BOOTHBAY HARBOR SELECTMEN'S MEETING MINUTES VIA ZOOM June 8, 2020

In addition to these typed minutes, video recording of all Selectmen's meetings are available to be viewed at BRCTV and audio recordings are available at the Boothbay Harbor Town Office.

ATTENDING:	Michael Tomko - Chair
	Tricia Warren – Vice Chair
	Ken F-Fitch
	Denise Griffin
	Wendy Wolf

Julia Latter, Town Manager

Chairman Tomko called the Board of Selectmen's Meeting to order at 7:00 p.m.

Introductions of the Board of Selectmen.

TOWN MANAGER'S ANNOUNCEMENTS:

- 1. Town Manager Latter mentioned the town office is open for appointment only. The office has been busy since last Monday with appointments every 15 minutes.
- 2. Town Manager Latter mentioned all restrooms have been re-opened. The restrooms are limited to one person at a time and are being cleaned frequently.
- 3. Town Manager Latter mentioned mooring renewal applications are out and are due back by June 30^o The harbor master and pump-out boats are in full operation.
- 4. Town Manager Latter mentioned town-owned parking lots starting July 1st will be assessing regular fees. Staff will start as of June 15.
- 5. Town Manager Latter mentioned her and Code Enforcement Officer, Geoff Smith, researched the best options for the posts and brackets for the signs for Museum in the Streets. It was concluded that the most cost effective option was to outsource it. They should be completed by June 22[,] 2020 and installed soon thereafter.
- 6. Town Manager Latter updated the board on the vehicle registration rules due to COVID-19. All registrations had a 30-day extension from the end of the last state of emergency. If your town office is available, the extension does not apply. The Boothbay Harbor office is available for registrations by making an appointment.
- 7. Town Manager Latter recapped the timing for the Annual Town Meeting which is set for June 19 and 20. Articles 1 and 2 will take place on Friday, June 19. (Copy of the articles are attached). Polls will be open from 8:00 a.m. to 6:00 p.m. The remainder articles will be held on Saturday, June 20 at 9:00 a.m. at the Boothbay Region High School gymnasium. For both the municipal and state elections we are encouraging absentee balloting You can contact town office to request ballots during regular business hours. Latter also mentioned annual reports will be available next week.

8. Town Manager Latter mentioned that the Town Office will be closed on June 30, 2020 for fiscal year end.

TOWN DEPARTMENT REPORTS: None

SELECTMEN REPORTS:

- 1. Chairman Tomko congratulated the Boothbay Region High School Class of 2020.
- 2. Chairman Tomko mentioned Sunday members of the board, state leaders, Police Chief Hasch and Lincoln County Sheriff Bracket, among others, attended a peaceful gathering with about 300 individuals regarding no tolerance for racism in law enforcement.
- 3. Chairman Tomko mentioned Public Education Government, the station that broadcasts our local Boothbay Region Community Television, has put together a law giving the ability to watch cable access televisions on Channel 7 as well as channel 1301.
- 4. Selectman Fitch mentioned he is ending his first year as a member of the Board of Selectmen. Fitch mentioned it has been an interesting year and thanked everyone for helping him get through his first year.
- 5. Selectperson Wolf mentioned the letter that was sent in March regarding guidelines for residents to follow for COVID-19 was an overall success. Wolf mentioned now that we are in the re-opening phase that it might be a good idea to send out another letter providing guidelines to residents on the re-opening. Wolf read the letter including some important highlights on ways to keep everyone safe. (Copy of the letter attached)
 - a. Excellent hygiene;
 - b. social or physical distancing;
 - c. face covering;
 - d. if you are feeling ill, please stay home.

Wolf asked the rest of the board if they are willing to endorse the letter. Motion was made to endorse the letter. Motion seconded and unanimously approved. Approved 5-0.

- 6. Selectperson Wolf gave a summary of the governor's press conference including
 - a. Locations for testing have increased;
 - b. Keep ME Healthy plan, visitors are asked to certify they have had recent negative test (within 72 hours) before checking into local facilities;
 - c. Grant support for community education and development programs.

FINANCIALS: Overview of financials given by Manager, Julia Latter for Finance Officer, Kathleen Pearce.

MINUTES: Approval of the May 26, 2020, meeting minutes. Approved 5-0.

