

**SELECT BOARD MEETING**

**September 8, 2022 5:30PM**

**Town Hall/Hybrid**

**Quorum noted**

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

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

**Absent:** Ms. Dow (excused).

**B. Pledge of Allegiance recited**

**C. Public Comment:**

There was no public comment.

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

There were no minutes approved.

**E. Department Head/Committee Reports**

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**5:33 PM 1. Town Manager's Report**

Mr. Sullivan said that everyone is getting excited for Eliot Festival Day. People are working out in the parking lot to improve the WIFI capability over the weekend and we can now extend our reception out to almost State Road for Town Hall guests. We'll be using that for the road race. I also want to let people know we have started the performance-based evaluations this week. Employees are very cooperative and very excited about having that evaluation. We have started the budget process. We are looking at ways we can present the budget in a more articulate way. Hoping to have it more easily read and understood. We will be working with both the SB and Budget Committee to find that way to express it.

**Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board receive the Town Manager's Report, as submitted.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

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**5:35 PM**

**2. Planner's Report**

Mr. Brubaker said that the Post-Construction Stormwater Management Maintenance Agreement is a pretty standard thing for developments that disturb an acre or more. We are looking for SB approval of the draft agreement with NEK Assets and Sweet Dirt at 505 Harold L. Dow Highway. This kind of agreement is what the Town enters into with private developments with stormwater management facilities on their property that will stay private. This is just to make sure that those facilities are working properly. The property owner has to self-certify each year that they are working properly so that we don't have any stormwater issues off-site. We have an Attar Engineering representative here. I would be happy to answer any questions.

Mr. Shapleigh asked for the location of this lot on Route 236.

Mr. Brubaker said that it's kind of on the southwest, or river, side. Sweet Dirt has their two greenhouse buildings and, then north, they are building a marijuana manufacturing facility, which is where the stormwater facility is going to be located.

Mr. Shapleigh asked how it is decided whether it is an open pit or closed cistern, the size of the lot, amount of run-off, impervious surface vs porous surface.

Mr. Brubaker said that they do a stormwater modelling, usually using a program called HydroCAD. That models the amount of run-off expected from the new impervious surface and disturbed area created by the development. That helps them size their stormwater facilities, such as how big to make their wet pond.

Mr. Shapleigh asked if that wet pond will handle all the run-off in a normal downpour.

Mr. Brubaker said yes and, even more than that, what we require from applicants is that in a 50-year storm their facilities reduce peak run-off compared to the site as it existed before the development. With snow removal, every site is different but we ask applicants to identify snow removal areas on their plan and we review those for adequacies to make sure they aren't storing snow in wetland areas, etc.

Mr. Donhauser asked, before we approve this, how is it done now. Let's say this hasn't been done. How is the permitting done. Do we have a similar process where someone has to demonstrate how they deal with their stormwater.

**5:39 PM**

Mr. Brubaker said that we actually have at least one stormwater agreement in place now. That is for the electric PSNH substation off of Houde Road.

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Mr. Donhauser said that this is going to apply to all new developments.

Mr. Brubaker said yes, for any developments that disturb an acre or more. So, this agreement is signed. Then, every year the property owner would have to self-certify, basically telling the Town that their stormwater facilities are working properly. In order to do that, they would have to hire a qualified individual who can assess their facilities and say it's working properly, then submit that to the Town. The Town would review that report. The normal house lot will disturb less than an acre.

**Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board approve the Post-Construction Stormwater Maintenance Agreement, 505 Harold L. Dow Highway and authorize the Town Manager to sign the final version, with minor modifications.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

**5:40 PM**

Mr. Brubaker said that, regarding the **Comprehensive Plan committee**, you can see that our roster of Comp Plan committee members is starting to be built out. We appreciate any seats that the SB may wish to fill or serve on. The committee is made up of a number of subcommittees and I do just want to update that. While we had initially thought that the subcommittees would be meeting once a month, after talking about it with the Town Manager, I think we're going to dial that back a bit. We think we can be effective with the subcommittees meeting about once every two months. So, that would be less time spent but we still think we can accomplish what we need to. Then, we may decide that the Historic and Cultural Resources, instead of being a subcommittee, it would be more periodic stakeholder meetings involving EHS and others that are interested.

