

MINUTES OF SELECT BOARD MEETING

Hope Select Board

Tuesday, August 25, 2020

6:30 PM

Hope Town Office/Zoom

Board Members Present:

- Sarah Ann Smith, Brian Powers Jr., Thomas Ingraham, Bruce Haffner, and Amy Gertner

Others Present:

- Samantha Mank, Ron Smith, Jessica Snyder, Todd Snyder, Wendy Pelletier, Amy Powers, Bill Jones (*Present via Zoom*): Paul Smith, Daniel Dunkle, Larrain Slaymaker, Allie Feener, Allie Payor, Susan McIntyre, Fredica Chapman, Ellie Goldberg, Juanita Hunt, Nancy Ford, Betty Ingraham, Jim Guerra, Dave Stuhlbarg, Margaret Morse, Chris Pinchbeck, Dick Crabtree, Olivia Powers, Ella Powers, May Liao, Mike Ames, David Lothrop, Mary Ireland, Michelle, Serena Mo, Sue, Daniel, and others

Call to Order:

- The meeting was called to order at 6:34 PM by Sarah.

Minutes:

- August 11, 2020: Brian made a motion to accept the 8/11/20 minutes. It was seconded by Amy. **Motion passed 5-0**
- August 18, 2020: Brian made a motion to accept the 8/18/20 minutes. It was seconded by Thom. **Motion passed 5-0**

New Business:

- **Select Board Statement to the Town of Hope:** Sarah read a prepared statement on behalf of the entire Select Board as follows: *The Select Board for the Town of Hope and the Town Office staff want to assure the citizens of Hope that we take town elections seriously and that they are conducted in accordance with the law and regulation. It does appear, however, that some errors occurred in the last election; it appears these areas affected only the manually tallied and or Town Meeting Referendum Ballots. However, any error is unacceptable. We apologize and have already begun taking steps to ensure this does not happen again. On August 11th, a citizen of the Town of Hope raised concerns about the tabulation of the Annual Town Meeting Referendum Ballots in the July 14th Election, noting the total of the Yes, No, and Blank tallies added up to different numbers when, in fact, they should have been a consistent total for the total number of ballots. The concerns raised are ONLY about the Annual Town Meeting Referendum Ballot and were manually tabulated on July 14th (election day) and July 15th. The state and federal ballots were properly processed through the machine and, if the ballot would not feed or scan it to the machine correctly, as otherwise stipulated by law and regulation. The Select Board and Town staff are distressed at these errors, and again we apologize and are taking corrective action. The Town of Hope is working to address several other issues appropriately. Some*

