

**SELECT BOARD MEETING and PUBLIC HEARING**  
**January 14, 2021 5:30PM**  
**(remote)**

**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 Families and Victims of Covid-19**

**PUBLIC HEARING: Adult Use Tier IV Cultivation: Sweet Dirt 2, LLC**

**5:31 PM**      **Mr. Donhauser moved, second by Mr. Lytle, that the Select Board move to Public Hearing for Adult Use Tier IV Cultivation for Sweet Dirt 2, LLC.**  
**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

Mr. (Justice) Rines (representative) was present for this Public Hearing.

Mr. Lee provided to the SB the Sweet Dirt Adult Use Application, diagrams, Notice of Decision from the PB, etc. and said that they have met all the requirements to be licensed.

There was no public comment.

**5:33 PM**      **Mr. Donhauser moved, second by Mr. Widi, that the Select Board close the Public Hearing.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

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**Unanimous vote to approve motion.**

**Mr. Orestis moved, second by Mr. Lytle, that the Select Board approve the application for Adult Use Tier IV Cultivation for Sweet Dirt 2, LLC.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**E. Public Comment:**

**5:34 PM** Mr. Donhauser said that we have public comment with respect to an odor complaint and Sprague Energy.

Mr. Lee said that you have an Open Letter of Noxious Odor Complaint signed by several Town residents. There is a fuel smell down in South Eliot, and I live in South Eliot and also smell it. It is thought to be coming from across the river in Newington, where Newington has dealt with many odor complaints in the past two years. Newington has taken the step to have a compliant form to collect the complaint data. As we are being impacted by the same smells, I think the residents would like us to do a similar thing as Newington. Possibly a separate email for complaints to be sent in to us that we could track the associated data for a database, share that information with Newington and Eliot residents, and encourage environmental officials to make Sprague reduce those odors. It would be easy to set up an email account over the e-alert for residents.

Mr. Orestis said that that smell is real. Whenever the wind is blowing from that direction over to South Eliot, it's like diesel fuel.

Mr. Lytle asked if there would be a paper form at Town Hall for people to fill out.

Mr. Lee said that we can definitely do that, as well. I would say on overcast days, in particular, I tend to smell it.

Mr. Donhauser asked if Mr. Lee had any idea how the smell is escaping.

Mr. Lee did not.

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Ms. (Lauren) Dow, Bolt Hill Road, signatory on letter, explained that a group on Facebook started talking about the smell a few months ago. There seems to be a large consensus that everybody smells it and it seems to happen more in the warmer months. It is something that we are all really concerned about because we don't know what it is. We found the information about the Newington correspondence with Sprague and it sounded like that is what was happening. I think having a system where this can be logged through the Town is a good. What will happen to the data that residents send in, how will it be compiled.

**5:41 PM** Mr. Lee said that I would probably be the one to track and compile the information due to staff limitations. It wouldn't be very hard, that I would keep the data in a spreadsheet, with the emails coming directly to me.

Ms. Dow thanked Mr. Lee. Ms. (Shannon) Darr had spoken with me about wanting to help with this. I was wondering if there was an environmental group in Eliot; that I know there was some testing that went on previously with coal emission issues and I wondered if that group of people might have any input that would be valuable for this.

Mr. Lee said that we engaged with the Sierra Club to monitor air quality for a couple of years. Ultimately, that plant was forced to reduce emissions by about 46%. That effort worked and their license became much stricter. If it is the SB's will, I would be happy to begin setting up this email address and blast it out to the public so they know about it. I will have a paper form at Town Hall and begin to build a spreadsheet. I would periodically report what we have for complaints and, if Ms. Darr would like to be on-board with that, she used to be our Health Officer; that if she would like to perhaps volunteer to be part of this, I could work with her on this.

**5:43 PM** Mr. Orestis suggested setting up a Survey Monkey account that would save Mr. Lee some time.

Mr. Lee agreed that would be good. Also, I think our website has the capacity to have surveys.

