

MINUTES: Steuben Selectmen's Meeting November 13, 2024

Draft minutes prepared by John Lane 11/18/2024. An audio recording of this meeting can be downloaded at:

https://www.dropbox.com/scl/fi/s1eq4tqa9wyr9iaeiwyi/Selectmens_Meeting_111324.mp3?rlkey=sd55onvchshxxi0ddrayvo0b0&st=dg1x0ti4&dl=0

Selectmen Present: Jim Malloy, Karen Majewski, John Lane

Town Staff Present: Diana Helmandollar, Karen Malloy

Others present: Nina Crocker, Larch Hanson, Karen..., Larry Pinkham, Amy Pinkham, Lisa Reilich, Laura Garnett, Katie Garnett, Jim Majewski

CALL TO ORDER AND MINUTES

Following the recitation of the Pledge of Allegiance, Selectman Majewski called the meeting to order.

(00:10) Selectman Malloy motioned to accept the minutes as written. Selectman Lane seconded. All in favor.

NEW BUSINESS

(15:30) <<Note this is out of sequence in the recording because the agenda item was returned to later>> Selectman Majewski said that the board would vote on Laura Garnett being on the budget committee. Selectman Majewski said she was "on the fence" about this since Gloria Moore is on the committee. This may present a conflict of interest because so many members of her family are contractors.

Selectman Lane thought an easy way to overcome the barrier to Laura's participation is by making budget meetings public. Selectman Majewski, however, had learned from the Maine Municipal Association that public participation is restricted. Laura Garnett thought that Selectman Lane's participation should not be restricted because it is his budget that he is putting forward.

Diana Helmandollar said that the Maine Municipal Association told her that every committee member must be voted on by all three of the selectmen. All meetings are open to the public, but public comment is only allowed if it is on the agenda. They further said that because Selectman Majewski is representing the Board of Selectmen as a liaison, Selectman Lane's participation in a budget meeting would be an issue. That's because two Selectmen in a meeting might make the even a Selectmen's meeting and not a Budget Committee Meeting.

Selectman Lane said he agreed with something that Gloria Moore had said in a previous meeting that the Selectmen's budget and the Budget Committee's budget should be independent. This means that Selectman Lane will be working on a budget but will do so separately from the Budget Committee.

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Larry Pinkham said we're not an out of state town. Anybody who wants to be on that Budget Committee should be able to be on it if they're from Steuben. Selectman Majewski asked if we begin breaking rules, where does it stop?

Selectman Majewski acknowledged that Laura has helped the town in many ways, and this is not about the value of her participation. She said that we're trying to avoid the appearance of a conflict of interest. Selectman Malloy said that from an outside view having two people from the same family isn't good.

Katie Garnett asked what the Budget Committee is deciding. Larry Pinkham said that they are deciding for the town what the budget should be. The Selectmen have the final say on it. The Budget Committee is just a recommendation, and we have never had a problem with it.

Diana Helmandollar responded to Larry's point about things being done differently by explaining that she and Karen Malloy are trying to follow the law and do what it law requires. This may upset people who say Steuben has always done something different, but they are making sure that things are done right. The Selectman must vote on every committee member. Diana further explained that people aren't allowed to speak except if there is a public comment section of the agenda. The Selectmen can stop people from speaking if it is not on the agenda.

Laura Garnett asked if we are doing this with other committees or just the Budget Committee. Diana said that we are taking it as it comes and every time we find something that wasn't done right we're trying to do it right.

Lisa Reilich said that it depends on whose lens you're looking through if it's a conflict of interest. The Local Food Committee has three people on it who are not from here. From where she stands, Lisa sees that as a conflict of interest because it is not evenly balanced. It becomes subjective. We should go with people who are qualified and want to do it.

Selectman Majewski said it was hard to get those three people on the committee. We did the best we could. They are not related and they're doing their due diligence.

