

Eliot Select Board Agenda (amended)
Thursday January 27, 2022 5:30PM Town Hall
Meeting Room and use of the OWL for Remote via ZOOM

Call to order

A. Roll Call

B. Pledge of Allegiance

C. Public Comment

D. Approval of Minutes: November 15, 2021, December 9, 2021, January 13, 2022

E. Department Head/Committee Report:

F. New Business:

1. Fiscal Year 2023 Budget
2. Acceptance of Meghan Zotara-Weeks resignation Town Hall CIP Building Committee
3. Request for Appointment of Christine Bennett to the Eliot Planning Board

G. Old Business

1. American Rescue Plan Act (ARPA) (revised)
2. Lease agreement for Fire Truck

H. Approval of Warrants:

1. A/P #57 \$121,295.42
2. A/P #61 \$125,722.78

I. Selectmen's Report: Seeking Committee Members Listing

J. Executive Session;(not called for)

K. Adjournment:

Join Zoom Meeting

<https://us06web.zoom.us/j/81813313595?pwd=OTYva2hsK0swNkJLWXFRZIA2c2RaQT09>

Meeting ID: 818 1331 3595

Passcode: 059663

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**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM
Town Hall/Hybrid**

1 **Quorum noted**

2
3 **5:30 PM:** Meeting called to order by Chairperson Orestis.

4
5 **A. Roll Call:** Mr. Orestis, Mr. Donhauser, Mr. McPherson, Mr. Widi, and Ms. Dow.

6
7 **B. Public Hearing Arcanna: Tier 3 Marijuana Manufacturing License Renewal**

8
9 **5:31 PM Public Hearing Opened**

10
11 Mr. (Dana) Brearley (applicant) said that he was here to answer any questions.

12
13 There were no public comments or questions.

14
15 **5:32 PM Public Hearing closed**

16
17 **Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve**
18 **the renewal license application for a Marijuana Manufacturing Facility and**
19 **Marijuana Cultivation Facility, Tier III License, for Arcanna, LLC located**
20 **at 291 Harold L. Dow Highway, Eliot, ME 03903 (Map 37/Lot 2).**

21
22 DISCUSSION

23
24 Ms. Dow asked if this was different from the previous application from last year.

25
26 Mr. Brearley said that the only thing different from last year was the lab report;
27 that it was under construction at the last approval but that first little part of the
28 building and we now have the State approval, so that has been resolved.

29
30 DISCUSSION ENDED

31
32 **Roll Call Vote:**

33
34 **Mr. Orestis – Yes**

35 **Mr. Donhauser – Yes**

36 **Mr. McPherson - Yes**

37 **Mr. Widi – Yes**

38 **Ms. Dow - Yes**

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40 **Unanimous vote to approve motion.**

**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid**

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C. Public Comment:

5:34 PM

Attorney Leah Rachin introduced herself, saying that I'm unfamiliar with the process but wonder if now was the time to address an issue that's on your agenda or if you allow comment as your agenda progresses. This is regarding the moratorium. I'm hoping you received the letter I sent out. (It was received.) I'm fully aware that this is not a public hearing and I'm not here to yammer on about it. I just essentially wanted to say, before you do perhaps direct the drafting of a moratorium or put it to a public hearing, the reason I wanted to address it before is because of all the reasons I stated in my letter. We don't believe that a moratorium is actually a legal thing to put forward because there's no necessity. I'm happy to talk about that a little more if you would entertain it, if I should wait until the agenda item comes up. I just put it in your hands.

Mr. Orestis said that that is the next item coming up. So, I will turn it over to the Planner and invite you up to speak in a few minutes.

D. Approval of Minutes of Previous Meeting(s)

There were no minutes tonight.

E. Department Head/Committee Reports

5:35 PM 1) Planning Director Report(s)

Mr. Brubaker said that, on October 14th, you heard about the potential for a moratorium on distributed commercial energy facilities or, more specifically, commercial solar energy facilities. He explained the two instances under State law in which a moratorium can be placed. The moratorium would initially be active for 180 days and adopted by the voters of the Town; that the SB can then extend it another 180 days, if warranted. There is an example of a moratorium on commercial solar arrays that South Berwick has. This issue has come up in relation to a project that is currently under review by the PB. We recommend having the next step be myself and the PB work to actually develop land use regulations to govern commercial solar arrays. And try to have that ready for the June ballot. Then, if there is a need to discuss a moratorium, we can, but that would be my recommendation.

Ms. Dow said that I saw that South Berwick had multiple requests for solar arrays and that was the reason they enacted the moratorium for themselves. What is the state of Eliot requests.

**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid**

87 **5:37 PM**

Mr. Brubaker said that we have had only one PB application for a larger solar array. We have had other inquiries from groups and individuals but none of those have actually gotten to the point of a formal PB application.

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Ms. Dow asked if you agree with the packet that stated that there are only six properties that were able to be built upon.

92

93

Mr. Brubaker said that I'm not able to say that that's accurate, as far as I know.

94

95

Mr. Donhauser asked if Mr. Brubaker had read the Drummond Woodsum letter sent in to the SB.

96

97

98

Mr. Brubaker said yes.

99

100

Mr. Donhauser asked what his thought was about that letter.

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5:38 PM

Mr. Brubaker said that I think the main thing I would react to is, if a moratorium is considered, that it not be retroactive to pending applications. I and the staff agree with that. Mr. Sullivan and I talked about it. If the SB were to entertain putting a moratorium on a future ballot, we would recommend that it only be proactive and not retroactive.

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Mr. Donhauser said that this application is on Odiorne Lane and, as I recall about 50 or 60 acres.

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Mr. Brubaker said yes and the property is between 65 and 70 acres.

112

113

Mr. Donhauser said that it's only affecting 8 or 9 acres.

114

115

Mr. Brubaker said that sound close.

116

117

Mr. Donhauser said that I found the attorney letter from Drummond Woodsum and our Town attorney actually agrees with it, does he not.

118

119

120

Mr. Sullivan said that we have had a meeting with the Town attorneys and they had advised us that to try to attempt to have this be retroactive would be very difficult and, perhaps, very costly. They advised that we follow Mr. Brubaker's suggestion to have the PB look at land use ordinances and, then, at such a time they can bring it back to have you consider on whether you want to go forward with a moratorium. They were pretty much in agreement that we should take our time, do this right, and do the proper steps.

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Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid

129 Mr. Donhauser said that I read with interest the Drummond Woodman letter. I
130 think the key element is something called ‘necessity’ for a moratorium. I don’t see
131 the necessity for one, myself, and I’m in agreement with that letter. I found the
132 letter pretty compelling. I also listened to the abutter, who is the opponent, and
133 they had conservation issues. I don’t see the conservation issue. I’m inclined to be
134 against a moratorium. Where in the process is the PB with this project. Is it
135 waiting for more information or do you see it being approved. If we didn’t count
136 this superfluous stuff, where is it in the process.

137
138 **5:41 PM** Mr. Brubaker said that there was a Public Hearing on October 12th and there were
139 a lot of speakers at that Public Hearing, with some speaking in support of it; that it
140 was denied by the PB. On November 9th, based on legal recommendation, the PB
141 made a motion to Reconsider; that the PB did Reconsider and vacated their denial,
142 and activated their review, again. We are in the process of seeking to hire a
143 technical consultant who can basically help fill in the void where our land use
144 ordinances lack the details and to really dive down to assess the environmental
145 impacts of this application because it is a pretty ecologically sensitive area next to
146 the York River. There has been a lot of documentation as part of the PB review
147 that’s demonstrated how ecologically sensitive and diverse it is. We are seeking to
148 have a technical consultant on-board and that technical consultant is hired at the
149 expense of the applicant. Once on-board, they will inform the PB on the
150 environmental impacts on the project and, at that point, the PB could conduct a
151 new public hearing then decide to take action, one way or the other, based on their
152 review of how it meets our land use ordinances.

153
154 Mr. Orestis said that, so, at this point, that technical review side of things, the land
155 use side of things, and the PB is in hand. The issue before us is to discuss if it
156 makes sense for Eliot to put forward ordinances that will further the process in the
157 future for these types of requests. That’s the question. We’re saying, “Hey, Jeff.
158 Work with the PB. Come up with the ordinances for these solar arrays. Right?” I
159 think it’s clear that we don’t have the authority, now, to just say a blanket
160 moratorium. Upon advice from counsel, it doesn’t seem like a good idea to say we
161 are going to have a retroactive moratorium come June. That doesn’t even seem an
162 option for us, at this point. So, from my perspective, I think it makes sense for us
163 to direct Mr. Brubaker to go with the PB and create new ordinances. Then, if we
164 get to a position next year, in March, that this isn’t happening and we have to
165 assess for a moratorium, then we review it at that point. I just feel that, at this
166 point, the process is in place. It’s in the PB’s hands. We are not accountable. We
167 can’t just, today, say that a moratorium is in place and we should just work with
168 what is in place; that it makes sense to do ordinances. That’s my thought on it.

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170 **5:44 PM** Ms. Dow and Mr. Widi agreed.

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**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid**

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Mr. Brubaker said that I concur with that.

Mr. Orestis said that we don't have the authority to say this can't go through. That's why we have the PB that makes those decisions.

Mr. Donhauser said that you're making ordinance changes after-the-fact, in a sense. A person that comes under our current ordinances, it is my understanding, that this is an acceptable use of this property; that the objection is coming from an abutter, and I think there is only one objection from one abutter. Correct?

5:45 PM

Mr. Brubaker said that there was a public hearing on October 12th and there were a lot of speakers at that public hearing. There were a number that spoke against; that there were a number that spoke for. I can't give exact numbers but it was a pretty popular public hearing. To your point, and I want to recognize our esteemed Chair here, the PB has to work with the ordinances that are on the books right now. So, I would summarize it as we (me and the PB) are doing the best we can with the ordinances we have in place right now and, hopefully, with the help of this technical consultant.

Mr. Donhauser said that, apparently, the current ordinances do not address solar arrays.

Mr. Brubaker said yes. The current ordinances don't have any specific performance standards for large solar arrays.

Mr. Donhauser said that there is no ordinance that prohibits it.

Mr. Brubaker said no. I had cleared this with legal counsel that, as long as a public facility like this meets the definition of 'public utility facility' in our land use table, that is a use that is allowable, subject to site plan review. In my opinion, it does, and with our legal counsel it does, because if you read the definition in our §1.2 of our legal code, I think it makes a strong case that it meets that definition. Therefore, the most appropriate land use for it to be reviewed under is 'public utility facility', and we are in the Rural Zoning District, but with the case of 'public utility facility', it's a site plan review use no matter what district. All that to explain that it is something that can go forward if reviewed by the PB as a potentially approvable use.

5:47 PM

Mr. Donhauser said that the applicant has made application to the PB, the PB denied and, now, it's back for review again. I guess the thought is to direct the PB, and yourself, to review the ordinances to see what changes might need to be made. How does that impact the current application.

Draft SELECT BOARD MEETING
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215 Mr. Brubaker said that it likely wouldn't because the current review would be
216 under the current laws we have on the books right now. Then, the crafting of the
217 specific performance standards would be forward-looking. So, that would go
218 through the usual process. The PB would work on it and would get to public
219 hearing in the March timeframe; that the SB would then decide whether to put
220 those land use amendments on the June ballot. The voters could vote to approve
221 and, then, those would be on the books for any future solar array. We'd have more
222 specific tools in our toolbox to review those but, with the current project, we just
223 have to do the best we can with what is on the books right now. The current
224 project would be reviewed before any ordinance amendments could be put in
225 place.

226
227 Mr. Donhauser said that it is a moot point, then; that, with respect to this
228 applicant, as they are going to go forward, anyway.

229
230 **5:49 PM** Mr. Brubaker agreed. There is no way in which, at this point, a moratorium could
231 affect this particular review, or even the concept of a moratorium, because we are
232 moving forward with this review. Again, as was pointed out, we wouldn't want a
233 moratorium to be retroactive because of the legal liabilities and this application, if
234 approved, would not be impacted by a moratorium, nor would any future
235 approved amendments. It would just be sharper tools in the toolbox to review the
236 various impacts, pros and cons, of any large solar array.

237
238 Mr. Donhauser said that I can see how the current applicant would be concerned
239 in that we would be moving the goal posts but that's not what we're doing.

240
241 Mr. Brubaker said no; that we're recommending against that. We're really
242 recommending that the question of whether a moratorium needs to be put in place
243 be put off for now and, even if a moratorium is considered, it shouldn't be
244 retroactive. So, under no situation are we recommending that a moratorium is
245 retroactive be considered that would retroactively apply to this current project.

246
247 Mr. Donhauser asked why the applicant's attorney feels compelled to send us a
248 letter and say wait a minute. It seems to me that they are trying to defend their
249 position as an applicant going through the PB process.

250
251 **5:51 PM** Attorney Rachin said that I am pleased to hear about the retroactivity piece
252 because, while I did see that in the Planner's memo, as far as I know there has
253 been no robust conversation about that. As I'm sure you can appreciate, the notion
254 of retroactivity is something we object strenuously to but we weren't sure how
255 this Board felt about that. So, that's a big issue that we wanted to address. I'm
256 feeling, and I'm sure my client's feeling, quite a bit of relief to hear both your
257 Town attorney and it seems there may be some agreement on this Board that

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November 15, 2021 5:30PM (continued)
Town Hall/Hybrid

258 retroactivity is not indicated here and is problematic. That is why we're here.
259 Obviously, the 'necessity' piece is critical and I think, as you yourself have said,
260 that we have made a compelling case that the 'necessity' piece isn't actually met
261 under the statutory requirement. One thing that my client, Mr. Kellar, mentioned
262 to me and I thought this was important just on a factual base is that, I think
263 someone had asked how much land and how many pieces of property and the
264 issue of the substation, it is a critical piece; that Mr. Kellar has said to me that he
265 just looked at the CMP engineering study and there is only room for 7 megawatts
266 before the substation needs to be upgraded. Mr. Kellar is telling me that we are
267 now at 5 megawatts, which leaves room for one array not 2 to 3, that I initially
268 misspoke on. So, it is even less of a possibility and I think one of the concerns
269 expressed by folks in the audience, the PB, and Conservation Commission was
270 that the floodgates were opening and we need regulations. And I think
271 understandably, given these solar projects, with the world we live in, are
272 becoming more and more popular. I think you asked a great question about how
273 many people are out there and how many pending applications there are. It's just
274 us. And given the fact that there isn't a line out the door and the fact that even if
275 there were, the infrastructure – the cost of that substation to replace – any
276 developer coming in would have to contribute to that cost, which I'm
277 understanding is quite expensive and would be prohibitive for them to move
278 forward with any other project.

279
280 **5:53 PM** Ms. Dow asked who owns the substations.

281
282 Mr. Brubaker said CMP. There are two substations in Town. One is called the
283 Three Rivers over by Worster Road and the other is off Bolt Hill Road.

284
285 Mr. Donhauser asked, with these substations, if that is where the energy from
286 these solar arrays go.

287
288 Attorney Rachin said that I'm just reading from a text but Mr. Kellar is here and
289 could explain that process.

290
291 Mr. Kellar introduced himself and said that Attorney Rachin did a great job
292 explaining the details. I'll just take it one step further. The substation, itself, is the
293 bigger infrastructure that could potentially have to be upgraded. So, when these
294 solar projects are built and CMP goes through their engineering procedure, they
295 come back to us (developer) and explain what the utility upgrade is going to costs
296 are going to be at the site and, potentially, anywhere down the streets. If there are
297 some poles that need to be replaced or lines that need to be upgraded, that's all a
298 cost that we bear that ultimately the community gets a small benefit from. You're
299 getting some new equipment that we're paying for that CMP may not have
300 upgraded. Ultimately, as that power moves down the street, CMP has to evaluate

Draft SELECT BOARD MEETING
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Town Hall/Hybrid

301 it to make sure that, if there was any excess power that gets back to this
302 substation, the substation, itself, can support that amount of power coming back to
303 it. CMP reviews the number of megawatts that are coming online as it relates to
304 the transformer size that is inside the substation. That's the pointy that Attorney
305 Rachin helped me out with by clarifying in that the substation size in Eliot that
306 this project will go to is small. Smaller than what you might see in South Berwick
307 and other towns. What we're seeing in that the analysis that we did for the PB is
308 that we looked at some of the parcels in Town just purely from a solar
309 perspective. If you could put solar there, which parcels made sense from a
310 wetland perspective, from a topo, and other physical attributes. Then, from there,
311 those expressed 6 or 7 locations you had referenced earlier in the discussion,
312 that's really great and all, but the cost of a substation upgrade, which we've had
313 another project in another community trigger this, is between \$6.5 and \$7.5
314 million. That would require a project about 20 times larger than the project we are
315 proposing on Odiorne Lane to support the cost of that project, just purely
316 economics without going down into the details. So, that was the part that was
317 most compelling for us when we did this analysis, that we wanted the Town to
318 understand that you're not a community like South Berwick where there's a lot
319 more infrastructure that can support more projects. You're not an Augusta where
320 there are massive substations that can support many, many projects, where some
321 communities have enacted this type of policy just to make sure that the PB and
322 the town had enough resources. I'll close with that. I hope it was helpful and the
323 handout we provided provides a little bit of color to what I just shared.

