

SELECT BOARD MEETING
December 15, 2022 3:00PM
Town Hall/Hybrid

Quorum noted

3:00 PM: Meeting called to order by Vice Chair Widi.

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

Absent: Mr. McPherson (excused)

B. Pledge of Allegiance recited

Purple Heart Town Proclamation

3:01 PM Mr. Sullivan said that we have been requested to make a proclamation to have Eliot, Maine be determined a Purple Heart Town:

“Whereas, the Town of Eliot, Maine and our community have a great admiration and the utmost gratitude for all the men and women who have, and are, selflessly serving their country and this community in the Armed Forces; and

Whereas, Veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm’s way for the good of all; and

Whereas, the contributions and sacrifices of the men and women who served the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

Whereas, many men and women in uniform have given their lives while serving in the Armed Forces; and

Whereas, citizens of our country have received the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

Whereas, the Town of Eliot seeks to remember and recognize veterans who are recipients of the Purple Heart Medal; and

Whereas, I proclaim the Town of Eliot, Maine to be a Purple Heart Town, honoring the service and sacrifice of our nation’s men and women in uniform, wounded or killed by the enemy while serving to protect our freedoms.

Therefore, be it ordained by the Eliot Select Board as follows:

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

Now, therefore, be it resolved on this 15th day of December, 2022, the Eliot Select Board supports the Town of Eliot becoming a Purple Heart Town in recognition of our community's Purple Heart Medal recipients and all that served our country."

Mr. Widi said that, as a Purple Heart Town, we would put up plaques or signage.

3:04 PM Mr. Sullivan said that, at each of the entrances, we put up a sign designating that we are a Purple Heart Town. We also put a commemorative plaque in Town Hall.

Mr. Widi said that, unless anyone objects, I think it would be appropriate to organize some veteran's groups to put together a proper ceremony. I don't think during a meeting would be the best place for it. I think it should be a special occurrence.

Select Board members agreed.

Mr. Sullivan suggested waiting until spring for that.

The SB agreed.

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board proclaim the Town of Eliot a "Purple Heart Town" in honor of those men and women who have and are selflessly serving their country and this community in the Armed Forces.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

F. Public Hearing:

Mr. Widi held the public hearings next as they were scheduled for 3:00PM.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

3:06 PM 1. Kind Farms Confection, LLC Manufacturing License, 276 Dow Highway

Mr. Widi opened the public hearing for a cannabis manufacturing facility license, operated by Kind Farm Confection, LLC (AMF 1326) at 276 Harold L. Dow Highway.

Mr. Widi asked the Town Manager if this application is complete and consistent with all ordinances and laws to the best of your knowledge.

Mr. Sullivan said that it is.

There was no public comment.

3:07 PM Public Hearing closed.

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board approve the Cannabis Manufacturing License for Kind Farm Confectioner, LLC (AMF 1326) with a renewal date of December 15, 2023.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

NOTE: Mr. McPherson entered the meeting.

3:07 PM 2. Sweet Dirt 2, LLC Renewal, 495 Dow Highway

Mr. Widi opened the public hearing for an annual renewal of the Cannabis Cultivation License Tier 4 for Sweet Dirt 2, LLC (ACD 597) at 495 Harold L. Dow Highway.

Mr. Widi asked the Town Manager if this application is complete and consistent with all ordinances and laws to the best of your knowledge.

Mr. Sullivan said that it is.

There was no public comment.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

3:08 PM Public Hearing closed.

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board approve the annual renewal of the Adult Use Cannabis Cultivation Facility License Tier 4 for Sweet Dirt 2, LLC (ACD 597) at 495 Harold L. Dow Highway, expiring December 15, 2023.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

C. Public Comment:

There were no public comments.

D. Approval of Minutes of Previous Meeting(s)

There were no minutes tonight.

G. Department Head/Committee Reports

3:09 PM 1. Town Manager's Report

Mr. Sullivan said that my report is on the web site and also in this packet. The one thing I would like to follow up on is that we added a training on the last two Wednesdays from 7:30 AM to 9:30 AM. The first one was on Customer Service for all staff and was a wonderful seminar by a representative from the York County Community College. Then, this week we had Chris Burbank from the South Berwick Police Department put on a de-escalation training that was incredibly interesting. The psychology that goes into trying to lower people's anxiety level, trying to get people to understand what we have to tell them. It was really well-done. The staff, I think, really enjoyed it. I really appreciate their attentiveness to this and buying into this training. It's a really good experience and reflection of our wonderful staff.

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board receive the Town Manager's Report.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

Roll Call Vote:

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

Unanimous vote to approve motion.

H. Board and Committee Appointments/Resignations:

3:11 PM 1. Reginald Fowler Comprehensive Plan Update Committee

Mr. Widi moved, second by Mr. McPherson, that the Eliot Select Board appoint Reginald Fowler to the Eliot Comprehensive Plan Update Committee.

DISCUSSION

Mr. Sullivan said that he was nominated by the Budget Committee. The Chair confirmed.

DISCUSSION ENDED

Roll Call Vote:

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

Unanimous vote to approve motion.

