

**SELECT BOARD MEETING**

**April 28, 2022 5:30PM**

**Town Hall/Hybrid**

**Quorum noted**

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

NOTE: Until Item E2, meeting was not audible on live stream due to technical difficulties.

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

**B. Pledge of Allegiance recited**

**C. Public Comment:**

There was no public comment.

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

There were no minutes approved.

**E. Department Head/Committee Reports**

**5:33 PM 1. Town Manager's Report (to follow)**

[inaudible)

**Mr. Donhauser moved, second by Ms. Dow, that the Select Board accept the Town Manager's April 27, 2022 Report and authorize the Town Manager to post it on the Town of Eliot website.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**5:34 PM 2. Planning Director's Report**

Mr. Sullivan said that Mr. Brubaker has made a request to extend the legal agreement with Archipelago Law, LLP in relationship to the Odiorne Lane case.

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Mr. Brubaker has asked to extend it to \$30,000 and I agreed. I hope the SB votes the same.

**Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the Planning Director's April 28, 2022 Report and authorize the Town Manager to extend the agreement with Archipelago Law, LLP, Attorney Sandra Guay, as requested in the report.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**F. New Business:**

**5:36 PM 1. Fiscal Year 2023 Budget Update (see updated 3/3/2022 version on Town website).**

Mr. Sullivan encouraged people to go to the website, saying that we put up the powerpoint presentations from the Citizen's Option meeting. The video finally went up for that meeting; that we had had some technical difficulties. We ask that people go to the website to be informed for the June 14 Town election.

**5:37 PM 2. Cyber Policy**

Mr. Sullivan said that this is a fairly comprehensive policy that we are going to put in place that will, hopefully, add some levels of protection to bring in best practices and align some rules we need to make sure we keep our information safe and protected. I've asked to have this put in place by July 2022 as it will take some training and attention from staff. I have gotten some comments about social media. At present, we don't really have any social media for the Town but our property casualty company thought it wise that, if, at some point, the Town decided to move in that direction, we would have some policies already in place to guide us.

The SB agreed that the policy was good.

**Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board accept the Town of Eliot Acceptable Technology Use Policy &**

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**Agreement, as presented, and direct the Town Manager to fully implement the policy by July 1, 2022.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**5:39 PM      3. Glyphosate Ban/Advisory (to follow).**

Mr. Widi said that I was approached by a constituent requesting we ban the use of Round-Up in Town. I kind of moderated that a little and read the proposed draft into the record. *“The Eliot Select Board hereby bans the use of all chemical herbicides from all schools, public parks, and daycares located in Eliot.*

*Rationale: The safety of our children is of paramount importance. The World Health Organization considers glyphosate one such chemical herbicide a probable human carcinogen. Glyphosate was introduced in 1934 and has been linked in scientific studies to certain cancers, such as non-Hodgkin’s lymphoma. Other studies have found that extended use of glyphosate has led to pesticide-resistant weeds and pathogens. In February 2021, Bayer, the pharmaceutical company that owns Monsanto, agreed to pay \$2 billion to resolve future class action lawsuits brought by plaintiffs who say their cancers were caused by glyphosate.*

*Advisory: Furthermore, the Eliot Select Board issues an advisory to all private property owners. Please reduce or eliminate your use of chemical pesticides and herbicides. Please seek your own information from credible sources concerning the dangers of chemical herbicides and pesticides. Please seek alternative pest and weed control. There are biologic or organic options available.”*

As a cancer survivor, I would give cancer a zero out of five stars. You’re not settling \$2 million lawsuits if you acknowledge there is some issue and I think a good first step would be to ban it around children who don’t have the choice or who don’t fully understand what a perfect weed-free fence line means, or stuff like that. This is just a proposal. I’m fine with kicking it around, or approving it tonight, or whatever you want to do.

Mr. McPherson asked if the School Superintendent been involved in this. Is this just Eliot or with South Berwick.

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Mr. Widi said that I think it would be just Eliot.

Mr. McPherson said if the schools want to participate would be a better question.

Mr. Widi said that I did not reach out to the Superintendent.

Ms. Dow asked if Public Works uses it.

Mr. Widi said on the roads. I left the roads off. Generally, the parks are heavily [inaudible].

Mr. Donhauser said that I would like to postpone it for any kind of action until the next meeting, at least, so the public is aware of what we're trying to do.

Mr. Sullivan said that I will reach out to the school district.

The SB agreed.

**5:43 PM      4. Older Americans Proclamation May 2022 (Banner Approval).**

Mr. Sullivan said that we have a very active aging-in-place community. They are always incredibly active and it's a tribute to them and the Town of Eliot. It was brought to our attention that May is National Older Americans Month and they were hoping to put a banner up at Town Hall to remind people of that and asking the SB to see their way to proclaiming the month of May as Older Americans Month in the Town of Eliot. He read the proclamation:

*Whereas, the Town of Eliot includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and*

*Whereas, communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and*

*Whereas, the Town of Eliot recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently for as long as possible; and*

*Whereas, the Town of Eliot can work to build an even better community for our older residents by:*

- Planning programs that encourage independence,*
- Ensuring activities are responsive to individual needs and preferences,*
- Increasing access to services that support aging in place.*

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*Now, therefore, the Eliot Select Board do hereby proclaim May 2022 to be Older Americans Month. We urge every resident of the Town of Eliot to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.*

That is what is before you.