Mr. Widi suggested Google Forms, which is free and puts data automatically into a spreadsheet.

Mr. McPherson asked if it would make sense to contact the Town of Newington to let them know that the issue is here and, maybe, they can keep us up-to-date on their progress with it. I see there is quite an extensive number of complaints in Newington; maybe let them know we're on the same page and, together, maybe we can come to a conclusion on this.

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Mr. Lee said that I wouldn't be surprised if this is impacting Kittery and I could reach out to the Kittery Town Manager, as well, to possibly get their help, as well.

It was the **consensus of the SB** for Mr. Lee to move forward with this.

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

**5:45 PM**      **Motion by Mr. Lytle, second by Mr. Donhauser, to approve the minutes of December 10, 2020, as amended.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Unanimous vote to approve motion.**

**G. Winter Employee MVP Selection**

**5:46 PM**      Mr. Lee received four nominations this time around and listed the four nominees – Wendy Rawski, Town Clerk's Office; Melissa Albert, Administration and Town Office; Chief Elliott Moya, Eliot Police Department; Wendy Rawski and Election Staff, Administration. He read a few of the comments the nominees were selected.

Mr. Lee placed all nominee names in a hat, mixed them up, held the hat above his head and drew a slip. He drew Melissa Albert's name and she is now our new MVP. Mr. Lee said that she is a stalwart on that crew. He will be preparing a gift and plaque for her. He congratulated Ms. Albert and also wanted to say that the comments about Chief Moya, Ms. Rawski, and the Election Staff are all equally true and telling. This Board has told me many times, and I'm in agreement, that we have a tremendous staff in Eliot, I'm glad we have this program and it's nice to be able to recognize them.

The SB offered congratulations to Ms. Albert.

**H. Department Head/Committee Reports**

The SB took these appointments up together.

**1) Conservation Commission Appointment: Peter Egelston**

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**2) Conservation Commission Appointment: Cyndy Camp**

**5:50 PM** Ms. (Cyndi) Camp said she was excited to be able to help on the Conservation Commission in any capacity.

Mr. Lee said that she just started an eco-friendly business in Eliot called LeaveNoTraceRefillery and I know she is an environmentalist, for sure.

Mr. Lee said that one of these two applicants could be appointed through June 2023 and one could be appointed as a regular member through June 2021.

Mr. Donhauser asked if Ms. Camp would serve the longer term.

Ms. Camp said certainly; that she was trying to be flexible, depending on what your needs are and what the other applicant's desires were.

**Mr. Donhauser moved, second by Mr. Lytle, that the Select Board appoint Mr. Peter Egelston to a full position on the Conservation Commission for a term through June 2021 and Ms. Cyndi Camp as a regular member on the Conservation Commission for a term through June 2023.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**5:54 PM** **3) Fire Department: Fire Chief/Forest Fire Warden Appointments: Jay Muzeroll**

**Mr. Donhauser moved, second by Mr. Lytle, that the Select Board approve Mr. Jay Muzeroll as the Eliot Fire Chief for the term ending December 31, 2021 and approve Mr. Jay Muzeroll to act as our Forest Fire Warden for a period ending December 31, 2021.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

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

**Unanimous vote to approve motion.**

**5:55 PM      4) CIP Committee: Police Dept. Report**

Mr. Lee discussed the letter from the Energy Commission regarding issues with the HVAC, generator, and other items at the Police Department building. There is nothing we need to do about this today. We have made arrangements for an HVAC Specialist to assess its current condition. I did not put it in the CIP as I'm trying to keep the budget conservative; that we probably will be looking at this next year. I'm hoping that the assessment will be such that it can hold on for another couple of years.

