

ST. GEORGE SELECT BOARD & ASSESSORS
MEETING MINUTES
Monday, June 5, 2017

The Select Board meeting was called to order at 7 p.m. Members present were: Richard Bates, Chairman; Randy Elwell, Wayne Sawyer, and Tammy Willey. Also present: Tim Polky, Elizabeth Curtis, Larry Bailey, Tom Sofyanos, Jonathan and Sandra Coggeshall, Diana Bolton, Nat Lyon, Randy Cushman, Gerry Cushman, Michael Cushman, Dennis Cushman, Kevin and Jan Lipson, Richard Rockwell, Jim Wotton, Scott Sullivan, Evelyn Blum, Steve Thomas, and Donald Wilson.

PUBLIC COMMENTS: Chair Bates opened the meeting for public comment. Lipson, "What if we do not know what is on the agenda?" Chair Bates, "Well, I wonder why you can't?" Lipson, "Well, I will tell you, if it's not on the agenda." Public member, "It's on the agenda." Lipson, "Is it on the agenda?" Public member: "Yes." Chair Bates, "Excellent, okay. Now, we do have an agenda, like I said." Willey passed out a copy of the agenda to audience.

Chair Bates, "The first item we have on the agenda is any adjustments that we need to make." Thomas, "Can we bring up something that is not on the agenda?" Chair Bates said, "Oh, I am sorry, I beg your pardon. Would anyone like to bring up something that is not on the agenda?" Thomas, "I would like to bring up something that is not on the agenda."

Chair Bates, "Yes." Thomas, "Is there somewhere we can get the minutes of the Harbor Committee online?" Chair Bates, "The Harbor Committee online?" Thomas, "Back to February? So, we don't really know what is going on." Chair Bates, "Okay, I don't remember when the HC last met. I am sure, I know they have met since then, and I will have to look into what has happened to those minutes." Polky, "The issue is, we don't put the committee's up unless the minutes are approved." Chair Bates, "There is that point that Tim mentioned." Blum, "But the last one was February 9th." Thomas, "But you can come in and read them, so what's the difference?" Chair Bates, "The policy the town has adopted is that the minutes need to be approved by the committees before they get posted online. If they can come into the town office and read them, that's possible, is it Tim?" Polky, "If we have them, yes." Chair Bates, "I suggest you give a call to the town office and find out if they've come in from the secretary of that committee. It could be that they are there, they just haven't been approved. And, I am sorry I don't know the answer to that." Thomas, "Right." Chair Bates, "But if you would like to call the office. The way the Select Board minutes get posted is different from the committees, and that's been long term policy. It's not an attempt to hide anything."

Thomas, "Right. So, the concern is that their work is moving out ahead of us, and we do not know what they are doing." Chair Bates, "I'm sorry?" Thomas, "The concern is that decisions are being made about 10 Cold Storage Road that we don't know about because we have no way of getting the information without coming in here and reading it." Chair Bates, "That's right, or coming to the meetings. I believe you were at that last meeting when they had the Public Hearing." Thomas, "I was." Chair Bates, "So I believe that is the last meeting." Polky, "And they didn't do any minutes at that meeting, I know." Blum, "The last one posted on the website is February 9th." Chair Bates, "So there is something there that we need to look into. Thank you." Thomas, "Okay, thank you."

Gerry Cushman, "I want to say how difficult it is for fishermen to attend a meeting on Saturday at 10 o'clock versus an evening meeting. Even evening meetings this time of year are difficult when we're chasing alewives at 3 a.m. until 10 p.m. at night. But I can break away and hopefully get a proxy

at night, but I can't get a proxy to haul my traps at 10 o'clock during Saturdays. Information meetings like this on Saturdays for 10 o'clock, does not work for fishermen, unfortunately, especially this time of year. So, I hope in the future you guys can take that for consideration when an important decision like this for fishermen comes up." Chair Bates, "I am sorry that the meeting had to be scheduled when it was and I can see, it was not an optimum time, so if you are here tonight to talk about some of the things that were discussed on Saturday, then I am really glad you could come tonight." Cushman, "Yes, I am, but I just wanted to point that out that you guys making informational meetings on certain decisions that fishermen have to do. We fish 6-7 days a week. You, know, we don't go by a 5 day a week." Chair Bates, "Right, and I am sorry that we couldn't have it at a time that was more convenient for of the town. There was a lot of people that were able to come and like I said, I am glad that you guys are here. I am assuming that many of you are here to talk about that tonight. So that's good."

Sandra Coggeshall, "Would this be an appropriate time to ask the Select Board to consider putting on the agenda, sometime, the terrible health risk we are running from the ticks, because the ticks in Maine on the coast are a growing problem, and until we do something about it, it will only get worse. And, as you may know, one of our town members maybe suffering Powassan virus. So, I was just wondering if that could be on the agenda, sometime?" Chair Bates, "We could certainly talk about it. I have to admit, we do have limited powers on that sort of thing."

Coggeshall, "Well, Monhegan got rid of the deer and they wiped out the ticks in three years." Public member: "I do my part." Elwell, "Some people in town get upset cause I do that." Chair Bates, "Okay. The health issues are somethings that we should certainly discuss. I know the ambulance association has Candy Davis and she's had some talks about this, and she's got more scheduled. We should try to see what we can do because, I guess what happened to the resident in town who is really serious, is a real wakeup call for all of us to be very attentive to that. Thank you, Sandra."

REGULAR SESSION:

- Adjustments to Agenda: The following Action and Discussion items under Old Business were moved to the beginning of the meeting, and taken up in the following order: Maine Aqua Ventus Project, Solar Panels, Marshall Point Lighthouse Lease and Marshall Point Lighthouse Barn. The Victualers Licenses were added to the agenda under Regular Session.

OLD BUSINESS: (taken out of order)

- Aqua Ventus Project. Chair Bates placed MAV on the agenda to review what happened on Saturday, June 3, then would open it up to the public. He did not think there had been developments on this project beyond what happened at the Public Hearing. Chair Bates asked for comments about what happened on Saturday. Selectperson Elwell felt there was some good input, on both subjects. Chair Bates said there was good input. He thought it was useful that the motion was changed to make sure the committee, if it is approved on June 13, it included not just looking at the benefits, but also looked at the risks. He said for those who were not there on Saturday, Jerry Hall, gave a presentation outlining the issues, and then it was opened for discussion. The Public Hearing lasted about 1 hour, 10 minutes.

Chair Bates recapped the key issues as were presented on Saturday. He said outcome number one: Working on the basis which, whether you like it or not, Maine State law does not prevent Aqua Ventus from coming ashore. He said if you asked him or any of the Select Board a few months ago, they would have said the issue was, what can we do to stop them? They discovered that the 2009 Maine State law that got passed, meant the town could not stop MAV but what they could do was make sure they negotiated a satisfactory set of community benefits that were acceptable to the town, and get the

town the best deal they could. Chair Bates said remembering that if the town did not strike a deal with Aqua Ventus, and Aqua Ventus felt Port Clyde was the right place to come ashore, instead of striking a deal with the town, they would strike a deal with a private landowner. Chair Bates thought that was an important distinction; if they could not reach a satisfactory agreement, there would be a private landowner who would benefit. He said, "We would have essentially, no control over this issue."

Chair Bates said on Tuesday, June 13, they were asking the voters to let them form a committee to continue to get legal advice and to look at the potential benefits the town might get and to understand the risks. He said at the conclusion, the risks might so outweigh the benefits, we would not want anything to do with the project. In which case, the Select Board would go back to Aqua Ventus and say, the town is not interested.

Outcome number two: Chair Bates thought this was more likely – they would come up with some benefits and compensations they felt, as a committee, were good, and bring it to the voters possibly, August or September, and ask for their approval. He said again, if the committee thought this was a good deal but the voters thought no, the Select Board would go back to MAV and tell them they would have to find some other place. Chair Bates said it is not a great situation. He thought they had taken the right steps, so far, in getting good legal advice, trying to understand what Bristol did on this when it was presented that Aqua Ventus was coming across over there. He said one good outcome from Saturday was a number of people at the meeting (Chair Bates said maybe there were some at the meeting tonight) came forward, and said they would love to help and give advice. Chair Bates said we need to make sure we draw on any advice and expertise because we do not want to waste that. There were no other Select Board comments as Selectperson Elwell said that it pretty much covered it.