Mr. Donhauser said that I commend the Aging-in-Place Committee for bringing this before the Board. I think it's a grand idea and asked for input from Board members.

The SB was in agreement to support this.

**Mr. Donhauser moved, second by Ms. Dow, proclaim the month of May "Older Americans" Month for 2022 and thank the senior members of Eliot for their contribution to life in our community. Furthermore, we hereby authorize the Town Manager to coordinate the installation of a banner as requested by the Aging-in-Place Committee and thank them for their work.**

**DISCUSSION**

Mr. Donhauser asked if anyone wanted to speak to this.

Ms. (Anne) Lukejord, Aging-in-Place Committee, said that we've always been grateful that the Town of Eliot put in the Aging-in-Place Committee. Through our newsletter and through our Facebook and Instagram pages we're going to be sharing more thoughts and ideas in the coming months. We love working with the other departments, boards, and committees here, whether it's food security, pickle ball, putting in the benches, whatever it is. The interest thing to note, which I think is the next thing to get across to people, is that older people are aging in huge amounts. In 1963, when it was the first Senior Citizen's Month put in by John F. Kennedy, there were 17 million people that were 65 and older. Right now, I'm not sure of the number, but we're way past that and for people in their 40's now, when they are 60 years old, that's going to double. And for people in their 20's, now, when they reach 60, that's going to easily triple. So, this idea of making our community age-friendly and not seeing people who are over 60 as being done, invisible, and not part of our community really has to change because they are going to be more and more a part of our community. So, I just wanted to share that and thank-you so much.

**DISCUSSION ENDED**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**5:48 PM      5. Eliot Conservation Commission Earth Day Clean-up May 7, 2022.**

Mr. Sullivan thanked the Conservation Commission, saying that we hope that people will volunteer. We encourage people to wear long sleeves, long pants, sturdy shoes, and bring some gloves on May 7<sup>th</sup>. We're meeting at the Eliot Commons parking lot at 8:30AM and we'll work mostly along Route 236. We are going to provide some safety measures through the Police Department and DPW is also going to be assisting. So, we hope people come out and we also encourage people to clean up in their general neighborhoods and along the roads in Eliot. It's a beautiful community and we want to make an effort to keep it that way.

**Ms. Dow moved, second by Mr. Widi, that the Eliot Select Board thank the Eliot Conservation Commission for organizing and supporting an Earth Day Clean-Up along Route 236 and encourage all citizens to join in the effort**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**G.      Old Business:**

**5:49 PM      1. June 14 Warrant Acceptance**

Mr. Sullivan said that you voted for the draft and there haven't been any substantial changes. I would like to thank, in particular, the Town Clerk (Wendy Rawski) for all her very hard and diligent work on this and ask the SB to accept the warrant, as presented.

**Ms. Dow moved, second by Mr. Widi, that the Eliot Select Board approve the Annual Town Warrant for June 14, 2022, as presented.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**5:51 PM        2. Public Hearing Notice**

Mr. Donhauser said that this is for the Public Hearing for Warrant Articles #3 through #30 on Thursday May 12<sup>th</sup>.

**Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board set a public hearing for Thursday, May 12, 2022, 5:30 PM in Town Hall to hear comment on the Annual Town Meeting Warrant articles #3 through #30.**

**Roll Call Vote:**

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

**Unanimous vote to approve motion.**

**5:52 PM        3. Select Board Budget Letter (to follow).**

Mr. Donhauser said that this is a discussion on how we disseminate some letters from both the Budget Committee and Select Board.

Mr. Donhauser said that I feel very strongly that whatever communications come out of the Town should be collected together. It's expensive to send out separate mailings for the Town. The Budget Committee has recommended that we send a separate letter and I disagree with that. I've spoken with the Town Manager and I believe he is in agreement with me.

**Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board approve the Town Manager to send out a budget letter for fiscal year 2023.**

**DISCUSSION**

**5:53 PM        Mr. Donhauser said that I agree with the motion. I think the purpose of any letter issued to the Town citizens should be to explain the differences and changes to**

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the Town departments and the Town Manager's request versus the Budget Committees recommendations. It should not be a forum to complain about the process followed, which clearly complied this year with the Town Charter. The process that was being complained about was that the Budget Committee had to submit questions through the Town Manager and the Town Manager formulated the budget then from his department. There is nowhere in the Charter a provision or authorization for direct access by the Budget Committee to question the Town department managers. I will acknowledge that access had been granted by former Town Managers in the past. I think that practice should stop. It may be enjoyed by the Budget Committee but it is terrible inefficient and time-consuming and not productive for the department managers.