LICENSES:

- 1. Liquor License Renewal, Malt, Spirituous & Vinous for Fisherman's Wharf Inn, 22 Commercial Street. Approved 5-0.
- 2. Special Amusement License Renewal, Boothbay Harbor Yacht Club, 156 Western Avenue Approved 3-0. (Selectpersons Wolf and Fitch abstained due to being a member of the club)
- 3. Victualer licenses- New licenses, Boothbay Harbor Yacht Club, 156 Western Avenue, Class H; Thistle Inn, 55 Oak Street, Class H; Wannawaf Inc., 31 Granary Way, Class D;

Atlantic Ark Inn, 62 Atlantic Avenue, Class F; and Eventide Specialties, 5 Boothbay House Hill, Class B.

- a. Motion to take the license applications together as read with the exception of Boothbay Harbor Yacht Club due to Selectpersons Wolf and Fitch being a member of the club. Motion seconded and unanimously approved. Approved 5-0.
- b. Motion to approve the license applications together as read with the exception of Boothbay Harbor Yacht Club due to Selectpersons Wolf and Fitch being a member of the club. Motion seconded and unanimously approved. Approved 5-0
- 4. Motion to approve the license application for the Boothbay Harbor Yacht Club. Motion seconded and approved 3-0. (Selectpersons Wolf and Fitch abstained due to being a member of the club).

NEW BUSINESS:

- 1. Town Manager Latter presented and asked the board to adopt the fee schedule for 2020/2021. Motion was made to adopt the fee schedule as presented. Motion seconded and unanimously approved. Approved 5-0.
- 2. Town Manager Latter presented and asked the board to approve a purchase order for Baker Design Consultants in the amount of \$28,362.22. Motion was made to approve the purchase order for \$28,362.22 to Baker Design Consultants for the design development on the footbridge project for prior services rendered to date. Motion seconded and unanimously approved. Approved 5-0.
- 3. Town Manager Latter presented and asked the board to approve a purchase order to the Town of Boothbay for cost share-Casco Bay Advisors/Broadband Motion was made to approve the purchase order to the Town of Boothbay for the cost share for Casco Bay advisors, broadband study, in the amount of \$5,250 to be charged to the Selectmen's account (economic development/JEDC funds). Motion seconded and unanimously approved. Approved 5-0.
- 4. Town Manager Latter asked the board for Finance Officer, Kathleen Pearce, to approve carry-forward amounts for 2020/2021.
 - a. Motion was made to accept the carry-forward amount for the unexpended balance of \$41,611.56 for the Selectmen/Economic Development account into FY 20/21. Motion seconded and unanimously approved. Approved 5-0.
 - b. Motion was made to accept the carry-forward amount for the unexpended balance of \$116,073.50 for Contract Services/Professional Services account into FY 20/21. Motion seconded and unanimously approved. Approved 5-0.
- 5. Town Manager Latter presented and asked the board to approve the annual municipal appointments for the boards and committees.
 - a. Motion made to approve the appointment of William Hamblen to the Planning Board for a 3-year term as a voting member. Motion seconded and unanimously approved. Approved 5-0.
 - b. Motion made to approve the appointment of Lee Corbin to the Planning Board for a 3-year term as a 2nd alternate. Motion seconded and unanimously approved. Approved 5-0.
 - c. Motion made to approve the appointment of Margaret Splaine to the Budget Committee for a 3-year term. Motion seconded and unanimously approved. Approved 5-0.

- d. Motion made to approve the appointment of Leslie Bird to the Budget Committee for a 3-year term. Motion seconded and unanimously approved. Approved 5-0.
- e. Motion to approve the appointment of Frederick Farnham to the Port Committee for a 3-year term. Motion seconded and unanimously approved. Approved 5-0.
- f. Motion made to approve the appointment of Merritt Blakeslee to the Appeals Board for a 3-year term. Motion seconded and unanimously approved. Approved 5-0.
- g. Motion was made to approve the 2020-2021 municipal officials appointments as presented for July 1, 2020 to June 30, 2021. Motion seconded and unanimously approved. Approved 5-0.

OLD BUSINESS: NONE

WARRANTS: Motion was made to approve the warrants upon review. Motion seconded and unanimously approved. Approved 5-0.

