

SELECT BOARD MEETING
October 27, 2022 5:30PM
Town Hall/Hybrid

Quorum noted

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

A. Roll Call: Mr. Donhauser, Ms. Dow, and Mr. Shapleigh.

Absent: Mr. Widi (excused) and Mr. McPherson (excused).

B. Pledge of Allegiance recited

C. Public Comment:

There was no public comment.

D. Award Ceremony: MLEAP Presentation (Eliot Police Department)

5:32 PM Mr. Sullivan said that we are, first of all, going to welcome Chief Edward Toland, Executive Director of the Maine Chiefs of Police Association, and Chief Shawn O’Leary, Law Enforcement Services Manager at Dirigo Safety. This presentation is to honor the hard work of the Eliot Police Department and the monumental achievement of achieving accreditation. It doesn’t come easy. A lot of departments don’t succeed at that, where it takes a long time. Congratulations are in order. I will turn it over to Chief Toland.

Chief Toland said that I worked for the Falmouth Police Department for 27 years. I retired as Chief and immediately took over as Director of the Maine Police Association. We’re here tonight, as the Manager said, to recognize the outstanding accomplishments of your Police Department. Chief Moya and his great group of members here tonight. It’s a great turn-out because, sometimes, you don’t get that and it’s great to have the troops here. I’m going to talk a little bit about what the accreditation program is as far as the Maine Chiefs go. I’m then going to turn it over to Mr. O’Leary, who is in charge of doing the assessments. Which is what the Eliot Police Department had to go through. It was about nine years ago that different members of the State Organization of Departments decided we needed to do something for departments to work towards an accreditation. So, we put together a committee, and I was on that committee – members of the Maine Chiefs, members of the Maine Sheriffs, members of the State Police, members of the Department of Public Safety, and Maine Municipal Association (MMA) - who really wanted to be part of this to reflect your insurance premiums with a discount showing what these departments went through to get accredited. It was probably 4 to 5 years that we worked at putting this together with the standards, which Mr. O’Leary will talk about, and those standards are not something that are that easy to meet. It should be noted that your

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department met all those standards to accomplish it. And it's not just that we walk in and give an okay. They have to prove they have met those, which they have done. Right now, I believe there are only 27 other states that have a state-wide accreditation program so it says a lot for the State of Maine that we were able to bring all those groups together, the State Police, the Sheriffs, the Chiefs, the Department of Public Safety, and we worked towards this. We have a committee in place with representatives from those organizations that, once Eliot was to finish their assessment, Mr. O'Leary would turn over the report to that committee and then, that committee would review that report to say 'yes' or 'no'. And we have had some departments where we've had to say to slow down to re-do some parts. So, credit to Chief Moya and the Department. I can tell you that Eliot is one of only 15 departments in the State of Maine that has achieved accreditation. We have a number of departments that are in the process, right now, but Eliot is one of only 15 and you should be proud of them, proud of the work that the Chief did in leading this. I'm going to turn it over, now to Mr. O'Leary to talk about the nuts and bolts of it.

5:38 PM Mr. O'Leary said that I did 36 years in law enforcement. I started my career in Wells as a summer reserve. I retired as a Chief up in Winslow. My job at Dirigo Safety is to help agency to become accredited and oversee the process. I've dealt with a lot of departments and it is my honor to have worked with everybody in this agency. I may be biased but what is very unique about the Eliot Police Department is that everybody participated, everybody bought into it. Sometimes, it's a vision of the Chief and then that vision isn't relayed to the staff, then some issues and pushback, but we didn't see that at this agency. That is a testament that it's a complete team. What I like to say that it's not like a department but it's more of a family that came together to succeed. The accreditation process is long. There are over 167 standards and every standard has to be met. Through those, those are the best practice standards that the State of Maine incorporates and believes every agency should have. They are everything from policy that each individual has to follow then a training component to ensure everybody in the agency is properly trained. As we've seen throughout the many years, a lot of departments aren't trained and then they get into trouble. You can rest assured that your agency here in Eliot is fully trained. They have to prove to us that they have gone through the training, either by showing us certificates, showing us that they've completed the training through online training or in person. So, all these standards are not rubber-stamped. Then, once they go through all this work, and I will say and I think everyone will agree, it was a lot of work. It's like building a house in that it's not easy at all. Once everything is done, three independent executives from various departments review the standards to make sure all the standards were met, all the proofs were met. And I know there is some anxiety because it's like a final test. Then, the big final exam was when those three command-level people came over to the Department and basically went through everything just to ensure that

