

ST. GEORGE SELECT BOARD & ASSESSORS
MEETING MINUTES
January 23, 2017

The meeting was called to order at 7:00 p.m. with Select Board members Richard Bates, Randy Elwell, Jerry Hall, Wayne Sawyer, and Tammy Willey. Also present Town Manager John Falla, Elizabeth Curtis, and Tim Polky. Budget Committee members were Scott Vaitones, Peter Lubs, and David Percival. Also present were Christopher Chadwick and Ben Norton.

PUBLIC COMMENTS:

At this time, Chairman Bates asked for public comments. Christopher Chadwick and Ben Norton asked to make public comment.

Chris Chadwick: I just want to express interest in the Cold Storage property, and I might not agree with everything; but I think everyone is trying to make a good, progressive forward move to utilize that property. I see it as kind of being used and kind of locked up. That's that neither here nor there; but I would like to express interest as a commercial fisherman, resident, taxpayer that we really need another dock down there. I would like to see us get in there for 2017. I don't really know what the plans are. Things looked good at the meeting the other night. I would like to try to see us get in there as best we can and try to utilize that piece of property.

Chairman Bates: I think the meeting last Thursday was really good, and I am encouraged by the progress that the committee is making. The next meeting is February 8th.

Chadwick: Things happen. Time is ticking the whole time, and I understand they have an end goal; but like I said, some people have the key and some people don't. There's a real need in Port Clyde. Not enough people show up to these things and the squeaky wheel gets it. It doesn't mean it's not there. I am here to say that it is there. We would like to see a third dock in town. Even if it is just a band aid on a situation now and to be used for 2017, or as quick as possible, really.

Mr. Hall: I think the last meeting was a good meeting in terms of progress towards a long-term goal. I do not think it addressed, at all, the use in 2017. I would want to acknowledge that is something we need to get factored into the equation soon, unless we run out of time like we did last year.

Chairman Bates: I think it is important that we have a long-term plan and at the same time recognize its opportunities like Chris is alluding to. We do not rule these things out, but I think we need to move carefully. I do not want to get into a situation where we make some commitments and then have to go back on them.

Chadwick: Even if we don't use it to its fullest potential, as of right now. I just know that the Harbor Committee now is in charge of it.

Chairman Bates: I think the Harbor Committee is working. We are looking at one of the representatives seated over there (Ben Norton). I think it is important that we have a plan. We do not want to get into a situation where we have made commitments to local fisherman to use the property, and then we have to turn around and say, "You know what, because of the work we need to do on the dock, we have to turf you all out. That is not a practical situation."

Chadwick: Well, it is but it isn't. We could always put a clause in there, if we had to. If it was for the best interest of the property, moving forward and 'you guys' had to back out. If a fisherman, such as me started using it and you needed that space to get by? I'm sure; we could play second fiddle to that.

Chairman Bates: (Selectperson Hall) Jerry hears you. We hear what you are getting at.

Chadwick: No offense. I know that you hear me, and I know that you understand; but my voice has yet to be recorded as a taxpayer. I understand. That is why I am here right, now. So, you can understand it all you want, but until it's in the minutes for everyone to read that doesn't come to the meeting, I'd just like to be on record.

Chairman Bates: It will be recorded in the minutes. Thank you, Chris.

Chairman Bates said the Select Board just received an email letter from Josiah R. Wilson, who had planned to attend this meeting but was unable to. He said that the Select Board will address Josiah's letter when all the Board members have had a chance to read it. He also said that we want to make sure that whatever we can do, where it is practical, that everyone gets to use the town's resources.

The following email letter is from Josiah R. Wilson who requested his letter be entered into record.

January 23, 2017

To Whom It May Concern: This letter is written, with my sincerest appreciations in advance for your time as you read this. As commercial fisherman, in the village of Port Clyde and a resident, as well as taxpayer, I write you with concern and question. It is by now common knowledge that the town entered into a purchase agreement for the property at 10 Cold Storage Road. It is also well known that this property was once a lobster buying wharf. It will be two years in May that the town has owned this wharf, and the results are not in about whether or not it was worth it. (In all fairness after attending the Harbor Committee Meeting, my hopes are much higher now than when this was first composed, and I feel a deliberate approach is being taken on that tract while we should consider a two-prong approach.)