324
325 **5:57 PM**

Mr. Donhauser said to suppose that this solar project is put in place and maxes out the substation facility. If I have a home and I want to put a solar array on my home, does that have an impact.

328
329 Mr. Kellar said no. The quick answer to that is that when you put solar on a
330 building or a home and you're building it specifically to offset the power that the
331 building or home uses, it has a different impact, a different engineering exercise.
332 The way that I understand it is that it allows for that power to be consumed on-site
333 in the critical peaks; whereas, these larger community solar projects are meant to
334 help to provide power to the community in lieu of another power plant being built
335 somewhere down the street or far away. What we've found is that those smaller
336 projects, smaller commercial and residential projects, would not be hit with that
337 \$6.5 million upgrade cost. It would just be any large-scale projects that would
338 come onboard, they would have to figure out how to deal with that or the project
339 wouldn't move forward.

340
341 Mr. Donhauser said that I have received in the mail a number of requests to join
342 into a solar array somewhere in Vermont, let's say, and I sign up for that and get a
343 15-cent discount. Is that what you're doing.

**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid**

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5:59 PM

Mr. Kellar said exactly. This is considered community solar, so, you're utilizing a location for solar and you're sharing the value of that savings and the power produced to homeowners, businesses, to schools, towns, and our project is like that, too. We usually have that conversation along the way but it could be now. The Town could benefit, the school. I don't know if they have already signed up for a program; that there are lots of solar projects around Maine that have come to towns and businesses and homeowners around the State. This project would be eligible. We like to work with the town we're being hosted in. This the same exact structure that you've seen in some of those mailers.

Mr. Donhauser said that the solar array at the Transfer Station has no impact on this solar array.

Mr. Kellar said no. It's actually part of the study that they already did. If this was to be on the same line as that, and I'm not entirely sure it was, that was part of the study. They have to evaluate what's online. How many projects are actually online now and, then, by adding another project that's adding incrementally more power going toward that substation.

6:00 PM

Mr. Sullivan said that I was just going to add the point that for those larger solar arrays of 20 acres or so, that's where this study and maybe some ensuing guidelines for an ordinance would be helpful. Not for this project but for larger projects down the road, if they're done right, and I'm sure the study will be done right with Mr. Brubaker overseeing it; that you will probably have some good guidelines to consider whether you want to make ordinances for the future.

Mr. Orestis said that's the challenge. We don't know what we don't know until it comes in and is presented before us and realize we need to enhance our ordinances to support something like this. Maybe there's a benefit from that where others will have to go through a different process. But that's kind of the way things work. It's not for me to decide within the PB guidelines or guardrails that are there now.

Mr. Widi said that I'm happy with the project moving forward. I personally won't support anything retroactive concerning a moratorium. I'm fine with Mr. Brubaker and the PB developing some land use standards. My one question regarding moratoriums, because I'm relatively new, do you know, in Eliot, that a moratorium was either proposed or approved by the voters.

Mr. Brubaker said that that was done for marijuana.

Ms. Lemire added the adult (gentlemen's) club years ago.

**Draft SELECT BOARD MEETING
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Town Hall/Hybrid**

387
388 **6:03 PM** Mr. Widi said that I'm a simple man and would put adult clubs and marijuana in a
389 very different category than I would put solar arrays concerning a moratorium
390 regarding 'necessity'.
391

392 Mr. McPherson asked if Mr. Kellar knew the name of the substation that that is
393 going to be fed into or out of.
394

395 Mr. Kellar said that they call it the Eliot substation and they have a circuit name
396 to it.
397

398 Mr. McPherson said that Eliot substation is on Beech Road. Is the circuit number
399 687D1.
400

401 Mr. Kellar said wow, I'm impressed. That's the one.
402

403 Mr. McPherson said that that substation is the one on Beech Road and it's very,
404 very small, or undersized. It was brought up in the TIF with people concerned
405 about possibly not having enough power for our Route 236 business corridor. So,
406 I think somehow CMP was dragging their feet with that just to let everybody
407 know the fact that the Eliot substation is that little one. There's a big one on Bolt
408 Hill Road and the other one; that I believe that both of those are owned by public
409 service...
410

411 NOTE: Fire alarm went off and the SB waited for a moment.
412

413 Mr. Orestis said that I don't think we need a motion on this. It seems it's the
414 consensus of the SB where we can direct you, Mr. Brubaker, per your
415 recommendation, to draft language going forward. Is there anything else, Mr.
416 Brubaker, for the PB to report.
417

418 Mr. Sullivan said that Mr. Brubaker had made a request regarding the American
419 Rescue Plan Act (ARPA) and I don't know if you want to suspend the rules to
420 take that out of order; that he also did the Walk/Bike draft report.
421

422 NOTE: The SB agreed to take those two items out of order. These two items are
423 under the New Business heading.
424

425 **6:08 PM 1) American Rescue Plan Act Grant Discussion**
426

427 Mr. Brubaker said that this request was made with the recognition that there are
428 many choices with the Town's money that was received through ARPA. I think
429 our Town Manager, last month, presented some initial ideas to you and this was

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430 just one; that it does three things. One is that it would fund an alternatives analysis
431 for domestic sewer service is Sewer Basin #7, which is generally on Beech Road
432 and State Road in the Village going from about the elementary school, here, then
433 east to the cemetery and then on Beech Road between State Road and Route 236.
434 The second thing it would fund is preliminary engineering, including a
435 Preliminary Design Report (PDR) for active transportation (walking and
436 bicycling) on Beech Road and State Road. Then the third thing was, I was talking
437 with our General Assistance Administrator about a possible mini-grant funding
438 program to fund some wastewater and water upgrades for lower income, which is
439 still in progress. The total would be between \$35,000 and \$400,000.

440
441 Ms. Dow said that the first two are engineering. Can you tell me what the mini-
442 grant program means.

443
444 **6:10 PM** Mr. Brubaker explained that the idea is that a lower income community that is
445 having issues with their septic system could come forward to ask for assistance
446 for that.

447
448 Mr. Orestis said that it would be a pool, essentially, where those that qualify could
449 get some help; that they could come in and say that they are struggling with this
450 with their income levels and then, based on future recommendations, we could
451 figure out a formula to give 'X' amount of money to help with their project.
452 Someone who has a need to help upgrade their septic not just somebody who
453 wants to upgrade their septic.

454
455 Mr. Brubaker agreed.

456
457 Ms. Dow Was supportive of this idea.

458
459 Mr. Orestis asked if you just need a go-ahead from us to continue to look into
460 these or are these just suggestions. One of the things we need to do, which seems
461 to be an ongoing problem in this Town, is to figure out how to spend some
462 money. What do you need from us in this instance.

463
464 **6:12 PM** Mr. Sullivan said that I also did a staff report and made some recommendations,
465 as well. I think that Mr. Brubaker's idea of a fund to allow people to draw out of
466 for sewer or septic systems is admirable. I think we could maybe go a little
467 farther. There's a number of good examples of housing rehab programs for people
468 who qualify. We can take care of other things, such as handicap access to their
469 homes if they are in a situation that warrants it. I think that it's a great start but,
470 between that and my report, we are hoping just to bring some attention to the fact
471 that there's \$729,594 coming to the Town of Eliot. We have already received
472 \$364,797 and wanted to ensure there's some type of blueprint or template in place

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473 for us to spend it, recognizing that we have four years to do it. Requests are
474 coming fast and furious from a lot of different places and we want to make sure
475 that it has the greatest impact on the largest number of people, particularly with
476 the people who are needing it.

477
478 Mr. Orestis said that it doesn't seem like any vote is necessary. I love it. I think
479 that any way we can give back to anyone who needs it is a great way to spend
480 money.

481
482 Mr. Widi said that I believe that in the current infrastructure bill there is a plan for
483 water and a plan for broadband, I think. I'm not saying to hold off on those but
484 just, maybe, not spend it all on things like that, as we could be getting more on the
485 back end. I just didn't want to spend money on something we may have a flow of
486 money later for a thing we just spent money on. It's just a thought.

487
488 **6:15 PM** Mr. Orestis said that was fair. We have a big chunk of money and that takes up
489 only about a 7th of that money. I think ideas like this coming forward are
490 important and they are worthy projects. I think this is a good place to at least start
491 that conversation process, which was really the point of the discussion today.

492
493 Mr. Brubaker agreed that this would just be the first step.

494
495 Mr. Orestis asked if there was any more discussion on this specific topic. If not,
496 we'll jump right into improving conditions for people to walk and bicycle in Eliot.

497
498 **6:16 PM** **2) Walk and Bike Draft Report**

499
500 Mr. Brubaker shared his screen. This goes back to April guidance from you. The
501 purpose of this report is to prioritize walking and biking transportation corridors
502 and list projects within short-, medium-, and long-term timeframes. Once
503 approved, this list would guide staff in seeking funding and commencing design
504 work for immediate-term projects. It's not a replacement for a full active
505 transportation plan. There is a focus in this report on infrastructure projects
506 whereas a full transportation plan has both infrastructure projects and a little more
507 diving into non-infrastructure strategies. It does try to do is give the Town a
508 chance to develop a consensus prioritized list for walking and biking
509 improvements. Reasons for doing this include more choices in getting around
510 Town, improve safety, make Eliot more age-friendly, more transportation options
511 for kids, promote physical activity, and one of the things we talked about a lot
512 related to COVID was to be able to meet neighbors outside, as well as to address
513 our policies (Comprehensive Plan). The Aging-in-Place Committee (AIP) has
514 been really enthusiastic about this topic. They did an assessment a few years ago
515 and the most dissatisfaction was attributed to 'well-lit, safe streets and

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intersections for all users’ and ‘sidewalks that are in good condition and safe for pedestrians’. The most popular write-in comments were for additional sidewalks, wider shoulders for safer biking and walking, and the need for bike paths and better street lighting. The idea would be to build on Eliot’s sidewalk on State Road. The following graph shows travel times for biking and walking in this area if only the facilities were there that people felt comfortable using:

From	To	Approx. distance		Trip time (min)	
		Feet	Miles	Walking	Bicycling
William Fogg Library	Frost-Tufts Park	2000	0.4	8	2
Town Office	Boat Basin	5280	1.0	20	6
Town Office	Eliot Commons	6600	1.3	25	8
Eliot Elementary School	Frost-Tufts Park	4800	0.9	18	5

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We are lucky to be on the Eastern Trail and East Coast Greenway and I would call an important asset to the Town; that walking and bicycling improvements could feed into that. With the window of opportunity, there are the Infrastructure Investment and Jobs Act and State Transportation Bond that voters approved that have monies available. We did a corridor study on Route 236 a couple years ago and we are just completing the second phase of that. You have heard a presentation of that and that’s another window of opportunity that has some walking and biking tie-ins. Of course, we have the water and sewer project, which will include a sewer force main on Beech Road and State Road. After your guidance in April, we went out with a press release seeking input and received 50 comments. We then held four “walking office hours”, which was me literally walking down the road in several locations, assessing conditions and talking with neighbors in their front yards and getting 30 to 40 more interactions with this. Of the most popular corridors, State Road was first, with a huge amount of input especially from here and going east towards Kittery. Main Street/Moses Farmer Gerrish Road was the second most popular, with Beech Road being the third. Not to be forgotten, there was a second tier of roads for residents, to include River Road, Old Road, and Goodwin Road. These included initial comments; that we got more later on. There was one family that won the party. They were on State Road and, when they knew I was walking by, they had out homemade banners in support of this project. We also had ME DOT and SMPDC come along with their assistance. At the end of September, we had a dual public information session

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around both the Route 236 Study and the Walking/Bicycling Project, which was pretty well attended. Since then, we have had various committees and departments review everything. The following are recommended immediate- and short-term projects:

Implementation timeframe	Corridor	From	To	Project
Immediate	Beech	State	Route 236	Sidewalk and paved shoulder
	State	Main/MG Farmer	Bolt Hill	Sidewalk and paved shoulders
Short	Main	Bolt Hill	Pleasant	Sidewalk and crossing improvements
	State	Old	Main/MG Farmer	Crosswalk improvements
	Main/MG Farmer	State	Kittery Line	Town Feasibility study (paired with River Rd.)
	River	Fore/Old	State	Feasibility study (paired with Main/MG Farmer)

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The immediate projects are ones we would like to move forward with immediately with the SB's endorsement. Regarding short-term projects, with Main Street (Bolt Hill/Pleasant) we would like to do crossing improvements, including a short sidewalk, as well as potential stormwater upgrades at that intersection. There is a mini grant program run by the ME DOT and the Bicycle Coalition of Maine that actually allows for decorative crosswalks. State Road (Old/Main/MGF) would have crosswalk improvements. Main Street and River Road are together proposed to have a feasibility study to look at options for those roads.

6:26 PM

Mr. Donhauser said that, when you talk about sidewalks, using Main Street as an example, is there a right-of-way (ROW) all along that corridor where we would not have to buy a ROW.

Mr. Brubaker said that most corridors have a little bit of access after the end of the travelway. The idea here would be to have as little ROW acquisition as possible and work within the existing ROW as much as possible. If there is ROW acquisition, it would have to be done collaboratively and with mutual terms with the property owner.

Mr. Donhauser asked if this would be on one side of the road, or both.

Mr. Brubaker said that, although it would be ideal to have them on both sides, right now we are focusing on just one side. The full report is now available. This isn't to approve the report tonight but it is to get any comments you have and ask

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578 for permission to release this as a draft for final public comment and, then, get
579 back to you for final endorsement.

580
581 The SB was very supportive of this project.

582
583 **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
584 **release this report.**

585
586 **Roll Call Vote:**

587 **Mr. Orestis – Yes**

588 **Mr. Donhauser – Yes**

589 **Mr. McPherson - Yes**

590 **Mr. Widi – Yes**

591 **Ms. Dow - Yes**

592
593
594 **Unanimous vote to approve motion.**

595
596 NOTE: The SB agreed to take this third and last item under New Business.

597
598 **6:31 PM 3) Agriculture Committee Discussion**

599
600 Ms. Leslie Stevens said that I own Sturgeon Creek Farm. I approached Mr. Widi
601 this spring about looking into the possibility of some kind of agricultural
602 commission, or something like that. We raise poultry, and lamb, and grow fruit
603 and vegetables. We have neighbors all around who have been very, very
604 supportive. We've been embraced by this community in terms of the agricultural
605 piece of it. We now have a little farm store out of the barn and everybody loves it.
606 We just felt so welcome here; that agriculture has a real history here, which is
607 exciting. As a local farmer, I would love to see more conversation about it and
608 more protections for it in some ways. Maine, as you probably know, is a 'right-to-
609 farm' state so there are, already, state-wide protections for farms in terms of noise
610 and smell and things like that, which is great. Maine is pretty pro-active about
611 that. I would love for Eliot to just kind of recognize that; that a lot of people talk
612 about the rural character here and, while our place isn't technically rural, it still is
613 fairly rural for this part of the area. Having that great big field that's open there is
614 really nice. I would love to work together with Mr. Widi and anybody else who is
615 interested about the possibility of doing something like that. With Mr. Brubaker,
616 we talked today about the possibility of having a map of all the farmstands and all
617 of the producers in Town, and things like that. I've had 10 years of local
618 government in Portsmouth on the school board there and also being pretty
619 involved in the town. It would be exciting to have something new like that in
620 Town. I guess I'm bringing this to you to say that I would love to work with Mr.

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621 Widi and anybody else who is interested. I have lots of ideas about how to do
622 that; protecting agriculture in the Town, protecting the rural nature of it. There are
623 so many reasons why we want to conserve and protect our rural land. I'm just
624 here bringing it to you. I think it's a great idea. I would love to be a part of it. I
625 looked up some stuff about the agricultural commission in Lee, NH and Durham,
626 NH. I know those are pretty active communities that have a lot of agricultural
627 stuff going on there. I don't know if you have any questions or any thoughts, if
628 there's anything else you want me to share. One of the things I would love to do is
629 be involved with Eliot Festival Day. There's always something in there that says
630 we're going to have a farmer's market and we really don't have anything. One
631 year there were a couple of booths but we want to have a really robust farmer's
632 market at the Eliot Festival. Some of you may actually have attended the farmer's
633 market that was in our barn last year this past winter and that was pretty fun. We
634 have one every other weekend. We have one coming up December 12th. So
635 anyway, there is just a lot that we could be doing to encourage agricultural
636 businesses, to encourage tourism, to encourage people to be coming to Town for
637 those kinds of activities. To be buying from our farmers, our producers, visiting
638 agri-tourism businesses, and all that.

639
640 **6:35 PM** Mr. Orestis said that, with all the committees in Town, I'm shocked that there
641 isn't an agricultural committee in the Town of Eliot. With everything that's come
642 up over the past couple of years, I think it makes a lot of sense. We have an agri-
643 tourism ordinance, a rooster ordinance, etc., so, I think it would make sense to
644 have a committee to further discuss and flush these things out.

645
646 Ms. Dow was very supportive of this.

647
648 Ms. Stevens said that we have the new Maine State law. Adding roosters to the
649 noise ordinance didn't pass and it didn't pass by quite a lot. A lot of people
650 contacted me about that to get my thoughts because we do raise poultry and we
651 need roosters on our property to keep doing that. It seems to me that there is a real
652 appetite for farming here and for the producers to support them.

653
654 Mr. Orestis said that I think, for us, it would be to continue the process. By-laws
655 are big.