background may prove useful: Because of the COVID-19 restrictions, the Town was unable to hold the annual in-person Town Meeting, which is where the citizens of the town serve as the town's legislature and vote on the Town Warrants to fund all town functions for the coming fiscal year. As a result, the Town placed all the usual Town in School warrants on a secret ballot, as well as elections for Municipal positions: two Select Board Members, two Budget Committee positions, the Road Commissioner, and the School Committee. Guidance from Augusta to the cities and towns of Maine was late in arriving about how to proceed with secret paper ballots for the July 14th election. This meant the printers that print our ballots could not handle printing demands for the many towns across the state and have them ready in time for the date to begin mailing out absentee ballots. Therefore, towns across the state ended up printing their own ballots, just as we did. Hope's Annual Town Meeting Referendum, a 6-page ballot printed on legal size manila colored paper, listed all the items that would normally have been discussed at an in-person town meeting. There were twenty-five separate Articles presented to the voters. If you multiply 25 articles by the (approximately) 500 ballots, that is 12,500 separate items that need to be counted and tallied manually. Then add the municipal elected positions and school warrants. Clearly, that is a daunting task. Hope's challenges in the July 14th election did not begin or end there. Earlier in the year, the town bookkeeper of 15 years retired, and the town clerk accepted a position that was a promotion in both position and pay. We therefore had two new employees for this election. Our new Town Clerk started in late January, and the new Bookkeeper began on February 28th. With the shut-down/stay at home order due to COVID-19 on March 15th, all formal training was cancelled. The staff did their best working from home or being in the office, one person at a time. The previous bookkeeper, Mary Tolles, even agreed to work one month past her intended retirement date to help out but did retire in early-to-mid May. In Maine, the Town Clerk is the person who is in charge of elections, and in Hope the Bookkeeper is the Deputy Clerk. Less than 10 days before the election, we learned that the Town Clerk would be out on an extended absence and would, therefore, not be there for the July 14th election. This led to a lot of activity trying to get everything covered. The Town Administrator had never managed an election, and the Bookkeeper had only a few months on the job with no formal training on elections. Our Town Administrator was therefore the Warden for the election. The Bookkeeper was one of the counters, and we fortunately had many of our experienced election volunteers there as well. Some very good news for November is that our Clerk is back, training for municipal employees has resumed, as she will have her official elections training at the start of September. To return to the municipal voting, Maine law allows recounts in only two instances. After consulting with Town Attorney for Hope, Bill Kelly, Maine Municipal Association (MMA) Legal Counsel, Michael Lichtenstein, and the Secretary of State's office (state government that oversees elections) we have learned that there are no legal avenues at this point to have a recount or even to open the boxes and compare the numbers on the tally sheets to those copied onto the spreadsheet of election results to see if the discrepancies were simply an error in copying. Even opening the box is not legal. Mr. Lichtenstein of MMA wrote to the Select Board Chair on Wednesday, August 19, 2020: "As we discussed on the telephone earlier this morning, the inspection and/or recount of municipal secret ballots is constrained by state law, as follows: For Secret Ballot Elections of Candidates to Municipal Office: a tied or losing candidate in an election for municipal office may apply to the municipal clerk to inspect the ballots and incoming voting lists. The application must be in writing and received by the municipal clerk within five days after the results of the elections have been declared, together with any fee (if required by the clerk). 30-A M.R.S. § 2530-A. Inspections must be held within five days after the municipal clerk receives the written application requesting the inspection. 30-A M.R.S. § 2530-A (5) A tied or losing candidate in the election for municipal office may apply to the municipal clerk for a recount. 30-A M.R.S. § 2531-B. The application must be in writing and received by the clerk within five business days after the date of the contested election, or within five business days after an inspection 30-A M.R.S. §2531B (4). If a tied or losing candidate claims to have been elected to municipal office, they may bring an action in Superior Court against the candidate who claims title to the office but must do so within 30 days after an election. The court shall decide the case as soon as reasonably possible. 30-A

M.R.S. §2533. For Secret Ballot Referendum Elections: There is no longer a provision for inspecting ballots from a municipal referendum election. The only way to inspect such ballots is to request a recount, which must be initiated by a written application of voters and must designate a person to be the official representative of the registered voters who request the recount. 30-A M.R.S. §2532. The time limits, rules and or other matters for a recount for a secret ballot referendum election are the same as for candidate elections; i.e. the recount must be requested within 5 business days after the day of the contested election. The Select Board regrets the Annual Town Meeting Referendum errors. We have taken immediate action. Once all of the issues have been addressed appropriately, the Select Board will share the results as fully as law allows.”

Ellie said that she is grateful to have a report from the town. However, she was expecting more information about the management of the town.

Sarah said there were a couple of issues surrounding this: 1.) per the Town Attorney and keeping things neutral and fair, the Select Board is taking appropriate action. She said that she would prefer to share everything, but there are a number of issues that deal with personnel, so we won't be able to share everything, but she promises to share everything that is legally permitted. On August 11th a lot of things were brought up. The meeting was recorded but it is still not available because we do not have an IT person to do it. Ellie wanted to know if the Town staff could do it. And Sarah said no, they don't have the expertise or the time. The Select Board is working on a communications policy and strategy, but we've been dealing with these things first. Ellie said she wanted to know more about the Town Attorney, MMA, and the Executive Sessions. Sarah said that she can't say what was discussed in Executive Session, but she could say what was not discussed, right now we are working under attorney privilege. Both the Town Attorney, and MMA legal, said the Select Board was on solid ground with the Executive Session.

