

## **SELECT BOARD MEETING**

**August 13, 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, Mr. McPherson, and Mr. Widi.

**C. Pledge of Allegiance recited**

**D. Moment of Silence observed for COVID-19 victims**

**E. Public Comment:**

**5:31 PM** Mr. (Tim) Dailey, Governor Hill Road, said that I have been in touch with a lot of residents in Eliot concerning some of the, let's say, derelict houses in the Town, unkept housing. I know Kittery has it. I spoke with Mr. Lee a few weeks ago, at length, and he knows quite a bit about it as I'm not the only concerned citizen. I gave him a copy of the Kittery ordinance and what I want to propose is that the Town of Eliot create an ordinance the same way that Kittery did. Mr. Lee also told me he has a lot of dissension in trying to enforce that; that I am only speaking from experience, here, on Governor Hill Road. The property I'm talking about is at the corner of Governor Hill Road and State Road; that to me to have properties like that in this Town, and I have heard from other residents in Town who have shown me other properties, and I think, of the ones I've seen around Town, Governor Hill Road takes the cake. I started with the Public Works Director because I do plowing in the winter and Mr. Robinson told me about the Kittery ordinance. I got a copy of it and passed it around to numerous Town residents who had nothing but good words about doing this in the Town of Eliot. I don't know if that's something we can entertain, or exactly where to go from here, but Mr. Lee has told me that this is where it starts; to come to you and I'm assuming that it then goes to the PB for them to draw up an ordinance.

**5:34 PM** Mr. Lee thanked Mr. Dailey for being present and discussing this. I have collected several property maintenance ordinances from various towns because you are definitely not the first person to mention it. As I tour the Town, there are a lot of these places that are very unkept. My concern, as administrator of the Town, is that when you first institute these things the first two or three years you will really get inundated with people saying that they have been waiting forever to make a complaint about a house next door. With each one of those, and particularly Governor Hill, it is a multi-factored situation that will involve several specializations to help the person and the situation. In the years I have been doing town management, we have gone after places that have clearly had messy houses and we've only had half victories. Judges have this view of "one man's treasure is another man's trash" and, if he puts it in a shed, behind a fence, it will all be okay.

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Then, of course what happens is that, a matter of a week later, it's all out from behind the fence, more stuff has come in, and you spend more legal money to pursue again and again. Ultimately, you might put a lien on the property and you can go in after notices of violation and pay to have it cleaned up against their will with your own people. There are downsides to it; that it causes a lot of hard neighbor feelings, sometimes. I am worried about staffing as our CEO is pretty full right now. I love the idea but there are a lot of people, of course, that say it's their land and they'll do on their land what they want to do on their land. It's a tough one; for those of you who live next to one of these and putting up with it, I'd want to see one of these ordinances, as well. I think it's up to the SB, at a policy level, to maybe have a workshop on it to discuss it, bring in the CEO, some other people who have implemented these who know more about it and what it might entail (money, legal, staff). This is the way to kick it off.

**5:36 PM** Mr. Donhauser said I think this is worthy of having a workshop and welcomed other Board members to comment.

Mr. Widi said that I would be in favor of having a workshop as long as it's the really egregious cases, like Governor Hill that has been that for years. I don't want to capture "One man's treasure is another man's trash" but there are certainly instances where we need to do something.

**5:37 PM** Mr. Orestis said that I'm in agreement, as well, for a workshop. I don't know if you wanted to get this on the November ballot but I think there's probably a longer process in place here.

Mr. Dailey agreed that it would be a long process and I really just want to get it started.

Mr. Orestis said that my main concern is to make sure we are doing it right. I have palates in my yard so, if it comes to things like that, you know what I mean; that it has to be those egregious cases and not having every neighbor calling about everything because then we are exhausting Town resources.

Mr. McPherson said that I think a workshop is a good idea.

A member of the public asked if there were any Board of Health regulations being violated.

