, this law may not apply to Employer.

To be eligible, an employee must been employed by Employer for at least 12 months and for at least 1250 hours of service during the 12 months immediately preceding the leave.

The family member must be the spouse, domestic partner (see FMLA policy for definition of domestic partner), or parent of a person who is a resident of the State and is deployed for military service for a period lasting longer than 180 days.

The leave must be used during the 15 days immediately preceding or immediately following the deployment, or some combination of both (e.g. 8 days before, 7 days after deployment).

Employee benefits may continue, at the current employee rate, during the leave, and employment (or equivalent employment) will be restored after the leave, unless the employer proves that the employee was not restored to such employment because of conditions unrelated to the employees' exercise of family military leave rights.

An employee who uses or seeks to use a family military leave, is free from retaliation.

The employee must give at least 14 days' notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days, and, if not, as soon as is practicable.

Employer may require certification from the proper military authority to verify eligibility for Family Military Leave. This will generally be in the form of, but is not limited to, military orders provided to the service member, or other written certification.

Employees may use vacation and sick time during a family military leave.

#### **HEALTH AND DENTAL INSURANCE:**

Health and dental insurance for all employees and their family are paid for by the Town at a rate to be determined by Select Board and as explained in this policy.

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Any employee who is entitled to Town-subsidized medical/dental insurance coverage, but also has the option to be covered by comparable plan through their spouse or other resource, may opt out of the Town's medical/dental insurance plan and receive a monthly payment in lieu of insurance coverage.

In order to qualify for \$250.00 per month, the employee must provide to the Town Manager, proof of adequate, alternative coverage.

**HOLIDAYS:**

1. Town employees shall be entitled to eleven (11) holidays. The holidays shall be:

- NEW YEAR'S DAY
- MARTIN LUTHER KING JR'S BIRTHDAY
- PRESIDENTS DAY
- PATRIOT'S DAY
- MEMORIAL DAY
- FOURTH OF JULY
- LABOR DAY
- COLUMBUS DAY
- VETERANS DAY
- ~~THANKSGIVING~~
- ~~CHRISTMAS DAY~~

• If a holiday falls on a Friday, staff receives the day before off as holiday pay at a rate of 10 hours

• If holiday falls on Saturday or Sunday, staff receives the following Monday off.

EXCEPTION: Employee presence may be required for essential support as directed by the Department Head, or by the Town Manager, in the event of an essential need for a Department Head to work on a holiday.

2. Temporary employees will be eligible for holiday pay after six (6) months of continuous employment with the Town.

**JURY DUTY:**

1. The employee must provide his/her Department Head or their designee with a copy of the jury duty summons at least two (2) weeks in advance of the jury duty leave (or upon receipt of such summons) and must keep his/her Department Head or their designee informed of the jury duty status including length of jury duty and time of return to work. It is expected that employees will work their normal working hours during any time that they are not required to actively serve as a juror.
2. Employees serving on jury duty will continue to receive their normal compensation. Department Head or their designees should not place employees on a leave of absence;

however, they must reflect "jury duty" in the comment section of the time sheet for the duration of the employee's jury duty obligation.

3. Employees who receive compensation from the state or federal government for their participation on jury duty must submit proof of jury duty payment to the Town upon their receipt of such documentation and reimburse the Town of Eliot for the gross amount received less mileage reimbursement.

#### **DIFFERENTIAL PAY:**

The Town will pay the employee the difference, if any, between the employee's usual base pay (exclusive of overtime) or salary, and his/her military pay for up to fifteen (15) normal work days per fiscal year on days which the employee is regularly scheduled to work. After exhausting such differential payment, employees on military leave may also request the use of any accrued vacation pay concurrent with their military leave. Employees returning from military leave are eligible for reinstatement in accordance with all state and federal requirements.

#### **PENSION BENEFITS:**

The Town participates in the MePERS (Maine State Retirement System). This contributory program requires employees to contribute a percentage of gross wages. Employees may want to consult a financial adviser as the decision to join MePERS is essentially a one-time, binding decision. The Town also offers a 401A and 457 retirement system through International City Managers Association (ICMA). See Annual Audit for pension details.

**SICK LEAVE: SEE BENEFITS MATRIX IN APPENDICES- matrix classification chart will have to be changed to reflect 10 hours of accumulated sick for each month, instead of 8 hours.**

**Employees max of sick accrual will be 1200 hours, for 10 hours a month, instead of the 960 at 8 hours a month**

- A. Temporary employees do not accrue sick leave. Probationary employees begin to accrue sick leave upon their hire and will continue on an accrual basis until the completion of the probationary period
  - B. Employees are not permitted to accrue more than one hundred twenty (120) days of sick leave; however, current employees who have accumulated more than one hundred twenty (120) days of sick leave as of the date of the adoption of this policy August 5, 2005 are permitted to retain the amount of sick leave they have currently accrued until such time that the sick leave bank falls below one hundred twenty (120) days, at which time the employee may again begin accruing sick leave up to a maximum of one hundred twenty (120) days.
1. If, upon completion of five (5) years of continuous uninterrupted employment by the Town of Eliot, an employee resigns in good standing, is laid off or discharged for reasons other than misconduct, the following "Sick Leave Pay Back Plan" is in effect.

- A. Employees are eligible to be paid 25% of their unused sick leave. Each additional full year of employment will add 5%, up to a maximum of 50% of sick leave after ten (10) years of service.
- B. Sick leave is to be paid at the base pay per diem rate in force at the time of notification of resignation by the employee,
- C. For purpose of pay-back, the maximum number of pay-back days will be sixty (60).
- D. If there are not sufficient funds in the sick leave reserve fund to cover the costs of pay-back, then the amount not covered by the fund shall not be distributed prior to the Town Meeting at which time funds may be appropriated.
- E. If sufficient funds are not appropriated at Town Meeting to cover the costs of pay-back, the Select Board reserves the right to fund only that portion of the unused sick leave that they deem financially responsible.

2. GENERAL POLICY:

Sick leave shall be granted to employees when they are incapacitated for the performance of their duties by sickness, injury, or pregnancy; or for medical, dental, or optical examination or treatment; or when a member of the immediate family of the employee is afflicted with a contagious disease and requires the care and attendance of the employee; or when, through exposure to contagious disease, the presence of the employee at his/her post of duty would jeopardize the health of others.

For the purpose of this policy, a contagious disease is a disease which is ruled as subject to quarantine, or requires isolation of the patient, or requires restriction of movement by the patient for a specified period, as prescribed by the health authorities having jurisdiction.

- A. Medical, dental or optical examination or treatment: an employee request for sick leave for medical, dental, optical examination or treatment shall be made in advance of the date of the scheduled appointment. The amount of time allowable for sick leave in these circumstances shall be determined on a case-by-case basis and shall be that time necessary for travel to or from Town, to and from the place of examination or treatment and the actual time necessary for examination or treatment.
- B. Care of family: if administratively acceptable evidence is furnished showing that the absence of an employee is to care for the member of his or her family who is ill with a contagious disease requiring isolation, quarantine, or restriction of movement for a particular period (based on regulations prescribed by the local health authorities,) sick leave shall be granted.
- C. Disabled employees: sick leave, if available, shall be granted disabled employees for the purpose of receiving medical treatment or for the time necessary for appointments.

- D. During period of annual leave: an employee who becomes ill during a period of annual leave may have the period of illness changed to sick leave and the charge against annual leave reduced accordingly. The employee shall, if possible, notify his supervisor within two hours after the beginning of his shift on the first day of illness, and state the nature of illness and probable duration, if known. Application for such substitution of sick leave for annual leave shall be made within two days after return to duty. The employee shall be required to provide medical proof before such leave status change is granted.
- E. Disability retirement or separation disability: in these circumstances, the employee shall be granted all sick leave to his credit prior to separation. The employee shall also be granted any annual leave for which a lump sum annual leave payment cannot be made.
- F. Physical examination for military training: time required for physical examinations prior to military training duty or for promotions in the reserves is chargeable to sick leave. A copy of the orders requiring the examination must accompany the request for such sick leave. However, employees called for examination for duty in the armed forces under the military selective service act will be excused without charge to leave or loss of pay. If absence for this purpose exceeds one day, the employee will be required to submit a statement from the examining office explaining the necessity for the additional absence.
- G. Disabling injury or sickness: employees sustaining a disabling injury or sickness and qualifying for compensation from disability insurance, from a Town insurance policy, may be compensated from a combination of sick leave and disability insurance not to exceed 100% of his/her normal week's gross wages prior to incapacity. The Town will pay and charge sick leave in the percentage necessary to result in 100% gross wage.
- H. In the event of a disabling injury or sickness, an employee may receive compensation totally from sick leave (accrued leave permitting) until such time as insurance payments commence. At that time, the employee must reimburse the Town for disability insurance compensation received. The Town will adjust the accrued sick leave balance for sick days bought back.

### 3. PROCEDURE:

- A. Notification: when an employee becomes ill and unable to report to work, he / she shall so notify his / her Department Head or their designee. Such notification shall specify that the absence is because of illness or injury, the nature of it, and the probable duration if known. The notification shall normally be made within two hours of the start of the employee's work shift on the first day of the absence. Employees have an obligation to keep their Department Head or their designee informed on a continuing basis of their expected date of return to duty. If any sick leave exceeds three (3) days, the employee may be required to provide a note from a medical provider to the Town prior to returning to work. The Town of Eliot also reserves the right to send the employee to an occupational specialist at the town's expense (10-day doctor). Therefore, when the period of absence extends

beyond the date given by the employee during his initial call, he or she shall notify his Department Head or their designee of the new date he expects to return to work and continue to do so until he returns to work. Failure to do so may constitute unauthorized absence. Oral requests for sick leave for medical, dental, or optical examination or treatment shall be submitted in advance of the date of the scheduled appointment for such examination or treatment, and the employee shall obtain and submit written proof of the medical visit or treatment prior to returning to work.

- 1) If at any time during a period of approved sick leave, the Department Head or their designee has cause to doubt the validity of the employee's claim of incapacitation, the employee's Department Head or their designee shall notify the employee in writing that a doubt exists, the reason for the doubt, and that unless a satisfactory explanation is received within a reasonable time, the employee's absence will be changed to a nonpaying status and possibly face disciplinary actions.

