

SELECT BOARD MEETING

May 26, 2022 5:30PM

Town Hall/Hybrid

Quorum noted

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

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.

NOTE: At this time, the agenda was taken out of order to take up the Spirit of America Award under New Business.

5:31 PM G1. Spirit of America

Mr. Donhauser invited Ms. (Ellen) Ceppetelli to come forward.

Mr. Donhauser said that you have been awarded the 2021 Spirit of America Award and this is recognition of you and the job you've done for Eliot (framed award certificate given). Flowers were also given from the Town Manager.

Ms. Ceppetelli said thank you. I'm absolutely delighted. I want to recognize my committee members because of being recognized for what has happened in the past five years. The SB started this and every time, when we've had an election with new people, you've supported us and I appreciate that. So, I want to thank you, Mr. Sullivan, for your work and Ms. Albert, who you gave to us as a staff person, who has helped us be successful. Thank you so much.

D. Approval of Minutes of Previous Meeting(s)

5:33 PM Motion by Mr. Donhauser, second by Ms. Dow, to approve the minutes of February 10, 2022, as written.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow - Yes

Unanimous vote to approve motion.

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Motion by Mr. Donhauser, second by Mr. Widi, to approve the minutes of February 24, 2022, as written.

Roll Call Vote:

Mr. Donhauser – Yes
Mr. McPherson - Yes
Mr. Widi – Yes
Ms. Dow – Abstained (not present for this meeting)

Unanimous vote to approve motion.

Motion by Mr. Donhauser, second by Ms. Dow, to approve the minutes of March 10, 2022, as written.

Roll Call Vote:

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

Unanimous vote to approve motion.

Motion by Mr. Donhauser, second by Mr. McPherson, to approve the minutes of March 24, 2022, as written.

Roll Call Vote:

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

Unanimous vote to approve motion.

E. Public Hearing:

1. CATLAB LLC: 19 Levesque Drive, Testing Cannabis Facility

5:35 PM Public Hearing opened.

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Mr. (Jeff) Sylvester was present for this license renewal.

There was no comment from the public.

5:36 PM Public Hearing closed.

Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve a renewal license application for CATLAB, LLC, 19 Levesque Drive Testing Facility.

Roll Call Vote:

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

Unanimous vote to approve motion.

2. Blackbeard Farms, LLC: Tier II Cultivation Cannabis Facility (ACB1121)

5:37 PM Public Hearing opened.

There was no public comment.

5:38 PM Public Hearing closed

Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve a license application for Blackbeard Farms, LLC, 276 Harold L. Dow Highway, Marijuana Cultivation Facility Tier II.

Roll Call Vote:

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

Unanimous vote to approve motion.

F. Department Head/Committee Reports

5:39 PM 1. Town Manager's Report

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Mr. Sullivan said that the report is in your packets and there are a lot of exciting things going on. We did talk about the COVID exposure we had last week and asking people to wear masks in Town Hall. We are continuing to monitor that. One staff member who tested positive in this building, is now back to work, and we're using all the protocols. We continue to follow the Maine CDC guidelines on that, as well.

Mr. Widi said that I want to tie it the need for more training in Town Hall. For the people here, can you explain how difficult it is when we're losing people because of COVID, and things like that, when we don't have people to fill their positions.

Mr. Sullivan said that we continue to try to do the best we can. We've adjusted our schedule here at Town Hall and we're using that time as training time. We have three mornings of training next week and we really need to expand that so we can build the depth where people can cover for other people. Also, for the first time, we have filled a temporary position on the Clerk's Office with an intern. I've talked to the Town Clerk and she is very excited about it. They are interviewing high school seniors that are going into college. I had great success with that in other places I've worked where we bring someone in and keep them for a succession of years because they come back during summer sessions, and that's part of our training, too. Building more depth in the organization and having more training of people is critically important for us to continue to provide good services but it's also important for us to realize that, once we do provide those services, we have to make sure we compensate those people because they become more valuable not only to us but to some other communities who might come in and look to bring them into their fold. We appreciate the SB's support in that. We are also working with our insurance company (Maine Municipal Insurance - MMI) to provide some training for us and some safety measures that I think is very helpful; that we're implementing some new policies that they are suggesting to us – Return to Work Policy – for when people do go out injured, how we accept them back to not endangered them or the workplace.