Langley wanted to know if the Select Board received the new complaint that he had filed with the Town Clerk and both Sarah and Brian indicated that the Select Board had received his most recent complaint. Sarah said, the Select Board are working on it and we all want an honest and impartial result.

Bill Jones wanted to know if the Select Board can say what was not discussed, and also commented that MMA Legal is really more of an association, kind of like a teacher's association, is that correct?

Nancy Ford wanted to know if the Select Board had received a letter she had sent and asked for permission to read it. Sarah told her that there was an agenda item for her letter and asked if she could wait until that time. Sarah also mentioned that a letter from Bill Jones was received that was very similar to that of Nancy Ford's letter. Bill immediately spoke up and said that he did not send any letter. He said he was merely commenting that MMA was just a civic group and that the lawyers there are not the same as the town Attorney. Brian responded to Bill's comment by saying the Town pays dues to MMA and this organizations sole purpose for existing is to help all of the cities and towns in Maine.

Bruce added that he thinks it's great when people attend the meetings. He made a motion to move Nancy Ford's statement to now because he said all of the people who are in attendance are here because they want to hear what Nancy has to say. That motion was seconded by Thom. There was no vote taken on the motion. However, Nancy still read her letter: *Dear Members of our Town of Hope's Select Board: Respectfully, I write as a citizen of Hope hoping to help our town. In light of current citizen concerns, I write to provide you each with a copy of the following: 1. Questions and Requests 2. Helpful Statutes in Maine Law. With each question, you will see specific, hopefully helpful requests. As further help, I provide the wording in relevant Maine statutes. In that the posted Agenda for this week's Elect Board meeting does not include its usual Public Comment opportunity, I ask for a Board motion to read this letter containing citizen questions and requests be read into the record and discussed. Advance thank you's for your efforts of Hope citizens' behalf. Respectfully, Nancy Ford With Hopes for Helping Our Town My Questions for Our Select Board Aug. 25, 2020 1.) Action Plan for Town Governance: In your executive session and in your discussion with MMA and/or our town lawyer, did you decide on an action plan to address citizen concerns regarding not only potential election irregularities but also and needed performance measures, accountability checks and public access of public records? 2.) Formation of Investigation Committee: In that Maine law allows the a town to address concerns such as our current ones for performance, accountability and public record access with the formation of an investigation committee, would the Select Board consider an investigation committee comprised of neutral, well-respected and knowledgeable local citizens? 3.) Investigation Costs: If we appoint neutral and skilled locals, we not also save ourselves the additional costs while also receiving far better results for our taxpayers. 4.) Investigation Ideas: What additional ideas do Board members currently have to insure greater accountability and transparency? 5.) Executive Session Discussions: I understand that the motion for executive session was to discuss the duties of public officials. At this executive session, the discussion of duties necessarily involved discussion of more than one public official in our town office, especially in light of the recent Town Administrator's firing or our Town's Bookkeeper and Deputy Clerk. My question is this: To learn from mistakes, how can we be sure that potentially libelous mistakes made are not repeated? 6.) Prompt Public Access to Town Records: As one example, I note the long delays (weeks!) In accessing the recording of the meeting and so have a question concerning what can be done to promote the Town's providing prompt access to its citizens of these records, including recordings of meetings. 7.) Results of After-Executive Session Calls: What did the MMA and/or our Town lawyer tell us concerning the decision last week to deny complainants what appears to be their statutory right to attend last week's Executive Session? Helpful Maine Statutes Here are various, relevant and hopefully helpful citations to Maine Law (with copy of any statute available upon request). These statutory provisions concern •1 M.R.S. §405 - Executive Sessions •1 M.R.S. §412 - Public records and proceedings training for officials and public access officers •1 M.R.S. §413 - Public access officer • 30-A M.R.S. §2635 - Administrative service to be performed through town manager and Select Board appointment of investigative committee. • 30-A M.R.S. §2636. Powers and duties of town manager. **1 M.R.S. §405. Executive sessions** Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions. 1. Not to defeat purposes of subchapter. An executive session may not be used to defeat the purposes of this subchapter as stated in section 401. 2. Final approval of certain items prohibited. An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session. 3. Procedure for calling of executive session. An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies. 4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the*

motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent. 5. Matters not contained in motion prohibited. Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.