Mr. Sullivan said that I and the Planner discussed this and thought we would present the applications that we have, so far, tonight. To clarify, there are still open positions. We encourage people to apply and you will have them at your next meeting on the 22<sup>nd</sup>. If there are people out there who would like to apply, please go on the web site and see what's open or contact me or the Planner.

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**5:42 PM**      **Mr. Widi moved, second by Mr. McPherson, that the Eliot Select Board appoint the following members to the ad-hoc Comprehensive Plan Update Committee (CPUC): Land Use - Carmela Braun, Kari Schank, Ellen Lemire, William Hamilton; Transportation – Carmela Braun, Nedra Sahr, James Schliestett, ; Housing – Christine Bennett, Ellen Ceppetelli, Emily Flinkstrom; Economic Development – Jeff Leathe, Gene Wypyski; Environment/Open Space/ Climate – Kari Schank, Lisa Wise, Christine Bennett, Leslie Stevens, Richard Brigham Pendleton; Parks/Recreation/Public Facilities – Jim Latter, Ann Lukegard; Agriculture – Lissa Crichton, Leslie Stevens; Youth Advisory Group – Casimir Pendleton, Eva Therrien; Ex-Officio Members – Town Manager Mike Sullivan, State Representative Michele Meyer, Cabot Trott; and furthermore, empower Planning Director Jeff Brubaker to coordinate the Comprehensive Plan Update Committee process for updating the plan.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**F.      Board and Committee Appointments/Resignations**

**5:44 PM      1. Rosanne Adams Board of Appeals resignation**

**Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board accept Rosanne Adams resignation from the Eliot Board of Appeals and instruct the Town Manager to advertise the opening on the Town website for two weeks or as necessary to attract candidates for the opening.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**5:45 PM      2. Jay Meyer Board of Appeals resignation (withdraw)**

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Mr. Donhauser asked if Mr. Sullivan had contacted Mr. Meyer.

Mr. Sullivan said that I did and Mr. Meyer expressed an interest in asking the SB to withdraw his resignation and stay on. You received it but did not do anything with it.

**Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board reject the resignation previously offered from Jay Meyer from the Eliot Board of Appeals and thank him for his continued service.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

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**3. Comprehensive Plan Committee**

Mr. Sullivan said that I put this on the agenda in case the SB wanted to discuss what positions the SB might want to be on. But you have a member who isn't here tonight so, perhaps, just leave it to the 22<sup>nd</sup>.

The SB agreed.

**G. New Business:**

**5:47 PM 1. FY21 Audit Update**

Mr. Sullivan said that I just have to apologize to the SB and the public that we keep thinking we're getting close to the end of this audit and things crop up. We are having some difficulty with what is commonly known as reserve accounts. There have to be some changes to that. We're working with the auditors to make sure that we do it correctly coming forward. It's going to be a little bit difficult for different groups as we change to a more consistent best practice as far as those accounts go. I think the good news has been that, unlike some of these issues that communities run into, there isn't a deficit in what we thought we had for unassigned funds. There actually might be more unassigned funds than expected. I talked to the auditor today because he was supposed to have some material to me that I could give to you to give you some faith that this is going to end

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someday. As you know, we should really be doing the 2022 audit now but they promised me that they would be at your next meeting, the auditors, themselves, and they would have at least a draft to you prior to that meeting. For both you and the public, I appreciate and thank you for your patience in this. It's not going to be pretty, as I've said before. There have been a lot of issues and we have to change some ways we do business. We've already started to change ways we are doing business. Matter of fact, the Finance Director is at training today. It's been more expensive but, once we get back on track, the public can have more faith and both you and the Budget Committee will have numbers that you can work with that are more consistent and more accurate. Also, we have already started parts of the 2022 audit. As I said, the only thing holding us up now is reconciling some reserve accounts.