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the standards are being met. Through the leadership of Chief Moya and everybody joining in to that group, because it was a collective group, they succeeded. As an example, when I first started this process with Eliot (Elliott?), he showed me the property room; that they were all concerned about the property room. Through this process, it is completely clean. It's compliant. All the hiring and selection process is being followed through. So, I am very honored and pleased to present this award to not only Chief Moya but the entire staff, and the citizens of Eliot. He read the plaque: "For serving as a model of excellence in law enforcement and successfully meeting the professional standards established by the Maine Chiefs of Police Association and the Maine Law Enforcement Accreditation Program, the Eliot Police Department has reached the highest level of professionalism and integrity, and is hereby recognized as a State-accredited law enforcement agency for a period of three years." So guys, in three years you're going to go through it all over again, but we'll be here to help you. The plaque was presented to Chief Moya with congratulations.

5:42 PM Chief Moya said that we've been in certainly interesting times in law enforcement the past couple of years. We've heard the word 'reform' a lot and I think that a program like this is what reform is calling for. It's meeting these 167 standards. This was a goal that I wanted to achieve, but everybody here wanting to be a part of this, this proves that we are one of the top in the State. That means a lot to me and it really just proves the work that everybody here is doing. The Maine Chiefs Association backing this program, and really starting it, and Dirigo Safety doing a tremendous job just helping us through the process. He used the word 'anxiety' and every officer here will attest that I was anxious. Personally for me, this is a really, really proud moment and, although it was a goal for me to get our department to this high standard, I could not have done this without every officer's and staff's help. I appreciate you all so much.

5:44 PM Mr. Donhauser said that I want to assure you that the SB recognizes this as a very significant achievement. I would like to recognize each individual: Judy Smith is the Administrative Assistant, Sargent Ronald Lunt. We have Patrol Officers Brian Delaney, Ryan Mazur, Timothy Niehoff, William Dries, and Robert Govoni. There are some other members that are part of the Police Department. One is Reserve Officer William Kelloway, Animal Control Officer Tina Buckley, and the Harbor Master Tom Phillips. Well done. Very well done. We are quite proud of our Police Department.

E. Approval of Minutes of Previous Meeting(s)

Minutes deferred until next meeting.

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F. Public Hearing:

There were no public hearings tonight.

G. Department Head/Committee Reports

5:46 PM 1. Town Manager's Report

Mr. Sullivan said that we're very excited about the sewer expansion getting underway. We think that was a milestone to sign that construction agreement and really getting moving. We will be having a meeting in November with all the parties and a public meeting in the spring when the construction starts in earnest. People will see along State and Beech Roads within the next month or so some activities. Test borings and other preparatory work they are going to do for the construction in the spring. We do appreciate people's patience with all the construction that's going on in Town to improve roads and to make adjustments. I know it's sometimes hard to navigate all the different areas that are under construction but it just speaks to the commitment being made to the Town.

5:47 PM Mr. Donhauser said that we should also note that you are reaching a one-year anniversary.

Mr. Sullivan said that that will be in four days. It's an honor to work here. I get to work with a lot of great people.

Several said that we are very lucky to have you.

Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board receive and accept the Town Manager's Report presented tonight.

Roll Call Vote:

Mr. Donhauser – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

H. Board and Committee Appointments/Resignations

5:48 PM 1. Appointment of Election Clerks Kristina Buckley, Mary Dennett, Jessica O'Donoghue, and Kim Tackett.

