

**SELECT BOARD MEETING**

**July 23, 2020 5:30PM**

**(Remote Meeting)**

**Quorum noted**

**A. 5:33 PM:** Meeting called to order by Chairperson Donhauser.

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

**C. Pledge of Allegiance recited**

**D. Moment of Silence observed**

**E. Public Comment:**

There was no public comment.

**F. Selection of Select Board Officers for FYE 21**

**5:35 PM Position of Chair:**

Richard Donhauser – 4

Alex Orestis – 1

Richard Donhauser voted as Chair.

**Position of Vice Chair:**

Richard Donhauser – 0

Alex Orestis – 5

Alex Orestis voted as Vice Chair

**Position of Secretary:**

Bob McPherson – 4

Bill Widi – 1

Bob McPherson voted as Secretary

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

**5:39 PM Motion by Mr. Donhauser, second by Mr. Orestis, to approve the minutes of July 7, 2020, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. Lytle – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**H. Department Head/Committee Reports**

**5:40 PM 1) Planning Board – Marijuana Applications**

This was an update regarding the number of applications coming into the Planning Office.

Mr. Lee said that the Planner put together a summary list of all the pending applications. There are 11 right now. There are only 4 or 5 parcels that are developable other than somebody buying out an existing business so it appears to me that we have a lot of people clamoring for similar spaces/properties that can meet setbacks.

**5:42 PM 2) Fire Dept. – Establish Public Safety Impact Fee Formula**

Chief Muzeroll said that he had approached the SB regarding an impact fee and a possible formula. The SB and Town Manager were very receptive and the Town Manager helped me re-write that. The template is from Kittery with some language changes to fit Eliot. The voters voted to accept the Safety Impact Fee Ordinance, as presented, mentioning that the date of the vote in the document needs to be changed to reflect the actual date of the vote. We are only looking to use this for items related to public safety equipment and facilities. In a data sheet he provided to the SB, it shows that, if we had imposed a \$5/\$1,000 fee for everything over \$100,000 for building permits for the past four years, we would have accrued about \$100,000 to be used for infrastructure and facility changes toward growth in the Town.

Mr. Lee asked Chief Muzeroll to repeat the formula.

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Chief Muzeroll said that it is \$5/\$1,000 after the first \$100,000 of a new building permit, and there are some caveats in there, but it is generally designed for new construction, both residential and commercial. The average cost of new construction in Eliot is \$300,000, leaving \$200,000 the fee would impact and would be a fee of \$1,000 for the building permit. His suggestion of using \$5/\$1,000 was not written into the ordinance on purpose, which allows the SB to revise that in the future, if necessary.

Mr. Donhauser confirmed that it is the SB that established the fee.

Chief Muzeroll agreed, saying that it would be a line in the Town's fee schedule.

Mr. Lee said that, given the need to change the date on this, the SB will want to carry this over to a second meeting.

Chief Muzeroll said that he didn't know if you could legally impose this fee before the document has a proper date and is signed.

Mr. Lee said that, because of the changes imposed by the pandemic, the date change would be considered an administrative change to the ordinance date, not the ordinance itself. I believe the SB could approve the formula of \$5/\$1,000 of building value over the first \$100,000 of residential or commercial development, now, if they so choose.

Mr. McPherson said that I think we should vote on this, now, rather than put it off, if Mr. Lee believes it's okay to do.

SB members agreed.

Mr. Lee noted that Mr. Tessier had been trying to call into the meeting and was getting a message that the meeting number was not valid. I apologize for that and encouraged him to keep trying, as we all used the same instructions.

**Mr. McPherson moved, second by Mr. Orestis, that the Select Board adopt a \$5 per \$1,000 after \$100,000 Public Safety Impact Fee.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. Lytle – Abstain**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

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**Unanimous vote to approve motion.**

**H. Administrative Department**

**5:47 PM 1) Town Manager Report(s)**

There were no comments.

**a. Financial Report**

Mr. Lee clarified that this is not exactly the year-end report. At the end of the fiscal year, we still have bills that trickle in over a 4-6-week period, so it will probably be the second week of August before we have every single bill in. However, this is very close to where we will end up.

Mr. Orestis commented that it looks like we spent less and took in more.

Mr. Lee agreed. It isn't really the last fiscal year we were too worried about, as COVID didn't hit until near the end. But even looking forward, so far, we're almost where we need to be with excises, tax collection. We're ahead of where we were last year.

**5:50 PM b. Worker's Compensation Dividend Check - \$3,885**

As part of the Risk Management Pool, the MMA offers dividends to anyone who had a loss ratio of 50% or less from what they predicted it would be for 2018-2019. This is one of the nice things doing business with a non-profit like the MMA. This will drop down through to General Fund as a revenue that was unanticipated.

**5:52 PM c. LPC Election Ballot**

This is regarding the MMA Legislative Policy Committee, which elects representatives from each senate district to represent the towns and cities in Augusta on legislative matters. Mr. Lee (Eliot) and Mr. Perry (South Berwick) are on the ballot that asks the Boards to vote for two.

The SB **agreed by consensus** to approve this ballot, as presented.

**2) Annual Town Meeting Results**

Mr. Lee said that the voters tended to go with the Budget Committee recommendations, which I think was four articles. The Treasurer and I have

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begun to work to restructure the budget according to the will of the voters. As an example, we were working today to try to figure out how we would fund the Animal Control Officer, where \$3,000 was cut from that budget. We met with the ACO and Police Chief and think we've worked out how we can do it. We went in and took out any of the items that were voted down, such as the ticket system, as an example. We will be back on August 13<sup>th</sup> to provide the revised Certified Budget.