Mr. Lee agreed there are other options. There are certain things under the Health Officer statutes that you can go in and get people on if it's an uninhabitable situation, especially if it's a rental. That's why I think the SB needs a workshop. Are there other solutions to this other than just sending out demand letters to clean

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up, is there more to it. I guess that's my concern is how much is there to it. If it were just the egregious cases and we were to write it that 9 out of 10 people agreed a case was egregious, then it wouldn't be too bad and we could get the few really bad ones cleaned up but I think we need to know more.

Mr. Lee will organize a workshop for the SB.

Mr. Lee read a letter he received:

*"Donna Murphy  
210 Hanscom Road  
Eliot, Maine 03903*

*Good evening.*

*I am writing regarding the July 23, 2020 Select Board meeting. I attempted to view the meeting and participate but was not able to access it through video or phone. I emailed the Town Manager during the meeting to inform that the meeting was not visible to the public. I was also informed last evening that another resident attempted to participate by phone and was unable. Through an email, the Town Manager acknowledged that he was aware of this issue.*

*Under the Charter, Section 8.7, A. 1. d. "all meetings shall be open to the public and the public allowed to speak except as otherwise provided by statute and any person must be permitted to attend."*

*As this meeting was not open to the public, I would propose that this meeting was not a legal meeting and that any discussion or actions taken during this meeting are void. In addition, the Town Manager had the knowledge during the meeting that it was not open to the public and the meeting should have adjourned until such time that the public had the ability to view and participate.*

*I am requesting that this email be read and addressed during public comment at the August 13, 2020 meeting. I look forward to your response. Thank you.*

*Respectfully,  
Donna Murphy  
Eliot Citizen"*

Mr. Lee said that we looked into this shortly after the meeting and the numbers that were there for the directions to call in were identical to what we had. I don't know what went wrong. We were trying to let people in. I don't know if the software failed us. Even Mr. Orestis took a second look at the directions and said

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that those were the same numbers that we used. I'm not sure why they were unable to get on; that we all managed to get on with the same set of numbers.

**5:42 PM** Mr. Donhauser asked, if one person complains they can't get on, do we adjourn the meeting.

Mr. Lee said that when I got the letter I was concerned, of course, that we might be in violation of the Charter. I sent it over to Attorney Saucier and his response was that this is not such a big deal; that every effort was made to let people join, we weren't intentionally blocking anybody, and he doesn't think there's much to it, in his opinion. He will send a written response. That said, I will tell you that staff is getting tired of having these troubles with these things. We get called out every time something goes wrong with any of these many committees we're trying to set up and get people connected. It's quite hard. We don't have an IT person, per se, to help us with these things. None of us are good at this and we're doing the best we can to get it streamlined.

Mr. (Jim) Tessier said that this evening I tried to do the same thing to join the meeting that I did two weeks ago at your previous meeting by following the instructions that were provided with your agenda. When I entered the phone number and meeting number, I got the exact same message, "Number not valid." or "Meeting not started yet." But, when I did go in to use the Zoom instructions that were emailed from Ms. Albert, that worked.

**5:44 PM** Ms. (Megan) Weeks-Zotara said that the exact same thing happened to me, as well. On the second page of the agenda you sent out, it showed a 408-area code number and it turns out that that was a Webex number. That's a completely different software program. I'm in webinars all day long so I know them all. The number on the second page of the agenda was a completely different program and, if you actually call the number that comes up on the screen for Zoom, then it worked. You might want to get rid of what's on the second page of the agenda and just use what comes up on the screen.

**5:45 PM** Ms. (Danielle) Flaherty, Governor Hill Road, said we recently moved to Eliot and we live next door to the place Mr. Dailey was talking about. I wanted to thank him for starting this and eager to help.

Mr. Orestis said that I think it's unfortunate that we had the wrong information in there; that we need to make sure we do whatever we can to make sure that's right going forward and then probably apologize for putting the wrong information out.

Mr. Donhauser said that it was certainly not intended to prevent people from attending our meetings.

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**5:46 PM** Ms. Albert said of course nobody would want to intentionally put that information out; that that is definitely not our structure, here. But that's the number I have been using since we switched over to Zoom and there hasn't been an issue, people have been able to get in. I will look into it on Monday.

