

**SELECT BOARD MEETING**  
**September 14, 2017 5:30PM**

**Quorum noted**

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

**B. Roll Call:** Ms. Davis, Mr. Murphy, Mr. Pomerleau, Mr. Hughes, and Mr. Donhauser.

**C. Pledge of Allegiance recited**

**D. Moment of Silence observed**

**E. Public Comment:**

**5:30 PM 1) Great Works Regional Land Trust (GWRLT) (Jennifer Fox)**

Ms. Fox said that this was in reference to the vote for our land bank funds to support the Goodwin Farm Conservation Project; that she would like to thank the Town of Eliot for overwhelmingly passing these funds in support of the conservation of Goodwin Farm. She explained that part of the Board's requirement for transferring funds for this was that there was a legal agreement between the GWRLT and the Town of Eliot assuring public access to this property. She said that we didn't have any specific guidance from the Town on what they were seeking from the agreement and we thought we would start with presenting a draft Memorandum of Agreement (MOA). She added that that was submitted to the Town Manager and she is looking for guidance for next steps, at this point, if this is sufficient for transfer of the funds, as voted by the Town.

Ms. Davis said that she didn't know, personally, if any legal review was either performed or necessary and asked if any Selectmen had any questions or comments.

**5:33 PM** Mr. Pomerleau said that, on the first page of the MOA, it says that "the Land Trust agrees to protect the property in perpetuity and allow access to the residents of Eliot through the establishment of walking trails and access points." But, then, on the second page, it says that this MOA "remains in effect until such time as the Land Trust has fulfilled its obligations", which sounds like that's an ending point, which he has concerns about.

Ms. Fox said that she could bring that concern up with the Land Trust. She added that there is language that if, at any time, the Land Trust didn't fulfill its obligations – meaning that we do not keep this property in conservation – there is a clause in here that, if we were to sell it, then the Town would receive its \$40,000 back. She said that she believes that is just a summative statement of those agreements; that she thinks this is standard language for MOA's.

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**5:37 PM** Ms. Davis asked if it would be a hardship for her to wait for the SB's next regular meeting in two weeks.

Mr. (Tim) Smith, board member of GWRLT, said that we certainly expected the draft to be reviewed by the Town's legal team. He clarified that, if for some reason, we should no longer own the property – that we may be subject to condemnation by the federal government for properties – so there might come a time when we can no longer own that property for legal reasons that it can be taken away and, in that case, our obligation would be ended. He said that our land, like anyone's land, can be condemned for certain reasons – power lines, military, etc.; that those are unusual circumstances but this property is there in perpetuity and it may be that, in 100 or 200 years, something might occur here that says this property can no longer be a farm or could have another use instead of a public recreation area; that if we lose our ownership of that property, then our obligation ends.

**5:39 PM** Ms. Davis said it was the phrasing of this one sentence and asked if it could be clarified.

Mr. Smith said yes.

Ms. Davis said that she would talk with Mr. Lee and let Ms. Fox know what the next steps are.

There was no one from the public who wished to speak on tonight's agenda.

**5:41 PM** Ms. Davis said that Mr. Lee was not present tonight and there are several items on tonight's agenda that require his input; that with a couple of tonight's items, she's been asked to table them by the people involved. She listed the agenda items: H3, I1, I1a, I1b, I1c, I4, I6, and I7, asking if any Board members had any objections.

There were none.

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

**5:55 PM** Motion by Mr. Murphy, second by Mr. Hughes, to approve the minutes of July 13, 2017, as amended.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

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**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**G. Public Works**

**5:56 PM 1) Salt Bids**

Mr. Moulton summarized the salt bid results, recommending Granite State Minerals at \$53.30/ton for the 2017/2018 season.

Mr. Murphy moved, second by Mr. Hughes, that the Select Board approve the selection of Granite State Minerals for the salt purchases at a price of \$53.30 per ton.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**5:57 PM 2) Diesel Fuel Bids**

Mr. Moulton summarized the diesel fuel bid results, recommending Heat Wave Oil, LLC for a fixed price of \$1.7937 for a minimum of 15,000 gallons of off-road diesel for the department.

