

SELECT BOARD MEETING

April 13, 2023 5:30PM

Town Hall/Hybrid

Quorum noted

5:40 PM: Meeting called to order by Chairperson Donhauser.

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

B. Pledge of Allegiance recited

C. Public Comment:

5:41 PM Mr. (Jim) Tessier, Johnson Lane, said that I attended your previous meeting and I'm very pleased with what you did with it. I was on the Budget Committee a few years ago and one of the things we asked the previous Town Manager, and Treasurer to do, was to determine how much was in each of those accounts. They spent an inordinate amount of time trying to go back and reconcile those because some of those accounts go back 10 and 15 and 20 years. In some cases, they couldn't determine what the purpose of why those reserve accounts were set up. So, what you're doing is zeroing out those accounts, putting in it what the auditors said there should be, adding in what's appropriated for this year and what's spent this year so we know at the beginning of this next fiscal year what those accounts are. So, thank you for doing that. One comment, though, is different than what we do. Typically, in the past we appropriated money for all those capital improvement accounts and we spent like a million dollars each year going through those accounts. None of that is in the budget, so, we're reconfiguring those accounts but we aren't adding in any money. So, that could potentially be an issue and just make sure the public is aware of that.

Mr. Donhauser said that's correct and it's a good point. We are not recommending a budget to feed into those accounts this year.

Mr. Tessier said that the second problem, again, a few years ago when I was Chair of the Solid Waste Recycling Committee, the previous department head and I met with other town employees, the Town Manager and Transfer Station Manager in South Berwick and also the Transfer Manager in Kittery, trying to see if there were some things we could do regionally with solid waste to reduce expenses. It didn't really work out because of different towns in different places. When I was at Steve Robinson's service, the former Kittery Transfer Station Manager said that he had heard a rumor that Kittery Council may be interested in revisiting that and talking about maybe working together. I don't know if that's been happening, or not, but I just wanted to possibly, once we get a new Public Works Director, put that on a to-do list and maybe reached out to Kittery to see if that's something that they really want to do.

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5:43 PM Mr. Sullivan said that you know we've talked about it before. It's been in my TA reports that I actually approached the Kittery Town Manager and she and I engaged in conversation back and forth to see if there was any commonality to see if we could get to a place and a price that is equitable for combining the two. Obviously, I think based on your (Mr. Tessier) research, the Kittery location make more sense for a regional hub than the Eliot one. There's a lot of details to work out. I appreciate the work you did on the recycling and waste. Now, with the prices skyrocketing; that it's now \$20/mattress. Presently, we're in the middle of changing our rates. We charge \$15 on every mattress that gets returned so we're losing \$5 on every one. It's a case where the costs for solid waste disposal are quickly going up. I got a report last week that it will be another 8% over the next twelve months.

5:44 PM Mr. Tessier said that Kittery has a bigger facility and more equipment so it seemed like that would make sense to consolidate some of the storage but at the time, if I remember correctly, Kittery had just had a discussion about doing a pay-to-throw program and we already had a successful pay-to-throw program, a successful food waste program, and it sounded like Kittery didn't really want to go that way. But when you talk about the costs as they are people tend to think a little differently when they realize what the costs are going to be.

Mr. Sullivan said that I would love to talk with you more about this.

5:45 PM Ms. (Christine) Bennett, Moses Gerrish Farmer Road and for the Planning Board, said that I just wanted to make a comment to you. The Planning Board just had a retreat and, among other things that we talked about, we talked about formally requesting a joint meeting between the PB and the SB in the near future to talk about LD2003, which is a law that passed in the last legislature that actually preempts local Home Rule to set zoning in three different categories. We would like to brainstorm with the SB about, or get your view on the specifics of how we're going to need to adapt our ordinances to conform with this new State law, where we may be able to make some adjustments to other ordinances, but even more importantly, how we get the information out to the voters in advance of a warrant, possibly in November 2023 or June 2024 at the latest. There is a bill right now to extend the effective date of LD2003 beyond July 1st of this year. We're going to be meeting next Tuesday and formally sending out a request for a joint meeting but I just wanted to sort of give you that critical head's up. Thank you.