PUBLIC FORUM: NONE

MOVE TO ADJOURN: The meeting was adjourned at 8:08 p.m. after unanimous approval. Approved 5-0.

Town of Boothbay Harbor Town Warrant

To Robert Hasch, Constable of the Town of Boothbay Harbor, in the County of Lincoln, State of Maine,

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Boothbay Harbor in said county and state, qualified by law to vote in town affairs, to meet at the Boothbay Harbor Municipal Fire Station in said Town on Friday, the 19th day of June, 2020, then and there to act upon Articles 1 and 2. The polls for voting on Articles 1 and 2 shall open at 8:00 AM and will close at 6:00 PM. The remaining business to be transacted under the TOWN WARRANT will be taken up on Saturday, the 20th day of June, 2020 at 9:00 AM in the Boothbay Region High School Gymnasium.

- Article 1 To choose a moderator to preside at said meeting.
- Article 2 To choose by secret ballot, the following public officials for a three-year term:
 - 2 Selectmen and Overseers of the Poor
 - 1 School Committee Member of the Boothbay-Boothbay Harbor CSD
 - 1 Trustee of the Boothbay-Boothbay Harbor CSD
 - 1 Trustee of the Boothbay Region Water District
 - 1 Trustee of the Boothbay-Boothbay Harbor Cemetery District
 - 1 Trustee of the Boothbay-Boothbay Harbor Sewer District
- Article 3 To see if the town shall accept the alewife fishing rights pursuant to DMR rules on West Harbor Pond for the year 2021 and that said pond shall remain closed for conservation.
- Article 4 To see if the town will vote to authorize the tax collector or treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. Section 506.
- Article 5 To see if the town will vote to establish a date when taxes are due and payable, and to fix a rate of interest on delinquent taxes.

<u>Selectmen's Recommendation:</u> Taxes are due upon receipt of tax bills. The first installment is due September 8, 2020. Interest for the overdue amount begins September 9, 2020 at a rate of 9%. The second installment is due March 8, 2021. Interest for the overdue amount begins March 9, 2021 at a rate of 9%.

Article 6 To see if the town will vote to set the interest rate to be paid by the Town on abated taxes pursuant to 36 M.R.S.A. Section 505(4-A).

Selectmen's Recommendation: 9 %

Article 7	To see if the town will vote to appropriate the overlay to pay tax abatements
	and applicable interest granted during the fiscal year.

- Article 8 To see if the town will vote to authorize the municipal officers, on behalf of the town, to sell and convey any real estate acquired by the town for nonpayment of taxes, under such terms and conditions as they deem advisable, and to execute a quitclaim deed for such property.
- Article 9 To see if the town will vote to authorize the municipal officers to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. Section 2953.
- Article 10 To see if the town will vote to authorize the municipal officers to dispose of any town owned personal property under such terms and conditions, they deem advisable.
- Article 11 To see if the town will vote to authorize the municipal officers to carry forward any unexpended account balance, they deem advisable, provided that the account carried forward is used for the same purpose, and to fund any expenditure exceeding budget from the undesignated fund balance.
- Article 12 To see if the town will vote to authorize the municipal officers to accept any state funds received by the Town and to appropriate any funds received for a particular purpose to that purpose. Funds received but not dedicated to a particular purpose are appropriated for such uses, terms and conditions as the municipal officers deem advisable.
- Article 13 To see if the town will vote to authorize the municipal officers to apply for, accept and administer any state, federal, or private grant they deem advisable.
- Article 14 To see if the town will vote to authorize the municipal officers, on behalf of the Town, to accept gifts and donations, and to appropriate those gifts and donations to the purposes for which they were received, under such terms and conditions they deem advisable.
- Article 15 To see if the town will vote to use and appropriate ESTIMATED REVENUES of \$1,189,335 to reduce the property tax commitment.

(Selectmen and Budget Committee recommend \$1,189,335)

Article 16 To see if the town will vote to raise and appropriate \$3,039,606 for the remaining Town of Boothbay Harbor Municipal accounts.