5:40 PM

Mr. Widi said that I know we have policies, a lot of them. Do we have them in one spot or could we work towards making that happen, if not.

Mr. Sullivan said that we're working towards making sure that all our policies are clearly on the website. When you go to our Charter or Ordinances, you should also be able to go to our workplace policies. Right now, as you know, the SB has recently approved some updates in policies and we're adding others that we're missing. We're going to try to bring those all together starting in the fiscal year to make sure they are all placed on the website. The public can see them and the employees can use them as a reference.

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Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the April 27, 2022 Town Manager's Report and direct 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.

5:42 PM 2. Historic Committee Report

Ms. Cerabona said that the Bicentennial has finally ended. The grant we received allowed us to use that money to finish doing the things even though they weren't done when they were supposed to be done. We've written you a memo the things we thought were important to finish off the money that we have. At the high school, there is the timeline. The little red building (Hammond Park) was the Dixon Blacksmith Shop and we'd like to put a marker there. We would also like to put a marker where the original high school/Town office/gym was located. Lastly, we would like to gather all the information we developed on different old Eliot homes and put it in a softcover book.

Ms. Dow asked if they had enough funds to cover that.

Ms. Cerabona said that we are asking what our balance is. We had \$5,500.

Mr. Sullivan said that the balance is \$1,472.

Ms. Cerabona said that I thought there was more than that. We had \$3,000 from the Town and \$2,500 from the grant. We spent the money from the grant, first, and we thought we had around \$2,000.

Mr. Sullivan said that we looked up the balance in the Bicentennial account and it was \$1,472. At the end of the budget season, the SB may have some other small amount of money.

Ms. Cerabona said that the priority would be to do as much as we can.

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Mr. Sullivan said that, if it's critical to get to \$2,000, I would certainly work with the SB to try and find that money.

Mr. Widi said that, regarding the red building (Blacksmith Shop), I have a wood-carving machine that could do a nice sign for you and you could save some money there. I would donate the sign. You would just have to give me what you want on it.

Ms. Cerabona said that those are the things we would like to see happen. And part of the ways we can get that done.

Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board accept the Maine Bicentennial Committee Report and further approve their request to expend the balance of the funds appropriated for their projects on the "Historic Time Wall High School Project", to place a marker denoting Melvin Dixon's Black Smith Shop at Dixon Road (once held Town Meetings) and to chronicle the celebration of the Eliot State Bicentennial Celebration in an archivable soft cover book.

Mr. Donhauser thanked Rosanne Adams, Lydia Goodwin, and Jan Cerabona for all their work on this COVID-extended Bicentennial celebration. You've done a really good job.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Unanimous vote to approve motion.

G. New Business:

5:50 PM 2. Raitt Farm Catering License (8/27/2022, Stella Wedding)

Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board approve a Qualified Catering License for Mainly SIPS for August 27, 2022 at Raitt Homestead Farm, 2077 State Road, 6:30 PM to 9:30 PM.

Roll Call Vote:

Mr. Donhauser – Yes

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Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow - Yes

Unanimous vote to approve motion.

5:51 PM 3. Summer Schedule Discussion

Mr. Sullivan said that I gave you a draft to approach the summer a little differently. It is in your Charter that you will meet twice a month. If you like this idea, I'm going to try to determine whether meeting in this fashion qualifies as your second meeting. What I am proposing is that we would have two regularly-scheduled meetings – July 14 and August 18. Then I was going to encourage the Chair and Vice Chair to work together to split up to have some discussion summits for various different categories. These are some ideas I am putting forward and they are certainly open for your review. The Town Planner and I talked about it and he is very excited. Basically, what we would do is meet, for instance, Summit #1 is Policy, Charter, Ordinance Review, with two SB members appointed with two PB members, members of the Budget Committee, members from Conservation Commission, members from Capital, the school committee if they want to, at each one of the summits or the summits that are appropriate. Meet and have a very informal discussion about how Eliot would like to move forward on some of these different things. The others, Summit #2 – Land Use and Preservation; Summit #3 – Life in Eliot, Summit #4 – Regional Integration; Summit #5 – Community, are just some of the topics that I picked. I'm just trying to illicit some discussion on it and get your ideas on whether you like this. The meetings would be during the day and we'd also have staff, if appropriate. In talking about ordinances, I'd like to have the Town Clerk there because she's very knowledgeable, and other people that would be appropriate for different conversations. The Town Planner is a very articulate, bright person and I'm sure he could add a lot to a lot of these topics. It would dovetail into the work he is doing on the Comp Plan. It's just a way to get some conversations during the summer in a relaxed environment. Then hopefully, the people who are assigned to different committees would then come back to their respective committees and give a synopsis of what was discussed. Whatever summit a person was on, they would probably meet once in July and once in August, with staff, and we would try to set it up and facilitate it as best we can, which would allow people to remote in. It's just kind of a different approach and I've seen this really produce some valuable conversation and new ideas on how we get things done.