656
657 **6:36 PM** Mr. Sullivan said that, initially, it would be an ad hoc committee run by the SB. I
658 can gather some different designs, with anyone who is interested, to put some
659 suggestions together – who would be on it, what types of background. One of the
660 things I hope to talk with the SB about is that I really think that food security
661 should be blended in to it. I think it's important to have that part of the food chain
662 to be represented. If it pleases the SB, I'll put together a couple models and do a
663 little research and bring that in.

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6:37 PM

Mr. Orestis said that, with an ad hoc committee, we would have to provide some direction, anyway. I am thinking back with the adult use cannabis committee, which was very specific to determine whether it's something that was appropriate for the Town, I believe. I think, with that in mind, you would have to come up with a directive, what the purpose is of the agricultural committee. This would be great to do.

The SB agreed.

Mr. Orestis said that we will figure out how many individuals we want and then put out the applications and a call to the Town for people to join.

Mr. Sullivan said that we would probably go for around seven because it's difficult to get a quorum. The other thing is that some of the agri-committees call for members to be active and working farmers. I think we need a balance of people who are admirers of farms and people that are farmers.

Ms. Stevens agreed, adding that I think the point about food security is pretty important, as well, because if you look at what happened during the pandemic, farms stepped up and provided all kinds of stuff; that you could go and get almost everything you needed. That would be awesome. Thank you for considering this. She gave the SB flyers showing all the farms around the Seacoast area as an example of what could be used here.

6:40 PM

E2) James Latter Capital Improvement Committee

Mr. Orestis said that I don't know if it matters but, in my packet, there is no direct application, there was just a letter. The letter speaks pretty clearly that he is well-qualified. As far as process, do we want to approve without it.

After a brief discussion, with agreement that Mr. Latter could submit the application after approval, the Chair said that he would entertain a motion to approve.

Mr. McPherson moved, second by Mr. Widi, that the Select Board appoint Jim Latter as a regular member to the Capital Improvement Committee for a term to expire June 2024.

Roll Call Vote:

Mr. Orestis – Yes

Mr. Donhauser – Yes

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707 **Mr. McPherson - Yes**
708 **Mr. Widi – Yes**
709 **Ms. Dow - Yes**

710 **Unanimous vote to approve motion.**

711
712
713 **6:43 PM E3) Town Manager Report**

714
715 Mr. Orestis welcomed the new Town Manager aboard and invited him to share his
716 report.

717
718 Mr. Sullivan said thank you very much. I feel very welcomed in Eliot. I think I'm
719 really going to enjoy being here. It's exciting to learn a lot of the different ways
720 that you approach issues and problems and I can really appreciate all the effort
721 and time that you're putting in as leaders. I hope to help you with that. I'm very
722 lucky to work with some very talented people. The Planner here tonight and
723 working with so many talented people in a small town. I consider myself lucky
724 and I'm sure you appreciate all the work done on your behalf, as well. With the
725 report. I tried to speak to the thing I try to get involved with. Last Thursday I met
726 with the Director of the York County Chamber of Commerce to try to talk about
727 some way that we might use strategies to have Eliot mentioned in the larger
728 context with different things. We talked about festivals. We talked about the
729 agricultural commission. What a wonderful thing to have Eliot be considered the
730 breadbasket of York County. Getting ready for the budget. Had a meeting this
731 afternoon with Underwood Engineers and, also, State officials from ME DOT. I
732 appreciated meeting with them and learning more about the Route 236 Project,
733 the re-paving and how that's going to be coordinated with some of the sewer and
734 water projects along Route 236. It's very exciting and presents a great opportunity
735 for Eliot. Hopefully, I'll be an asset to those. I've gotten to meet some great
736 people. Orland McPherson came by the first day and it was great to meet people
737 like that in the community. You have a great community here and I'm proud to be
738 here.

739
740 **6:46 PM** Mr. Orestis said that I hear you got to hear your first fire call siren.

741
742 Mr. Sullivan said that the first one was in the middle of the day. I said to Mr.
743 Miles that my ride's here.

744
745 **F. New Business:**

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747 These items were already addressed.

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749

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750 **G. Old Business:**

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752 **6:47 PM**

Mr. Donhauser said that I'm not sure we handled this at a previous meeting. Remember the **Citizen's Option Meeting** where there was an issue where a group, with respect to the Library, there was a group that came out who supported the Library that came to the Citizen's Option. The problem that happened at that meeting was that they made a motion to advance the Library item up on the agenda. Then they voted to actually have a Citizen's Option that was different from the SB and Budget Committee. Then, the problematic part of that was that, after that was approved, everyone got up and left. The problem with that is that it preempts anyone else from doing the Citizen's Option Meeting because you have to have a quorum or the necessary number of people. My point in bringing this up is that I think we need to come up with a solution and one solution that was mentioned through an email was that, if in fact, those individuals leave right after their vote...first of all, they advance it on the agenda, then they leave, and then all of a sudden that's no longer a valid Citizen's Option Meeting but falls back to a budget hearing. That would mean that they need to stay until the end of the budget hearing because, as soon as they leave, no one else can make a Citizen's Option. This could be problematic in the future. So, I'm not sure how we do it but I think we need to set up some ground rules for Citizen's Option.

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771 **6:49 PM**

Mr. Widi suggested we might split it. We'll have our informational meeting in here for people who want the budgetary things because there's only going to be enough to fill this room, maybe. Then, we have a designated Citizen's Option Meeting just for Citizen's Options so that it's not holding those not interested captive through the whole thing. At a Citizen's Option Meeting, specific things could be addressed, such as the Library, and more might likely attend knowing that they won't be stuck there for endless hours.

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Ms. Dow said that I like that.

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6:51 PM

Mr. Orestis said that it makes perfect sense. The question is whether it is legal.

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Mr. Donhauser said that I think it's how you interpret the ordinance, and I haven't read it. I like Mr. Widi's idea where you have a Citizen's Option Meeting just for that, and have a separate budget night. Whether we can do that or not, I don't know, since it's an ordinance. I think we need to explore what we can do so we don't get caught up that way. There were some people who were very annoyed when some people all of a sudden got up and left and then there was no meeting.

Mr. Orestis said that, typically, there are a couple – conservation and the library – but in any given year there could be something else.

6:53 PM

Mr. McPherson said that it's being used. It's not the intention of the Citizen's Option. The way that meeting was conducted, and I don't blame people that were made when they walked out, because I don't believe that was the intention when they came up with the Citizen's Option but that's what it's being used for. In my opinion, if it continues to be used in that way, then it should be eliminated, because you actually have a quorum here. Everyone can come into this room and do what they want in this room. So, corrections need to be made, in my opinion, and of not, it could be eliminated and come back into this room. Figuring in the cost, what does it cost us to put that Citizen's Option Meeting on.

Mr. Orestis said that it would be interesting to change the format, as Mr. Widi said. And I don't know if it's an ordinance change or what but, if we are presented a budget that we like, and if people have issues with that, they get a signature sheet and say 'we' want the budget to be 'this' and get signatures for that.

Mr. Widi said that we could do that for not necessarily for a specific issue. I agree with Mr. McPherson. I just want to be fair. That the Library turns out their people and they get their people to vote so I want to be very fair to everybody, and I understand that we can't keep going the same way. So, what my suggestion is that the signature sheet is just to initiate the Citizen's Option. Not necessarily about a specific issue but just to initiate the Citizen's Option Meeting. Once we go into, we have it. So, instead of doing the 'you need 50 people to show up' thing, I say let's get the signature sheet to initiate, then people will know that they can go in and propose what they want.

6:55 PM

Mr. Donhauser said that I recommend we give this to the Town Manager to find out what actually happened.

Mr. Sullivan said that I haven't heard about this specific one but I have seen this before. Some communities use a clock for 30 minutes to take a vote of reconsideration or you could have a block for reconsideration. Sometimes that keeps people in the room.

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836
837 Mr. Donhauser said that that was actually brought up in the email I read. By those
838 people leaving, it prohibited any reconsideration of that.

839
840 Mr. Orestis said that this has become a standing issue so I think that it is
841 something that should be addressed.

842
843 Mr. Donhauser said that it doesn't have to be immediate because we won't have
844 another one until next May, anyway.

845
846 Mr. Orestis aid that, if it is an ordinance change, that wouldn't happen until a year
847 from now.

848
849 Mr. Donhauser added that there may be a way to interpret that ordinance to allow
850 for something like this. I am not trying to preempt the Library from having a
851 Citizen's Option. More power to them. I think that the way that meeting went
852 was really not well.

853
854 **6:57 PM** Mr. Sullivan said that I can gather some ideas for you.

855
856 Mr. Widi said that, while we're on the list, I have a question concerning the
857 **shooting range**. I haven't heard anything.

858
859 Mr. Donhauser said that it's constant noise. It hasn't really improved. I just don't
860 see any solution, to be honest with you. That's been there since forever and
861 Rollingwood, which is the subdivision that abuts it, has been there for about 40
862 years; that the shooting range has been there for 70 to 80 years. I don't think
863 there's anything we can do except to keep asking them to recognize they are right
864 beside a residential area. That often on weekends it's like a war going on down
865 there. I still get complaints. And I am close to it and can hear it just as well as
866 them. It's like an airplane going overhead, you kind of get used to it.

867
868 Mr. Widi said I only asked because the last thing I heard was that they were
869 potentially trying to make the berms larger. I guess the berms are made out of clay
870 so they can stop bullets and it's a little hard to get clay trucked in. My
871 understanding is that they went to contractors who might have clay and said they
872 could truck it in but I don't know what the end result of that was.

873
874 **H. Approval of Warrant(s):**

875
876 **6:59 PM Mr. Donhauser moved, second by Mr. Mr. Widi, that the Select Board**
877 **approve A/P Warrant #36 in the amount of \$380,811.44, dated October 28,**

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878 2021; A/P Warrant #38 in the amount of \$126,758.82, dated November 4,
879 2021.

880
881 **Roll Call Vote:**

882
883 **Mr. Orestis – Yes**
884 **Mr. Donhauser – Yes**
885 **Mr. McPherson - Yes**
886 **Mr. Widi – Yes**
887 **Ms. Dow - Yes**

888
889 **Unanimous vote to approve motion.**

890
891 **I. Selectmen’s Report:**

892
893 **7:00 PM Seeking Committee Members Listing**

894
895 Mr. Orestis said that there are several openings on committees: one alternate
896 member for Aging-in-Place, two regular members for Capital Improvement, one
897 regular and two alternate members for Conservation Commission, and two
898 alternate members for the Planning Board. So, if there is anyone out there
899 listening, feel free to come on down and fill out an application.

900
901
902 There were no Selectmen’s reports tonight.

903
904 **J. Executive Session**

905
906 There was no executive session.

907
908 **K. Adjourn**

909
910 **Mr. McPherson moved, second by Mr. Mr. Donhauser, that the Select Board**
911 **adjourn.**

912
913 **Roll Call Vote:**

914
915 **Mr. Orestis – Yes**
916 **Mr. Donhauser – Yes**
917 **Mr. McPherson - Yes**
918 **Mr. Widi – Yes**
919 **Ms. Dow - Yes**

920

**Draft SELECT BOARD MEETING
November 15, 2021 5:30PM (continued)
Town Hall/Hybrid**

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Unanimous vote to approve motion.

The meeting adjourned at 7:01 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

Mr. Robert McPherson, Secretary

Date approved:

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM
Town Hall/Hybrid**

1 **Quorum noted**

2
3 **5:30 PM:** Meeting called to order by Acting Chair Donhauser.

4
5 **A. Roll Call:** Mr. Donhauser, Mr. McPherson, Mr. Widi, and Ms. Dow.

6
7 **Absent:** Mr. Orestis (excused).

8
9 **Pledge of Allegiance recited**

10
11 **B. Public Hearing – Sweet Dirt Tier III Manufacturing License Renewal**

12
13 **5:33 PM Public Hearing opened**

14
15 There was no public comment.

16
17 **5:34 PM Public Hearing closed**

18
19 **Mr. Widi moved, second by Ms. Dow, that the Select Board approve the**
20 **license application for a Tier III Marijuana Manufacturing for Sweet Dirt 2,**
21 **LLC, located at 495 H. L. Dow Highway, Map 53/Lot 6.**

22
23 **Roll Call Vote:**

24
25 **Mr. Donhauser – Yes**

26 **Mr. McPherson - Yes**

27 **Mr. Widi – Yes**

28 **Ms. Dow - Yes**

29
30 **Unanimous vote to approve motion.**

31
32 **C. Public Comment:**

33
34 **5:35 PM** There was no public comment.

35
36 **D. Approval of Minutes of Previous Meeting(s)**

37
38 No minutes were approved tonight.

39
40 **E. Department Head/Committee Reports**

41
42 **5:36 PM 1) DPW Bucket Truck Purchase**

43

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

44 Mr. Robinson said that I found a bucket truck in Pepperell, MA, a 2005 550 Super
45 Duty. My packet says it's a 31-foot aerial and we tend to believe it's around 41
46 feet, which is a plus for us. It's in good shape after checking it out. It came in at
47 the price of \$13,450. At the present time, we have \$22,608 in the CIP Budget
48 Truck Replacement line. The dealer is holding this for me until December 15th,
49 with no deposit. I'm requesting that this truck be purchased in the amount of
50 \$13,450 and the check be issued to A-1 Auto of Pepperell, MA as soon as
51 possible to finalize this deal. I'm also requesting that, for any other equipment we
52 need to outfit this truck and meet the needs of the work the truck will be
53 performing by the department, will be taken out of the remaining balance of
54 \$9,158.

55
56 **5:37 PM**

Mr. Widi asked how often we use a bucket truck.

57
58 Mr. Robinson said that most of the use of it is through the wintertime to trim the
59 roads, trees, and putting up the Christmas decorations.

60
61 Mr. Widi asked how much you are anticipating of the additional \$9,000 for the
62 retrofitting, etc.

63
64 Mr. Robinson said that it is set up to run a hydraulic saw on it so we don't have to
65 take the poles out of the gas engine up in the bucket. I've checked on the price of
66 those and I would say they are about \$2,000 to buy.

67
68 **Mr. Widi moved, second by Ms. Dow, that the Select Board authorize the**
69 **purchase of an aerial lift from A-1 Auto of Pepperell, MA in the amount of**
70 **\$13,450.**

71
72 **Roll Call Vote:**

73
74 **Mr. Donhauser – Yes**

75 **Mr. McPherson - Yes**

76 **Mr. Widi – Yes**

77 **Ms. Dow - Yes**

78
79 **Unanimous vote to approve motion.**

80
81 **Mr. Widi moved, second by Ms. Dow, that the Select Board authorize an**
82 **expenditure of up to \$9,158 from the CIP Bucket Truck funds to retrofit the**
83 **new bucket lift, as needed.**

84
85 **Roll Call Vote:**

86

Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid

87 **Mr. Donhauser – Yes**
88 **Mr. McPherson - Yes**
89 **Mr. Widi – Yes**
90 **Ms. Dow - Yes**

91
92 **Unanimous vote to approve motion.**

93
94 **5:39 PM 2) Planning Walk/Bike Acceptance**

95
96 Mr. Brubaker shared his screen. You previously heard this in November. Thank
97 you for your review and motion. Per that motion, we did a news release to release
98 the report for a final public comment period. We had a link to the full report on
99 that news release and we also emailed our contact list for the project. We did
100 receive about 10 additional email comments and, also, review from Maine DOT.
101 So, we've had the public contribute a lot of really good valuable input to this
102 project. Updates from the previous draft:

- Added information on greenhouse gas reduction in Section 2
- Added traffic safety information in Section 3.2
- Added more information to Eastern Trail/East Coast Greenway section (5.5)
- Added sentences about projects that may impact wetlands go through applicable permitting processes (e.g. DEP) – Section 6
- Added some additional public comments to project pages
- New Section 7.1 – bikesharing and e-bikesharing
- Added more wording about municipal funding
- Made some other minor wording changes
- Project list and priorities basically the same since previous review

103
104 Mr. Brubaker said that the additional public comments really back up the project
105 recommendations. We have talked about exploring a bike-sharing program in
106 conjunction with Kittery and our regional agency (§7.1) I also have the project list
107 on the next three slides and would be happy to discuss any of them if you have
108 questions. There is a motion in your staff report and, with that, I will end my
109 presentation.

110
111 Mr. Donhauser said that I think I remember a question previously asked about
112 whether there was any negative reaction to this and you responded.

113
114 **5:41 PM** Mr. Brubaker said that I know that Ms. Murphy is on and could speak more to this
115 but my impression of the Budget Committee's review is that I got a lot of positive

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

116 feedback. I did have one comment that was a little skeptical of the benefits of
117 paved shoulders but, overall, I felt it was very positive.

118
119 Mr. (Seth) Herbold, Bittersweet Lane, said that I reached out to Mr. Brubaker
120 early spring of 2020, I think. But, when I heard about the sewer work that was
121 going to happen, I reached out because I thought what a good time it would be to
122 make some improvements to the roads; that I think other people had done the
123 same. I, my wife, and many of our friends feel that this is way overdo in Eliot. I
124 really hope the SB gets behind this and supports this project. I think Mr. Brubaker
125 did just an excellent job with that report. It showed a lot of thought and it was
126 obviously very-well researched. It was obvious that he put a lot of thought and
127 effort into this report and I wanted to thank him for that. I think both paved
128 shoulders wherever possible for bikers and/or walkers and, then, wherever you
129 can fit in sidewalks, per his recommendations, I really think that's going to be
130 very important. I've been walking and biking Eliot for 20 years and it's extremely
131 dangerous both walking and biking. I just really hope that the SB can get behind
132 this. I think it's a really important project and important to the Town

133
134 **5:43 PM** Mr. Donhauser thanked him for his comment.