6. Permitted deliberation. Deliberations on only the following matters may be conducted during an executive session: A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions: (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated; (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires; (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal; B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as: (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire; C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency; D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions; E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage; F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute. G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter. **1 M.R.S. §412. Public records and proceedings training for certain officials and public access officers** 1. Training required. A public access officer and an official subject to this section shall complete a course of training on the requirements of this chapter relating to public records and proceedings not later than the 120th day after the date the official takes the oath of office to assume the person's duties as an official or the person is designated as a public access officer pursuant to section 413, subsection 1. 2. Training course; minimum requirements. The training course under subsection 1 must be designed to be completed by an official or a public access officer in less than 2 hours. At a minimum, the training must include instruction in: A. The general legal requirements of this chapter regarding public records and public proceedings; B. Procedures and requirements regarding

complying with a request for a public record under this chapter; and C. Penalties and other consequences for failure to comply with this chapter. An official or a public access officer meets the training requirements of this section by conducting a thorough review of all the information made available by the State on a publicly accessible website pursuant to section 411, subsection 6, paragraph C regarding specific guidance on how a member of the public can use the law to be a better informed and active participant in open government. To meet the requirements of this subsection, any other training course must include all of this information and may include additional information. 3. Certification of completion. Upon completion of the training course required under subsection 1, the official or public access officer shall make a written or an electronic record attesting to the fact that the training has been completed. The record must identify the training completed and the date of completion. The official shall keep the record or file it with the public entity to which the official was elected or appointed. A public access officer shall file the record with the agency or official that designated the public access officer. 4. Application. This section applies to a public access officer and the following officials: A. The Governor; B. The Attorney General, Secretary of State, Treasurer of State and State Auditor; C. Members of the Legislature elected after November 1, 2008; E. Commissioners, treasurers, district attorneys, sheriffs, registers of deeds, registers of probate and budget committee members of county governments; F. Municipal officers, clerks, treasurers, assessors and budget committee members of municipal governments; G. Officials of school administrative units; and H. Officials of a regional or other political subdivision who, as part of the duties of their offices, exercise executive or legislative powers. For the purposes of this paragraph, "regional or other political subdivision" means an administrative entity or instrumentality created pursuant to Title 30-A, chapter 115 or 119 or a quasi-municipal corporation or special purpose district, including, but not limited to, a water district, sanitary district, hospital district, school district of any type, transit district as defined in Title 30-A, section 3501, subsection 1 or regional transportation corporation as defined in Title 30-A, section 3501, subsection 2. **1 M.R.S. §413 - Public access officer** 1. Designation; responsibility. Each . . . municipality, . . . shall designate an existing employee as its public access officer to serve as the contact person for that . . . municipality, . . . with regard to requests for public records under this subchapter. The public access officer is responsible for ensuring that each public record request is acknowledged within 5 working days of the receipt of the request by the office responsible for maintaining the public record requested and that a good faith estimate of when the response to the request will be complete is provided according to section 408-A. The public access officer shall serve as a resource within the . . . municipality, . . . concerning freedom of access questions and compliance. 4. Training. A public access officer shall complete a course of training on the requirements of this chapter relating to public records and proceedings as described in section 412. **30-A M.R.S. §2635 - Administrative service to be performed through town manager and Select Board appointment of investigative committee.** It is the intention of this subchapter that the board of selectmen as a body shall exercise all administrative and executive powers of the town except as provided in this subchapter. The board of selectmen shall deal with the administrative services solely through the town manager and shall not give orders to any subordinates of the manager, either publicly or privately. This section does not prevent the board of selectmen from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any official or department, or any matter relating to the welfare of the town. Concerning town officials, Select Board can appoint citizens to conduct investigations into the conduct of any official or department, or any matter relating to the welfare of the town. **30-A M.R.S. §2636. Powers and duties of town manager** 1. Executive and administrative officer. Is the chief executive and administrative official of the town; 2. Administer offices. Is responsible to the selectmen for the administration of all departments and offices over which the selectmen have control; 3. Execute laws and ordinances. Shall execute all laws and ordinances of the town; 4. Department head. Shall serve in any office as the head of any department under the control of the selectmen when directed by the selectmen; 5. Appoint department heads. Shall appoint, subject to confirmation by the selectmen, supervise and control the heads of departments under the control of the

