

- PUBLIC MEETING -
Hope Board of Selectmen
Meeting at 6:30 p.m.
Tuesday, December 8, 2020
Hope Town Office/Zoom
-AGENDA-

Due to the increasing cases of Covid-19 in the Midcoast and Knox County area, and out of an abundance of caution, the public may not attend meetings in person at this time.

If you would like to PARTICIPATE in the meeting, then please attend via Zoom.

This meeting may be attended via Zoom: <https://zoom.us/j/5851802397>

Meeting ID: 585 180 2397

If you would like to WATCH the meeting, then please attend via livestream.

This meeting may be livestreamed: https://townhallstreams.com/towns/hope_me

Call to Order:

Agenda Adjustments/Approval:

Public Comment (*Items not on the agenda. Please limit comments to 2-3 minutes*):

Minutes:

- November 24, 2020:
- November 25, 2020:
- December 1, 2020:
- December 7, 2020:

Town Administrator Report:

New Business:

- Select Board Statement Regarding Personnel Matter #1:
 - Statement:
 - Response:

- Select Board Statement Regarding Personnel Matter #2:
 - Statement:
 - Response:

Public Comment (*Regarding Select Board Statements. Please limit comments to 2-3 minutes*):

Old Business:

Other Business:

Warrants:

Adjournment:

MINUTES OF SELECT BOARD MEETING

Hope Select Board

Tuesday, November 24, 2020

6:30 PM

Hope Town Office/Zoom

View the meeting in its entirety at

https://townhallstreams.com/towns/hope_me

Board Members Present:

- Sarah Ann Smith, Brian Powers Jr., Bruce Haffner, and Thom Ingraham & Amy Gertner
(via Zoom)

Others Present:

- Samantha Mank, Paul Smith, Amy Powers, Dick Crabtree, Bill Jones, Dan Dunkle, Clarence Keller, Ellie Goldberg, Nancy Ford, Mary Ireland, and Hunt

Call to Order:

- The meeting was called to order at 6:37 PM by Sarah.

Agenda Adjustments/Approval:

- Brian made a motion to approve the agenda without any adjustments. It was seconded by Bruce.

Motion passed 5-0

Public Comment:

- None

Minutes:

- 11/10/20: Brian made a motion to approve the November 10, 2020 minutes with a correction. It was seconded by Bruce.

Motion passed 5-0

- 11/17/20: Brian made a motion to approve the November 17, 2020 minutes. It was seconded by Thom.

Motion passed 4-0-1 (Bruce)

Town Administrator Report:

- Reminder that the Town Office will be closed on Thursday and Friday of this week in observance of Thanksgiving.

- Spoke with Bill Brewer regarding the annual audit. The school still has to prepare a few additional things. Jen, our accountant has been working with them. Once they are ready, then the Town's audit will begin.
- The Town has received approx. twenty-five FOAA requests from Courier Publications. The latest one is going to require the Town pay around \$880.00 in order to have all of the data compiled and sent to the Town. Depending on how the files are received there will be additional time spent filtering through the ones that are a part of the request and those that are not. The Select Board will also need to decide if the final set of documents should be reviewed by the Town Attorney before releasing them.
- There is also a brief update regarding the hardship abatement request. I'd like to request a few moments of the executive session to discuss this as sharing this in public could do harm. Pursuant to 36 M.R.S. 841(2)(E). If this cannot be discussed this evening, I request that it is scheduled at the next meeting of the Select Board.
- There are 7 outstanding 2019 RE accounts totaling \$12,913.85 with liens that will go to automatic foreclosure on February 16, 2021 if accounts remain unpaid.
- There are 24 outstanding 2020 RE accounts totaling \$45,439.17 with liens that will to automatic foreclosure on February 10, 2022 if accounts remain unpaid.
- There are 1017 RE accounts for 2021, totaling \$1,605,725.23. The second half of taxes are due on April 30, 2021.