**3) FY 20-21 Budget Adjustments to be Made**

Mr. Lee reiterated that we are making those adjustments in the original budget sheets that have to be taken out and make sure that the Certified Budget reflects what the voters did. We have done that, triple-checked it, and Ms. Rawski has certified the numbers. It takes a vote of the SB at some point to verify her certification.

**5:58 PM      4) Frost Tufts Lighting Bid**

Mr. Lee summarized the history of this item; that no bids came in, he had worked with OnTarget but they were only able to go down to \$26,000. So, I called an electrician the Town has worked with in the past as we are left with no choice but to negotiate with a contractor to make improvements there. The only other choice we have is to put the \$15,000 we have, put it into a reserve, and ask for another \$11,000 to \$12,000 in next year's budget. I find it hard to believe that we have to sink that much money at a tennis court, which is used for only four months and light out pretty late. I think we use what we've got, do what we can, and improve it but it won't be perfect.

Mr. McPherson said that I will come down next week to talk to you about the utility pole. I might be able to eliminate that cost. Between that, a Public Works crew and a backhoe, we could set a pole. We also have the Town's bucket truck. So, if you could find an electrician and buy those parts, ourselves, and if the electrician is qualified on a bucket truck, we might be able to save some money and get some lights up.

Mr. Lee suggested we get Mr. Robinson in for that meeting, too, so we're all on the same page with that. Thank you.

Mr. Donhauser said that we will move to the next meeting to approve any expenditures.

**6:01 PM      5) Approve Warrants**

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**Mr. Donhauser moved, second by Mr. Orestis, to approve A/P Warrant #147 in the amount of \$18,132.84, dated July 1, 2020; A/P Warrant #149 in the amount of \$78,131.98, dated July 9, 2020; A/P Warrant #150 in the amount of \$18,287.76, dated July 15, 2020; A/P Warrant #35 in the amount of \$35,988.17, dated July 9, 2020; A/P Warrant #37 in the amount of \$951,969.24, dated July 15, 2020.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. Lytle – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

NOTE: #35 and #37 are for the new fiscal year.

**I. New Business:**

There was no new business.

**J. Old Business:**

**6:04 PM 1) Capital Improvement Committee Draft By-laws (Final Reading)**

Mr. Orestis said that there was a letter in the previous meeting's packet specifically pertaining to these by-laws and was wondering if Mr. Lee had any comment to that.

Mr. Lee said that I read the letter pretty carefully and the nature of the letter is that committees should draft their own by-laws. At the same time, our Charter requires that by-laws contain certain elements and all I'm doing is creating a template and draft, and the by-laws, themselves, say that they can be changed and resubmitted to the SB. Mr. Rankie was concerned that I was driving the ship too much by creating by-laws that they could not change. But even the sections of the Charter he cited had to do with setting agendas and other things that did not have to do with by-laws. It had to do with anything that might interfere with the committee and I'm just trying to get them structured and started.

Mr. Orestis said that I thought it was important to address that letter. It was well-written and caught my eye.

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**6:04 PM**      **Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve the Capital Improvement Committee drafted by-laws.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. Lytle – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

Mr. Lee said that I postponed doing committee appointments until the next SB meeting

**K.      Selectmen's Report:**

**6:06 PM**      **Mr. Orestis asked Mr. Lee to fill us in on what's going on at the Skate Park.**

Mr. Lee said that we've taken down the dangerous bowl structure, with some of the other structures. We brought in our ground pavement and filled it in such that it is now going to be a single level. I met with some people on Tuesday that are enthused about it – K.C. MacDonald and a couple of people from California that have designed parks all over the place. One has connections to Eliot and they are kind of donating their thoughts and advice. The problem that I heard from this phone call was to make a skate park and do it right and not be a constant maintenance headache, you want to make it out of concrete with rebars and with a very smooth finish. They said to do it right, even for a small park, you are probably looking at \$200,000. What they have done in different parts of the country is that they go in as consultants and know of several grant sources and they have involved in many fundraising activities. The next step is to have a follow-up meeting with more people, including Mr. Orestis. At this point, we are prepping the grounds and I think the next step is to consider grant-writing and fundraising to begin putting down the concrete base and begin to buy new structures. We've talked about having a pickle ball court and this park being multi-generational where we might have tables for checkers or chess or cribbage and benches. The rest would still be a skate park, which the State wants us to keep.

**6:09 PM**      **1) Seeking Committee Members**

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Mr. Lee said that the one that is critical, in my mind, is the Conservation Committee because we are very short of members. We are short an alternate on the Planning Board. We also have an opening on the Tax Increment Financing Committee, which is kind of a heart-and-soul project for this Town. This new Capital Improvement Committee is going to be looking at a number of things, all of our capital improvement projects like the Skate Park, Frost Tufts lighting, etc. Plus, they will be looking at the future of Town Hall and the future of Community Service Department space. Now, with school coming back into session, we are being told that the elementary school will probably want every inch of that; that they will have classes in the gym, what used to be Ms. Muzeroll's program area. We need to look at what we're going to do long-term. We could also look at technology as a space solution for the Town Hall, which Mr. Orestis suggested, that might support the Town Hall and Community Services.

**L. Executive Session**

There was no executive session.

**M. Adjourn**

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

**VOTE**

**5-0**

**Motion approved**

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

**S/ Mr. Bob McPherson, Secretary**

**Date approved: 08/13/2020**