Narrative on Maine Aqua Ventus:

Cushman: I will go first, thank you. I want to say that it really bothers me, it ruffles my feathers, when my wife and everyone I talk to, comes back to me and says this town has no choice. This is a no choice matter. That is crap and that's a lie. And there's a nasty rumor going around, and when these people go to a vote because of a rumor and vote otherwise, not what they really want to vote, because they feel like they have no choice. That's bull crap. This town had. No. Wait until I am done. Richard, you wait until I am done.

Bates: Excuse me, sir. I have the chair. So please, would you clarify the errors as you perceive them in this 2009 law.

Cushman: This town.

Chair Bates: In the law, please.

Cushman: In this town, you're right, if a town owner in this town wanted to bring the power ashore, they have that, yes, they can do that. There's rumors going around, there's negotiations going, I (unintelligible). There's a negotiation going on with a rumor with the Schwartz's. I know them. They are like my family. There's no negotiations going on. Then I heard, no it's with Mike Keating. There's so many rumors going on that I think this town is getting the wrong information. There is no private owner negotiating with these guys. (Bates: Right.) The only people negotiating with them, is you in this town, and this town doesn't have to take it. I don't believe for one minute there is one private town owner going to bring this ashore, across their property. I don't believe it for a second.

Lipson: Jerry, will you yield for a minute?

Chair Bates: Well, excuse me Jerry, I hear what you're saying. I'd be very clear that to the best of my knowledge, nobody on the Select Board is putting rumors out that there are owners, land owners out there.

Cushman: Richard, how you presented it. I could get that same, that same thing.

Chair Bates: Well, I don't know. I just look at this as purely an exercise for Aqua Ventus, just as they were negotiating and they were exploring in Bristol. I see no reason why they wouldn't be doing the same thing here. That's all. It's just conjecture but it's not an attempt to spread rumors and spread misinformation. Absolutely, not because that's not how I operate.

Lipson: My name is Kevin Lipson. This is what I do for a living and what I have done for 38 years. For those who don't know me, I'm a partner in the Global Law Firm; I headed the Global energy practice of that firm for 15 years. It's the fourth largest law firm in the world. I represent energy companies.

Chair Bates: Yes, sir.

Lipson: I know exactly what Aqua Ventus is all about. This is what I've done. I charge \$1,000 an hour, so I'm going to give you my advice, now for nothing. And, I am going to vigorously pursue this with or without you. You have presented this as though there is an element of inevitability to it. You did that tonight.

Rockwell: Yes.

Lipson: You suggested tonight that there's a Maine State statute that says we can't prevent them from doing this, so we should look at the benefits.

Chair Bates: And, and the risks, Mr. Lipson.

Lipson: You are, as a matter of the law, 100% wrong. Now, please, I'd like you to just indulge me, if you would.

Chair Bates: The \$1,000 hour for free, I will indulge you.

Lipson: Yes, I think that's a wise decision. There is a Maine State law that prevents, and I haven't studied it carefully, that prevents a town ordinance from having, an effect that is contrary to bringing on offshore wind. Okay? However, there is something called the **Pride of Public Use** doctrine which means if we have a planning and zoning rule associated with the St. George Marine property that says it is not intended to be used for that purpose, in many instances, and I've litigated this, that prior public use trumps the state law.

Chair Bates: That's interesting point.

Lipson: It's more than an interesting point. You've got the Chief Justice of the United States who lives on Hupper Island. I assure you that every case that he listens to is one interpretation of the law versus

another interpretation of the law. So, this is what is going to happen. And, I say this respectfully, it's going to happen with or without you. This will not happen in Port Clyde. It will not happen. Just as it did not happen in Bristol.

You are not familiar with the notion of what happens when these companies make these proposals. It begins with two experimental projects. It begins with the cables coming out. Then once they have two projects, I suggest you do what I did last week, which go to the Texas-Oklahoma border and take a look at 75 windfarms. And once they've established a path of where it integrates with the grid, then they have a prior use for that. And you'll have 30 windmills coming ashore in Port Clyde. I don't know if you are familiar with the concepts of electromagnetic radiation? I suggest you look it up.

Chair Bates: Yes.

Lipson: So let me just say this. The overwhelming sentiment of the residents of Port Clyde, is opposed to this. Just like the people in Bristol.

A Member of the Public: That's right.

Lipson: And I promise you that every resource that we can bring to bear as a community, we will to make sure this doesn't happen. You can either, as a Select Board, be out in front and represent the will of the people, or succumb to some corporate guys who tell you it's inevitable. If it were inevitable, I wouldn't be in business for 38 years litigating these cases. It's far from inevitable.

There was a pipeline in Connecticut, the Iroquois Pipeline, that traversed the property of, I can't remember her name, like Dear Abbey, what the hell was her name? She stopped that pipeline. She caused that pipeline to be re-routed.

Now let me address the issue of private property owners.

Chair Bates: Mr. Lipson before we go any further, you've kind of come to talk to all of us about this for free. You obviously can help us a lot in understanding and understanding the risks.

Lipson: I can.

Chair Bates: The risks and the benefits.

Lipson: It's not gonna happen here; that's what's going to happen. I'm not interested in negotiating with them. (Chair Bates: No, no. I didn't...) I'm not interested in doing an analysis. Let me say one other thing.

Chair Bates: You're not interested...

Lipson: It's unconscionable that these hearings are held when the vast proportion of the tax base is not here.

Rockwell, "Yes.

Lipson: It is inappropriate to be holding public hearings when summer residents are not here. That's not due process. Okay? And that will get, you, as a Select Board in trouble. These are supervening issues that affect the economy, the cultural history, the integrity of this community, the health and welfare benefits of this community and you can't have meetings on a Saturday and you can't have meetings in May and June when the people that pay the vast proportion of the taxes, are not here. That's number one.

And number two, I'm going to give you the solution. You can either accept it or you can reject it, but I'm telling you, that as a community, and I mean this respectfully, you decide you're going to co-operate, and you are going to look for benefits, you do what you want. We're not going to let it happen. It's not going to happen. It's not going to happen as long as I live here. I've lived here for 30 years, and it will not happen.

So, here's the solution. The Planning and Zoning Board has to meet and develop a covenant for that St. George property, that says it cannot be used for landing cables. In exchange for doing that, cause you are looking for benefits, we have established a committee that will fund the development of that St. George property into a park, a community park, privately funded and available to the public.

So if you're looking for benefits, we'll give you a half million dollar benefit that takes it off the books of the town. Okay? But, in exchange, we have to have that covenant that property cannot be used for cabling, and we have to have the vote of this board, that the town rejects any overtures from Aqua Ventus. Now if you are willing to do that. If you are looking for benefits, that's a benefit. But if somebody says to you, oh they will provide free power to the school system for a year, what is the cost of that, \$25,000?

Chair Bates: No, that's...

Lipson: Well, (unintelligible), I hear it was one proposal being made. What I will tell you, is..

Chair Bates: Rumors have...obvious...

Lipson: There is a group of Port Clyde citizens, many of whom are here in this room tonight, but only a fraction. We will coalesce, we will organize, we will litigate, and we will make it unbelievably burdensome to pursue this.

Chair Bates: Mr. Lipson. I would much rather, thank you for all that you said. I would much rather that the monies that you were threatening with, just then, would not be used for litigation. I would much rather they would be added to the half a million dollars that you thought the committee could come up with and together that would make a tremendous difference to the town. And even if, in fact, the legal money is not gathered up, I...

Lipson: There's no legal money, I'm doing this for free, my friend. I had, you know, this is not, I'm talking about we...What I am suggesting to you, is.

Chair Bates: What I hear, what I heard, sir, sir, what I heard from you is that you are throwing down, you are offering a very attractive benefit and it would be, it would all the sense in the world for the Select Board to better understand this. And, I hope you don't have to go down to Washington immediately. You're going to be here for a little bit. We need to talk about this.