selectmen when the department is not headed by the town manager under subsection 4; 6. Appoint town officials. Unless otherwise provided by town ordinance, shall appoint, supervise and control all town officials whom the municipal officers are required by law to appoint, except members of boards, commissions, committees and single assessors; and appoint, supervise and control all other officials, subordinates and assistants, except that the town manager may delegate this authority to a department head and report all appointments to the board of selectmen; 7. Purchasing agent. Shall act as purchasing agent for all departments, except the school department, provided that the town or the selectmen may require that all purchases greater than a designated amount must be submitted to sealed bid; 8. Attend meetings of selectmen. Shall attend all meetings of the board of selectmen, and the town manager may attend meetings when the manager's removal is being considered; 9. Make recommendations. Shall make recommendations to the board of selectmen for the more efficient operation of the town; 10. Attend town meetings. Shall attend all town meetings and hearings; 11. Inform of financial condition. Shall keep the board of selectmen and the residents of the town informed as to the town's financial condition; 12. Collect data. Shall collect data necessary to prepare the budget; 13. Assist residents. Shall assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices; and 14. Remove appointments. Has exclusive authority to remove for cause, after notice and hearing, all persons whom the manager is authorized to appoint and report all removals to the board of selectmen.

Sarah said she would try to answer these questions. 1.) Action Plan for Governance: The Select Board was already trying to look into this. It came about because Bruce started asking questions about Hope doing our own snow plowing. 2.) Given the amount of rancor that is blown up in our little Town, I think the best thing to do is to have a truly impartial person who is an expert look into these matters. 3.) Executive Session, we can't tell you what happened in Executive Session, but we are going to do everything we can in an appropriate manner. For prompt access to town records: For the past three years minutes have been taken in one week and approved at the next meeting then posted on the website. We are working on the ability to post recordings, but we do not have the capability yet.

Nancy said she wants to have "us", the Hope citizens involved instead of bringing in a third party. Brian said he wanted to speak to question number five: he said he was going to refer to a conversation he had with Mary Tolles a couple of years ago. We talked about checks and balances. Ultimately it comes down to we have a small office and we can't always make a rule or checks and balances, it comes down to the persons integrity, it's about as good as it gets.

Langley said he would like to speak about records. On August 7th he asked that the Planning Board meeting minutes be posted, and they have still not been posted yet.

He went on to say that he has made four FOAA requests and has not been given appropriate notification that his requests have been received.

Sarah told Langley that everything he has given to the town office has been received. Langley said that by law, he should be given an email not just a stamp that says received. He also said that he was requesting the building permit database off of the

Town server and that it would only take one minute to get it, but it has been over a week and a half since his request. Sarah told Langley that his request will be acknowledged.

Ron Smith so that he would like to know the mechanics of why Langley was dismissed. He said the Town Administrator cannot just say “it just won’t happen”. He wanted to know if the Town Administrator even has the authority to fire an employee. Sarah confirmed that the Town Administrator does have the authority to hire and fire employees. Ron said that he wanted a job description of the Town Administrator and also wanted to know what form of government Hope was. Sarah told him that the Town of Hope is a Select Board/Town Administrator/Town Meeting form of government. Ron said that he has been reading things and to him there is no way that a Town administrator couldn’t fire employee. He said he’s just sitting here wondering “why did this guy get fired, did he steal something or what?”

Sarah said that the Select Board is aware of a lot of things and that is why we are all in communication with the Town Attorney.

Thom said that he wanted to make sure that Nancy’s letter was entered into the record and Brian responded and said that it would be included in the minutes. Sarah explained that all of the meeting documents are also now on the website so that the public can see what is going to be discussed during a Select Board meeting.

Jessica Snyder asked for an update on the Roads Committee. Thom said that at the last meeting (Aug. 11th) the Select Board established a Road Advisory Committee. Hopefully over the next two meetings, the Select Board will have an actual charge for the new committee. Jessica wanted to know what happened to the previous committee.