5:56 PM Mr. Donhauser said that you are anticipating that you are going to replace two SB meetings with these summits.

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Mr. Sullivan said one meeting in July and one meeting in August.

Mr. Donhauser said that I think it's a great idea.

Mr. Sullivan said that I would love your input and from your constituencies, too. We can bring it up at a June meeting to finalize it.

Mr. Donhauser said that, primarily, these are advisory summits.

Mr. Sullivan said yes. They're just casual conversations about what we'd like to see. We've had a lot of discussions lately about land because we've talked about the Resiliency Plan for the Town as the people experience climate change. Should a park be included in that. Should trails be included in that. If you look at where the parks are in Eliot, they're all kind of lined up in one area of Eliot. There are big parts of Eliot that have no park system. You have Eliot Forest that's out a little bit but there's no real park. They're all in a swath down by the river. Does it make sense to look at opportunities there. Bike trails, hiking trails, on conservation land, which is allowed. I'm trying to avoid having a kind of one singular idea but just thinking about where that conversation could go and how we could benefit, how we can serve the community. I'd love to engage the Library, and Footprints, and EliotConnects and AIP and Green Acres to see what assets and resources they can add to the conversation.

5:58 PM

Mr. Donhauser said that they would generally meet in the day.

Mr. Sullivan said that it would. We really want to tap into the staff. If there was a huge demand, I could make some adjustments but, having spoken to staff it really works better for them during the day, in most cases.

Ms. Lemire said that, speaking in terms of planning, this would really go far to inform the revision of the Comp Plan, all of these subjects.

Mr. Sullivan agreed. You're absolutely right and Mr. Brubaker and I have talked about that to try to get the conversation going.

Mr. (Gene) Wypyski said that I had spent some time with Ms. Dow and Mr. Widi on Saturday and I had proposed something like a committee of committees for the Town. Mr. Sullivan is describing what I was describing. I've been talking to people around the Town, especially working on the Festival Committee. There's a yearning in this Town for everything you just described but there's a dearth of people. So, every one of our groups is trying to recruit volunteers but there just aren't enough of us to go around; that those that are involved are sliced in four slices volunteering. My point is that I think these synergies, albeit not necessarily

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through volunteers but, if I hear something in a meeting that I can take to Festival Day or any one of us in a dozen different committees pulls something from a meeting and can then take back, you're going to be synergy city. Because you're going to hear something that's going to stir someone on 'this' committee. I was proposing a committee of committees so we would each, all the committees you've talked about, could all talk on Zoom for an hour a month just to see what everybody's doing, get their agendas, then go offline and do their commiserating to create bigger and better. But what you're proposing with the specific subject areas, I think that's genius because we all have unique interests that we can then take back to our respective groups to really work with.

6:00 PM Mr. Sullivan said that I do think that there's a lot of people out there that want to join but they want to be positive about it. They want to go into settings where the discussion is positive and forward-thinking. I do want to create settings where it's real positive, you can come, you can express your opinions, like a safe zone. Let's talk about the great things in Eliot. The so many good things that you have and exploit those.

Ms. Dow said that I love the community involvement aspect of it. It makes sense to reach out to folks and see what they think about these topics.

Mr. Widi said that I like it because it gets everybody out of their bubbles because it can be an echo chamber. And on the other side, you go talk to 'this' board and then maybe talk to the PB and everybody is in agreement, then talk to somebody else and they are in agreement but then all those groups are not in agreement so I think the building becomes an echo chamber. Not knocking anybody, I think it's just that people lose track of what the reality is out there. So, I really like what you're doing here. It brings a little bit of that into here.