Lipson: I happened to come to Port Clyde by happenstance to surprise my wife, and I heard all about this.

Rockwell: Yes.

Lipson: I don't have any notice of this.

Rockwell: Same thing.

Chair Bates: Well.

Lipson: The number one problem you had. You may not pursue this the way you've done.

Rockwell: Yes.

Lipson: This is not checkers. This is chess. And you may not engage in what you think is due process when I happen to find out about this just cause I'm in town. That's not appropriate. I pay a lot of money in taxes. We (unintelligible) and we're not here all the time. So, you've got to be cognizant of that.

Chair Bates: I'm sorry that the communications that we have in town aren't reaching everyone, like yourself.

Rockwell: I want, want to say something.

Chair Bates: Can, before we, sir, please let me. I'd like to finish talking to Mr. Lipson, addressing Mr. Lipson, and perhaps other Select Board members want to pick up on this. This is very interesting news, and I don't mean to in anyway, to be dismissing it. I am not. I would love to talk to you more about this.

Lipson: Good (unintelligible).

Chair Bates: If you are going to be around for the next couple of days, are you around tomorrow?

Lipson: I leave at 6:30 in the morning, tomorrow morning, and then I'll be back July 4th.

Chair Bates: So maybe, I can talk to you in Washington?

Lipson: I have, you know, we have telephones, we (unintelligible).

Chair Bates: That's right, so let's plan on doing that. I think we can find the telephone.

Lipson: I just want the Select Board to be aware, that you are talking about something that sounds like an experimental project, it's University of Maine, it's the Department of Energy, it sounds wonderful. I do this every single day, and I have for 38 years. I know how these companies operate and I know what a slippery slope it is. And if you like Port Clyde and you like the culture of living in this town, and you like everything that it means, I promise you, it will all disappear. Your property values will be in the toilet, you'll have health issues you have to deal with. You have electrolysis that corrodes mooring chains, you can't even begin to know. And, this has nothing to do with whether or not we like renewable

energy. All my clients are renewable energy producers, whether they're electric utilities or natural gas companies, they all have investments in renewables. Nobody's debating that, but it doesn't have to come in our backyard.

Chair Bates: Mr. Lipson, thank you for this advice. I'd like to talk to you and I will use the telephone, and we'll talk as soon as we can. Okay?

Lipson: Good.

Chair Bates: I think the idea of certainly a half a million dollars private donations to fund the 10 Cold Storage Road. Excuse me.

Lipson: I'm sorry. My mother needs a (unintelligible)... That's kind of important. That's a health issue.

Chair Bates: I hear what you're saying and we should certainly explore all that. Now, sir.

Rockwell: In support of what Gerry's said and to support, also, enthusiastic support of what Kevin said. Also, over 30 years here. All the comments that were made about agendas, are consistent with little indications that show up. I spoke at the two meetings past where, there were drawings on an independent, surveyors, engineers, people that put together an entire. And there is this (unintelligible) infrastructure, draw that up in detail and the notion that there's been no dialogue, there's no agenda, there's no biases, there's no thoughts, it's a complete mystery. It you know, flies in the face, of detail drawings that speak specifically to where the lines are going to come, the sizes of the, it was all on the drawings. I said where are these drawings? Let me finish. Where are these drawings coming from? And everyone looked around like, oh those aren't supposed to be on the drawings. Did the guy that had the drawings in some remote place, have some vision in his mind?

Chair Bates: Please, sir, excuse me, sir. Are you addressing the Select Board or are you addressing?

Rockwell: I'm communicating with everybody in the room.

Chair Bates: Well, lets.

Rockwell: Which is what everybody should be doing, here.

Chair Bates: Please address the Select Board.

Rockwell: What, you don't hear me?

Chair Bates: Oh, I do, but I don't feel that you have to make a soapbox of it.

Rockwell: I'm not making a soapbox, you're on the soapbox. I'm just talking about two people, here, who have spoken.

Chair Bates: Yes.

Rockwell: And there is, if anybody doesn't feel it, I will tell you that I feel that there is a bias. There is an agenda. There is a predisposition that says I am interested in this, and it has been framed in such a way. And you might be playing such a game to create the illusion of some sort of balance. But it comes from consistently. It's like the person that goes and asks, can I do this and they say no; then they just keep coming back and they keep asking, and keep asking, and it keeps coming back up. The matter keeps coming back up, coming back up, and coming back up. And the fact is, that it showed up on those drawings in advance of any public hearings, in advance of any discussion, in advance of any sort of thing. And it wasn't supposed to be there, I'll grant you that. It wasn't supposed to be there, but it was there. And how it got there, who it came from, what that discussion was, is completely invisible to everybody in this room.

Chair Bates: Kevin, I'd like to give opportunities of other people to talk, please.

Lipson: I just want to make one...

Chair Bates: Well, no I'd like to... because I think you made some very good points and of course, and you two, also, we... Is there anyone who would like to speak on this? Looks like you're in luck.

Lipson: Okay. I just wanted to say in response to something you said about the way this was presented, and I've heard it presented this way earlier today by other people. The inevitability concept and if the town doesn't negotiate with them, a private party will. You need to understand that requires the exercise of eminent domain. Yes, it does. That's how it works. It's a condemnation. This is the generation and transmission of power. This is not simply negotiating the lease. This is the exercise of eminent domain, and it is a power that is reluctantly used to expropriate private property and, a just compensation. So, it's not very likely that somebody is going to have an easy time if the citizenry opposes it. It's not likely that even a private party will be able to, because a company doesn't want to do it. When a company exercises eminent domain, they are not using existing rights of way. It generates a lot of public resentment, and the one thing these companies are sensitive to, is representational consequences and public opposition.

Chair Bates: I agree, absolutely with the issue of representational consequences - is absolutely a key item and because, as you've said, the two wind turbines off Monhegan is the start of a much bigger plan that they, I think the consortium looks to have in the future in Federal waters further offshore, with the power coming into probably where the power station has been in down there in Wiscasset. And it's a whole different... So, in terms of reputational, the last thing they want to do, is to stir controversy in Port Clyde. Now, I am absolutely on board there, and we understand that.

Lipson: The town of Bristol is no more enlightened than the town of Port Clyde and town of St. George, and they opposed it and that was the end of it. They didn't come back to Bristol. What I want to leave you with is this thought. You are the elected officials of this town. You can represent the will of the people or you can accept this illusory concept of inevitability. You are incorrect in your premise that this is inevitable. This is far from inevitable because we will not permit it to be inevitable. So, you can be on the forefront, leading the charge or you can lead from behind. But I'm telling you this, and I think the people in this room will agree, and I'd like them to expressly say so, this isn't going to happen. It's just not, it's just not going to happen, because I have already, in one day, mobilized enough resources to

make sure this does not happen. So yeah, I'm going to do this, just for your edification. Just in this room, tonight, how many people agree with me? Put your hands up, please. Pretty strong.

Chair Bates: Yes. I understand the faction of the town that feels...

Lipson: Not a faction!

Rockwell: It's not a faction. (unintelligible).

Chair Bates: No, I mean, I say faction as in...

Rockwell: It's outrageous. (unintelligible). Outrageous characterization. (multiple unintelligibles).

Chair Bates: I'm sorry. It's not in my nature to be outrageous.

Lipson: Well you do (unintelligible); but I do want to say, if you are looking for benefits, I have proposed to you a concrete benefit, so you're covered with the benefits. Now do the right thing.

Chair Bates: I will be calling you and I think the Select Board would agree, this is obviously something that we need to explore.

Sawyer: Certainly, something we didn't know anything about before tonight.

Lipson: I didn't know about it until six hours ago, myself.

Chair Bates: I am so glad that you heard about it, so glad you came up.

Public member: I have a question. Between Saturday's meeting, you revised a ballot, wording.

Chair Bates: The wording that we talked about risks. Yes.

Public member: The last wording identified risk and benefits and then consequently talking negotiation. Do you see that if you have that voted as a supported ballot, do you see any contradiction with the way Kevin wants to proceed? Because the risks were to be identified and the conclusion was to be made after identified.