Sarah explained that there was not an actual committee. There was a recommendation of some names, but Thom and Bruce asked if the creation of the committee could be tabled until after the election. Now the election is over, and the Select Board has created the committee, so now we’re just looking at what to have them do going forward. Ron Smith wanted to know when the committee would get going and Thom said hopefully within the next two meetings.

Amy Powers asked to speak and said that she had a prepared statement as follows: *My name is Amy Powers and I am a resident of Hope. I am deeply troubled by a recent incident involving our Select Board. I feel this incident was highly inappropriate, unbecoming of an elected official and has crossed many lines. I’m going to email an audio to the entire board that I feel you and the townspeople should hear. From my perspective it should be made public so that the residents of Hope are aware of the disturbing actions of one of our current board members. It is also important that the local school administrators and parents are aware of some unhinged behavior by an individual that has had access to our children for some time now. When you listen to this audio, please keep in mind that these comments were fueled by a simple difference of opinion as to how our roads were going to be plowed in the future. I am unsure if the board as a whole has been aware of this recording and if so, if any actions have been taken. I am embarrassed that he is a representative of Hope. After hearing this recording, I am unsure how the rest of the board will be able to sit with him to do the town’s work? I am aware that we do not*

have a mechanism in the town to remove an elected official. I hope that the citizens of Hope come together to change this. The audio includes threatening comments to other town officials and a town employee. As my husband was one of the individuals threatened in this rant, I am left wondering if I should be concerned for my safety as well and the safety of my children? I also am deeply concerned that we have a male board member threatening a female, town employee. As a female, this is something that I do not take lightly, and neither should you. In an effort to ensure all citizens of Hope are aware of these disturbing actions, I will also be sharing this audio on Hope Happenings, with the PenBay Pilot, Village Soup, The Bangor Daily News, the Portland Press Herald, and local school districts. I ask that you play this audio in a future public meeting to ensure the full audio becomes part of the official town record. There will always be discourse in politics, town government, and every day life. It matters how we conduct ourselves when faced with such discourse. There should be no place for this behavior in our community, let alone on a board representing the towns people. We deserve better...it's time for a resignation. In my opinion, an immediate resignation is the appropriate next step. Thank you for the time. Best, Amy

Sarah read another prepared statement: The Town of Hope will be taking appropriate action to review complaints to the Town. Because of the significant expense to the Town and taxpayers of the Town of Hope, if you have any additional concerns that you wish to submit to the Town regarding events up to and including August 25, 2020, all of them must be submitted in writing no later than noon, Friday, August 28, 2020. You may submit them by email or as a hard copy. Please provide specific, verifiable information and details. No further complaints for that time period will be accepted after the stated deadline.

Michelle, who was participating via Zoom said that she wanted to know that the town was acting with integrity and to have some kind of policy in place should something like this happen again. Sarah said that any Town employee is free to speak with any Select Board member at any time. And the Town Administrator receives an annual evaluation as do the employees.

Brian said that historically there have not been any problems like this in the Town Office ever before. This is a learning experience, and he suspects that the Select Board will be working collectively come up with a plan for any other possible future circumstances.

Betty said that she has a concern about the treatment of Langley. She wants to make sure that he had been treated fairly even though it was legal to dismiss him. She wants to know if the Select Board was involved in anyway. "This can't just be left the Town Administrator; I would like to think that the Board would be involved".

- **Playgroup Proposal – Allie Feener:** Allie Feener wrote a proposal as follows: *Dear Select Board Members, A small group of families are looking to put together a small playgroup in a neutral location to Hope center. The group would consist of 4-5 children under the age of 5, all to be watched/cared for successively by one of the group member's mother, with a rotating volunteer from the additional parents of the group.*

The mother whom would be caring for the children regularly is Alaina Garrigan, a Hope resident who has formal education in childhood development, two years' experience in a toddler aged classroom and over three years' experience in a preschool classroom. Additionally, she has two sons who are ages 5 and 2.

