

## **SELECT BOARD MEETING**

**March 23, 2023 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.

**B. Pledge of Allegiance recited**

**C. Public Comment:**

**5:31 PM** Mr. (Gene) Wypyski, Creek Crossing, ( Co-Chair of Eliot Festival Day Committee) said 6 months from is EFD, the last Saturday in September (30<sup>th</sup>). Applications for booths and the road race will be live April 3<sup>rd</sup>.

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

**5:32 PM** Mr. Sullivan said that the Secretary is being diligent. I think we have three coming before you at the next meeting. I do apologize. We are trying to catch up. There were a flurry of minutes that had to be addressed on other boards and committees.

**E. Public Hearing:** There were no public hearings.

**F. Department Head/Committee Reports**

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

Mr. Sullivan reviewed his report. Eliot Garden Club update regarding Route 236 beautification and inclusion of planning for Route 236. One meeting on municipal fees and will be coming in with something soon. A legal notification sent out too early on four properties taken under tax title. Letter was re-sent and owners will have 30 more days to redeem. Boat Basin floats are failing; that we have applied for a grant and will receive five new floats next year. Mr. Cunningham, Dept. of Agriculture, Bureau of Parks and Lands, is moving two new floats/one slightly used float that he built to the Boat Basin. Still reeling from the issues at the Public Works Dept. Staff is doing a great job handling department needs. Met with the Route 236 Water & Sewer Expansion group. There will be a meeting April 6<sup>th</sup> at Town Hall at 6:30 for residents to hear more about technical aspects of the sewer expansion project.

**5:37 PM** **Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the Town Manager's Report, as presented, and ask it to be published on the Town website.**

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**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Ms. Dow – Yes**

**Mr. Shapleigh – Yes**

**Unanimous vote to approve motion.**

**5:38 PM** Mr. Sullivan said that we have a staff report from the Town Planner giving an initial overview of upcoming PB warrant articles. Ms. (Christine) Bennett has offered to fill in to answer any questions.

Ms. Dow said, regarding the marijuana ordinance, that last time there were some concerns raised by the industry and wondered if any of that was clarified in this language.

Ms. Bennett said yes; that that was one of the things we did address on that. We made a provision whereby an existing licensee just needs to indicate to the Town and SB that they wish to convert their business/sell their business and have a placeholder for that license.

Mr. Sullivan said that and correct me if I'm wrong, just so the public is clear on deliveries, this allows the SB to license deliveries. This isn't a blanket for everybody. Anyone who would like to deliver has to come in and we can put reasonable provisions on their delivery.

Ms. Bennett said that my understanding is that it is a 'by right' for the establishments. We put provisions in this ordinance that they have restrictions of only one vehicle at a given time, designated spaces for curb-side pickup, signage, and attest in the licensing process that all their staff are properly trained.

Clarification will be sought.

**G. Board and Committee Appointments/Resignations: No action.**

**H. New Business:**

**5:43 PM 1. Beech/Harold L. Dow Emergency Traffic Controls (EFD)**

Chief Muzeroll said that this gives Police and Fire the ability to manipulate the lights so that we can safely cross that road. In conversation with the Town

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Manager, we've decided to do it as a multi-stage event, or multi-stage purpose. We are going to start on Beech Road, which seems to be the most dangerous for us. As we work any problems out with that, we'll probably come back to take a look at Depot Road and Route 101. The bottom line is that I wanted to add four more portable transmitters from the original quote, and that drives the new price. That being said, I've also talked with the Town Manager and Police Chief and I'd like to make you aware that we're going to ask for four more transmitters very soon. I will send a memo to Mr. Sullivan to present to the SB. That will allow the Fire Department and Police Department to have these either hard-mounted or portable devices in their vehicles. The range is, depending on multiple things, we would have 300 yards, 100 feet in the worst conditions. We will certainly have to do some testing. Electric Light is the Town's sole source for traffic control problems and installations. They are about the only people who service this area. These devices will work with anyone who accepts that same frequency. These are used on demand.

Mr. Sullivan said that he suggested, in the motion, to include up to \$15,000, which could include devices for police cars, as well.

**5:48 PM      Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board suspend the "three quote" procurement rule for the signal control specialized equipment.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board authorize the use of grant funds from the American Rescue Plan Grant (ARPA), not to exceed \$15,000 previously allocated for the purpose of installing a Traffic Signal Preemption safety system for the signal lights at the Harold L. Dow Highway (236) and Beech Road to be used by Eliot Fire/Police.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

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**Mr. McPherson – Yes**  
**Mr. Widi – Yes**  
**Ms. Dow – Yes**  
**Mr. Shapleigh – Yes**

**Unanimous vote to approve motion.**

**5:50 PM      2. Annual Spinney Creek Tide Gate Schedule**

Spinney Creek Shellfish sets up and manages the tide gate. This year the schedule will add 2-day openings at the beginning (spring) and the end (fall) of the schedule to control for fouling invasive weed growth, which was a problem last year. The summer schedule will have single-day openings to accommodate recreational activities. The schedule is to be posted on the website. This schedule was created in conjunction with the Dept. of Agriculture.

**Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the Spinney Creek Tide Gate Schedule for 2023, as presented. (Lori Howell, Spinney Creek Shellfish, LLC closes and opens the gates according to the schedule, which is a great help to the Town).**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**5:54 PM      3. Planning Board Proposed June Warrant Articles (Planner J. Brubaker)**

This was previously discussed.

Mr. Sullivan clarified that the motion to accept demands that the warrant come back to the SB in its final form at the next meeting.

**I.      Old Business:**

**5:55 PM      1. FY24 Budget Review, Town Hall Bond Warrant**

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Mr. Sullivan was asking for the SB to consider allowing the warrant article, the language in the bond article. He read the article language, which is posted on the website. There is no appropriation accompanying this. This is just a question to ask at Town Meeting. At a subsequent Town Meeting, we would have to come forward with an appropriation for the bond. If approved, I don't think a bond would impact taxes until 2026. First year of borrowing is included in the issuance. With this vote, the Town would be essentially putting a cap on this project. Prior to this, the Town has been using money appropriated for design and we can't go much further with the design until the Town decides it wants to really engage and go forward. Bigger benefits would be the expansion of the Clerk's Office, adding the drive-up window, and having enough space to hold voting here, as we aren't going to be in the schools for much longer. It is estimated that the project would cost \$45-\$50 annually in taxes starting in 2026.

Mr. Donhauser clarified that this has no current budget impact, will not affect the current tax rate. It also allows the Town voter to determine whether they want to renovate, or not.

Mr. Sullivan agreed, saying that it essentially asks just that question.

Mr. Donhauser added that, once they say they would like to do that, then that would be a separate warrant article to renovate and, then, the next article would be to fund a bond issue. This merely sets up a of pins that we can knock down in the future.

**6:00 PM**

Mr. Sullivan said yes, It sets up a ceiling for the project and stops us burning through money. The first year bond issue would be about \$140,000. The second year it would be about \$240,000.

Mr. Donhauser said that then principal on the bond would be about \$4 million, with interest anticipated to be about \$1,000, 680. Total is approximate.

Mr. Sullivan said that it is important to note that costs for goods are growing 8% to 9%. Interest rates are around 4.5%. This will be paid out over 20 years so the people paying for this facility will be the people using this facility. So, I think there is a certain fairness in the borrowing process.

Mr. Donhauser clarified that you are setting up a reserve account; that every year you put money into a reserve in hopes you're going to renovate the building sometime in the future you're paying, currently, on taxes but you're not benefitting from the actual structure.

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**6:05 PM** Mr. Sullivan said that, at the same time, costs are escalating at a greater rate than you can borrow at. Even if you were saving the money and earning 4.5%, and wouldn't that be great on your reserve accounts. You're borrowing at 4.5%. So, either way there is no apex for the two to reach. I think it's time to ask the public and they will give us their answer. If it isn't voted for, there are significant costs in this building that have been foregone for some period that are going to come due. The roof is at the end of its useful life. The door isn't working and it doesn't meet new handicap accessibility requirements. The other doors don't meet those requirements, either. We've been cited by our insurance company because of the tiles in the hallways that are separating and coming up. The carpets have to be replaced. If in fact you don't renovate/rebuild this building, there are going to be some bills you will have to deal with down the road.

**Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board approve a Town Hall Bond request warrant for the June 2023 Town Meeting ballot, as presented.**

**DISCUSSION**

**6:10 PM** Mr. Donhauser said that I am aware that there are people who are adamantly opposed to a renovation of this building. However, there are other people who see fit to actually do something with the building. We are going to incur costs one way or the other; that it's just whether you're spending money on renovation or repair and maintenance.

Mr. Shapleigh said that you said some time ago that it was thought that, probably, renovations here to bring us up to code, again, would be around \$450,000, possibly for another five years. This projected debt service of \$4 million principal shows, on 'this' sheet, 3.5%. Then what it's really bonded at is 3.75%. Is there any way you're going to get 3.75% for twenty years.

Mr. Sullivan said that I may have given the wrong sheet. It is the 4.5% sheet. The amount, annually, is around \$240,000 if you do a level debt service. I will print out a schedule with the up-to-date information for the SB.

Mr. Shapleigh asked how we go forward if we say we want to do something.

**6:13 PM** Mr. Donhauser said that there will be a warrant on the June ballot; that the purpose of that article will be to have the Town say 'yes, we're in favor or no, we're not in favor' of renovating the Town Hall. If they say 'yes', then, the next time we come before the voters, it will say that the SB has determined we will need 'this' much money as a bond issue. If they approve that, we would then go out for contractors. It's a two-step process.

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Mr. Shapleigh said that that would give time to explain the need to the public between now and then.

Mr. Donhauser added that people who are in favor of renovating should explain to others why they are in favor and those opposed should explain to others why they are opposed, then come to some conclusion.