New Business:

- Town Office Maintenance Needs:
 - Electrical Outlets in the Library: This will require an electrician.
 - Window in Meeting Area: This will need someone who can repair the inner working of a window.
 - Mailbox Pole: Brian said that there was an organization that fixes mailbox posts in the Knox, Lincoln, Waldo County area. If it can't be located, the Road Commissioner may be able to assist.

Brian made a motion to authorize the Town Administrator to seek out the appropriate professionals to make the needed repairs at the Town Office. It was seconded by Bruce.

Motion passed 5-0

- Pole Location Installation for Tidewater Telecom: Brian made a motion to approve the installation of the pole as long as there are no potential safety risks. It was seconded by Thom.

Motion passed 5-0

- Coronavirus Update & Discussion – EMA Director, Clarence Keller: Clarence said that most of the Covid-19 issues are being handled at the county and state level at this time. Locally, the EMA Directors have been meeting weekly with the County Director, Ray Sisk.

Clarence spoke with the Hope Elementary School Principal, Danielle Fagonde, and reported that things are going very well, and they continue to follow their plan. The students are doing a tremendous job, possibly even better than some of the adults, according to Clarence. The Fire Dept. has had only one incident, but it was not a direct incident from performing town duties. The individual contracted Covid-19 from an outside of fire department duties.

With the rise of cases in the greater Knox County area, the Fire Department has cancelled some of their meetings, but emergency responses will not be affected.

There were some positive cases in employees from NEMHS our ambulance provider. They promptly handled the situation and Clarence is not aware of any additional spreading of the virus. Because of HIPPA rules of confidentiality, Clarence does not know if any Hope residents were in contact with any of the ambulance crew that tested positive. However, there was contact tracing that took place and any individual who may have been exposed would have been contacted directly.

Old Business:

Broadband Update: Thom said that he would like to step away from the Broadband Committee in order to serve on the Roads Advisory Committee. Amy Gertner has agreed to take his place on the Broadband Committee at their next meeting. There have been 285 households identified as qualifying for the High Speed Internet Program funded through the CARES Act. So far, 161 of those 285 households have applied from the program. There will be another email reminder going out from the school after Thanksgiving. The Broadband Committee is trying to help get the message out and help get people signed up early.

Things are going well. LCI wants to meet with the Broadband Committee and Town Governments and see how to push forward to getting Hope with 100% access to high speed internet.

Brian asked if there was any kind of contingency plan in place for families that may not be able to afford the cost of high speed internet once the 6-month free service has expired? Are there any grants available for those families? Brian is concerned that if there isn't some kind of plan in place that it could create student inequity.

Thom said that the school has been providing hotspots for now but that would be something to discuss with Alan Hinsey.

Other Business:

- **Roads Advisory Committee Update** - Thom: Already mentioned that Amy would be

stepping in on the Broadband Committee so that Thom could serve on the Roads Advisory Committee. Thom has sent out some emails to contact the committee members. About half of them have responded so far. The initial meeting will be sometime between Thanksgiving and Christmas.

Warrants: 41, 42, and 43:

- The Selectmen reviewed the warrants. Brian made a motion to approve warrant #'s 41, 42, and 43. It was seconded by Bruce.

Motion passed 3-0-2 (*Thom & Amy*)

Executive Session - Pursuant to 1 M.R.S. §405 (6)(A) – Personnel Matter:

- Brian made a motion to enter Executive Session at 7:20. It was seconded by Amy.

Motion passed 4-0-1(*Bruce*)

- Motion to exit Executive Session at 8:15. It was seconded by Thom.

Motion passed 4-0

Regular Session: Any action needed resulting from Executive Session:

- Thom made a motion to pay compensation that has been determined to be appropriate for actual hours worked, to be paid to the former Bookkeeper, Langley Willauer. It was seconded by Amy.

Sarah added: This is to pay Langley for the hours worked but not claimed on the front of his timecard. It should go on the next appropriate warrant.

Motion passed 4-0

Adjournment:

- Brian made a motion to adjourn at 8:19. It was seconded by Amy.