(Selectmen and Budget Committee recommend \$3,039,606)

\$243,058	for the CAPITAL account
\$77,400	for the DEBT SERVICE account
\$177,161	for the ADMINISTRATION account
\$31,296	for the ASSESSING account
\$106,000	for the CONTRACT SERVICES account
\$2,800	for the SUPPLEMENTAL account
\$97,048	for the FINANCE account
\$94,180	for the INSURANCE account
\$14,115	for the MEETINGS & ELECTIONS account
\$81,957	for the MUNICIPAL BUILDINGS & VEHICLES account
\$13,322	for the SELECTMEN account
\$91,652	for the TOWN CLERK account
\$146,869	for the TOWN MANAGER account
\$234,770	for the PAVING & CONSTRUCTION account
\$382,862	for the PUBLIC WORKS account
\$27,045	for the PUBLIC RESTROOMS account
\$116,213	for the WINTER OPERATIONS account
\$7,208	for the ANIMAL CONTROL account
\$7,797	for the EMERGENCY MANAGEMENT account
\$86,976	for the CODE ENFORCEMENT account
\$82,063	for the FIRE DEPARTMENT account
\$36,354	for the HARBOR MANAGEMENT account
\$7,470	for the PUMP OUT account
\$829,086	for the POLICE account
\$39,904	for the PARKING account
\$5,000	for the WELFARE account

Article 17 To see if the town will vote to raise and appropriate \$1,314,570 for STREET LIGHTING, HYDRANT SERVICE, BOOTHBAY REGION REFUSE DISPOSAL DISTRICT, BAYVILLE/ISLE OF SPRINGS, REVALUATION and FIREWORKS accounts.

(Selectmen and Budget Committee recommend \$1,314,570)

\$52,733	for the STREET LIGHTING AND LIGHTS account
\$610,626	for the HYDRANT SERVICE account
\$490,269	for the BOOTHBAY REGION REFUSE DISPOSAL
	DISTRICT account
\$95,942	for the BAYVILLE/ISLE OF SPRINGS account
\$50,000	for the REVALUATION account
\$15,000	for the FIREWORKS account

Article 18 To see if the town will vote to raise and appropriate \$476,042 for the SUPPORT ORGANIZATIONS accounts.

(Selectmen and Budget Committee recommend \$476,042)

\$16,000	for the BB/BBH CEMETERY DISTRICT account
\$1,000	for the BOOTHBAY REGION ALUMNI COMMUNITY BAND
	account
\$5,000	for the BOOTHBAY REGION COMMUNITY RESOURCE
•	COUNCIL account
\$4,000	for the BOOTHBAY REGION HEALTH & WELLNESS
	FOUNDATION (Community Center) account
\$33,831	for the COMMUNITY CABLE CHANNEL account
\$3,500	for the HARBOR LIGHTS FESTIVAL account
\$2,000	for the HISTORICAL SOCIETY account
\$500	for the MEMORIAL DAY/AMERICAN LEGION account
\$55,500	for the MEMORIAL LIBRARY account
\$1,155	for the NEW HOPE FOR WOMEN account
\$1,000	for the SENIOR CITIZENS account
\$1,200	for the SUMMER BAND CONCERTS account
\$25,818	for the DISTRICT NURSE account
\$325,538	for the AMBULANCE SERVICE account

Article 19 To see if the town will vote to amend the current Land Use Code as follows:

Section 170-106, General requirements and standards, Subsection A(3)(f), is amended to read: "Where the proposed subdivision is located on a lake, pond, river, saltwater body or stream, a portion of the waterfront area shall be included in land reserved under Subsection A(3)(a) above. The dimension along the waterfront shall be a minimum of 200 feet, plus 10 additional feet for each unit/lot, or the entire extent of the waterfront, whichever is less. The dimension perpendicular to the waterfront shall be no less than 100 feet."

(The intent is to clarify that the 200 feet of waterfront land that is required to be reserved as open space in certain subdivisions is measured along the waterfront.)