Mr. Sullivan agreed and, furthermore, the Charter very much suggests that the responsibilities for the operation of the departments is the Town Manager and the Select Board and other elected bodies are not to interfere with that. I do think that in the past, in talking with department managers, they felt that there was a challenge to their authority to operating their departments as they see fit. I appreciate what you're saying and I agree that this is a better process. I'd also like to point out that all those questions that were asked I replied to; that those are all on the Town website for everyone in Town to look at what the answers were. I'm happy to answer any questions if people were to call and wanted to discuss different points of the budget. Again, I do appreciate that the manager has to manage and he has to be given the tools. I thank the Select Board for the support you've shown me in my first 6 months here.

**5:56 PM** Mr. Donhauser said that I had and most, if not all Select members, the opportunity to look at the letter written by the Budget Committee. One thing that the Budget Committee states is: "The Budget Committee's responsibility is to provide an informed recommendation concerning the proposed budget." That is entirely correct and I agree with that, and the relevant statement and the type of comment included in the letter. I don't mean to criticize the Budget Committee; that it's meant as a constructive criticism. I found the letter to be very confusing because it only shows their side and there was no comparison. It was somewhat disjointed and, so, I'm hoping that we will pass this recommendation that we actually have the Town Manager write the letters and review the letters and, if necessary, remove some of the comments. Because I don't think it should be filled with information, such as complaints about individuals, but purely a factual thing, saying here's what the Budget Committee recommends and here's what the Select Board and Town Manager recommend, and maybe some reasons why or why not.

**5:58 PM** Mr. Widi said that, if we're sending out information to the taxpayers, it should be done in the cheapest way possible and there is no harm in sending it all out together. I don't really understand the objection to that. I think it's efficient and gives everybody's opinion at one time to help them make up their mind. As far as



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doing some editing to make sure everything is factual and not changing what is said, I'm all in favor of. Again, we don't just allow every committee to send out information just saying whatever, something that may not be true. For example, we were accused of spending money with no oversight and then, when we issue oversight on mailings that are going out, they complain about the oversight; that you can't have it both ways. So long as we are just taking out some of the personal attacks, opinion stuff, other than their specific budget opinions that are clear. We should definitely leave that in. Stuff that is just beyond the pale I'm in favor of scratching.

**5:59 PM** Mr. Donhauser said that it has been a Select Board policy that the Town Manager review all correspondence to ensure accuracy and factual information disseminated to the public. The Charter doesn't specifically say that but the SB has a policy in that respect, so our recommendation is to have the Town Manager actually do that. According to that policy, as I understand it, "all material to be distributed by mass distribution by a board, committee, commission, or department head must be reviewed by the Town Manager for approval to ensure that the information distributed is essential to the proper operation of Town business in a manner which produces unbiased facts and consequences upon which the people of Eliot may make an informed decision.

DISCUSSION ENDED

**6:00 PM** Mr. Widi withdrew his motion and made a new motion.

**Mr. Widi moved, second by Mr. McPherson, that the Eliot Select Board approve the letter addressing their position on the fiscal year 2023 budget, allow the Town Manager to send his own, and mail all letters, including the Budget Committee's edited letter, in one envelope to the taxpayers of Eliot for their consideration.**

DISCUSSION

Mr. Sullivan requested the motion be amended to include him being able to work with the SB Chair on behalf of the rest of the SB to make sure that the edits are not just subject to my edits but reviewed by both.

The SB agreed.

DISCUSSION ENDED

Amended motion:

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**Mr. Widi moved, second by Mr. McPherson, that the Eliot Select Board approve the letter addressing their position on the fiscal year 2023 budget, allow the Town Manager to send his own, and mail all letters, including the Budget Committee's edited letter to be reviewed by both the Town Manager and Select Board Chair, in one envelope to the taxpayers of Eliot for their consideration.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

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

**6:02 PM Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve A/P Warrant #85 in the amount of \$67,976.69, dated April 11, 2022; A/P Warrant #87 in the amount of \$929,312.26, dated April 14, 2022; A/P Warrant #88 in the amount of \$6,631.42, dated April 20, 2022; A/P Warrant #90 in the amount of \$5,688.29, dated April 20, 2022; A/P Warrant #91 in the amount of \$5,489.97, dated April 20, 2022; A/P Warrant #92 in the amount of \$6,272.13, dated April 20, 2022; A/P Warrant #93 in the amount of \$7,681.08, dated April 20, 2022; A/P Warrant #94 in the amount of \$21,948.37, dated April 21, 2022.**

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

**I. Selectmen's Report: Seeking Committee Members Listing**

There were no Selectmen's reports tonight.

**J. Adjourn**

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

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**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. McPherson - Yes**

**Mr. Widi – Yes**

**Ms. Dow - Yes**

**Unanimous vote to approve motion.**

The meeting adjourned at 6:04 PM.

**Respectfully submitted,**

**Ellen Lemire, Recording Secretary**

**S/ Robert McPherson, Secretary**

**Date approved: July 14, 2022**