Motion passed 4-0

MINUTES OF SELECT BOARD MEETING

Hope Select Board

Wednesday, November 25, 2020

3:30 PM

Hope Town Office/Zoom

Board Members Present:

- Sarah Ann Smith, Brian Powers Jr., Thom Ingraham and Amy Gertner

Others Present: None

Call to Order:

- The meeting was called to order at 3:30 PM by Sarah.

Executive Session: Pursuant to 1 M.R.S. §405 (6)(A) -Personnel Matter:

- Amy made a motion to enter Executive Session at 3:30 Pm. It was seconded by Thom.
Motion passed 3-0
Brian arrived
- Brian made a motion to exit Executive Session at 6:05 PM. It was seconded by Thom
Motion passed 4-0

Regular Session: Any action needed resulting from Executive Session: None

Adjournment:

- Amy made a motion to adjourn at 6:06 PM. It was seconded by Brian.
Motion passed 4-0

MINUTES OF SELECT BOARD MEETING

Hope Select Board

Tuesday, December 1, 2020

5:00 PM

Hope Town Office/Zoom

Board Members Present:

- Sarah Ann Smith, Thom Ingraham, and Amy Gertner

Others Present:

- Bill Kelly, Ellie Goldberg, Dick Crabtree, and Bill Jones

Call to Order:

- Sarah called the meeting to order at 5:02 PM. She let those viewing via Zoom that the Select Board would be entering into Executive Session and that there would not be substantive information afterward.

Executive Session: Pursuant to 1 M.R.S. §405 (6)(A) - Personnel Matter w/ Town Attorney:

- Thom made a motion to enter Executive Session at 5:03 PM. It was seconded by Amy.
Motion passed 3-0
- Amy made a motion to exit Executive Session at 5:31 PM. It was seconded by Thom.
Motion passed 3-0

Regular Session: Any action needed resulting from Executive Session: None

Adjournment:

- Thom made a motion to adjourn at 5:32 PM. It was seconded by Amy.
Motion passed 3-0

MINUTES OF SELECT BOARD MEETING

Hope Select Board

Monday, December 7, 2020

5:00 PM

Hope Town Office/Zoom

Board Members Present:

- Sarah Ann Smith, Brian Powers Jr., Thom Ingraham and Amy Gertner

Others Present:

- None

Call to Order:

- The meeting was called to order at 5:00 p.m. by Sarah.

Executive Session: Pursuant to 1 M.R.S. §405 (6)(A) -Personnel Matter:

- Thom made a motion to enter Executive Session at 5:03 p.m. It was seconded by Brian.
Motion passed 4-0
- Brian made a motion to exit Executive Session at 6:20 p.m. It was seconded by
Motion passed 4-0

Regular Session: Any action needed resulting from Executive Session:

- None

Adjournment:

- Thom made a motion to adjourn at 6:23 p.m. It was seconded by Brian.
Motion passed 4-0

Town Administrator's Report
December 8, 2020

- Eight resumes for the Clerk position and seven for the Bookkeeper position. The submission deadline is Dec. 18th and I hope to begin scheduling interviews shortly after that.
- Three requests for quotes/estimates for the repair work of the window, post, and electrical outlets have been sent out. So far, only one has responded. They will need to come to the Town office to look at the jobs before providing any numbers on costs.
- There also appear to be some new leaks in the roof as there are new places in the ceiling that have been water stained. I will call and see if I can get someone out to replace the shingles that have blown off.
- There will be an EMS Performance Review Committee meeting to hear updates from North Mobile Health. This is different than the meetings that have been taking place with Mr. McGinnis. The meeting will be held via Zoom.
- There will be a Public Hearing to discuss the 2021 County Budget on December 10th at 6:00 p.m. via Zoom.
- Speaking of Zoom, with the increase of Covid-19 cases and deaths, would it be appropriate to halt in person meetings until this part of the pandemic subsides? HES was closed today (only) due to Covid-19.
- I spoke with the Road Commissioner and he said that there were no substantive complaints regarding the snowplowing.
- In the past, the Town Office has closed at noon on Christmas Eve. This year, Christmas Eve falls on a Thursday. David has already asked for the day off as he will be traveling. What are your thoughts on being closed on Christmas Eve?
- I will be out of the office tomorrow but will be back on Thursday.
- There are 7 outstanding 2019 RE accounts totaling \$12,913.85 with liens that will go to automatic foreclosure on February 16, 2021 if accounts remain unpaid.
- There are 24 outstanding 2020 RE accounts totaling \$45,439.17 with liens that will to automatic foreclosure on February 10, 2022 if accounts remain unpaid.
- There are 1015 RE accounts for 2021, totaling \$1,595,810.08. The second half of taxes are due on April 30, 2021.
- Since the last regularly scheduled Select Board Meeting on November 24, 2020, the daily cash out has not been out of balance.