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Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board appoint Kristina Buckley, Mary Dennett, Jessica O'Donoghue, and Kim Tackett as Election Clerks for a term ending June 2024.

Roll Call Vote:

Mr. Donhauser – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

I. New Business:

5:49 PM 1. FY24 Budget Format Presentation

Mr. Sullivan said that, as we've discussed before, there are a number of changes I will be proposing in the budget, particularly in the form. It is an attempt to have a greater ease of understanding for the public. Initially, there will be a paper copy provided to each member of the SB and the Budget Committee. Any one can request one from the Town Hall. All the FY24 budget information, including updates, will be posted on the Town website under the banner of the FY24 budget. We ask all parties to update their own files as we proceed. The primary purpose of the changes are to allow the public to view a more user-friendly form which displays changes more fluidly and in a common place, that being eliotme.org. The new form will comply with all budget requirements from the ordinances and Charter. It will remove titles that have not been used or are not relevant to the use as described. There will also be some new descriptions and items congregated in a manner consistent with the expenditure. We generally tried to clean up the budget. He showed pictures of what it currently looks like and will look like in the future. Each banner is color-coded for departments and, once this is up online, you will be able to scroll through the budget. We believe it's more consistent with best practices other communities have used for years. So, it's a change in what it was. Currently in the process, every responsible party, including department managers, have had at least one meeting with the Finance Director and the Town Manager. We have discussed the changes in the process and budget forms, expectations, including cost controls, innovations, new programs, and initiatives. Responsible parties are asked to start to review their cost centers, projections, and service expectations in terms of the FY24 budget. We expect each responsible party to ask for sufficient funding to deliver the services expected and traditionally delivered in the most cost-effective manner. Each service model should consider innovative and creative ways to improve services and cost controls. All departments should be prepared for the second meeting (or

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more) with the Town Manager and Finance Director by, or before, November 22nd. These meetings will continue through December to reach a final draft and we will have the final draft available to both the SB and Budget Committee by January 5th, as required by the Charter, or sooner if possible. The final Town Manager recommendation will be posted on the web, mailed by USPS to each Budget Committee and Select Board member, and sent electronically to the same. With other adjustments and changes, we have consolidated and repositioned objects to have the items reflect the actual purpose for the expense line. We found, as we went through it, that there were a number of things where people were charging to a certain line item because they really didn't have the right line item to charge it to; that it just got compiled. So, we're making it easier for responsible parties and department heads to do that. We have removed lines that haven't been active for years. We've renamed some categories to better described the intended, historical use. After a long discussion with our auditors, searching my soul with the Finance Director, I am going to ask the Select Board and Budget Committee to support me in centralizing employee benefits in one area. I think it's important for the Town to know that those cost centers are ones that grow at a very frightful rate. We heard today that Allegiant Insurance is going up 4%. That's a substantial increase for us. (FICA, Medicare, MEPERS) It was suggested last year that the reason why it's all divided out to different departments was so that you could have a true cost of a department. We can do that with reports. But with the budget, it makes it easier and more efficient for us to have it in one area. There are some exceptions – the Sewer Enterprise Fund and CSD seasonal staff will be separated out. That was suggested by our auditors. This will allow the appropriate overview for the budget items and also present the cost in a more suitable means. We'll make available to the public a list of annual salaries for each employee in February of each year or more often if people would want to. All IT costs are separated to a new category in Administration, with a few exceptions. Mapping is staying in Land Use and specialized software for the PD is staying in the PD. The intent is to give a more focused view of the growing expenditures associated with technology. This cost center will continue to grow no matter the Luddite resistance. Include in the tech expansion would be security cameras in and around various public spaces to not only increase security but to deter vandalism, if approved. That will be something else I will be seeking in the budget. Last year the Budget Committee urged the ECSD and Administration to make ECSD programming self-sustaining to the greatest extent possible and we are making some significant changes to honor that very worthwhile suggestion. We have arranged the ECSD budget differently to accommodate having the fee-based programs separate from the operational budget funded by the general fund. The goal is to have the program costs covered by user fees not the taxpayers, to the greatest extent possible. The Boat Basin is an incredible resource and we are developing possible strategies to invest in the property without impacting the general fund. I'm giving consideration for the different management models for