135
136 Ms. (Donna) Murphy, Budget Committee, thanked Mr. Brubaker immensely for
137 his presentation. It was a wonderful presentation. I have attended all of his
138 presentations both as a citizen and as part of the Budget Committee. I also
139 remember my reflection of the Budget Committee as a very positive and my
140 reflection on the piece of the shoulder was about a safety issue and Mr. Brubaker
141 explaining that. Speaking as a citizen, I am aligned with Mr. Herbold. This is way
142 overdo. I have walked almost all the streets in Eliot and there are some that are
143 extremely dangerous that I will never go on again without a sidewalk and I would
144 hope that the SB would get behind this project.

145
146 **5:44 PM** Mr. Donhauser thanked her and asked if there were any more comments by the
147 public or SB members. If not, a motion would be in order.

148
149 **Mr. Widi moved, second by Ms. Dow, that the Select Board accept and**
150 **approve the report titled "Improving Conditions for People to Walk and**
151 **Bike in Eliot", as revised and presented.**

152
153 DISCUSSION

154
155 Ms. Dow said that I agreed with all the public comments. The report was
156 fantastically laid out. It was very easy to understand. You did a really good job.
157 Thank you for all that work.

158

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

159 Mr. Brubaker said thank you. I'd like to thank the SB, all the other committees
160 who chimed in, discussions I had with Mr. Sullivan and with the many residents
161 who came out, as well as the ME DOT and our regional partners and the DEP.
162

163 Mr. Donhauser said nice job. I think the SB is behind this project.
164

165 DISCUSSION ENDED
166

167 **Roll Call Vote:**
168

169 **Mr. Donhauser – Yes**

170 **Mr. McPherson - Yes**

171 **Mr. Widi – Yes**

172 **Ms. Dow - Yes**
173

174 **Unanimous vote to approve motion.**
175

176 **5:46 PM 3) Town Manager Report**
177

178 Mr. Sullivan said that, in my report, I went over a number of areas that we're
179 looking at – additional management training, payroll system, conversations that
180 we had with capital planning in regards to the Town Hall project. There's some
181 information about the seasonal viruses and COVID in there. At your next
182 meeting, we will be presenting, I believe, a blueprint for the Agricultural and
183 Food Stability Committee, which is a very exciting project. I think it's something
184 I think Eliot certainly could be a leader in and I compliment Leslie Stevens and
185 Bill Widi on their support with that. Mr. Brubaker mentioned the regional bike-
186 share that we discussed. I got a precursor on the Eliot Festival Days. I encourage
187 people to take a look at the report on a regular basis prior to meetings.
188

189 **5:47 PM** Mr. Donhauser wanted to comment about the payroll, a comment that you made.
190 I'm 100% behind you on this and am a proponent of having a payroll system done
191 by a third party. Just in thinking of the number of people that are involved in
192 doing payroll from the department heads in getting payroll processed, getting
193 money to the bank, and everything like that, there are a lot of very good
194 commercial payroll companies that can do it probably far cheaper when you add
195 up all the costs of the employees in preparing the payroll, the actual checks, the
196 bank reconciliation, and all that type of thing. I'm a big proponent of looking into
197 changing the payroll system to an outside source.
198

199 Mr. Sullivan added W-9s and W-2s. They will represent you if there's any errors
200 in your tax payments to the federal government of the State, so, you get added
201 insurance. I've seen in other communities how it's kind of revolutionized, as you

Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid

202 suggest, cutting the cost and allowed us to re-allocate people's time and effort
203 towards other projects that we're just not getting to. So, I appreciate those
204 sentiments.

205
206 Mr. McPherson asked if this is a local company that does this.

207
208 **5:49 PM**

209 Mr. Sullivan said that there are national companies but there are some companies
210 that deal primarily in municipal payrolls. They are very familiar with schools,
211 which we don't have to worry about in this case, but police, different stipends that
212 people might gather, different coding for contracts. They build your contract right
213 into the system. There are different ways that you can approach it. Employees can
214 go right in to their computer when they arrive and put in their time; that it records
215 time on a daily basis. Your time away, as you take it, is deducted. It gives each
216 employee a module where they can track their time and make adjustments. Those
217 times, once they're submitted to a payroll person, have to be reviewed by the
218 department head and, ultimately, by the Town Manager, so, there's some controls
219 in there, as well. It takes a while to put in place but it really makes it much easier
220 if we can take the paper out. For instance, every week I get direct deposit and I
221 get a paper copy of my check. In a lot of municipal settings, that's no longer
222 necessary because you have a module you can go right into and see what you got
223 paid, see what's recorded. It's much more transparent and easier to track. The
224 savings is really amazing. I've seen in a community I previously worked in where
225 they had five people working 40 hours a week on payroll because there was a pay
226 every week. We went to every other week, put in a payroll system, and we went
227 down to 2½ people working on payroll. We distributed their time to other tasks
228 that are not being done, or not being done well. So, I don't want you to think that
229 we could lay off 20 people if we put this in place but there is savings and there's
230 security in it, as well. The company we had come in and give an initial estimate is
231 a New England company. It's Harper's Payroll Systems. I believe they are out of
232 Worcester, MA. They don't go national. There is Paychex, ADP, a few others that
233 are national. We are continuing to look and look at pricing.

234 **5:52 PM**

235 Mr. Donhauser said that I was a controller a number of years ago for the
236 university system in New Hampshire and we paid the payroll for five universities.
237 We had a whole payroll department that did that. We outsourced it to a company
238 and did eliminate a number of people. We had 30 people in the payroll
239 department and we wrote checks every week. It eliminated an immense amount of
240 time in printing checks, keeping track of all the paperwork, all the withholding
241 you have, especially in a municipality, such as union dues, FDIC, retirement plan,
242 vacation; that there is a whole bunch of stuff that's taken care of automatically.

243 Mr. Sullivan said that it tracks people's time for vacation time, as well.
244 Employees log into their computer and their time is automatically registered.

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

245 There are ways to change that if someone has to go to a meeting outside or go to
246 something before they come in to work. The supervisor is able to make an
247 adjustment but it also lets us have a regular view of people's schedule and time.

248
249 **Mr. Donhauser moved, second by Mr. Widi, that the Select Board approve as**
250 **submitted.**

251
252 DISCUSSION

253
254 Ms. Murphy asked if there was a projected cost for this.

255
256 Mr. Donhauser said that we're just now looking into it.

257
258 Mr. Sullivan said that the initial cost to set up (including the first year) the system
259 that was given to us by Harper's was \$5,600, although we will look at others. We
260 pay an annual fee and we haven't gotten that annual fee, yet. The second year, my
261 estimate would be around \$4,000.

262
263 Ms. Murphy said that I'm surprised that our Town hasn't outsourced this
264 previously but I look forward to seeing that.

265
266 DISCUSSION ENDED

267
268 **Roll Call Vote:**

269
270 **Mr. Donhauser – Yes**

271 **Mr. McPherson - Yes**

272 **Mr. Widi – Yes**

273 **Ms. Dow - Yes**

274
275 **Unanimous vote to approve motion.**

276
277 **F. New Business:**

278
279 **5:55 PM 1) Comcast Price Schedule Notification**

280
281 Mr. Sullivan said that this is something that is required by FCC rules that you be
282 notified about Comcast changes to program costs. There's really no control. It's
283 just to notify the public that there are some increases coming from Xfinity. I don't
284 think anybody will be shocked.

285
286 Mr. Donhauser said that I would accept a motion with respect to this item.

287

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

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Mr. Widi moved, second by Mr. McPherson, that the Select Board accept the Comcast price schedule, as submitted.

Roll Call Vote:

**Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes
Ms. Dow - Yes**

Unanimous vote to approve motion.

5:56 PM

2) School MOU for voting

Mr. Donhauser said that this is an interesting topic. We have historically had all our voting done at Marshwood Middle School. It is my understanding that there has been no discussion of changing anything about that. We just want to create a Memorandum of Understanding (MOU).

Mr. Sullivan said that I and Ms. Dow were at a CIP meeting and this came up. We thought it was prudent to at least memorialize the process of how we reserve that space for different elections. I have had a couple of conversations with Superintendent Caverly. He is supportive and always been very cooperative. He wants to make sure it's understood that for any elections out of the cycle it would be very difficult for him to commit, in writing, to always be available. But, if we were going to memorialize the process that we presently use where basically the Town Clerk notifies him in advance of the election she knows for the next calendar year, he makes those available. They usually have a teacher professional development on those days. Then, if there is a special election or something of that nature, we would have to try to work through the system when they have availability. He always wants to remind us that his primary goal is to educate children and, while he appreciates the need to have voting, he wants to make sure that it's first and foremost.

Ms. Dow agreed. We were really talking through what scenarios would happen in the future with voting. Whether we would need different space on our own and not to wait on the school. So, this sort of brought up the idea of how we can make sure we can use the school in the future. It sounds like the discussion that Mr. Sullivan had with Mr. Caverly was that it seems like there won't be any problems. I don't know if a MOU is necessary, or not, but I think it's something we could look into a little further, maybe talk with the CIP Committee, again.

**Draft SELECT BOARD MEETING
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330 **5:59 PM** Mr. Sullivan said that my suggested motion was to table it until we have some
331 type of draft for the SB to look at.

332
333 **Mr. Donhauser moved, second by Ms. Dow, that the Select Board the school**
334 **building memorandum of understanding to a future meeting and direct the**
335 **Town Manager to continue to work with the school district for a draft MOU**
336 **on that matter.**

337
338 **Roll Call Vote:**

339
340 **Mr. Donhauser – Yes**
341 **Mr. McPherson - Yes**
342 **Mr. Widi – Yes**
343 **Ms. Dow - Yes**

344
345 **Unanimous vote to approve motion.**

346
347 *********

348
349 **6:00 PM** Mr. Donhauser said that I am going to add an item (Item #3) under New Business
350 and it is with respect to Alex Orestis, our current Chairman. I want to
351 acknowledge that I am in receipt of his resignation and I think we should ask the
352 Town Manager to reach out to Mr. Orestis to clarify the official date of his
353 resignation and to report back to this Board at our next regularly scheduled
354 meeting in the event that a Special Town Election is required. Should a Special
355 Town Election will be required, that the Town Manager should recommend a
356 date, or dates, that a Special Town Election may be held to fill a vacated Select
357 Board position. Any Special Election date proposed should envision ample time
358 for citizens to consider running for the vacant Select Board position and collect
359 the necessary signatures required. The reason I bring this up under New Business
360 is and ask the Town Manager go forward with this is that there was no date on
361 which Mr. Orestis specifically has resigned and we want to clarify when that
362 election date exactly is. That is essentially where we are and why Mr. Orestis isn't
363 here tonight. Essentially, he has moved out of Town so he can no longer be a
364 member of the SB and it has only happened within a day or two. I think it's
365 important the we recognize that he is no longer with us and, temporarily, I
366 presume I will be acting as Chair since I am the Vice Chair.

367
368 **Mr. Donhauser moved, second by Mr. Widi, that the Select Board**
369 **acknowledge receipt of Mr. Orestis' resignation and that the Town Manager**
370 **reach out to Mr. Orestis to clarify the official date of his resignation and**
371 **report back to the Select Board at our next regularly scheduled meeting and,**
372 **specifically, if there is a Special Town Election required.**

**Draft SELECT BOARD MEETING
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Town Hall/Hybrid**

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Roll Call Vote:

- Mr. Donhauser – Yes**
- Mr. McPherson - Yes**
- Mr. Widi – Yes**
- Ms. Dow - Yes**

Unanimous vote to approve motion.

G. Old Business:

6:03 PM 1) Staples Fine Consideration Request

Mr. Donhauser said that Mr. Staples has sent a letter to the SB with respect to consideration of reducing the fine. Is there somebody here representing Mr. Staples.

Mr. (Brandon) Staples said that I am his son and my sister Ms. (Stephanie) Staples are here.

Mr. Donhauser asked if they wanted to speak.

The Staples wanted to hear the SB’s thoughts.

Mr. Donhauser said that I would like to make a motion, first, and then we’ll discuss the motion. Does that sound fair to you.

Ms. Staples said sure.

Mr. Donhauser explained that the SB members have actually seen the documents that you have presented. We have also independently reviewed the history of what’s happened. So, is there a motion to be made.

Mr. McPherson moved, second by Ms. Dow, that the Select Board deny the proposed request to reduce the fine in the matter issued by the York County District Court, Docket # YOR CV-2017-19 and to direct the Town Manager to employ any and all means to have fines satisfied, as ordered.

DISCUSSION

Ms. Staples said that we just wanted to hear what’s going on with it because we’ve just had a bit of back-and-forth of another request for us to submit and,

Draft SELECT BOARD MEETING
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416 then, we just keep getting a denial of it. So, we'd just like to hear what more is
417 needed.

418
419 Mr. Donhauser said that this is the first request that you've made to the SB.

420
421 Ms. Staples said that we had been trying to get more information about it in order
422 for...

423
424 Mr. Staples said kind of going back to when we first came before the SB in
425 February and we were trying to know the situation. It came across our path kind
426 of, you know, through a completely unrelated matter. And we, in fact, for the
427 whole period, I've been reaching out to the previous Town Manager (Dana Lee),
428 he stepped down. Then I was working with an interim one. I just simply couldn't
429 piece it together to try to understand how this amounted. There's so much that's
430 not known and, frankly coming from our standpoint, this is incredibly hard for us.
431 Our father has been suffering from Alzheimer's for years, at this point. I was in
432 the Marine Corps until the tail-end of 2017. I got back to the area...you can't
433 really tell...I knew he was going through getting senile but his business is his own
434 affair. But this never came across our path until, like I said, we were trying to help
435 him facilitate a sale of a piece of property and the third party said that they
436 wouldn't buy because there's a tax lien. That's the first everything came across
437 our path that something wasn't right there. We've provided all the evidence we
438 have to this point. I've also requested any additional documents from the Town
439 but we've been told it's privileged information. So, that's the whole reason it's
440 taken us so long to get to the point to offer this second request. There is just so
441 much we haven't gotten. We haven't gotten any response from the Town and
442 we're kind of left in the dark, at this point. That is why we are here. We're like
443 what are we missing that was never addressed to us. I've gone after my father's
444 lawyers regarding this and none of them said that this was ever addressed. To-
445 date, to the extent of him even moving the fence when that was first covered. Our
446 father did pay a fine in full after the consent order was initially issued. He paid the
447 \$4,500 that was required and he covered Town legal fees and that was all boxed
448 into that. What doesn't make sense is a contempt order was rushed and then there
449 was never any verification that the fence was, in fact, moved. The fence was
450 moved. It just wasn't moved in compliance of what was required. We've since
451 gone out with a surveyor and we saw that the official markers were not there. I've
452 met Gail Chase. She came out to the property and helped us find these markers.
453 She said she never pushed...she never complained about this so this didn't come
454 from her side. The neighbor who this whole issue with the fence supposedly
455 supposed to be 2 feet removed back from the property line. The point of the fence
456 was that she didn't bring this to the Town. The Town CEO from that time period
457 is not present. We're just going off all the documents and there's so much that
458 doesn't make sense. This was years ago and I understand that the Town

**Draft SELECT BOARD MEETING
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459 eventually came to, you know.....because of the contempt order there was, I think
460 it was August 15th, that said that this is the date that these fines would go into
461 effect but there was never an attempt at the time to verify the fence had ever been
462 moved. They just started collecting. Our lawyer never got notified.

464 **6:07 PM**

Mr. Donhauser asked if he was sure about that.