What we know is this. The present situation at the lobster buying wharves in Port Clyde is simply put, unsustainable; we have two well over-worked lobster wharves. If we are to make progress towards positive change in the future, we must consider using the property at 10 Cold Storage Road to buy, sell, and provide a place for lobster fishermen to use to get their bait and fuel.

This could be done while plans are being hashed out. I would support the formation of a committee to talk about how quickly we can get this wharf back opened up, while we wait for the long-term goal to produce. The goal is good and the work that has been done has certainly been appreciated. There need not be a study done at the Port Clyde Co-op or at Port Clyde Lobster, to know that the wharfs are now

terribly congested, they run slower than ever, and cost each and every lobster fisherman a little bit more precious time each day, to both bait up the boat, and sell the lobsters. As lobster fishermen, we need to be focused on hauling, setting, and baiting traps, so as to continue the harvest of a sustainably profitable resource. Each and every moment spent waiting, or otherwise being held up because of this congestion, again, is one more moment that we as lobster fishermen cannot harvest as quickly as possible. It has been said many times that lobster fishermen can be impatient. I support a new full-time wharf, and think we should be able to use this property right now, as taxpayers, and as citizens, a locked gate on our property is disheartening to look at. The support is here. The patience is waning. We humbly ask that you give strong consideration to have an operational wharf open as soon as possible, within feasible reason. I look forward to working with you to bring this endeavor into a reality. Hope all is well there. Respectfully, Josiah R. Wilson

Chairman Bates then asked Ben Norton to speak.

Norton: I wrote it down and was going to give it to you, but I am going to say it. I would like to commend the administration of Select Board for the 10 Cold Storage concept plan presented at the Coastal Waters Management Board meeting the other night. You have done a good job keeping this on point with all the changes we have going on at the town hall.

Chairman Bates: The credit must go to the consultant, the Harbormaster, and the administration.

Norton: I was very impressed with what I saw the other night. I recommend the Select Board appoint a group of town's people to make recommendations to the administration. This group would take the work of the 2016, 10 Cold Storage Road Ad Hoc committee, and move some of them forward to the 2017 season. Just an idea for representatives was: a fisherman, recreational, Port Clyde business, resident member, a Select board member and a Coastal Waters Management board member. He gave the Board members a copy of his suggestions.

REGULAR SESSION:

Adjustments to the Agenda: Chairman Bates suggested the Budget Committee items be rescheduled for discussion, after the committee reports are done. He said the two committees would discuss their areas of concern and then the recommendations on the budget. There were no objections.

Minutes:

The Special Town Meeting on January 9, 2017. Town Manager Falla said that the minutes of the town meeting were reviewed and approved by the town clerk. He said that the Select Board did not have to review those minutes.

Select Board Meeting - The minutes of the January 9, 2017, were amended as follows: First paragraph, also present was Richard Cohen. Under Regular Session, Audit, 2nd paragraph, 3rd sentence should read upon John Falla's exit. Page 2, 01 Town Office should read equipment maintenance. Page 3, 09 Social and Community Services, 1st sentence should read could annualize particularly the cemeteries. Under 11 Harbors, line 8 should read Last time we Page 4, 1st line, change to POSA level. Page 5: 3rd paragraph should read to have the spending Paragraph 5 change to read format that shows prior year actuals, delete year budget. Page 6: 4th paragraph, add title Committee Meetings:. 7th sentence, change

properties to property and add, tax acquired property known as the Jersey Road. Page 7: Goals for the Coming year, 5th paragraph should read, the Alewives creek/area, page 7 last paragraph, second sentence should read would like to apply for. Page 8, 1st paragraph, second to last sentence should read his application to apply for. On a motion by Sawyer, seconded by Elwell, it was voted 5-0 to approve the minutes of January 9, 2017, as amended.

Communications: Chairman Bates said there is one letter from Josiah Wilson which will be recorded in the minutes. He said it would be discussed next week. No other communications.

Warrant: The warrant for the week of 1/23/2017 was reviewed and signed. Total expenditures were \$76,832.70 with no items considered to be out of the ordinary. Chairman Bates asked if there were any questions and there were none.

TOWN MANAGER'S REPORT:

Committee Meetings:

The Planning Board is on January 24, 2017 at 7 p.m. Chairman Bates asked for any comments or questions. There were none.