**5:57 PM      5) Police Dept. – Cruiser Bid**

Mr. Lee said that we had 5 bids come in from 3 different bidders – MacFarland Ford out of Exeter, Quirk Auto out of Augusta, Key Ford out of York. The lowest bid at \$36,123 is Key Ford in York, who also is the most local, and that is who I and Chief Moya are recommending. This would be a hybrid option. He recently sent out an article from Falmouth regarding their use of hybrid cruisers and the accompanying gas savings. We're going to try this hybrid cruiser, if the SB agrees. We have \$38,000 allocated in our budget this year for the cruiser and, given the price on the cruiser, we might have to tap into the police cruiser reserve (\$11,000) in order to do the upfitting on the cruiser. It's possible that Chief Moya will have enough money left in his operating budget, due to some staffing issues, that we can do it through the operating budget and leave that reserve intact.

**5:59 PM**      Chief Moya believes it's worth giving the hybrid a shot to see what we do save, at least in the first year, and kind of use it as a test run. I have talked with some other departments that are having success with lowering gas costs and there's really no difference in the performance, etc. in the cruisers.

Mr. Lytle said that I talked with the Town Manager and I'd like to see the Chief take this for the first year to check it out and see how it runs; that that will impact what we do for the years after this.

**6:00 PM**      Mr. Orestis said that I am excited to see this. With everything that's going on with the solar, I think this is an awesome idea. It actually looks like it makes sense. It's good to hear that other departments have gotten them and there are no complaints.

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Mr. (Jim) Tessier said that, in the current year's budget, there is no money appropriated for a cruiser because there was a discussion about purchasing a used cruiser and that was dropped from the budget. Are we using the money from the 19/20 reserve account to purchase this.

**6:01 PM** Mr. Lee said no. I was advised just this afternoon that we had \$35,000 allocated for a police cruiser. I didn't doublecheck it for this year that we are in.

Chief Moya said that we do. This wasn't from last year's budget. This was from the CIP from the year before; that things took some time, then COVID hit, and they weren't even making cruisers. So, it just took some time; that this is actually carryover.

**Mr. Orestis moved, second by Mr. Lytle, that the Select Board to approve the bid from Key Ford of York, Maine in the amount of \$36,123 for a hybrid police cruiser.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**6:04 PM** **6) Police Dept. – School Resource Officer (SRO) MOU**

Mr. Lee said that the Chief has been a party to the discussions to work out the exact details around the purpose and function of the student resource officer and all that's laid out rather nicely in what I consider a well-drafted memorandum of understanding between us and RSU #35. I want to thank the Superintendent and Chief Moya for working on this so diligently. I would recommend we approve the MOU and begin the process of finding ourselves a school resource officer in the coming months.

**Mr. Donhauser moved, second by Mr. Lytle, that the Select Board approve the School Resource Officer Memorandum of Understanding, as presented in this meeting.**

**DISCUSSION**

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**6:05 PM** Mr. Tessier said that the budget hasn't gone through review process yet. Does approving this now commit us to hiring the resource officer.

Mr. Lee clarified that it wouldn't if it's not funded.

Mr. Orestis said that I think Section IV would be what most people are interested in, which are the Roles and Responsibilities of the SRO and School Administrators and Staff in Student Misbehavior. I just wanted to say that I think it's laid out pretty well. Pretty clear how everything's going to happen for situations that require immediate intervention, what the role of the SRO is, as well as the administration. I just wanted to call that out. Everything looks fantastic.

Mr. Lee said that he would send over a copy of this to the Budget Committee.

Mr. Tessier said that, on page 4, it says that salary and benefits would be covered 50/50 between the Eliot Police Department and the School Department and would like to know how all that is broken down.

Mr. Lee said that I and Chief Moya will put together a memo that shows the breakdown and send to the SB and Budget Committee.

DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**6:08 PM** At this time, Mr. Peter Egelston entered the meeting.

Mr. Donhauser let him know that he has been appointed to the Conservation Commission; that your term will end in June 2021 and we hope you re-apply for an additional term. We thank you for volunteering.