Chair Bates: Consequently. I think we have a ballot question which gives us plenty of maneuver ability to understand the sort of proposal and his colleagues are thinking about.

Lipson: But this ballot? Who's voting on this? I'm not here on June 13th? I can't vote on it now? Is there an absentee procedure? Have you sent out ballots to every taxpayer?

Rockwell: No. No.

Lipson: Let me tell you something. This is called due process. You should not be having a ballot on June 13th. It's completely inappropriate. It's completely inappropriate and wrong.

Rockwell: Yes.

Lipson: And, I will tell you this, if you do it, we're going to challenge it.
Rockwell, "Yes."

Lipson: So don't do it. If you're really interested in assessing what the sentiment of the town is, there should be a public hearing in August, when everybody's here. Then you can see.

Chair Bates: Kevin, the question you've raised is with the legality of a ballot on Tuesday, the 13th." First thing tomorrow, I shall get in touch with the Town attorney, and I will check on this.

Lipson: Who is that?

Chair Bates: We have Bernstein Shur to advise us on issues like this.

Lipson: Okay, good.

Chair Bates: I will do that, okay?

Lipson: I would like you to have them call me, too, please.

Chair Bates: You can call them.

Lipson: Who's the lawyer, there?

Polky: Our primary is Lee Bragg.

Lipson: Do Bernstein Shur represent any energy company interests?

Chair Bates: They do, in fact.

Lipson: That's exactly why Bernstein Shur...

Chair Bates: Excuse me, sir. Excuse me, Kevin. (unintelligible from the public members), Excuse me Kevin, please do not assume we are a bunch of nitwits, here.

Lipson: I don't have to assume it, you just kind of proved it.

Sawyer: Now, let him explain. Let him explain.

Chair Bates: Kevin, I am sorry. This is a town Select Board meeting please, have some respect. We have engaged Jenny Villeneuve from Damariscotta. She fought the issues of Aqua Ventus. She is the attorney that Bristol had. We went to her because of her expertise that she developed working with Bristol. So, as to issues of that part of the law, that issue, is Villeneuve. As to issues of Maine law and ballot questions, and absentees, we look to Bernstein Shur. I see no conflict.

Lipson: Well let me explain to you what the conflict is. If Bernstein Shur represents energy company interests and the ballot has something to do with energy company interest, then irrespective of whether or not it's an issue of Maine law, it presents a facial of conflict of interest.

Chair Bates: So, we should check Villeneuve, as well.

Jerry Cushman: But just on what Kevin said, though, I mean what he said, and then you said we will address the attorney. Basically, what Kevin was asking was just for the Select Board to do the right thing. Send ballots out to everybody. Let everybody in St. George be able to vote. Why do you need to ask a lawyer whether that is all right or not? That should be fine, if the Select Board said yes, we are going to let everybody that is a taxpayer in this county, in this town, weigh in. You shouldn't have to address a lawyer on this.

Chair Bates: The question in my mind. I looked to other Select Board members to help me on this. The question on my mind is whether we are adhering to Maine state law in the issue of this ballot. And if we are not, then of course, we withdraw it.

Lipson: With all due respect, Maine state law doesn't require you to have a ballot right now. What Jerry is suggesting is to avoid the legal issue of going to a lawyer. Just use some common sense and elevate this issue when taxpayers are here. There's no fire on this. Why are you rushing?

Rockwell: Yeah?

Lipson: What's the reason for that?

Rockwell: I agree. What's the (intelligible)?

Chair Bates: We need to get back to and have a clear decision to Aqua Ventus on whether or not the town wants to pursue on this.

Lipson: Why, they're setting the timeline? You think you have to respond to their timeline? Why?

Rockwell: Unbelievable.

Lipson: Why do you have to respond to their timeline?

Rockwell: That's unbelievable.

Chair Bates: Because I think it's a fair thing to do...

Lipson: No.

Rockwell: No. (unintelligible).

Lipson: I think it's fair of your obligations to the voters, it's not to Aqua Ventus.

Rockwell: Terrible.

Chair Bates: ...to the voters.

Lipson: Correct. Not to Aqua Ventus.

Rockwell, "Not to Aqua Ventus."

Lipson: Aqua Ventus doesn't vote for you.

Rockwell: You've got your priorities off.

Chair Bates: Okay, thank you.

Lipson: It's a very common-sensical concept. This concept of due process. It's to allow people to have their say. To provide notice and comment when significant issues are arising. I frankly, and I say this respectfully, I don't give a rat's ass what Aqua Ventus wants, and neither should you.

Chair Bates: Thank you and I appreciate you pointing out the appearance of conflict of interest on this issue for the ballot question. I guess I was seeing it as strictly, just a number of days and things like that, but I don't want to have any appearance that we...

Lipson: These companies are very sophisticated at rolling town councils and citizens who are not familiar with you dealing with them. They make it sound like it's harmless, they make it sound like it's sweet, they make it sound like there are benefits. Listen, these are some of my clients. You're dealing with the devil. I don't care if it's the University of Maine, or the Department of Energy, particularly the Department of Energy, you are dealing with devil. And that's not something any of us want.

Chair Bates: Kevin, I think for those who were at the meeting on Saturday, I hope it came across that I am interested in the good of the town. I think all of the Select Board is, and it's great that you're here and giving us, the town this advice, and we certainly want to make good, take advantage of it. We do try to represent all the town and the best interests of the town.

Sullivan: Hi, Richard. I am Scott Sullivan. I actually became a Maine resident today. Because this issue is so important. My sense is, from being at the hearing and then hearing the discussion here, the more people that actually find out and become aware of this - there's a visceral reaction issue. My sense is that the Select Board is out in front of the citizenry on this issue. Like way out in front. So, even in the recasting of the ballot measure, to me it's still, it feels like we've been co-opted into the Aqua Ventus process. To be discussing, what are the potential benefits of this project, the project overall, when, I don't think there's any consensus at all that we should not be fighting this tooth and nail. So, right, it's one of those things. It all depends on just how you frame it; how you frame up the question. So, if there is any way possible that the Select Board could pull that ballot measure, even the recast ballot measure, I would urge you to do that.

The other thing I would say is, I have no idea how you sort the composition of the ad hoc committee, so I am concerned that forming a committee - that it's important to form a committee that has a very balanced prospective on this issue. One that is equally negative to, wanting to find the benefits for the town. I'm just not sure that perspective has been brought into the discussion.

Chair Bates: Scott. My interest in this is representing the will of the town and getting the best for the town. And, in terms of the committee, I think, you heard on Saturday, the intent is, and there was offered to get experts and other people that are interested in this to come along to these community meetings. I think we will get members of the public, which I am really pleased about.

Rockwell: Nobody's (unintelligible) even framed the benefits.

Chair Bates: Excuse me, sir.

Rockwell: Frame the benefits. Nobody's been able to frame the benefits. Nobody's been able to find the benefits. You say, it's too early, it's uncertain, it's vague, we're not sure, there isn't a proposition. The benefits. What are the benefits?

Blum: No. It's not that way at all. May I speak?

Chair Bates: Yes, of course.

Blum: I was at a hearing that Aqua Ventus presented and at the end of it, (Chair Bates: Jake Ward.) I think, actually, it was my husband Steve Thomas who asked them to characterize the benefits, and that engineer stood there and said, 'Well, ah, actually, there aren't any.'

Rockwell: See that. So, stop talking about benefits.

Blum: Absolutely, they said that, and I think if people (Rockwell: Baloney.) in the town had had the opportunity to hear that, they might be able to make a more informed decision. (multiple talk).

Rockwell: See, this is the thing.

Blum: Absolutely, no one characterized one benefit. I mean, they don't even bring the electricity back to Port Clyde.

Lipson: Can I make an observation? (unintelligible multiple talk)

Chair Bates: Excuse me. Let's, okay? Thank you.

Lipson: About the ballot. (Chair Bates: Yes, sir.) Have you ever been in a voting booth when you read a ballot initiative, and you don't know whether to vote yes or no? Have you ever had that experience? You read something that's about this long, and you know, Jesus, I don't know whether I'm supposed to vote yes or no. I don't know really what this means.