465 Mr. Staples said that I have all the documents and I've talked to our lawyer.
466

467 Mr. Donhauser asked who the lawyer was.
468

469 Mr. Staples said that, at that time, I think it was Attorney Orso. He said that he
470 was aware of the contempt order but it was never effectively...we even talked to
471 the contractor who initially moved the fence and he said that he moved it that
472 summer. But there was never any confirmation back from the Town. That's why I
473 requested specifically through this memorandum for the Town to say what did the
474 Town do at this exact date to verify that the fence was then moved. They just
475 started collecting. The ticker started going for the \$250/day fine and it wasn't
476 even addressed until almost two years later when the fine amounted to \$217,000+.
477 If it hadn't gone to court, this whole matter would have been capped at \$2,500
478 max according to Town ordinance. There are a lot of things that are like how did
479 this ever get in that position. There are so many things that seem wrong. Our
480 father, in a right frame of mind, has never let a fine go past like this. Even to the
481 official records, he did pay the initial fine that was required. The only thing that
482 was never addressed officially was the fact that the fence wasn't moved in
483 compliance with the Town. From our initial offer to settle this to all the fact-
484 finding, that's the one thing we've never gotten from the Town. Even in terms of
485 finding a certified mailing, we never got anything from the Town. The letter you
486 have before you is the only piece of mail I have found from the Town and that
487 was under copious piles of my father's disarray in his house. It took me months to
488 locate. Then, all the notes he has on it are from a completely separate matter. He
489 didn't even know what was going on. I don't even know where to go with all this
490 stuff. This is incredibly frustrating from our standpoint. Besides the fact that I
491 know he had a lawsuit against Mr. Donhauser and we've asked you to recuse
492 yourself from this whole matter. We understand that that's a totally separate
493 matter but, there's just so many things that just don't add up to us. I don't know
494 what to do. We've come before you. We didn't think there was any issue, here,
495 but thought there was some sort of mistake. Who in their right mind would let
496 something like this amount without...there's just so many things that are wrong to
497 us coming to this matter, looking at it, especially considering our father's state of
498 mind and his past track record and history. I don't know if there are some deep-
499 seated feelings, here, or some animosity but I can't make sense of this.
500
501

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

502 **6:11 PM**

Mr. Donhauser said that I will say I have no animosity toward your father. The lawsuit you are speaking about happened in 2008, like 12 years ago, or so. I think I've seen your father once and that was in passing at the library. I have no animosity toward him. The way you stated about the lawsuit was really misstated, and I don't need to go into detail about it, but there's two sides to every story. This whole process started in 2016. That's when a fence occurred on your neighbor's property and it's just now being resolved, almost five years later. During that five-year period, there were 19 contacts by attorneys to your father or your father's representative. How those went by and he wasn't aware of it is beyond me. It sort of escapes me how, if you have an attorney representing you, you don't either listen to them or accept what they're saying to you. You're saying that the attorney said that he didn't get this information.

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Mr. Staples said that Attorney Orso said that he got the initial consent order basically saying that if the fence isn't moved by this set time, you have this \$4,500 fine to pay. My dad definitely received that because he came in to the Town and he paid that \$4,500. The one thing that we can't verify...we can verify that the fence was moved, per the documentation out of the official court order. What I collected from going up to the York District Court were the official photos that were provided from that time and there was clear evidence that, just based on the wellhead, that the fence had been moved off the wellhead. Also, the contractor from that time did say that he moved that fence. What was never confirmed to us or our attorney was that the fence was not moved enough. So, we basically went back and there's nothing written down and, like I said, part of the consent order was, I think it was August 15th, that fine just kicks up. There was no back-and-forth. There was no saying that the fence was not removed enough. So that fence was moved sometime between the initial push for consent and then the next time that that was (somebody coughed). So, there was never communication. Our lawyers were never contacted that it was still out of compliance. I think it all came to a head when Attorney Orso received the initial...I don't know if it was a writ of execution but it was prior to the Town voting to take down the fence. At that point, I think that when my dad did hear about that, he didn't know what it was about. He still though it was related to the tree-cutting matter with his neighbor, Mr. Moynihan. This is absurd. Who would get charged for something like \$200,000, at that point. It was something crazy. No, it wasn't \$200,000, it was about \$36,000 but it was still kind of like this isn't real. I know he did come in at some point, I don't know where in the timeline, to discuss this with Mr. Lee. But he was completely convinced it was related to the tree situation.

541 **6:15 PM**

Mr. Widi said that, just from my standpoint, I didn't even get elected until 2020. Four years after this whole thing started. Ms. Dow just got elected so she is here five years after the whole thing started. I understand the frustration of everybody and there's a whole lot of frustration to go around. To boil it down, I guess my

**Draft SELECT BOARD MEETING
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545 understanding is the majority of the fines are the contempt order. I'm a farmer.
546 You know what I mean. Judges are professionals. It's what they do – the
547 contempt order. Just my gut says it's not in my purview to say to reduce a
548 contempt amount. That's a judge's job. That's what they do. They do it every day.
549 I understand. I emphasize with everybody but I just...the majority of that money
550 is a contempt order and I think it's pretty disrespectful to a judge that we
551 supersede their decision, which I just don't think is appropriate.

552
553 Ms. Dow said that I'm not sure that it's legal.

554
555 Mr. Sullivan said that I would just encourage the Board to be very careful. This
556 has been litigated. The fines have been put in place. I think that if there's any
557 discussion on your side of the dais could be subject to review. You have the
558 evidence. You know the history. I think we have to make a decision on the matter.

559
560 Mr. Donhauser said that there has been a motion to deny the request. It has been
561 moved and seconded. He asked for a roll call.

562
563 DISCUSSION ENDED

564
565 **Roll Call Vote:**

566 **Mr. Donhauser – Yes**

567 **Mr. McPherson - Yes**

568 **Mr. Widi – Yes**

569 **Ms. Dow - Yes**

570
571
572 **Unanimous vote to approve motion.**

573
574 **6:18 PM 2) December 23 meeting**

575
576 Mr. Sullivan said that, at this point, there is nothing to put on the docket for
577 December 23rd. I would ask the pleasure of the SB whether that meeting is
578 necessary. If necessary, the Vice Chair could call a special meeting.

579
580 It was the **consensus of the Select Board** to bypass the December 23rd meeting
581 and move on to the next regularly scheduled meeting.

582
583 **H. Approval of Warrant(s):**

584
585 **6:19 PM Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
586 **approve A/P Warrant #40 in the amount of \$90,706.47, dated November 10,**
587 **2021; A/P Warrant #42 in the amount of \$1,018,059.18, dated November 18,**

**Draft SELECT BOARD MEETING
December 9, 2021 5:30PM (continued)
Town Hall/Hybrid**

631 **Mr. McPherson - Yes**
632 **Mr. Widi – Yes**
633 **Ms. Dow - Yes**

634
635 **Unanimous vote to approve motion.**

636
637 **6:57 PM Out of executive session. No action was taken.**

638
639 **N. Adjourn**

640
641 **There was a motion and second to adjourn the meeting.**
642 **Unanimous vote to approve motion.**

643
644 The meeting adjourned at 6:58 PM.

645
646
647 **Respectfully submitted,**

648
649 **Ellen Lemire, Recording Secretary**

650
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653
654 **Mr. Robert McPherson, Secretary**

655
656 **Date approved:**
657 _____

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662

Draft SELECT BOARD MEETING
January 13, 2022 5:30PM
Town Hall/Hybrid

1 **Quorum noted**

2

3 **5:30 PM:** Meeting called to order by Chairperson Donhauser.

4

5 **A. Roll Call:** Mr. Donhauser, Mr. McPherson, Mr. Widi, and Ms. Dow.

6

7 **Absent:** Mr. Orestis (resignation accepted at tonight's meeting).

8

9 **B. Pledge of Allegiance recited**

10

11 **C. Public Hearing: Sweet Dirt 2, LLC Renewal Tier IV Cultivation License**

12

13 **5:31 Public Hearing opened.**

14

15 Justice Rines, Esq. was present for this license renewal.

16

17 There was no public comment.

18

19 **Mr. Widi moved, second by Ms. Dow, that the Select Board accept the Sweet**
20 **Dirt 2, LLC Renewal for a Tier IV Cultivation License.**

21

22 **Roll Call Vote:**

23

24 **Mr. Donhauser – Yes**

25 **Mr. McPherson - Yes**

26 **Mr. Widi – Yes**

27 **Ms. Dow - Yes**

28

29 **Unanimous vote to approve motion.**

30

31 **5:33 PM Public Hearing closed.**

32

33 **D. Public Comment:**

34

35 There was no public comment.

36

37 **E. Approval of Minutes of Previous Meeting(s)**

38

39 **5:31 PM Motion by Mr. Donhauser, second by Mr. McPherson, to approve the**
40 **minutes of October 14, 2021, as amended.**

41

42 **Roll Call Vote:**

43

44 **Mr. Donhauser – Yes**

45 **Mr. McPherson - Yes**

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

46 **Mr. Widi – Yes**

47 **Ms. Dow - Yes**

48
49 **Unanimous vote to approve motion.**

50
51 **Motion by Mr. Donhauser, second by Mr. McPherson, to approve the**
52 **minutes of October 28, 2021, as written.**

53
54 **Roll Call Vote:**

55
56 **Mr. Donhauser – Yes**

57 **Mr. McPherson - Yes**

58 **Mr. Widi – Yes**

59 **Ms. Dow - Yes**

60
61 **Unanimous vote to approve motion.**

62
63 **F. Department Head/Committee Reports**

64
65 NOTE: Mr. Sullivan apologized that the next two items did not get on the agenda.
66 The information is in the packets.

67
68
69 **5:37 PM 1) Planning Board By-law Amendment**

70
71 Mr. Sullivan said that there is a staff report from the Planning Director, who is
72 here tonight. It is a proposal to amend the PB by-laws with respect to meeting
73 attendance and creating a threshold of creating 25%.

74
75 Mr. Brubaker said that this is pretty straightforward. In Chapter 2 of the Town
76 code there are already attendance standards for committee members, basically
77 over a 12-month period if you have an unexcused absence 25%, or more, of the
78 meetings then you're liable to be dismissed from that committee for lack of
79 attendance. This is just bringing that from the Town code officially into the PB
80 by-laws. I know the PB was interested in an additional standard where, if you
81 have three consecutive unexcused absences, you could potentially be
82 recommended for dismissal, as well, but I think they wanted to stay true to what
83 the Town code says in Chapter 2. The by-laws change also creates an option
84 where the Board can determine whether a Board (PB) member has an unexcused
85 absence. Certainly, there are many different reasons for excused absences and that
86 requires the committee member reaching out to the Chair before the meeting to
87 say why they can't be there.

88
89 Ms. Dow asked what the previous way absences were excused or not excused.
90

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

91 Mr. Brubaker said that it was just the Chair determining whether it was unexcused
92 or excused. Now, it's just formal in saying that the Board (PB) will determine
93 that.

94
95 **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
96 **approve the amendment, as presented and requested by the Town Planner**
97 **and further instruct the Town Manager to prepare a warrant for the June**
98 **2022 Town Meeting. The warrant to be approved in its final form at a future**
99 **meeting of the Select Board.**

100
101 **Roll Call Vote:**

102
103 **Mr. Donhauser – Yes**

104 **Mr. McPherson - Yes**

105 **Mr. Widi – Yes**

106 **Ms. Dow - Yes**

107
108 **Unanimous vote to approve motion.**

109
110 **5:40 PM Town Manager Report**

111
112 Mr. Sullivan said that my report is available in the packet and online. I discuss
113 about the **start of 2022**, some of the **training** we're doing, and a little bit about
114 **Town Hall renovations** and where that process is with the Town Hall Building
115 Committee. The report has been submitted and I encourage people to take a look
116 at it.

117
118 **G. New Business:**

119
120 **5:41 PM 1) Fiscal Year 2023 Budget**

121
122 Mr. Sullivan said that last night we had the Town Manager's presentation of the
123 budget. We went over the budget process, some of the investments that I'm
124 hoping that will be part of this budget, and really talking about investing in roads,
125 and sidewalks; investment in staff and trying to work to retain staff and how we
126 can improve service through greater training. I think all members of the Budget
127 Committee were there and members of the Select Board. I appreciate everyone's
128 attendance and attention. It's incredibly important. I'm hoping we can have a
129 smooth budget process and, as I said last night in earnest, I created that budget as
130 the Town Manager is responsible to do and certainly with the help from some
131 great staff here in Town Hall. It is an honest reflection of what I believe is needed
132 for 2023 to make sure we invest properly in the Town of Eliot and be all that we
133 want it to be. Again, thank you to everyone who attended last night. It was greatly
134 appreciated by the Town Manager.

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

136 **5:43 PM** Mr. Donhauser said that I thought it was very-well done. You did a great job.

137
138 Mr. Sullivan said that I encourage members of the public, members of
139 committees, to send me questions. I prefer through the Chair, with respect to the
140 committees, but I will take them any way I can get them. I have created a new
141 Town Manager's budget page on the Town website. All the information will be
142 updated. There is quite a bit of information already populating that page and I
143 encourage the public to get familiar with the budget and the budget process.

144
145 **5:44 PM** **2) Acceptance of Alex Orestis Resignation (Select Board).**

146
147 Mr. Sullivan said that although I only got to work with Mr. Orestis for a short two
148 months, I really appreciated him. I know it was a hard decision for him, as we
149 discussed at the last meeting where we had gotten an email late that he was
150 thinking about resigning. I was instructed by the Vice Chair to contact Mr.
151 Orestis, which I did via email and is in your packet. He had neglected to put a
152 date for his resignation. He said that he has resigned as of January 1, 2022 and
153 that is what is before you tonight.

154
155 **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
156 **accept Mr. Orestis' resignation, effective January 1, 2022.**

157
158 DISCUSSION

159
160 Mr. Donhauser said that I'm saddened. He was a great fellow to work with

161
162 Mr. McPherson said that I agree with Mr. Donhauser. He's a tough guy to lose.

163
164 **5:46 PM** Mr. Widi said that Mr. Orestis was very liked. For those of you who don't know,
165 he got mold in his home so his family was forced to move into a motor home in
166 their driveway for a period of time. There was a GoFundMe and I think with that
167 money they bought a bus to turn a negative into a positive, take a trip of a lifetime
168 and travel around and see things. Being on the Select Board is kind of unique
169 because, sometimes, you get emails at 1:47 AM. I want to take some time to
170 explain how Mr. Orestis can actually be on this Board, if he chooses, but I will
171 respect his wishes. Section 2.2 of the Charter says: "Only qualified voters of the
172 Town shall be eligible to hold the office of member of the Select Board." A
173 qualified voter is determined by the State, not by Charter. We have people who
174 participate on, as an example, the Budget Committee who has members who live
175 in Florida 3-4 months out of the year and there is no issue. There is one more part
176 of the Charter, Section 7.9, that essentially says that you can be removed from
177 office if you have removed from the municipality. Again, it said earlier in the
178 Charter that, as long as you are a qualified voter, you can be on the Select Board.
179 It's assumed that removal from the municipality means that you registered to vote
180 with a different municipality or different state. Even though I feel that Mr. Orestis

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
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181 could still be serving remotely, taking the trip of a lifetime with his family I will
182 respect his wishes and let him do his thing.

183
184 DISCUSSION ENDED

185
186 **Roll Call Vote:**

187
188 **Mr. Donhauser – Yes**

189 **Mr. McPherson - Yes**

190 **Mr. Widi – Yes**

191 **Ms. Dow - Yes**

192
193 **Unanimous vote to approve motion.**

194
195 **5:48 PM a) Reorganization Vote**

196
197 Mr. Donhauser said that the next step is to have a reorganization of our Board.
198 We do that by ballot and each of you have ballots given to you by the Town
199 Manager. I am actually in California and have already submitted my vote to Mr.
200 Sullivan. I am going to pause for 2-3 minutes while the SB makes their votes for
201 Chair and Vice Chair of the Select Board.

202
203 Mr. Sullivan counted the votes placed for Chair and Vice Chair for the Select
204 Board.

205
206 **Chair: Richard Donhauser received four votes – elected as Chair**

207
208 **Vice Chair: Bill Widi received three votes – elected as Vice Chair**
209 **Bob McPherson received one vote**

210
211 Mr. Sullivan said that I will submit those to the Clerk tomorrow.

212
213 **Mr. McPherson will continue as Secretary on the Select Board by consensus**
214 **of the SB members.**

215
216 **5:52 PM b) Set Special Election for Vacancy**

217
218 **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
219 **have the election of that seat available for the election period that is in June**
220 **at our normal Town voting for the remaining two years of the term.**

221
222 **Roll Call Vote:**

223
224 **Mr. Donhauser – Yes**

225 **Mr. McPherson - Yes**

**Draft SELECT BOARD MEETING
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226 **Mr. Widi – Yes**
227 **Ms. Dow - Yes**

228
229 **Unanimous vote to approve motion.**

230
231 **5:53 PM c) Dana Lee Charter Violation Complaint**

232
233 Mr. Sullivan said that on December 4th we received a request for a hearing of a
234 Charter violation from former Town Manager, Mr. Lee. Subsequently, on
235 December 24th we received a withdrawal of that request. If the SB so chooses, we
236 would entertain a motion to accept the request and the withdrawal. The matter
237 was that he felt that there was a violation because the Chair Orestis was no longer
238 a resident of Eliot. I think that Member Widi summed it up well and cited the
239 appropriate parts of the Charter that would indicate that, even today, as we
240 checked with Clerk Rawski, he is a qualified voter in the Town of Eliot and,
241 therefore, if he chose to, he could serve. You have accepted Mr. Orestis'
242 resignation, so, it's just a matter if you want to accept the request and recension or
243 whether there was a violation, or not.

244
245 **5:55 PM** Mr. Donhauser said that, as a matter of discussion, I don't believe there was a
246 violation of the Charter. I think that Mr. Orestis, at any moment in time, could
247 continue on the Board.

248
249 **Mr. Donhauser moved, second by Ms. Dow, that the Select Board does not**
250 **have a Special Hearing and honor Mr. Lee's withdrawal of his request.**

251
252 **Roll Call Vote:**

253
254 **Mr. Donhauser – Yes**
255 **Mr. McPherson - Yes**
256 **Mr. Widi – Yes**
257 **Ms. Dow - Yes**

258
259 **Unanimous vote to approve motion.**

260
261 **5:56 PM 3) Acceptance of Resignation of Melissa Magdziasz (Planning Board).**

262
263 Mr. Donhauser said that she does intend to come back, as I understand, when it is
264 possible.