#### 4. SICK LEAVE AS PERSONAL LEAVE:

- A. Any employee with accrued sick leave may request to use one day at a time of sick leave as personal leave.
- B. An employee may not use more than 3 sick days as personal days within a calendar year.
- C. Personal leave may be used for appointments with non-medical professionals such as attorneys, accountants, etc. It may be used for deaths that are not recognized as bereavement leave. It may be used by an employee who does not feel that it is safe to travel to work that day due to inclement weather. It may be used for other reasons not specifically listed.
- D. Personal leave is not granted automatically upon request. Requests for personal leave may be denied by the Department Head or their designee. Some reasons for denial may be staffing, notice of request was too short, timing – if there will be a need for that person to be in the office because of an anticipation of intensive activity during the day requested, first of the month, etc.
- E. Request for personal leave should be made in writing to the Department Head or their designee as early as possible. One exception is personal leave for inclement weather, which cannot be made in writing or prior to the occurrence.

**VACATION LEAVE: matrix classification chart amount will need to be change to reflect 10 hours instead of 8 hours**

#### 1. Award of and Credit for Unused Vacation Time:

- A. Lump Sum Vacation – added January 1 of each year

A probationary employee is credited with two and one-half (2.5 days) days of vacation leave that is to be used or accrued during the first six (6) months of

service. All other employees governed under this set of Personnel Policies will receive the full amount of vacation days due to them (see below) for that year in a "lump sum" on January 1 of each year.

<u>Years Service</u>	<u>Accrual per Year</u>
Six months to less than one (1) year	five (5) days
One (1) year to five (5) years	ten (10) days
Over five (5) years to eleven (11) years	fifteen (15)
days	
Over eleven (11) years	twenty (20)
days	
Over twenty-five (25) years	twenty-one
(21) days	
Over twenty-six (26) years	twenty-two
(22) days	
Over twenty-seven (27) years	twenty-three
(23) days	
Over twenty-eight (28) years	twenty-four
(24) days	
Over twenty-nine (29) years	twenty-five
(25) days	

B. Change in accrual:

Changes in the rate of vacation leave accrual shall take effect as of the employee's anniversary date of the leave year in which the employee completes the prescribed period of service.

C. Maximum accumulations:

- 1) Each employee is entitled to accumulate vacation leave until it totals not more than ten (10) days 80 hours on December 31 of any leave year.
2. It is expected that annual leave will be used in the year earned. Failure to properly utilize allowed vacation time according to this policy can and will result in the forfeiture of said paid time off.

3. Usage of vacation leave:

Vacation leave may be taken in increments of as little as 30-minute increments.

4. Granting annual leave:

A Department Head may grant an employee his or her accrued leave any time during the year.

B. The needs of the departmental services provided to the public shall determine whether an employee can be spared; however, leave should be granted to suit the wishes of the employee, whenever practicable.

C. Non-forfeiture:

The granting of vacation leave shall not be restricted by the Department Head on the ability of the employee to use said earned leave to the extent that an employee forfeits their earned leave. Each Department Head or their designee who is authorized to grant leave shall be responsible for implementing this policy.

D. Requesting annual leave:

- 1) All leave requests shall be approved by the Department Head. In the case of the Department Head requesting annual leave, the Town Manager is authorized to give approval upon proper notification.
- 2) No Department Head shall take vacation leave at the same time as their designated replacement is on any type of leave. However, the Town Manager retains the right to grant leave to the Department Head and the designated replacement as an exception.
- 3) An employee must receive the approval of his/her request for leave before he/she remains away from work; each Department Head shall inform her/his employees well in advance if leave cannot be granted. Approved vacation leave may be revoked at any time and the employee requested to return to duty before the expiration of such leave, should circumstances of the employee's service be required.

If more than one employee requests vacation leave, and because of operational needs, they cannot both be allowed to be absent on the same day(s), then the employee with greatest seniority shall be granted vacation leave.

5. Applicability:

- A. These regulations apply to all regular employees (full or part time).
- B. Full time employees earn and accumulate leave on an ~~eight (8)~~10 hour work day basis.

**SEE EMPLOYMENT CATEGORY AND BENEFITS MATRIX IN APPENDICES FOR MORE INFORMATION- as noted before- matrix benefits will need to reflect 10 hours, not 8 hours**

Select Board may consider granting other administrative time off with pay to all Town employees not represented by a contract. The decision to grant such administrative time off with pay is within the sole discretion of the Select Board, and the denial of any such request is final and not subject to appeal.

**WORKERS' COMPENSATION INSURANCE:**

The Town provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness arising out of or sustained in the course of

employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

If an employee sustains a work-related injury or illness, they are required to contact their Department Head immediately. This notification is required regardless of whether the injury/illness seems minor and regardless of whether the employee has sought medical treatment or lost time from work. It is important that the illness or injury be reported promptly so that the Town can comply with its reporting requirements and so that the claim is handled properly.

Failure to immediately report such injury or illness may also result in the denial of the employee's claim by both the workers' compensation carrier and their health insurer.

Neither the Town nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Town, or from employment outside the Town.

#### **GRIEVANCE PROCEDURE POLICY:**

This procedure is not for discrimination or harassment, which are covered under separate policies and/or laws.

This policy shall apply to any employee not covered by a union contract, which has a grievance procedure stated in it. A grievance is hereby defined as any dispute an employee may have on the meaning or application of any personnel policy or practice. A dispute shall be settled as follows:

1. An employee, believing a reason for grievance exists, must first state the problem in writing and discuss the matter with the Department Head within two (2) working days of noting the grievance. Within five (5) working days of such meeting, the Department Head must render a written decision.
2. If the grievant is not satisfied with the decision, the grievant may, within five (5) working days of receipt of the decision, forward the grievance in writing to the Town Manager. The Town Manager shall meet with the grievant and the appropriate Department Head within ten (10) days or, as soon as practicable by agreement of the grievant, the Department Head and the Town Manager. A final decision from the Town Manager shall be in writing and issued within fourteen (14) days after the conclusion of any such hearing.

#### **DISCRIMINATORY HARASSMENT – SEXUAL HARASSMENT**

Employer is also dedicated to providing a workplace that is free from discriminatory harassment. In keeping with its Equal Employment Opportunity policy and applicable law, employees are prohibited from harassing others on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation (including gender identity and expression), disability, age, ancestry, genetic information, whistleblower status, military/veteran status, or any other status protected by

law, and for any supervisory employee to permit any such act of harassment in the workplace by anyone, whether or not an employee.

The conduct prohibited by this policy includes any verbal or physical conduct based on a person's protected status that unreasonably interferes with an employee's job performance or creates a hostile work environment. Among the types of conduct prohibited by this policy are epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status and the circulation or posting of written or graphic materials that show hostility toward an individual because of his or her protected status.

Sexual harassment (one type of harassment "on the basis of" sex) is one form of discriminatory harassment that deserves special emphasis. Sexual harassment consists of unwelcome conduct of a sexual nature that is sufficiently persistent or offensive as to unreasonably interfere with an employee's job performance or create a hostile work environment. It includes but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include, but are not limited to: 1) Repeated unwelcome sexual flirtations, advances, or propositions; 2) slurs, jokes, or other language that is sexually oriented; 3) graphic or sexually degrading comments about an individual or his or her appearance; 4) the display of sexually suggestive objects or pictures; and 5) offensive physical contact.

Note that the conduct described need not occur at work in order to be considered harassment. The activity is not permitted regardless of where it occurs, if the harassing activity contributes to a hostile or offensive work environment. Communications that take place via electronic media can and often do constitute or contribute to illegal harassment. Also note that sexual harassment can be perpetrated by a man or a woman, and can occur between members of the same sex.

Any employee that believes s/he has been the target of illegal harassment, including sexual harassment, must report that to the Town pursuant to the Internal Complaint Procedures set forth below. Employees may also report illegal harassment, including sexual harassment, to the Maine Human Rights Commission at 207-624-6290.

### **WHISTLEBLOWER PROTECTION**

The Town of Eliot will not retaliate (discharge, threaten or otherwise discriminate) against an employee due to that person's whistleblowing activities as protected by law. The following types of activities are protected:

In good faith, reporting to the Town or a public body what the employee reasonably believes is a violation of a law or regulation;

In good faith, reporting to the Town what the employee reasonably believes is a condition or practice that would put at risk the health or safety of that employee or any other individual; Participating in, or being asked to participate in, an investigation, hearing or inquiry held by a public body, or in a court action;

In good faith, refusing to carry out a directive to engage in activity that would be a violation of a law or regulation, or that would expose the employee or any individual to a condition that would result in serious injury or death, after having sought and been unable to obtain a correction of the illegal activity or dangerous condition from the employer; and

The employee must first bring the alleged violation, condition or practice to the attention of a supervisor and allow Employer a reasonable opportunity to correct that violation, condition or practice. Employees are always encouraged to bring such concerns to the attention of Employer.

Any employee that believes s/he has been the target of retaliation due to whistleblowing activity should report that to the Employer pursuant to the Internal Complaint Procedures set forth below.

#### **INTERNAL COMPLAINT PROCEDURES AND NON-RETALIATION**

If the employee believes that they have been the subject of discrimination, discriminatory harassment (including sexual harassment), or whistleblower or other retaliation the employee should report the incident or act immediately to the Town Manager. If the employee is uncomfortable with bringing the concern to the Town Manager or the report involves that person, the employee may bring it to Chairman of the Select Board. Each employee alleging discrimination or harassment will be requested, but is not required, to put the specifics in writing. Employees who observe or learn of conduct which could be construed as discrimination or harassment should also report their observations pursuant to this policy.

Employer will investigate all complaints promptly. All information will be held in confidence to the extent possible and will be discussed only with those who have a need to know in order to either investigate or resolve the complaint. In the event that it is determined that unlawful discrimination, harassment, or Whistleblower or other retaliation has occurred, appropriate action will be taken, up to, and including, the termination of the offender.

No employee will be punished or penalized in any way for reporting, complaining about, or filing a claim concerning discrimination, harassment, or whistleblower or other retaliation, or for participating in the investigation of any such complaint. Employees should feel free to report concerns about discrimination, harassment, or whistleblower or other retaliation without any fear of reprisal. Any person who brings a complaint of discrimination, harassment, or whistleblower or other retaliation will be protected from retaliation in any form, and should report any retaliation immediately pursuant to these Internal Complaint Procedures.

