

**SELECT BOARD MEETING**  
**October 28, 2021 5:30PM**  
**Town Hall (Hybrid)**

**Quorum noted**

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

**A. Roll Call:** Mr. Orestis, Mr. Donhauser, Mr. McPherson, Mr. Widi, and Ms. Dow.

**Absent:** Mr. Widi (excused).

**B. Public Hearing**

**1. Adult Use Marijuana Manufacturing Facility Application, located at 7 Maclellan Lane (Map 37/Lot 19).**

Justice Rines was present for this application.

**5:31 PM Public Hearing opened.**

Mr. Rines said that I'm happy to answer any questions. We're excited to get going in there and excited to further work with the Town of Eliot on this project.

There was no public comment.

**5:32 PM Public Hearing closed.**

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve the license application for Sweet Dirt 2, LLC for Marijuana Manufacturing Facility, solely located at 7 Maclellan Lane, Eliot, Maine (Map 37/Lot 19).**

DISCUSSION

Ms. Dow asked where this was; that it isn't the same lot that you are at now.

Mr. Rines said correct. This is where the car wash was. It's about a half mile south on Route 236.

DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

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**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**C Public Comment**

There was no public comment.

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

**5:33 PM Motion by Mr. Donhauser, second by Ms. Dow, to approve the minutes of September 23, 2021, as written.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**E. Department Head/Committee Reports**

**1) Sewer Allocation: 19 Sawgrass Lane**

**Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve the sewer allocation for 19 Sawgrass Lane for 120 GPD.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**2) Town Manager Report**

Mr. Orestis said that the **new Town Manager** will be starting November 1<sup>st</sup>, this coming Monday. We've all had a chance to meet with him and he's been here on a couple of occasions. We're all looking forward to having him. Regarding the

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**Feasibility Study**, the CIP Committee continues to work with Port City Architecture to develop an acceptable plan so it should be ready pretty soon here. **Election Day** is next Tuesday at the Middle School gymnasium and the deadline for absentee ballots has already passed. Regarding the **Route 236 Extension Project**, the Town is working to finalize the Inter-Municipal Agreement for reception, treatment and disposal of wastewater. It looks like we're working on specifications on a **new pumper** and evaluating the final modifications to the piece of equipment that is in Nebraska. Do you (Mr. McPherson) have an update on this.

Mr. McPherson said that, as of about an hour ago, the thing will be shipped to Connecticut for some final installations and it should be here sometime around Thanksgiving.

Mr. Orestis said that, for those that are watching, we're only going to have **one meeting in November** due to the holidays – Veteran's Day and Thanksgiving. The meeting will on Monday, November 15<sup>th</sup> at 5:30PM. I believe it will be posted to the website. There is a **nice message from Ms. Granfield**, who has been a fantastic Interim Town Manager. He read:

**Interim Town Manager** – It has truly been my honor and pleasure to serve the Town of Eliot as it's Interim Town Manager since April. The Town has an outstanding group of talented and dedicated employees along with a very positive community of residents. I thank everyone for their valued assistance during my time in the community and was happy to be able to assist the town with continuing to move forward as I pass the baton now to Mike Sullivan to continue the positive movement. Best of luck in the future with all the wonderful town endeavors.

Mr. Orestis said that we were very grateful that Ms. Granfield was here. She did a great job.

**5:37 PM      3) Extension of the Cable Television Franchise Contract**

Mr. Orestis said that this is something that we, as a Board, have worked on in the past. Didn't we try to appoint some sort of a committee to discuss this and it really never took off. So, the recommendation is to sign a one-year extension and then have the new Town Manager proceed with the evaluation process on a ten-year agreement. The Chair would accept a motion.

**Ms. Dow moved, second by Mr. Donhauser, that the Select Board sign a one-year extension of the Cable Television Franchise Agreement between the Town of Eliot, Maine and Comcast of Maine/New Hampshire, Inc., and direct the Town Manager to proceed with an evaluation process of the 10-year agreement in order to make recommendations for negotiations with Comcast for a new agreement.**

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**DISCUSSION**

Ms. Dow asked for clarification of what the franchise is.

Mr. Donhauser said that the Town has an agreement with Comcast. They provide cable service and broadband for the Town of Eliot so, if you subscribe to broadband, you will subscribe to Comcast. One item, as I recall, that was an issue is that they will actually provide, under the contract, streaming on cable TV for meetings like this, which hasn't been done in the past. They also set the rate that you pay.

Ms. Dow asked if that was for the entire Town.

Mr. Donhauser clarified that it was for subscribers, which is currently 1,933.

Ms. Dow said that the Town having this agreement with Comcast just creates a bubble for them to then bill the Townspeople based on the agreement.

Mr. Donhauser said yes. It's being paid by the individual user.

Ms. Dow asked if the other provider, Consolidated Communications, had an agreement with the Town.

**5:39 PM**

Mr. Donhauser said no. That restricts from using them.