**H. Old Business:**

**5:50 PM 1. Bond Advisor**

Mr. Sullivan said that I brought this before you at the last meeting and I was hoping you would authorize me to engage a bond advisor, going forward. I think it's important. I can't guarantee there would be savings over the Municipal Bond Bank (MBB) but I think that Eliot would have a really good credit rating, even though you're a small borrower. So, if we go out for borrowing in the future, you would have your own bond rating and I think that would attract some lower rates. If we don't use them, it doesn't cost us anything. But to continue the conversation, we have to have an agreement with them.

**Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board authorize the Town Manager to engage UniBank Fiscal Advisory Services, Inc. to act as the Town of Eliot's Bond Advisor, as necessary.**

**DISCUSSION**

Mr. Shapleigh asked about fees.

Mr. Sullivan said that there is an hourly fee during initial engagement and then, if we go out for a bond, there is a more substantial fee. The hope is that you can actually recover that cost with a lower rate. Initially, there is no fee, except for the hours they would put in. They estimated it's probably 6 to 7 hours, which would translate into about \$1,400 at \$200/hour. Comparatively speaking, we pay \$325/hour for attorneys and I do believe that we will be able to, long-term, have a bond structure and a borrowing strategy that will save the Town money. There is no retaining fee. Only if we go out for bond with them, then we pay a fee, and the amount of the fee can change with the size of the bond.

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**5:53 PM** Mr. Shapleigh said that that's because the bond might be getting a little iffy as to whether the Town should even be getting a bond of that size, where some bonds should be automatic.

Mr. Sullivan said right. So, that's the importance of the initial analysis. They will tell us, as a fiduciary, that probably they will tell us we can save you money if you went out to the market. They'll also say to us, you are better off going to the MBB, if that's the case. That would be the \$1,400 and we would lose that \$1,400.

**DISCUSSION ENDED**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

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

**5:54 PM** Mr. Donhauser moved, second by Mr. Shapleigh, that the Select Board approve A/P Warrant #20 in the amount of \$210,684.55, dated August 24, 2022; A/P Warrant #22 in the amount of \$140,500.36, dated September 1, 2022.

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**J. Selectmen's Report:**

**5:55 PM** Mr. Donhauser said that I received a letter that was forwarded to me about the Murray-Rowe Park and I personally think that should be a priority. If we have municipal parks, they should be maintained, and we should provide funding for that. I think that's an important thing to look to as we build the budget for the next year.

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Mr. Shapleigh asked if there was a plan that would hire someone to be there, say, 8 hours/week or drill a well so there would be water there.

Mr. Sullivan said that I think there's some basic things that the parks need investment in. We've had a group in that's asked for pickleball courts, which has become very popular. You all know better than I that Murray-Rowe was put in place by a very generous resident citizen whose children have aged out and it has fallen into disrepair. We discussed that a little bit in the summaries we did a week ago, and there were a couple of Budget Committee members there, and we talked about doing an assessment of all the parks. While I think that that's worthwhile, I was worried that you would spend \$15,000 to \$20,000 on an assessment and then you don't act. That \$15,000 or \$20,000 may have fixed a pump. We know the parks need to have some investment, whether it be to bring the pavilion at Hammond Park forward, to fix the tennis courts and put in pickleball courts. We know that Murray-Rowe needs to have a facelift. So, I think that through discussion with the SB and to the Chair's point, we can find an amount that's appropriate and affordable, that we should look for an annual amount to be invested in the parks. It shouldn't be a case where we can't water the lawn because the sprinkler system has not been maintained. Some of that is really just having the capacity, internally or externally. Some of this work could be done by contractors. I know a lot of communities have gone to bidding out parks to landscapers to take care of. You don't have to invest in equipment or staff the changes. So, there's all kinds of models we should look at. We do know now that, if we had the funding, as we are putting some into the parks, and we should be putting more into the parks. We're just simply not putting enough money into the parks. What that number is, is something we're going to need to discuss. But I think that putting money into a study to tell us the parks are in terrible shape is really not going to help us.

