



**SELECT BOARD  
MEETING MINUTES  
AUGUST 18, 2020**

*This meeting was conducted remotely via Zoom.*

**1.0 Call to Order - 6:02pm.**

Members present: Heath Ouellette, Chair  
John M. Daley, Vice Chair  
Richard Dolliver  
Lindsey M. Perry

Members absent: Robert N. Winn, Jr.

Motion made by Richard Dolliver and second by Lindsey Perry to excuse the absence of Robert Winn, Jr. from the August 18, 2020 Select Board meeting; approved 4-0.

Others present: Town Manager Patricia A. Finnigan

**2.0 Select Board Updates**

**2.1 Technology and Public Access for Select Board Meetings**

No comments or questions from Select Board members.

**2.2 Executive Sessions and Consultations with Town Attorney**

**Comments/questions:**

- Selectman Dolliver

**2.3 Appeal of Voter Eligibility Decision**

No comments or questions from Select Board members.

**2.4 Discussion of Civility in Time of Change**

Chair Ouellette presented a statement.

**Comments/questions:**

- Selectman Dolliver
- Selectman Daley

### 3.0 Public Comments

The Select Board welcomes public comments and questions about agenda items and Town-related matters, and we ask that people keep comments brief and to the point (3 minutes). We also ask that if you have a complaint or concern, it would be most helpful if you also offer a solution or solutions.

**Comments/questions:**

- Rebecca Fox
- Peter Kahn
- Pat Hussey
- Patience Sundaresan
- Jim Hartwell
- Barbara Ferraro
- Mark MacLeod
- Ben Hershenson

### 4.0 Consent Agenda Rule Adoption

Background: The Chair wishes to utilize the Consent Agenda process, as outlined in Robert's Rules of Order to aid in streamlining Select Board meetings.

Suggested Action: The Select Board approves the following addition to our rules:

*"A Consent Agenda may be presented by the Chair at the beginning of a meeting. Items may be removed from the Consent Agenda on the request of any one member. Items not removed may be adopted by general consent without debate. At the discretion of the Select Board, removed items from the Consent Agenda may be taken up either immediately after the Consent Agenda, placed later on the agenda, or taken up at a future meeting."*

**Comments/questions:**

- Selectman Dolliver
- Selectwoman Perry
- Selectman Daley

**081820-01** Motion made by John Daley and second by Richard Dolliver that the Select Board approves the following addition to our rules for this one meeting, that tonight the Consent Agenda is presented by the Chair at the beginning of the meeting and items may be removed from the Consent Agenda on the request of any one member, items not removed may be adopted by general consent without debate; at the discretion of the Select Board removed items from the Consent Agenda may be taken up immediately after the Consent Agenda, placed later on the agenda or taken up at a future meeting; approved 4-0, Winn absent.

## **5.0 Consent Agenda**

Chair Ouellette asked members of the Select Board if there were any items on the Consent Agenda that they would like removed.

Selectman Dolliver requested that 5.3 and 5.6 be removed for a brief discussion.

Chair Ouellette moved 5.3 to the end immediately following the Consent Agenda and 5.6 to 9.1 Appointments to Town Committees and Boards.

5.1 Meeting Minutes: May 26, 2020

5.2 Meeting Minutes: July 21, 2020

5.4 Meeting Minutes: August 4, 2020

5.5 Acceptance of Federal Emergency Management Administration (FEMA) Funds in the Amount of \$90,586.12 for Repairs and Improvements to the Marginal Way due to the March 2018 storms (previously on the Aug. 4, 2020 agenda)

5.7 Assign Terms for Parks & Recreation Committee Members

Background: The following members were appointed at the August 4, 2020 Select Board meeting, but the motion did not set their terms.

Terms to expire June 30, 2023 (3 Members)

- 1) Amy Forbes
- 2) Jennifer Lewer
- 3) Kay Moore

Terms to expire June 30, 2022, as requested by applicants (2 Members)

- 1) Jason Corbin
- 2) Michelle Low

5.8 Cast Ballot for Maine Municipal Association Executive Committee (as presented)

Vice President:

- James Bennett, City Manager - Biddeford

Members:

- Robert Butler, Select Board Chair - Waldoboro
- Terry Helms, Select Board member - Grand Isle
- Diane Hines, Town Manager - Ludlow and Reed Plantation

5.9 Cast Ballot for Maine Municipal Association for Legislative Policy Committee  
(2 openings)

Members:

- Perry Ellsworth, Town Manager - South Berwick
- Dana Lee, Town Manager - Eliot

**081820-02** Motion made by Richard Dolliver and second by Heath Ouellette to approve the Consent Agenda with the removals of 5.3 and 5.6; approved 4-0, Winn absent.

5.3 Meeting Minutes: July 29, 2020

Selectman Dolliver would like the minutes to reflect that there was a recording of the meeting and the one-year warranty starts when the project is complete.

Selectwoman Perry stated that she had a concern about how the meeting ended and would like it reflected in the minutes.

