

**SELECT BOARD MEETING**

**June 8, 2023 5:30PM**

**Town Hall/Hybrid**

**Quorum noted**

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

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

**B. Pledge of Allegiance recited**

**C. Public Comment:**

**5:33 PM** Mr. (Gene) Wypyski, Creek Crossing, announced he was sponsoring a meet-and-greet event with the candidates running for elected office. It will be held Saturday morning next to the Eliot Connects Summer Kick-off at the Gazebo from 9 AM to 11 AM. There will be coffee and donuts. He encouraged everyone to stop by.

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

Note: Minutes were done first.

**5:31 PM** Motion by Mr. Widi, second by Ms. Dow, to approve the minutes of February 27, 2023, as written.

**Roll Call Vote:**

**Mr. Donhauser – Absent**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow – Yes**

**Mr. Shapleigh - Yes**

**Vote 4-0-1 to approve motion.**

**Motion by Mr. Widi, second by Mr. Shapleigh, to approve the minutes of January 26, 2023, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Absent**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow – Abstain (not present)**

**Mr. Shapleigh - Yes**

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**Vote 3-0-1 to approve motion.**

**E. Public Hearing:** No items.

**F. Department Head/Committee Reports**

At this time, Richard Donhauser arrived.

**5:36 PM 1. Town Manager's Report**

Mr. Sullivan gave a financial update of Town investment progress, which is doing well. The final hearing for the York County budget is in two weeks, which is up 6% versus ours up 1.97%. Also, we took a look at the capital plan with Fire, Public Works, Administrative Assistant, Public Works Interim Consultant, and hoping to meet with Police next week. We would like to put this before the Budget Committee, the SB, and the voters for November. There are some part-time positions open at ECSD and Police Department. Regarding the Boat Basin, Police Chief Moya and Officer/Harbor Master Bill Dries were there on Memorial Day weekend to help and observe how the facility functions and strategize for improvements. Work continues with Comcast at Town Hall to improve video and sound for the installation of cable. We are experiencing a geese invasion and asking people to be careful when coming to Town Hall. The Town Clerk asked me to remind people to return their absentee ballots to Town Hall Tuesday, June 13<sup>th</sup> by 8PM.

**5:39 PM** Mr. Wypyski, Budget Committee member, said I would like to underscore my support that our Town has over \$5.8 million in investments. The report indicated that they think we will make \$149,000 off those investments. As a Budget Committee, to me that's a really big deal. Thank you for your effort to upgrade our investment quality. I think this is a wonderful thing that relieves a lot of pressure. People should feel good in our Town that things are pretty good around here financially.

**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.**

**Roll Call Vote:**

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

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**Ms. Dow – Yes**

**Mr. Shapleigh – Yes**

**Unanimous vote to approve motion.**

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

**5:44 PM** Mr. Donhauser said that interested parties should check the Town website to see open board and commission positions or contact the Town Manager or Town Clerk. The SB will re-organize at the next SB meeting (June 22). The following meeting (July 13), the SB will make re-appointments and consider new applicants for boards and commissions.

**H. New Business:**

**5:46 PM 1. Maine DOT Route 236 Design Agreement**

Mr. Sullivan said that this is a project to do a re-design from Depot Road to the Kittery line of Route 236. This is getting prepared for years out. This afternoon we had a discussion with the DOT representatives and they expressed to us that the Maine DOT is really committed to Route 236 and this is the first step. They are calling on the Town of Eliot to pay for half of the \$282,000 cost of the design. You will see from my next request from carry-overs from FY22, there was approximately \$262,000 left in the DPW budget. I am asking to carry those over and use them to invest in this project. Those are funds that don't affect your taxes, have already been appropriated by Town Meeting, and you are allowed to carry those over and invest them in the same part of the budget (consulting fees under DPW). That's the next order of business. If you feel you might not want to do that then you might want to consider whether you want to go forth with this cooperative agreement. I think it's the first step in solving a lot of problems. I have spoken with representatives from the Eliot Garden Club and they will certainly have a seat at the table as this design unfolds, as will the public with public meetings.

Mr. Donhauser asked if Kittery and South Berwick are contributing to this, involved in any way.

Mr. Sullivan said that they are being asked to invest in design. For Eliot, I would recommend the best course of action is to make the investment but still, going forward into the future, have the State be responsible for the bulk of maintenance, repairs, and things of that nature.

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**5:51 PM**

Mr. Brubaker said that, in talking with the DOT and our folks at Southern Maine Planning, they both see Route 236 as a really important corridor and want to invest a lot of money in it. They have already started to invest in it and this is really an opportunity for the Town to be a partner on those investments.