Chair Bates: I actually find that hard to believe, with you, Kevin.

Lipson: It has happened once. (Chair Bates: Okay. Was it in November?)

Lipson: You're going to find I'm a really nice guy when you're on my side, and I'm a real prick, when you're not. (Chair Bates: I heard - unintelligible.) I would like you to very seriously think about two things. I was not at that hearing on Saturday. I don't have the benefit of everyone's input. I would like you to think very seriously about: 1. The propriety of the ballot, at all, because I'm going to tell you if that happens, there's going to be a legal challenge to it. 2. If God only knows why you have a ballot, it had better be worded in such a way that those who oppose the entire concept, have a way of reflecting that in the vote. So, if you say. I'm imaging that the proposed ballot is, 'To establish a committee to

review the risks and benefits associated with the Aqua Ventus project.' Well, why would you vote no to that? Why would a voter who doesn't like this, vote no? He would say, 'Well, they're going to look at the risks and the benefits. I guess that's not a problem voting yes.' So, there is a bias in every, in the language used in these things. And, I'm just urging you. You're elected. I don't even know how you are elected, but you're elected.

Chair Bates: No, it didn't involve you, I think.

Lipson: You're elected representatives of the people, here. You are under no obligation to have the ballot. You're under no obligation to do the bidding of Aqua Ventus. I have made a proposal to you, that we will honor, that will take a financial obligation off the town, that will take that St. George property, and develop it. We'll take input on what it should look like, what it should be, but it will be privately funded. I live in Houston, Texas and I live in an apartment building that faces a 13-acre park called the Discovery Green. It was funded by \$175,000,000 from about five contributors who built this park and made it available to the public. It is a tremendous resource and it cost the city, nothing. And, that's what we're going to do, and all you guys have to do, is just do the right thing.

Chair Bates: Mr. Lipson, I know your family has been very generous on the tennis courts.

Lipson: I didn't say the money was coming from me. It's coming from him.

Chair Bates: Well, I thought between the two of you, (unintelligible). But seriously, this does put a whole new complexion on things, and we, obviously have a lot of thinking to do and the options you've outlined whether or not we completely pull the ballot. First, of course, we have to make sure the ballot is, is strictly legal.

Lipson: But, I'm telling you have the opportunity...

Chair Bates: But, we also have the opportunity to withdraw it. I hear you.

Lipson: You have the opportunity to look like heroes. (Rockwell: That's right.) I'm just telling you this. You have the opportunity to look like heroes to the peninsula.

Chair Bates: You know, Kevin. (unintelligible) just to be very clear. I think, nobody gets elected to the Select Board to look like a hero. That's not why we do this. I'm not asking you to cry in my..."
(multiple conversations)

Lipson: But you don't want to look like heroes (unintelligible), flack for corporate interests, either.
(Chair Bates: No, no.) Believe me, I know you guys have the best interests of the town at heart. (Chair Bates: Thank you.) But I also know that these things can take on a life of their own and they develop a momentum that once it gets started, it's extremely difficult to stop. You have the opportunity to nip it in the bud and that's what you should do. Because the reward that you'll reap from grateful town's people, will fair outweigh any illusory and ill-defined benefit that they purported offer. Because it doesn't exist.

Rockwell: That's right.

Lipson: It doesn't exist. It's money and that money can be made up by other sources.

Rockwell: Correct.

Lipson: It's only money. And money is fungible, so you have got to use your head about this.

Chair Bates: Thank you for the advice. (Lipson: Okay.) One more. No, surely not just one.

Gerry Cushman: Well, I just want to say this, Richard, and (unintelligible) pretty emotional for me. I've got a fishing family. My brothers are here. We've been fishing here for a long time, and you're going to open the door that could really screw us. Literally, screw us. But on a different note, I would like you, personally as the Board and Jerry, because I haven't heard it from Randy and Wayne and all the rest of the Board members, to get the word out, that the town does have a choice. You're absolutely right, we don't have a choice on the power lines, but we do have a choice as a town, to let this power not come across town property. And you need to get that word out, because the way you presented it tonight, and everybody in this room shook their heads (Rockwell: Yes.) in agreement, the way you presented it tonight, was I wrong? Rockwell: It sure was.

Cushman: Was I wrong? And everybody's getting mislead by that. (Rockwell: Yes.) I called my brother, Michael, who's dead against this and told me that we have no choice. I've talked to people in this town, all over the place - we have no choice. And do you know where it's coming from? Richard Bates (Rockwell, "Um, hum.") and Jerry Hall. And you need to get the word out to tell people that we do have a choice. This is town property. These are town fishermen that you're going to stick a wedge in and possibly put them out of business. Is that what you want? The school is full of kids that fishermen kids. We are the ones supporting this town year-round. Do you really want to do this to us?

Chair Bates: I'm sorry that this. I understand your emotion. You know that I'm not trying to misrepresent the law. I am passing on what we have learned from talking to the attorneys, and that's what I am doing. I'm not a lawyer but this is what I'm hearing. So, for Kevin to come in and tell me the alternatives is pretty eye-opening. And, the town didn't spend a \$1,000 an hour for an attorney.

Lipson: You haven't gotten my bill, yet. Don't worry (unintelligible).

Chair Bates: I think everyone heard, that you said it's free. So, we're taking advantage of that right now. It's just not a personal crusade on my part. I'm trying to pass on the best advice that I've got, so far. (unintelligible) And tonight, since 7 o'clock, my advice is, I've learned a lot.

Cushman: I will tell you the rumor in the town. It is you've got a personal crusade on this. (Rockwell: Yes.) And you can ask everybody in this town. It's all comes down to you Richard.

Rockwell: It sure does.

Cushman: It all comes down to you, Richard and Jerry Hall. That's the two names I've heard. The two people who are pushing this, and we have no choice, is the next words out of (unintelligible)... Michael, am I wrong? Cause what did you tell me on the phone? We have no choice.

Chair Bates: I tell you, I passed on the advice that I've been given.

Cushman: Be careful, please, Richard.

Rockwell: Somebody's driving this thing, and it's somebody in this room. It's not coming from the outside world. Somebody keeps opening the door to present this thing every which way, with sugar coated, candy coated, look at, turn the lights on, turn the lights off. It keeps coming back, and it's not coming from the audience. It's coming from someplace up at that table.

Chair Bates: Well, like I said, I've done the best I could and if Jerry was here, I think he would say the same thing. We've taken the best advice that we could get and that's what we passed on. It's in no attempt to mislead people. I know I haven't lived here for very long, but it's my town, I believe, and I'm doing my best. So, I sincerely, say, I'm not trying to mislead people. I've passed on what I've heard, and I will endeavor in the next few days to do the right thing, based on what Kevin has said and the input we've got tonight.

Cushman: I would like to have you present it in a different way. I think, am I wrong, guys, was it misleading a little bit, (Rockwell: Yes.) today? (Rockwell: Very.)

Chair Bates: Well, again.

Cushman: We're all the community.

Chair Bates: Please understand why I said that because it's not that I have personal interest in seeing (unintelligible). I'm interested in doing the best thing for the town.

Lipson: But the interesting point that you made is, earlier you said you were taking the advice from the lawyer in Damariscotta who stopped the project in Bristol. (Chair Bates: Yes.) So, obviously it's not inevitable. It wasn't inevitable for Bristol.

Rockwell: That's true.

Chair Bates: That's an interesting twist, but in fact (Multiple talking) if you were to talk to her, she would have told you that, in fact, the effort that she strongly advised the Bristol Select Board, Chad Hanna and his colleagues, not to allow a vote to take place on that because, her understanding of state law, and again, I need to go back after what you've said tonight. But her understanding of state law was this could not be stopped. She described how she had advised the Select Board not to let this vote go (unintelligible).

Lipson: Let me just say this. Let's not attach any unreasonable legitimacy to what a state law says. You know, the 1950's state law, you couldn't sell the houses to black people. Then the state laws were found unconstitutional. So, again, I don't care what the state law says. This is an issue of advocacy. You are an advocate for the people of the town. Advocate. Don't succumb to what somebody tells you.