Mr. Donhauser said that I think that's the consensus of the SB.

Mr. Sullivan said that I will come back with something more mapped out and ask for your approval.

6:02 PM **4. Appointment Voters Registration Appeals Board**

Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board appoint Mary Dennett as Chairperson of the Eliot Voter Registration Appeals Board for the term to expire June 2026.

Roll Call Vote:

Mr. Donhauser – Yes

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

Unanimous vote to approve motion.

Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board appoint John Reed as the Democrat Party Member of the Eliot Voter Registration Appeals Board for the term to expire June 2025.

Roll Call Vote:

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

Unanimous vote to approve motion.

Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board appoint John Marshall as the Republican Party Member of the Eliot Voter Registration Appeals Board for the term to expire June 2025.

Roll Call Vote:

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

Unanimous vote to approve motion.

H. Executive Session

6:03 PM Mr. Sullivan said that having entered into conversations, which is allowed by law, I think you are in consensus on the DPW contract so I don't see a need to go into executive session.

Mr. Donhauser said that I don't think we need an executive session.

The SB agreed.

Mr. Donhauser asked if we should act on this at this moment.

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Mr. Sullivan said that you have the chemical ban and then the two contracts.

I. Old Business:

6:04 PM 1. Chemical Herbicide Ban

Mr. Widi said that this came up through Ms. Dow and I talking a little bit. For the record, I'm a licensed pesticide applicator. I have an organic farm. I can tell you through training that there is some pretty nasty stuff out there. The stuff that's better for the environment is worse for the people that are around. One small thing, there is what is called a re-entry interval so, if you spray a field, you have to put a marker up at the entrance to the field to say do not come to this field for 24 hours, 48 hours, and that's all on the labeling. This chemical herbicide ban would only apply to schools and daycares, primarily, because we want to protect our kids. I've never seen a re-entry sign anywhere that's sprayed Round-Up. I think this is one small step that puts us in the right direction and it's not a huge hinderance to anybody.

Ms. Dow said that I would love to hear what we heard from John Caverly (MSAD #35).

6:06 PM Mr. Sullivan said that I talked with Superintendent Caverly. He said that he didn't have any real concerns. They have always used safe treatments on their fields; that he was going to make sure that that continues. He did want to make clear that this doesn't change the guidance; that they still had the responsibility for their properties and I said that the SB respects that. He didn't have any disagreement with this ban.

Ms. Dow said that this is including public parks, also.

Mr. Donhauser asked if the advisory goes along with it.

Mr. Widi said that the advisory goes along with it. He read the advisory: *"Furthermore, the Eliot Select Board issues this 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 pesticides and herbicides. Please seek alternative pest and weed control. Several effective biological or organic options are available."* For private property owners, if you still want to use glyphosate, you're still allowed to. It's just asking you to please be considerate and attempt not to. We're not infringing on private property rights.

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Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board accept the Chemical Herbicide Ban, as presented, and direct the Town Manager to circulate it to all departments immediately.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow - Yes

Unanimous vote to approve motion.

6:10 PM

2. Police Final Contract

Mr. Donhauser said that we have spoken individually with the Town Manager about it.

Mr. Sullivan said that the Police contract that you previously approved an MOU that is reflective of this contract so there's really no changes in that. I recommend we proceed as part of fair bargaining to approve that contract. The highlights are that there is a 2.5% increase. In the first year 2% and 2% in the second year. We rolling the clothing allowance into the base salary. Clothing allowance is only \$1,300 and we increased that by \$200 and would be part of their base salary. Everything else is pretty benign. Oh, we did one interesting thing; that we added the training component where each officer's shift starts 15 minutes earlier with a series of videos, which also gives them time to talk with the previous shift. If they finish the videos, there are some credits we can get from our [inaudible]. I think it's a fair contract. It's one where we will be able to retain police; that Eliot has had a history of being the training ground for other communities. We want to keep it here because the cost of retraining is very expensive. Right now, we've had a position open for four months and I don't think we have a candidate yet. Every police department is suffering but, with this contract, I feel strongly that people like working here. You've got a great police department. You have a great Police Chief. You really should be proud of that and I think they will continue to want to work here in Eliot.

Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board accept and endorse the agreement between the Town of Eliot and the Maine Association of Police Eliot Chapter, 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.