Willey did ask to speak. She wanted to thank Mr. Polky for getting the stop sign and the yield sign up by the Tenant's Harbor Post Office. Mr. Polky said that the signage situation is not done yet. He added there is something up at the end of Mechanic St., and there will be more changes made in the spring. Mr. Falla asked Mr. Polky if that was what all the marking on the road was for. Mr. Polky said, some of it. There is a possibility of rebuilding of that intersection. He said the plan is to rebuild the island and direct the traffic flow by putting some type of obstacles in the way. He is not sure what public reaction will be but the changes will make it safer.

COMMITTEE REPORTS:

Comprehensive Plan: Selectperson Elwell noted the meeting went well. There was a lot of discussion. Everyone is working hard. It is moving forward. He did not make the last Harbor Committee meeting. He did talk with Harbormaster Schmanska who said it went really well. Chairman Bates said that he and Selectperson Hall, Mr. Falla and Mr. Polky were in attendance. Mr. Elwell said they are starting to move forward. Chairman Bates reported the consultant Noel Musson came. He said that the Select Board has to take into account what Norton and Chadwick were saying. Chairman Bates said it is important to make sure there is a plan in place. Selectperson Hall said that the town is using the dock right now, but the decision on how we use the dock is not well publicized or understood. Chairman Bates said the Board should look at that. Mr. Hall said, "Yes."

Planning Board: Chairman Bates reported on 542 Wallston Road. The first application to put a relatively long dock in was previously denied by the Planning Board on the January 9, 2017. It was remanded back to the Board by the Appeals Board. On January 10, 2017, it was again denied based on Section 15(C)5 of the Shoreland Zoning Ordinance which is due to the length. There was a second application which had a much shorter dock. It was first denied by the Planning Board on October 25, 2016, remanded back to the Board by the Appeals Board. On January 10, 2017, the application was denied, again, based on 16(D) of the Shoreland Zoning Ordinance which is related to its impact on the wildlife setting on that site and

will continue as an issue, remarked Chairman Bates. The Planning Board denied both application requests.

Also, on January 10, 2017, there was an application to construct a pier with a seasonal float at 251 Otis Point Road. The application was approved subject to getting a DEP permit.

The Planning Board scheduled an on-site visit for the wood processing and shop, being proposed at 263 Port Clyde Road. The on-site took place today at 4 p.m. and application will be discussed at the Planning Board meeting scheduled for 1/24/17. There were no questions.

Shellfish Committee: Selectperson Sawyer reported that GRSMO owns a mobile phone. The phone costs \$45 a month. The current Sheriff's deputy, who is performing clam warden duties, said he had a telephone with him all the time. It was his own phone and it is connected to the Sheriff's Department. He said if you paid him \$30 a month, he would use his phone while performing clam warden duties. The committee saved \$15.00 a month. Selectperson Sawyer said they had already paid the \$45 for the month. If you call it, it will go directly to the warden (call forwarding). Chairman Bates noted that the \$15 a month's saving was spread between five towns.

Budget Committee: Chairman Bates said there were two topics of discussion: 1) To discuss their concerns for the 2017-2018 budget, and 2) Recommendations for employee retirement benefits. Susan Ellis, the chair of Budget Committee, could not be at the meeting. Budget Committee member Scott Vaitones presented a letter to the Select Board.

-The following were important Budget concerns:

- (1) Community
- (2) Public Access
- (3) Recycling
- (4) Harbors

Additional concerns: To maintain two months of municipal expenses as a savings account for the town; affordable housing, access to broadband internet, use of solar power for town buildings, the aging population and services provided to them.

David Percival said the Committee felt the additional concerns were almost equally as important as the other four. Vaitones agreed. Chairman Bates asked the Select Board for any comments. He hoped that the town would recognize the importance of these budget items. He pointed out that we have a great library, responsibilities to the cemeteries, and to keep working on the recycling program. Recycling saves the town money, and it is the right thing to do. Elwell commented that it was a good list. With regards to affordable housing and internet, Chairman Bates felt these are long term, big issues. Budget committee member Lubs thought the town was almost at their goal of having a two months' savings account. Vaitones said after their meeting, he "came away feeling very good about our community."

