

MINUTES OF SELECT BOARD MEETING
Hope Select Board
Tuesday, September 8, 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, Duane Wright, Clarence Keller, Langley Willauer (via Zoom:) Chris Sewall, John Monroe, Janis Bunting, Kate Bracher, Mary Ireland, Nancy Ford, Olivia Powers, Alexenia Payor, Amy Powers, bluebearee, David Hall, Dan Dunkle, Ella Powers, James 007, Jason Hall, Lin Mao, Liz Creighton, Mike Ames, Paul Smith, Susan McIntyre, Jeff's iPad, Ellie Goldberg, Daniel's iPad, Dick Crabtree, David Lothrop, Molly Luce, Robert Lane, Susan B., Harold Mosher, John Morrison, ML, Willow Hall, Sydney Hall, and others

Call to Order:

- The meeting was called to order at 6:32 PM by Sarah.

Public Comment: Agenda item not observed. Much public comment throughout the meeting.

Minutes:

- August 25, 2020: Brian made a motion to accept the 8/25/20 minutes. It was seconded by Thom.
Motion passed 5-0
- September 4, 2020: There was no quorum for this meeting. No motion and no second. The minutes were approved by Sarah.
Motion passed 1-0-4 (*Brian, Thom, Bruce, and Amy*)

Town Administrator's Report:

- I'd like to advertise the Bookkeeper position this week. The "Temp" will be moving on to a permanent job. His last day is Friday.
- The Town Clerk has asked for some additional hours. Thom made a motion to approve an additional 16 hours for the Town Clerk for the next pay period and then discuss any additional changes that maybe needed in a future meeting. It was seconded by Amy.
Motion passed 5-0

- The projected Revenue Sharing figures are in and they are much better than expected.
- Both Mary and Jen Conners were in on Thursday. Both of them indicated that very little bookkeeping work has been done since Mary's retirement and what was done was so entangled that it took Mary nearly three 8 hours+ days to reconcile the June and July bank statements. You will notice in the warrants several sheets of paper that Mary wrote on to ensure that bills/invoices actually went through the warrant approval process of the Select Board. Some invoices had gone unpaid while others were paid without Select Board approval. Mary is working from home today trying to make sure all of the numbers from the year-end match through to today. She will be spending one more day in the office and she said that she would really like to be done.
- There are 8 outstanding 2019 RE accounts totaling \$14,374.12 with liens that will go to automatic foreclosure on February 16, 2021 if accounts remain unpaid.
- There are 32 outstanding 2020 RE accounts totaling \$66,146.58 with liens that will to automatic foreclosure on February 10, 2022 if accounts remain unpaid.
- The 2021 RE accounts totaling \$2,887,334.32. The first half of taxes are due on September 30, 2020.

New Business:

- **Award Fire Truck Bid:** The Select Board reviewed all of the bids to purchase the fire truck. Brian made a motion to award the bid to the highest bidder, Robert Pearse, for the amount of \$5656.⁰⁰, and to designate the money into the Fire Truck Replacement Fund Reserve. It was seconded by Thom. Thom wanted to know if putting some of the money into the newly created Fire Truck Repair and Maintenance Reserve for the would be a good idea. Brian said he thought the money from the sale of a fire truck should go into the reserve account that will be used to purchase the next fire truck.

Motion passed 5-0

- **Review & Sign Quit Claim Deed (lien discharge error):** In 2005, there was a tax lien placed on 25 Gurney Hill Road, map 05 lot 012. The lien was paid off in full and the lien discharge was recorded in the Knox County Registry on October 6, 2006. However, it does not indicate that the lien discharged happened prior to automatic foreclosure. This quit claim deed is just to make sure that it is clear that the lien was properly discharged, and that the Town does not own it through the automatic foreclosure process. Thom made a motion to sign the corrective municipal quit claim deed. It was seconded by Brian.

Motion passed 5-0

- **Broadband Internet – Broadband Committee:** Duane Wright gave an update on the results of the broadband survey. Of the 910 different addresses in Hope, 723 have not responded to the survey. That means that only 20.55% of the residents have submitted

the broadband survey. There's some discussion on mailing surveys to the individual addresses. Rick Bresnahan has offered to pay to have those surveys mailed to the people have not responded yet, hopefully this can happen sometime next week.