*While Alaina's elder son is in school at Sweetland Center (Wednesday, Thursday and Friday) Alaina would be watching her younger son and 3-4 other boys between the ages of 2 and 4. One of these boys is also a Hope resident (Ivan Feener), and all of the families have children at Sweetland School. TO BE VERY CLEAR – this group is not affiliated with Sweetland school itself, it is a group of families who are wishing to limit exposure during the COVID-19 pandemic. Most of the families still rely on childcare to work and want their young, developing children to still have social/emotional developing opportunities. While the logistics of an overlapping schedule with Sweetland school is still in discussion with the school, we are asking the Select Board Members to approve the *possibility* of our playgroup using a room in the town office 3 days a week (Wednesday, Thursday, Friday) between the hours of 8:00AM and 2:00PM. It is our hope to be outside as much as possible (True Park and surrounding), but to have a dedicated space in the town office to allow for a developed area in inclement weather (playgroup materials to be provided by the families). We are asking for a decision to be made before the approval of a shared space from Sweetland school is obtained as we are aware that Select Board Meetings occur bi-weekly; the next to occur less than a week before school is to start. Additionally, it would help us to plan for an intentional space. We are in full communication with Sweetland school about our plans despite not being affiliated with them and would invite you to ask any questions to the school or the play group. Thank you for your consideration. Best, Allie Feener.*

Sarah said that she thinks that the Town Office basement is a bit gritty and probably would need some sort of insurance which is relatively inexpensive through MMA.

Brian said there could be a sticking point with the fire code and insurance. That is one of the problems that the Sweetland School ran into when they wanted to be in the basement. The Playgroup would probably have to be called a day care. He suggested that Allie F. contact the Fire Marshal's office and find out about these things. Allie F. told the Select Board that there no DHHS licensing required because there is only going be four kids and likely two adults with one of the adults being the mother of one of the children. So, it is not actually a daycare but really an organized play group.

Amy G. said that she is happy to keep looking into this and is going to also check with the Library Board as well.

Allie F. said the overlapping schedules with the older kids is something that the Sweetland School and Lindsay P. has agreed to arrange schedules to help with the overlap time when both groups may want to use the upstairs area. She also said that they have checked into other venues, but the church is not interested in have the kids there and she checked with Clarence, but he didn't think the Playgroup and the fire station would not be a good fit either.

Amy G. double checked with Allie F. that she had already spoken with Lindsay about using the upstairs community room which Allie F. confirmed. Allie F. wanted to make it perfectly clear that they are not associated with the Sweetland School.

- **Discussion Townhall Stream Option:** Ron Smith wanted to know if the Select Board had received any recommendations from any other vendors or just Townhall streams.

Sarah said they were so many IT issues with the other options this is really the simplest it's more of a plug and play.

Brian said that he was concerned and thought that the Town should not enter into a long-term commitment. He would like to propose that the Town could sign up with Townhall streams until June and if there are any other options at a better cost then we are only locked in unless and until the funding is approved at a Town Meeting next June, and then we go forward from there.

Brian made a motion to place a question on the November 3, 2020 ballot to fund the Town communications project through the end of the fiscal year until June 30, 2021 and to not exceed \$2000. It was seconded by Thom.

Motion passed 5-0

- **Review and Sign Assessors Agent Contract:** Brian made a motion to sign the Assessors Agent annual contract with C. Vernon Ziegler in the amount of \$14,550, which was approved by the voters at the July 14th election. It was seconded by Thom.

Motion passed 5-0

- **Appoint Registrar of Voters:** Brian made a motion to appoint Alexenia Payor as the Registrar of Voters for a period of two years or until another Registrar has been appointed. It was seconded by Amy.

Motion passed 5-0

Old Business:

- None

Other Business:

- Questions & Requests from Nancy Ford: Taken out of order

Public Comment:

- Jessica Snyder said that Amy Powers had brought up something earlier in this meeting regarding a recording and would like to know what it is she has. Jessica said if it is going to get posted online and sent to the news media shouldn't we hear it first in this room?

Amy P. said she's fine with whatever the Select Board wants to do, she just wants to at least have it on a future agenda. Jessica reiterated that she thinks the public should be able to hear it before it is released.