#### **SAFETY:**

The Town of Eliot considers the employees to be its most important asset. In the interest of the safety of our employees and our desire to provide an accident-free work environment, the Town

is committed to an aggressive safety program. We will do all possible to assist our employees by providing safety awareness training programs.

The Town realizes that the success of any accident prevention effort depends primarily on the cooperation and active support of all employees. Each employee is expected to abide by the established safety rules and to follow safe work practices to insure his/her safety, as well as the safety of fellow employees.

1. The prevention of accidents must be a cooperative effort from which everyone will benefit.
2. Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor or Department Head. All reports can be made without fear of reprisal.
3. Employees must immediately report any unsafe condition to the appropriate Department Head or their designee. Employees who violate safety standards, who cause hazardous or dangerous situations, who fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.
4. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees are required to immediately notify the appropriate Department Head or their designee. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

#### **SAFETY EQUIPMENT:**

1. It is the policy of the Town, that when an employee is provided with safety equipment to do a task, the employee shall use this safety equipment as intended.
2. Safety equipment includes but is not limited to eye goggles, gloves, footwear, hearing protection, and fire protective equipment, police protective equipment, hard hats, seatbelts in town vehicles, etc. Employees are to use the newest safety equipment that has been issued to them.
3. Any employee not using the safety equipment provided may be reprimanded. Continued non-usage could be cause for dismissal.
4. Any person having medical reasons or other reason for not using any safety equipment shall notify their Department Head or their designee. The Department Head or their designee may request documentation of such reasons. Then it shall be the Department Head's decision as to: 1) the validity of the reason and 2) whether the employee should be involved in the duties requiring the safety equipment as well as the ability of the employee to fulfill the requirements of their job at the existing level; the Department Head will report these findings to the Town Manager.

**BUSINESS TRAVEL: in the event an employee works a full 10-hour day on Friday, the employee will take the following Monday off**

The Town will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. The Department Head must approve all business travel in advance.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, costs of travel shall be calculated using current IRS rate, and shall include costs of meals, lodging, and the expenses directly related to accomplishing official business travel objectives will be reimbursed by the town. Employees are expected to limit expenses to reasonable amounts.

Employees who are involved in an accident while traveling on official business must promptly report the incident to their immediate supervisor.

Vehicles owned, leased, or rented by the Town may not be driven for personal use. Employees are not to transport family members, guests or other non-business related persons in Town-controlled vehicles and equipment.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their Department Head or their designee when travel advances are needed.

When travel is completed, employees should submit completed travel expense reports within seven days. Receipts should accompany reports for all individual expenses.

Employees should contact their Department Head or their designee for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other official business travel issues.

Abuse of this official business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

#### **HIRING OF NEW EMPLOYEES:**

1. The Department Head will:
  - A. Take applications from interested candidates, both internal and external to the department.
  - B. Prepare a list of all applicants and note the candidate(s) to be interviewed..
2. The Department Head and supervisor(s), if appropriate, interview qualified candidates.
3. Any applicant the Department Head and supervisor(s) are considering must have background checks and a satisfactory physical (based on job duties) conducted prior to beginning employment with the Town.

4. An acceptable driving record is a condition of employment for any position that includes operating a vehicle on Town business.
5. A copy of a valid operator's license of the proper type and class must be given to the Town Manager for all hires; and for all volunteers who will drive any vehicle for the Town, including their own personal vehicle on Town business.
6. The Town Manager may request to interview the finalists with the Department Head, or may approve the Department Head's recommendation after review of the application and interview notes.
  - All candidates are asked the same pre-determined questions to ensure a fair process. At the end of the interview, candidates are encouraged to ask their own questions.
  - This policy is for the hiring new employees. The Town encourages promoting qualified individuals already employed by the Town.

**USE OF EQUIPMENT AND VEHICLES:**

1. Town equipment and vehicles essential in accomplishing duties are expensive and often difficult to replace. When using Town equipment or vehicles, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.
2. Employees will notify their Department Head or their designee immediately if any equipment or vehicle appears to be damaged, defective, or in need of repair.
3. Improper, careless, negligent, destructive or unsafe uses or operation of equipment or vehicles may result in disciplinary action, up to and including termination.
4. Town vehicles and equipment shall be used only for Town business.
5. Only authorized Town employees or volunteers will operate Town vehicles. An acceptable driving record is a condition of employment. Authorized drivers must possess a valid driver's license of the proper type and class for the types and classes of vehicles to be driven.
6. A bi-annual review of Motor Vehicle Records will be conducted for every employee or other person authorized to operate a municipally-owned vehicle or who use their own vehicle for Town business. This applies to present and future full-time, part-time, seasonal employees and volunteers, except the Fire Department. The Fire Department will follow the Maine Department of Labor rules regarding Emergency Vehicle operators.
7. Criteria that may be used to disqualify a person as an authorized driver include:
  - Three (3) or more moving violations in a 36 month period;
  - Driving under the influence of alcohol or drugs in the last three years;
  - Hit and run accident;

- Failure to report an accident;
- Operating a vehicle under a suspended or revoked license;
- Homicide, assault or a felony arising from the operation of a motor vehicle;
- Reckless driving or "criminal speeding" violation (Title 29-A, Section 2074).

8. If an annual MVR review reveals any of the above disqualifying criteria, the driver in question will be referred to the Town Manager for appropriate action.

**PRINTED INFORMATION:**

The Town's name, services, equipment or materials should not be used to produce or support non-essential or biased printed information. Committees, Boards, and the Town Manager are responsible to ensure that their printed information is essential to the proper operation of Town business. Before incurring the expense of mass distribution of printed information, other avenues of documentation such as the press, posting and public meetings should be exercised. When essential printed information is distributed, it should be in a manner that produces the pros and cons, the facts and consequences upon which the people of Eliot may make an informed decision regarding the specific subject. The Town Manager is the approving authority to preview any document to be printed and mass-distributed to ensure that it is factually accurate and free from bias. If, in the opinion of the Town Manager, the printed material is not appropriate and a dispute arises with a Board or Committee Chairperson, then the matter is to be remanded to the Select Board for a final decision.

**USE OF PHONE AND MAIL SYSTEMS:**

Personal use of town telephones is discouraged. Employees should practice discretion in using town telephones when making local personal calls and may be required to reimburse the Town for any charges resulting from their personal use of the telephone. Employees are also strongly discouraged from using their personal cellular phones or other devices for personal communication while on duty for the Town. Failure to restrict use of cell phones for personal use may lead to disciplinary action.

The use of Town-paid postage for personal correspondence is not permitted.

**ELECTRONIC COMMUNICATION POLICY:**

The Town of Eliot ("the Town"), in an age of growing technology and electronic communication, is implementing a policy to clearly define employee expectations and responsibilities.

"System" means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town provides to an employee or that is physically or electronically connected to any other part of the system. "Electronic Communication" means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, any part of the system, including, but not limited to e-mail, voicemail, and internet usage.

All parts of the system are owned by the Town and/or are provided solely for use in the Town's business activities. All electronic communications are the Town's property. The Town has the right and the ability to monitor and review all electronic communications at any time without notice to its employees or any other party and for any purpose whatsoever.

Town employees may not use the system, or send, download, create or store electronic communications upon the system, in a manner that is illegal, disruptive to others, or that interferes with the Town's business activities. All Town employees are prohibited from using any part of the system to harass others, or to download, obtain, display, store, receive or transmit: (a) any information that is sexually explicit, obscene, or of a sexual nature, that contain libelous or defamatory material, or that would not be permitted on any bulletin located on Town property; (b) any ethnic, racial or religious slurs, or anything that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or (c) any communications that are derogatory of fellow employees (except as may be required as part of the Town's business activities). The system may also not be used to solicit anyone for any commercial, religious, charitable, or political causes, or for outside organizations; except as otherwise provided below, the system may not be used for any purpose that is not related to Town business.

E-mail is used to transmit and receive messages internally and externally on matters of business connected to the Town. The occasional employee use of e-mail with permissible content for personal matters is not prohibited, but is discouraged, and shall not interfere with Town business or the employee's performance of his or her job. *Voicemail* is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up system space. *Internet usage* is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged, and shall not interfere with Town business or the employee's performance of his or her job. Any downloading of materials or loading of programs/software onto any part of the system without permission from the employee's Department Head or their designee is prohibited.

The workplace activities of Town employees reflect upon, and may create liability for the Town. Employees must understand that the Town may take disciplinary action, up to and including termination of employment, against any employee who violates the terms of this policy. The terms of the Town's electronic communication policy may be changed and/or supplemented from time to time by the Town.

#### **SMOKING:**

There is no smoking in any building owned and operated by the Town of Eliot. All smoking outside any town-controlled public building shall be 25' minimum distance from any public access point. No smoking is permitted in town-owned or controlled vehicles or equipment.

#### **STANDARDS OF CONDUCT & CONFLICTS OF INTEREST:**

##### **1. Standards of Conduct:**

Officials of the Town of Eliot are defined as all employees of the Town of Eliot as are all persons serving on boards, commissions and committees.

All officials of the Town of Eliot shall adhere to standards of conduct, which prohibit engaging in any criminal, infamous, dishonest, immoral, disgraceful or other conduct prejudicial to the government or affairs of the Town of Eliot or in conduct adverse to the health, benefit and welfare of its residents. This includes any action which might result in or create the appearance of using an official position for private gain, giving preferential treatment to any person, impeding Town government efficiency or economy, losing complete independence or impartiality, making decisions outside official channels, or adversely affecting the confidence of the public in the integrity of the Town government.

2. Conflict of Interest:

An actual or potential conflict of interest occurs when an employee or Town official is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Town's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, including parents, children, siblings, spouses, in-laws, uncles, aunts, first cousins, nieces and nephews.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town of Eliot does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Town of Eliot.

All officials must refrain from discharge of official duties when an acquired or retained financial or personal interest would disqualify them or appear to disqualify them from performing their duties with total freedom of any conflict of interest. Any official who represents the Town of Eliot should refrain from accepting favors or being entertained by anyone seeking to do official business with the Town. All Town officials are prohibited from using, either directly or indirectly, any "inside information" to further a private interest or to obtain private gain for themselves, other persons, or other entities. "Inside information" is defined as information which has not become a part of the body of public knowledge. Further, officials of the Town of Eliot shall not use their official position to induce or coerce any person or entity with whom they have family, business, or financial ties.