Mr. Murphy moved, second by Mr. Hughes, that the Select Board approve the offer from Heat Wave Oil, LLC at a price of \$1.7937 fixed for the diesel oil purchases.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

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**H. Department Head/Committee Reports**

**6:00 PM 1) ARC Fire Update – Fire Chief**

Ms. Davis said that we have a memorandum from the Fire Chief; that the reason this is on the agenda is because several citizens have been asking questions about this. She asked if we had anyone here, tonight, to speak to this.

Mr. (John) Doherty, ARC, was present, saying that he would answer questions, providing background and details.

The SB agreed that the Memorandum from the Fire Chief would be made available on the Town website.

Ms. Davis said that she has been hearing two questions the most from citizens – what steps are being taken to keep this from happening again and do the nearby neighbors need to be concerned about what's in the air during these events.

Mr. Doherty said that we are looking at every possible technology, whether it be foam or fire suppression of a different type, or 24/7 monitoring; that we are open to whatever is available to prevent this from happening again.

**6:03 PM** Mr. Murphy said that he was concerned with the concentration of materials, suggesting a simple solution, although that might not be simple, might be to keep them more separated; that, then, you wouldn't have all the materials catch fire.

Mr. Doherty clarified that it wasn't all the materials but just the materials in only one building; that the building contains mixed debris; that we close at 4:30 on Friday and everything is fine; that, somehow, the material catches on fire Sunday night at 7PM; that the Fire Chief gets down there and sees a couple of kids down there – he sees them, they take off, he makes a phone call to the Eliot Police and a patrol went down while Chief Muzeroll and his people are beginning to fight the fire. He added that, as he understands from the Chief, they asked these two kids what they were doing but nobody gets their names, nobody makes a police report, and he went down to the police station on Thursday, 3 days later, to find out more information, the police never called him back. He said that he didn't know what they were doing down there but the pile that existed Friday afternoon at 4:30 somehow caught fire Sunday at 7 PM. He explained that, after the first fire, we changed operations to keep somebody watching the entire time, we added video cameras for purposes of being able to see what's going on, we added a well down there to provide for additional ability to fight a fire; that what we didn't take into account is that something could happen when we are closed, so, what we are going to take account in the future is what might happen when we're closed,

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reiterating that we are doing everything possible to prevent this from ever happening again.

**6:06 PM** Mr. Donhauser asked if Mr. Doherty operated under a license.

Mr. Doherty said yes; many.

Mr. Donhauser asked who issued the license.

Mr. Doherty said the Maine Department of Environmental Protection (MDEP).

Mr. Donhauser asked if they have inspected your facility.

Mr. Doherty said that they are down with regularity; that they were down 2-3 weeks ago.

Mr. Donhauser asked if they issued a report or do they just come, look, and leave.

Mr. Doherty said that sometimes they do, sometimes they don't; that when they issue reports, they are inspection reports and give him a copy. He added that Ms. Pelletier has the most recent report, adding that there were no outstanding issues.

**6:07 PM** Mr. Pomerleau asked if Mr. Doherty could clarify whether he has a retention pond on the site.

Mr. Doherty said that we have two; that there has never been a time when ponds didn't exist or function.

Mr. Murphy asked if he knew the approximate volume of the pond.

Mr. Doherty said that he didn't; that the one for the facility Mr. Murphy is asking about is approximately 100' long by 35' wide and 8' – 10' deep in the center.

Mr. Donhauser asked what the material was that caught on fire.

Mr. Doherty said that it was mixed construction debris; material that comes in from containers, contractors, such as wood waste, drywall, cardboard, and paper, but not oil. He added that they dump it, whether it is a roll-off container or a small contractor with a tag-along trailer. He explained that it's dumped onto a concrete pad in the building, we grind it and screen it to compress the volume and pull out steel, wood waste, grind it up so we get more volume into trucks, and take the residue to landfills, which is in Old Town, Maine.

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**6:09 PM** Ms. Davis said that the Chief's letter said, "*Since there is no onsite water supply to support suppression tactics of this magnitude water shuttles using tank trucks and an above ground water supply line from the brook that crosses the property was utilized.*", asking if they utilized the pond.