**6:10 PM** **7) Sewer Dept. – Two Sewer Allocation Requests**

This is for lots in Villages at Great Brook and the developer is applying for these allocations.



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**Mr. Donhauser moved, second by Mr. Lytle, that the Select Board approve sewer allocations for 25 Pheasant Lane for 140 gpd and 32 Pheasant Lane for 140 gpd.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi - Yes**

**Unanimous vote to approve motion.**

**I. Administrative Department**

**6:12 PM 1) Town Manager Report(s)**

**a. COVID-19 Screening Flowchart**

Mr. Lee we were looking for a decision-making flowchart. The City of Portsmouth put together what they call an algorithm (flowchart). We found it really good; that it's really clean and easy to follow. I've shared it with other town managers across the State and a lot of them have adopted this as how we deal with reports of COVID incidents in our workplace. It's a really useful tool from a human resource standpoint. I don't know if we need to approve it. I did want to let you know that it's a tool I'm using when I hear of a COVID incident at, or near, our workplace; that this is my go-to.

Mr. Donhauser greed that it is very comprehensive.

**6:14 PM 2) American Legion Discussion**

Mr. Lee said that a lot of information is included in the SB packets. The main thing is that Mr. Norton is still very interested in running the American Legion and running it out of that building. Their Charter is still in place and he could continue as long as he has active officers in place; that Mr. Norton and a few others are interested in rejuvenating it, along with volunteers willing to paint it, etc. The legal opinion I got is that it would stay with the American Legion, so long as they want to and are operating and American Legion out of that building. When I went through the building, I saw that it as in pretty rough condition. There is almost no way that the American Legion is going to bring it up to full code. But

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there are some code issues there that would make me very nervous about having any groups gather there without some work done, and maybe a few thousand dollars of work. My intent, was to bring our CEO over to go through that building next week to identify some of the key safety codes that concern us. Exposed wires, as an example, no emergency lighting, illuminated exit signs, no handrails. The attorney said that we could condition returning to that building on bringing it up in at least some code areas to make that building safer. I also spoke with the fellow who is in charge of all the Maine Chapters and he said that he would work with me and the Eliot American Legion Post #188 to see if he could help them, somehow, with this building and getting back up and running. Another person, a regional commander I think, has also spoken with me and is interested in seeing that building in better shape if the American Legion is active in there again.

**6:17 PM** Mr. Donhauser said that, currently, it is exempt from real estate taxes.

Mr. Lee said yes, 660 square-foot footprint with two stories. It is not a big building and has only about 3 parking spaces. I would love to see that building up and running. I'm a veteran myself but that building does need some work; that, otherwise, it's just not really safe.

Mr. Donhauser asked if we incur a possibility of liability if we allow somebody to use it and it's not to code and we know it's not to code.

Mr. Lee said now that we know, yes, that's kind of the point. I had never been in it in my seven years here and it is owned, in essence, by a non-profit but, should they fold up, it reverts back to the Town. So, now that we are aware of that to some extent, I think we do have some liability if we let people gather back in there with code issues.

**6:18 PM** Mr. Lytle said that I think that, if the Legion didn't do anything and it reverted back to the Town, the Town would have to fix it, anyway, before we could do anything with it. I suggest going through the Legion and have them do what they can do and make it safe to run.

Mr. Lee said that we weren't necessarily thinking about keeping it and bringing it to code, as a Town, if we hung onto it. We were thinking more like we would get a realtor or put it out to bid or something like that; that probably someone would come in a tear that building down and start over again on the same footprint. Any parcel that's buildable in this Town is worth about \$100,000. You could put a little house there, a 2-unit, tiny home kind of thing. Right now, that's not an option for us and it's still the American Legion's. But we are aware of code violations and I feel obligated to make sure that some of these are brought up to code before we let groups gather.

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**6:20 PM** Mr. McPherson asked, with the American Legion people Mr. Lee was talking with, was that financial help that they could possibly give or was it just support.