Thom said that he would rather listen to it alone.

Brian said that since we have not discussed it as a Board, it would probably be best for the Board to talk about it first before playing it publicly. Jessica said there's already a lot of talk in Town about Langley, and Sam, and now an elected official. Shouldn't the Towns people have a right to hear it?

Amy G. said that she would like to hear it privately first.

Sarah said Amy P. has the recording and could upload it from the parking lot if she wanted.

Ron Smith spoke out and said it should only be heard and Executive Session.

Amy G said, "I think the way the Amy Powers presented this was very diplomatic and respectful to allow the Select Board to hear it first".

Ron Smith wanted to know if the recording was from somebody who had a knowledge of the inner workings of the Town Office.

Amy P. said that the Town does not have any kind of mechanism to remove an elected official(s) from office. She said, "I wonders if I need to be afraid for my home and the safety of my children. The Towns people have a right to know who they elected".

Dick Crabtree asked to remind the Chair-lady that the Select Board may receive public comments but may not deliberate on things that are not on the agenda.

Sarah stated that this item would be placed on the September 8th agenda.

- Thom reminding folks that there is a Zoom meeting on Thursday, August 27, 2020 to have a session/discussion on the Brown Tail Moth.
- Thom also reminded everyone that the Broadband Survey is on the website and to please if they haven't already filled out a survey to go to the website and do so.

Town Administrator's Report:

- Spoke with Jen Conner, who is the accountant who was hired by the Town to do the quarterly reports and audit preparation. She expressed some concern regarding a lack of journal entries and bank reconciliation information that she needs in order to create the reports and prepare for the audit which typically occurs within the first two weeks of September. She said she was at the Town Office working with Langley for a while but that he still had quite a bit of "homework" to complete and get it to her. She asked me to see if he had completed any of the required items and get back in touch with her. She strongly suggested contacting the Auditor and moving the audit back a couple of

weeks.

- Contacted Town Auditor's Office to push the audit schedule back to the end of September or first of October. He will be back in the office on Monday so I should know more after talking with him.
- I have hired a temporary employee to fill in while the bookkeeper position is vacant. His name is Michael Siddall. He has a degree in mathematics and has a great positive front counter presence.
- Contacted Mary who has agreed to do some contracted work to help get the June and July bank reconciliations updated as well and complete some inventory and other finance task items need to be sent to the accountant in order to prepare the fourth quarter report and to do the audit preparation. She spent several hours yesterday in the office assisting in getting the finance area up-to-date.
- Gail from the Superintendent's Office said that she emailed a signed payroll warrant to the Town Office. I was able to see that the proper information was submitted to the bank however, the warrant (not even an emailed copy) has been received yet. I sent her an email letting her know that we were not in receipt of the warrant and to please contact me in the morning. I believe there is only one payroll warrant. If it is received in the morning, is there three Select Board members willing to come in and sign the school payroll warrant?
- The Town Report has been completed and posted on the Town's website.
- There are 8 outstanding 2019 RE accounts totaling \$14573.23 with liens that will go to automatic foreclosure on February 16, 2021 if accounts remain unpaid.
- There are 67 2020 RE accounts totaling \$14,573.23. The 2020 liens will be filed on August 28, 2020. (This Friday)
- The 2021 RE taxes were just committed on July 28, 2020. There are 1,135 accounts totaling \$3,017403.48.

Warrants:

- The Select Board reviewed the warrants. Brian made a motion to approve and sign warrant #'s 16, and 17. It was seconded by Amy.

Motion passed 5-0

Executive Session – Pursuant to 1 M.R.S. §405(6)(E): Communication between Select Board and Town Attorney:

- Brian made a motion to enter Executive Session at 9:15 PM Pursuant to 1 M.R.S. §405(6)(E) - Communication between the Select Board and Town Attorney. Motion was seconded by Thom.

Motion passed 5-0

- Thom made a motion to exit Executive Session at 10:10 PM. It was seconded by Brian.

Motion passed 5-0

Adjournment:

- Brian made a motion to adjourn at 10:11 PM. It was seconded by Amy.

Motion passed 5-0