Mr. Doherty said that they did not; that it was August 14<sup>th</sup> and there was some, but not a lot of water in the pond; that we have a water truck on-site but it's only about 500 gallons.

Ms. Davis asked how much concern people needed regarding water quality.

Mr. Doherty said that he didn't think it was any different than any other house fire or building fire, or anything else; that he's not a scientist, so he can't really address it, but there's nothing that comes in of anything that's not in your house or this building.

**6:10 PM** Ms. Davis asked if Ms. Pelletier got a copy of all the inspection reports or just occasionally.

Mr. Doherty said that he wasn't certain; that if they are issued to him, he doesn't know why she wouldn't get copies, but they don't always write a written report. He added that it is variable and what the variable is he doesn't know.

Mr. Murphy asked if the pond was lined or does it just go down to bare ground.

Mr. Doherty said that it's just natural; that it retains water but, no, it's not lined with any concrete or plastic or anything.

**6:11 PM** Ms. (Rosanne) Adams asked for confirmation that the video cameras were put in after the first fire as a way to monitor what was going on and she was wondering if they were on the day this fire occurred. She said that she was asking that because she felt that, if they were to monitor it and they were on, then they would see what's going on, even when they're not there.

Mr. Doherty said that the purpose of the cameras was not primarily when nobody was there; that the cameras are there for when we are in operation and people are off-loading things; that the cameras aim inside the buildings but not outside to the surroundings. He added that we will probably correct that, going forward, to add more cameras to see if people are coming on-site on weekends, or whatnot. He said that the cameras have different technologies; that you can have it take a still photo any time you want, you can monitor it, you can record video (the ones we have presently); that there are any number of capabilities but it's not as though somebody is watching 24/7, with those cameras, but that is the technology that is out there and we are absolutely looking into it.

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**6:13 PM** Ms. Davis asked if the buildings have any kind of smoke detector in them, asking how long this thing was burning before Mr. Doherty knew there was a problem.

Mr. Doherty said that it is his understanding that it caught fire at approximately 7 PM and he got a call at approximately 7:30 PM; that he knows the Fire Chief was there prior to 7:30. He added that there are no smoke detectors in the buildings.

Ms. Davis asked if that was something that could be done that might alert you to something before it becomes quite as serious.

Mr. Doherty said yes, absolutely, it could be done.

**6:14 PM** Mr. (Jay) Meyer asked when the last time the pond was dredged.

Mr. Doherty said that the entire pond hasn't been.

Mr. Meyer said that, from what he understands, that that was a condition of approval from the Fire Chief, on his memo, that the pond was to be dredged.

Mr. Doherty said not exactly; every five years it is supposed to be confirmed that it contains enough space to hold enough water in it; that a few years back we hired somebody to come take a look at that and remove any sediment out of it but it has enough capacity to hold the water that it's required to hold.

Mr. Meyer said that he was looking at a memo from the Fire Chief dated 9/19/2016 and he says you would ensure drainage; that the wet pond has been dredged to support as much water as possible and to provide a hard surface access road maintained for year-round use to the wet pond. He added that he was curious if that was taken care of.

**6:15 PM** Mr. Doherty said that there is plenty of access to the pond.

Mr. Meyer asked about the dredging that did not take place.

Mr. Doherty said that there wasn't any dredging that was necessary or required.

Ms. (Michele) Meyer said that it was mentioned at the last PB meeting that ARC was operating without an occupancy permit, after the first fire and subsequent rebuild.

Mr. Doherty said that this was the first he had heard of that; that nobody ever brought that to his attention; that we did not build without any required permits. He added that he didn't know what to say about that; that nobody from the Town has ever commented on that to him.