Article 20 To see if the town will vote to amend the current Land Use Code as follows:

Section 170-53, Retail/wholesale sales or services, is amended to read: "No retail/wholesale sales or services of food, beverages or other items intended for immediate human consumption shall be offered or solicited except on privately owned property use or operation of a drive-up or take-out window shall occur without a permit from the Planning Board, which permit shall be for the term of one year and may be renewed on an annual basis by the Code Enforcement Officer. Upon the application for such permit or renewal, the applicant shall submit an acceptable litter control plan, evidence that the applicant has the financial resources and technical ability to carry out the litter control plan, and evidence that the drive-up, walk-up, or take-out window will not interfere with the public's use of any public way, all of which shall be satisfactory as determined by the Planning Board. The Planning Board shall take into account any complaints, citations, notices of violation, and orders to stop issued to or about the applicant or any previous operator of the same site, as reported by the Code Enforcement Officer. The Planning Board may condition any such permit upon compliance with the litter control plan and/or the lack of interference with the public's use of any public way.

No use or operation that is not functionally water dependent shall occur from any structure over the water.

The Code Enforcement Officer may grant temporary permits under this section for civic, statewide, or regional events of nonprofit organizations."

Section 170-27(E), Schedule of Uses, is amended by adding a new line and a new footnote, as follows:

"GR	SR	DB	WW	LC/M	GB	RP
		P19			P ¹⁹	

¹⁹ A Mobile Food Vendor is defined as a seller of food, beverages or other items intended for immediate human consumption from a mobile van, truck, cart, or other conveyance."

(The intent is make provision for the regulation of mobile food vendors.)

Article 21 To see if the town will vote to amend the current Town Code as follows:

Section 2-4, Town finances, Subsection D, is amended to read: purchases of and contracts for supplies, contractual services and improvements estimated to cost in excess of \$10,000 (but excluding normal professional services) shall be purchased by formal written sealed bid from the lowest qualified bidder after due notice inviting proposals. All bid awards must be approved by the Board of Selectmen."

(The intent is to increase the minimum amount requiring purchase by sealed bids.)

Article 22 To see if the town will vote to amend Chapter 133, Port Regulations, of the current Town Code as follows:

In Section 133-1, Definitions, the definition of "Mooring" is amended to read: "Any appliance used by a watercraft or float for anchoring purposes and not carried aboard such watercraft or float.

In Section 133-1, Definitions, a new definition of "Float" is enacted to read: "A floating platform affixed to a mooring or otherwise held in position for use by swimmers or other recreational users, by boats, or for the storage of equipment, gear, or supplies."

Section 133-8, Prohibited acts, Subsection M (3) is amended to read: "All floats, wharves, piers, and docks will be maintained in a good and serviceable condition at all times. All floats, wharves, piers, and docks shall be used and operated only in compliance with all safety guidelines and rules established by the Board of Selectmen or otherwise set forth in this Chapter.

A new Section 133-11, "Safety guidelines and rules," is enacted to read: "The Board of Selectmen shall establish and revise guidelines and rules for the safe use and operation of floats, wharves, piers, and docks, including, but not limited to, the use of slides, swings, diving boards, trampolines, and other recreational equipment."

(The intent is to authorize safety rules for floats, wharves, piers, and docks.)

Article 23 To see if the town will vote to amend the current Town Code by enacting a new Chapter 77 as follows:

"Chapter 77

Blasting

77-1 Blasting Notification

- A. No blasting shall be done without first obtaining a permit to blast from the Code Enforcement Officer pursuant to this section.
- B. The application for a permit to blast shall include:
 - A completed application for a permit to blast, using the form provided by the Code Enforcement Officer.
 - (2) A site plan showing where the blasting will take place.
 - (3) A signage plan sufficient to warn all vehicles, pedestrians, residents, and others within 500 feet of the proposed blasting site that blasting will be occurring. The signs must be placed at least three days prior to blasting and include the approximate dates and times the blasting will occur.
 - (4) A statement of the purposes and extent of the blasting, further indicating the approximate dates and times the blasting will occur.
 - (5) Identification by name, address, and a contact telephone number of the entity that will actually perform the blasting operation.
 - (6) Proof that the applicant or the blasting contractor is properly licensed by the State of Maine and in compliance with Title 25 M.R.S., Chapter 318, Subchapter 1: Explosives, and the State Fire Marshall Rules, Chapter 31, and any other applicable State statutes and regulations.
 - (7) Proof of Insurance. The applicant and/or blasting contractor shall present proof of liability insurance in a minimum amount of \$1,000,000 combined single limit per occurrence.
 - (8) Evidence that notice of the proposed blasting operation has been sent, at least seven (7) days prior to the proposed blasting date, by certified mail to all landowners within three hundred (300) feet of the subject property. Said notice shall indicate the location of the proposed blasting; approximate date and times that blasting will occur; and name, address, and telephone number of the entity that will actually perform the blasting operation.
- C. A blasting permit fee will be established in accordance with Chapter 2, Section 2.7(B) of this Ordinance.
- D. The Code Enforcement Officer shall act upon the application for a permit to blast within ten (10) days after the receipt of a completed application form, fee, and all supporting evidence as set forth above.

