

Town of Eliot
Budget Committee Meeting
July 13, 2022

Call to Order:

The meeting was called to order @ 4:00 PM by the Chair. The change in time to the regular meeting was made necessary due to the Select Board scheduling a Special town Meeting that coincided with the Budget Committee's regular monthly meeting.

Budget Committee Members: Donna Murphy, Ed Strong, Diane Holt, Jean Hardy, Reggie Fowler, Jeffrey Leathe, and Gene Wypyski.

Introduce new members:

- Jeffrey Leathe and Eugene "Gene" Wypyski were introduced. Returning members are Donna Murphy, Edward Strong, Diane Holt, Jean Hardy, and Reggie Fowler.

Election of Officers:

- **Chair:** Motioned by Ed Strong, seconded by Jean Hardy to nominate Donna Murphy as Chair. Motion carried by roll-call vote 6-1.
- **Vice-Chair:** Motioned by Ed Strong, seconded by Jean Hardy to nominate Reggie Fowler as Vice-Chair. Motion carried by roll-call vote 7-0.
- **Secretary:** Motioned by Ed Strong, seconded by Diane Holt to nominate Jean Hardy as Secretary. Motion carried by roll-call vote 7-0.

Representative for the Summit meetings:

- Discussion about the Summit meetings. Ed Strong attended the meetings that were held today and will attend the meetings scheduled for tomorrow. Select Board member Lauren Dow provided her input on the meetings that were held today. No other Budget Committee members were available to attend.

Representative for union contract negotiations:

- Discussed the union contract negotiations.
- Gene Wypyski nominated himself to be the Budget Committee representative.
- Jean Hardy nominated Ed Strong to be the Budget Committee representative.
- Ed Strong and Gene Wypyski stated their qualifications.
- The Chair held a written ballot due to having two nominees.
- Written vote outcome. Ed Strong 5 votes and Gene Wypyski 2 votes.
- Motioned by Jean Hardy, seconded by Diane Holt to nominate Ed Strong to the union negotiating committee. Motion carried by roll-call vote 5-2.

Public Comment:

- Select Board member Lauren Dow provided comments on tonight's Special Town meeting.

Approval of Minutes, June 8, 2022:

- The minutes of June 8, 2022 were not available. Chair will follow up with prior Secretary to obtain the minutes for the August 10, 2022 meeting.

Special Town Meeting statement:

- The chair opened up the discussion for the Special Town Meeting. Reggie asked a question concerning the legality of this meeting. Donna responded by stating the Town Manager stated he had checked with legal and it was fine. However, Ms. Murphy stated she had not seen nor was given a copy of any legal correspondence on this matter. Jean cited Section 6 of the Eliot Town Charter that provides a referendum vote only when an article has not passed. Gene brought up the letter from the Town Attorney that stated the Town could do a budget vote by referendum. Gene stated the Budget Committee should go along with the upcoming meeting, and saw no harm in doing so. Ed cited Section 6.6 of the Eliot Town Charter. Ed also addressed the emergency meeting that had been suggested by one of the Select Board members. Ed stated he was one of the people who drafted that language in the Charter under Section 2.14, and the upcoming meeting did not align with the Charter. Ed read from the Charter *"To meet a public emergency affecting life, health, safety, property or the public peace, the Select Board may adopt one or more emergency ordinances in the form and manner prescribed for the ordinances generally, but such emergency ordinances may not levy taxes or authorize the borrowing of money. When brought to a Town meeting, an emergency ordinance may be adopted or rejected with or without amendment. It shall become effective upon adoption or at such later time as it may specify. An Emergency ordinance so enacted shall be automatically repealed after the time specified in the ordinance, but not later than the sixty-first (61st) day following the date on which it was adopted."*
- Jean also read from the Charter. Ed stated we did not know what the question was that was asked by the select board. Gene stated "so what, why is that important?" Ed stated he has seen many legal opinions and how the question and what was asked is Important in understanding the attorney's response. Diane stated she believed people are getting confused between a referendum vote and an open meeting. Diane stated you could have a meeting, but as the attorney said, if it is a budget item, it has to be under a referendum, and that is by ballot. Gene stated from the attorney letter, under "2.79", allows for meeting concerning budget items. Ed stated that was an ordinance and not the Charter. Jean explained the difference between a codified charter and an ordinance.
- Jeffrey also brought up the Town Attorney letter and stated we have a Town Attorney for a reason. There is an ambivalent ordinance, he stated we want Town employees covered, and he expressed concern for the Town Employees. Mr. Strong stated only \$42,000 is short to cover the Town employees with workers comp, not the \$110,000. Ed referred to the wage reserve as a "slush fund". Gene questioned the "slush fund". Ed was corrected that the term is the Wage Reserve fund, which has already funded any short coming in the Workers Comp. Jeffrey stated the two issues are funding the gap in Workmen's Comp and the Training fund, which he believed should be separated.
- Donna explained the role of the Budget Committee is responsible to the voters to the town. Reggie stated the Budget Committee is a reactionary committee in that the Budget Committee asks a lot of questions, and that we can only work with what they gave us. All we do is make recommendations. You cannot turn this around and say we should do something differently, because we are fiduciaries for Eliot but don't get information. The Budget Committee works with what we are given and we made recommendations. Reggie stated that Eliot has a new Town Manager. It is a little sloppy this year and hopefully next year will be better.
- Diane stated that the years prior the Budget Committee met with the Select Board, and with the Town Manager. She stated we had some differences along the way, but after those meetings we were together 100% agreement. She further stated we did not have that meeting this year,