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- 6:16 PM** Ms. (Jessica) O'Donoghue asked how much material he takes in that is actually recyclable.
- Mr. Doherty said that, with everything that comes in throughout the facility, about 80%.
- Ms. O'Donoghue asked how much of that gets buried at his facility.
- Mr. Doherty said that we don't bury anything at our facility.
- 6:17 PM** Mr. Meyer asked how Mr. Doherty was able to train employees to be aware of what is coming into his facility, also asking if there was any sort of ongoing training program. He added that he was sure Mr. Doherty didn't have the same employee that has been there since 2006.
- Mr. Doherty said that we've been in Town since 1993; that training goes on – from operator training to operations manual training to health and safety training; weekly safety meetings.
- Mr. Meyer asked if they were trained to detect hazardous waste that's coming in, or hazardous material.
- Mr. Doherty said that we don't take any hazardous waste; that we are not licensed for hazardous waste; so, they are trained in the various things they need to be aware of.
- Mr. Meyer said that then there was no chance that waste oil would come in to Mr. Doherty's facility.
- Mr. Doherty said that it was impossible to inspect every inch of every container or every load; that it is conceivable and people are absolutely trained to pull away things that aren't allowed in the facility.
- Mr. Meyer asked how Mr. Doherty could ensure us that that product is not coming into the facility that is not acceptable if the employees are not trained.
- Mr. Doherty said that he didn't say they are not trained. He added that he can't comment on every container that comes in; that the employees are as trained as any facility that handles construction debris and recycles it.
- 6:18 PM** Ms. Fox asked if the retention ponds were for having a water supply in case of a fire.
- Mr. Doherty clarified that the ponds are required to collect stormwater.



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Ms. Fox asked if all the drainage from a fire would go into the retention pond.

Mr. Doherty said that it's all graded to go into the retention pond, sure; whether it's from fire-fighting or rainfall or any precipitation, it's graded to ultimately end up in the stormwater retention pond.

**6:19 PM**

Ms. Fox asked, in this situation with a fire of this magnitude and the amount of water and suppressants that were used, were they all contained within the retention pond.

Mr. Doherty said absolutely.

Mr. (Robert) Fisher said that he was wondering if there was any chance that Mr. Doherty has any pamphlets he gives these employees that he could send to the SB so they could have copies made for us.

Mr. Doherty said that he believes the Town has a copy of the operations manual; that he can make sure that they do.

Mr. (Russ) McMullen asked at what point will this be cleaned up to the point that community air is restored again.

Mr. Doherty said that that happened 31 days ago, asking what he could provide.

Mr. McMullen said that he was just curious because for quite some time we couldn't open the windows up in their house; that what he meant by community air is when will this material be cleaned up to the point it is no longer an odor problem.

**6:20 PM**

Mr. Doherty said that the fire was put out 31 days ago; that he doesn't know what else is contributing.

Mr. McMullen asked if the material was still there or was it being trucked away.

Mr. Doherty said that the majority of the material has been trucked away; that the rest will probably be taken away in the next week or two

Ms. Fox asked if there were retention ponds for holding water and different ones for stormwater drainage; that he had been talking about it being August and very dry and the ponds were low, also asking if the same ponds that are collecting stormwater run-off would be the ones that would be utilized in the fire operations.

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**6:21 PM** Mr. Doherty said no; that there's never been any intent to use it as a primary purpose as a means of fighting fires; that that's why, with each fire, they've put the hoses into the stream.

Ms. Fox said asked, in a scenario where the ponds were full and he had a fire of that size, where would the water from controlling the fire and suppressants go.

Mr. Doherty said that that's a question for the Chief.

Ms. Fox asked if that was a requirement of the original plan and design of this site. She asked if that would be in the original plan.

**6:22 PM** Mr. Doherty said not to his knowledge; that the ponds are there for stormwater collection.

Ms. Bennett asked who should be asked to receive a copy of the Fire Chief's memo.

Ms. Davis said that she would talk with Mr. Lee when he returns and we'll post it on the website.

Ms. O'Donoghue asked if it wouldn't also be possible to get copies from the EPA on the prior inspections.

Ms. Davis said that she can talk with Ms. Pelletier or the Town Manager and we can pull together some information that we think the Townspeople would be interested in having on the website.

Mr. Meyer asked if anyone knew where in the Town Hall those files (inspection reports) might exist.