Mr. Tessier said that when you call that 408 number it specifically says it's a Webex number. It is not a Zoom number.

Mr. Donhauser said that we are going to correct it, going forward.

Mr. McPherson said that I know that, at some point, I've sent out an email to the Board members but, at some point, we at least need to have the discussion of when we are going to back live.

Mr. Donhauser suggested we work through Mr. Lee with emails to determine that.

Mr. Lee said that I've had more than a few people, Phil Lytle being one, that are pretty anxious to go back to live meetings. Mr. Lytle finds these Zoom meetings pretty difficult. I think it was Mr. McPherson who said to me, at one point, that we are asking all the staff to go in there every day and, yet, we don't want to go in there and have our meetings. There is something to be said for going back to live meetings, I think. Maine is trending in the right direction. We can only have 12 in there but I do have an alternate scenario by setting up the other room for additional people to attend. I think we could do it if the SB is willing to do that.

**5:48 PM** Mr. Orestis added that we could send out the agenda well in advance, as we do, so that people are more than welcome to submit any questions or concerns. If they don't feel comfortable being there in person, they can still be heard via their questions from emails.

Mr. Lee said that there was another public comment submitted shortly before the meeting that I see you responded to, Mr. Chairman.

Mr. Donhauser agreed, saying that I didn't feel compelled to read the comment. I think that the individual can read that; that they need to log on. I will always give ample time for people to read their own statements but I don't think we need to start reading statements for people. I believe they should either appear in public or give us the statement well in advance. I received this less than 5 minutes before our meeting and I responded I was not going to read it. I am more than happy to give the individual time at this moment or even later in this meeting.

Mr. Lee said that I just got an email from a person who is having trouble getting on Zoom.

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Mr. Donhauser asked Ms. Albert to see if she could help that person.

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

**5:51 PM Motion by Mr. Orestis, second by Mr. McPherson, to approve the minutes of July 23, 2020, as written.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – (lost connection to the Zoom meeting)**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Unanimous vote to approve motion.**

**G. Department Head/Committee Reports**

**5:52 PM 1) Appointment/Re-appointment of Boards, Commissions, and Committees Members – See Consent Agenda**

Mr. Lee said that it would be a consent agenda except for one item, explaining that the Capital Improvement Committee has three openings and four have applied. For the other committees, the SB could make a motion to re-appoint, as recommended by the Town Clerk Memo, dated August 6, 2020.

**Mr. Donhauser moved, second by Mr. Orestis, that the Select Board re-appoint members of the Aging-in-Place Committee, Board of Appeals, Conservation Commission, and Tax Increment Finance Committee as recommended by the Town Clerk in her Memo, dated August 6, 2020.**

**DISCUSSION**

Mr. Donhauser invited applicants for the Capital Improvement Committee to speak.

**5:55 PM** Mr. (Sam) Scott, Leighton Lane, said my family and I moved to Maine almost 7 years ago from San Diego. My folks live here on Governor Hill Road. I'm an architect, licensed in Maine. I, at first, put my application in for the Building Committee but that sounds like it's getting rolled into the Capital Improvements. I have a background in Urban Planning through architecture and, right now, I work at the Shipyard for the Navy as the Asset Manager and Branch Head. I work with

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Kari Moore, who brought this to my attention and said I might be a good fit. I'm basically responsible for all the facilities on the Shipyard and making sure they stay up-to-date and manage that capital improvement plan, budgeting out programming for future year maintenance and construction. I've been looking for ways to fit into the community; that my initial interest was in trying to help out with the skate park, offering some redesign services, but this piqued my interest. I've been noticing over the years is the development of Route 236 and, if we're not careful...I want to pay attention to that so we don't end up like a little baby Danvers. Not that that is a bad thing but it's just not Eliot. We like it here. I'm pro-development in the right forms and the right pace so I want to help be a part of where Eliot goes in the future, with Eliot becoming a destination for my families like myself, kind of keeping it for us but not blocking everybody else out.