**081820-03** Motion made by Richard Dolliver and second by Lindsey Perry to approve the minutes of July 29, 2020 with the following amendments; that the minutes state that there was a recording by a private citizen and the Select Board is anticipating getting a copy of that (the person who did the recording said that they would provide a copy to us); and the one-year warranty on the construction begins when all of the items on the punch list have been completed; and the motion to end the meeting reflect that Richard Dolliver abstained from the vote; approved 4-0, Winn absent.

Town Manager Finnigan stated that she has received a copy of the recording from the July 29, 2020 meeting.

**6.0 Liquor and Amusement Licenses**

There were no liquor or amusement licenses for Select Board action.

**7.0 Presentations, Proclamations, Resolutions & Communications**

There were no presentations, proclamations, resolutions or communications.

**8.0 Old Business**

There was no old business for Select Board review and/or action.

**9.0 New Business****9.1 Appointments to Town Committees and Boards****~~5.6~~ 9.1.1 Committee Appointments:**

When there are re-appointments and when there are no more applicants than positions, the appointments have been included in the Consent agenda.

**a) Bicycle-Pedestrian Committee**

Terms to expire June 30, 2023 (Members)

- 1) Priscilla Botsford
- 2) Bruce Byorkman

**081820-04** Motion made by Lindsey Perry and second by John Daley to approve the appointment of Priscilla Botsford and Bruce Byorkman to the Bicycle-Pedestrian Committee, terms to expire June 30, 2023; approved 4-0, Winn absent.

**b) Conservation Commission**

Terms to expire June 30, 2023 (Members)

- 1) Douglas Mayer
- 2) Pamela Sawyer

**081820-05** Motion made by Richard Dolliver and second by Lindsey Perry to approve the appointment of Douglas Mayer and Pamela Sawyer to the Conservation Commission, terms to expire June 30, 2023; approved 4-0, Winn absent.

**c) Heritage Museum Committee**

Terms to expire June 30, 2023 (Members)

- 1) Patricia Weare
- 2) Peter Woodbury

**081820-06** Motion made by Richard Dolliver and second by Heath Ouellette to approve the appointment of Patricia Weare and Peter Woodbury to the Heritage Museum Committee, terms to expire June 30, 2023; approved 4-0, Winn absent.

d) Marginal Way Committee

Terms to expire June 30, 2023 (Members)

- 1) Joan Griswold
- 2) Louesa Gillespie

Term to expire June 30, 2021 (Alternate)

- 1) Kristen Arnold

**081820-07** Motion made by Richard Dolliver and second by Lindsey Perry to approve the appointment of Joan Griswold and Louesa Gillespie to the Marginal Way Committee, terms to expire June 30, 2023; approved 4-0, Winn absent.

**081820-08** Motion made by Richard Dolliver and second by Lindsey Perry to approve the appointment of Kristen Arnold as Alternate to the Marginal Way Committee, term to expire June 30, 2021; approved 4-0, Winn absent.

e) Sustainability Committee

Term to expire June 30, 2023 (Member)

- 1) Patience Prescott-Sundaresan

Terms to expire June 30, 2021 (Alternates)

- 1) Priscilla Botsford
- 2) Marjorie Katz

**081820-09** Motion made by Lindsey Perry and second by Richard Dolliver to approve the appointment of Patience Prescott-Sundaresan to the Sustainability Committee for a term to expire June 30, 2023 and Priscilla Botsford and Marjorie Katz as Alternates to the Sustainability Committee, terms to expire June 30, 2021; approved 4-0, Winn absent.

f) Zoning Board of Appeals (Members)

Terms to expire June 30, 2023

- 1) Jerry Dehart
- 2) Jay Smith

Terms to expire June 30, 2021 (Alternates)

- 1) Carole Aaron
- 2) Glenn Deletetsky

**081820-10** Motion made by and second by to approve the appointment of Jerry DeHart and Jay Smith to the Zoning Board of Appeals term to expire June 30, 2023; and Carole Aaron and Glenn Deletetsky as Alternates to the Zoning Board of Appeals, term to expire June 30, 2021; approved 4-0, Winn absent.

9.1. A Board of Assessment Review

Terms to expire June 30, 2023 (2 Members)

- 1) Member
- 2) Member

Terms to expire June 30, 2021 (2 Alternates)

- 1) 1<sup>st</sup> Alternate
- 2) 2<sup>nd</sup> Alternate

Applicants:

Paul Breen

Peter Kahn

Glenn Deletetsky

**081820-11** Motion made by Richard Dolliver and second by Heath Ouellette to approve the appointment of Glenn Deletetsky to the Board of Assessment Review, term to expire June 30, 2023; approved 4-0, Winn absent.

**081820-12** Motion made by Lindsey Perry and second by Richard Dolliver to approve the appointment of Peter Kahn to the Board of Assessment Review, term to expire June 30, 2023; approved 4-0, Winn absent.