Ms. Davis said that we can find out if Ms. Pelletier gets every inspection report or whether she gets erratic inspection reports.

Ms. (Wendy) Rawski said that she does believe that all DEP reports are posted on the DEP website and you can search those and find them for any facility that the DEP would require permitting on a local level; that those reports are accessible to anyone and everyone on the DEP's website. She added that, many times, she receives DEP reports, as many of them are directed to the Town Clerk to be appropriately dispersed; that she knows that Ms. Pelletier receives some various DEP reports and files them with the appropriate file on the subject property.

**6:24 PM** Ms. Davis asked if, along with the Chief's letter, we could post a link to that, as well.

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Ms. Rawski said yes.

Ms. Davis thanked Mr. Doherty for coming in.

Ms. (Donna) Murphy said that the Chief's letter is dated the 7<sup>th</sup> and it said that there's an on-going investigation, asking if there were any updates as to the cause.

Ms. Davis said no.

**6:26 PM      2) Energy Commission – Solar Array Update**

Ms. (Christine) Bennett, Energy Commission, said that they met yesterday and have no update at this time. She added that we are now looking at a 2018 installation; that we were thinking that we would like to approach a 2018 discussion by first asking the SB to approve a PPA that we would then include in an RFP to prospective installers instead of the way we did it this last time, where we selected the installer and put forward a bid that we thought was favorable and, then, we found out that the PPA was not favorable for the Town; that we would like to reverse that order and ask the SB to get a model document from the Town's planning assistant, have you review it, then we'll include it in a RFP to other installers. She also said that we are moving quickly on replacing Eliot's street lights with LED's. She clarified that they were not expecting to bring anything to the SB regarding the solar array until the first of the year.

**6:27 PM**      Mr. (Al) Libbey said that we have another process we will be presenting, regarding street lights, to the SB once we learn enough to have a proper proposal. He added that it appears that, currently, our street light budget is about \$17,000/year and we think there's a way to save more than 40% by replacing the current sodium lights with LED's; that we've contacted four firms and we are looking forward to their responses to see what they think the opportunity is for the Town. He said that after that is done, we will issue a formal proposal and, hopefully, present one of them to you.

Mr. Pomerleau thanked the Energy Commission for their very thorough work.

**3) Great Cove Boat Club Request to Limit Fishing Area**

**6:31 PM      4) Elizabeth Davis, Resignation, Conservation Commission**

Ms. Davis explained that Ms. Elizabeth Davis is moving out of Town and can no longer be on the Conservation Commission, asking if there was a motion to accept her resignation and send her a letter of thanks.

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Mr. Murphy moved, second by Mr. Hughes, that the Select Board accept the letter of resignation from Elizabeth Davis of the Conservation Commission and send her a letter of thanks.

**Roll Call Vote:**

**Mr. Donhauser – Yes**  
**Mr. Murphy – Yes**  
**Ms. Davis – Yes**  
**Mr. Pomerleau – Yes**  
**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**I. Administrative Department**

**1) Town Manager Report**

- a. MMA Property/Casualty Dividend: \$3,070**
- b. Security Proposal – Re-keying of Town Office Locks**
- c. Workshop Schedule - Draft**

**6:32 PM 2) Catered Event – Antique Show – Raitt Farm**

Mr. Murphy moved, second by Mr. Hughes, that the Select Board approve the application for a Catered Function at the Raitt Farm by the Mainely Bartenders Caterer on October 7 and 8 from 11AM to 5PM.

**Roll Call Vote:**

**Mr. Donhauser – Yes**  
**Mr. Murphy – Yes**  
**Ms. Davis – Yes**  
**Mr. Pomerleau – Yes**  
**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**3) Catered Event – Wedding/Reception – Raitt Farm**

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Mr. Murphy moved, second by Mr. Hughes, that the Select Board approve the catering function at the Raitt Homestead Farm Museum for the caterer The Black Birch to serve a wedding from 1:30PM to 10:00PM on September 24, 2017.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

At this time, the SB signed the pertinent documents.

**4) PC Replacements**

**5) Local Food Governance Ordinance/8) Approve November 7 Warrant**

This was combined by Ms. Davis. She said that she assumed we have to approve something tonight for the warrants.