Mr. Lee said that the one guy I spoke with, Paul L'Heureux, is in charge of 170 Maine Posts. He seemed to indicate that he may have some resources and I took that to mean monetary resources. But he also spoke as though he could from a moral, incentive, talk it up, go to their meetings, build membership so that they could be self-supporting. The building costs about \$250/month just for the insurance and I suspect the insurance is quite high on this building. They haven't even run water in that building in a long time. One of the guys seemed to think he could go to National, maybe, and get a little help to bring the building up. But he also wanted to see if he could help Mr. Norton and the new officer, or whoever, to try to get this back up and running.

**6:21 PM** Mr. McPherson said that I am certainly in favor of them continuing to use that building. But we also want them to be safe in there, as well. Maybe you might want to include the Fire Chief in that inspection because the safety issues he can certainly address for you.

Mr. Orestis said that I think it's important to figure out what needs to be fixed and, then, you can put a dollar on it; that they would then have a target to raise via fundraising. I don't know how we might help, whether it's dedicated time, or money, or whatever it is. It's pretty important, I feel like, to get something like that if they want to keep it going.

Mr. Lee said that I also put out some phone calls to the Homeless Veterans Division of the VA, and some other veterans' groups, to see if there was some easy funding. I still have one lady I haven't called back. There may be some money through the Veteran's Administration. We see a lot of Granges and American Legions shutting down and it's kind of a shame. It's a piece of rural Maine history that you hate to see go.

Mr. Donhauser said that I think we have consensus of the SB that we should bring it near, if not up, to code for safety reasons. I think having the Fire Chief involved is a really good idea.

Mr. Lee agreed.

**6:23 PM**      **3) Architectural Services RFP - Update**

Mr. Lee said that our Treasurer had a good idea, which he explained. In the proposed budget right now is an item for \$85,000 to continue the architectural study of what to do with the Town Office and with future space for the

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Community Services Department (ECSD). There may be some pushback on that. We do have \$35,000 currently allocated for the civil engineering piece for what goes into preparing to design an expanded Town Office. We also have about \$80,000 in a Town Hall Reserve, although only about \$50,000 to \$55,000 is unclaimed for some other purpose. My thought was, as we look into trying to get a boat for the Harbor Master, and we've priced out some boats...as we try to hire a Harbor Master, it's becoming increasingly important that we figure out this boat situation. We found a couple of used boats at \$9,000, \$17,000 but new ones are about \$35,000, completely outfitted. One of the things we were thinking is that, if the Budget Committee or SB are uncomfortable with the \$85,000 being raised in taxes to do a study that may lead to a 'no' vote on the expansion, or whatever; that it stops everything in its tracks, we will never get past go, we will never look into anything – ECSD space or Town Office space. In this way, as outlined in the email to the SB, we could use existing funds that have already been raised for Town Hall and it was for a building for ECSD back in the day. I think we could use the \$50,000 from that \$80,000 Town Hall Reserve, add it to the \$35,000, and still put out the RFP for architectural services, which is what we've done. We also changed the RFP to say that it still subject to funding; so, people bidding will know that we may have only partial funding to do it and that it is subject to Town Meeting approval. In this way, the \$85,000 goes down to a \$35,000 boat, \$50,000 comes out of the budget and \$50,000 comes out of a reserve, instead. We are about to have a meeting with the Budget Committee about CIP items and I would like to float this with them. So, my idea is to use existing reserve, plus the \$35,000 allocated, continue the study, and ask the SB and Budget Committee to approve funding for a public safety boat, which would be available to Police, Fire, and Harbor Master. As you will recall, we've had a couple of serious maritime incidents over the past couple of years, including fatalities. He discussed several concerns hiring a Harbor Master that their own boat. Mr. McPherson sat in on a meeting with me and staff when we were trying to re-think the whole Harbor Master situation and upgrade the job description. I did want to let you know that the CIP Committee did vote to put out the architectural RFP and that went out yesterday to 6 or 7 firms, a general ad in the Portland Press Herald and one in the Portsmouth Herald. I'm not asking for a decision tonight. I would like you to think about swapping out the request for architectural money in the budget for the boat we're trying to get and use the \$50,000 (\$80,000) that has been sitting there for years. It is just sitting there and not earning any interest; that now is the time we really need it to look at the future of our space needs.