**5:58 PM** Mr. (Brad) Swanson, Forest Avenue, said I am a 14-year Eliot resident and I currently work for the Town of Middleton, MA as the Assessor. I've been involved in several projects down there and pretty aware of how town buildings are done. We're actually involved with some new buildings and understanding the tax impact of that. I could bring some level of intelligence to the community.

**5:59 PM** Ms. (Megan) Weeks, Brixham Road, said that I have lived in Eliot for 21 years. We have our issues on Brixham Road much like on Governor Hill. I have worked for the last 25+ years in an industry that is primarily very analytical. I sell and do technical engineering for process controls and things like that; so, anywhere there is an application that requires a specific type of instrumentation, I work with it. My interest as far as energy conservation is that I have worked extensively with solar, power metering – I am a Certified Power Metering Specialist – and also fuel cells, LEDs, etc. Regarding buildings and things like that, I am involved in the William Fogg Library, working on the capital campaign and working with the architect for a possible expansion of the library. I've worked with a lot of companies over the years with my job as far as implementing different things when they are doing a new build, so, I work with design engineers and things like that. believe there re two sides to every story and maybe there are other options we can look at, too. I'm very open for research and learning and educating myself and everyone else as to what our options are.

**6:01 PM** Mr. Donhauser said that I am very pleased to see the qualifications of the individuals applying.

DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Donhauser – Yes**

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**Mr. Lytle – Absent**  
**Mr. Orestis – Yes**  
**Mr. McPherson – Yes**  
**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**6:03 PM      Mr. Orestis moved, second by Mr. Widi, that the Select Board appoint the following people to the Capital Improvement Committee: Megan Weeks for a term to end June 2023, Brad Swanson for a term to end June 2023, Sam Scott for a term to end June 2021.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**  
**Mr. Lytle – Absent**  
**Mr. Orestis – Yes**  
**Mr. McPherson – Yes**  
**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**6:08 PM      2) Fire Dept. – Public Safety Impact Fee Formula (Follow Up)**

Mr. Lee said that at the time we adopted this fee, the Fire Chief had verbally discussed the fee structure and we have put together the fee structure, in writing, and how it works. This is strictly a follow-up item and no action is needed.

**6:09 PM      3) Sewer Dept. – Ordinance Revisions**

Mr. Lee said that we have had a few folks from the Route 236 area, particularly Sunrise Lane, concerned they will get wrapped up in the TIF Project and have to connect to sewers and our ordinance was a little gray in that regard. I worked with Attorney Saucier and our engineer, making recommended revisions to the Sewer Ordinance and we are recommending this go on the November ballot. This would have to be to the Town Clerk by September 4<sup>th</sup> and I need a decision from the SB if you would like me to prepare this in such a manner that it is ready for your certification and delivery to the Town Clerk to be put on the ballot.

Mr. Donhauser said that I certainly think that should be done and address it at or next meeting.



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**6:10 PM** Mr. Lee said that we will be certifying everything at our next meeting, unless you want to add a meeting.

Mr. Orestis asked, if we have any suggestions or changes, what is the deadline to get them to you so you have enough time to prepare them and have it ready for us to certify.

Mr. Lee said to let him know by Monday or Tuesday.

Mr. Donhauser asked if there have been any more emails from the public.

Mr. Lee said that there have been some from Ms. Murphy, with one related to an email sent out that ensures all can participate in a method that was comfortable; that this was in response to someone with social anxiety and wanted to participate in meetings. I had a couple of other emails that she disagrees with you not reading it.

Mr. Donhauser said that if she gives it to me earlier, I'm more than happy to read it. I'm not going to accept something 5 minutes before the meeting without the ability to give it to other SB members.

**6:12 PM** Mr. Lee said that, technically, our deadline for any submittals is Wednesday at noon. I've shut off lots of things that have come in after that.

Mr. Donhauser said, again, I'm more than happy, if she wants to call in or sign on right now to read it herself. I'm not going to read people's emails given to me 5 minutes before a meeting and I don't think that's unfair.