D. Approval of Minutes of Previous Meeting(s)

5:46 PM Motion by Mr. Donhauser, second by Ms. Dow, to approve the minutes of September 22, 2022, as written.

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Roll Call Vote:

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

Unanimous vote to approve motion.

Motion by Mr. Donhauser, second by Ms. Dow, to approve the minutes of October 13, 2022, as written.

Roll Call Vote:

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

4-0-1 vote to approve motion.

Motion by Donhauser, second by Ms. Dow, to approve the minutes of October 27, 2022, as written.

Roll Call Vote:

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

Unanimous vote to approve motion.

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

Roll Call Vote:

Mr. Donhauser – Yes

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

Unanimous vote to approve motion.

Mr. Donhauser thanked Ms. Lemire for bringing the SB up-to-date on the minutes. Very well done.

Mr. Sullivan thanked Ms. Lemire. She does a thorough job on the minutes. She's working hard to catch up. She does so many other things for other boards and committees, writing Notices of Decision and other technical aspects. I do want to let the public know we do have some new technology. We will still need Ms. Lemire to review it but the new technology coming, four weeks away, from Town Hall Streams will give us a transcript, which she can then go through. It should help. We'll see how it goes. Technology is always interesting but we're excited about it.

E. Public Hearing:

Raitt Homestead Farm, 2077 State Road: License to serve alcohol, September 23, 2023, Lisa Raitt Seacoast Wing Festival.

5:48 PM Public Hearing opened.

Mr. Donhauser said that this would be a one-day all-alcohol license for the annual Seacoast Wing Festival at Raitt Farm. We should mention that the safety plan should be reviewed by the Police and Fire Departments before issuing this permit.

There was no public comment.

5:49 PM Public Hearing closed.

Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board approve a one-day alcohol beverage license on September 27, 2023 for Raitt Farm at 2077 State Road, pending review of the safety plan by the Police and Fire Departments.

Roll Call Vote:

Mr. Donhauser – Yes
Mr. McPherson - Yes

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

Unanimous vote to approve motion.

F. Department Head/Committee Reports

5:50 PM 1. Town Manager Report

Mr. Sullivan said that, for anyone who called this week, we had continuous interruption with both our computers and our phone as the new system has been installed at Town Hall. We beg your patience and thank you for calling back and finding other ways to leave us messages. We should be alright by next week. They are working on the Police and the DPW. This has been a three-year project but the system now is in Town Hall.

Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board accept the Town Manager's Report, as presented, and ask it to be published on the Town website.

Roll Call Vote:

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

Unanimous vote to approve motion.

G. Board and Committee Appointments/Resignations

5:51 PM 1. Ann Lukegard AIP resignation

Mr. Donhauser moved, second by Mr. Widi, that the Eliot Select Board accept the resignation of Ann Lukegard of the Aging-in-Place Committee, with regret, and ask the Town Manager to send her a letter thanking her for her service.

Roll Call Vote:

Mr. Donhauser – Yes

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

Unanimous vote to approve motion.

5:52 PM 2. Amanda Ouellette AIP application

Mr. Donhauser moved, second by Ms. Dow, that the Eliot Select Board appoint Amanda Ouellette to the Aging-in-Place Committee, for a term to end June 2023.

DISCUSSION

Mr. Sullivan said that we've been advised that any ad hoc committees that are not standing committees, according to your Charter, need to be appointed on an annual basis. Once the new SB is elected, you usually go to the Chair and ask them if people want to be re-appointed and they get re-appointed en mass for a year.

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.

5:53 PM 3. Sarah Turner Comprehensive Plan Update Committee (Economic Development).

Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board appoint Sarah Turner to the Comprehensive Plan Update Committee Economic Development Sub-committee to a term ending upon completion.

Roll Call Vote:

Mr. Donhauser – Yes

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

Unanimous vote to approve motion.

H. New Business:

5:54 PM 1. LJE Development, LLC, Clover Farm 771 Main Street Third-party Evaluation.

Mr. Sullivan said that Mr. (Ken) Wood from Attar Engineering, Inc. is here tonight. We did have a third party – Sebago Technics – review the proposal. He worked with Mike Sudak from Attar Engineering, Inc. and they determined that the appropriate performance would be in the \$405,000 range. We appreciate Mr. Wood and Mr. Sudak for being diligent and Mr. Harding from Sebago Technics.

Mr. Wood said that the Town Manager assisted us greatly and I realize that he was wearing many hats. So, thank you.

Mr. Donhauser moved, second by Mr. Shapleigh, that the Eliot Select Board accept the issuance of a performance bond in the amount of \$405,000 by LJE LLC Development for the Clover Farms Subdivision (771 Main Street) pending acceptance and approval of the subdivision plan by the Eliot Planning Board and reviewed by the Cide Enforcement Officer. Furthermore, instruct the Town manager to solicit the final documents necessary and authorize him to sign within the parameters stated and presented tonight and furthermore facilitate this matter as expediently as possible and allowed.

Roll Call Vote:

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

Unanimous vote to approve motion.

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I. Old Business:

5:56 PM 1. Approval of June 13, 2023 Town Meeting Warrant

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board recommend Article #26 (Annual Growth Permit, 28 max.) as presented by the Planning 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. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board recommend Article #27 (Non-Stormwater Discharge) as presented by the Planning 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. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board recommend Article #28 (Shoreland Zoning/Accessory Dwelling) as presented by the Planning Board.

Roll Call Vote:

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

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Unanimous vote to approve motion.

Mr. Widi moved, second by Ms. Dow, that the Eliot Select Board recommend Article #29 (Cannabis License Performance Standards) as presented by the Planning Board.

Roll Call Vote:

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

Unanimous vote to approve motion.

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board recommend Article #30 (Child Care) as presented by the Planning Board.

Roll Call Vote:

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

Unanimous vote to approve motion.

Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board recommend Article #31 (Mobile Vendor) as presented by the Planning Board.

Roll Call Vote:

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

Unanimous vote to approve motion.

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Mr. Widi moved, second by Mr. Shapleigh, that the Eliot Select Board approve Town Warrant for the June 13, 2023 Town Meeting request warrant, as presented and as amended to the joint Select Board/Budget Committee meeting

Roll Call Vote:

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

Unanimous vote to approve motion.

J. Approval of Warrant(s):

6:01 PM Mr. Donhauser moved, second by Mr. Mr. Shapleigh, that the Select Board approve Payroll Warrant #89 in the amount of \$44,156.81, dated March 23, 2023; Payroll Warrant #91 in the amount of \$44,659.53, dated April 6, 2023; Payroll Warrant #93 in the amount of \$47,382.14, dated April 6, 2023.

Roll Call Vote:

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

Unanimous vote to approve motion.

6:02 PM Mr. Donhauser moved, second by Mr. Shapleigh, that the Select Board approve A/P Warrant #90 in the amount of \$104,994.57, dated March 23, 2023; A/P Warrant #92 in the amount of \$146,973.25, dated March 29, 2023; A/P Warrant #94 in the amount of \$59,988.97, dated April 5, 2023.

Roll Call Vote:

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

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Mr. Shapleigh - Yes

Unanimous vote to approve motion.

K. Selectmen's Report:

There were no Selectmen's reports tonight.

L. Adjourn

Mr. Mr. Donhauser 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 6:03 PM.

Respectfully submitted,

Ellen Lemire, Recording Secretary

S/ Robert McPherson, Secretary

Date approved: May 11, 2023