Ms. Dow said that the benefits of our Townspeople using Comcast is that they may get a lower rate because the Town has this.

Mr. Donhauser said theoretically.

Mr. Orestis said that, in my experience over the past two years, they give you a contract and ask if you want to negotiate but there's really no negotiation. That's where we were going to kick off a committee to really try to do something with these. If you just search the news in Maine, there's a lot going on with towns trying to figure out the best way to get around this; that there's not really a choice. Over the next year we will work to try to find out the best and if there is anything we can do. From what I've read, probably not.

Mr. Donhauser said that the important thing is to contact other municipalities around us to see what they're doing and how they are taking advantage of this sort of agreement.

**DISCUSSION ENDED**

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**Roll Call Vote:**

**Mr. Orestis – Yes**  
**Mr. Donhauser – Yes**  
**Mr. McPherson - Yes**  
**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**5:40 PM      4) Addendum to the Select Board Authorities #'s 2 & 3 for the F/Y 21-22**

Mr. Orestis said that there were some changes that came down from the State level; that we set the interest rate too high. We are bringing them down on abatements and delinquent taxes.

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve the annual select board authorities #2 and #3 to reflect the correct interest charges for delinquent taxes and abated taxes as determined by the Maine Office of the Treasurer.**

**Roll Call Vote:**

**Mr. Orestis – Yes**  
**Mr. Donhauser – Yes**  
**Mr. McPherson - Yes**  
**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**5:42 PM      5) Public Works Loader Bid Results**

Mr. Robinson said that I went out to four vendors. I got three bids out of two vendors. The other two with no bid. I would start by asking if we can waive the three-bid rule.

Mr. Donhauser said that the bid amount was \$131,500 but the payments total, in five years, \$139,785. Is that with the interest.

Mr. Robinson said yes, which is right around 2%.

Mr. Donhauser clarified that, even though this bid is for \$131,500, the ultimate expense for the Town will be \$139,785.

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**5:43 PM** Mr. Robinson said that that was the total price. What I'm asking for is to go with a lease/purchase payment program making five yearly payments at \$27,957, with a dollar buy-out at the end of the lease.

Mr. Donhauser said that I understand what you're saying but we're looking at \$131,500 and the total cost at the end of five years is actually \$139, 875. I don't have a problem with that. I just want to make sure everyone is aware.

Mr. Robinson said that the money is in the CIP budget for the five yearly payments; that we have \$28,800 in there right now and, like I said, the payment comes in at \$27,957.

**Mr. Donhauser moved, second by Ms. Dow, that the Select Board waive the three-bid rule.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

Mr. Robinson said that my proposal, after reviewing all the bids, is Milton CAT. One of the two vendors met the specs. The one that did, we wouldn't get it until probably June or July of 2022. Milton CAT will probably have it by Thanksgiving. So, my proposal is that we award the bid to Milton CAT for the price, less the tax, of \$131,500 converted into five yearly payments of \$27,957 with a dollar buy-out at the end of the fifth year.

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board award the bid to Milton CAT of Scarborough, Maine for the price of \$131,500 converted to five yearly payments of \$27,957 with a one dollar buy-out at the end of the fifth year.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

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**Unanimous vote to approve motion.**

**5:45 PM      6) Public Works Bucket Truck**

Mr. Robinson said that, back in the summer, we had the yearly inspection done on the bucket truck that we had at the time. It failed the safety inspection on the boom. You don't want to be up 30 feet in the air and have something go wrong with the boom, and end up on the ground. What I want to do is move \$7,000 from the Snow Plow Replacement CIP line and put it onto the Bucket Truck Replacement line. I just bought a used snow plow, one year old, which was originally going to be around \$9,000, and I bought it for \$7,000. So, there will still be \$13,000 left in that after this bill for the \$7,000 used plow blade. We're only going to need one more new plow in another year, which is roughly going to be between \$8,000 and \$12,000. If we just transfer \$6,000 in to replace the next plow, instead of \$10,000, that's going to save money on that end and it will bring the Bucket Truck CIP line up to around the vicinity of \$22,300. I've done a lot of homework on this and, to buy something that's quality enough so that it's not going to nickel-and-dime us to pass the safety inspections every year, this is the amount of money we need to be in. This is a vital piece of equipment for this Town. My proposal is to move \$7,000 from the Snow Plow Replacement line and put it in to the Bucket Truck Replacement CIP budget to bring the total to \$22,300.

Mr. Orestis asked when he was planning to make a purchase on the bucket truck.

Mr. Robinson said as soon as possible. He clarified that doing this would leave \$6,000 in the Snow Plow line. Then, the CIP budget the first of July 2022, we would only need to put \$6,000 back into that to replace the last plow that needs to be replaced.

Mr. Donhauser asked if we do \$6,000 for the snow plow every year.

Mr. Robinson said that we've been doing \$10,000.

Mr. Donhauser asked what his recommendation was for this year.

Mr. Robinson said only \$6,000.