At this time, Mr. Dailey again thanked the SB and asked to be invited to the workshop.

**H. Administrative Department**

**6:13 PM 1) Town Manager Report(s)**

Mr. Tessier discussed several lines regarding the ACO salary, which was impacted by the Town budget vote. On **Line #142**, it says "Resolved ACO compensation issue within budget." Can the Town Manager please explain what the resolution was.

Mr. Lee said that there is an executive session tonight regarding the ACO. It's a side agreement that the SB has to approve so I would wait until they approve it and be happy to give you the details afterwards.

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**6:15 PM      2) Draft: TIF Article for November**

Mr. Lee said that I just wanted you to become familiar with this. It will be finished up and to the SB in a couple of weeks for final ratification to be included on the ballot.

Mr. Lee said that Mr. Lytle had called because he saw the letter from a citizen about what Mr. Donhauser chose not to read aloud and he called to tell me he has never fallen asleep in a meeting and he doesn't like being accused of that.

There was no action to be taken on this item tonight.

**6:18 PM      3) FYE 2021 Certified Budget**

Mr. Lee said that this is the budget passed by the voters. He has been requested by some people to give a revenues report, as there was some concern that we hadn't done enough in the budget regarding COVID-19, etc. He read an email he received from the Treasurer: "As requested, I did a quick summary of revenues. Overall, as I stated before, Eliot is in really good shape, especially compared to many other towns who were really hurt by the pandemic. After adding in July's excise revenue for vehicles that should have been registered but fell under the State-allowed grace period, the Town was about \$12,461 short of the anticipated \$1,685,000, which is less than 1% differential. In addition to excise, real state taxes were also almost 99% collected with about \$187,000 going to lien. Last year approximately \$240,000 went to lien. Our biggest hits to revenues were with the Eliot Community Services Department, which was obviously shut down due to the COVID-19. As far as expenses, overall, after the carry-forwards, CIP items are taken out, the Town was able to curb spending by about \$400,000. This allowed our shortfall in revenue to be covered and still left room to add to our Fund Balance, which after a few years is finally starting to become a healthy amount. I've attached a chart showing the revenues collected for the last year. Looking forward, it's hard to tell what next year will bring but, currently, we're looking at even higher than expected revenue-sharing and, if trends continue, Eliot will continue to move forward." What he means by that is that we only carried a number of \$378,000 from municipal revenue-sharing. I was very conservative with that. For this year, the State has revised the number down so we are looking at about \$440,000. I only used \$378,000 in the budget and that's what I used to establish the mil rate. The Assessor has finished the calculation on the mil rate and it will be held at 14.7%, which is the third or fourth year in a row that we have held it level. So, we're doing well on the revenue side and curtailed some spending; that we let \$100,000 in paving money drop through to help, and so forth. We are looking very good and not in a revenue free-fall.

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**6:19 PM** Mr. Donhauser said that, as a Board, we will want to look at this every meeting or at least monthly. We can certainly look for expense reductions in areas where it makes sense if our revenues start falling short.

Mr. Lee agreed, saying we should continue to monitor it, as it could go south at any moment. I don't disagree with the Budget Committee's concerns. So far, we seem to be doing alright.

**Mr. Donhauser moved, second by Mr. Orestis, that the Select Board accept the Certified Budget for the fiscal year ending 2021.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Unanimous vote to approve motion.**

A copy will be sent to the Budget Committee. Also, revenue/financial reports, as well.

**6:25 PM**      **4) Annual Adoption of Administrative Articles**

Mr. Lee explained what this was for the newer members.

**Mr. Donhauser moved, second by Mr. Widi, that the Select Board approve the Select Board authority to act on the following Administrative Matters usually acted upon at an Annual Town Meeting for the fiscal year July 31, 2020 to June 30, 2021, §10 Referendum Town Meeting Ordinance, in its entirety.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**6:28 PM**      **5) Personal Property Accounts – Uncollectable/Abatement**

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**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve Personal Property abatements on the following accounts: #168, #193, #186, #375, #399, #30 in the amounts listed on Agenda Item H5.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:31 PM      6) MMA Executive Committee Ballot**

This is an annual routine item done by all 491 municipalities.