Actual Date Between 11/25/2020 and 12/08/2020, Receipt Types: 2,4,6,10,15,16,50,90,99,800

Receipt Summary

| Type | Count | Amount |
|------------------------|--------------|---------------|
| 2 TRASH BAGS | 3 | 125.00 |
| 4 SNOWMOBILE REGISTRA | 2 | 90.00 |
| 6 ENTRANCE PERMIT | 1 | 35.00 |
| 10 BUILDING PERMIT | 4 | 665.45 |
| 16 VITAL RECORDS | 1 | 21.00 |
| 50 HUNTING & FISHING | 5 | 105.00 |
| 90 Real Estate Payment | 16 | 8,944.36 |
| 99 Motor Vehicle | 50 | 14,871.82 |
| 800 Dog Registration | 6 | 42.00 |
| | 88 | 24,899.63 |

Statement regarding Mr. Bruce Haffner, Select Board Member

Approved by Sarah Ann Smith, Brian Powers, Jr., Thom Ingraham and Amy Gertner

Mr. Haffner's comments earlier this year regarding the Town Administrator, whom he supervises as one of the five SB members and whom he threatened, were completely inappropriate. Additionally, his public comments regarding her job performance should have been expressed in a confidential review process *only* but were not. Mr. Haffner has been asked to write a letter of apology to Ms. Mank expressing his regret for his words and actions and acknowledging that he was wrong in doing what he did. To date, he has not done so. He has also been asked to cease making any comments about any employee's job performance in public.

Ms. Mank requests that Mr. Haffner only meet with her in the presence of another person or in public settings. She has also asked that he limit communication with her to email only. Mr. Haffner is aware of these requests.

Further, the Select Board wishes to express to Town Administrator Samantha Mank, town employees, citizens of Hope, and the general public that such conduct is completely unacceptable and will not be tolerated. The Select Board expects anyone affiliated with the Town of Hope to behave professionally, in accordance with the law, and work to serve the townspeople of Hope with courtesy and respect.

December 8, 2020

Statement from the Town of Hope

Select Board

SUMMARY

The Select Board has reviewed a confidential personnel report assigned to address an inquiry into allegations regarding the Town Administrator, related issues regarding running of the Town office, and the conduct of a Select Board Member regarding this personnel matter. Importantly, Select Board Members have been directly involved and aware of substantial information based on personal knowledge and observations made during the spring and summer, which was the period which gave rise to many of the allegations of misconduct. The Select Board has also read the many emails and correspondence that in-part formed the basis of the allegations and listened to the comments from several public meetings. Additionally, the Town Administrator has presented her information in an executive session setting format, as is legally required in this personnel matter.

As such, the Select Board believes that it has had a full and fair opportunity to hear from all involved and issues this statement as a final resolution to the pending personnel issue. The Select Board has taken an integral forward-looking approach that proactively addresses systemic problems and policies which are larger than any one individual. There is work to be done, and the Select Board will diligently pursue it. This statement has been prepared by four Select Board members, as Bruce Haffner was recused from participating in this confidential personnel inquiry.

The Select Board review panel is satisfied, after consideration of a perfect storm of circumstances, that while mistakes were made by a several people, including the Town Administrator, there is not cause for disciplining the Town Administrator or any other employee. Select Board and Town Office staff are working on a list of items to clarify and set explicit goals to improve procedures. The Town of Hope, including the Select Board Members and Town Staff, look forward to serving the citizens of Hope with the highest possible level of service in the coming months and years.

