Town of Chebeague Island
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Board of Selectmen Teleconference Meeting Notice, June 10, 2020

The Board of Selectmen will hold a Workshop by Teleconference on Wednesday, June 10, 2020 at 6:00 PM

On your computer: https://zoom.us/j/326962753	Password Required: 175989
On your land line phone: +1.929.205.6099 Meeting ID: 326962753	
On your cell phone: +1.929.205.6099 Meeting ID: 326962753#	

I. Call Public Meeting to Order

II. Roll Call

Roll call for the Board, Introduce meeting members

III. Town Reports

COVID-19

Town Administrator

IV. Open a Workshop

a. To Discuss interest in a new ordinance to regulate the application of pesticides and herbicides in the Town.

b. To Discuss a process for finding a new Town Administrator.

c. To review the Governor's executive order of 6/3/2020

AN ORDER TO FURTHER FACILITATE THE STATE PRIMARY AND LOCAL ELECTIONS WITHIN PUBLIC HEALTH RESTRICTIONS DUE TO COVID-19

V. Public Comments for items not on the agenda

VI. Regular Business

21-052 To take any action resulting from the workshops

VII. Communications

VIII. To Approve Minutes

Virtual Meeting minutes from 06/03/2020

IX. Other Business

X. Adjourn Meeting

To: Chebeague BOS
From: Donna Miller Damon
Re: Town Administrator Search
Date: June 3, 2020
Confidential

Since learning that Marjorie was ready to retire I have thought a lot about the search we are about to undertake. This will be the fifth time that we will be searching for a Town Administrator since we became a town. We are fortunate the Marjorie has stayed for 5 years because we have gained some continuity, and she has stabilized our financial procedures. I am sharing my thoughts not to dictate a process but creating a platform on which to build.

1. Our first search was part of the transition process of being a town, and we did the work.
2. When Ron Grenier left after 5 months, we recruited Scott Seaver as an interim (he had been our first choice, but he had declined) and then mutually he/we decided that he would be permanent/part time. In retrospect we realized that accounting suffered, because he failed to reconcile the check book.
3. We asked MMA for help when Scott left. They advertised and screened the applicants. We had problems coordinating their schedule with ours. We hired Eric Dyer.
4. When Eric left we reached out to Greg Hanscom, a summer resident who advised us through the process and we hired Marjorie.
5. Now we must decide how to move forward in our search. To that end I spoke with Greg Hanscom. At that point I wasn't sure if Marjorie was stay 6 weeks or 6 months. The fact that she is willing to stay until November gives us time to do a proper search.

   The following process was suggested by Greg:
   1. We should each become familiar with the job description
   2. We should meet with Marjorie in executive session to have an honest conversation re: what has worked and what hasn't. We should ask if she thinks the job description works or should it be changed. Does she have areas of concern that we should know about when advertising, interviewing, and hiring a new TA.
   3. Based on her input the BOS should meet in executive session and discuss the various positions in town in relation to the TA. Should we transfer some TA duties to other positions? (because each position has only one employee a public discussion might be perceived as criticism of the staff – we can get a legal opinion on this point)
   4. Next step - revise the job description/s if deemed necessary.
   5. Determine a competitive compensation/benefits package with a salary range (confer with MMA)
   6. Decide where to advertise. Do we want to ask MMA to handle advertising and receiving the applications? Do we want to advertise locally (Maine, New England) or nationally? (Greg rec. a wide net) Do we want the applications sent to the Town Office with an attention: Blank so that they wouldn't be opened by staff.
   7. Do we want to handle interviewing, or do we want to ask MMA to sit in? Greg has offered to help screen applicants if we want).

This is just a few thoughts based on past experiences. We should ask Marjorie for suggestions re: process, but I don't think she should be actively involved in the process of reviewing applications, interviewing or hiring.

Donna

Executive Order

Office of
The Governor

No. 56 FY 19/20
DATE June 3, 2020

AN ORDER TO FURTHER FACILITATE THE STATE PRIMARY AND LOCAL ELECTIONS WITHIN PUBLIC HEALTH RESTRICTIONS DUE TO COVID-19

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and a renewed state of emergency on April 14, 2020 and on May 13, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency, enacted on an emergency basis and effective upon the Governor's signature on March 18, 2020, authorizes the Governor to take any reasonable administrative actions necessary with respect to the elections originally scheduled for June 9, 2020 to facilitate voting by all residents registered to vote in this State in a manner that preserves and protects public health in response to COVID-19; and

WHEREAS, in Executive Order 39 FY 19/20 ("Executive Order 39") I postponed Maine's primary election to July 14, 2020 due to the risk that voters, poll workers and election officials would be exposed to COVID-19, which is highly contagious and presents a serious risk to life and health; and

WHEREAS, the provisions of Executive Order 39 continue to be in effect but require supplementation in order to address local government and school entities, as well as certain additional general election procedures, preserving the fundamental right of the citizenry to debate and vote on budgets and public policy matters, while limiting large public gatherings in order to protect public health and safety; and

WHEREAS, the governor's emergency powers expressly include the authorities to adjust time frames and deadlines imposed by law, 37-B M.R.S. §742(1)(C)(13)(a), and to suspend the enforcement of a statute prescribing the procedures for conduct of state business pursuant to 37-B M.R.S. §742(1)(C)(1) and §834;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, and P.L. 2019, c. 617, including but not limited to the provisions cited above, do hereby Order as follows:

I. ORDERS

A. As the statewide election (both primary and referendum elections) will be held on July 14, 2020 instead of in June 2020 in accordance with Executive Order 39 FY 20/21, the language in PL 2019, c. 673, sections A-9 and B-10 that provides, "This Part must be submitted to the legal voters of the State at a statewide election held in June 2020," is modified by substituting "July 2020" for "June 2020" to permit the people of the State of Maine to vote on the ratification of bonds.