Ms. Dow asked if this agreement document say anything about future financial obligation besides this design phase.

Mr. Sullivan said that it does not. I suspect that they are going to probably ask for some portion, between federal grants, money that the Maine DOT would put in, it sounds like the direction they are going in, in a number of their projects. I don't think it would be a 50/50 split but I think the public can expect some level of money. If they were to replace just the current lights at Beech/Dow Highway with the latest signals (arms over the road, etc.), those intersections are now predicted to cost \$1 million. I think it's a good investment but I think it's wise to make sure we're not making a commitment beyond just the design.

Ms. Dow was concerned with the possibility of setting precedence putting up 50%. Is there any room for us to say we could do 25% instead of 50% just to protect ourselves for the future.

Mr. Sullivan said that asking for the 50% for design is the standard across communities, I believe.

**5:53 PM**

Mr. Widi thanked Mr. Sullivan for finding the money. I think most people know what a hassle it is to come up with \$140,000+ at this exact time, where the budget for this upcoming year has already been submitted and voted on and put on the ballot. If we didn't have a series of circumstances that opened up that money, I don't even think we'd have that in the contingency fund. So, it's a small miracle that we actually have the money at this exact time. That's why we need a little bit of flexibility in the budgets, moving forward, because this stuff is not uncommon.

Mr. Sullivan agreed it was a good point to make that the grant opportunities are not going to wait 6 to 8 months for us to call another meeting. These grant opportunities are really strike-while-the-iron-is-hot, like this coming only two weeks ago. If we aren't able to take advantage, they will just move to another community that can.

Mr. Shapleigh asked if that is the final cost.

Mr. Sullivan said yes. Also included in the transfer is \$45,000 for the Kittery Comprehensive Transportation Study (KCTS), which will address the design at Goodwin Road and Old Dover Road.

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**5:54 PM** Mr. (Jim) Tessier, Johnson Lane, was concerned regarding the amount left from the DPW budget.

Mr. Sullivan said that items under health insurance, road repair, an unfilled position, a number of factors that added up to the total. It's about the same every year.

Mr. Tessier asked if they are still considering a round-about up by the Middle School.

Mr. Sullivan said that they have been very-well made aware that the Town is not enamored with a round-about. That's not to say it won't come up in discussions.

**Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the Maine DOT Cooperative Agreement (026600.00) and authorize the Town Manager to execute the agreement on the Select Board's behalf.**

**5:56 PM** DISCUSSION

Mr. Widi discussed the Kittery traffic circle. The whole point was to get a sidewalk to the community center. They got the Town to commit to \$200,000 in engineering and, in my opinion, they pulled a bait-and-switch to put other stuff in except a sidewalk to the community center, the one thing they wanted. So, moving forward, we need to be vigilant and watch them at every step.

Mr. Sullivan said that I appreciate that and that is what I think is one of the most important parts of public meetings, even if we have smaller meetings, to make sure we get input from the people who know the neighborhoods where these changes may take place.

Mr. McPherson said that that stretch of Route 236 is basically a race track, now, when they went to four lanes. To me, it makes no sense to go from two lanes to four lanes for a half mile, and back to two lanes, because it becomes a race track, which is part of the issue with emergency vehicles crossing there. In my opinion, northbound at Beech Road, the right-hand lane should be right turn only onto Beech Road. If you do that in both directions, I would think the race track part of it would stop.

**6:04 PM** Mr. Tessier said that I believe the Police Chief made the same proposal that Mr. McPherson just made and the State shut it down; that they were more concerned with the volume of traffic moving through that intersection, not the safety issues you are talking about. He agreed that that intersection is not safe.

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DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow – Yes**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

**6:05 PM      2. FY22/FY23 Close Out Adjustments**

Mr. Sullivan said that I'm asking to have \$190,000 of the FY22 balance carried over. That will satisfy the \$141,386 request for the Depot Road to the Kittery line design and, also, \$45,000 for the Goodwin/Dover Road design larger grant. It will also be applied to satisfy the small overrun in Snow and Winter for \$3,650. The second request is to have \$77,000 of contingency money applied to a FY22 shortfall from Administrative Expenses regarding an interim consultant hiring that was \$59,000 more than was budgeted; assessing interim consultant (\$6,800); two people separated from employment (\$5,600 & \$5,000).

Mr. Donhauser said that, as I recall, it took a while to get a new Town Manager and, as a result, we had to continue with an Interim Town Manager longer than we expected. That's one of the reasons for the use of contingency.