**081820-13** Motion made by Richard Dolliver and second by Lindsey Perry to approve the appointment of Paul Breen as Alternate to the Board of Assessment Review, term to expire June 30, 2021; approved 4-0, Winn absent.

9.1. B Budget Review Committee

Term to expire June 30, 2021 (1 Alternate)

1) 2<sup>nd</sup> Alternate

Applicants:

Carole Aaron

Jackie Bevins

Peter Kahn

**081820-14** Motion made by Richard Dolliver and second by John Daley to approve the appointment of Carole Aaron as 2<sup>nd</sup> Alternate to the Budget Review Committee term to expire June 30, 2021; approved 3-1 (Perry), Winn absent.

9.2 Committee Member and Alternate Terms

Chair Ouellette stated that information was received from the Town Attorney late this afternoon so was not included in the Select Board packet, he asked that this be tabled until the next meeting of the Select Board. This will allow the Board members to review the Attorney's opinion for discussion at the next meeting.

**081820-15** Motion made by Richard Dolliver and second by John Daley to table 9.2 until the next meeting of the Select Board; approved 4-0, approved 4-0.

9.3 Committee Application Deadlines:

Applications for open committee member and alternate positions are due the Thursday before each regularly scheduled Select Board meeting (the first and third Tuesday of each month). The Select Board will attempt to fill vacancies as soon as possible. If a vacancy is not filled, the deadline for applications is adjusted accordingly to the Thursday at noon before the next regularly scheduled meeting.

**081820-16** Motion made by Richard Dolliver and second by John Daley to approve the application deadline process as stipulated on the agenda *(Applications for open committee member and alternate positions are due the Thursday before each regularly scheduled Select Board meeting (the first and third Tuesday of each month). The Select Board will attempt to fill vacancies as soon as possible. If a vacancy is not filled, the deadline for applications is adjusted accordingly to*

*the Thursday at noon before the next regularly scheduled meeting);*  
approved 4-0, Winn absent.

#### 9.4 Schedule Meetings with Committees:

The Select Board intends to meet with each committee on a regular basis to discuss priorities and other work of each committee. The Select Board will discuss which committee(s) they would like to meet with in September and October. In addition, committee chairs wishing to meet with the Select Board sooner rather than later should contact the Select Board Chair for consideration.

Chair Ouellette asked Board members if they had a preference as to who they should meet with first.

Selectwoman Perry - Parks & Recreation Committee  
Selectman Dolliver - Historic Preservation Commission  
Harbor Committee (Cove Committee)

#### 9.5 Board/Committee/Commission Training:

The Town Attorney will be providing a training on board/committee/commission responsibilities, including legal considerations, Maine's Freedom of Access Act, and our Code of Ethics.

#### 9.6 Code of Ethics:

Sending a reminder to our appointed and elected board/committee/ commission members and ask for review signatures.

Advice from Town Attorney is that this is the time to send a reminder of the Code of Ethics to all members, including the new members, to ask them to read the Code of Ethics and reach out if they have any questions and then sign off on the Code of Ethics.

It was the consensus of the Select Board in attendance to send this out to Boards, Committees and Commissions for sign off and return to the Town Clerk.

#### 10.0 Public Comments

The Select Board welcomes public comments and questions about agenda items and Town-related matters, and we ask that people keep comments brief and to the

point (3 minutes). We also ask that if you have a complaint or concern, it would be most helpful if you also offer a solution or solutions.

**Comments/questions:**

- Barbara Ferraro
- Elaine Cooper
- Rick Della Bernarda
- Selectman Dolliver
- Jim Hartwell

**11.0 Select Board Comments**

**Comments/questions:**

- Selectman Dolliver
- Selectman Daley
- Selectwoman Perry

**12.0 Adjourn**

Motion made by John Daley and second by Richard Dolliver to adjourn the regular meeting at 8:08pm; approved 4-0, Winn absent.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager

A brief break was taken at 8:08pm, the Select board will come back in session at 8:15pm for their workshop which will be broadcast via Zoom.

**\*\*\*Workshop\*\*\***

Workshops are for Select Board members and public comment will not be taken. These items will be voted upon at future meetings and public input will be sought before consideration of approval.

Chair Ouellette stated that this is a time for us, as Select Board members, to have open conversation and discussion, there will be no votes taken during the workshop. The goal is to have discussion, see where there may be consensus and determine how the board might want to move forward. All the items that are being discussed tonight will eventually, when

ready, will be put on the actual meeting agendas and public comment will be allowed and then votes will be taken assuming there are any changes moving forward.

It is anticipated that another workshop will be held as Selectman Winn is not present at this meeting, Chair Ouellette would like all five board members to weigh in on these documents.

Purpose: Discuss Proposed Changes to Select Board Organizational Documents:

- Select Board Code of Ethics
- Select Board Rules
- Select Board Member Communications
- Select Board Goals & Priorities
- Select Board Liaisons to Committees

Workshop meeting adjourned at 9:36pm.