**5:49 PM      Mr. Orestis said that, as a Town, we vote for a CIP budget as a whole. So, it's not like we vote for a specific line. The money is already in that account and we're moving it into the other account.**

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Mr. Donhauser said that, from a Budget Committee perspective, they sort of recommend line items in the CIP budget. They are very carefully, not just in your department but in every department, we and the Budget Committee have a long-range plan. I agree with what you're saying, Mr. Orestis. We're moving a big chunk of money but at least that money is related to the snow plow and the bucket truck, so, I don't disagree with what you're saying.

Mr. Orestis said that what I was getting to is that, to me, between the three entities – Budget Committee, Select Board, and the department – we are all making recommendations of what we think is going to happen but making sure that there is enough money aside so that we can take care of these things as they happen. Does it make sense to have money in an account when we don't need a snow plow but desperately need a bucket truck. I don't know if that makes sense.

Mr. Donhauser said that I agree.

Mr. Robinson said that the plow I just replaced was a 1991. The other is a 1993. So, they've served their purpose well for this Town.

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board move \$7,000 from the CIP line for the snow plow to the CIP line for the bucket truck.**

**DISCUSSION**

Mr. McPherson said that that is a 1997. If we do that, how old a truck are you looking at to buy with that amount of money.

Mr. Robinson said that we are looking in the vicinity between 2005 and 2012. The 2012 will probably be in the upper range of \$23,000.

Mr. McPherson asked how far away would you have to go to get that. Is there anything local.

Mr. Robinson said that there is an outfit right out of Wells, JJ Kane. They acquire almost all of the powerline trucks and telephone trucks around the whole country.

**DISCUSSION ENDED**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

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**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**5:53 PM      6) Audit RFP bids**

Mr. Orestis said that there's not much to choose from here. At the last meeting, we just finished up finalizing our last audit and had some problems going through this one. The SB decided to put it out to bid to see what we could get for another qualified auditing firm and one came back to us.

**Mr. Orestis moved, second by Mr. Donhauser, that the Select Board waive the three-bid rule.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**Mr. Donhauser moved, second by Mr. McPherson, that the Select Board award the bid to RHR Smith, an auditing firm, for a three-year period.**

**DISCUSSION**

Mr. Orestis said that this is who did it previously.

Mr. Donhauser agreed. I was on the SB and I was actually opposed to awarding the bid to this most recent auditing firm because they actually went up in price. This actually a reduction in price. As I recall, it was \$15,000 a year our current auditor and this is actually a lesser price. Again, what we're buying, here, is not just the audit. In the auditor's mind, he or she is providing an opinion on our financial statements but they do an awful lot of work to get to that opinion. The reason that the previous Board switched away was that we had a similar problem where we got the audit almost a year later. We need to impress on the auditors that we need the audit sooner. They shouldn't be allowed to stretch it out and stretch it out. RHR Smith renders a really good report on our financial statements and a good opinion. As it states, they have over 40 people on their staff, which this previous company had like 3 or 4.

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DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Orestis – Yes**  
**Mr. Donhauser – Yes**  
**Mr. McPherson - Yes**  
**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**F. New Business:**

**5:56 PM 1) Appointment of Michael Sullivan as the Town Manager**

**Mr. Orestis moved, second by Mr. Donhauser, that the Select Board appoint Michael Sullivan as the Town Manager starting on November 1<sup>st</sup>.**

DISCUSSION

Mr. Orestis said that I'm excited to get Mr. Sullivan in here. With the hiring committee and the Select Board, we feel he is going to be the right fit for what we need going forward.

DISCUSSION ENDED

**Roll Call Vote:**

**Mr. Orestis – Yes**  
**Mr. Donhauser – Yes**  
**Mr. McPherson - Yes**  
**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**G. Old Business:**

There was no old business.

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

**5:58 PM** Mr. Donhauser moved, second by Mr. McPherson, that the Select Board approve A/P Warrant #28 in the amount of \$72,342.26, dated September 30, 2021; A/P Warrant 29 in the amount of \$209.00, dated September 30, 2021; A/P Warrant #30 in the amount of \$94,660.44, dated October 5, 2021; A/P Warrant #33 in the amount of \$1,505,974.64, dated October 13, 2021.

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**I. Selectmen's Report:**

**5:59 PM** Mr. Orestis said that we are always seeking committee members. We have an alternate position open on Aging-in-Place, three regular members on the Capital Improvement Committee, one regular and two alternates on the Conservation Commission and two alternate members on the Planning Board. Come on in or call the Town Hall and ask about them.

There were no Selectmen's reports tonight.

**J. Executive Session**

There was no executive session.

**K. Adjourn**

**Mr. McPherson moved, second by Mr. Donhauser, that the Select Board adjourn.**

**Roll Call Vote:**

**Mr. Orestis – Yes**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Ms. Dow - Yes**

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**Unanimous vote to approve motion.**

The meeting adjourned at 6:00 PM.

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

**S/ Robert McPherson, Secretary**

**Date approved: 01/13/2022**