**Mr. Orestis moved, second by Mr. McPherson, that the Select Board approve the ballot presented to us that includes the Vice President and Executive Committee Members.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**6:33 PM      7) Personnel Policy Amendments – 10-Hour Days**

Mr. Lee explained the changes needed to amend the Personnel Policy to support four 10-hour days and would be a first reading for the SB to familiarize themselves with the suggested changes. All staff at the Town Hall are in favor of this; that it has been a morale boost.

Mr. Donhauser said that, instead of the requirement to move to 10-hour days could it be, instead, made an option at the discretion of the Town Manager, with approval of the SB, so we don't have to keep moving back and forth.

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**6:35 PM** Mr. Lee said that I think we'd get some pushback from the would-be union on that and would prefer it be in black and white. I can check but I don't think some of the staff would be comfortable with an either/or situation.

Mr. Orestis asked if we cannot make any personnel changes while we are in negotiation with a union.

Mr. Lee said that we can't unilaterally make any changes to their working conditions but they are not a union, yet, and we can still make changes with their approval while we're negotiating. He said that we have their approval.

**6:36 PM** Mr. McPherson asked how long we can, under the Governor's emergency orders, stay under this format. Is there a deadline on it, yet.

Mr. Lee said it got pushed out another 30 days just recently, possibly to the end of August.

Mr. McPherson said, at my own job, I'm a huge fan of 10-hour days, and I know the Town Hall staff would like to stay on 10 hours, but I think we need to consider the will of the people of the Town of Eliot. It is their government and do they know, or want, that the Town Hall is closed on Friday. I don't know how to find out unless we had a poll or something in November. It would be nice to have some input before we make that decision. I'm uncomfortable making that decision without knowing how the people think about having the Town Hall closed for one solid day. Is four days enough.

**6:38 PM** Mr. Lee said that he could reach out to surrounding communities to see what they are doing; that increasingly town offices are going to four 10s but I can get a survey done of at least the towns around us. I do understand and agree that if it is going to be a great inconvenience for our customers, that won't work. The school is empty on Fridays to do deep cleaning and there is some belief that some surfaces can hold COVID for up to 72 hours; so, the going in on a Friday and doing a full cleaning sweep could give the time needed for the COVID to die over a three-day weekend as opposed to a two-day weekend. I have been using Fridays for our custodian to come in and do a full cleaning sweep of that building.

Mr. Widi suggested continuing for the next couple of months and put a non-binding question on the November ballot, which would give people in Town some input. The worst-case scenario is that people would experience it for a couple of months and, then, if they don't like it, then they could say back to five days. I totally understand where the employees are coming from but I also understand what Mr. McPherson is saying.

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**6:41 PM** Mr. Donhauser said I am not opposed to doing that. It sounds like a good solution to me.

Mr. Lee said that if we're going to put a non-binding advisory question on November, I would have to get that done up quickly because, two weeks from now, we're going to have to finalize what's going on that ballot or hold a special meeting on September 3<sup>rd</sup> if we don't get everything finished August 27<sup>th</sup>.

Mr. Orestis asked if we could just pencil in that date so it is on the calendar, just in case, and do that every year, as we seem to need it. I would be in favor of that question. Mr. McPherson makes a good point, as it is the Eliot people's government and they should have some input into the hours it operates.

Mr. Lee will draft a non-binding advisory question. He commented that they haven't had anyone complain about being closed on Friday.