Currently Tidewater provides service to 66% of the respondents, while Red Zone makes up 21% and the other providers include Hughesnet, Cellular, or no provider at all. Of the Tidewater customers, 67% still have DSL internet and 30% are using fiber optic, 3% is unknown. Interestingly, 73% of the respondents said that they were not satisfied with their current internet service. There is a discrepancy between the map from the ConnectME organization and reality in Hope. According to the map from ConnectME, a large portion of Hope residents already have high band internet with a least a 25 MB upload and a 3 MB download, it simply is not true. In reality, 84% of the respondents are unserved or underserved internet recipients. Not all who responded to the survey gave good comments. Some people don't want their money used to purchase faster internet for other people. But a lot of the comments were positive, and people were excited to know that the possibility of having faster internet could be coming soon.

Thom said that Hope is very fortunate to have Duane Wright and Allie Feener to be working so hard on this project. ConnectME was looking for an 85% response rate in order to have a better chance of receiving the grant. Unfortunately, Covid-19 has hit which has caused things to slow down quite a bit. We are likely not going to be going door to door anytime soon. The Select Board, as a whole, is in favor of having broadband and Hope.

- Roads Update – Road Commissioner: John reported that the sand shed is now full. There are 2,200 yards of sand and 350 tons of salt. It's all in and ready before the first snow. Gillette Road is pretty much ready to be paved. The Road Commissioner will be meeting with the paving company on Wednesday and paving should begin on Thursday. Thom commented on how good Gillette Road looks. Buzzell Hill/Hatchet Mountain/Rt 235 has been paved. Brian wanted to know if the paving on Rt 235 turned out the way the Road Commissioner had expected. Did it turn out better or worse than expected? John said that it turned out exactly how he thought it would for the amount of pavement they were going to put down. Thom asked what the timeline for paving on Hope Street was going to be. John said that the paving for Hope Street was cut in the budget but there is going to be ditching and possibly some shimming happening there instead.
- Roads Advisory Committee – Thom Ingraham: Thom presented a copy of the draft policy for the Road Advisory Committee. Brian stated that he would like to make the committee members an odd number of people just to ensure there's not a tied vote. The Road Commissioner would be on the committee but would not have a vote. The Road Commissioner will work with the committee and report back to the Select Board. Thom wanted to know if this policy would be acceptable with the Select Board with those changes as follows:

The Hope Select Board established the Hope Roads Advisory Committee (HRAC) to help ensure that our town roads are well maintained in a cost-effective manner. To that end, the HRAC has two substantial charges:

1. To survey and rate all town-maintained roads for condition and, taking into account the number of vehicles using each road, create short-term and long-term plans for maintenance and improvements.

2. To review present procedures for procuring work on town roads and to also investigate the manner in which other towns similar to Hope organize the work – for example, employing a Supervising Road Commissioner, town operated snow plowing, or public works departments.

The HRAC shall be comprised of 5-9 town residents who will elect a Chair. The town's Road Commissioner shall also serve on the committee in a non-voting consulting role.

The HRAC will report to the Select Board from time-to-time as warranted; the committee will be involved in the town's budget building process and will write a report to Hope citizens for the Town's Annual Report.

Brian made a motion to accept and approve the Mission Statement for the Roads Advisory Committee as amended. It was seconded by Amy.

Motion passed 5-0

Thom asked the Chair, Sarah Ann Smith, if he could now read a prepared statement that it was pertinent to the roads and discussion. The statement is as follows: *“Statement about Recording: It is illegal to record someone without their knowledge or consent in 12 states. This present situation reminds us that surprisingly it can be done in Maine. Because something can be done doesn't always mean it should be. I can't imagine that anyone here tonight would want to be secretly recorded whether they were talking about shopping at Hannafords, Governor Mills or their child's music lesson. Nonetheless, here we are – with a surreptitious recording of Bruce Haffner. Before listening to the tape, I half expected to hear sordid or graphic language. That is not anywhere to be heard on the tape. I trust that people will listen for themselves. I understand it is available on the Hope Happenings Facebook page. I think that it's important to remember that the person who recorded this initially contacted Bruce, who then returned the call. Bruce of course did not know he was being recorded. The person recording this asked a couple of leading questions: “Did you leave the flyers in the mailbox?” Bruce replies that you can't stick them in the mailboxes, he left flyers on the doorstep. The person recording the conversation wants to know who paid for the flyers; Bruce says that he paid for them himself. So no, Bruce did not break the law and his flyers advocating that people vote No on the roads budget were paid for and distributed solely by him. Bruce tells the person recording that he thinks the roads budget will be defeated 2 to 1. That of course was eventually proved wrong. Bruce lists the multiple ways he tried to get information before the voters of Hope. He tried to find a way to safely hold a town meeting during this worldwide pandemic. The other Select Board members, including myself, thought that holding two informational meetings and a secret ballot was best. Then in the recording Bruce notes that he asked for a separate warrant, asked to include an amendment and asked that the Budget Committee's actual unanimous vote against the roads budget be included on the ballot. All these requests were rejected. It's at this point,*