The Select Board review panel in this matter was comprised of Sarah Ann Smith, Brian Powers, Jr., Thom Ingraham, and Amy Gertner. Bruce Haffner was recused from participating in this matter.

INDEPENDENT INQUIRY

As the allegations and comments involved many employees, members of the public and Select Board members, it was clear that an experienced person with no connections to Hope or the issues would be required to investigate as the first step of a formal personnel matter inquiry.

The Town of Hope, at the suggestion of Town Attorney Bill Kelly, in mid-September hired Maria Fox of MittelAsen, a law firm in Portland, Maine, to conduct an inquiry into the allegations which centered around, but were not limited to, Town Administrator Samantha Mank and the related

conduct of Select Board Member Bruce Haffner. Attorney Maria Fox is a partner at the law firm of MittelAsen, LLC in Portland, Maine. She has practiced employment law for over 20 years. Over the last 10 years, Maria has also provided neutral services including mediation, arbitration and independent investigation in employment matters. This made her an ideal neutral party to look into the complaints and issues that have faced the Town of Hope in 2020.

Ms. Fox was hired in early September and completed her report in late October. **Because the report deals with a personnel matter, it is by state law a confidential document and cannot legally be released to the public.** Ms. Fox, as an investigator, is essentially a witness and not a fact-finder, as her job involved interviewing witnesses and gathering relevant documents. **As there will be no final written disciplinary action, that report must remain a confidential personnel record.**

SELECT BOARD PROCESS

In a series of executive sessions, the Select Board began its review of the Fox report, emails, correspondence and related Town records as soon as possible. Town Attorney Bill Kelly has been present at some of the Executive Sessions to advise the Select Board on correct legal procedures, as this is a technical and confidential process. As Mr. Kelly has explained to us, The Select Board members involved in reviewing the report and evaluating the employee(s) are the decision-makers regarding what actions are warranted and how to proceed. Mr. Kelly described the completion of the Fox report as the *beginning* of the inquiry process wherein Select Board members who are unbiased sit as judges to evaluate the facts, interview the Town Administrator, and then take such action as it deems appropriate, pursuant to a strict process that requires due process and an evaluation of just cause if there were to be disciplinary action. Just as in a court of law, when a Judge has a conflict of interest in a case, they must recuse themselves or be removed from the panel. For this reason, SB member Bruce Haffner recused himself from deliberations and is not allowed to participate in the matter.

The Select Board is not allowed to present the substance of the Fox report in whole or in part. However, as your elected officials, we feel that it is important to advise the community that the report was comprehensive and of significant aid to the Select Board. The report along with all comments received from the public in writing and in meetings and the interview of the Town Administrator have sufficiently informed the Select Board to proceed with this Statement and not impose disciplinary action.

COSTS INCURRED

The fees for the Fox report were \$13,255. So far, there have been additional costs for consultations (ongoing) with the Town Attorney and for necessary work by the town's digital services provider, Harbor Digital. The total to date is \$2944.25 plus the \$13,255 noted above. A \$15,000 rollover from last year's budget in the Professional Services cost center means that we have not currently exceeded the Town Professional Services Budget for the current fiscal year which ends June 30, 2021. Continued FOAA requests, including from the local press, and need for Town Attorney guidance may change that bottom-line cost.

SOME RELEVANT OBSERVATIONS

As a result of the inquiry, the Select Board is convinced that there were elements of disorganization due to inexperience and a confluence of circumstances; some errors were made. However, there was no evidence of fraud or attempts to subvert the electoral process.

It is important to recall the context including multiple complicating factors. These included but are not limited to a multi-day hospitalization for the Town Administrator in June and tragedy in late June that affected both the Town Clerk and the Town Administrator that involved the deaths of family and/or friends. There were also COVID restrictions as well as late and incomplete guidance from Augusta on the conduct of the elections. Very shortly before the election, the unexpected and extended absence of the Town Clerk just before the election led to staffing shortages. There ensued confusion from running an election with two town employees neither of whom had experience or had been able to receive training on this important function.