**6:29 PM** Mr. Orestis asked what else that money would be used for.

Mr. Lee said that, in the past, we've used it for repairs to the Town Hall. For example, changing out a water heater, drainage around the building and other things, and that's why we don't want to touch all of it. We want to keep some in

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there. We also want to keep some in there in case there's an insurance claim that has to happen, as we have a deductible. But, if we did use \$50,000 of what is there and added it to our \$35,000, we would have enough to meet the estimated cost of these architectural services and still be able to get a boat.

Mr. McPherson wanted to just stress the importance of us having our own boat. He said that, no long ago, a situation at the Boat Basin where police and fire were called for a person in the river took place. Police and fire were standing down at the dock, with no access to a boat, and I believe Newington's boat was called in; that they pulled the person out of the river and brought the person over to the Eliot side. I can tell you, as a member of the Fire Department, standing there with no access to a boat with somebody in the water...I just want to stress the importance of this last situation, and others that have happened before that, that I think it's time that Eliot stepped up to take responsibility of their shoreline and to protect the people who use the river.

**6:32 PM** Mr. Lytle asked where we will store this boat. His concern was having it sit outside when not being used.

Mr. Lee said that we may have to work on where we house it and we will figure that out.

Mr. McPherson said that my guess is that that boat would be in the water the majority of the time, anyway.

Mr. Lee said except for wintertime, I would agree.

Chief Moya agreed, as well.

**6:33 PM** Mr. Orestis said that I like the idea of having a boat. I think it makes a lot of sense with the amount of coastline that we have. If we have \$80,000 just sitting in an account that hasn't be touched or has rarely been used, and we want to move in this direction of doing the architectural design and further, I think that makes sense. We also have to start thinking about the future costs of that boat year-after-year and I think those are important numbers to get, as well. Especially if you're going to be presenting it as a budget item. And, then, for that do we need to go out to bid on a yearly basis to get the maintenance done; that the annual costs of the boat are important to know about.

Mr. Lee said that I have a pretty good relationship with the Kittery Harbor Master; that he just bought one of these new and advised us to take a look at it, as it might meet our needs. He would be able to provide me the maintenance costs on his boat for the last couple of years and I'll try to get those for everybody.

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**6:35 PM** Mr. Donhauser had a question about how the money arrived in the reserve. That was actually voted to go into the building reserve and certainly a boat is not a building. I'm 100% behind buying a boat for the Town. Do we, as a Board, have the authority to move previously voted funds out of a reserve account for one designated reason into another reason we feel more compelling, I guess.

Mr. Lee said that my understanding is that the funds were raised for what was going to be called a community building, to include the ECSD; that they thought they could build this structure for \$300,000, got up to about \$100,000 in reserve, and then it all kind of fell apart. The price tag got too big, it went out of favor with a number of people, and the money got turned over into the Town Hall Reserve, as there would not be a community building, for the eventual expansion/renovation at the Town Hall. I think it's intended for solving space problems and I don't think we need additional authority from the voters to spend it. We can't spend it on a fire truck but we can spend it on Town Hall or ECSD building needs.

NOTE: The boat would be budgeted for in this year.

Mr. Donhauser said so the Town constituents can say yes or no. It's like we have the money in a reserve fund and we're removing it to, theoretically, a different reserve fund; that I'm not terribly opposed, I just want to make sure we do it the right way. Don't we go back before the public and have them say that we can move this money from one reserve account to another; unless we have the authority to do that.