Mr. Shapleigh asked what Mr. Sullivan was asking of the SB.

**5:58 PM**

Mr. Sullivan said that there was a letter, today, from a traveling soccer group that has always used Murray-Rowe but, right now, can't use it because of the condition of the field; that that was what spurred the conversation. Whether that investment is in a field turf situation or if it's in putting a better sprinkler system in or re-sodding, I don't know exactly what that looks like. All I know is that it's going to take more resources to do it, to the Chair's point. So, that is what spurred on this conversation, and the letter was a very polite letter. It wasn't threatening at all, I didn't think. I thought it was just saying that we have 250 kids from South Berwick and Eliot that are in this program. We use the field in South Berwick often and we can't use the field in Eliot because it's in terrible shape. That's something that doesn't help the image of any community.



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**5:59 PM** Mr. Shapleigh asked if the Chair was asking for a motion.

Mr. Donhauser said no. I'm suggesting, as a group, that we make it a budget priority. Mr. Sullivan, maybe you could forward that letter to each member.

Mr. Widi said that the Eliot/South Berwick baseball wanted to play at Murray-Rowe field. I don't know if any of you have put eyeballs on it but you really should. You'd be horrified. It's split between South Berwick, with about 40% of the kids from Eliot, and they can't really play any games in Eliot. The only ones they can play are at the school because it's maintained by the school. It's a public embarrassment that we don't put money into these fields. If you check out the South Berwick facilities, they're great. And it's not a ton of money once you get it into good condition but it's a total embarrassment that a Town valued at \$1.3 billion can't grow grass.

Mr. Donhauser said that the letter was also sent to the Chair of the Budget Committee. I think we want to make sure it's on the radar right away and then, as we start to build budgets, we can at least direct our efforts in some way toward that end.

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**6:01 PM** Mr. Sullivan said absolutely. I think that one of the things that comes as a surprise to people, going back to pickleball, is the cost. Certainly, I thought that when the SB was generous with ARPA grant for \$110,000, that that would at least get us started on pickleball. The reality is that \$110,000 wasn't nearly enough. The new three street courts that were put in Kittery were over \$300,000. Dover just spent \$700,000 on pickleball courts. I always worry that it becomes popular, like skateboarding, and then falls into another category. But there is a lot of demand. With the tennis courts, we tried to do the re-surfacing the cheap way with doing crack filling over there and it's a mess. I get it. New England outdoor tennis and basketball courts are tough, really tough. But we have to think about what's a sensible investment in parks because of the demand to use them. Then the balance of parks. Mr. Widi mentioned the park over here. What happens when you only have one baseball field is that that one gets used so much that it is getting worn out now. That's in tough shape. Schools do their best to try to keep it up but, when you put more pressure on it, it's difficult. I think that Murray-Rowe could be a really nice park. We actually talked about putting pickleball down there because you want to take some pressure off Frost Tufts. That coupled with the fact that we have some vandalism issues at the Boat Basin. I agree with a Budget Committee member that we should be doing an assessment that's larger but we shouldn't wait for that assessment to be done to know that we have to invest some money now. And that wasn't what she was suggesting at all, either. Doing an assessment and waiting for that I think would just be wrong-headed.

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**6:04 PM** Mr. Shapleigh said that we have a soccer field at the middle school and we have one at Frost Tufts, as well.

Mr. Sullivan said that those are used by other programs, too.

Mr. Shapleigh asked if they are used so much that we can't schedule it so that we can also play at those fields when other teams are not.

Mr. Sullivan said that I went over that with the Community Service (ECSD) Director and I was surprised with the travel soccer that has 250 people participating. So that's roughly 10 to 11 teams in soccer. Then you have another program that the schools run for soccer and football, and there's scheduling around those. Then, there's another soccer program that ECSD runs for smaller children, I think, but they are trying to fit those in. So, there's a lot of demand. You get out of school at 3PM in the afternoon, and you probably have until 7PM now, to schedule those. I agree with you that we need to use the resources we have to the fullest extent. It's something I talk about every day with the software we have that we sometimes don't use as well as we should. The same thing applies to fields. We should be using them but it is difficult. And then, Frost Tufts is used almost continuously, as well, by some of the rec teams.