Recommendations regarding retirement benefits: The Budget committee followed up on the Darci report. Mr. Vaitones presented a summary of employer and employee contributions from various towns that were selected in the Darci report. The committee talked with Town Managers. Vaitones said every town does something different. The summary focuses on what the town pays for benefits - the employer contribution shown on the summary. The combined towns' average was 17.30%. St. George

was reviewed. The employer contribution was below the average or 12.65%. The committee's recommendation was to increase the employer pension plan to the employee, provided the employee matched the contribution. It would be up to an 8% town match. For example, if the employee put in 3%, the town would put in 3%, with 8% being the ceiling. It was recommended that the cafeteria plan not be allowed to pay towards that pension plan. Anyone currently working would be grandfathered under existing terms. Anyone currently working who wanted to change to the 3-8% plan could change enrollment once a year. The employee could opt into it.

Selectperson Hall said he did not understand the 12.65%. The benefits given to employees is around \$1,100 a month. Take \$1,100 as 12.65% of something and you get a higher number. Chairman Bates said that employer contribution on the summary are retirements benefits. Mr. Vaitones clarified they did not look at what the town was paying towards dental, health or vision care. Mr. Vaitones said that the committee looked at the cost to St. George in retirement benefits, not the total benefits. Chairman Bates asked why have a matching employer contribution. Mr. Vaitones said the Budget committee felt that employees should be involved in the ownership of their retirement fund. It might encourage employees to set some money aside for retirement. Chairman Bates asked what the school did and could the town model after them. Mr. Vaitones said, "No," because the teachers and education technicians fall under the Maine State Retirement System (MSRS).

They are not paying social security, but an about the same amount, which is paid into MSRS. The state then pays almost double what the employee pays. For the school support staff, there is a provision for up to a 4% employer contribution but no one participates. Mr. Vaitones said one reason could be their income level. Any extra money at the end of the week may be more important to the employee's pocket rather than putting it into a retirement plan. Chairman Bates said the same issue might arise for town employees. Mr. Vaitones said that maybe that is why the town should put something in with(out) a match from the employees, as a gesture; but the committee felt there should be some ownership on both sides. Selectperson Hall said that employees pay into MSRS and social security. Mr. Vaitones said that in some cases, they do. Mr. Hall asked about employee retirement. If retiree draws from MSRS, their social security benefits are sharply reduced? Mr. Vaitones said that was for teachers, only. Not for municipal employees. Around 1986, the states had to opt in or out of their retirement plans or social security for their education systems. Selectperson Hall said the MSRS, like Social Security, requires an employee contribution. He also noted that the employee contribution varies by town. Town Manager Falla commented that Mr. Vaitones said this could not be part of the cafeteria plan. Mr. Falla said he thought what needs to be done is an analysis of what the cafeteria plan says and what is allowed. It may be time to work it all together, keep the cafeteria plan or take the cafeteria plan and disband that. He was not sure what the impact would be in doing away with the cafeteria plan. He thought maybe the new Town Manager and Finance Director could work on it. Mr. Hall asked why the town had not offered Maine State Retirement to employees. Town Manager Falla said that when he was first elected as selectman in 1983, it was decided to put 5% into a deferred compensation retirement plan. At that time, Dewey Thayer was town manager and Pat Minzy was the clerk. In order to become part of the retirement system, the town would have to pay money into the system for the years they had worked. It would have been approximately \$10-\$15,000.00. It would have been a retroactive payment. Mr. Vaitones said that in 1983 that was a lot of money. Mr. Falla said you could not get a consensus among the towns, in trying to determine retirement benefits. Even if you tried to match the size, geography, locality, and other criteria; every town is different. Mr. Vaitones responded to Chairman Bates about

the use of the cafeteria plan. The Budget committee saw the plan as a work incentive, part of the employee's income package as opposed as part of the retirement package.