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the property, as well. Working with the Town Clerk and Finance Director for proposed changes to the budget process is prescribed as another area we are working on. But, the Boat Basin, I feel strongly that you would be able to harness a revenue stream there that would support, whether you decided to go out and borrow based on that revenue, that wouldn't impact the taxpayer or other means. Things like putting in ticket kiosks that you see are commonplace in Ogunquit, Wells, Portsmouth, other communities. Whatever situation you want to make for Eliot residents would certainly be up to the SB. If we excluded or paid the small fee, I'm sure that could be worked out. I do think there's a lot of external use, which is good, but we want to make sure that external use pays a fair share. So, that will be part of one of my suggestions this year. I know that Mr. Brubaker had spoken with the SB not long ago and we need to look at fees to ascertain whether taxpayers are being burdened with a cost that should be user fee-based, and we're very sensitive to that. We continue to look at regional partnerships. I know there's been a lot of talk about the General Assistance moving into a more regional form, which I think is a great idea, a great investment long-term for Eliot. We continue to look at energy efficiencies. While Eliot has taken a lot of steps towards that, there are areas that we can look at. I know the Chief has been looking at electric vehicles for police use, which is pretty forward thinking. We'll be taking a focused look this year at health care and P&C costs to see if we can see something that might be more affordable or might make sense. Our revamping of banking and investment practices is making progress and already have significantly reduced costs in the banking area. I think in the investment area we will start to show increased returns, as well. Mostly, how can we continue to improve service to the public equitably and economically. With the fuel budget, when we were doing this last year, it was \$2.63/gallon. Right now it's \$5.29/gallon. It's not a big part of your budget but something we need to be aware of. As we said, Allegiant is going up 4% and we would imagine that the other health insurance, Blue Cross Blue Shield, is probably up a similar amount. The demand for investment continues to exist. We hear about projects every day that we don't want to let go by the wayside. The question is how can you afford it all. Boats, pickleball, new Town Hall, roads, sidewalks. I would never advise you do all this at once but I think there are strategies and mechanisms that haven't been used that you might be able to use that, hopefully, will unfold in the next couple of months as we look at our financial plans for next year. I don't know if you have any questions. People watching at home, I'm certainly always open to questions or suggestions.

6:02 PM Ms. Dow said that I think that was a fantastic presentation. Thank you for the leadership and helping get our budget better.

Mr. Shapleigh asked how many people put this together.

Mr. Sullivan said that it was just me.

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6:03 PM Mr. Donhauser said that I think that what you're doing is very forward-looking and I commend you for doing that. I had a question about the library. That's part of the budget, it's sort of like their budget that's sort of imposed on ours that has a major imposition on our budget. You must be in communication with the library.

Mr. Sullivan said that I've been in communication with Lydia and Ann Schisler. Ms. Schisler contacted me about the ARPA funding that the SB offered to the expansion project. They may be coming in with a different way to use that money for the benefit of the library. I think what they're looking at is that there are some handicap ramps or railings that need to be replaced. They will come in with a plan and the SB will have to decide whether you want to allow them to use it for something besides the expansion, as your vote was to have them use it for the expansion. I've been told they are working on their operating budget. They are aware of the dates.

Mr. Donhauser said that, with respect to capital reserves, the funding into them and the use of them, that's a major part of our anticipated budget and I imagine you are addressing that in some way.