265
266 **Mr. Donhauser moved, second by Ms. Dow, that the Select Board accept**
267 **Melissa Magdziasz' resignation from the Planning Board, effective January**
268 **1, 2022.**

269
270 **Roll Call Vote:**

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

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Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes
Ms. Dow - Yes

Unanimous vote to approve motion.

5:57 PM 4) Acceptance of Treasurer Jordan Miles Resignation

Mr. Donhauser said that I'm really saddened that Mr. Miles took that position. It was a great move on his part.

Mr. Donhauser moved, second by Ms. Dow, that the Select Board accept Mr. Miles' resignation, effective January 13, 2022.

DISCUSSION

Mr. Donhauser said that he has accepted a great position in Old Orchard Beach and I wish him well.

Mr. McPherson said that I would like to thank Mr. Miles again. He helped me a lot, personally, with a lot of things that I tried to learn over the several years that I've been here, now. He has tremendous talent and it's tough to lose. We all need to think, us and the public, that we really need to put our thoughts into how we can keep these very talented employees. I think we know how we need to do it. We need support from the public to make this happen. We're losing some serious talent in this building and we need to be able to keep them. Thank you, again, Mr. Miles.

Mr. Sullivan said that I just want to say what a pleasure it was to work with Mr. Miles. It was only a short time but I recall, even in my interviews, that I made comments about the talent that I recognized when I watched your meetings on video. He is a true talent. Old Orchard Beach is very lucky to have him coming to them and we can all hope that someday he comes back to the right position under the right conditions. Congratulations to him. I can't say enough good things about him.

DISCUSSION ENDED

Roll Call Vote:

Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes

**Draft SELECT BOARD MEETING
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316 Ms. Dow - Yes

317

318 **Unanimous vote to approve motion.**

319

320 **6:00 PM a) Appointment of Interim Treasurer**

321

322 Mr. Donhauser asked that, with respect to an Interim Treasurer, Mr. Sullivan fill
323 us in on how he sees that happening.

324

325 Mr. Sullivan said that it was explained to me and I appreciate that. I appoint
326 myself as the Treasurer and the Select Board is tasked with making a motion to
327 confirm my appointment as Treasurer. This is only temporary. Just so the SB and
328 public know, we are interviewing; that we've had three interviews today. We have
329 a couple more scheduled for next week. We hope to get some quality candidates
330 and find the right candidate. To all the department staff and department managers
331 and Town Hall, I really appreciate the fact that they've really pitched in and
332 supported us in trying to learn the different aspects and to share the work. With
333 that, I'm sorry to see Mr. Miles go and hope we can have someone new. Again,
334 thank you to everybody that has really gathered around and is supporting the
335 Town in this time of loss, personnel-wise. If the SB wants to make a motion to
336 confirm my appointment.

337

338 **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board**
339 **appoint Mike Sullivan as our Interim Treasurer.**

340

341 **Roll Call Vote:**

342

343 **Mr. Donhauser – Yes**

344 **Mr. McPherson - Yes**

345 **Mr. Widi – Yes**

346 **Ms. Dow - Yes**

347

348 **Unanimous vote to approve motion.**

349

350 **H. Old Business:**

351

352 **6:02 PM 1) Agriculture/Food Security Commission**

353

354 Mr. Sullivan said that we talked about this a little at our previous meeting. I
355 submitted some guidelines and outlined what we want to do with this committee.
356 As is stated, it's to "*promote local agricultural-based economic opportunities;*
357 *preserve, revitalize, and sustain the Eliot agricultural industry and encourage the*
358 *pursuit of agriculture as a career opportunity and lifestyle. Furthermore, to*
359 *advise on issues and challenges in respect to food security and accessibility to*
360 *healthy foods for all residents.*" I think this is a really exciting commission. It

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361 would be an ad hoc commission and my suggestion was to have five initial
362 members. If you approve it tonight, I will start the process of advertising it and
363 looking for people to participate. I would really encourage the members of the SB
364 to help me with that task. There is a lot of interest and I think it's very forward,
365 progressive thinking. From my research, I think it will be only the third or fourth
366 such food commission in Maine. I think there's only one or two in New
367 Hampshire. So, it's really cutting-edge and I think it could be very exciting for
368 Eliot. I'm thankful to Leslie Stevens and Selectman Widi for bringing this
369 forward. It was very interesting to do some research on this.

370
371 **Mr. Widi moved, second by Ms. Dow, that the Select Board accept, as**
372 **proposed, the Agriculture and Food Security Commission and furthermore**
373 **direct the Town Manager to solicit candidates from the public to serve on the**
374 **ad hoc Agriculture and Food Security Commission for 30 days and to submit**
375 **a list of candidates to the Select Board for appointment following the**
376 **solicitation period.**

377
378 DISCUSSION

379
380 Mr. Donhauser said that I think this is a really good thing we can do as a Board
381 for the Town.

382
383 Ms. Dow agreed. A great thing.

384
385 DISCUSSION ENDED

386
387 **Roll Call Vote:**

388
389 **Mr. Donhauser – Yes**

390 **Mr. McPherson - Yes**

391 **Mr. Widi – Yes**

392 **Ms. Dow - Yes**

393
394 **Unanimous vote to approve motion.**

395
396 **6:05 PM 2) American Rescue Plan Act (ARPA).**

397
398 Mr. Sullivan said that Eliot is to receive \$729,594 through the American Rescue
399 Plan Act (ARPA). We have already received \$364,797. The balance of these
400 funds will arrive in May of this year. The funds are to be used for recovery efforts
401 and for expansion of healthy and safe ways for communities to expand. I did send
402 some of the more involved standards that were just promulgated yesterday by the
403 federal government and is being circulated. What I propose for expenditures in
404 the plan would meet all of those standards. I tried to look at things that benefitted
405 the whole community were items that are important investments. The other issue,

**Draft SELECT BOARD MEETING
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406 although I think you have a couple years more to spend this money, I think it's
407 important to have this money allocated so that it's going to some projects that are
408 thoughtful. He read the list of projects:

Pedestrian/Cycling Report Implementation	\$225,000	Planning, Jeff Brubaker, Steve Robinson
Sewer Design and Technical Assistance	\$100,000	Planning, Jeff Brubaker
Qualified Assistance Program for Sewer/Septic	\$15,000	Planning, Jeff Brubaker
Records Retention filing system (initial)	\$29,000	Town Hall, Mike Sullivan, Wendy Rawski
Fogg Library Addition	\$25,000	Library Lydia Goodwin, Sharon Kibut
Employee Payroll System (3 year)	\$16,000	Town Hall, Mike Sullivan, Melissa Albert
Fire Department Equipment/ ATV/Trailer	\$85,000	Fire Department, Jay Muzzeroll
Police Station Building Improvements	\$75,000	Police Department, Elliott Moya
Play Surface Repairs	\$60,000	CS Heather Muzzeroll, Steve Robinson
Transfer Station Compactor Replacement	\$35,000	DPW, Steve Robinson
Employee Pandemic Compensation	\$63,000	Town Hall, Mike Sullivan
Total	\$728,000	

409 Mr. Sullivan said that there is a lot of enthusiasm around cycling and safe
410 pedestrian pathways in Eliot. Sewer design/technical assistance will benefit not
411 only the present project but some ancillary projects that might benefit some of the
412 more affordable housing in the Town of Eliot. Regarding the sewer/septic
413 assistance program, ARPA is designed to help communities that are underserved
414 – low-income communities, and I will say that there are a lot of those
415 qualifications in Eliot. There are some people who are struggling and think this
416 would be a good program to help people.

417
418 **6:10 PM** NOTE: At this time, the fire alarm went off and Mr. McPherson left the meeting.
419 He returned at 6:16 PM.

420
421 Mr. Sullivan continued to discuss the list of projects during the alarm. The Fire
422 Station needs some equipment and the Police Department needs to do some work
423 to the police station structure and accessibility to the structure. Play Surface
424 Repairs would help re-coat basketball and tennis courts to help install some
425 pickleball courts. I attached the employee compensation language in my staff
426 report. He explained the design of the Employee Pandemic Compensation
427 Guidelines, both Tier I and Tier II. There is no easy way to split up this funding.
428 There were a number of employees that didn't come to work, as I understand, but
429 there were 2.5 to 3 months they did come in to work and were paid. They

**Draft SELECT BOARD MEETING
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Town Hall/Hybrid**

430 wouldn't qualify for this; that we felt that was a cut-off point. It's certainly not a
431 lot of money but it indicates to those frontline workers that put in their time that
432 the Town of Eliot really appreciates those efforts during trying times that,
433 hopefully, we're headed out of. I encourage the SB to support and approve the
434 plan and we can then start to move forward. None of the money would be
435 expended until it comes in and, under the ARPA, it is solely the executive body
436 (SB) that approves this spending.

437
438 Mr. Donhauser asked if there was an action to be taken tonight.

439
440 Mr. Sullivan said that I would like to. I'd like to get started on these. We've
441 talked about it once before and I'm just fearful of a couple things; that we'll keep
442 on putting it off. These are all working projects. The second one is that there is
443 always the threat that the feds will come out with additional money and, if you
444 haven't initiated your process, they may not fund you in the next round. Those
445 that are thinking of sitting on this, I think are making a tactical mistake.

446
447 **6:15 PM**

448 Ms. (Lori) Oeser was very excited that pickleball was included. We've been
449 playing at Frost Tuft's Park and the service is not great, the lines. We're sharing
450 with tennis players. This summer it was actually getting to the point where it was
451 dangerous. There was grass 16" long growing up through the cracks that we were
452 tripping over. Not a good situation and we need some help there. It would be great
453 if we could get some dedicated pickleball courts. You could put new pickleball
454 courts in the space of two tennis courts. With pickleball, there are usually four
455 playing on a court at a time and that's 32 people. A small space can take up a lot
456 more playing so we hope the SB has some support for the sport. It is growing
457 across the country. It's growing here. Kittery is going to be building some new
458 courts. Dover has just built some state-of-the-art courts. They say that Portsmouth
459 just took some of their courts at South Mill Pond to convert two tennis courts into
460 eight pickleball courts. It's a great sport. We've been working with the Aging-in-
461 Place Committee, who have been supportive of this. I just wanted to put in my
462 support. There are a lot of people out there looking at this, hoping that some of the
463 money can be directed toward this sport in Town.

464 **6:18 PM**

465 Mr. Sullivan said that I appreciate the comments. I think that pickleball,
466 expansion of safe pedestrian and bike paths in Town, all lend themselves to the
467 idea that during 2021 nothing good came out of the pandemic. People got outside
468 more and they are looking to enjoy outdoor spaces and investment in those
469 outdoor spaces, like repairing surfaces and upgrading walkways and bikeways are
470 really something that's popular in Eliot and beyond. So, I would encourage your
471 consideration in it. Certainly, I would love to get it approved tonight but, if you
472 feel you need to have more public input, I'll follow your lead.

473 Mr. Donhauser said that I am actually for moving forward on this as quickly as
474 possible. It's a good plan that has been submitted.

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

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Mr. Donhauser moved, second by Mr. McPherson, that the Select Board make this a permanent document as our plan going forward for the American Rescue Plan Act monies we have received to date.

DISCUSSION

6:20 PM Mr. Widi asked if we have any idea dedicated pickleball courts would be, price-wise. I know it's all variable.

Mr. Sullivan said that \$60,000 isn't nearly enough. What we were hoping to do with this money is get started and repair surfaces and have pickleball maybe in one court. But this would be about enough to cover to repair the basketball surface and the tennis court surfaces, according to estimates from Mr. Robinson and Ms. Muzeroll-Roy.

Mr. Widi said that my other question, and I'm asking only out of curiosity, the Transfer Station compactor, for instance, I feel is more like a regular budgetary thing than a Rescue Plan fund but you certainly have more experience than I do. I'm trying to figure out if we could scrape some money together. Maybe not eight surface pickleball courts but maybe a set of two or a set of four or something along those lines.

6:21 PM Mr. Sullivan said that, certainly, the idea with the Transfer Station is that one of them is a 1989 compactor and the other one is like a 1991. We probably wouldn't replace them both at the same time so, if you wanted to make an amendment and, say, move \$20,000 from that over to the pickleball and court resurfacing, it certainly would be helpful.

Ms. Dow said that I think, generally, I had a similar thought about the utilization of the funds for Town needs that might typically fall under the Town budget, like the Police and Fire Department improvements. I believe all these things should happen so I'm in support of all these things being funded, somehow. I fully agree with the idea that creating outdoor spaces and creating more equity within the community for people to utilize these spaces would be a wonderful use of the funds. It's an opportunity that we wouldn't typically have. So, what could we do that would be outside of the typical funding cycle that would create something longer-lasting for our Town. It seems like pickleball is something we can really put money into that the whole community could use. I understand that, like the Fire Department, we obviously use those things and they are important. Did you reach out to the Community Services Department to get that request, did they put a request in for the surface at the [park].

6:23 PM Mr. Sullivan said that I reached out, and after I'd spoken to the Aging-in-Place Committee and some of the work that they are doing, and Ms. Muzeroll-Roy was

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

520 very supportive of it. With the Police and Fire Departments, the idea was that they
521 serve all aspects of everyone in the community. Traditionally, for some of the
522 types of work that they want to do, it hasn't been easy to get that funded.
523 Unfortunately, an article comes along and, because the SB is more sensitive, or
524 more inclined, than some other boards are to fund projects like this, it gave us
525 kind of an internal opportunity, as well, to get some of these things done. So,
526 when we talk about Police, Fire, or the DPW, the idea is those serve all aspects,
527 all economic, and all areas of a diverse community. Certainly, if the SB...

528
529 Ms. Dow said that I recognize that when needs come, someone would need to be
530 spearheading this so what I was thinking is Community Service has ideas about
531 this but if nobody is really coming forward then it would be _____. We can't
532 make that _____(00:53).

533
534 Mr. Sullivan said that I tried to be creative. I think that the qualified assistance
535 program is something new for Eliot. We would model that after some other
536 similar programs for people with septic or sewer who are having repair problems.
537 That was the area we really might have thought about expanding a little bit to
538 include handicap accessibility, as well; particularly for people who are
539 economically impacted. I think that's an exciting one. The sewer design, I think
540 Mr. Brubaker will tell you, we want to focus that on some of the areas of Town
541 that are not as affluent to see if we can extend and get some design money to get
542 them to those affordable housing; that maybe we can spur some growth in that
543 area. Certainly, if you're going to build the economy on Route 236, you're going
544 to have to entry-level workers and we need to find a way to house them in Eliot.
545 It's a long task and it's a very little bit of money. When you talk about \$225,000
546 for pedestrian and cycling, you can easily spend \$225,000 in improvements right
547 along 'here' (State Road in the Village), even though the sidewalk is established.
548 Certainly, if the SB feels that this needs more work, I'm open to it if you want to
549 make some amendments. Whatever you think. I just think there's a need to move
550 this along because we'd like to get some of this money into play for the spring
551 and start to make those improvements. Particularly if we go through a fall where
552 we have a relapse or whatever they're calling it now.

553
554 **6:27 PM** Mr. Widi asked Mr. Brubaker asked how far \$225,000 gets us on the
555 sidewalk/bike path project.

556
557 Mr. Brubaker said that it helps us start designing a critical, medium-term project.

558
559 Mr. Widi asked if you could make do with, say, \$200,000.

560
561 Mr. Brubaker said that I would be open to that.

562
563 Mr. Widi said that I was just trying to think if we can get \$25,000 from there,
564 maybe \$20,000 from the compactor; that I know the Police Department has a little

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

565 bit in Undesignated Fund and maybe we could pull a little bit there, maybe we can
566 put together something for a pickleball court. I don't know how that would be
567 received by you guys. I'm a team player. I'm willing to adjust my thoughts as
568 needed.

569
570 Mr. Sullivan said that I think we can also take \$10,000 from the Town Hall
571 Employee Compensation. The total would give you \$105,000.

572
573 Mr. McPherson asked where this pickleball court would be.

574
575 The general consensus was at Frost Tuft's Park.

576
577 Ms. Dow suggested it could convert one of the tennis courts into a pickleball
578 court.

579
580 Ms. Oeser said that that would be a very basic move. I hate to turn down any kind
581 of help at all but the way things are set up down there, it's difficult to try to play
582 there for pickleball on top of the tennis court. Various reasons – the markings, you
583 can't play at night even though we have great lighting down there because the
584 light in the parking lot shines directly on the court. So, there's things that
585 definitely need fixing. I would like to think that Eliot could be forward-looking
586 enough to think about even building some place else, either another area at Frost
587 Tuft's, maybe the Boat Basin where there's already parking and facilities. I don't
588 know about the center area 'here' where we have volleyball. There are spaces that
589 we hope the Town might look at. The vision of Mr. Brubaker fixing a couple
590 tennis courts that we already have and ask us to share with the tennis courts; that
591 it just makes it difficult for tennis and pickleball to play together. When you start
592 putting competing lines on the same surface, and the nets are different, the
593 lighting. It would be great to get the fixes but we'd like to see you even take an
594 additional step of maybe establishing some new courts on some Town land
595 somewhere.