**6:37 PM** Mr. Lee said that we wouldn't be moving it from one reserve to another reserve. We would be taking it out of the reserve and expending it on the purpose it was raised for. Mr. Orestis makes the point that we would be asking the voters to raise \$35,000 for a boat, not to buy the boat out of a Town Hall Reserve.

Mr. Donhauser thanked him for the clarification.

Mr. Lee explained that one of the things the Committee is looking at is potentially a new Town Hall and re-utilizing the old Town Hall as a community building for ECSD. So, I think it is consistent with the purposes. I'm not looking for a commitment right now but is the premise a good premise.

**6:40 PM**      **4) Harbor Master Search Update**

Mr. Lee said that Chief Moya, the Town Clerk, the ECSD Director and I had a meeting Tuesday. Chief Moya and the other staff members discussed concerns

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with the first call with the panel asking us all these questions and we didn't have good answers. Therefore, we would like to slow this down a little bit and get more structure around the Harbor Master position. Next Tuesday we are going to be working on policies and procedures around the Harbor Master. So, there were too many questions to fast-track this and Chief Moya is going to take this down, slowing it down a bit. The Chief sent out an email to the panelists and they all understood.

**6:41 PM      5) Hall Monitoring Hire – Update – No Correspondence**

Mr. Lee said that we have now posted the position and have 5 or 6 applicants. I will be interviewing and hiring that position very soon.

Mr. Donhauser asked if Mr. Lee had a temperature unit that individual can use.

Mr. Lee said that we do have one and we will need to acquire another one; that they are not much money.

**6:43 PM      Mr. Widi said that the job posting was put on Facebook and to say it didn't go over well would be an understatement. I don't know if you want to put out a memo explaining to the average person why it's needed. I think we should correct the misperception but I think we should because I think they'd feel differently if they had all the information.**

Mr. Lee said that I will try to do that. I think that makes sense. I will put something out as to why we feel it's necessary. You only have to listen to the news to know this isn't getting much better and we're only talking about a few months where we want to get through the darkest part of the winter.

Mr. Orestis said to get to the point where we can open the windows, again.

**6:44 PM      6) Revision to Inclement Weather Policy**

Mr. Lee read the pertinent section:

Hours paid during administrative office closures ~~do not will~~ count toward the calculation of overtime, especially in light of a pandemic and remote meetings still taking place in inclement weather, but also for essential, time-sensitive work that can be done at home during a closure.

He explained that we had a closure at Town Office due to a storm but we still had meetings going on that night. People went home and put in the time, hosted the meetings, etc., only to hear they aren't eligible for overtime. That seemed very unfair to everyone. It would be very rare that we would be closed and work going on from home but we are being asked to host a lot of remote meetings. I have a

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couple of staff that host the meetings and, if there is a closure, I am home, the staff is home, but they are hosting meetings that night and they aren't going to get paid.

Mr. Donhauser asked if you would like a motion to adopt this policy.

Mr. Lee said yes, please, if you could.

Mr. Donhauser asked if anyone was opposed; otherwise, I will make a motion to amend because it does make sense to pay overtime under these circumstances.

Mr. Orestis said that I just want to make sure I understand. It says 'hours paid during administrative office closures will count toward the calculation of overtime'. So, if someone is hosting a meeting, it would be like an hour would count towards overtime. Could you just explain it a little bit better.

Mr. Lee said that if they're working during closure, then those hours would get paid and would count toward overtime. It would be that, if there is a formal office closure and yet you are asked to work that day from home on a specific thing like hosting a meeting, those hours count. They would be paid.

**6:48 PM** Mr. Orestis said, to me, I don't know if it needs to be re-worded but I don't fully understand how it will count towards overtime. You are actually paying them, if they are an hourly employee, their hourly wage.

Mr. Lee said right. I tend to agree with you that it isn't clear. Why don't we table this tonight, bring it back to the next meeting, and I will work on the wording to make it much clearer.