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- E. If granted a permit, the applicant must adhere to all of the plans and requirements stated in the application for the permit. If not, the applicant will be in violation of this ordinance, and the Code Enforcement Officer may require all blasting related work to immediately cease.
- F. Definition of Blast/Blasting Any activity entailing the use of explosives for the purpose of producing an explosion to demolish structures or portions of structures or to fragment rock or similar materials."

(The intent is to provide notice of blasting activities.)

A person who is not registered as a voter may not vote in any election. You are directed to serve this publication and to post it at the Boothbay Harbor Post Office, West Boothbay Harbor Post Office, and the Town Office at least seven (7) days before the time of said meeting. Hereof, fail not and have this Warrant with your doings, thereon at the time and place stated. Given under our hands this 19th day of May 2020.

DocuSigned by: Michael & Tomko

Michael Tomko, Chair

Kenneth F-Fitch

DocuStaned by: Durise Griffin Denise Griffin

Signed by: an T. We Tricia Warren, Vice Chair

Wendy Wolf

Wendy Wolf

11 Howard

Boothbay Harbor, Maine



RE: Town Public Safety Recommendations for COVID-19 During Reopening

Dear Boothbay Harbor residents, taxpayers, businesses and visitors:

We hope all of you are of remaining well and enjoying the return of summer to our region. As local businesses re-open, this is a very important time all of for us to adhere to the state and federal COVID safety measures that help protect residents, visitors and business owners in our town. One of the Select Board's most important responsibilities is to ensure public safety. Accordingly, we expect everyone in our community to follow ALL FOUR public health safety practices outlined below to protect residents and visitors from transmitting or becoming infected with the coronavirus.

- <u>Practice good hygiene</u>: there is no substitute for frequent hand washing with soap every time you go
 in and out of a group setting. Lather up (soap destroys the virus) and wash for at least 20 seconds. If
 soap and water aren't available, use hand sanitizer.
- <u>Social/physical distancing</u>: when you are in public, maintain a minimum 6-foot distance from others to decrease the spread from respiratory droplets that occur when people speak, cough or sneeze.
- <u>Face covering</u>: Shielding your nose and mouth with a face covering is essential to protect our neighbors and friends from the spread of coronavirus by respiratory droplets. Covering your face during this pandemic is not a political statement; it is a public health measure designed to protect others, especially those who are more vulnerable to COVID-19. Under Governor Mill's Executive Order, businesses open to the public must post signs alerting customers that wearing a face covering in indoor public places is mandatory. Businesses may refuse entry to customers who aren't wearing a face covering.
- <u>Home quarantine</u>: If you have fever or any symptom of COVID-19, stay at home and do not go out in public. Symptoms of COVID-19 include:
 - Fever
 - CoughSore throat

- Shortness of breath
- Loss of taste or smell
- Nasal congestion/runny nose

If you have any of these symptoms, call your doctor or contact the health professionals at any of our local health centers to ask about getting a COVID screening test.

Coping with the coronavirus pandemic have been challenging for us all. We want to acknowledge the unwavering service of our local health care professionals who have capably cared for people in our community during this crisis, and underscore the contributions of essential workers who staffed our grocery stores, gas stations and other essential businesses. They have provided support for our community at the risk of their own health and we are extremely grateful for their service.

Our town will continue to follow the guidance and recommendations from the State and Maine CDC as it relates to public spaces, events, and meetings. The health and safety of our residents, business, and visitors is of the upmost importance. We ask for your cooperation with these public health measures during this extraordinary time. If you have any questions regarding the town's guidance, please contact our Town Manager, Julia Latter at (207) 633-3671 or <u>jlatter@boothbayharbor.org</u>.

Approved by the Select Board June 8, 2020