following discussion about the upcoming election and the efforts that he saw as intended to block his attempts to show Hope voters an alternative to the proposed budget that he says, “ the deck has been stacked against me from the beginning and I’m going to take these guys down.” The person recording the conversation asks Bruce who he is referring to and he answers, “John Monroe, Samantha Mank, and Brian Powers.” The person recording the conversation then chuckles – not the reaction you’d expect if there’s the perception of a threatening statement, and then ironically says he is not sure anybody is against Bruce, while he is of course recording something that in fact is used against him. The rest of the recording is entirely devoted to a discussion about the bidding process, roads issues, and potential ways to save money. Again, I suggest that people if interested listen to the tape themselves. Now it of course would have been simpler if Bruce – in reply to a question - had not named 3 people that he believed were working against his efforts to show voters another way to plow the roads. But he did. Those individuals if they feel they have a legal grievance, can of course seek a legal remedy. I am not a judge or a lawyer but the last 12 years of my working life I regularly dealt with teenagers and adults over issues of harassment, discrimination and threatening; law enforcement officers were sometimes involved. Based upon my experience, I can’t imagine that in the context of the recording a reasonable, uninvolved person would determine any actual threat beyond the prediction of an electoral upset. In the same way that no one would like being secretly recorded I’m also sure that no one would want to hear their name come up in a surreptitious recording. I get that and can only imagine what might be said about me later this evening, hopefully without the benefit of recorder. Throughout this entire episode – from the very beginning of the Select Board’s budget work, through Bruce’s extensive research, analysis and advocacy, right up until this very moment – Bruce has ruffled feathers, or as someone has previously said, “broken decorum.” And while I am a person who finds considerable value in order and precedent, I observe that Bruce may find less value there. So be it. As we all know, people are different. If there is no legal remedy, then possibly there is a political one. We will soon have the opportunity to vote on an ordinance to recall any and all elected Hope officials, an ordinance 216 years in the making. I generally see such an idea as useful, though I think specific situations will no doubt be more complicated. Hope’s town government seems presently besieged with gnarly issues. The town office staff has experienced significant turnover and a tragedy impacted town employees. There is this present situation, there are also people questioning the management of the town office, people upset that a widely respected, long-time Hope resident was terminated from his position in the town office and finally – substantial concerns about the management of the recent town election. Though I have not heard him say anything about it, I’m sure it has not escaped Bruce’s notice that there were variances in the vote counts for individual budget warrants that saw an inexplicable difference of 85 votes from the lowest warrant count to the highest warrant count, while Warrant #6, the roads budget, passed by only 42. This is obviously a troubling situation. Seventy years ago I was born in Aroostook County and I’ve lived nearly all my life in central Maine. I was thrilled when I realized that I would be able, after retiring, to move to Hope, a town I have had a connection with since 1966. Every day I am truly grateful to live here. I am confident that we will, with focus, openness, and time, get things back on track serving the public good. Thomas Ingraham September 8, 2020”

- Carry Forward Requests: The Town Administrator requested a carry forward in the amount of \$15,000.⁰⁰ to go into the Administration Cost Center. In light of additional attorney fees and needing to outsource work with Mary Tolles and additional work needed from the accountant. The Fire Chief has requested a carry forward of \$1500.⁰⁰ to pay for the lettering and over miscellaneous items pertaining to the the newly purchased fire truck. Thom made a motion to approve the carry forwards in both the Administration Cost Center and the Public Safety Cost Center totaling \$16,500.⁰⁰. It was seconded by Brian.

Motion passed 5-0

- Concerns and Audio Recording Discussion – Amy Powers: Sarah reported that Amy Powers was not able to make it to the meeting this evening. However, she did ask in addition to playing the audio recording, that a Facebook post from John Monroe that was posted on the Hope Happenings Facebook page, be publicly read after the playing of the recording. Sarah played the recording at this time (*See the attached partial transcript of the audio recording provided by Betty Ingraham beginning on page 9*). Once the recording was finished Sarah then read the following post from John Monroe as requested by Amy Powers: “Sarah Crabtree and Kingsbury really... “He was speaking of winning a race “? That why when he didn’t get his “two to one No vote that he stated on the tape. I asked him what he meant by calling us a kabob (on the tape). He told me I will find out when he drives a stick up all three of our as..... and roasts us! Or maybe that’s why he gives me the finger ever since the vote. Or maybe that’s why he is trying to carry through with his threats, and him and his group are trying to take down our town administrator for hiring a incompetent bookkeeper, that she hired and gave a chance! The reason he was taped is probably because of his threat from the past that he denies!!”