6:04 PM Mr. Sullivan said that the capital reserves are going to be a really difficult problem. We are working on them. As you know, our auditor is just finishing up and we've been informed that the money, in many cases and over years, put into those accounts don't meet the standards of the test for being in those accounts. All that money is now essentially in undesignated fund. We're working on getting the right votes for Town Meeting in the spring. Also, taking the money in the undesignated fund and re-allocating it as best we can back to the proper accounts. There will be more on that. You know we're working with the auditor, pour consultant, to make sure we do it the right way. I know that there's been a lot of concern from different committees and groups. For instance, just as an example and not singling out Ms. Moore who does a great job with the Conservation Commission, they are concerned that they have a Land Use Fund that they had \$5,000/year put away and built up to about \$30,000. Essentially, we're going to have to take a vote to put that money back into the properly established fund under State law. So, we're working on that.

6:06 PM Ms. Dow said the SB will have to take a vote or the Town will have to take a vote.

Mr. Sullivan said that the SB will have to take a vote and then the Town will ultimately have to take a final vote. The reserves were not set up properly so, they don't, in fact, exist. To make sure that it's proper and meeting all the financial standards, we're going to do it the right way. I want to make sure that the people know that the money is not gone. It's just in the wrong fund. I'm fairly sure that

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people see the reason of putting the money back where it was. We just want to make sure we establish the proper balances because the way they were co-mingled, there is some question (not about the Land Use fund) about some other smaller reserve funds, whether they got used or whether they didn't get used; that we're working through that. I appreciate your patience on that.

6:07 PM Mr. Donhauser asked if you contemplate using fund balance in any way to compliment or enhance the budget. Often, we have carry-forwards.

Mr. Sullivan said that we are trying to establish and make sure we know the right numbers to ask to carry over. I think we already had one carry-over earlier in the year in the oil fund for \$16,000. That is what I remember. We are going to look for some carry-overs. We can do carry-overs from FY22 but you can't go back any farther than that.

Mr. Donhauser said that you mentioned the use of ARPA funds as a pretty significant component of the budget, also. That at least that revenue source can be used to fund certain items.

6:08 PM Mr. Sullivan said that the SB had allocated it but, if the money isn't being used then, perhaps, we should look at that again in the first part of the year. If the money isn't used, you can now, with your ARPA funds, put it into your general fund. I would just be cautious with that because it's one-time dollars. You want to make sure you use it for one-time expenses.

Ms. Dow said we might want to re-consider what we want to use it on.

Mr. Sullivan said yes. I'm not advocating you take it away from anybody but, if things have changed and they don't need the money, then we should certainly look at that. We'll be having to report that again in March.

Mr. Donhauser said that, with respect to revenue, you pretty much described the expenditure side. What do you hear from the State, and maybe you don't know at the moment, about revenue-sharing.

Mr. Sullivan said that State revenue-sharing this year was robust. We set it at \$450,000 and we got \$926,000.

6:09 PM Mr. Donhauser said I know that State Aid to Education belongs to the school but do you follow that at all.

Mr. Sullivan said that I do follow it. We have our regular meetings with the Superintendent. But in Maine the school's formula, the way the system works,

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there isn't a lot of input. I do believe the superintendents of the school districts are working in the best interests of the taxpayers in the way they use the tax dollars. They are having a real struggle, particularly in certain areas, the mental health area, social work area, where they cannot get per diem staff at the rates that they have been paying. They have had to up their prices for students with IEPs. It's a difficult situation for schools right now because the talented people they are looking for right now are no different from the police departments we were talking about earlier tonight. It's hard to attract people to those professions. Teaching, police work, it's difficult. So, I do have conversations with them. My input is limited but I'm sure they are going to be looking at increases, as well. Regarding revenue, the other thing in my presentation that I think is important is for the SB, working with the Town Manager, is to look at your fees. There are some fees where we're not even breaking even. I think that Mr. Brubaker expressed it very well a couple of meetings back that it's costing us more for things like advertising. I spoke to the PB Chair about that. A lot of communities put that responsibility on the developer or the applicant. Before it goes forward, they have to present, tell them where the legal notice has to be, and they do all that work. We're doing it in-house. We're sending out the abutter notices first class/return receipt and bringing them up to the Post Office. A lot of communities don't take that burden on the Town, they have the developer take that responsibility. Then there are ways that you actually certify that they actually did it. That, coupled with the fact that we should be looking at some of the fees we are charging, it won't produce a large revenue but at least we could keep pace on those things.