Ms. Rawski agreed, clarifying the date of the warrant is for November 7<sup>th</sup>, not 17<sup>th</sup>. She added that the SB has the warrant (#8) and the ordinances going on the warrant (Local Food Ordinance and Marijuana Moratorium), which are presented tonight for signing.

There was discussion regarding the possibility of adding an advisory ballot item to the warrant.

**6:42 PM**

Mr. Pomerleau explained that it was a question regarding where we're going with the TIF and whether the Town should reconsider sewer on Route 236, the amended Village Plan, or terminate the TIF; that those were his thoughts regarding whether we wanted to put a lot more work into trying to come up with another plan without having some direction from the Town; that there's a lot of discussion for the SB to have.

Ms. Rawski said that she doesn't see a problem in doing an advisory vote but asked if the SB felt they had enough time to get the voters to understand what it means if you dissolve the TIF.

Mr. Pomerleau said that he didn't think we have any certainty with what happens; that there are possibilities but it is unprecedented and we don't know.

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**6:45 PM** Mr. Murphy said that he didn't think there was enough time to do anything as complicated as that and have it on the November ballot.

Ms. Davis said that the purpose would be to get a sense of where the Townspeople stand on this issue to give us a direction to go in. She added that because this would be investigatory only, it would be very helpful to us, and it gives us a month and a half to get the word out and give at least some details of what the options mean. She suggested the SB have Mr. Pomerleau write up a draft, send it out to the Select members, and discuss and decide next Thursday.

Mr. Donhauser said that he was also opposed to doing this advisory vote. He added that the TIF has been around for 7 or 8 years and doesn't understand why we are now rushing to judgement, as November 7<sup>th</sup> is 40 days away and he doesn't think you can disseminate the information; that, additionally, the Town Manager just distributed a suggested use of TIF funds that was not formally brought before the Town and he was concerned with limited scenarios. He added that the worst-case scenario is that you end up with another \$500,000 in that TIF fund.

**6:48 PM** Mr. Hughes agreed, more or less, with Mr. Murphy and Mr. Donhauser that we need to go slow on this; that it's best to wait until June to put something out, even if it's just investigatory then.

Mr. Pomerleau said that he didn't have a problem with that idea; that the SB has to be on board with presenting information in an advisory question.

**6:51 PM (I5) Local Food Ordinance**

Mr. Murphy said that he wondered if this ordinance recognized the amount of regulation that has to do with food, etc.; that this expresses a kind of philosophical stand, which he tends to agree with, but there are reasons for having food handled in very particular ways. He asked if this has met any kind of legal review.

Mr. (Robert) Fisher, Frost Hill Road, said that this has been tested; that the Maine legislature and Governor LePage have okayed it; that it is safe because 'you' are the individual that would be buying these products from people you trust that are selling them; that that's the key to the whole system – 'buyers beware' – and if you aren't sure of the people selling these products, then don't buy them.

**6:54 PM** Ms. Adams said that she thinks it's very important for Eliot to protect its local food source and to ensure that people in the Town can continue to provide that kind of service to the Town. She added that she knows the FDA has many laws but what they mainly were supposed to cover were restaurants - people who are serving the public in a large capacity, manufacturing - production plants of food,

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but, on the local level, she thinks it's a good thing for the Town because we have a lot of people in the Town that are producing all sorts of things; that if we don't make sure that we can protect them from doing that, we may see the churches or the library will not be able to sell their baked goods because someone would come in and try to take that away; that she thought it was good for the Town to start that process of protecting our people. She said that, if there's a problem, it will be worked out in the courts and we will know but, at least, we will have something in place that says to the citizens in the Town that we value what is being produced for us and help protect them.

**6:56 PM** Mr. Pomerleau said that he thought Mr. Fisher hit the nail on the head with 'this is a buyer beware'; that you are waiving certain criteria that would normally be subjected for food processing. He added that, about a year ago, organic foods started getting real popular and he saw some stories regarding large farms in central Maine that were trying to raise beef, etc. to sell locally and through co-ops and the hurdles they had to go through because of the FDA; that he thinks this is an attempt to recognize, on the local level, that it's too cumbersome for local people. He added, however, that if you vote for this and it passes, you are waiving certain protections. He also added that he has no problem with the language of the ordinance and, if that's what the Town wants, that's up to the citizens to decide.