596
597 **6:31 PM** Mr. Donhauser said that I want to stay on topic with the motion. We're starting to
598 run off on a tangent with respect to one. I'm all for the discussion but we need to
599 come back to the motion. And I appreciate all the comments. I think they're valid
600 comments but we don't want to spend a whole bunch of time sort of engineering
601 something that we're not talking about. We're really talking about a motion, and
602 I'm not opposed to amending the motion to change the numbers. It's just
603 authorizing the Town Manager to go forward with some form of program; even if
604 we say, knowing we're going to spend \$728,000, we form a subcommittee of the
605 SB, or something of that nature, to massage the numbers. I'd like to stay on task
606 with respect to the motion. The motion before us is that we have to use this plan,
607 as presented, to effectively spend this ARPA money and, again, I'm not opposed
608 to changing the numbers. I've heard a lot of valid comments from Mr. Widi and
609 Ms. Dow. I think it makes sense to move some of that money around and,

Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid

perhaps, I should withdraw the motion and let's spend another couple weeks on it, with each of us individually talking to the Town Manager, and see if we can't come to some consensus. We're not all going to agree where the money should be spent but I think there's some really good things to be done with this money and we do want to spend it in the wisest way. I don't mean to squash all conversation so I would like more comments, if possible, or I'll remove my motion. Whichever way the SB feels.

6:34 PM

Mr. McPherson said that I think we need more time.

Mr. Donhauser said that makes sense and I agree.

Mr. Donhauser withdrew his motion. Mr. McPherson withdrew his second. MOTION IS WITHDRAWN.

Mr. Sullivan said that I will bring this back on January 27th for the SB. I just want to reiterate that, first of all, I'm not going to spend the money until we have it all in-house for but we do want to know that the money is there so the Planner can start his process and all the department heads can start their processes. It would be helpful coming into the construction season, if we want to get the surface re-done, to have that money available. If it pleases the SB, I'd like to bring it back the 27th. Hopefully, we can get it done by then.

6:35 PM

Mr. Donhauser said that that makes sense to me. Do the rest of the SB members agree.

The SB members all agreed.

Mr. Donhauser said that we don't need to approve the entire amount for specific amounts. For example, the pedestrian/cycling, we could approve a certain amount and just address that one issue with this money. We don't have to do all the money at one time, correct.

Mr. Sullivan said that you could. Other communities are struggling probably because it kind of erodes away that way. One project gets approved, another project comes along.

6:36 PM

Mr. Widi said that my only fear was delay. The problem with putting it on the next agenda is that you are going to have 40 people with 40 ideas on where the money should be spent and it will muddy it more. I just have the three amendments - \$20,000 from pedestrian walkways, \$15,000 from the Transfer Station, and \$53,000 from the Town Hall Employee Pandemic Compensation, and I'm good. All that for resurfacing for pickleball. I'm fine with that but if you guys want to wait.

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

655 Mr. McPherson said that my point to that, and I certainly think that pickleball is
656 terrific but, if we're going to spend that money, I think we need a plan of where
657 we're going to put it. Otherwise, that creates that we're going to have to spend
658 more money so we're going to have to come up with money to finish this project,
659 which is going to have to be budgeted for. So, I guess that's why I asked the
660 question. I think it's terrific but, if we're only going to appropriate so much
661 money, where are we going to get the rest of the money so we can do this terrific
662 project., if there's not enough to do it. That was my question with where is it
663 going to go. The other ones are allotting money for certain things. Mr. Brubaker is
664 planning that part but that's a big-picture item. This is a big-picture item but
665 we're going to have to come up with more money to finish this project. My
666 question of where will these pickleball courts go and not knowing what pickleball
667 really is. Pickleball is a great idea but, if it's going to take more money, we need a
668 plan on the other end of that.
669

670 **6:38 PM**

671 Mr. Donhauser said that I think we have consensus that we're going to go on to
672 the next meeting and bring it back with a little more information. Knowing Mr.
673 Widi's interest in certain items is fine with me. I don't think a couple weeks is
674 going to kill us. Is it okay if we bring it back next meeting.

675 Mr. Sullivan said that whether you do it this evening or do it next meeting, I think
676 you're right. It's not going to make a drastic difference. The other thing I offer,
677 whether you do it tonight or next time, I would suggest you approve the
678 expenditure areas and ask that, for final approval for any project, it comes back to
679 the SB for a final vote. So, we'd have more time to pre-plan but at least
680 department heads would know what they have to work with so they can go out
681 and use that as a parameter. Maybe you use this as a second reading process,
682 where you have the first reading on what we'll spend the money on but no money
683 will get spent until it comes back to SB for a final approval for each expenditure.
684 Don't do anything tonight. I'll clarify that process and bring it back to the next
685 meeting. You would have the added safety valve of making sure that, however the
686 money is going to be spent, the SB would see a more developed plan for each
687 before it gets spent.
688

689 Mr. Donhauser said that's great. I understand we have consensus and we are
690 going to move on to another topic.
691

692 **I. Approval of Warrant(s):**

693
694 **6:40 PM**

695 **Mr. Donhauser moved, second by Mr. Widi, that the Select Board approve**
696 **A/P Warrant #48 in the amount of \$193,961.95, dated December 10, 2021;**
697 **A/P Warrant #50 in the amount of \$1,112,863.26, dated December 20, 2021;**
698 **A/P Warrant #54 in the amount of \$105,027.41, dated December 29, 2021.**

699 **Roll Call Vote:**

**Draft SELECT BOARD MEETING
January 13, 2022 5:30PM (continued)
Town Hall/Hybrid**

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Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes
Ms. Dow - Yes

Unanimous vote to approve motion.

J. Selectmen’s Report:

1) Seeking Committee Members Listing

This was not discussed.

There were no Selectmen’s reports tonight.

K. Executive Session (not called for)

L. Adjourn

Mr. Donhauser moved, second by Mr. McPherson, that the Select Board adjourn.

Roll Call Vote:

Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes
Ms. Dow - Yes

Unanimous vote to approve motion.

The meeting adjourned at 6:43 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

Mr. Robert McPherson, Secretary

Date approved:

From: Megan Zotara <mwzotara@gmail.com>
Sent: Sunday, January 09, 2022 4:30 PM
To: Brad Swanson <bradford.swanson@middletonma.gov>
Cc: Town Manager <townmanager@eliotme.org>
Subject: CIP Committee

Dear Brad,

I hope this email finds you well and that you had a happy holiday season. It looks as if winter is finally upon us. I am writing to you to let you know that I am stepping down from the CIP Committee; effective immediately. I am very sad to have to do this but unfortunately it is a must at this time. We recently had a tragedy in our family and one that has made a huge impact on all of us. I feel that I now need to concentrate more on my family and put my energy efforts into other areas. I also have new job responsibilities and that is making it very difficult for me to find the time to make meetings and in general, find the time to put an effort into research and data collecting.

I would like to say that I greatly enjoyed working with you, Ed and Sam. The three of you are the backbone to this committee and have been since day 1. I have no doubt that you will do a fine job continuing this quest and I will do my best to support you; even if in the background. You seriously are the best man for this job and a great chairman and I admire you for that.

All my best to you and please stay safe, healthy and warm this winter. Please let me know if you have any questions. Thank you for having allowed me this opportunity to work for the community.

Sincerely,

Megan Weeks-Zotara

Christine Bennett
140 Moses Gerrish Farmer Rd
Eliot, ME 03903
(207) 351-7039

communication from either the Planning Board Chair nor the Town Manager, both of whom had my email and cellphone number.

So, my removal from the Planning Board in December 2020 came as a surprise. I only learned of it from friends who saw the item on a Select Board agenda. I regret that I did not respond to the Select Board in writing at the time to explain what I believed was an excused absence. My only excuse is that all of my energy and focus had narrowed down to getting myself and my family safely through first winter of the pandemic, figuring out how I could ensure that my property remained intact and navigating interstate travel restrictions that required testing in both states.

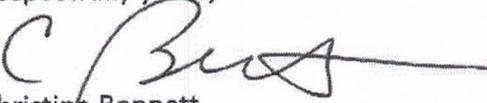
Thankfully, everything worked out very well. My parents' health has been stable, we all got vaccinated and once travel restrictions were lifted in March 2021, I gave up my CT apartment and moved back to Eliot full-time.

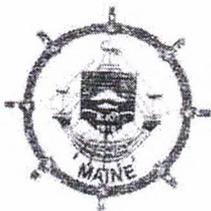
As I re-boot my life here in Eliot, a lot of people are asking if I miss the Planning Board work and would I consider rejoining the Board.

The answer is yes, I do miss the Planning Board work and yes, I would like to rejoin the Board.

I started attending meeting remotely in September and I have been impressed with the professionalism of our Planner, the thoughtfulness of the Board Members and the level of respect given to each other and members of the public. I believe I would be a good fit on this Board and it would benefit from my 5 years of prior experience.

Respectfully yours,


Christine Bennett



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: Christine Bennett

RESIDENCE: 140 Moses Gernish Farmer Rd

MAILING (if different) _____

E-MAIL ADDRESS: perfectpickle@comcast.net PHONE # (Home) 207-351-7039

WORK # _____

CELL # _____

Please check your choices:

- Aging-In-Place Committee
- Board of Appeals
- Capital Improvement Committee
- Conservation 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: _____

RELATED EXPERIENCE (Including other Boards/Committees and Commissions)

14 yrs of landuse planning experience MMA trainings, prior appointments to the Planning Board

PRESENT EMPLOYMENT: Self-employed

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:

(please see attached letter)

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

(please see attached letter)

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 whether I have any personal or professional relationships that could affect my impartiality & disclose them to the Board.

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

1.12.2022
DATE

Christine Bennett
140 Moses Gerrish Farmer Rd
Eliot, ME 03903
(207) 351-7039

Town of Eliot
1333 State Road
Eliot, ME 03903

January 12, 2022

Dear Town Clerk, Town Manager & Select Board Members,

I am writing to seek re-appointing me to the Planning Board and explain the circumstances surrounding my removal from the Board in 2020.

From 2013 through mid-2020, I was an active volunteer on town Boards and Commissions. I thoroughly enjoyed these experiences and the opportunity to bring my knowledge and skills to the work of our Town.

At the beginning of the pandemic many people were faced with life disruptions and difficult decisions. I was one of those people and my decision was to prioritize the health and survival of my parents to the exclusion of everything else. It led to a (thankfully) short-term relocation out of state.

My parents had a number of health issues leading into the pandemic which required frequent lengthy stays with them in Connecticut in late 2019. The Chair of the Planning Board was well aware of this and my absence was excused during this period. When Planning Board meetings resumed in the spring of 2020 I regularly attended the meetings remotely.

My father had another heart surgery in June of 2020 and I rented an apartment in CT for the summer so that I could be close by and yet minimize their risk of COVID-19 infection from me. Complications post-surgery led my father to be admitted into the ICU again in late July.

Given the uncertainty of my parent's health, rising Covid infection rates and the real possibility of new travel restrictions, I determined that the mental health and physical well-being of myself and my parents would be best served by continuing to spend the majority of my time in CT.

At that time, I reached out to the PB Chair Dennis Lentz by phone, to let him know that I felt it best if I resigned from the Board. Chairman Lentz responded that he felt I was a very valuable contributor to the Board and urged me not to resign. Instead, he suggested that I take a leave of absence similar to what had been granted to another PB member during her pregnancies. I reluctantly agreed to stay on the board and stopped attending meetings.

I received a letter from the Town Manager in November asking that I call him, claiming that calls and emails to me had not been returned. I was puzzled by the letter as I had received but one call from the chair of the Capital Improvement Committee in late October and no

American Rescue Plan Act Project Funding Request	Cost	Department & Responsible Party(s)	Select Board Approved/Denied
Pedestrian/Cycling Report Implementation	\$200,000	Planning, Jeff Brubaker, Steve Robinson	
Sewer Design and Technical Assistance	\$100,000	Planning, Jeff Brubaker	
Qualified Assistance Program for Sewer/Septic	\$15,000	Planning, Jeff Brubaker	
Records Retention filing system	\$29,000	Town Hall, Mike Sullivan, Wendy Rawski	
Fogg Library Addition Employee Payroll System (3 Year)	\$25,000	Library Lydia Goodwin, Sharon Kibut	
Fire Department Equipment/ATV/Trailer Police Station Building Improvements	\$16,000	Town Hall, Mike Sullivan, Melissa Albert	
	\$85,000	Fire Department, Jay Muzzeroll	
	\$75,000	Police Department, Elliott Moya	
Play Surface Repairs Transfer Station Compactor Replacement	\$110,000	CS Heather Muzzeroll, Steve Robinson	
Employee Pandemic Compensation	\$15,000	DPW, Steve Robinson	
	\$57,000	Town Hall, Mike Sullivan	
Total	\$727,000		

PROPOSED VOTE
TOWN OF ELIOT, MAINE
January 27, 2022

VOTED by the Select Board for the Town of Eliot, Maine as follows:

- VOTED:
1. That a Capital Acquisition Project (the “Project”) consisting of the lease of one New Smeal Pumper Truck, one New Command Vehicle along with associated equipment and accessories is hereby approved.
 2. That the Lessee Resolution attached to the Lease with Option to Purchase Agreement #TE-2300 with All American Investment Group, LLC as Attachment E is hereby adopted; and
 3. That the Town Manager is authorized to execute the Lease with Option to Purchase Agreement #TE-2300 with All American Investment Group, LLC and all other documents reasonably necessary to accomplish the purpose of this vote in his capacity as Town Manager, as the documents may require; and
 4. That said Lease with Option to Purchase Agreement with All American Investment Group, LLC #TE-2300 is designated a “qualified tax-exempt obligation” of the Town for the 2022 calendar year pursuant to Section 265(b)(3) the Internal Revenue Code of 1986, as amended.

EXHIBIT E
LESSEE RESOLUTION

RE: Schedule Number 1, dated January 6, 2022 of Lease With Option to Purchase Agreement Number TE-2300 dated as of January 6, 2022, between All American Investment Group, LLC (Lessor) and Town of Eliot, Maine (Lessee)

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on _____ the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Lessee as follows:

- 1. **Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of Schedule Number 1, dated January 6, 2022 of the Lease With Option to Purchase Agreement No. TE-2300 dated as of January 6, 2022 between Town of Eliot (Lessee) and All American Investment Group, LLC (Lessor).
- 2. **Approval and Authorization.** The Governing Body of Lessee has determined that the Agreement, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Agreement by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement on Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Payment Request Form requesting funds from the Vendor Payable Account, necessary to the consummation of the transaction contemplated by the Agreement.

Authorized Individual(s): Michael J. Sullivan, Town Manager
(Print/Type Name and Title of individual(s) authorized to execute the Agreement)

- 3. **Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

By: _____
(Signature of Secretary, Board Chairman or other member of the Governing Body)

Typed Name: _____ Title: _____
(Typed name and title of individual who signed directly above)

Attested By: _____
(Signature of one additional person who can witness the passage of this Resolution)

Typed Name: _____ Title: _____
(Typed name and title of individual who signed directly above)

NOTE: In Section 3, have a member of the Governing Body who is someone other than the "Authorized Individual" sign the first signature line in Section 3. The second signature block under Section 3 "Attested By" should be signed by an individual who will act as attester to the Resolution. This individual has to be someone other than the "Authorized Individual" or the Member of the Governing Body.