**8) Approve Warrants**

**Mr. Donhauser moved, second by Mr. McPherson, to approve A/P Warrant #151 in the amount of \$10,811.47, dated July 22, 2020; A/P Warrant #152 in the amount of \$37,378.06, dated July 29, 2020; A/P Warrant #38 in the amount of \$1,672.00, dated July 20, 2020; A/P Warrant #40 in the amount of \$100,514.33, dated July 22, 2020; A/P Warrant # 42 in the amount of \$238,425.52, dated July 29, 2020.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**I. New Business:**

**6:44 PM Policy on Employee Political Activity**

Mr. Lee said that I'm finding that this political season is more contentious than a lot of them and a lot of people who come in have strong feelings; that they like to chat with the ladies at the counter, or see me or someone other staff, and sometimes it turns to that. I think it's very important for public employees, as much as humanly possible, not to involve themselves while they are at work or in

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their professional capacity to engage in these discussions, to give neutral answers only. Our staff is very diverse and very professional but I want to make it clear that I expect them not engage in political banter while they are here at the Town Office. Outside of the Town Office, this wouldn't apply but at the Town Office, we don't have a political opinion.

**6:46 PM** Mr. Donhauser said that I think that's a good statement to make.

Mr. Lee said that I didn't get any pushback from the staff.

Mr. Donhauser said that I think this is a good thing to move forward on.

Mr. Orestis said that this is just for work, just within the boundaries of the polling place and the Town Hall.

Mr. Lee agreed.

Mr. Donhauser said that this is a 1<sup>st</sup> Reading so we will come back to this at our next meeting.

**6:48 PM Sewer Allocations**

Mr. Lee said that the DPW Director has recommended that 140 gallons of sewage per day be allocated 794 Main Street, Lot #2 and 140 gallons of sewage per day at 794 Main Street, Lot #3. These are both residential and the owner is Allen Newson.

Mr. Donhauser said that this is well below what our current allocation is.

Mr. Lee agreed.

**Mr. Orestis moved, second by Mr. Widi, that the Select Board approve 140 gallons per day to 794 Maine Street Lot #2 and 140 gallons per day to 794 Main Street Lot #3.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**SELECT BOARD MEETING**  
**August 13, 2020 5:30PM (continued)**  
**(Remote Meeting)**

**J. Old Business:**

**6:51 PM 1) Library MOU**

Mr. Lee said that the Budget Committee has made some recommendations on what they are concerned about. It's up to the SB what they'd like to do with those comments and how they want to move forward. We did kind of promise to put a non-binding advisory question on support for the operational cost of the library on the November ballot. The form only asks the question and there has to be some detail behind it. The Budget Committee is recommending a higher level of detail, transparency, and accountability. I think the Budget Committee is now looking to the library and SB to next decide what they think is the right path here on what we ask the voters.

Mr. Donhauser asked how we summarize all these items from the Budget Committee into an article.

Mr. Lee said that, probably, the question would be very straightforward and then it would say to please go to the website for more details, as we do for ordinance amendments. We also send out a newsletter before each vote on local ballot issues and that would have the information on this included.

**6:55 PM** Mr. Donhauser asked how long it would take for the library and/or Town management to make a summary of each one of these questions in the memo. Assuming that can be done in a short period of time is there enough time to get this on the ballot or are we putting ourselves in a position that we will push off the November ballot question.

Mr. Orestis said that, in theory, you could have the question on the ballot and then we could work behind the scenes to finalize the memorandum of understanding between now and budget season. Then we could go to the voters with something that the SB, the Library, and the Budget Committee are all on board with. Before we do that, I think the first step is to get voter buy-in then work behind the scenes to work out the details.

**6:57 PM** Mr. Lee agreed; that that would give us a sense of how the people feel about us getting more involved financially with the library. I don't think we have enough time to hammer out all the details, just time enough to get a simple question on the ballot.

Mr. Donhauser asked if it could include a 'not to exceed' number. The term of this MOU is also important - one year, two years – because it's not like we're giving an open checkbook. There are a lot of concerns about management and



**SELECT BOARD MEETING**  
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payroll and future programs, etc. that have to be ironed out in a contractual manner. I am in favor of getting a consensus from the public whether or not they are in favor of supporting the Library under a MOU.

Mr. Lee added that it would then have to go through an attorney and ultimately be approved by the Town. I will draft a couple different questions for the ballot, run them by the Library, Budget Committee, and SB and pick the one that seems worded best; that we would have that ready for the August 27<sup>th</sup> meeting or September 3<sup>rd</sup> meeting.