**6:08 PM      Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board accept the FY22 closeout adjustments and carryovers, as presented.**

DISCUSSION

Mr. Donhauser asked if we had to make a separate vote on contingency, as it takes a vote of the entire Board.

Mr. Sullivan said yes.

Mr. Donhauser said that we will vote on the motion on the floor and then take up a motion on the contingency funds.

Mr. Widi said that this is a necessary step but I don't think it's a good thing to do year after year. He asked Mr. Sullivan if he had made adjustments to the upcoming budget to take account for those things a bit better.

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Mr. Sullivan said that buy-outs and separation are not something we would normally put in the budget. It's not good fiscal policy to put it in there as, if it isn't used for that, it could end up being used for other purposes. There is enough money in the contingency reserve as we are asking for in the upcoming election.

**DISCUSSION ENDED**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:12 PM**      **Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board use the Contingency Fund as the source of funds for the \$77,000 FY22 shortfall due to the Town Manager Consultant, separation agreements, and the Interim Town Manager salary.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:16 PM**      **3. ARPA Appropriation Request (Website upgrade)**

Mr. Sullivan said that, at our last meeting, we had a meeting with Ryan Anderson and Megan Underwood of CivicPlus to discuss the upgrades and improvements we'd like to our website. We would bring in the ECSD website and the Police website to consolidate them all into one. Presently, they are operating separate websites. Our website is not up-to-date regarding technology. There are a number of advantages that we could put in place that would help the budget. The re-build is about \$40,000. That includes enough money for this year and we would like to have enough money to also pay for next year's licensure agreement. At that level, it will pay for a refresh every four years, which will prevent a big cost as it would

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be built into the system. It is appropriate to use ARPA money, as one of the pillars of the ARPA money was to improve communications and that's exactly what we hope to do with this improvement.

Mr. Donhauser said that there is a finite amount of ARPA money.

Mr. Sullivan agreed. If you approve this, you have about \$480,000 left; that we have earmarked about \$180,000 of that for bicycle and sidewalk improvement projects. I would encourage you to allow this to go forward.

**6:17 PM      Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board approve the use of American Rescue Plan Act grant funds for \$50,000 for the purpose of updating and rebuilding the website as presented tonight and at the previous Select Board meeting on the matter.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow – Yes**

**Mr. Shapleigh - Yes**

**Unanimous vote to approve motion.**

**I.      Old Business:**

**6:18 PM      1. Annual Required Administrative Vote**

**Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the annual administrative authority, as presented, and in regards Section 10 "Referendum Town Meeting Ordinances", and consistent with State of Maine and Federal Law.**

**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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**6:24 PM** Mr. Donhauser said that I noticed we have the Town of Eliot Annual Town Report and included in that are audited financial statements through June 30, 2021. We are currently in the process of having the 2022 audit completed. Just looking at this set of financial statements in this Town Report, the unassigned fund balance in just the general fund is almost \$4.8 million. This is a very healthy fund balance for a municipality of our size. There were some concerns issued by the auditor about some bank reconciliations but that's all been resolved, I believe. We have very low bonded debt and I'm quite impressed by the financial statements that I see.

Mr. Widi said that I spoke with Ellen Robinson yesterday. She was very honored that we dedicated this year's Town Report to Steve (Robinson). She was on the edge of tears. It meant a lot to her.

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

**6:27 PM** Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve Payroll Warrant #110 in the amount of \$50,533.49, dated May 31, 2023; A/P Warrant #113 in the amount of \$51,255.98, dated May 31, 2023.

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:28 PM** Mr. Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve A/P Warrant #111 in the amount of \$7,797.31, dated May 24, 2023; A/P Warrant #112 in the amount of \$456,498.90, dated May 25, 2023; A/P Warrant #114 in the amount of \$60,675.48, dated May 31, 2023.

**Roll Call Vote:**

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

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**Unanimous vote to approve motion.**

Mr. Sullivan said that I would just like to say what a pleasure it has been to work with Robert McPherson.

Ms. Lemire said that you are going to leave a really big hole.

Mr. McPherson said that I would like to thank everyone, really. The Town employees, and everybody. This is a super group. A lot of good, really dedicated people, volunteers. Things are going well, the employees and everyone who puts time in. So, thank you. I appreciate it.

Ms. Dow said that EliotConnects will have an event this Saturday from 9AM to noon. There will be all sorts of food and fun things to do

**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 6:31 PM.

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**



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**Lauren Dow, Secretary**

**Date approved:**

12/14/23