Even though some people were aware as soon as two days after the election that there was an issue with the totals tallied on the Town Referendum, no one raised this fact until more than 30 days later. At that point, nothing could be done legally. If the Town had been aware within the 5-day limit set by state law, we could have taken immediate corrective action. Once 30 days pass, the results of an election are considered final. No further action can change the results according to state law.

Much has been said about the election. Due to COVID, there was no in-person Town Meeting as is customary. The Select Board instead offered an informational meeting via Zoom (internet streaming service for meetings) on the Town Referendum on July 2nd that had very few attendees. Accordingly, the Select Board opted to do a mailing and have a second session on July 9 so that the citizens of Hope would be informed about the items on the town referendum. Of course, that means the July 4th holiday weekend was in between, with post offices closed. Mailing of postcards was complicated by a variety of factors, including significant limitations of the US mail system at that time. These mistakes were collective and not the result of any intentional act of any one employee.

Additionally, it is clear from the public record that allegations of impropriety including violation of separation of powers, dishonest conduct, the handling of the Town Report, speaking with a member of the public, were made; in every instance we see no evidence of intentional wrongdoing. In a few of the many issues raised, there may be best practices that can and will be implemented to reduce future misunderstandings. These will be addressed at the end of this statement with the plans the Select Board and Town Administrator have for the future.

RECOMMENDATIONS MOVING FORWARD

The Select Board has identified a number of actions for the future. The Town Select Board and Office Staff have agreed and have already begun working on a wide-ranging set of recommendations. The Board and Staff are committed to providing the highest level of service to the citizens of Hope.

1. Town Administrator

The events of this year have been a set of painful circumstances for both the Town Administrator and the Town. This has been an extremely difficult year for Ms. Mank. Several have described it as a “perfect storm,” of medical issues, staff absences, deaths of family/close friends just before the election, and the stresses and difficulties of the COVID-19 pandemic.

That said, the Select Board is looking prospectively and has begun this process which will involve ongoing communication, specific goals and scheduled evaluations, with the participation of the Town Administrator.

2. Code Enforcement Officer duties

The Select Board learned even before Maria Fox was hired that Hope is the only town remaining in all of Maine to combine the Town Administrator and CEO positions. Clearly, there is a reason why. The Town of Hope has combined these roles for at least the past decade, since the first Town Administrator was hired. Separating the CEO role into a part-time, as-needed position additionally benefits the Town since the tasks currently assigned to the Town Administrator take more than a 40-hour week on a routine basis. By adding a part-time CEO, the Town Administrator will then have adequate time to focus on managing the Town Office, serving the public, and working on workflow improvements.

3. Town Administrator’s Contract

The Select Board and Town Administrator are working on a formal contract for the position and a list of specific goals for the coming year.

4. Management Training and Oversight

The Select Board has consistently encouraged and supported training and oversight and will continue to do so. Just this past June, the SB conducted a review of SB roles with Town Attorney Bill Kelly. In most years, the Town Administrator attends a four-day Managers’ Institute each year. For 2020, with two brand new employees early in the year, Ms. Mank opted out of that training to stay in the office with the two new employees. When COVID-19 hit in March, the Maine Municipal Association and state essentially discontinued almost all training for what turned out to be the remainder of the year. The SB continues to support ongoing education and training for its employees.

5. Cross Training and Increased Oversight of Staff

The SB has been reviewing the entire structure of the Town Office and staffing since late 2019. This has been somewhat sidelined due to COVID-19 restrictions and the turmoil associated with the allegations and complaints that surfaced this past summer. The SB is now looking at the bigger picture for the Town Office.