Chairman Bates felt the benefits review should be a priority and come up with a timely report in the future. He felt it important that the town is competitive with its benefits, and it is prudent for everyone to be saving for their retirement. Selectperson Hall asked if the review of benefits could be done for fiscal year 2018 budget. Mr. Falla said he did not think it could be done by then. Mr. Hall said the plan needs to be looked at from a holistic approach. Mr. Falla felt it important that going forward, all employees receive the same benefits, including the cafeteria plan. Mr. Hall and Bates said they thought the cafeteria plans were unusual among municipalities. Mr. Falla said the budget would be presented to the Board in two weeks. Selectperson Willey said that they need to look at the whole plan. Consensus was that this would take longer than 2 weeks to review. Mr. Polky said that he did not think that the review could be done before town meeting. Town Manager Falla felt the review should not have a deadline but to "get it right." Mr. Hall felt that a more realistic deadline would be next year and Chairman Bates agreed. Selectman Elwell thought the Budget committee had done a lot of work on the summary. Mr. Vaitones noted that the town does not have a lot of turnover in staff, so most may be grandfathered in. Chairman Bates wants to make sure the town is competitive, fair, and treating people well.

Town Manager Falla said there were no major areas of concern in working on the budget. He and Tim had worked on the basic part then Elizabeth worked with them on the rest. He thought the Board and Budget committees would be pleased with the budget. Mr. Falla said they are still waiting for some numbers but looking roughly at the same dollar amount, plus or minus one-half of a percent. Mr. Polky agreed with Mr. Falla and said it may be the same or a little less.

Selectperson Hall asked about the upcoming Select Board meetings listed on the calendar. The Board reviewed the dates and agreed to have meetings on the following dates: February 6, 13, 27th at 7 p.m. An item will be added to next week's agenda, regarding the Select Board's schedule for the remainder of this fiscal year. Mr. Hall asked about the line item adjustments to the 2017 Fiscal year budget. Mr. Falla said once staffing changes had taken place, they would adjust the line items. The three areas are:

- Add a line item for Finance Director and for remainder of this year, the change would be \$25,000.00.
- Increase the line item for the Fire Department EMA office staff by \$6,000.
- Reduce the line item for Assistant Town Manager by \$32,500.

Chairman Bates asked for a motion. Elwell made a motion, Sawyer seconded it. A vote was taken, 5-0.

NEW BUSINESS:

Since the Town Manager is retiring, Mr. Falla needed to make appointments, effective February 1, 2017-June 30, 2017. Tim Polky was appointed to the following:

Local Health Office
Purchasing Agent
Record's Officer (required by the State)
Town Clerk

- Deputy Clerks appointed: Margaret J C Black, Cherie A. Yattaw, Beth A. Smith, Patricia St. Clair.

Tim Polky was also appointed as:

Treasurer

- Deputy Treasurers appointed: Margaret J C Black, Cherie A. Yattaw, Beth A. Smith, Patricia St. Clair.

Deputy General Assistance Administrator – Cherie A. Yattaw

Chairman Bates asked for a motion to the new appointments. Elwell made a motion, Sawyer seconded. A vote was taken, 5-0.

OLD BUSINESS:

Select Board Policy Manual: Mr. Hall said the assignment was to review Item #12, 13, 14 which dealt with website privacy and disclosure, website policy and email policy for elected officials.

Chairman Bates had questions on privacy and disclosure, page 15, Site Statistics which stated that website visitors may choose not to send information about their website site to google analytics. Technically that is possible if you use the desktop web browser. It is fairly easy to load code onto the main browsers but if you have a mobile device, it is not possible any longer. Mr. Bates wondered if the wording that says website visitors using desktop computer and the common computer browsers, such as internet explorer and chrome. His suggestion was to delete the sentence that says website visitors may choose not to send information about that. Mr. Hall asked about the following paragraph. Mr. Bates said that is still true because that is something that is still under the control of the website. The key issue is about tracking. The reason companies have made it so you get tracked; that's how they make money. Selectperson Hall asked for consensus in deleting that. Chairman Bates also asked about Page 16 and the Disclaimer was not in the website policy as it is a much more comprehensive disclaimer than currently appears on Page 18 of the website policy. He said that if people want the definitive information, they should really go to the town clerk. Mr. Hall said that for consistency, the disclaimer should be the same. Mr. Falla said that the information on the website is offered as a courtesy and convenience for the public, not intended to substitute the town's official records. When it comes to priorities, it should be the official records that should have priority over the website. Mr. Hall said that the website and disclosure policy is different. He felt that the disclaimer applies to the website policy. Consensus of the Board is the manual will be updated with the changes as discussed.