**7:01 PM**

Mr. Donhauser thanked the Budget Committee for spending an enormous amount of time, with a lot of thought behind these questions and good input.

Mr. McPherson discussed his concern for whether the Town has a voice in the control or do we just give the Library a lump sum of money. I'm in full support of the Library but I believe we need to have a voice and I think that has to be the question.

Mr. Lee said that the crafting of this question is going to be kind of tricky; that those are the types of things I will have to put in in relatively concise manner.

Mr. Orestis said that I've heard that the voter turn-out might be pretty high this year so I think we'll get pretty good representation with these non-binding questions.

Mr. Tessier that I agree that controls is a significant question. I also think that Ms. Goodwin did a good job presenting the breakdown of how much contributions are from the Library and how much from the Town. I think that any question would need to clearly show that breakdown to give the residents at least a feel for what percentage is coming from the Town and what percentage comes from the trust to be transparent in helping the people to understand what is being proposed. I agree voting in November is good because you have a lot of people that would express their voice; that I believe that the Budget Committee and SB need to have that.

Ms. Weeks commented about accountability and transparency in that that should be tackled but I can say, on behalf of Ms. Goodwin, that she has been very accountable for several years, now, for all requests asked for by the Town and Budget Committee. There is nothing that she hasn't provided.

Ms. (Lydia) Goodwin said that I thought we were just working on the question and that the details would be ironed out between November and next June.

Mr. Donhauser agreed.

**SELECT BOARD MEETING**  
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**K. Selectmen's Report: Seeking Committee Members**

**7:08 PM** Mr. Donhauser said that I would like to re-visit the gun range near my home in the near future. It sounds like a war zone over there on Saturdays and Sundays and they are definitely not adhering to the hours of operation, starting before 8AM and going well into the evening. My intention is to have this as an agenda item in the near future because there has to be some resolution. I have also gotten constant calls from people in Rollingwood.

There were concerns made by others regarding shooting occurring in other areas of Town, as well.

**7:13 PM** Mr. Orestis asked at what point do those becomes more police issues than policy issues. We can do something with the gun range but, as far as people shooting at a gravel pit, I'm not sure where the State statutes come into play.

Mr. Widi discussed that some people have complained about a second paving on Beech Road and River Road within a year or two and that he has seen the same on EliotOnline, as well, with an overwhelming negative response. I emailed Mr. Lee, got the answer, and got it back out to that group and then we got an overwhelmingly positive response. All I am saying is we need to do a better job of communicating to people what's going on and that we're not wasting money, to create trust in the people so that when we ask for big money, they will trust us to spend it wisely. It's not a blame thing, it's just our responsibility more than anybody else to do a better job at getting more information out to people. Just directing people to the website is not acceptable because most people don't do that.

Mr. Lee said that we did send out an E-Alert today with the same answer I gave to you, Mr. Widi, which you were kind enough o post to that group. I spoke with Mr. Widi about a Facebook page that would be used for this type of information, with no comments, just information out. Mr. Widi thought it was a good idea and so did the staff I asked so I think we're going to create this just for Town of Eliot news.

Mr. Lee will find out how many are on E-Alert and let them know when the Facebook page is launched.

**L. Executive Session**

**7:18 PM** Mr. Donhauser moved, second by Mr. Orestis, that the Select Board enter into executive session as allowed in 1 M.R.S.A. §405(A) Personnel Matter: Animal Control Officer Employment Side Agreement.

**SELECT BOARD MEETING**  
**August 13, 2020 5:30PM (continued)**  
**(Remote Meeting)**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**7:23 PM      Out of executive session.**

**Mr. Orestis moved, second by Mr. McPherson, that the Select Board approve the sidebar agreement for the Animal Control Officer, as presented by the Town Manager.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**M.      Adjourn**

There was a motion and second to adjourn the meeting at 7:24 PM.

**VOTE**

**4-0**

**Motion approved**

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

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

**Date approved: 08/27/2020**