Ellie Goldberg said she does not agree with Bruce and his tone, but she believes the recording is just hearsay.

Paul Smith said that he wanted to thank Amy Powers for bringing this to the attention of the voters of Hope. He said he has listened to it several times and it is unacceptable to undermine the majority Select Board vote on the roads. It is unacceptable to threaten two elected officials and a female employee. This is a lawsuit just waiting to happen.

Bruce asked if he could make a comment, “John’s remarks about me are not true”. John replied to Bruce and ultimately told Bruce that he needed to resign.

Ellie said she wanted to know what the taxpayer funded investigation regarding the management of the town is all about. She wants to know what’s happening in the secret meetings and also said that Sarah’s comment that “she would let the public know as the law allows” is too big. After quoting portions of some of Sarah’s emails, Ellie went on to ask what the several issues are? What is the secret? She wants to know why the Select Board is trying to keep the citizens of Hope in the dark. Freedom of information is a law

that allows us to know what is going on we should not be led and gagged. We want to know what is going on.

Sarah responded by stating she takes issues with Ellie's comments. The Select Board is acting on the recommendation from the Town Attorney. This is not a court of public opinion, Sarah said. The Town Attorney has told us to stay quiet while this process happens.

Brian commented on Thom's statement saying that he [Thom] left out several key points. In addition, last year when we had a new Select Board and he was the Chair, at that time he told everybody that the Board works as a team and gave the expectations of serving on the Board. He went on to say that some people are just not meant to be in elected positions because they take things too personally.

- Citizen's Petition for a Recall Ordinance: Sarah stated that there are three things that need to be put on the November ballot. Two of them were already approved by the Select Board which were the approval of money for camera equipment in order have the ability to live stream public meetings and the other was the Dog Ordinance in the form of a violation form. The third is a Citizens Petition addressed to the Select Board with 100 valid signatures (96 signatures were required). The Select Board does not have the authority to change any wording not even errors on the proposed ordinance submitted by a group of residents. Bruce made a motion to put the Recall Ordinance on the November 3rd ballot. It was seconded by Thom.

Motion passed 5-0

- Finalize November 3rd Municipal Ballot: The Select Board agreed on the wording for all three (3) of the ballot questions.

Old Business:

- Play Group Proposal at Town Office – Allie Feener: Tabled

Board of Assessors:

- Suspend as the Select Board and Convene as Board of Assessors: Brian made a motion to spend as the Select Board and to convene as the Board of Assessors at 7:55 PM. It was seconded by Thom.

Motion passed 5-0

- Review and Sign Abatements: Sarah read Vern's explanation regarding the four abatement requests. Brian made a motion to approve and grant the following abatement's: \$1260.85 to Adam and Maureen Scott, \$422.51 to Adam and Maureen Scott, \$8.35 to Kelly and Gaylon Marie Butler, and \$8.35 to Murray Kohlmoos and Walter Wetmore Jr. It was seconded by Thom.

Motion passed 5-0

- Review and Sign Municipal Valuation Return (MVR): The Select Board reviewed the Municipal Valuation Return for fiscal year 2020. Brian made a motion to approve and sign the 2020 MVR. It was seconded by Amy.

Motion passed 5-0

- Adjourn as Board of Assessors and Reconvene as the Select Board: Brian made a motion to adjourn as the Board of Assessors and to reconvene as the Select Board at 8:03 PM. It was seconded by Amy.

Motion passed 5-0

Again, residents and non-residents made comments about the proposed Recall Ordinance, the recording, and repeated other comments from previous meetings. Dick Crabtree ended the discussion by stating, “I spent over 30 years working in a representative democracy - this is not a pure democracy. I believe you, Sarah, are protecting the citizens of Hope. You are walking a fine line between resolution of this and a lawsuit”.

Warrants:

- The Select Board reviewed the warrants. Brian made a motion to approve and sign Warrant #'s 19, 20, 21, 22, 23, and 24. It was seconded by Bruce.