No "presumption of guilt" is created by the mere existence of a relation with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he/she discloses to the Select Board, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Town of Eliot employees who run for and are elected to the Select Board are deemed to have voluntarily resigned from their employment position with the Town of Eliot. Any current Town of Eliot employee who is elected to the Select Board must voluntarily resign his/her position with the Town prior to taking office and, failing to do so, will be considered

by the Town as having voluntarily resigned from Town employment upon taking oath of office.

## **ALCOHOL AND CONTROLLED SUBSTANCES TESTING POLICY:**

### **STATEMENT OF POLICY:**

The safety and well-being of our drivers, employees and the general public requires that our drivers perform their duties free from the effects of alcohol and/or drugs. A drug-free workplace is especially important to local government. A driver who uses and abuses alcohol and/or drugs is a hazard to this Town, the general public, other employees, and him/herself.

In order to ensure the safe operation of Town vehicles and provide for an efficient and drug-free workplace while complying with the Federal Motor Carrier Safety Regulations, the Town of Eliot has adopted this policy.

### **PROGRAM ADMINISTRATOR:**

The DPW Director has been designated by this Town as the alcohol/drug testing program administrator. In this function, the DPW Director will be responsible to answer any questions from the drivers, administrators, or the public in general.

The program administrator will handle all information on all tests of covered drivers as confidential. The program administrator may provide such information as necessary to the Supervisor to enable him/her to take proper disciplinary action as warranted. The program administrator may also release test information to this Town's substance abuse professional to use to evaluate and recommend appropriate follow-up.

### **DRIVERS SUBJECT TO TESTING:**

All drivers who must have a commercial driver's license to perform their duties, which are considered as safety-sensitive, will be subject to the alcohol and/or drug testing as outlined in this policy and required by title 49 Code of Federal Regulations (CFR) Part 382.

### **DRIVER COMPLIANCE WITH REGULATION:**

All drivers subject to alcohol and drug testing must be in compliance with the regulations and this policy at all times while in a working status for this Town. This will include all time spent driving a commercial vehicle as well as time spent performing safety-sensitive functions or just before or just after performing safety-sensitive functions.

### **SAFETY-SENSITIVE FUNCTION:**

A safety-sensitive function means all time from when a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required by section 392.7 and 392.8 of 49 CFR, otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;

3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time resting in a sleeper berth (a berth conforming to the requirements of section 393.76 of 49 CFR);
5. All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.

**SUBSTANCES TESTED FOR:**

The types of drugs being tested for are included in 49 CFR Part 382.

**PROHIBITED CONDUCT:**

During the time that drivers are performing safety-sensitive functions, they shall not:

1. Report to and/or remain on duty with an alcohol concentration of 0.04 or greater;
2. Possess any alcohol;
3. Use any alcohol;
4. Use any alcohol within four hours of going on duty;
5. Use any alcohol for eight hours after an accident, which will require the driver to be tested.
6. Refuse to submit to a required alcohol and/or controlled substances test;
7. Report to or remain on duty when using any controlled substance, except when used under a physician's orders and the physician has informed the driver that the use will not affect the safe operations of a commercial vehicle;
8. Report to or remain on duty if he/she has tested positive for controlled substance.

**TESTS REQUIRED:**

All drivers who are required to be tested for alcohol and/or controlled substance use or misuse will be tested under the following circumstances:

1. **PRE-EMPLOYMENT OR PRE-USE** – all applicants for jobs requiring a commercial driver's license and/or current employees transferring to a job, which requires a commercial driver's license, will be required to be tested for the use of controlled substances.
2. **RANDOM** – All drivers are subject to a twenty-five (25) percent likelihood of being selected to submit to unannounced random alcohol testing, which will be spread throughout the calendar year. All drivers are subject to a fifty (50) percent likelihood of being selected to submit to unannounced controlled substance testing. The Town has entered into a consortium pool,

including drivers from other companies, and the 25 and 50 percent levels apply to the entire pool of drivers.

3. **POST-ACCIDENT** – Drivers will be tested for alcohol and controlled substance in all accidents involving a fatality. If the accident is one where one or more vehicles were towed from the scene of the accident, or involves somebody being injured to the degree that the injury must be treated immediately away from the scene of the accident, and the Town's commercial vehicle has received a summons for a "moving traffic violation" as a result of the accident, he or she will be required to submit to an alcohol and controlled-substances testing. If found to be operating under the influence, the employee will be subject to immediate termination.
4. **REASONABLE SUSPICION** – All drivers that exhibit signs and/or symptoms of alcohol and/or controlled substance use or misuse, which are observed by a trained Town supervisor, while performing safety-sensitive functions or just before or just after performing safety-sensitive functions will be required to submit to an alcohol and/or controlled substance test.
5. **RETURN TO WORK** – A driver who previously tested positive for alcohol and/or controlled substance, must submit to a return to duty alcohol and/or controlled substance test, the result must be negative to be enabled to return to duty.
6. **FOLLOW-UP** – A driver who previously tested positive and has returned to duty must submit to at least six (6) alcohol and/or controlled substance tests during the first 12 months after returning to work if the substance abuse professional determines that the driver has an alcohol or substance abuse problem. Follow up tests will be unannounced and may continue for up to sixty (60) months after returning to work. Any follow-up tests will be at the direction of the substance abuse professional

#### TESTING PROCEDURES:

This Town has contracted with a licensed drug and alcohol testing vendor to do the alcohol testing and collection of the urine specimen(s) for controlled substance testing.

Once a driver has been directed to submit to an alcohol and/or controlled substance test, he/she will proceed immediately to the testing area. Drivers must comply with the lawful request to the technician doing the alcohol and/or controlled substance test.

The selected driver will be required to provide a urine specimen for controlled substance testing and/or a breath or saliva sample for analysis of alcohol concentration.

The driver will be required to provide photo identification prior to testing. Privacy will be ensured at the facility by means of voiding in a private enclosure. A split sample will be procured and both samples will be sent to the lab.

Proper chain of custody procedures will be followed to ensure that the specimen submitted is indeed the specimen that belongs to the selected driver. The specimen will be sealed to prevent tampering during transport to the laboratory. Federal certified laboratories will be utilized for

testing (drugs) and two separate methodologies will be performed to verify all specimens as positive prior to controlled substances reporting to the Medical Review Officer (MRO).

The MRO is a licensed physician who reviews all test results prior to reporting to the Town. Should the specimen test positive, the MRO will contact the driver to discuss the test findings and afford the driver an opportunity to discuss his/her/test results and any factors that could have attributed to the positive test. Should the driver question the test findings, the driver can request that the split sample be forwarded to another certified laboratory for re-analysis.

All test results are treated confidentially and no results will be released to outside parties without the drivers express consent or when required by law, rule, or regulation or expressly authorized. All testing for alcohol use or misuse will be conducted only by devices which have been approved by the National Highway Traffic Administration and conducted by trained breath alcohol technicians (BAT) or trained screening test technicians.

#### REQUIREMENT THAT DRIVERS MUST SUBMIT TO TESTS:

All drivers who are required by Federal Motor Carrier Safety Regulations and this policy to be subjected to alcohol and/or controlled substances tests must fulfill that requirement when so directed to the alcohol/drug testing program administrator or a supervisor. Failure to comply with the regulations or this policy will be grounds for disciplinary action up to and including dismissal. The following circumstances will be construed as refusing to submit to an alcohol and/or controlled substance test:

1. Fails to give an adequate sample of breath for an alcohol test without a valid medical evaluation.
2. Fails to provide adequate urine sample for a controlled substance test without a genuine inability to provide a specimen, as determined by medical evaluation.
3. Engages in conduct that clearly obstructs the testing procedures.

#### DISCIPLINARY ACTION:

Any driver who violates either the Federal Motor Carrier Safety Regulations or this policy may be subject to disciplinary action up to and including dismissal. If an employee is found to be operating a Town vehicle while under the effects of drugs or alcohol, they could be subject to immediate termination of their job.

Any driver who tests positive for either alcohol and/or controlled substance for the first time will be offered an opportunity for rehabilitation as required under Maine law. This will not apply to job applicants or employees who are being tested under the pre-use provision of this policy.

#### INFORMATION:

This Town will provide each driver subject to the Federal Motor Carrier Safety Regulations a copy of this policy. In addition, this Town will provide printed material which describes the effects of alcohol and/or controlled substance use or abuse on the individual's health, work and personal life, as well as, information on the signs and symptoms of an alcohol or controlled substances problem.

**TERMINATION OF EMPLOYMENT:**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

**Resignation:** Voluntary employment termination initiated by an employee.

**Discharge:** Involuntary employment termination initiated by the organization.

**Retirement:** Voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

**Lay Off:** Due to insufficient funding or lack of work. The Select Board may also order a reduction of hours or a shorter work week.

The Town Manager will offer to conduct exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, compensation, supervisory relationship, management, safety and other topics, and the return of Town-owned property. The Select Board may order general layoffs due to lack of work or insufficient funds. Notices will be posted in those departments so affected. In the event of layoffs, employees will be laid off according to the inverse order of their seniority of employment. The order of recall to work will be in the reverse order.

Termination and layoffs are further governed by the laws of the State of Maine.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid within seven business days. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

**DISCIPLINARY ACTIONS:**

Whenever, in the Department Head's judgment, an employee's performance, attitude, work habits, or personal conduct at any time falls below a suitable level, the department head shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action. In some instances, a specific incident in and of itself may justify severe disciplinary action, including discharge; however, the action to be taken will take into consideration factors including but not limited to the seriousness of the incident, the impact on the Town's operations, the likelihood of future incidents or lapses by the employee, and the employee's past performance and conduct.

Conduct subject to disciplinary action includes, but is not limited to:

1. Use of alcohol or illegal substances on the job.
2. Excessive absenteeism and/or tardiness.
3. Insubordination and / or disobedience.
4. Negligently endangering the safety of other employees or the public.
5. Theft, misuse, destruction or abuse of other's or Town property.
6. Use of abusive language or inappropriate behavior toward the public and other employees.
7. Criminal activity.
8. Failure to perform the duties of the position adequately.
9. Falsifying records, including job application, time sheets and others.
10. Threatening, disrupting, coercing, intimidating or interfering in any way with the work or safety of other employees or the public.
11. Failing to maintain a cooperative attitude or working relationship with co-workers or department head.
12. Transportation or possession of a firearm, switchblade knife or other weapon in the workplace or a Town-owned public building. This provision does not apply to a weapon assigned to a police officer.
13. The suspension or revocation of a license if the employee's position requires the operation of a motor vehicle in the performance of his/her duties.
14. Conduct that impairs the employee's effectiveness in performing his/ her duties or adversely affects the Town's or the department's operations.