Selectman Lane said he thought there was more of an appearance of a conflict than an actual conflict because the committee might vote for an amount to go to one project, but that money might go to a competitor. It's not like they are allocating money to individuals. The Budget Committee can make a recommendation but that still has must be discussed publicly with the Selectboard.

Selectman Lane couldn't remember whether the Selectboard had actually voted for Budget Committee members. Selectman Malloy said that they had voted for Gloria. Selectman Majewski said we did not vote for Sheri Tracey for the same apparent conflict of interest reason.

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Larry Pinkham said that it was a shame the town had come to this when the town had run so smooth. Selectman Majeski said it hasn't been a smooth ride but is not at liberty to go into details.

Selectman Malloy made the motion that Sherri Tracey and Laura Garnett will not be on the Budget Committee. Selectman Lane seconded it. All in favor.

OLD BUSINESS

(01:45) **Code Enforcement Activity Update.** Selectman Malloy reported that one car was able to be removed from the property at 40 Rogers Point Road that has been cleaned up.

FINANCIAL WARRANTS

(02:25) Selectman Lane moved to approve the financial warrants as written. Selectman Malloy seconded. All in favor.

DEPARTMENT REPORTS

Administrative

(03:00) Date of Annual Town Meeting - Diana Helmandollar said that the town needs to establish a date for the annual town meeting. Selectman Majewski reported that specific actions must take place 100 days prior to the election. That deadline is approaching quickly. Typically, we hold the election on the first Tuesday of March and hold the town meeting on the Saturday following the election. This year, those dates would be Tuesday the 4th and Saturday the 8th.

Diana Helmandollar explained that 100 days before the first Tuesday in March is Sunday, November 24th. This means we would need to have whatever information needs to be presented to the public on Friday, November 22nd. Holding the election on the 11th, which is the second Tuesday in March, gives the town three more days to prepare the materials for the public because of the Thanksgiving holidays. In this case, the annual town meeting would be on the 15th, which is the following Saturday.

Larry Pinkham thought the state mandated that the election take place on the first Tuesday of March. It has always been that way. Karen Malloy thought it was traditionally that way, however the law changed in 1970. Diana Helmandollar said that the Maine Municipal Association Elections Manual states that no statute requires a specific date in March. Selectmen can choose the date. Karen Malloy said the extra three days would be useful.

Selectman Lane moved that the election be held on Tuesday, March 11th. Selectman Malloy seconded. All in favor.

(10:00) Town Website Update – Selectman Lane reported that technical issues with the town's website have prevented the town from posting agendas and minutes. He expects it will be figured out quickly.

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(10:40) TRIO Software Update – Karen Malloy reported that the town has to decide what it is going to do with TRIO web. Entering an upgrade contract this year will save us a lot of money. Selectman Majewski said that all of the people we've heard from saw a lot of benefit in the web version. Selectman Lane said that off-site backup was easier. Selectman Majewski mentioned that the web version lets people access information from their house. Diana Helmandollar said that the web version also lets people see property tax information online. Karen Malloy said that the specific upgrade price had yet to be determined. Selectman Lane asked for more details about the expense and the budget category TRIO would apply to. Selectman Majewski suggest that we can vote on it in the next meeting once we have the details.

Public Works

None.

CORRESPONDENCE

(29:30) Selectman Lane presented a letter announcing that he will resign from his office in March for personal reasons. The timing of his departure will allow him to assist in preparing 2025 budget and the town reports. It will also give the town time to elect a replacement during the normal election cycle and not require a special election. He will continue to work energetically until March and be available to contribute to the new team afterwards on any projects he has been working on.

(31:20) UPCOMING MEETINGS

Selectmen's Meeting	November 27 th at 4:00
Planning Board Meeting	December 3 rd at 6:00

PUBLIC COMMENT

(31:45) Larch Hanson Larch presented a petition with 115 signatures asking the town to vote in March on an ordinance to prohibit any and all activities associated with commercial rocketry in Steuben. Larch said that the ordinance is the one that had already been passed in Jonesport-Beals so there shouldn't be much to argue about since it has already been run through lawyers.