which became a communication issue. Diane stated she was not blaming anyone, but if we were allowed to get together, we could have resolved this workers comp issue and we would have done the same thing as the year before, working together. Ed stated we did not want the workmen's comp lumped together, but what is allocated to each account as has been done in the past. We did not want to cut workers comp. Three of the requested budget items were passed, for a total of 19,700. The warrant article should be \$42,000.

- Donna stated for many years, the accounting was not uniformed and accounting was all over the place. Donna stated the Budget Committee worked with the previous Administrative Assistant and the previous Town Manager to allocate funding to the proper departments. Historically, workers comp was allocated to each department so an accurate accounting for the departments could be achieved. This year, the funding was lumped together by the current Town Manager. Jeffrey thanked the Donna for the explanation, and stated as an accountant he understood and under normal circumstances the Budget Committee would have approved the funding.
- A brief discussion occurred between Jeffrey and Ed. Donna stated the Select Board was asking for the full amount for workers comp. Donna asked the Budget Committee members if any objected to funding the \$42,000 and the Committee members, with the exception of Gene, stated yes. Gene stated he objected to the extent that we are playing games with the numbers, confusing the electorate. There is no option to this meeting, its either yes, we recommend, or no we do not recommend. Ed responded by stating in an open Town meeting you can change the amount any time.
- Donna stated she did not hear anyone objecting to the \$42,000. Gene stated he objected and stated "we were getting into the weeds", and that has been my concern all along. We have a competent Select Board and an extremely competent Town Manager, who is not playing games, and trying to massage and take advantage, and trust that when we see a proposal it is an honest proposal and for us to be constantly second guessing this number or that number is not a good use of our time. Several Committee members at once stated "this is our job". Donna stated that we are elected by the legislative body to be asking those questions. She further stated our responsibility is to the voters, not the Town Manager or the Select Board. We are an independently elected body.
- Jean explained that we need to think independently, critically, and that is our job. We do not rubber stamp anything. She further explained that when there was a need for a new fire truck, the Budget Committee had looked at the need for a fire truck and based on that need budgeted money each year for the fire truck so when the time came, the money was there to fund it. Jean explained that is how the Budget committee works. She explained the Budget Committee looks at everything. She explained there should be a partnership between the Select Board and the Budget Committee. She explained the Budget Committee has become the "Fall guy".
- Ed stated that what irritates him is they did not state they wanted \$62,000 to fund workers comp. Instead, they want \$139,000 in one account and they want \$110,000 for another item. There is no emergency.
- Donna called on members of the public.
- Lauren Dow, Select Board member, stated you feel like you have been the fall guy I feel like the Select Board has been the fall guy. She offered to be the go between. She also stated she believed this meeting upcoming is a legal meeting. Lauren offered some numbers, but they were clarified by Ed and Donna. Lauren stated she would like a better relationship with the budget committee. Jean stated that communication goes both ways.

- Kirsten Metz, Land Use Administrator (non-resident of Eliot) made comments about working together. She further explained some of the demands on her due to doing many different tasks assigned to her by the Town Manager. Jean stated that the Budget Committee is unaware of what Town Employees are doing. Jean stated it is not the Budget Committee's job to manage the Town Employees. Jean stated that is the job of the Select Board through the Town Manager. Jean stated the Budget Committee has not underfunded the Town Employees.
- Ed stated about 95% of Town employees are union, and they have negotiated contracts. They are operating under contracts. When the contracts come up for renewal, if they want to reclassify position, they submit to the union, and they negotiate. There was nothing from the Town Manager, except for raises, which was approved. The \$110,000 the Select Board is seeking has no oversight. Diane stated she hopes the Select Board will meet with the Budget Committee again next year.
- Jeff Brubaker, Town Planner, 148 Witchtrot Road, South Berwick, Maine, stated he supports what Kirsten Metz stated. Jeff Brubaker stated he supports the Town Manager, and agrees there should not be an atmosphere of distrust.

Budget Committee Member Reports and Comments:

- No members had any reports or comments

Adjournment:

- Motioned by Ed Strong, seconded by Jean Hardy to adjourn. Motion carried by roll-call vote 7-0.
- The next meeting is scheduled for August 10, 2022 at 5:00 PM. This will be a hybrid meeting.

Respectfully submitted,

Donna Murphy, Chair
Jean Hardy, Secretary

Date Approved: August 10, 2022