**6:05 PM** Mr. McPherson said that it's about time we do something with the Boat Basin and the revenue that goes around the circle and people that don't pay to go in there. In my opinion, that machine should have been bought two years ago. We would have been making an awful lot of money so we could have some sort of a start on maintaining these parks. I think the priority is to get that machine down in there, ticket machines, and when you use that place you have to pay for it. As much as I hate to say it, all the other towns do it. It costs money to maintain it and it should be able to generate some revenue to help pay for its own cost. And maybe costs of other places depending on how much it gets used.

Mr. Sullivan said that, to that point, in my report you saw some pictures I took of the wagon on a summer day, driving through the Boat Basin. That same day, there were eight cars down at the Boat Basin and six of them had New Hampshire plates on them. Another day I went down and there were five cars and two of them were New Hampshire plates. I just suspect that there's a lot of people from outside of Eliot that use the Boat Basin. So, the taxpayers that never use the Boat Basin are really paying for the damage that's being done by vandals and the overuse of people visiting, and that's not fair to the taxpayers. The users should be paying, not the taxpayers.

**6:07 PM** Mr. Donhauser said that you could have the hybrid system that we talked about where a resident of the Town can have a ticket shown on the car so they can park

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and not get ticketed, and pay an annual fee. Pick a number, say \$25 for that ticket, and they could go down there and have free access to the Boat Basin. Non-Eliot people would have to use the kiosk to have a ticket on their dashboard.

Mr. Sullivan said that my parking ticket in Wells is \$35 to park at any of the beach parking lots. The same thing in Kittery, I hear it's \$45. In Ogunquit, it's \$45. But those are for residents. But, if you were to park in Ogunquit at a parking lot like North Beach right now, and you parked for the whole day, it's \$25, and that lot is full. I'm not saying that that's the price but there could be a model like that that I think would be fair to the taxpayers.

**6:08 PM** Mr. Widi said that it's the best boat launch around here. I've been to a fair number of them and, as far as just functionality, ease of use, always deep water, you can get in at any time, it's by far the best one. Having someone launching a mega-yacht once a year and paying \$50, for a luxury item, it's a luxury item. I would feel bad charging that much for someone just launching their 20-foot skiff but, with these luxury boats that are coming in and out of there, we're only charging \$50. Most of those people don't live in Eliot. So it wouldn't affect our people to really re-examine specifically the higher-end boats where, if you are putting in a yacht, \$50, \$100, \$150 is nothing for them. It would make a world of difference to some little kid that wants to play soccer, or something else, and actually have the money to keep the facilities up. I think that's something we need to look into, some of those fees.

**6:10 PM** Mr. Sullivan said that there was a boat that went by Robert's house today. It was a million-dollar boat. The mast was probably \$100,000. It was beautiful, a beautiful boat. As you were saying, Mr. Widi, if the person was going out to fish to feed their family may be one thing. So, I think that the fees really need to be looked at, even just parking there. There should be a fee there; that it's a beautiful place. And I think the people would appreciate it if the money was going back into that park, or other parks, and they saw the improvements made. I'm not even sure people would be upset at the amount, like you suggest.

**6:11 PM** Mr. Widi said that the best part of that park is looking up the river, not looking over at New Hampshire and their industrialization, which is fine but is not the best view. The best view is looking up the river, but it's nothing but invasives there so you can't actually utilize the best part of that park. That could be a really nice park. There's a lot of nice views and I think it would get a lot more use but it's going to take some money to do it. I would encourage you to walk down and look up the river. And you'll understand that there's real value and real beauty in it. And to not put some money into it is a shame.

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**K. 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**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

The meeting adjourned at 6:12 PM.

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**



**Mr. Robert McPherson, Secretary**

**Date approved:**

2-27-23