On Page 14, under Email Subscribers, as a result of a 2013 in state law, email subscriber lists obtained for sole purpose of disseminating non-interactive notifications, updates and cancellations are excluded as public records. Email subscriber lists are treated as public records and therefore subject to disclosure. Mr. Falla said under Constant Contact, which is the email announcement, we have a town office announcement list, a newsletter list, parks and rec list. It is a no-interaction notification update and cancellations. Mr. Hall asked what is Constant Contact. Mr. Falla explained that Constant Contact is the software company that the town uses for the email announcements. It is web based. Mr. Hall recommended an introductory sentence or paragraph explaining what Constant Contact is, but Mr. Polky said do not put Constant Contact in there at all. If it is in there, you would have to change the policy, if you changed your vendor. Mr. Hall and Mr. Bates discussed leaving the first sentence in, and taking out the second and third paragraph. Mr. Bates would like to check Constant Contact policy, first, before making these changes.

Discussion on #13 Website policy. Mr. Hall had a question on page 19. He did not understand what a sentence meant. Most online services provided by maine.gov contain a frequently asked question, FAQ section and service specific contact details. After discussing, Mr. Hall said if the word service was removed, the sentence would be better understood.

Discussion on #14 Email policy. It refers to sending emails to everyone and debating issues through email. Chairman Bates explained that Google has "vault" storage for emails. Even though emails are erased, Google can trace what was done. Email retention is taken care of automatically. It is a matter of personal choice whether or not you delete your emails.

Selectman Hall will await Mr. Bates feedback on item #12.

For next meeting, the following policies will be reviewed: Items #35 Compensation of Members of Town Boards, #45 Smoking Policy-Solid Waste Facility and #46 St. George Transfer Station Second Hand Shop.

NEW BUSINESS:

Goals for the Coming Year: As of February 1, 2017, Tim Polky will be the new Town Manager. He presented his goals for 2017-2018. The list is:

- Town Office Transition: some changes have been made and more will be made. Tim and Elizabeth plan to attend more Select Board meetings. Tim plans to attend other committee meetings.
- 10 Cold Storage Road Property: Plans are moving ahead.
- Comprehensive Plan: Tim said the plan will be for a vote at Town meeting.
- Board and Committee Training: He would like to see more training for the Boards and committees. The manuals can be used as a training tool and/or for have people from agencies such as DEP or private business come in and talk.
- Transfer Station: There is a lot changing in the world of garbage; i.e., the way we dispose of and the way we do recycling. Mr. Polky felt we need to stay on top of it. That is one of the town's bigger expenses. We need to see if we can process it a little cheaper.
- Cemeteries: Tim said that the town has one cemetery, now. Sometime in the future, we may acquire more. The town has never been in the cemetery business, so it is still new to us. He wants to make sure the plans are done correctly.

Mr. Polky agreed with Chairman Bates that it is an ambitious list. Chairman Bates said the Select Board discussed 10 Cold Storage and the Comprehensive Plan a couple of weeks ago, on how to get these projects moving ahead. Mr. Bates said we need to talk about Tim's goals and the Select Board goals. Chairman Bates plan was to have Mr. Elwell and Mr. Hall become the Select Board champions for 10 Cold Storage Road. When issues arise, they would make sure the project had the resources it needed to help Tim, the administration, the committees and to create an action plan. On the Comprehensive Plan, he thought Mr. Elwell and Mr. Sawyer could become the champions for that committee.

Mr. Hall agreed with Chairman Bates and Mr. Polky that training would be very helpful to Board and committee members. Chairman Bates asked if there were any suggestions or comments to Mr. Polky. Mr. Hall felt it was a good list and worthy of attention.

Chairman Bates said that he will finalize a list for the Board members on the various projects.

At 8:45 p.m., Selectman Hall made a motion, Sawyer seconded, to adjourn the meeting. Motion carried, 5-0.

Respectfully submitted,

Marguerite R. Wilson
Select Board Recording Secretary

Reminders:

- Next Regular Select Board Meeting, Monday, January 30, 2017, 7:00 p.m.
- Report from Internet Service Availability Committee, January 30, 2017, 7:00 p.m.
- Presentation of Town Manager's 2017-2018 Budget, February 6, 2017, 7:00 p.m.