#### **Types of Disciplinary Actions:**

Informal counseling shall not be considered discipline and is not subject to this section.

- A. Oral reprimand. Utilized for minor infractions and to correct a situation before it becomes more serious. A memorandum documenting this action will be included into the employee's personnel file.
- B. Written reprimand by the department head. Utilized for more serious infractions, as well as continuation of behavior previously disciplined. A written reprimand will include the nature of the offense, date and time of the offense, possibility of future disciplinary action and steps to correction of the action. The employee may provide a written response within seven (7) days. Copies of the reprimand and the employee's response, if any, will be included in the employee's personnel file.
- C. Suspension with or without pay by the Department Head with Town Manager consent. The intent of this action is serious discipline. A written notice of suspension will include the nature of the offense, date and time of the offense, possibility of future disciplinary action and steps to correction of the action. The employee may provide a written response within seven (7) days. Copies of the suspension, term of suspension and pay status during

suspension and the employee's response, if any, will be included in the employee's personnel file. In the case of demonstrated financial hardship, and at the request and with written authorization and consent of the employee, pay lost for the period of suspension will at the Town Manager's discretion and will be pro-rated and deducted over more than one pay period.

- D. Demotion, by the Town Manager with Department Head's Recommendation. This action should be considered very severe, and should involve a maximum of one step down on the pay scale, unless the current staffing of the employee's department is such that a greater reduction on the pay scale is necessary. A written notice of demotion will include the nature of the offense, date and time of the offense, possibility of future disciplinary action and steps to correction of the action. The employee may provide a written response within seven (7) days. Copies of the demotion and the employee's response, if any, will be included in the employee's personnel file.
- E. Discharge, by the Town Manager with Department Head's Recommendation. This obviously is the most serious level of discipline, and must invoke the procedures described in policy section "Termination of Employment" in this Personnel Manual. A written notice of discharge will include a summary of the issues that led to the decision. Copies of the notice of discharge will be included in the employee's personnel file.

**Disciplinary Procedure:**

1. Whenever a Department Head has cause to believe that a disciplinary action (A, B, C, D or E above) may be appropriate, the department head shall give reasonable notification to the employee concerned of the time and place of a disciplinary interview. If appropriate, and with Town Manager approval, the department head may place an employee on paid administrative leave, pending the disciplinary interview.
2. The purpose of the disciplinary interview is to allow the department head to inform the employee of the facts that are believed to warrant possible disciplinary action and to give the employee the opportunity to respond prior to effective date of disciplinary action.
3. Grievance: An employee who feels that he/she has been disciplined unfairly shall have the right to appeal the disciplinary action under the Grievance Procedure Policy in this Personnel Manual. The disciplinary action shall be stayed pending outcome of the grievance.
4. Documentation. All disciplinary actions will be documented, including oral reprimands. All disciplinary actions will be signed by the employee as well as the department head. The employee's signature does not acknowledge agreement

with the disciplinary action, but only that the employee has reviewed it. Refusal to sign a disciplinary action document will not affect the disciplinary action. The employee may, within seven (7) calendar days, prepare a written response and have it attached to the disciplinary action document and placed in the personnel file.

5. All records of disciplinary action with respect to oral and/or written reprimands shall be purged from the file if there is no other disciplinary action taken against the employee within the next two (2) years subsequent.
6. All records of disciplinary action equal to or greater than a suspension, but less than discharge, shall be purged from the file if there is no other disciplinary action taken against the employee within the next four (4) years subsequent.

**APPENDIX A) (RESERVED FOR FUTURE USE)**

**APPENDIX B: Employment Classifications and Benefits**

APPENDIX C: Compensation Ranges

APPENDIX D: Position Classification Scoring

Adopted July 28, 2005  
Effective August 15, 2005  
Amended (overtime) April 23, 2009  
Effective May 1, 2009  
Amended (overtime) February 25, 2010  
Effective February 25, 2010  
Amended ( Hiring of New Employees) , (license record check) October 14, 2010  
Effective October 14, 2010  
Amended (Use of Equipment & Vehicles) (license record check) October 14, 2010  
Effective October 14, 2010  
Amended July 14, 2011 (Disciplinary Actions)  
Effective July 14, 2011  
Adopted 7/12/12  
Adopted May 28, 2015 (Town Manager Form of Government)  
Full Amendment / Comp Plan - Adopted 11-30-17  
Amendment: Vacation: May 23, 2019

### **EMPLOYEE ACKNOWLEDGEMENT FORM**

The employee manual dated \_\_\_\_\_ describes important information for employees of the Town of Eliot; however, I understand that I should consult my supervisor regarding any questions not answered in the manual. I have entered into my employment relationship with the Town of Eliot voluntarily and acknowledge that there is no specified length of employment, unless specifically provided by ordinance, charter, by-law or statute. I further understand that the legislative body of the Town may abolish any or all jobs with the Town for budgetary, financial or reorganization purposes, and that any such action by the legislative body (the Town meeting) cannot be appealed by me.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the manual may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Eliot Select Board has the authority to adopt any revisions to the policies in this manual.

Furthermore, I acknowledge that this manual is neither a contract of employment nor a legal document. I have received the manual, and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
EMPLOYEE'S NAME (TYPED OR PRINTED)

1:14 PM

Warrant 151

8-13-2020

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
<b>00072 BERNSTEIN, SHUR, SAWYER &amp; NELSON</b>						
0683	17416	06	legal fees June		06/2020	
Invoice:3637083			E 93-06-99-01		82.50	0.00
Invoice:3637084			E 93-06-99-01		522.50	0.00
Invoice:3637085			E 93-06-99-01		55.00	0.00
Invoice:3637086			E 93-06-99-00		563.00	0.00
Invoice:3637137			E 93-06-99-01		1,705.00	0.00
<b>Vendor Total-</b>					<b>2,928.00</b>	
<b>00131 COMCAST</b>						
0683	17417	06	comcast bill FD		062020	
comcast bill fire dept			E 10-01-15-03		37.00	0.00
<b>Vendor Total-</b>					<b>37.00</b>	
<b>00287 INDUSTRIAL PROTECTION SERVICES, LLC</b>						
0683	17418	06	fire dept supplies		165697-00	
fire dept supplies			E 10-01-20-55		24.00	0.00
<b>Vendor Total-</b>					<b>24.00</b>	
<b>00812 NFPA</b>						
0683	17419	06	training		7770670Y	
training			E 10-01-03-05		279.05	0.00
<b>Vendor Total-</b>					<b>279.05</b>	
<b>01049 BOUND TREE MEDICAL, LLC</b>						
0683	17420	06	covid supplies		104510072020	
covid supplies			E 10-01-03-05		482.32	0.00
<b>Vendor Total-</b>					<b>482.32</b>	
<b>01267 VERIZON/WIRELESS</b>						
0683	17421	06	Air cards fire dept		9857082933	
air cards fire dept			E 10-01-15-03		68.56	0.00
<b>Vendor Total-</b>					<b>68.56</b>	
<b>01473 JAY MUZEROLL</b>						
0683	17422	06	reimb for comprehensive c		06202020	
reimb for cleaning			E 10-01-24-15		230.00	0.00
<b>Vendor Total-</b>					<b>230.00</b>	
<b>02029 WEX Bank</b>						
0683	17423	06	fuel fire dept		66181995	
fuel fire dept			E 10-01-20-15		416.71	0.00
<b>Vendor Total-</b>					<b>416.71</b>	
<b>02108 ReVision Energy, LLC.</b>						
0683	17424	06	revision bill		62	
police			E 10-05-15-02		1,631.79	0.00
pums st 1			E 70-05-15-02		1,223.84	0.00
pump st 2			E 70-10-15-02		1,165.57	0.00
town office			E 01-01-15-02		815.90	0.00
fire dept			E 10-01-15-02		699.34	0.00
traffic lights			E 10-30-15-02		233.11	0.00
pump st 3			E 70-15-15-02		58.28	0.00
<b>Vendor Total-</b>					<b>5,827.83</b>	
<b>02427 Norman, Hanson &amp; Detroy, LLC</b>						
0683	17425	06	collective bargaining		359945	
collective bargaining			E 93-06-99-01		518.00	0.00
<b>Vendor Total-</b>					<b>518.00</b>	

**A / P Warrant**

Warrant 151

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account		Proj			
				<b>Prepaid Total-</b>	<b>0.00</b>	
				<b>Current Total-</b>	<b>10,811.47</b>	
				<b>EFT Total-</b>	<b>0.00</b>	
				<b>Warrant Total-</b>	<b>10,811.47</b>	

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER  
Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

DocuSigned by:  
*Alex Orestis*  
ALEX ORESTIS  
08232406420540...

DocuSigned by:  
*Phil Lytle*  
PHIL LYTLE  
04074895624C4...

DocuSigned by:  
*Richard Donhauser*  
RICHARD DONHAUSER  
0781670623406...

DocuSigned by:  
*Robert McPherson*  
ROBERT MCPHERSON  
02884B0943040...