Rockwell: Yes.

Chair Bates: Understanding the strength of feeling, this is what I'm interested in.

Lipson: This is not a matter of the strength of feeling, but what I'm trying to express to you is, don't be fearful of the fact that somebody tells you there is a law that says you can't do it. I don't care. I make a living changing what the laws say. You can do the same thing. You think they're going to challenge you? Do you, let's put it this way. If you come back and the Board votes we're not doing it. What do you think, they're going to raise the state law and compel you to do it? It's not going to happen. They don't want that because that makes them look bad, so they're not going to do it. They didn't do it in Bristol. They didn't say to Bristol - wait a minute, there's a state law that says you can't do this. They didn't do that. So, if you just vote no, the issue is dead.

Chair Bates: Thank you, Kevin. Sir?

Dennis Cushman: Remember who you represent. I mean you are representing us. You know. In a way, you're working for us. We're not working for you. Port Clyde is a special place. (Rockwell: Sure is.) It has an ambiance about it; it's just a special, special place. No other place in the world would I ever want to live. Don't ruin, please. I've got one arm. I work hard to make a living. I don't ask for charity. I don't think I'm handicapped which I'm not. Don't take it away from me. Please. It's the only thing I've got. I've got one arm, one income. My wife can't work. She's too ill to work. Don't take it away from me. Please.

Chair Bates: Okay. Thank you.

Lipson: Don't worry. It's not going to happen.

Chair Bates: Sir.

Randy Cushman: As far as I can remember, it still is, a fishing village. What do you think windmills are going to do out there in Federal waters and State waters to fishermen in Port Clyde? It's gonna kill us. I mean, seriously, you put windmills up in Federal waters, Randy Cushman's not going to live in Port Clyde, anymore. I've been here all my life. That's my livelihood. That's my tradition. My cultural.

Chair Bates: I have to take your word on this. I don't know, so you're telling me this,

Cushman: Seriously, you willing to do that to me? To us?

Chair Bates: At the moment, I'm separating the issues of two wind turbines off Monhegan and the issues of bringing the cable, and subsequent issues. I know that there are linkages but, as far as the town is concerned, this immediate issue is the power cable coming across in town.

Cushman: You (unintelligible) the waters, earlier, Richard, I heard you.

Chair Bates: Oh, you did. I did because that's what I understood that's...

Cushman: That's where I fish. That's where I make my living, Richard, out of Port Clyde, in Federal waters. That's my livelihood, right there.

Chair Bates: And the reason I mentioned that, is because this gets back to the reputation of Aqua Ventus. I understand that they do not to appear to their investors, as creating this tremendous turmoil when they try to come into a town. So, seeing everybody tonight, and hearing the strength of feeling. really makes this point.

Lipson: Let me just address Randy's point. Randy, listen. The issue of the windmills, he's got no control over. Okay. There's nothing you can do about it. The windmills are going to be there, and there may be more of them. You can write your Congressmen, you can oppose it, but that train is out of the station.

Cushman: Yes, but to me, bringing the cable to Port Clyde may seem easier for them to build the (unintelligible).

Lipson: You're 100% correct. (Multiple unintelligible conversations). (Cushman: Gives them more access.) It starts with two and then it's twelve, and then it's fifteen, and then it's eighteen. I'm agnostic on the issue of the windmills. That's not my concern, but I understand what you're saying.

Cushman: That's just giving them more access.

Lipson: I'm concerned about Port Clyde. I'm concerned about what it does to the cultural, what it does to the history, what it does to the incomes of people who make their living and what it does to the health of the citizens, here. (Rockwell: Yes.) Let me just tell you something, look up electromagnetic radiation. (Rockwell: Yes.) I can tell you since I've defended these claims, (Rockwell: They're real.) that is stops projects from being built.

Chair Bates: Yes. Let's not go into that.

Lipson: Oh, no you have to get into that.
Rockwell: You do have to get into it.

Lipson: You're putting (Rockwell: That's right.) ultimately, it will be a substation, if you allow this.
Rockwell: That's correct.

Lipson: There will be a substation there. Because when you start with two cables, you're going to wind up with twelve or fifteen. So, the way you deal with this, you have none. We don't need this aggravation. Whatever benefits there are, we will more than compensate, the town.

Rockwell: One last question?

Chair Bates: I feel like we've pretty much.

Rockwell: One last question.

Chair Bates: Is this a new point?

Rockwell: It's a question to get to understanding a process.

Chair Bates: Okay, please.

Rockwell: And process has been what we've been talking about. I've tried to understand the process. There were drawings that were shown at a public hearing that had details about concrete bunkers, exact places in which cables are going to land. My question is - that draftsman, that engineer - who was the source of that data that found its way into those drawings, in advance of anybody discussing, or this being at any way discussed? What was the source of that information?

Chair Bates: The best of my knowledge on that is - that earlier in the year, I'm looking to members of the Harbor Committee who were there, I recall it was in February or so that there was some discussion about Aqua Ventus. Very shortly after that, it became clear on the strength of feelings that people had about this project, that we should totally decouple the development of 10 Cold Storage Road and the ballot question that was on the May town ballot. We should totally decouple these questions from the 10 Cold Storage Road development and Aqua Ventus.

Rockwell: Well, that's (unintelligible) source.

Chair Bates: So the source was there had been some discussion about this, and then once it became clear that it was controversial, the instruction.

Rockwell: The stuff came up after (unintelligible) the pier.

Chair Bates: Excuse me. The instruction was to remove all references.

Rockwell: Yes, that's after it showed up.

Chair Bates: to, no. Excuse me. The details should not have been in the public hearing when we were talking about...

Rockwell: Where'd they come from?

Chair Bates: They came from discussions between the consultant that we have working on the 10 Cold Storage Road project and with Aqua Ventus.

Rockwell: So back (unintelligible).

Chair Bates: So, once it became clear that they it was a very controversial issue, we did not want to complicate things because seeing 10 Cold Storage Road develop as a combined recreational, commercial dock for the town, is very much, I think, in everyone's interest. In fact, we all want to see that happen and we did not want to complicate the two topics.

Rockwell: But it happened.

Chair Bates: Yes.

Public member: It was dropped in the Harbor Committee meeting. The drawing was brought up from the group that we had been working on the project with, Noel Munson but it was short down. There hasn't been any discussion the last couple of meetings. That's not being brought up, at all, with being connected with that project.

Chair Bates: It was really unfortunate that it was on there, and it obviously, it was placed right by your border; there was all kinds of things that were horrible about that. Correct.

Lipson: Richard. I just want to sum it up very quickly.

Chair Bates: Sum up your point of view.

Lipson: I am going to sum this up, so you guys have this in your mind about what it is I'm exactly asking for.

Chair Bates: And offering.

Lipson: And offering. I want you:

1. To suspend this ballot, because I'm concerned the need for a ballot and the language of the ballot.
2. I want the Planning Commission to issue a covenant associated with 10 Cold Storage Road that says it may not be used for landing of cables from offshore wind.
3. In return for that, you can make it conditional, I don't care. We will raise whatever funds are necessary privately to take it off the books of the town and whatever you guys, we all agree what it should like, it would accommodate recreational and commercial fishing interests as well as create green space for the town, but completely funded, privately but available to the public at all times.
4. That you guys vote, I don't care if it unanimous, vote to deny the access to public land to Aqua Ventus. That's what I'm proposing.

Chair Bates: Right off, Kevin. I see some difficulty in the idea that the land that the town acquired for a significant sum of money should then be passed over to the ownership of the private owner.

Lipson: No, no. Not passed over. You can keep the property. We'd pay to develop it, the way you want us to develop it. I don't want to own the thing.

Chair Bates: Well, I just want to be clear on that. Okay.

Lipson: It is a public. It is your land, but you don't have to pay for the development of it.

Rockwell: The improvements.

Lipson: We'll pay for the development of it. This is a great... You know what? Unlike Aqua Ventus, this is a real benefit.