3:12 PM 2. Jenny Isler Aging-in-Place

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board appoint Jenny Isler to the Eliot Aging-in-Place Committee to a term ending June 30, 2023.

Roll Call Vote:

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

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

Unanimous vote to approve motion.

Mr. Sullivan said that, for clarification, in talking with the Town Clerk and looking at our ad hoc committees, technically an ad hoc committee serves the term of each Select Board. Each Select Board's term is one year when you elect new members each year, whether it be one, two, or none if everyone returns, it's considered a new term. So, ad hoc committees have to be consistent with that term. The Capital Planning Committee, the Aging-in-Place Committee, and the Agricultural & Food Security Committee each year will come in and be re-appointed for a year. It's a little bit of a change but it's just to stay consistent with the rules around ad hoc committees.

I. New Business:

3:15 PM 1. Declaration of Official Intent; Bonding

Mr. Sullivan said that this is something I've discussed with the Town attorney and will allows us, once the proceeds are available for the project, to recover any costs that we've used cash flow for in our budget. So, if we have money we've spent that we intended to come from a bonding, already, with this vote we'll be able to recover that and replace it back into the general fund. It's really an accounting procedure.

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board approve the Declaration of Intent related to bond proceeds, as presented.

Roll Call Vote:

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

Unanimous vote to approve motion.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

3:16 PM 2. Climate Resiliency Resolution

Mr. Brubaker said that this is consideration of a declaration to join the Community Resiliency Partnership, a climate change program of the State. Lots of folks have, so far, been working on the Eliot effort to join this partnership. Thanks to the Conservation Commission as well as other boards, like the PB and Agricultural & Food Security Commission. I also want to acknowledge SMPDC for their work on this project, too. We had a workshop in October and we've done a self-assessment of our climate change vulnerabilities. The next step in this process is the resolution before you. I'm here to answer any questions. The request before you is for consideration of approval of that resolution.

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board approve the Climate Resiliency Resolution, as presented.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

3:18 PM 3. State and Beech Active Transportation Engineering Services

Mr. Brubaker said that this is to consider approval of a signed contract with Stantec Consulting Service to begin design of active transportation and walking & bicycling facilities on State Road and Beech Road. Travis Wolfel from Stantec is on Zoom right now in case you have any questions. Otherwise, I believe you have a motion and I'd be happy to answer any questions about this project and about the contract.

Mr. Widi said that I don't have any questions. I think it's a good project.

Mr. Shapleigh said that I don't see a price tag.

Mr. Brubaker said that the maximum not-to-exceed amount for the base fee is \$150,583.29.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

Mr. Widi said that it is my understanding that this is of the ARPA money that we set aside for this.

Mr. Brubaker said that it is. There is also an additional optional amount of \$9, 607 approximately.

Ms. Dow said that I looked at these numbers 1-5, asking if this design covers all five or just the first, State Road Grange to Old Road. I see that there are a few different sections.

Mr. Brubaker said that it covers all five sections but it's only through 10% plans. So, it's only the very beginning of the design process. We continue to look at external funding and budget options for continuing the design process after that, but this will get us going.

Mr. Widi said that we will have a concept to show people.

Mr. Brubaker said that, once notice to proceed is given, they have provided a schedule in their proposal. We're looking at this portion of the process going through to about mid-next year.

3:21 PM Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board approve the proposal from Stantec Engineering for the Active Transportation Project and authorize the Town Manager to execute agreements necessary on behalf of the Eliot Select Board.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

Mr. Brubaker said that they were selected through a qualifications-based procurement process consistent with DOT's procedures. They were the only proposal, though, so I don't know if we technically need a waiver of the 3-bid rule. It was publicly advertised so there was plenty of opportunity for firms to propose. We just happened to only get one proposal.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board waive the 3-bid rule for the Active Transportation Project.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh - Yes

Unanimous vote to approve motion.

J. Old Business:

3:22 PM 1. FY24 Budget Update

Mr. Sullivan said that we continue to work on the budget. Again, thank Kristin McNulty for all her hard work. It's going to be an interesting cycle because you're going to look at the budget quite differently. There are some areas we've tried to consolidate expenditures where it makes more sense. Obviously, the budget is going to be higher. Costs are going up. We're trying to work to mute that as much as is possible. One of the areas you'll see is that there's a number of large requests for outside agencies that are looking for funding. Some of them are probably one-time requests. Others are the ones you see every year. That is something we should look very closely at. At previous meetings I've talked about some of the changes and consolidations we're trying to accomplish by bringing different things together. For instance, people that have cell phones and tablets, the cost of those were kind of dispersed in different places in different departments and we want to consolidate all that in one Communications area. We have put most of the IT in one centralized budget under Administration. And then, there are some specialty departments. Land Use happens to be one of them where we've taken a portion of the IT that is primarily for that department. There used to be a system where everybody had a little bit of IT and we took a percentage from this department, a percentage from that department, and it was a math exercise. So, it makes sense to bring it all together. Everyone is using most of these platforms, whether it be TRIO or Microsoft 365 or the services we get from Stellar. Those are all centralized costs so we tried to put them in the budget as such. We're really attempting to try to make it much easier to read the budget. Same thing is true on the revenue side. For instance, there were 17 or 18 object codes for the ECSD. There were things like Kids Play, Pee Wee Play, that had their own code. We had Adult Athletics, Adult Activities, Senior Citizen. So, we try to make it easier to understand and, then, we're putting all Adults here, Youth