Mr. Orestis said that I am completely in favor of paying people for working. That overtime piece is throwing me off. Are we paying them for hours or is it only if they hit that 41, then they get paid. He was concerned how staff would be compensated between now and when this came back, considering we are in the winter months.

Mr. Lee said that he would let them go home a little early; that is how he handled before.

The SB tabled this item until the next regular meeting.

**6:51 PM**      **7) Upcoming Budget Meetings**

This was a review for the SB of upcoming budget meetings.



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**6:53 PM      8) TIF Project – Owner’s Representative Discussion**

Mr. Lee said that there was some thought during the later stages of meeting with the engineers that there will be a lot of activity that would require somebody representing the Town to sit in on a number of Zoom meetings with neighbors, unhappy ‘this’, and negotiating ‘that’, can we have an arborvitae to hide that thing; that there will be a lot of those types of things. It was thought that we might hire somebody, using some of the bond money; so, we searched for these owner’s representatives but what we got back was not at all what I had in mind. I don’t think I’m going to need the help as I’ve only had one or two things in the last 3 weeks I’ve had to deal with this type of thing. If it gets busy, I may re-visit this with you. At this point, I don’t think we need it but I did want to show you that we have looked into it.

**6:54 PM      Mr. Widi asked if that was something the old TIF Committee might consider coming back to help with.**

Mr. Lee said that that committee included Ed Henningsen and I did reach out to him but he’s not interested in that. He’s ore interested in the technical aspects of it, not neighborhood complaints. So, I’m going to do that and we have to trust our engineers. They are on our side and that’s what we hired them. I don’t think we need someone looking over their shoulder; that it will probably just cause more conflict and grief.

**6:56 PM      9) Approve Warrants**

**Mr. Donhauser moved, second by Mr. Lytle, to approve A/P Warrant #79 in the amount of \$1,153,764.92, dated December 10, 2020; A/P Warrant #81 in the amount of \$1,239,288.65, dated December 16, 2020; A/P Warrant #82 in the amount of \$20,623.33, dated December 22, 2020; A/P Warrant #84 in the amount of \$23,344.44, dated December 29, 2020.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Lytle – Yes**

**Mr. Orestis – Yes**

**Mr. McPherson – Yes**

**Mr. Widi – Yes**

**Unanimous vote to approve motion.**

**J.      New Business:**

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**(remote)**

**6:57 PM      Earned Paid Leave Policy (1<sup>st</sup> Reading)**

Mr. Lee explained that Maine passed a law that takes effect January 1, 2021 that says that employers must offer earned paid leave. Many town managers and human resource people got together and created a standard operating procedure and policy around this that many towns are now adopting. I wanted you to look through it, understand it and, then, in a couple of weeks we could have a 2<sup>nd</sup> Reading to adopt it as we are subject to this mandate.

**6:58 PM      Mr. Orestis asked what changes for the Town with this.**

Mr. Lee said not much. Anyone who is in a collective bargaining agreement, it doesn't change anything for them because of contract rules. It would only affect non-union personnel. Instead of allowing somebody 3 personal days out of their sick days to use for anything they want, we might go to a 4<sup>th</sup> sick day that could be used as a personal day and we would effectively solve this because everybody would have 40 hours in a year of earned paid leave based on our personnel policy. There are some exceptions and I'm not really prepared to speak at great length on those. The details I think rest a lot more with Ms. Albert, at this point. She is tracking the earned paid leave for our part-time people and I may have her, and possibly Mr. Miles, come in to explain some of the details.

**K.      Old Business:**

There was nothing under this item.

**L.      Selectmen's Report:**

**The SB is seeking Committee Members for several committees and boards.**

There were no Selectmen's reports tonight.

**M.      Executive Session**

There was no executive session.

**N.      Adjourn**

There was a motion and second to adjourn the meeting at 7:03 PM.

**VOTE**

**5-0**

**Motion approved**

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**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

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

**Date approved: February 25, 2021**