Chair Bates: It sounds like it.

Lipson: And I will tell you, I've spoken to, he didn't know I was going to say this tonight, but now he's on board, I've spoken to four people that have already committed resources to do this. . We'll set it up properly. We'll do it only in conjunction and consultation with your approval, whatever's done.

Chair Bates: With these four things, I heard.

Lipson: It has to be contingent on that, and all I'm telling you, is if you do. If you take these steps, I can say with a 98% certainty, Aqua Ventus moves on. They're not going to come back. They're not going to say, 'We can't do this. Maine State law permit it.' You tell them to where the sun doesn't shine. That's what you tell them to do. It happens to me all the time, and our clients move on."

Chair Bates: Thank you, Kevin.

Lipson: Thank you for listening.

Chair Bates: You have more point.

Dennis Cushman: Can I ask a question?

Chair Bates: This really has to be the last question, because we have other things we have to cover tonight.

Cushman: How does the Select Board feel about this issue? I may be out of line asking. How do you feel about this issue?

Sawyer: I'll tell you right now, I'm totally flummoxed. I don't have a clue. You know, and until we heard from Mr. Lipson tonight, it was inevitable, baby. There wasn't no way they weren't coming. And that was my firm belief. So, my firm belief was that let's make sure it comes in on public property to that we can negotiate something for the fisherman that we care about. Because if it comes in on private property, that private property owner isn't going to care about you guys. And that's where I was until one hour ago.

Elwell: Same here. I think it is something we need to discuss a little bit. Take what we've heard versus what we've heard before.

Chair Bates: And we have to understand what our options are.

Cushman: Right, I didn't know (unintelligible).

Chair Bates: Steve, we really have. Pardon?

Thomas: Can you actually pull a ballot because as the Select Board.

Polky: Yes, you can.

Chair Bates: Apparently, we can. I don't know how many days' notice do we have to do that?

Polky: They can vote against it, tonight.

Thomas: Okay. Is it possible?

Chair Bates: I think before we do anything precipitous, I would like to have a more legal advice.

Wiley: I wanted to say, I heard the same thing that Mr. Thomas had heard. I talked to obviously, the same person and asked about the benefits for St. George, and they said there was no benefits. I want to say, from the beginning of this, I have been against it.

Rockwell: Good. Cushman: We, thank you. Public member: All right, Tammy.

Michael Cushman: I met with one of the representatives about this.

Chair Bates: Aqua Ventus. Yes.

Cushman: Yes, and talked with him at length and, expressed my concerns about the fishing and this and that - outright asked him some questions. And he's from a fishing community, too. Grew up there. I said, you guys are lying when you come to this town and tell them, well this is, you know, we left Bristol because it's more feasible to come to Port Clyde because of the way the bottom runs and this and that. He knows. I said I know better. I know that bottom. I fished that bottom. Been over that bottom all my life. I said it's just as easy to go to South Bristol. I said they shot you down, and that's why you're coming here, now. And I understand your concerns, too, Wayne, all of you. You know, you think it's inevitable, you want the best for the town. I missed what Kevin had to say earlier.

Chair Bates: It's very interesting, what Kevin had to say.

Cushman: So, they had to make it look better on the outside, I would say, after talking with this guy for 2 hours at store where we had lunch. You are right, you know, I am here to represent them, but I am from a fishing community, too. There are some things that they come in and present and make it look really good, but it's not.

Chair Bates: Okay. Well thank you for your input. Thank you everybody for talking about this. Despite what you might have heard, we do try to listen and we do try to represent the best interest of the town. I do mean this very sincerely, we will listen. We've listened to you guys, and we will get on and do our homework, talk to lawyers, starting tomorrow, including the fine gentleman here.

Lipson: Call me anytime. Anyone of you, please call me anytime. Just the Select Board, nobody else. I just wanted to leave you with this one thought. I began with this message, and I'm going to end with it. I told you at the beginning as a personal level, no matter what you decide, I'm not going to let it happen. I'm just telling you that. I will mobilize every resource available to make sure it does not happen, and I promise you, if I do, it will not happen. I'm just telling you that's how I feel.

Chair Bates: I appreciate your depth of feeling, but what we have to recognize that you may speak for the majority of the town and the best interest of the town. It's our job as a Selectmen to understand what the best interests of the town are. They may be totally aligned in which case, you'll be fine. But I think it is only fair to point out mobilizing half the planet, we have to do what is in the best interest of the town. And like I said, it may well be what you say, but, I think we should look for the best interests.

Lipson: That's the point. You have not been able to articulate it one benefit.

Rockwell: You don't even know what they are. It's the most incredible (unintelligible).

Gerry Cushman: There's a nice woman here waiting to get her solar panels in. (unintelligible talk).

Chair Bates: Thank you. Thank you for coming tonight. And again, your welcome to stay for as long as you like.

- Marshall Point Lighthouse Agreement between the Historical Society and the Town - Selectperson Willey said she had not met with Mr. Skoglund and Diana Bolton to review the lease agreement. Willey had not heard any disagreement about the lease and thought Mr. Skoglund was going to contact Polky about the agreement. She thought the agreement, was signed. Selectperson Sawyer and Elwell said the Historical Society and Marshall Point Lighthouse committee need to get together and review the lease. Elwell said the Select Board could not overrule the Historical Society as they need to make sure they are on board with the project.

Chair Bates said the town had an agreement with the Historical Society, the 501(3)C organization, which the Select Board deals with in leasing the lighthouse. He said the Lighthouse Committee files its taxes with the Historical Society; they are in the same 501(3)C organization. The town will not authorize any construction and on the property, until the lease agreement issue is resolved.

Lyon said he had a meeting with Polky who put him on the agenda because he was led to believe the agreement had been signed. He said that is why they were on the agenda and that is why they were at the meeting. Polky thought Skoglund might be at the meeting.

Bolton said she did not agree with the lease and wanted to talk with Polky about it. She did not think the tenant-lease agreement fit the structure of what they do at the lighthouse. Bolton said she sent Polky a copy of the stewardship agreement and the Select Board received a copy. Chair Bates said if the subcommittee wanted a different lease, they should get together with Historical Society, find a proposal for a fair lease agreement, and bring it to the town for discussion.

Selectperson Elwell explained because the lighthouse group is a subcommittee of the Historical Society, any decisions have to go through the Historical Society. Selectperson Willey will contact Skoglund, in the morning, to set up a time to meet with Polky and try to get the lease straightened out. Polky asked the Select Board, if Skoglund signed the lease, could the lighthouse subcommittee go before the Planning Board before coming back to the Select Board? The Select Board agreed that they would like to see the project move forward.

A motion was made by Selectperson Elwell, seconded by Sawyer, once the lease agreement is settled between the Historical Society and subcommittee and it is acceptable to both parties, Chair Bates will sign the agreement which will allow the Historical Society to go to the Planning Board and represent the town on this development, on town property. The vote was 4-0.

- Marshall Point Lighthouse Barn - The issue of the barn had been discussed under the Agreement between the Historical Society and Town. Chair Bates asked if there was any further discussion. Chair Bates responded to Bolton that the subcommittee did not need to return to the Select Board but would go to the Planning Board for their permit application.

- Update from ad hoc Solar Committee - Chair Bates said there had only been one development since the Saturday, June 3 Public Hearing on solar panels. The Budget Committee met at 6 p.m., June 5 and voted to support the proposal to install solar panels. Selectpersons Elwell and Sawyer thought the public hearing went well. Elwell said there were a lot of questions and good discussion. He thought most people wanted information. Selectperson Sawyer thought the most important question they had was, what is so different today than 18 months ago, and how net metering worked. Chair Bates said it would represent a savings to the town, in the long term.

Selectperson Willey said she went to the Transfer Station that Saturday and several of the employees approached her about solar panels. They felt the money could be better spent on other things there besides solar panels. Elwell agreed. After seven years, it is going to be saving the town money.