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

here, little things like that. They don't seem very complicated from the outside but doing that from the inside is proving to be a real challenge. Ms. McNulty is really coming along. We're hoping that we'll have the budget late next week or mid-week in the following week up on the web and mailed to each one of you and each member of the Budget Committee. I did send to all of you and, through the Chair, the Budget Committee, the requests for outside agencies, primarily some but not all non-profits. Any input you or the Budget Committee can give me would be appreciated. I struggle a little bit about trying to make decisions based on what's best for Eliot in those terms. You know it better than I. You have a long history. So, any input I can get on that I would greatly appreciate.

3:27 PM Ms. Dow said that that email you sent didn't actually have an attachment that listed the agencies requesting. I will ask you to send it again.

Mr. Sullivan said okay.

Mr. (Gene) Wypyski, Creek Crossing, also on the Budget Committee. At our meeting yesterday we brought that up as a topical issue. The recommendation, which wasn't formalized, but the topic was along the lines that we need a policy in our Town as far as what we, as a Town, want to donate. That topic had a lot of conversation. I think the two issues that were apparent to me is that we've got generic charities looking to the towns for support and then we've got non-profits/charities coming to the Town that ostensibly serve our Townspeople. In the context of the AIP, there was a group (Southern Maine Aging Agency) and I know I've been approached by Footprints with the theme that we serve your Townspeople, and here's who they are, so we should get to the front of the line for anything you might give a non-profit. In my opinion, everyone is a 501 c3 but they're not all created equal as far as, perhaps, what the Town might want to consider doing for them, or not. So, the issue really could be that we need a policy, or some kind of guidance, at a very high level to guide these requests. They are coming at us and it's hard to do good but in the context of what the citizens might prefer or not prefer to do.

3:29 PM Mr. Sullivan said that I think that's a great point. I think even for the agencies and non-profits, if there were some guidelines available for them, they could put their request in within those guidelines of what we're looking for.

Mr. Widi asked if Mr. Sullivan would be willing to draft something of what you think would be a proper way to approach this moving forward. Something we can review at our next meeting on January 12th and then we can give you some input. Maybe we punt it over to the Budget Committee and get some input there. I think that would be appropriate because they have a say in the budget stuff, as well.

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

3:30 PM Mr. Sullivan said yes. I think the main thing, aside from what the need is, is trying to determine what's a reasonable percentage portion of your budget to be put towards this. Whatever it might be, I'll make a recommendation on that just so you can keep all requests within that context. Similar to how you constructed the Senior Tax Abatement Program. There is structure to how much you are giving out each year.

Mr. Widi suggested guidelines around prioritization, as well. I'm certainly sympathetic to if they are actually serving our community, like something like Footprints would be at the top of the line and the ones that are kind-of, maybe, sort-of serves us, those are maybe more towards the bottom. That's just my opinion.

3:31 PM 2. TA Evaluation

Mr. Widi said that we are going to table that until the next meeting because we do a lot of that in executive session then release a report based on the SB's evaluations; that that will be public but our evaluations will be in executive session. That is usually best when everybody is here.

3:32 PM 3. Comp Plan By-laws

These by-laws have been approved by the Comp Plan Update Committee.

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board endorse the Comprehensive Plan Committee By-laws, as presented by the Comprehensive Plan Update Ad-hoc Committee.

Roll Call Vote:

Mr. Donhauser – Yes

Mr. McPherson - Yes

Mr. Widi – Yes

Ms. Dow – Yes

Mr. Shapleigh

Unanimous vote to approve motion.

K. Approval of Warrant(s):

3:33 PM Mr. Widi moved, second by Ms. Dow, that the Select Board approve A/P Warrant #46 in the amount of \$69,891.38, dated November 10, 2022; A/P Warrant #48 in the amount of \$953,364.67, dated November 17, 2022; A/P

SELECT BOARD MEETING
December 15, 2022 3:00PM (continued)
Town Hall/Hybrid

Warrant #50 in the amount of \$39,768.97, dated November 22 2022; A/P
Warrant #51 in the amount of \$2,599.33, dated November 29, 2022; A/P
Warrant #53 in the amount of \$197,187.20, dated December 1, 2022; A/P
Warrant #55 in the amount of \$1,022,339.75, dated December 8, 2022.

Roll Call Vote:

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

Unanimous vote to approve motion.

Mr. Sullivan said that I would just like to remind people that we will be closed
December 26th and January 2, 2023.

L. Adjourn

3:35 PM Mr. McPherson moved, second by Ms. Dow, that the Select Board adjourn.

Roll Call Vote:

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

Unanimous vote to approve motion.

The meeting adjourned at 3:36 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

S/ Robert McPherson, Secretary

Date approved: April 27, 2023