WILLIAM WIDI

A / P Warrant

Warrant 152

CORRESPONDENCE #  
SELECTMEN'S MEETING

8-13-2020

H-8B

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
<b>00783 WM. SHAPLEIGH &amp; SON CONST.</b>						
0684	17426	06	stormwater Tidy Road	05-16-5124		
stormwater tidy road	E 20-30-12-50				8,204.64	0.00
<b>Vendor Total-</b>					<b>8,204.64</b>	
<b>02441 Shipyard Waste Solutions, LLC</b>						
0684	17427	06	recycling services	105751		
recycling services	E 20-25-06-50				1,103.32	0.00
<b>Vendor Total-</b>					<b>1,103.32</b>	
<b>02535 Apex Construction, Inc.</b>						
0684	17428	06	2%retainage	Pay Req. 15		
2 % Retainage	E 92-01-99-01				28,070.10	0.00
<b>Vendor Total-</b>					<b>28,070.10</b>	
<b>Prepaid Total-</b>					<b>0.00</b>	
<b>Current Total-</b>					<b>37,378.06</b>	
<b>EFT Total-</b>					<b>0.00</b>	
<b>Warrant Total-</b>					<b>37,378.06</b>	

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER  
Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

DocuSigned by:

*Alex Orestis*  
ALEX ORESTIS

DocuSigned by:

*Richard Donhauser*  
RICHARD DONHAUSER

PHIL LYTLE

DocuSigned by:

*Robert McPherson*  
ROBERT MCPHERSON

WILLIAM WIDI

Warrant 38

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00570 York County Registry of Deeds</b>						
0029	17415	07	Lien Filing Fees		07202020	
Lien Filing Fees			E 01-02-05-20		1,672.00	0.00
<b>Vendor Total-</b>					<b>1,672.00</b>	
<b>Prepaid Total-</b>					<b>0.00</b>	
<b>Current Total-</b>					<b>1,672.00</b>	
<b>EFT Total-</b>					<b>0.00</b>	
<b>Warrant Total-</b>					<b>1,672.00</b>	

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

DocuSigned by:  
*Alex Orestis*  
ALEX ORESTIS

DocuSigned by:  
*Phil Lytle*  
PHIL LYTLE

DocuSigned by:  
*Richard Donhauser*  
RICHARD DONHAUSER

DocuSigned by:  
*Robert McPherson*  
ROBERT MCPHERSON

**A / P Warrant**

**CORRESPONDENCE # H-8D**  
**SELECTMEN'S MEETING**  
**8-13-2020**

4:18 PM

Warrant 40

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00109 CENTRAL MAINE POWER</b>						
0037	17500	07	cmp fire station		700000235466	
CMP fire station			E 10-01-15-02		31.48	0.00
<b>Vendor Total-</b>					<b>31.48</b>	
<b>00352 LAWSON PRODUCTS, INC.</b>						
0037	17501	07	rep/maint supplies			
rep/maint supplies			E 20-01-24-05		108.55	0.00
<b>Vendor Total-</b>					<b>108.55</b>	
<b>00474 NORTHEAST HYDRAULICS, INC.</b>						
0037	17502	07	vehicle rep/maint		76226	
vehicle rep/maint			E 20-01-24-15		5.00	0.00
<b>Vendor Total-</b>					<b>5.00</b>	
<b>00579 GENEST PRECAST</b>						
0037	17503	07	drainage materials		52820	
drainage materials			E 20-01-22-65		1,562.00	0.00
<b>Vendor Total-</b>					<b>1,562.00</b>	
<b>00648 SOUTHERN MAINE PLANNING</b>						
0037	17504	07	annual dues		15023	
annual dues			E 05-05-50-45		3,197.00	0.00
<b>Vendor Total-</b>					<b>3,197.00</b>	
<b>00782 WHITE SIGN</b>						
0037	17505	07	road signs		IVC110614	
road signs			E 20-01-24-56		68.01	0.00
<b>Vendor Total-</b>					<b>68.01</b>	
<b>00805 YORK WOODS TREE SERVICE, LLC</b>						
0037	17506	07	black mulch		33803	
black mulch			E 20-01-22-46		352.00	0.00
<b>Invoice Total-</b>					<b>352.00</b>	
0037	17506	07	weed fabric/pins		33808	
weed fabric/pins			E 20-01-22-46		19.17	0.00
<b>Invoice Total-</b>					<b>19.17</b>	
0037	17506	07	mulch/fabric		33783	
mulch/fabric			E 20-01-22-46		199.99	0.00
<b>Invoice Total-</b>					<b>199.99</b>	
0037	17506	07	weed fabric		33931	
weed fabric			E 20-01-22-46		22.38	0.00
<b>Invoice Total-</b>					<b>22.38</b>	
0037	17506	07	anchoring pins		33933	
anchoring pins			E 20-01-22-46		4.78	0.00
<b>Invoice Total-</b>					<b>4.78</b>	
<b>Vendor Total-</b>					<b>598.32</b>	
<b>00812 NFPA</b>						
0037	17507	07	annual membership		7737194X	
annual membership			E 10-01-03-01		175.00	0.00
<b>Vendor Total-</b>					<b>175.00</b>	
<b>00816 IRVING OIL MARKETING, INC.</b>						
0037	17508	07	fuel csd		33507647	
fuel csd			E 30-01-20-15		60.78	0.00
<b>Vendor Total-</b>					<b>60.78</b>	
<b>00885 ELDREDGE LUMBER AND HARDWARE</b>						

## Warrant 40

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
0037	17509	07	building supplies	07152020		
building supplies	E 20-10-20-50				337.00	0.00
<b>Vendor Total-</b>					<b>337.00</b>	
<b>00906 W.B. MASON COMPANY, INC.</b>						
0037	17510	07	office supplies fire dept	31345882		
supplies fire dept	E 10-01-20-40				24.87	0.00
<b>Vendor Total-</b>					<b>24.87</b>	
<b>01007 ELIOT SMALL ENGINE REPAIR, INC.</b>						
0037	17511	07	EZ straw	020548		
EZ straw	E 20-01-22-46				14.99	0.00
<b>Vendor Total-</b>					<b>14.99</b>	
<b>01260 SPRINT</b>						
0037	17512	07	cell phones fire dept	07102020		
cell phones fire dept	E 10-01-03-12				259.49	0.00
<b>Vendor Total-</b>					<b>259.49</b>	
<b>01441 WATCHGUARD VIDEO</b>						
0037	17513	07	vehicle rep/maint	ACCINV0026030		
vehicle rep/maint	E 10-05-24-15				83.35	0.00
<b>Vendor Total-</b>					<b>83.35</b>	
<b>01659 ATLANTIC RECYCLING EQUIPMENT, LLC</b>						
0037	17514	07	equipment repair	65498		
equipment rep/maint	E 20-25-24-10				292.50	0.00
<b>Vendor Total-</b>					<b>292.50</b>	
<b>01770 UNDERWOOD ENGINEERS</b>						
0037	17515	07	TIF engineering/design	15598		
TIF engineering/design	E 62-04-12-50				81,192.23	0.00
<b>Vendor Total-</b>					<b>81,192.23</b>	
<b>01771 AFLAC INCORPORATED</b>						
0037	17516	07	aflac bill	633318		
Aflac Bill	G 01-2219-00				131.45	0.00
<b>Vendor Total-</b>					<b>131.45</b>	
<b>01877 Seacoast Power Equipment</b>						
0037	17517	07	equipment rep/maint	159492		
equipment rep/maint	E 20-10-24-10				106.25	0.00
<b>Vendor Total-</b>					<b>106.25</b>	
<b>01911 ALTERNATIVE COMMUNICATIONS SERVICE</b>						
0037	17518	07	phone issues	48065		
phone issues	E 01-01-15-03				120.00	0.00
<b>Vendor Total-</b>					<b>120.00</b>	
<b>01930 MB TRACTOR &amp; EQUIPMENT</b>						
0037	17519	07	excavator rental	ER04040		
excavator rental	E 20-15-10-30				1,175.00	0.00
<b>Vendor Total-</b>					<b>1,175.00</b>	
<b>02064 Seacoast Printing</b>						
0037	17520	07	uniforms pub works	5101		
uniforms pub works	E 20-01-03-15				327.00	0.00
<b>Vendor Total-</b>					<b>327.00</b>	
<b>02183 ULINE</b>						
0037	17521	07	sign rep/maint	121818655		

## Warrant 40

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
sign rep/maint			E 20-01-24-56		188.24	0.00
<b>Vendor Total-</b>					<b>188.24</b>	
<b>02225 Seacoast Redicare</b>						
0037	17522	07	physical exam	99350		
physical exam			E 20-01-03-05		75.00	0.00
<b>Vendor Total-</b>					<b>75.00</b>	
<b>02350 New England Kenworth</b>						
0037	17523	07	vehicle rep/maint	CP459774		
vehicle rep/maint			E 20-01-24-15		2,180.04	0.00
<b>Invoice Total-</b>					<b>2,180.04</b>	
0037	17523	07	vehicle rep/maint	CP459696		
vehicle rep/maint			E 20-01-24-15		59.14	0.00
<b>Invoice Total-</b>					<b>59.14</b>	
<b>Vendor Total-</b>					<b>2,239.18</b>	
<b>02552 CivicPlus, Inc.</b>						
0037	17524	07	website hosting/support r	201856		
website hosting/support			E 01-01-10-11		2,199.75	0.00
<b>Vendor Total-</b>					<b>2,199.75</b>	
<b>02592 W. D. Perkins</b>						
0037	17525	07	pump testing	9452		
pump testing			E 10-01-11-23		1,100.00	0.00
<b>Vendor Total-</b>					<b>1,100.00</b>	
<b>02599 Batteries Plus Bulbs</b>						
0037	17526	07	vehicle rep/maint	P28820987		
vehicle rep/maint			E 20-01-24-15		385.90	0.00
<b>Vendor Total-</b>					<b>385.90</b>	
<b>02679 Cravens Inspection Services L.L.C.</b>						
0037	17527	07	inspection fees	190172		
inspection fees			E 10-01-24-20		408.00	0.00
<b>Vendor Total-</b>					<b>408.00</b>	
<b>02783 Jason Revilla</b>						
0037	17528	07	soccer refund	07202020		
soccer refund			E 81-12-03-05		50.00	0.00
<b>Vendor Total-</b>					<b>50.00</b>	
<b>02784 Bridges Electric Inc.</b>						
0037	17529	07	REPEATER/CELL tower	16980		
REPEATER/CELL tower			E 62-05-99-01		3,800.00	0.00
<b>Vendor Total-</b>					<b>3,800.00</b>	
<b>02785 Acuity Specialty Products, Inc.</b>						
0037	17530	07	supplies/materials	9005318957		
supplies/materials			E 20-01-24-05		132.99	0.00
<b>Invoice Total-</b>					<b>132.99</b>	
0037	17530	07	equipment repair	9005324332		
equip repair			E 20-01-24-10		65.00	0.00
<b>Invoice Total-</b>					<b>65.00</b>	
<b>Vendor Total-</b>					<b>197.99</b>	

# A / P Warrant

Warrant 40

Jrnl	Check	Month	Invoice Description	Reference	
Description	Account		Proj	Amount	Encumbrance
			<b>Prepaid Total-</b>	<b>0.00</b>	
			<b>Current Total-</b>	<b>100,514.33</b>	
			<b>EFT Total-</b>	<b>0.00</b>	
			<b>Warrant Total-</b>	<b>100,514.33</b>	

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER  
Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

DocuSigned by:

*Alex Orestis*  
ALEX ORESTIS  
6823240642CB4F8...