6:13 PM Mr. Donhauser said that you already mentioned about a potential revenue stream at the Boat Basin. One final question about adding employee positions to support key positions. I don't know if you are contemplating, even in the back of your mind, that you may need to add staff in some key area.

Mr. Sullivan said that I think that's a great issue that we struggle with. I'm very, very cautious about adding staff in any dimension in public service. If we can get work from consultants, or other means. For instances, when I mentioned the notification systems for different proposals coming before the PB, if we can take the internal pressure off that and put it on the applicant, that allows us to re-shuffle some of the staff. We still struggle with the payroll system where if we can...but I promise you, by January 1st, we're going to have a payroll system here or I'm going to jump out the window. That would free up the person responsible for payroll to do other things that are pressing in the area of HR (Human Resources). We know there's a lot of other work out there to do. Adding permanent staff would be our last course of action. Last year we had one summer intern and that took some pressure off, allowing people to take vacations. That's a very affordable way and not a long-term commitment to meet some of the needs.

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There is worth exploring more of that next year. But there are areas where permanent staff is tempting. When we have our Finance Director doing entry-level financing, just entering in data to the system, that begs the question whether that's the best use of her time and effort.

6:16 PM Mr. Donhauser said one last question is around making compensation for our employees that are equivalent, or near equivalent, to our surrounding communities. That must be an arduous task to do in formulating your budget.

Mr. Sullivan said that it has been. I think we've made improvements. I'm happy to say that one of our new employees came from a neighboring community where she, from what I've been told, was actually getting paid a little bit more but she had heard good things about Eliot. A much more pleasant place to work than it had a reputation in the past; that she came over here. We've had another person we've hired to the staff that was offered a job in a neighboring community and she decided to come to Eliot, instead, for about the same money in this case. So, it's not always about money. Sometimes it's about atmosphere and we are trying to build that and, like I said, I'm just so happy that I get to work with such great people every day. It makes a difference and people like working here. It extends to the support they've gotten from the SB, too. It's important that we get that leadership support, as well.

There were no more questions.

Mr. Donhauser thanked Mr. Sullivan. It was all well done

J. Old Business:

6:18 PM Mr. Donhauser said that we briefly touched on the audit. The past audit that's being finished and then, of course, we're going to start on the new one right away. Do you have a timeline when things are going to appear.

Mr. Sullivan said that we have the draft final, including the management letter. The Finance Director has been going back and forth with the auditors. I'm expecting that, by next week, we will probably have a final audit. I'm anxious to get it into the borrowing. We did meet this week with our bond advisor. It was very interesting and, as that unfolds, I will be reporting more. It gives you some strategies to do some of the work you would like to do in Town with impacting the budget in a much more planned, or conservative, way over time. Right now, they said the borrowing rate was at about 4%, which sounds like a lot, but some of the projects you need to do, if you wait, are growing at 8% to 10% a year. So, borrowing at 4% and getting them done is really a savings. You can't get them all

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done at once but there are some other strategies that I'd like to talk more about with you as a SB.

K. Approval of Warrant(s):

6:20 PM Mr. Donhauser moved, second by Mr. Shapleigh, that the Select Board approve A/P Warrant #36 in the amount of \$935,374.98, dated October 13, 2022.

Roll Call Vote:

Mr. Donhauser – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

K. Selectmen's Report:

There were no Selectmen's reports tonight.

L. Adjourn

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

Roll Call Vote:

Mr. Donhauser – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

The meeting adjourned at 6:21 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

S/ Robert McPherson, Secretary

Date approved: April 13, 2023