Mr. Sullivan said that there is a Citizen's Option hearing and a public hearing in May.

Mr. Donhauser said that we could collaborate on this with the Budget Committee, as well. Anything is possible. First, we need to ask if they support it.

Mr. Sullivan said that the Town did approve money to give to the Capital Improvement Committee to explore this idea. WEW are at 25% design and it would cost much more to go to the 75% design level (the next step); that it doesn't make sense to burn through that money if people are not interested in rebuilding the Town Hall. He added that it is an advantage to putting on a cap and voting on it now. If you leave the amount open or somewhat nebulous, they will inflate it. As an example, the architect drew three offices for someone here that wasn't needed; that the architect gets a percentage of what the cost of the building is at the end for that phase. I think that this is a reasonable, smart way to approach it by putting a cap on it. It will double the size of your building. If things change and things escalate with prices, I would simply say that they have to cut back and find ways to meet the cap. We won't let it happen, which is one of the reasons we put a cap on it, remembering that \$300,000 will go to the Police Department to augment the \$65,000 that was appropriated thru ARPA funds to make their improvements.

**6:18 PM** Mr. McPherson said that we could, actually at any time, have dumped in our lap that we have to find a place to vote. It is something to keep in mind because, when the schools decide they are going to shut down, we could be voting in the parking lot. I don't think that \$450,000 is probably going to renovate this building enough but that very well end without argument. We can't argue that. They lock those schools down, there's no argument but it creates the issue of where we are going to vote in the Town of Eliot.

**6:19 PM** Mr. Sullivan added that moving the voting equipment by van to the school impacts the life of the equipment and adds security costs, as well.

Ms. Dow asked, if this next vote passes but the vote to actually bond doesn't, are we still obligated to go forward.

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Mr. Sullivan said no; that that would kill the project. Another advantage to the project would be lower upkeep cost to a new building.

**6:22 PM** Mr. Widi said that he agrees with everything everyone is saying. Just to bring some levity, I have a very good read on this Town and this is an uphill battle all the way. We all need to be communicating with people about this.

Mr. Donhauser said that it is what is the additional cost (\$60/year) to the taxpayer on their tax bill. I also agree it will be an uphill battle to do this. There's a lot of people that are adamantly opposed, that government should be more online and not so much bricks-and-mortar.

Mr. Sullivan agreed. That has been discussed and is part of the thinking as design has been done, except for storing voting equipment and having more meeting space.

DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Ms. Dow – Yes**

**Mr. Shapleigh**

**Unanimous vote to approve motion.**

**6:26 PM      2. Village at Great Brook Update**

Attorney (Sandra) Guay, representing The Village at Great Brook, LLC, is present on Zoom.

Mr. Sullivan said that we worked to increase the performance guarantee. J.T. Turner came in to look at what was presented and found it insufficient. With that, we worked to discuss how it could be more reflective of what the needs are at Village at Great Brook. They added the additional \$199,335 for the road construction, among other items, for a total in a performance bond of \$438,523. They are asking for a performance bond agreement of \$450,000 and they also committed to make concessions to the homeowners association to give them some additional land that they have there. He read the agreement document submitted



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by Attorney Guay, which is available at the Town Hall. I encourage the SB to vote for it. It would then go to the PB for their action.

**6:28 PM**      **Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board accept the issuance of a performance bond in the amount of \$450,000 by the Village at Great Brook, LLC pending acceptance and approval of the amended plan by the Eliot Planning Board and reviewed by the Eliot Code Enforcement Officer. Furthermore, instruct the Town Manager to solicit the final documents necessary and authorize him to sign within the parameters and facilitate this matter as expeditiously as possible and allowed.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**J.      Approval of Warrant(s):**

**6:31 PM**      **Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve Payroll Warrant #82 in the amount of \$47,951.20, dated March 8, 2023; Payroll Warrant #83 in the amount of \$2,055.69, dated March 8, 2023; Payroll Warrant #86 in the amount of \$55,110.00, dated March 15, 2023; Payroll Warrant #88 in the amount of \$38,468.78, dated March 16, 2023.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:33 PM**      **Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve A/P Warrant #84 in the amount of \$897,708.09, dated March 9, 2023; A/P Warrant #85 in the amount of \$3,614.04, dated March 9, 2023; A/P Warrant #87 in the amount of \$139,167.64, dated March 15, 2023.**

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**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

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Mr. Sullivan reminded that Monday is the Citizen's Option Meeting at Eliot Elementary School at 6:00 PM.

**K. Adjourn**

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

**Roll Call Vote:**

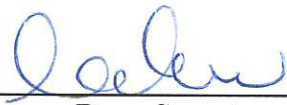
**Mr. Donhauser – Yes**  
**Mr. McPherson - Yes**  
**Mr. Widi – Yes**  
**Ms. Dow – Yes**  
**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

The meeting adjourned at 6:35 PM.

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

  
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**Lauren Dow, Secretary**

**Date approved:**  
12-14-2022