DocuSigned by:

*Phil Lytle*  
PHIL LYTLE  
3407F8958024C4...

DocuSigned by:

*Richard Donhauser*  
RICHARD DONHAUSER  
1A91FC6E2B46A...

DocuSigned by:

*Robert McPherson*  
ROBERT MCPHERSON  
E26818CD4D0046F...

WILLIAM WIDI

A / P Warrant

H-8D

4:18 PM

CORRESPONDENCE #  
SELECTMEN'S MEETING  
8-13-2020

Warrant 42

H-8E

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00030 Eliot-Kittery American</b>						
0052	17531	07	Cemetery grave flags	072020		
flags/markers and light			E 06-10-50-40		520.00	0.00
<b>Vendor Total-</b>					<b>520.00</b>	
<b>00131 COMCAST</b>						
0052	17532	07	comcast bill pub works	07132020PWD		
comcast bill pub works			E 20-01-15-03		106.37	0.00
<b>Invoice Total-</b>					<b>106.37</b>	
0052	17532	07	comcast CSD	07302020		
comcast CSD			E 30-01-15-03		497.39	0.00
<b>Invoice Total-</b>					<b>497.39</b>	
<b>Vendor Total-</b>					<b>603.76</b>	
<b>00172 DONALD SYLVESTER</b>						
0052	17533	07	tool reimbursement	07292020		
tool reimbursement			E 20-01-03-05		2.50	0.00
<b>Vendor Total-</b>					<b>2.50</b>	
<b>00458 NATIONAL WRECKER, INC.</b>						
0052	17534	07	vehicle maintenance	45822		
vehicle maintenance			E 20-01-24-15		144.15	0.00
<b>Vendor Total-</b>					<b>144.15</b>	
<b>00529 ReadyRefresh by Nestle</b>						
0052	17535	07	water bill town office	00G0441964087		
water bill town office			E 01-01-20-40		11.00	0.00
<b>Vendor Total-</b>					<b>11.00</b>	
<b>00541 UNITED STATES POSTAL SERVICE</b>						
0052	17536	07	USPS marketing mail permi	07202020		
USPS marketing mail Permi			E 01-01-20-05		240.00	0.00
<b>Vendor Total-</b>					<b>240.00</b>	
<b>00559 RAITT'S SIGNS &amp; DESIGNS</b>						
0052	17537	07	sign materials	4890		
sign materials			E 20-01-24-56		260.00	0.00
<b>Vendor Total-</b>					<b>260.00</b>	
<b>00684 THERMO DYNAMICS, INC.</b>						
0052	17538	07	biannual billing HVAC mai	20-408		
biannual billing HVAC mai			E 01-01-24-20		839.25	0.00
<b>Vendor Total-</b>					<b>839.25</b>	
<b>00717 TOWN OF KITTELY, MAINE</b>						
0052	17539	07	Quarterly payment	118631		
quarterly sewer payment			E 70-01-05-60		47,559.24	0.00
<b>Vendor Total-</b>					<b>47,559.24</b>	
<b>00725 TREASURER OF STATE</b>						
0052	17540	07	BMV 0713-0727	0713-0727		
BMV 0713-0727			G 01-2040-00		43,548.68	0.00
<b>Vendor Total-</b>					<b>43,548.68</b>	
<b>00783 WM. SHAPLEIGH &amp; SON CONST.</b>						
0052	17541	07	stormwater tidy road	05-16-5125		
stormwater tidy road			E 20-30-12-50		86,902.36	0.00
<b>Vendor Total-</b>					<b>86,902.36</b>	
<b>00796 YORK COUNTY COMMUNITY ACTION</b>						

## Warrant 42

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
0052	17542	07	FY 21 appropriation		07222020	
FY 21 Appropriation			E 06-10-60-75		1,600.00	0.00
<b>Vendor Total-</b>					<b>1,600.00</b>	
<b>00897 SUNDANCE SIGN COMPANY</b>						
0052	17543	07	signs boat basin		7620	
signs boat basin			E 20-01-24-56		395.00	0.00
<b>Vendor Total-</b>					<b>395.00</b>	
<b>00906 W.B. MASON COMPANY, INC.</b>						
0052	17544	07	office supplies PD		212059215	
office supplies pd			E 10-05-20-40		6.88	0.00
<b>Invoice Total-</b>					<b>6.88</b>	
0052	17544	07	office supplies PD		212106118	
office supplies PD			E 10-05-20-40		149.73	0.00
<b>Invoice Total-</b>					<b>149.73</b>	
<b>Vendor Total-</b>					<b>156.61</b>	
<b>01006 ME. MUNICIPAL EMPLOYEE HEALTH TRUST</b>						
0052	17545	07	health insurance bill		082020	
admin			E 01-01-03-10		4,152.96	0.00
land use			E 01-03-03-10		3,181.49	0.00
clerks			E 01-02-03-10		3,330.96	0.00
public works			E 20-01-03-10		1,246.43	0.00
police			E 10-05-03-10		12,845.08	0.00
csd			E 30-01-03-10		4,807.59	0.00
ee contributions			G 01-2230-00		6,682.01	0.00
<b>Vendor Total-</b>					<b>36,246.52</b>	
<b>01007 ELIOT SMALL ENGINE REPAIR, INC.</b>						
0052	17546	07	Equip rep/maint		20569	
equip rep/maint			E 20-10-24-10		6.48	0.00
<b>Invoice Total-</b>					<b>6.48</b>	
0052	17546	07	grass seed		20561	
topsoil seed			E 20-01-22-46		115.00	0.00
<b>Invoice Total-</b>					<b>115.00</b>	
0052	17546	07	EZ straw		20568	
EZ straw			E 20-01-22-46		29.98	0.00
<b>Invoice Total-</b>					<b>29.98</b>	
<b>Vendor Total-</b>					<b>151.46</b>	
<b>01051 WELLS FARGO FINANCIAL LEASING</b>						
0052	17547	07	copier lease PD		5011161586	
copier lease PD			E 10-05-10-14		167.75	0.00
<b>Vendor Total-</b>					<b>167.75</b>	
<b>01307 AGGREGATE RECYCLING CORPORATION</b>						
0052	17548	07	recycling fees		44643	
recycling fees			E 20-01-22-32		1,755.46	0.00
<b>Vendor Total-</b>					<b>1,755.46</b>	
<b>01335 STEVEN R. ROBINSON</b>						
0052	17549	07	phone stipend		072020	
phone stipend			E 20-01-03-12		20.00	0.00
<b>Vendor Total-</b>					<b>20.00</b>	
<b>01393 HOME DEPOT CREDIT SERVICES</b>						
0052	17550	07	bldg rep/maint		07132020	
bldg rep/maint			E 20-01-24-20		270.37	0.00

Warrant 42

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
				<b>Vendor Total-</b>	<b>270.37</b>	
<b>01445 Allegiant Care</b>						
0052	17551	07	insurance august	092020		
ee			G 01-2230-00		1,250.14	0.00
er			E 20-01-03-10		8,468.86	0.00
				<b>Vendor Total-</b>	<b>9,719.00</b>	
<b>01513 Consolidated Communications</b>						
0052	17552	07	cons comm Town office	439376787		
cons comm town office			E 01-01-15-03		411.96	0.00
				<b>Invoice Total-</b>	<b>411.96</b>	
0052	17552	07	cons comm eliot PD	439377986		
cons comm Eliot PD			E 10-05-15-03		491.60	0.00
				<b>Invoice Total-</b>	<b>491.60</b>	
				<b>Vendor Total-</b>	<b>903.56</b>	
<b>01794 MAINE ASSOCIATION OF POLICE</b>						
0052	17553	07	union dues	5537		
union dues			G 01-2235-00		180.00	0.00
				<b>Vendor Total-</b>	<b>180.00</b>	
<b>01930 MB TRACTOR &amp; EQUIPMENT</b>						
0052	17554	07	excavator rental	ER04046		
excavator rental			E 20-15-10-30		730.00	0.00
				<b>Vendor Total-</b>	<b>730.00</b>	
<b>02019 RICHARD PHILBRICK</b>						
0052	17555	07	postage reimbursement	07222020		
postage reimbursement			E 10-15-03-05		6.95	0.00
				<b>Vendor Total-</b>	<b>6.95</b>	
<b>02034 Election Systems &amp; Software</b>						
0052	17556	07	election	5800923558		
coding/audio/media 07/14			E 15-15-99-01		814.70	0.00
Ballots			E 15-15-99-01		3,391.39	0.00
				<b>Vendor Total-</b>	<b>4,206.09</b>	
<b>02144 Teamsters Union Local 340</b>						
0052	17557	07	union dues pub works	AUG 2020		
union dues pub works			G 01-2237-00		513.00	0.00
				<b>Vendor Total-</b>	<b>513.00</b>	
<b>02671 JD's Drain Cleaning Inc.</b>						
0052	17558	07	boat basin bathroom clog	2316		
boat basin bathroom clog			E 20-10-24-10		120.00	0.00
				<b>Vendor Total-</b>	<b>120.00</b>	
<b>02773 Quadient Leasing USA, Inc.</b>						
0052	17559	07	postage machine lease	N8393803		
postage machine lease			E 01-01-10-11		432.81	0.00
				<b>Vendor Total-</b>	<b>432.81</b>	
<b>02786 All Clean and Green Recovery Services</b>						
0052	17560	07	refrigerator recycling	408344		
refrigerator recycling			E 20-25-06-55		45.00	0.00
				<b>Vendor Total-</b>	<b>45.00</b>	
<b>02787 Centerline Utility Services</b>						
0052	17561	07	locate underground utilit	2020518		
locate undergrnd utilitie			E 20-01-15-01		175.00	0.00

**A / P Warrant**

Warrant 42

Jrnl	Check	Month	Invoice Description	Reference	
Description			Account	Proj	Amount
					Encumbrance
			<b>Vendor Total-</b>		<b>175.00</b>
			<b>Prepaid Total-</b>		<b>0.00</b>
			<b>Current Total-</b>		<b>238,425.52</b>
			<b>EFT Total-</b>		<b>0.00</b>
			<b>Warrant Total-</b>		<b>238,425.52</b>

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER  
Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

DocuSigned by:  
*Alex Orestis*  
ALEX ORESTIS  
002324D642C84F0...