6:12 PM 3. Public Works Final Contract (pending executive session outcome)

Mr. Sullivan said that, just because we haven't talked about this in public session before, I thought I might just go through some of the highlights that we did. As part of their request, we did define hours at the Transfer Station, which are Wednesday 10AM to 6PM and Saturday 8AM to 5PM. Those are the working hours for that. We did increase their boot allowance from \$250 to \$300. Normally, they buy two pairs of boots a year. We did adjust the wage scale to reflect what the marketplace is. They will get a conditional 2% effective July 1st, 2022 and July 1st, 2023. We also offered a one-time \$500 signing bonus to have this done for July 1, which was part of the negotiations. There was some retirement language that we changed to reflect some laws. Juneteenth was added as a federal holiday. We didn't change the vacation but we did change some of the vacation language. It was a little clunky how you got your vacation when you first started here. We changed it to say your vacation is pro-rated the first year. We added some of the required language for the Maine Earned Paid Leave Act, which is required by law. I think it's a fair contract. I think the DPW is excited about getting this behind them. I appreciate the SB's support of allowing us to move this along. I think being without a contract for a whole first year is a little bit different. I realize a lot of things were going on in Eliot and it also suggests that we will be negotiating, again, in another 18 months. So, there are some things in there that I would like to change in the future but I certainly understand the union's that, when I came on board, the bargaining sessions that would introduce new changes was over the period that allowed that. So, I will continue to work with the union and, hopefully, we'll continue to retain good staffing at the DPW.

Mr. Donhauser moved, second by Mr. McPherson, that the Eliot Select Board accept and endorse the agreement between the Town of Eliot and the Teamsters Local Union #340 Public Works, as presented.

Roll Call Vote:

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

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Unanimous vote to approve motion.

J. Approval of Warrant(s):

6:17 PM **Mr. Donhauser moved, second by Ms. Dow, that the Select Board approve A/P Warrant #102 in the amount of \$4,587.40, dated May 11, 2022; A/P Warrant #103 in the amount of \$956,526.23, dated May 11, 2022; A/P Warrant #105 in the amount of \$175,753.18, dated May 18, 2022; A/P Warrant #106 in the amount of \$6,646.40, dated May 18, 2022.**

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow - Yes

Unanimous vote to approve motion.

Mr. Sullivan said that I just wanted to add, for the public, that I understand that it hasn't been the practice in the past but we've added the full packet to the website before each meeting so people can go in and actually see what they are paying for and how much in an effort to be more transparent than ever. If anyone has any questions on particular bills and why some are higher in certain circumstances, they can go on the website and view the vendor and how much they got paid.

K. Selectmen's Report: Seeking Committee Members Listing

6:18 PM Mr. Widi said that we mentioned, Ms. Doe and I, how the Eliot police cruisers just seem brighter, more visible in the community. I was driving by the Middle School and I saw a Police Officer out there dancing, having a good time, with the kids and I just wanted to give credit where credit was due. We have a very positive, community-oriented Police Department.

Mr. Sullivan said that, just so the public knows, I did meet with the Chief today and we are going to meet with the contractor and Maine DOT to try and work out a better safety plan and traffic plan for Route 236 during construction. We had a couple of rough days up there. We're encouraging Eliot residents, if they want to avoid Route 236, we're cool with that. We are not encouraging people who are passing by to alter their route and cause challenges in other neighborhoods. If people see a lot of that, we'd like to have you let us know so we can address that, as well.

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Ms. Lemire said that I just wanted to say, as I had to go to Agway and the bank, that the people who were directing the traffic are doing a really good job.

Mr. Donhauser said, on a different topic, I would just like to inform the SB members that the last time we were doing a clean-up along the roads, I asked the Police Chief if I could ride with them and they said that they would welcome that. I had wondered if that was against insurance and it's not. They have a policy that, if you call them and set up a time with the person who is going on duty, you can ride with them; that you don't have to ride the whole shift. They will actually drop you off in an hour or two but you can ride around with them and see what they're doing during their shift times. I plan on doing that and I wanted to let you all know that you have that opportunity available, too. And I'm looking to the Fire Department to ride on the fire truck.

L. Adjourn

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

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow - Yes

Unanimous vote to approve motion.

The meeting adjourned at 6:22 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

S/ Robert McPherson, Secretary

Date approved: August 11, 2022