B. A town meeting, budget hearing or public hearing on county estimates may be conducted within the current 50 person gathering limitation in a manner so as to preserve the right to debate and the right to vote, but also protecting the public health by preserving social distancing and restricting shared microphones, restrooms, seating and observing any other guidance prescribed by the Maine Center for Disease Control ("MECDC").

Alternatively, if such a meeting or hearing cannot be held within MECDC guidance, municipal officers or local officials authorized to call open town meetings, open budget meetings or budget hearings may conduct referenda and/or secret ballot elections, including a secret ballot referendum, on July 14 or such other date in calendar year 2020 as the officials may determine, provided that they follow guidance developed by the Secretary of State in consultation with the MECDC. This guidance shall address physical distancing, sanitation and other requirements deemed necessary to provide appropriate protection to voters, clerks, poll workers, and others who may be present in and outside the polling place.

C. Title 30-A M.R.S. § 2528(1) is suspended to allow the municipal officers of a municipality that has not voted to accept secret ballot voting to nevertheless do so during the state of emergency. Elected officials in those municipalities may remain in office until an election is called pursuant to 30-A MRS § 2525.

D. The deadline in 21-A M.R.S. §121-A requiring that voter registration applications submitted by mail or by a third person must be received by the close of business on the 21st day before election day is suspended and modified to allow such applications to be received by mail or by third person through close of business on July 7, 2020.

E. The requirement in 21-A M.R.S. § 631-A(2) that a public hearing be held at least 90 days prior to an election in order to consolidate polling places is suspended and modified to require such a hearing to be held at least 15 days prior to the election and to be held within MECDC guidelines for gatherings of up to 50 people, or to

be held remotely pursuant to 1 M.R.S. § 403-A, or by an opportunity for comment by email or mail. The requirement in 21-A M.R.S. § 631-A(3) that application must be made to the Secretary of State for approval to change polling places 60 days prior to an election absent an emergency is suspended and modified to authorize submission of such an application up to 10 days prior to the election, preserving the opportunity for a later application due to an emergency situation. The voting place report required to be filed by the clerk under 21-A M.R.S. § 626-A may also be filed with the Secretary of State up to 10 days prior to the election.

F. The requirement in 21-A M.R.S. § 753-B(5) that the municipal clerks facilitate absentee balloting through personal visits to certain licensed facilities is suspended, such balloting to be conducted in accordance with guidance from the Secretary of State in consultation with municipal clerks, the Department of Health and Human Services and Maine Center for Disease Control, so as to maximize voter participation, while reducing personal contact and protecting the health and safety of voters and municipal staff.

G. The requirement of 60 days' notice to be given by a municipality of its intent to process absentee ballots prior to election day pursuant to 21-A M.R.S. § 760-B(2) is suspended and modified to require 21 days' notice.

H. The provisions in 30-A M.R.S. § 2528(4) and (5) that municipal officers file with the clerk the order establishing the wording of any referendum question by the 60th day before the election is suspended and modified to provide for such filing by the 30th day before the election.

I. For school budget year 2020/2021 only, voter approval of the school budget may be by referendum vote, notwithstanding any statute to the contrary.

J. Any statute requiring a public hearing or public meeting in advance of a town meeting, school budget meeting, municipal referendum vote or a referendum on a school budget shall be suspended, provided that an opportunity for public comment is afforded by:

1. A hearing conducted within MECDC guidelines for gatherings of up to 50 people;

2. A hearing conducted in accordance with the remote participation requirements of 1 M.R.S. § 403-A;

3. Provision of the statutorily required information at a time and in such a manner as is sufficient to reach voters, together with an opportunity for written comment; or

4. Any combination of the above reasonably intended to maximize both public participation and public health and safety.

K. A municipal clerk may provide a secure drop box for the return of absentee ballots until 8:00 p.m. on election day in accordance with guidance provided by the Secretary of State.

L. Solely to the extent that 30-A M.R.S. § 5721-A(7)(A) requires a written ballot to exceed or increase the property tax levy limit at an open town meeting held in compliance with relevant gathering limits, it is suspended in favor of either a show of hands vote or a voice vote during the state of emergency.

M. The Secretary of State is authorized to issue appropriate guidance, to perform those tasks identified in this Order and as provided in 21-A M.R.S. § 663 (first sentence), and those necessary to facilitate municipal elections and school budget voting during this state of emergency to carry out the intent of this Order.

II. EFFECTIVE DATE

This Order shall take effect on June 3, 2020.

Janet T. Mills
Governor