PHIL LYTLE

DocuSigned by:  
*Richard Donhauser*  
RICHARD DONHAUSER  
91E91EFC6EC3406...

DocuSigned by:  
*Robert McPherson*  
ROBERT MCPHERSON  
E2681BCD4D0046F...

WILLIAM WIDI

**Town of Eliot  
Employee Political Activity  
August, 2020**

- (a) No Town employee may, as part of his or her job, be required to perform tasks in any way related to partisan political activity.
- (b) Town employees, like all citizens, have a constitutional right to express political opinions and engage in political activities. It is required that they do so only on their own time and avoid even the appearance that they are speaking or acting on behalf of Town.
- (c) Restricted Activities: Town employees are prohibited from engaging in the following activities:
  - a. Identifying yourself as a Town employee when participating in partisan political activities;
  - b. Running as a candidate for an incompatible public office or an office which creates a conflict of interest while retaining his or her position at the Town. All employees seeking elected office must first notify the Town Manager in writing of their intent, including the position being considered. The Town Manager will notify the employee in writing if seeking such office will be considered a conflict;
  - c. Engaging in political activity while on duty or on or in any property owned or leased to the Town;
  - d. Engaging in political activity while wearing any Town uniform or insignia;
  - e. Using Town equipment, including computers, printers, copiers, mobile and landline telephones, fax machines, or office supplies to engage in any type of political activity;
  - f. Distributing pamphlets, wearing buttons or other indication of support for any particular candidate, political party or political cause during such times while he or she is performing his or her official functions and duties with the Town. Nothing herein shall be construed to prohibit any Town employee from participating in the political process during off-duty hours and in his or her capacity as a private citizen.
  - g. Using the Town's e-mail system or communications platforms (e.g., website, Facebook, Twitter) to engage in any type of political activity;
  - h. Allowing your official position, influence, or duties at the Town to be used in connection with campaign or fund-raising activities for partisan political activities.
- (d) No political activity undertaken by a Town employee shall be construed as an endorsed or sponsored activity of the Town.
- (e) Town employees who participate in political activities are reminded that they are still subject to the Town's policies and procedures and are required to carry out official Town duties in professional, impartial, fair and unbiased manner.
- (f) The actions detailed in this policy will not apply if an employee is authorized or required to communicate an official position of the Town related to an issue concerning the Town or related to municipal government.

**Town of Eliot Budget Committee  
William Fogg Public Library Memorandum of Understanding (MOU)  
Comments and Concerns  
July 27, 2020**

As requested by the Town Manager, The Budget Committee (the "Committee") has reviewed the draft MOU between the Town of Eliot and the William Fogg Public Library prepared by the Town Manager and related memoranda prepared by the Library Director concerning an MOU and a possible ballot question for the upcoming November ballot. The Committee also reviewed a Library financial report which included historical and budget data for years 2016 through 2020. This report details the Committee's consensus on this matter.

In general, the Committee supports an MOU between the Town and the Library since it is well known that the Trust cannot sustain Library financial support in the long term. The Committee views this process in two distinct phases, the first of which is the proposed November ballot question, and the second is the actual crafting of an MOU.

November Ballot Question

The Committee cannot support an MOU that requires the Town to pay \$252,609 and the Library (including Trust funds) pays \$23,761, as was outlined in the memorandum from the Library Director, Lydia Goodwin, to the Select Board dated May 2, 2020. This actually represents a \$52,000 increase over the amount recently approved by voters for the FY 2020-2021 municipal budget.

First, the Committee feels it should be mandatory that the Director provide a 5-year Business Plan to the Board that addresses all operational and fund raising aspects, including, but certainly not be limited to:

- a. Library users growth projections, and any increases in services to support that growth;
- b. A staffing plan, including staff requirements and projected wage and benefit increases;
- c. Other non-staffing related expense increases;
- d. A delineation of operating expenses used to support the Fogg House and the source of funding for those expenses;
- e. Non-capital fund raising efforts and anticipated financial results; and
- f. Capital fund raising efforts, including justification for future projects.

This information is necessary so that the Town can present a realistic and viable ballot question, with documentation that voters can review before voting on a proposed ballot question. The Committee also feels it is only appropriate that a public meeting should be held to discuss this matter and the associated financial data.

Further, given the time to prepare such documents, the Committee feels that placing a question on the November 2020 ballot is aggressive, and should be postponed at least until June 2021. We would not like to see this pushed through without appropriate analysis and consideration.

#### Crafting a Memorandum of Understanding

The structure and content of this potential agreement is the main concern of the Committee. Underlying that concern is the fact that the Library is intent on remaining independent of Town oversight on financial and operational matters. They wish to remain independent of the Town Charter and Town ordinances under any situation, while fully expecting the Town and its taxpayers to support the Library's financial operations without question.

The Committee agreed that the draft MOU submitted by the Town Manager had some very valid points, but that it failed to address other important topics. The following are sections of an MOU the Committee believes are necessary, but not all inclusive, and it understands that legal counsel will be sought concerning any final document:

1. "By" and "Between" parties;
2. Purpose and Scope of the MOU;
3. Responsibilities and Obligations of each party;
4. Timeline/Term of the agreement;
5. Amendment or Cancellation parameters;
6. Liability limits of the Town of Eliot;
7. Arbitration/Mediation parameters;
8. Governing Law (i.e., State of Maine); and, finally a
9. Summary paragraph, indicating the Parties will work cooperatively and with a coordinated effort to achieve each other's goals and objectives.

The Library Director has indicated that she feels the Town should support 100% of the Library fiscal needs, excluding building maintenance and capital expenses. The Committee feels strongly that there should be some pressure brought to bear on the Library to partly support its financial needs, and suggests perhaps that the Town support some amount less than 100% of the fiscal needs; while the Library (through charges for services and fund raising efforts) and the Trust support the balance. A 70% Town supported and 30% Library/Trust Fund supported arrangement was discussed as an option. Other levels of support were also discussed, but without more financial information, no consensus on a level of support was reached. Again, this support would exclude maintenance and capital expenses. Capital expenses are to be supported through fund drives and are not to be taxpayer supported.

In an effort to keep this report as brief, and as concise as possible, the following is a list of concerns and/or questions the Committee has regarding an MOU between the Town and the William Fogg Public Library:

- a) The paragraph "Duty For Clarity" in the Town Manager draft states that "operational expenses should be highly defined and finite". Any unlisted, "soft costs" shall fall to the Trustees, even if operational in nature" and should be part of a final MOU. These are excellent points and should be included in the final agreement.
- b) The paragraph "Terms" in the Town Manager draft states that the initial term should be two years, then ask voters to approve an MOU for up to 5 years, with 5-year renewal periods. The Committee agrees with the initial term concept, but feels the initial term should be one year, with an optional second year, before approaching the voters for 5-year terms.
- c) The paragraph "LD1/Override" is also includable in a final MOU, but a base amount needs to be determined and accepted by both parties. Also, the final MOU should consider restricting use of the Trust Fund to a maximum amount of, say, 5% of its portfolio, and for that amount to be used only for support of the annual operating budget.
- d) The paragraph "Representation/Oversight" is excellent in concept, and is a must in the opinion of the Budget Committee. The Town must retain a right to weigh-in on all operational parameters. However, the Committee has the following general questions/concerns:
  - 1) Recent annual budgets have increased significantly, with the majority of increases being in Salaries, Wages and Benefits. This not only includes increases for existing staff, but increases in staffing. These increases were put in place knowing the Trust could not afford the added expenses. Such practice cannot be continued. The Town must have a say in these decisions.
  - 2) What will be the roles of the Select Board and the Budget Committee in the budget cycle after adoption of an MOU where they have representation on a Subcommittee? Do Subcommittee members report back to their respective groups and seek approval of budgets and then sign off on a budget? Or might the groups disagree with what their representatives agreed to and propose a different amount for the ballot? How do the parties intend this to work?
  - 3) How does this arrangement affect the Citizens Option Meeting? If the Library Director or the Trustees do not like an agreed upon budget, can they seek approval of a different amount at the Option Meeting?
  - 4) The Town must insist on an independent review of the Library's financial records on a regular basis.
  - 5) The Committee does not support "Alternate 2" in the Town Manager draft, which discusses additional Trustees.
- e) The paragraph "Policies/Planning" in the Town Manager draft needs to be refined further in the opinion of the Committee.
  - 1) Insisting that the Trustees shall be responsible for "administering a clear and thorough Personnel Policy" with regard to all personnel matters, as is written in the Town Manager draft, is paramount.

- 2) Limits to annual budget increases for salaries, wages and benefits should be defined, such as COLA or COLA plus a certain percentage.
  - 3) The Library should also be required to comply with the Town Charter and Town Ordinances with respect to election and budget campaigns.
- f) The Committee questions whether the paragraph "Collective Bargaining Unit" in the Town Manager draft is even legal.

As mentioned earlier, a paragraph outlining the limitations of Town liability for Library operations needs to be included in a final MOU. The Committee feels the Town should be excluded from any and all liabilities with regards to the William Fogg Public Library and its day to day operations.

The Committee cannot support an open-ended agreement between the Library and the Town, where the Library is in control and the Town has no voice, and, based on the Town Manager's draft, we believe he concurs. The Committee honestly feels this could open a flood gate of local agencies looking for Town support for their causes.

Certainly legal counsel will be invaluable in addressing the concerns outlined here.

The Committee sincerely requests to have a workshop with the Select Board and the Town Manager to further discuss this matter.

# Eliot Board, Committee, and Commission Positions Available (Posted 08/06/2020)

K-1

CORRESPONDENCE #  
 SELECTMEN'S MEETING  
8-13-2020

Board, Committee or Commission	Regular/Alternate Member	# of Positions	Term Expiration
Conservation Commission	Regular Member	1	June 2023
	Regular Member	1	June 2021
	Alternate Member	1	June 2022
	Alternate Member	1	June 2021
Planning Board	Alternate Member	1	June 2022
Tax Increment Financing Committee	Alternate Member	1	June 2021
	Alternate Member	1	June 2023

If you would like information about the Boards, Committees, and Commissions, contact Dana Lee, Town Manager at the Town Office by phone 207-439-1813 ext. 107 or by email [townmanager@eliotme.org](mailto:townmanager@eliotme.org)