Warrant 57

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
00002 2WAY COMMUNICATIONS SERVICE, INC.						
0321	19998	01	december account activity	71541		
police dept			E 10-05-10-14		740.00	0.00
highway dept			E 20-01-20-40		250.00	0.00
town office			E 01-01-24-30		2,202.00	0.00
			Invoice Total-		3,192.00	
0321	19998	01	december activity pd	71540		
december activity			E 10-05-10-14		471.21	0.00
			Invoice Total-		471.21	
0321	19998	01	november account activity	71268		
november account activity			E 10-05-10-14		471.21	0.00
			Invoice Total-		471.21	
			Vendor Total-		4,134.42	
00109 CENTRAL MAINE POWER						
0321	19999	01	cmp police dept	700000380435		
cmp police dept			E 10-05-15-02		21.47	0.00
			Vendor Total-		21.47	
00247 GRANITE STATE MINERALS INC.						
0321	20000	01	SALT	079778		
SALT			E 20-05-22-25		15,097.25	0.00
			Invoice Total-		15,097.25	
0321	20000	01	SALT	079726		
SALT			E 20-05-22-25		4,248.69	0.00
			Invoice Total-		4,248.69	
0321	20000	01	SALT	079677		
SALT			E 20-05-22-25		8,685.81	0.00
			Invoice Total-		8,685.81	
			Vendor Total-		28,031.75	
00351 LAW ENFORCEMENT OFFICERS						
0321	20001	01	LEO street reference	12102021		
LEO street reference			E 10-05-20-40		99.00	0.00
			Vendor Total-		99.00	
00352 LAWSON PRODUCTS, INC.						
0321	20002	01	supplies/materials	9309054570		
supplies/materials			E 20-01-24-05		289.56	0.00
			Vendor Total-		289.56	
00474 NORTHEAST HYDRAULICS, INC.						
0321	20003	01	vehicle rep/maint	79517		
vehicle rep/maint			E 20-01-24-15		1,080.54	0.00
			Vendor Total-		1,080.54	
00626 SEACOAST BUSINESS MACHINES						
0321	20004	01	copier fix	94976		
copier repair			E 10-05-10-14		185.00	0.00
			Vendor Total-		185.00	
00650 SOUTHWORTH-MILTON, INC.						
0321	20005	01	equipment repair and main	INV2458244		
equipment rep/maint			E 20-01-24-15		6,480.00	0.00
			Vendor Total-		6,480.00	
00671 SULLIVAN TIRE COMPANIES						
0321	20006	01	vehicle rep/maint	22409		

Warrant 57

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
vehicle rep/maint			E 10-05-24-15		2,381.72	0.00
Vendor Total-					2,381.72	
00725 TREASURER OF STATE						
0321	20007	01	bmv 1213-1230	1213-1230		
bmv 1213-1230			G 01-2040-00		56,067.28	0.00
Vendor Total-					56,067.28	
00764 VERIZON/WIRELESS						
0321	20008	01	cell phones pub works	9895415673		
cell phones pub works			E 20-01-03-12		73.31	0.00
Vendor Total-					73.31	
00782 WHITE SIGN						
0321	20009	01	road signs	119840		
road signs			E 20-01-24-56		53.82	0.00
Vendor Total-					53.82	
00824 TREASURER, STATE MAINE						
0321	20010	01	dogs 12 2021	122021		
dogs december			G 01-2010-00		399.00	0.00
Vendor Total-					399.00	
00899 TREASURER OF STATE						
0321	20011	01	IF&W december	122021		
IF&W december			G 01-2030-00		9,590.00	0.00
stickers			E 01-01-20-40		20.00	0.00
Vendor Total-					9,610.00	
00906 W.B. MASON COMPANY, INC.						
0321	20012	01	supplies pd	226082890		
supplies pd			E 10-05-20-40		40.18	0.00
Invoice Total-					40.18	
0321	20012	01	supplies pd	225809171		
supplies pd			E 10-05-20-40		20.28	0.00
Invoice Total-					20.28	
0321	20012	01	water pd	225809173		
water pd			E 10-05-20-41		59.85	0.00
Invoice Total-					59.85	
0321	20012	01	supplies budgetg books	225720345		
supplies budget books			E 01-01-20-40		210.56	0.00
Invoice Total-					210.56	
Vendor Total-					330.87	
01010 KITTELY TRADING POST						
0321	20013	01	magazines	9485		
magazines			E 10-05-20-60		139.96	0.00
Vendor Total-					139.96	
01244 P. GAGNON & SON, INC.						
0321	20014	01	heating fuel PD	631181		
Heating fuel PD			E 10-05-15-01		372.36	0.00
Invoice Total-					372.36	
0321	20014	01	heating fuel PD	631173		
heating fuel PD			E 10-05-15-01		147.58	0.00
Invoice Total-					147.58	
0321	20014	01	propane PD	17164		
propane PD			E 10-05-15-01		210.44	0.00

Warrant 57

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
				Invoice Total-	210.44	
				Vendor Total-	730.38	
01368 VILLAGE MOTORS SERVICE CENTER						
0321	20015	01	vehicle rep/maint	55454		
vehicle rep/maint			E 10-05-24-15		98.73	0.00
				Invoice Total-	98.73	
0321	20015	01	vehicle rep/maint	55295		
vehicle rep/maint			E 10-05-24-15		12.50	0.00
				Invoice Total-	12.50	
				Vendor Total-	111.23	
01505 L & M HEATING						
0321	20016	01	building rep/maint	0676		
building rep/maint			E 20-01-24-20		185.00	0.00
				Vendor Total-	185.00	
01513 Consolidated Communications						
0321	20017	01	cons comm pub works	460535391		
cons comm pub works			E 20-01-15-03		1,250.16	0.00
				Invoice Total-	1,250.16	
0321	20017	01	cons comm pd	460536189		
cons comm pd			E 10-05-15-03		1,228.63	0.00
				Invoice Total-	1,228.63	
				Vendor Total-	2,478.79	
01667 Treasurer, State of Maine						
0321	20018	01	quarterly vitals	12312021		
quarterly vitals			G 01-2090-00		150.00	0.00
				Vendor Total-	150.00	
01713 NEW ENGLAND ASSOCIATION OF						
0321	20019	01	annual dues	4296-22		
annual dues			E 10-05-03-01		100.00	0.00
				Vendor Total-	100.00	
01928 HUSSEY SEPTIC, INC.						
0321	20020	01	porta potty rental	P5259		
porta potty rental			E 20-10-05-09		175.00	0.00
				Vendor Total-	175.00	
01972 THE WEEKLY SENTINEL						
0321	20021	01	pub hearing notice	67202		
pub hearing notice			E 05-05-50-45		91.00	0.00
				Vendor Total-	91.00	
02015 HEATWAVE OIL, LLC						
0321	20022	01	diesel fuel	933383		
diesel fuel			E 20-01-20-10		1,319.25	0.00
				Invoice Total-	1,319.25	
0321	20022	01	#2 heating fuel	933402		
#2 heating fuel			E 20-01-20-15		759.03	0.00
				Invoice Total-	759.03	
				Vendor Total-	2,078.28	
02209 Hussey Excavation, Inc.						
0321	20023	01	sand	3227		
sand			E 20-05-22-30		150.00	0.00
				Vendor Total-	150.00	

Warrant 57

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
02475 Leaf						
0321	20024	01	copier lease		12666597	
copier lease			E 10-05-10-14		36.97	0.00
Vendor Total-					36.97	
02494 Axon Enterprise, Inc.						
0321	20025	01	taser payment		037882	
taser payment			E 10-05-03-15		1,584.00	0.00
Vendor Total-					1,584.00	
02556 CAI Technologies						
0321	20026	01	tax map maint.		13607	
tax map maint.			E 01-03-10-11		1,500.00	0.00
Invoice Total-					1,500.00	
0321	20026	01	GIS consulting		13692	
GIS consulting			E 01-01-10-11		96.25	0.00
Invoice Total-					96.25	
Vendor Total-					1,596.25	
02597 Key Ford of York						
0321	20027	01	vehicle rep/maint		41055	
vehicle rep/maint			E 10-05-24-15		281.45	0.00
Vendor Total-					281.45	
02691 TRUGREEN Processing Center						
0321	20028	01	ice melt pallets		151423278	
ice melt pallets			E 20-05-22-25		641.44	0.00
Vendor Total-					641.44	
02824 The Goodyear Tire & Rubber Co.						
0321	20029	01	tires		068-1076457	
tires			E 20-01-24-80		467.93	0.00
Vendor Total-					467.93	
02836 Jeff Brubaker						
0321	20030	01	membership reimb		01012022	
membership reimb			E 01-03-03-05		535.00	0.00
Vendor Total-					535.00	
02846 Advanced Workplace Strategies, Inc.						
0321	20031	01	annual renewal fee		506261	
annual renewal fee			E 20-01-03-05		25.00	0.00
Vendor Total-					25.00	
02937 Law Enforcement Psychological and Counseling Assoc						
0321	20032	01	pre emp psych exam		12119	
pre emp psych exam			E 10-05-10-26		500.00	0.00
Vendor Total-					500.00	

Warrant 61

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00072 BERNSTEIN, SHUR, SAWYER & NELSON						
0351	20058	01	legal fees january		012022	
legal fees january			E 01-01-10-02		3,585.00	0.00
Vendor Total-					3,585.00	
00109 CENTRAL MAINE POWER						
0351	20060	01	cmp bills		700000389183	
cmp route 236-beech			E 10-30-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	route 236		700000389343	
cmp route 236			E 10-30-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	HL Dow Highway		700000389180	
HL dow highway			E 20-25-15-02		21.47	0.00
Invoice Total-					21.47	
0351	20060	01	new kittery road		700000389342	
new kittery road			E 10-30-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	rte 236 garage		700000389179	
rte 236 garage			E 20-01-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	pleasant st		700000389336	
pleasant st			E 70-05-15-02		21.47	0.00
Invoice Total-					21.47	
0351	20060	01	cmp main st		700000389337	
cmp main st			E 70-10-15-02		21.47	0.00
Invoice Total-					21.47	
0351	20060	01	cmp dixon ave		700000389340	
cmp dixon ave			E 70-15-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	468 hl dow		700000389333	
468 HL dow			E 20-25-15-02		21.47	0.00
Invoice Total-					21.47	
0351	20060	01	cmp old rd		700000389192	
cmp old rd			E 20-10-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	cmp river rd		700000389185	
cmp river rd			E 20-10-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	cmp 11 dixon rd		700000389191	
cmp 11 dixon rd			E 20-10-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	cmp greenacres rd		700000389181	
cmp greenacres rd			E 20-10-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	harol l dow trf		700000389187	
harold l dow trf			E 20-25-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	cmp route 236 rd		700000389341	
cmp route 236 rd			E 10-30-15-02		16.86	0.00
Invoice Total-					16.86	
0351	20060	01	cmp cor state/bolthill		700000389189	

Warrant 61

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
cmp cor state/bolthill	E 10-30-15-02				16.86	0.00
			Invoice Total-		16.86	
			Vendor Total-		288.20	
00247 GRANITE STATE MINERALS INC.						
0351	20061	01	salt	079909		
salt	E 20-05-22-25				15,709.28	0.00
			Vendor Total-		15,709.28	
00265 HAYDEE'S PEST-FREE MANAGEMENT, INC.						
0351	20062	01	exterminator	163354		
exterminator	E 20-25-24-20				50.00	0.00
			Vendor Total-		50.00	
00388 MainePERS						
0351	122021	01	mainepers december	122021		
admin	E 01-01-03-40				2,354.48	0.00
clerks	E 01-02-03-40				2,352.93	0.00
land use	E 01-03-03-40				1,776.41	0.00
police	E 10-05-03-40				9,317.26	0.00
public works	E 20-01-03-40				2,684.93	0.00
csd	E 30-01-03-40				1,055.96	0.00
contributions	G 01-2215-00				12,960.48	0.00
			Vendor Total-		32,502.45	
00474 NORTHEAST HYDRAULICS, INC.						
0351	20063	01	vehicle rep/maint	79577		
vehicle rep/maint	E 20-01-24-15				88.92	0.00
			Vendor Total-		88.92	
00537 PORTSMOUTH FORD, INC.						
0351	20064	01	vehicle rep/maint	31dec21		
vehicle rep/maint	E 20-01-24-15				69.00	0.00
			Vendor Total-		69.00	
00587 MAINE MUNICIPAL ASSOCIATION						
0351	20065	01	workers comp	54886		
admin	E 01-01-30-15				1,816.43	0.00
pub works	E 20-01-30-15				5,794.19	0.00
harbor	E 10-15-30-15				321.90	0.00
transfer st	E 20-25-30-15				1,057.67	0.00
fire dept	E 10-01-30-15				2,483.22	0.00
police dept	E 10-05-30-15				6,598.93	0.00
csd	E 30-01-30-15				2,437.24	0.00
winter	E 20-05-30-15				2,414.24	0.00
aco	E 10-10-30-15				68.98	0.00
			Vendor Total-		22,992.80	
00660 STAPLES CREDIT PLAN						
0351	20066	01	supplies	01012022		
supplies	E 10-05-20-40				83.00	0.00
			Vendor Total-		83.00	
00717 TOWN OF KITTELY, MAINE						
0351	20067	01	weekly station checks	112022		
weekly station checks	E 70-05-25-10				333.33	0.00
station checks	E 70-10-25-10				333.33	0.00
station checks	E 70-15-25-10				333.34	0.00
			Invoice Total-		1,000.00	
0351	20067	01	station checks	1212021		

Warrant 61

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
weekly station checks			E 70-05-25-10		333.33	0.00
weekly statin checks			E 70-10-25-10		333.33	0.00
weekly station checks			E 70-15-25-10		333.34	0.00
			Invoice Total-		1,000.00	
0351	20067	01	fuel bill pd	12022021		
fuel bill pd			E 10-05-20-15		809.64	0.00
			Invoice Total-		809.64	
0351	20067	01	fuel bill pd	01192022		
fuel bill pd			E 10-05-20-15		694.60	0.00
			Invoice Total-		694.60	
			Vendor Total-		3,504.24	
00725 TREASURER OF STATE						
0351	20068	01	bmv 0106-0119	0106-0119		
bmv 0106-0119			G 01-2040-00		23,280.22	0.00
			Vendor Total-		23,280.22	
00816 IRVING OIL MARKETING, INC.						
0351	20069	01	fuel bill	34302492		
fuel bill			E 20-01-20-15		26.26	0.00
			Vendor Total-		26.26	
00906 W.B. MASON COMPANY, INC.						
0351	20070	01	office supplies	43114560		
office supplies			E 20-01-20-40		4.77	0.00
			Invoice Total-		4.77	
0351	20070	01	supplies	226579403		
supplies			E 01-01-20-40		25.80	0.00
			Invoice Total-		25.80	
0351	20070	01	supplies	226583593		
supplies			E 01-01-20-40		11.60	0.00
			Invoice Total-		11.60	
0351	20070	01	supplies	226598616		
supplies			E 01-01-20-40		274.70	0.00
			Invoice Total-		274.70	
0351	20070	01	supplies	22651520		
supplies			E 10-05-20-40		60.02	0.00
			Invoice Total-		60.02	
			Vendor Total-		376.89	
01255 MAINE TURNPIKE AUTHORITY						
0351	20071	01	ez pass	01112022		
ez pass			E 10-05-03-05		252.24	0.00
			Vendor Total-		252.24	
01505 L & M HEATING						
0351	20072	01	bldg rep/mant	0784		
bldg rep/maint			E 20-25-24-20		160.00	0.00
			Vendor Total-		160.00	
01854 KOFILE TECHNOLOGIES						
0351	20073	01	records preservation	004544		
records preservation			E 62-05-99-01		2,500.00	0.00
			Vendor Total-		2,500.00	
02015 HEATWAVE OIL, LLC						
0351	20074	01	diesel fuel	01072022		
diesel fuel			E 20-01-20-10		5,372.88	0.00

Warrant 61

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
				Vendor Total-	5,372.88	
02033 Kaz's Fine Lines						
0351	20075	01	striping	112321		
striping			E 20-01-12-32		595.00	0.00
				Vendor Total-	595.00	
02302 Holloway Automotive Group						
0351	20076	01	vehicle rep/maint	123121		
vehicle rep/maint			E 20-01-24-15		90.39	0.00
				Vendor Total-	90.39	
02350 New England Kenworth						
0351	20077	01	vehicle rep/maint	01132022		
vehicle rep/maint			E 20-01-24-15		228.72	0.00
				Vendor Total-	228.72	
02475 Leaf						
0351	20078	01	copiers town hall	12750844		
copiers town hall			E 01-01-10-30		754.66	0.00
				Vendor Total-	754.66	
02485 Guardian Uniforma and Supply						
0351	20079	01	uniforms	836738		
uniforms			E 10-05-03-15		158.46	0.00
				Vendor Total-	158.46	
02487 Occupational Health Services						
0351	20080	01	physical	75828		
physical exam			E 10-05-10-26		242.00	0.00
				Vendor Total-	242.00	
02773 Quadient Leasing USA, Inc.						
0351	20081	01	postage meter lease	N9227557		
postage meter lease			E 01-01-10-11		432.81	0.00
				Vendor Total-	432.81	
02871 Fisher Plows of Lee NH LLC						
0351	20082	01	plow	27711		
plow			E 62-05-99-01		6,994.80	0.00
				Vendor Total-	6,994.80	
02901 Port City Architecture						
0351	20083	01	town hall exp	20102-5		
town hall exp			E 02-02-99-01		1,464.00	0.00
				Invoice Total-	1,464.00	
0351	20083	01	town hall exp	20402-4		
town hall exp			E 02-02-99-01		2,928.00	0.00
				Invoice Total-	2,928.00	
				Vendor Total-	4,392.00	
02940 Fisher Auto Parts						
0351	20084	01	vehicle rep/maint	01012022		
vehicle rep/maint			E 20-01-24-15		637.27	0.00
				Vendor Total-	637.27	
02941 Hew's Company-SP						
0351	20085	01	equipment rep/maint	178067		
equipment rep/maint			E 20-01-24-05		355.29	0.00
				Vendor Total-	355.29	

A / P Warrant

Warrant 61

Jrnl	Check	Month	Invoice Description	Reference	Encumbrance
Description			Account	Proj	Amount
					32,502.45
					93,220.33
					0.00
					125,722.78

WE THE SELECTMEN OF THE TOWN OF ELIOT AUTHORIZE THE TOWN TREASURER
Jordan Miles TO PAY THE INVOICES ON THIS WARRANT.

ALEX ORESTIS

LAUREN DOW

RICHARD DONHAUSER

ROBERT MCPHERSON

DocuSigned by:
William Wadd
WILLIAM WADD
E32B0CFFFF404C8...

Eliot Board, Committee, and Commission Positions Available (Posted 01/18/2022)

Board, Committee or Commission	Regular/Alternate Member	# of Positions	Term Expiration
Aging-In-Place	Alternate Member	1	June 2023
Capital Improvement Committee	Regular Member	1	June 2022
	Regular Member	1	June 2023
Conservation Commission	Regular Member	1	June 2022
	Alternate Member	1	June 2022
	Alternate Member	1	June 2024
Planning Board	Regular Member	1	June 2023
	Alternate Member	1	June 2022
	Alternate Member	1	June 2025
Agriculture & Food Security Security Commission - Ad-hoc		5	June 30, 2022

If you would like information about the Boards, Committees, and Commissions, contact Michael Sullivan, Town Manager at the Town Office by phone 207-439-1813 ext. 107 or by email msullivan@eliotme.org