

**HOLDEN TOWN COUNCIL  
SPECIAL MEETING  
Thursday February 6<sup>th</sup>, 2020  
Holden Municipal Building  
5:00 P. M.**

**Minutes**

**1. Call to Order**

Chairperson Copeland called the meeting to order at 5:00 P.M.

**Members present:** Thomas Copeland, Chairperson; Rod Black, Vice Chairperson; Patricia Sirois, Councilor; Robert Harvey, Councilor; Ryan Carey, Councilor, Millard Billings Tax Assessor, and Chris Greeley, Chief of Police.

**2. Pledge of Allegiance**

Chairperson Copeland led the Pledge of Allegiance.

**3. Moment of Silence**

Chairperson Copeland asked for a moment of silence to reflect on someone or something positive that has touched their lives since we last met.

**4. Public Comment**

Millar Billings, Tax Assessor spoke on behalf of the Town Manager Ben Breadmore, supporting him in his position as the Town Manager for the Town of Holden. Millard Stated "He's a good boss, I have appreciated all the time we have worked together and I hope you keep him as Town Manager."

Councilor Harvey spoke in reference to Eduardo Benjamin being named Officer of the Year and asked Chief Greeley to give the Town Council a summary on the Officer of the Year.

Chris Greeley, Chief of Police, spoke about naming Eduardo Benjamin Officer of the year, though this was not something we have ever done in the history of the Holden Police Department, this year it felt appropriate given Lt. Benjamin's efforts on behalf of Holden.

Councilor Harvey spoke in reference to the consensus asked of the Town Council through one on one phone calls to expend unbudgeted funds for the purpose of a retirement survey. Councilor Harvey felt that the issue should have been brought before the full board. This action sets a bad precedent and shuts down open and valid discussion, as well as additional facts. It was uncalled for, that the item was requested to be put on the agenda and was rejected.

In the future if any Councilor has an issue and would like it brought to the full board, progress will stop until the full board has a chance to deliberate.

Councilor Harvey asked a hypothetical question. If an employee contacts one or more Councilors regarding a personnel issue and a discussion may or may not ensue, eventually the employee files a grievance and it proceeds to step 3 in the grievance procedure, which is

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referred to the Town Council. The question then becomes, is the Town Councilor or Councilors prejudice and rendered unable to serve as an arbiter in that case? That all hinges on the knowledge of prior contact between the employee and Councilor(s). Councilor Harvey just wanted to make sure all Councilors were aware of this possibility and aware of the procedure.

Roger Huber, Legal Counsel, responded to Councilor Harvey's hypothetical question by saying he doesn't believe that a Councilor is precluded from serving on a grievance hearing or an appeal, but it is exactly the problem with having employees and Councilors interacting with one another on personnel related issues, which was covered about a month ago. Ultimately, if there is a grievance filed and satisfaction is not secured at the Town Manger level, then the board will be sitting as jury or decision makers, generally speaking there are a set of facts that could render that Councilor unable to serve, but there is no statutory preclusion from that. There is most certainly a practical problem, that the Councilor almost becomes a witness in the proceedings, he would discourage allowing an employee to end run around the grievance process, delivering their concerns to the Councilor directly. It is completely appropriate for a Councilor to say there is a process in place, and I ask that you follow it.

**5. Other Business (By Unanimous Consent) - None**

**6. Executive Session**

**A. Discuss Personnel Matter Pursuant to 1 M.R.S.A. 405, (6) (A)**

Councilor Black moved; Councilor Carey seconded; to enter into Executive Session to discuss personnel issue pursuant to 1 M.R.S.A. 405 (6) (A). Vote 5-0 in favor.

Councilor Carey moved; Councilor Black seconded; to exit Executive Session. Vote 5-0 in favor.

**7. Public Comment - None**

**8. Adjournment**

Councilor Carey moved, Councilor Black seconded; to adjourn the meeting. 7:48 p.m.

Respectfully Submitted,

Benjamin Breadmore, Town Manager

Tuesday February 18th, 2020