Cross training has always been essential in an office as small as Hope’s with one Town Administrator and two part-time employees. Those three persons must learn and then do what

takes a dozen or more individuals in larger towns, and the scope of work and requisite knowledge is daunting to say the least. The SB is considering a number of options including but not limited to

- adding a part-time, as-needed Code Enforcement Officer / Plumbing Inspector
- reallocating duties between the current two staff positions, the Clerk and the Bookkeeper
- increasing the weekly hours for the clerk
- adding a deputy clerk to provide greater redundancy / overlap

Some of these can be implemented sooner, others will require town approval and funding at the next Town Meeting or election.

One of the difficulties in recruiting employees to work in such a small office is that it is well known in municipal circles that it is extremely difficult for employees to take time off, for either annual or medical leave or personal days, given the lack of “coverage” when they are out. By adding a third part-time employee, the Town would be able to offer better service, better working conditions for the employees, and adapt to circumstances as needed.

The SB will be presenting its recommendations during the upcoming Budget Cycle and will ask the Town to support any recommendations at the next Annual Town Meeting or election.

6. Communication with Community

The Select Board had begun assessing and implementing improved communication strategies in mid-July due to COVID restrictions and especially in the wake of the postcard mailing which proved snail mail ineffective in reaching town voters. Thanks to the approval of the voters in November, a budget item for a Zoom online meeting subscription and service from TownHallStreams.com passed. Zoom permits not just the Select Board but other town boards and official meetings to be conducted via Zoom, including eventually implementing a way for the School Board meetings to be “Zoomed” and live streamed since the school budget, which comprises about 75 percent of the annual town budget, is of great importance to many in the Town.

Citizens are encouraged to sign up at hopemaine.org, the town website, for e-alerts. Look in the top right corner of the page. The e-alerts are separated various categories so citizens can receive as much or as little information as they choose: All e-alerts, Select Board agendas, News and Announcements, Planning Board Agendas, and Budget Committee Agendas.

7. Complaint and FOAA Processes

The Town has a logbook for FOAA requests. However, staff changes and lack of training from the MMA (Maine Municipal Association) and Augusta due to COVID restrictions, meant that logging and responses were not handled as well as they might have been between early February and early November. The Town Administrator and SB are working together to establish processes, including creating a digital file for all FOAA requests and all Complaints, to make it easier to find these requests and make sure they are tracked and answered appropriately.

8. Policy Revision

The Select Board has reviewed all public comments, and also recommends the following proactive actions be implemented:

A. Adopt a whistleblower policy that tracks the WPA [Whistleblowers' Protection Act] and encourages employees to report matters they believe are unlawful or negatively impact health or safety and lets them know they are protected from retaliation for making such reports. The policy should include an explanation of the process for reporting retaliation concerns and how they will be reviewed.

B. Update the wage and hour policy to include the expectation that all hours will be accurately reported by the employee on the timecard.

C. Add a policy prohibiting the removal of Town property from the Town office or include it as an example of unacceptable behavior in Section 5:05 (Rules of Conduct).

D. Add a policy that no Town employee may serve on a Town Board or Committees except with prior review and approval by the SB.

E. Improve Section 3:08 (Policy on Harassment) by including not only "illegal harassment from a co-worker(s) or a supervisor," but also any employee, SB member, Town official, vendor, resident, or other third party. The SB should consider including the Vice Chair as the person to whom a report may be made if the matter involves the SB Chair.

Over the coming months the Town Administrator and the Select Board will be working to update and adopt all of these policies.

Prior to the Hope Solar effort, the Town Administrator had been regularly reviewing all of the Town Policies and Ordinances to see if they needed to be updated. Over the past eighteen months, the town office has been very busy with important and time-consuming work that is outside the usual tasks. This work interrupted that process. As soon as the busyness of daily work allows and the Town has a full, trained and functioning office staff, we plan to return to that review as well.

Conclusion

The Select Board has made significant effort to fully investigate and process all information with the help of outside experts in investigation and legal process. We are confident that our conclusions as described herein are fair and in the best interests of the Town and employees. The Select Board takes this opportunity to thank the residents of Hope for their patience. We also thank the citizens of Hope for placing their trust and confidence in the Select Board and in this document.

DATED: DECEMBER 8, 2020