Motion passed 5-0

Adjournment:

- Thom made a motion to adjourn at 9:04 PM. It was seconded by Brian

Motion passed 5-0

Some of the items were taken out of order. In addition, Betty Ingraham and Ellie Goldberg asked to have their transcribed notes added to these minutes. The Select Board agreed with the caveat that these are partial transcriptions have not been verified and have not been researched by the Select Board and do not necessarily reflect the opinions or views of all the of Select Board members in whole or in part.

Betty Ingraham has asked to have her transcribed notes added to these minutes. The Select Board agreed with the caveat that this transcription is only a partial transcription and has not been verified and has not been researched by the Select Board and does not necessarily reflect the opinions or views of all of the Select Board members in whole or in part.

Transcript of the telephone conversation with Bruce Haffner, taped by Mike Ames and widely publicized by Amy Powers

Transcribed by Betty Ingraham 9.7.20

Mike Ames	Bruce Haffner
	<p><i>Conversation picked up here... something about how many flyers were distributed</i></p> <p>= 170?</p>
<p>Wow did you pay for those flyers yourself?</p>	<p>Yes \$?</p> <p>“Vote No on Roads” “Article 6”</p> <p><i>.... Bruce lists some of the decreases to road maintenance that the Yes vote would cause</i></p>
<p>Yeah, um ... so when did you send those out?</p>	<p>I went door-to-door over the last few days.</p>
<p>Oh, - so you didn't mail them, you just dropped them off in people's mailboxes?</p>	<p>I didn't drop them in any mailboxes. I rang the doorbell and if they didn't answer I left them on the doorstep. You can't stick them in mailboxes.</p>
<p>Gotcha ... Gotcha ... Interesting ...</p> <p>So – what do you think the turnout will be for tomorrow's vote?</p>	<p>Oh, I don't know.</p> <p>I think the NO vote will win two-to-one against the Road Budget.</p>
<p>Don't you think that will put the town in a big dilemma?</p>	<p>They set themselves up for a dilemma.</p> <p>I offered an idea to have a Town Meeting where 50 people could be in the gym, 50 in a</p>

Betty Ingraham has asked to have her transcribed notes added to these minutes. The Select Board agreed with the caveat that this transcription is only a partial transcription and has not been verified and has not been researched by the Select Board and does not necessarily reflect the opinions or views of all of the Select Board members in whole or in part.

	<p>remote site, and 50 more somewhere else. They voted that down.</p> <p>I asked for a separate Warrant but they wouldn't extend the date, - 60 days before the Town Meeting.</p> <p>I asked to include an amendment: the answer was NO.</p> <p>The Budget Committee voted 7-0 against the Road Budget but the ballot didn't show that, as is usually the case for a unanimous vote. It only said that the budget committee voted against the budget.</p>
	<p>The deck has been stacked against me from the beginning and I am going to take these guys down.</p>
<p>Who are these guys you are referring to?</p>	<p>John Monroe, Samantha Mank, and Brian Powers.</p> <p>The cabal.</p>
<p><i>Mike chuckles and says:</i></p> <p>Well, I'm not sure anybody is against you.</p>	
<p><i>The rest of the 10-minute taped conversation goes on to discuss roads issues, the previous bid, current bids and the process that was followed in the three bids. What savings might be had if the town went to a public works department.</i></p>	

Ellie Goldberg asked to have her transcribed notes added to these minutes. The Select Board agreed with the caveat that this transcription has not been verified and has not been researched by the Select Board and does not necessarily reflect the opinions or views of all of the Select Board members in whole or in part.

The speaker is Samantha Mank at the Select Board meeting on 9.8.20. All statements are by Samantha Mank except for one question by Select Board member Brian Powers as indicated:

'...Mary's been in, so far, 3 days and I expect her to be in 1 more time um.

Jen came down, the accountant, and was trying to get some stuff to read for the audit.

Both of them are pretty upset, um, with what they have seen.

They want me to express to you that very little bookkeeping was done that would help with the audit or anything, um.

She said that um, it took her 3 days just to do the June bank reconciliation, um, just trying to find things.

She wanted you to know she specifically asked me if I had reported this to you and I told her that I had, um, and she wanted to know your response and I didn't get one and I'm not asking for one now.

I just really want you to know, um, both of them are working to try to make sure, um, that by the end of August...'

'Brian Powers 'do you mean September?'

'No, she is not doing anything in September.

They both said that it was, um, far worse then they expected and that, um, the next time Mary comes in it is going to be a very detailed time on how I will be able to watch over that with the new bookkeeper.

I know it's not one of the things, um, let's call it what it is.

I need to have better oversight and um, it's clear that in both cases I fell down on the job.....'