(33:06) Larry Pinkham Larry asked if the policy had changed regarding ordinances. He thought that once you receive the petition you schedule a public hearing and then, by law, it must be voted on within 60 days. Selectman Lane said that's not true. He consulted with the Maine Municipal Association who explained to him that the wording 60 days or the next warrant so the Selectmen have discretion about the manner of the vote unless it is specified in the petition itself. It must, however, be voted on the next time the town votes on any issue. Larry asked why the town hasn't voted on it in any of our elections since March. Selectman Lane said that those weren't town elections.

Selectman Lane expressed his personal opinion that the town's interest would be best served by voting on the Local Food Ordinance in the town meeting where people can ask questions and

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get misconceptions cleared up. Larry Pinkham said that's what the public hearing is for. The public hearing is prior to the vote. When you vote – you vote.

Selectman Lane says the town plans to hold both an informational session and hold an open vote on the petitioned ordinance. He felt these are two distinct and different activities and the town will conduct both.

Selectman Malloy said as the newest selectman will be glad when we vote on the rockets and the Food Ordinance. We have wasted too much time and it should have been taken care of sooner.

(39:37) Lisa Reilich Lisa requested an update on the Local Food Committee's work and to address the timing, manner of voting and public hearing for the ordinance. She has not seen minutes or announcements of any public meetings. Selectman Lane said he did not know when the committee was meeting next. He had received the YouTube link to the last Local Food Committee meeting and felt it should definitely be put on the town's website. (That link is: https://youtu.be/ptDSzP1sHWw?si=1_j_IHhEOH77KDma)

Lisa said that we just said committee meetings need to be made public. Two months after participating in a committee meeting on September 12th she felt that she needed to do the committee's work for them and make that meeting public. Lisa requested that minutes of the Food Committee meetings be made public, and not just on Facebook, perhaps by being posted in the office.

Lisa also asked that a Food Committee member be reprimanded for rudely responding both to her and to Laura Garnett.

To address the timing of the vote on the Local Food Ordinance, Lisa read from the law that states that the municipal officers shall have a particular article placed on the next ballot printed or call a special town meeting. Selectman Lane said that the lawyer advising him said Selectmen had discretion in choosing the format of a vote and Steuben could vote on the petition at a town meeting in a format that allows for discussion. Diana Helmandollar was given conflicting advice from a different Maine Municipal Association lawyer. She was told that the Local Food Ordinance has to be on the ballot when we vote for Selectmen. Selectman Lane said that it could be that his perspective is incorrect. He will review his notes and suggest that two MMA attorneys confer with the town.

Lisa also asked when the public hearing will be held. Diana Helmandollar said the town is working on scheduling all of the things that need to happen prior to the election and we will supply that when we have it.

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(48:42) Katie Garnett. Katie reminded the Selectmen that there are openings on the Local Advisory Committee which will need to be filled during our March election cycle. Larry Pinkham said that the RSU by-laws specify that there must be three LAC members. Selectman Lane said he studied the by-laws and Appendix 4 which deals with the LAC does not state the number of people who must be on the LAC. Katie said it would be perfectly fine if there was one seat. Larry said it had always been three. Larry suggested that we contact Geoff Zentz because he was on the committee in its first year. Selectman Lane will call him.

(53:45) Laura Garnett. Laura asked if she had questions concerning the budget committee should she write them down. Selectman Majewski said there will be public input on the agenda so she can speak. Diana Helmandollar also said that Katie can bring her questions to the office. (54:30) Jim Majeski. Jim said that Karen Malloy and Diana Helmandollar are doing a great job and don't get the credit they deserve. He particularly complimented them on the way they handled the recent election. Selectman Majewski agreed, pointing out that they did not leave until 1:00 AM that night.

EXECUTIVE SESSION

Selectman Majewski moved that the board enter executive session to discuss personnel issues. Selectman seconded. All in favor.

ADJOURNMENT

Selectman Lane moved to adjourn the meeting. Selectman Malloy seconded. All in favor. Meeting adjourned.