

**SELECT BOARD MEETING and PUBLIC HEARING**

**April 9, 2020 5:30PM**

**(Remote Meeting)**

**Quorum noted**

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

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

Mr. Donhauser wished residents good health during this difficult time and thanked the medical professionals and public safety officials for the efforts they are putting forward. He noted that, to get the most up-to-date information regarding Town operations, you can visit the website and look up COVID 19 on the Town webpage. He also said that there is a new EliotStrong Facebook group if you need help. Please call the Town office, as well, if you need help.

**C. Pledge of Allegiance recited**

**D. Moment of Silence observed**

**E. Public Comment:**

**5:32 PM** Mr. Donhauser explained how residents could participate in this meeting.

There was no public comment.

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

**5:31 PM** Motion by Mr. Orestis, second by Mr. McPherson, to approve the Special Select Board Meeting minutes of March 11, 2020, as written.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**Motion by Mr. Orestis, second by Mr. McPherson, to approve the regular meeting minutes of March 12, 2020, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

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**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**G. Department Head/Committee Reports**

**5:33 PM 1) TIF Committee: Engineering Price Proposals – Award Contract**

Mr. Lee said that the TIF Committee is unanimously recommending Underwood Engineering as the price proposals came in very far apart. Underwood Engineers bid was \$154,979 (estimate). Wright Pierce bid in excess of \$794,950 (estimate).

Mr. Donhauser said that the TIF Committee reviewed both proposals in detail and could not find the reason for the significant difference other than, perhaps, Underwood's familiarity with our system.

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board accept the proposal for engineering services from Underwood Engineering in the amount of \$154,979, with respect to our TIF engineering.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**5:35 PM 2) Stormwater Bid: Tidy Road**

Mr. Donhauser said that this is recommended to be taken from the Stormwater budget as it was caused by a failing drainage structure and the DPW Director and Town Manager recommend the bid be awarded to William Shapleigh & Son for \$95,107. He asked how many bids we received.

Mr. Robinson said that he reached out to four contractors and received back to bids, one from William Shapleigh & Son and one from N.P. Giroux Excavating.

Mr. Orestis asked if we should waive the three-bid rule first.

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The SB agreed.

**Mr. Orestis moved, second by Mr. McPherson, that the Select Board waive the three-bid rule in light that the DPW Director reached out to four contractors and only received bids from two.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**5:38 PM Mr. Orestis moved, second by Mr. Lytle, that the Select Board accept the proposal from William Shapleigh & Son in the amount of \$95,107.**

**DISCUSSION**

Mr. McPherson asked when the estimated time was when this would be done.

Mr. Robinson said that, according to the Army Corps of Engineers, it has to be done between July 15 and September 30. It will have to be done before school starts because there is only one way in and out in that area, which both contractors know about.

**DISCUSSION ENDED**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**H. Administrative Department**

**5:40 PM 1) Town Manager Report(s)**

There were no comments.

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### **a. MSAD #35 Budget Summary**

Mr. Lee said that the total Eliot assessment is going from \$9.95 million to \$10.2 million or 2.44%. South Berwick's portion is going up 2.59%. The School held the overall increase to 2.5%.

#### **5:42 PM 2) Request for Enterprise Budgeting: Pay-to-Throw Bags**

Mr. Lee said that there is a section in our policy regarding using enterprise funds, which could be used for this. We decided we needed to swap vendors, got a better price, and need to up-front the cost of the bags; that we didn't budget for that. We did an analysis of what we make when we sell all the bags, which will far exceed the amount we need for up-front money to buy the inventory. He wanted the SB to be aware that there would be an expenditure from Solid Waste.

Mr. Robinson added that we want to buy a year's worth of bags because it will be a lower cost than buying them 2-3 times a year.

Mr. Lee said that we would manage the bags entirely within the Town. There will be no more vendors that handle bags.

It was agreed that the updated policy allows Mr. Lee to move forward with this.

#### **5:45 PM 3) Create Ad Hoc Building Committee (2<sup>nd</sup> Reading)**

Mr. Lee wanted to know if any Board members had any input on Article 2 – Duties, specifically.

Mr. Orestis said that he had a couple of ideas that he hadn't gotten to Mr. Lee and asked if we could hold off on a motion for one more meeting.

It was the **consensus of the SB** to carry this to the next meeting.