Mr. Pomerleau moved, second by Mr. Hughes, that the Select Board accept the proposed Local Food and Community Self-Governance Ordinance, dated September 14, 2017.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**6:58 PM (15) Marijuana Moratorium**

Mr. Pomerleau moved, second by Mr. Hughes, that the Select Board accept the Town of Eliot Moratorium Ordinance Regarding Retail Recreational Marijuana, dated September 14, 2017.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

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**Mr. Murphy – Yes**  
**Ms. Davis – Yes**  
**Mr. Pomerleau – Yes**  
**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**7:01 PM      (I8) Referendum Town Warrant**

Mr. Pomerleau moved, second by Mr. Murphy, that the Select Board accept the Annual Town Meeting Election/Referendum Warrant, dated September 14, 2017.

**Roll Call Vote:**

**Mr. Donhauser – Yes**  
**Mr. Murphy – Yes**  
**Ms. Davis – Yes**  
**Mr. Pomerleau – Yes**  
**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

**6) Purchasing Policy Clarification**

**7) Geographic Information System – Change of Vendors – Follow up**

**J.      New Business:**

**7:03 PM      TIF Liaison Workshop**

Ms. Davis said that she and Mr. Lee had spoken about a TIF liaison group, which was to take a couple of interested Selectmen to bang around some TIF ideas; that this was something to keep in mind; that we can have many workshops on this or take a couple people to spearhead some new ideas. She added to ponder that for the future, if anyone's interested in going in that direction; that she's going to consider that item tabled for tonight.

**K.      Selectmen's Report:**

**7:04 PM      There were no Selectmen's reports tonight.**

**L.      Committee Vacancy Report**

**Aging-in-Place, Harbor Committee, and Clean Water Committees**



**SELECT BOARD MEETING**  
**September 14, 2017 5:30PM (continued)**

There was no discussion.

**M. Old Business:**

**7:07 PM Disposition of Meyer's Complaint**

Ms. Davis read, "This matter was before us because complaints were submitted by Mr. Jay and Michele Meyer regarding Stephen Beckert, Chairman of the Planning Board. The Select Board held a fair hearing in executive session on Thursday, August 17, 2017. The Meyers were in attendance at the hearing. Mr. Beckert did not attend the hearing. This evening the Select Board will make decisions based on the testimony that was heard and the evidence that was presented at the hearing." She asked if there was a motion.

**7:09 PM** Mr. Pomerleau moved, second by Mr. Hughes, that the Select Board accept this draft document of testimony and evidence presented, and findings, as written.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**Unanimous vote to approve motion.**

Mr. Pomerleau said that based on the recently accepted testimony, evidence, and findings, he has a draft conclusion for the SB to review; that then he will make a motion.

**7:15 PM** Mr. Pomerleau moved, second by Mr. Hughes, that the Select Board accept the conclusion of our findings that the Select Board finds that Mr. Beckert has violated standards of conduct under the Town's Ordinance Governing Boards, Commissions, and Committees and that the Select Board proceeds to immediately remove Mr. Beckert from the Planning Board.

**Roll Call Vote:**

**Mr. Donhauser – Yes**

**Mr. Murphy – Yes**

**Ms. Davis – Yes**

**Mr. Pomerleau – Yes**

**Mr. Hughes - Yes**

**SELECT BOARD MEETING**  
**September 14, 2017 5:30PM (continued)**

**Unanimous vote to approve motion.**

Ms. Davis said that a written decision incorporating all approved documents from this meeting will be completed and mailed to Mr. Beckert.

**N. Adjourn**

There was a motion and second to adjourn the meeting at 7:17 PM.

**VOTE**

**5-0**

**Chair votes in the affirmative**

**Approved: November 9, 2017**

**S: / Mr. Richard Donhauser, Secretary**