#### **5:48 PM 4) Employee Recognition Program (1<sup>st</sup> Reading)**

Mr. Lee discussed the draft he has drawn up, calling it the Eliot MVP Award. Each staff member from each department would vote for one of their own. Those names would go together into a random drawing to be done twice a year. Staff members would be selected based on things like keeping morale up, effectiveness/hard work, best teammate, problem solver. All nominees would be mentioned at a Select Board meeting and the winner would get a framed MVP certificate and a little something extra. No staff member would be able to win back-to-back. He wanted to know if the SB liked the way he structured it. He

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would also like to re-start, once we are through this pandemic, the Christmas Party we used to hold in appreciation for all the Town staff.

**5:51 PM** Mr. Donhauser liked the idea of recognizing staff members who work hard or do something over-and-above. He also agrees that it shouldn't be a popularity contest.

The SB agreed that they liked the idea, as well.

**5:54 PM** **5) Certify Public Safety Impact Fee Ordinance**

This has to be certified as a true copy so that it can go on the ballot.

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board certify the Public Safety Impact Fee Ordinance, as presented.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**6) Certify Corrected “Amendments to Chapter 1, Section 1-2” (Land Use)**

A correction had to be made to Item 6), which is part of our land use code, and needs to be certified as a true copy, as well.

**Mr. Orestis moved, second by Mr. Lytle, that the Select Board certify Amendments to Chapter 1 – General Provisions, Section 1-2 of the Municipal Code of Ordinances for the Town of Eliot, Maine.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

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**5:57 PM 7) Approve Town Meeting Warrant and Sign Public Hearing Notice for 5/7/2020 on Warrant Articles**

Mr. Donhauser discussed another warrant article the SB would like to add – Undesignated Fund, Article #31. It has been suggested that we use the ability to use \$200,000 out of Undesignated Funds surplus related to COVID-19 pandemic issues.

Mr. Lee said that Kittery just had the same discussion because they just don't know what their cashflow is going to be and we recommend having this should this pandemic cost the Town in any number of ways.

Mr. Donhauser noted that this would take a unanimous vote by all SB members to use this money out of Undesignated surplus. Our surplus is at least \$3 million dollars and we are only looking, if necessary, to invade by unanimous vote perhaps up to \$200,000. I think this is a prudent thing to do – to add this article to our warrant.

**6:00 PM Mr. Lee said that there was one other change, which we noted this afternoon. Article #6 is changed to read \$27,107 as last year's appropriated amount.**

Mr. Orestis noted that our vote on this article is not included.

**Mr. Orestis moved, second by Mr. Lytle, that the Select Board approve the Annual Town Meeting/Election Referendum Town Warrant for Tuesday June 9, 2020, to include Article #31, and to include the Public Hearing Notice for May 7, 2020.**

**DISCUSSION**

Mr. Lee said that the Governor is talking about pushing the election back to July 14<sup>th</sup>. If that's the case, then we would have to change this and re-certify or re-issue it. For now, we are going to move forward as we were. As long as we don't post it, then we could change the date and meet the requirements for posting.

Ms. Rawski said that, regarding the approval for the Public Hearing May 7<sup>th</sup>, if that changes and we get the official word from the Governor that elections are being pushed out to July 14<sup>th</sup>, we may want to consider doing a revision to the Public Hearing date, as well.

**DISCUSSION ENDED**

**Roll Call Vote:**

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**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**6:06 PM      8) Approve Warrants**

**Mr. Donhauser moved, second by Mr. Orestis, that the Select Board approve A/P Warrant #109 in the amount of \$74,977.33, dated March 6, 2020; A/P Warrant #111 in the amount of \$942,215.58, dated March 12, 2020; A/P Warrant #113 in the amount of \$71,458.88, dated March 18, 2020; A/P Warrant #115 in the amount of \$56,024.16, dated March 25, 2020; A/P Warrant #117 in the amount of \$8,161.48, dated April 1, 2020.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson - Yes**

**Unanimous vote to approve motion.**

**I.      New Business:**

There was no comment.

**J.      Old Business:**

There was no comment.

**K.      Selectmen's Report:**

**1) Seeking Committee Members: New Building Committee**

There were no Selectmen's reports tonight.

**L.      Executive Session**

There was no executive session. The SB will hold a special meeting on April 16, 2020 regarding an executive session.

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**April 9, 2020 5:30PM (continued)**

**(Remote Meeting)**

**M. Adjourn**

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

**VOTE**

**4-0**

**Motion approved**

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

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**Mr. Richard Donhauser, Chair**

**Date approved:**

**April 23, 2020**