Willey said they were concerned about the three-phase power and how is it actually going to benefit the transfer station, snow piling on the roof and if the roof had enough pitch. Polky said it basically reduces our light bill by giving a credit to the meters on the town buildings and it does not generate three-phase power. Chair Bates said the solar companies assured them that a 20-degree slope is sufficient to make sure the snow clears. The experiences out there with so many people in the Northeast who are using solar panels, do pay for themselves. Joss Coggeshall said because of the size of this system, it would be done in one phase.

Coggeshall thought the public hearing went pretty well. He sent there is a website called NREL which is the National Laboratory that has established all the data on pitches and directions and thought was a reliable site. Sandra Coggeshall said in 1980 she installed the first solar panels on a house on Monhegan Island, became an international pioneer, watched the development of solar throughout the world, including Maine, said the prices are coming down and this is a good time to be doing it.

Selectperson Sawyer said he changed his mind, recently. He said 18 months ago, it might have been the right thing to do but did not save the town any money. Now, it will save the town money, is the right thing to do and when the system craps out in 25 years, it will be cheaper to replace it for the town to get it now.

Selectperson Willey is in favor of private home owners having solar but is still undecided whether it is beneficial on larger business systems. Joss said as systems get bigger, they get much more efficient.

A motion was made by Elwell, seconded by Sawyer, the town recommends investing in solar power according to the Article 2 ballot question. The vote was 4-0.

- Aqua Ventus referendum: The Select Board discussed tonight's public input on MAV. Chair Bates said it was prudent and in the long-term interest of the town, to pull the ballot from June 13 and spend more time understanding what the situation is. Selectperson Sawyer said the reason for pulling the ballot is, we got new information tonight and are unsure how to deal with it.

On a motion by Elwell, seconded by Sawyer, it was voted 4-0 to not put the referendum question regarding the Maine Aqua Ventus project, on the June 13 ballot.

- Select Board Schedule through May 2018: On a motion by Sawyer, seconded by Elwell, it was voted 4-0 to accept the Select Board schedule. Chair Bates said after summer, he would like to discuss starting meetings at 6 p.m.

REGULAR SESSION: (continued)

- Minutes: The minutes of May 15, 2017 were amended as follows:

Page 1, Election of Board Chairs, line 3, correct to 4-0-1(abstention), Richard Bates. . .

Page 1, Public Comments, 1st paragraph, last line change to ...that made \$45,778.

Page 2, 1st paragraph, line 12 correct to And, a chain saw?"

Page 2, 2nd paragraph, line 9 correct to I think having it formalized is a good deal.

Page 4, 1st paragraph, line 1 and line 13 correct words formulize(d) to formalize(d)

Page 4, Warrant, line 3 change forklift to trailer purchase of \$6,447, planning ...

Page 5, Shellfish Committee, line 2 change word last to lasted 45 minutes...

Page 9, Ratio Declaration & Reimbursement Application changes:

Line 8 change to read The state formula says the Town's Certified Ratio can be within 10% of the actual 114% ratio.

Line 9 change to read Last year, the Certified Ratio was at 125%.

2nd paragraph, line 2 change to read ...that the town will use a Certified Ratio of 125% for the Homestead Exemption.

On a motion by Elwell, seconded by Sawyer, it was voted 4-0 to approve the May 15, 2017 minutes as amended.

On a motion by Elwell, seconded by Sawyer, it was voted 4-0, to the continue meeting after 9 p.m.

- Communications: A letter from FEMA was received regarding the Community Rating System. This could potentially help people, who live in the flood plain area, with their house insurance. Homeowners in St. George spent \$75,000, in total, on this. Polky and Brackett will be attending a workshop on this.

- Warrant: The warrant for the week of June 5, 2017 was reviewed and signed. The total expenses were \$616,569.13 and included a school payment of \$396,754.17 for June, assessing agents for \$10,000, a transfer to reserves for \$138,313 which included everything except for the office equipment reserve and the solid waste equipment reserve, and two weeks of payroll.

- Victualers Licenses: On a motion by Elwell, seconded by Willey, it was voted 4-0 to approve the following victualers licenses:

-Darci Lynn Chickering-Morris, d/b/a Sugar Tree, LLC

-Philip and Debra Johnson, d/b/a Long Cove Cottages

-Greg Howland, d/b/a The Happy Clam

-Rosemary Limmen, d/b/a Blue Tulip

TOWN MANAGER'S REPORT:

- Road Work Updates: Polky said they were proceeding with road paving work starting July 1st. They were to start work on Factory Road on Tuesday, June 6 and the road would be shut down through

Thursday. The plan is to replace the culverts along that road. Polky told Selectperson Elwell the work recently done on Clark Island Road was to finish the ditching out to Rt. 73.

- Janitorial Services Bid: Polky said the town opened bids for the janitorial services and had received two bids. He will be talking with both bidders before awarding the contract.

- Committee Meetings: Selectperson Willey said the Conservation Committee would meet on Thursday, June 8 at 4 p.m.

COMMITTEE REPORTS:

- Budget Committee: The Budget Committee met and endorsed the solar panel ballot question.

- Planning Board: Chair Bates said the Planning Board met on May 23. They took up the following items:

- The "after-the-fact" application to expand the parking area at 47 Main Street, was considered complete and the application approved.
- The application to repair damaged cribbing/bulkhead at 3 Boatyard Road was tabled, as the applicant was not present.
- The application to reconstruct the storage barn at 178 Marshall Point Road was tabled, as the applicant was not present.
- The application to enhance the business at 6 Wallston Road was considered complete, met the Performance Standards, and was approved.
- An on-site visit was scheduled for Monday, June 12 at 5:00 p.m. for the "Tiki hut/barbeque pit" application at 13 River Road, behind The Happy Clam. Chair Bates said there were a lot of questions about the stability of the land behind the Clam. William Reinhardt, a civil engineer, said he would write a statement about the suitability of the soil.

NEW BUSINESS:

- Administrative Appointments: On a motion by Selectperson Sawyer, seconded by Elwell, it was voted 4-0 to approve the following appointments recommended and confirmed by the Town Manager to a term running from July 1, 2018 to June 30, 2018:

Fire Chief	Michael N. Smith, Sr.
Fire Chief – Deputy	Daniel Paulsen
Fire Chief – Assistant	Christopher G. Leavitt
Fire Chief – Assistant	Ryan Cline
General Assistance Administrator	Beth Smith
Local Health Officer	Timothy C. Polky
Purchasing Agent	Timothy C. Polky
Records Officer	Timothy C. Polky
Road Commissioner	Timothy C. Polky
Tax Collector	Elizabeth Curtis
Town Clerk	Timothy C. Polky
Treasurer	Timothy C. Polky
Knox Dispatch Advisor Committee – Fire	Michael N. Smith
Knox Dispatch Advisory Committee – EMS	Amy Dyer

On a motion by Selectperson Sawyer, seconded by Willey, it was voted 4-0 to confirm the following appointments made by the Town Manager with terms running from July 1, 2018 to June 30, 2018:

Animal Control Officer	William Demmons
Emergency Mgmt Director	Timothy C. Polky

Emergency Mgmt Director – Assistant
Clerk – Deputy
Clerk – Assistant
Clerk – Assistant
Code Enforcement Officer
Code Enforcement Administrator – Deputy
Local Plumbing Inspector
Local Plumbing Inspector – alternate
Harbormaster
Harbormaster – Deputy
Parks & Recreation Director
Tax Collector – Deputy
Tax Collector – Deputy
Tax Collector – Deputy
Treasurer – Deputy
Treasurer – Deputy
Treasurer – Deputy
Registrar of Voters
Registrar of Voters – Deputy
Registrar of Voters – Deputy
Registrar of Voters – Deputy

Michael N. Smith, Sr.
Cherie A. Yattaw
Patricia St. Clair
Beth A. Smith
Terry Brackett
Timothy C. Polky
Terry Brackett
Timothy C. Polky
David Schmanska
Gerald Cushman
Benjamin Vail
Cherie A. Yattaw
Beth A. Smith
Patricia St. Clair
Patricia St. Clair
Beth A. Smith
Cherie A. Yattaw
Cherie A. Yattaw
Patricia St. Clair
Beth A. Smith
Timothy C. Polky

- Quit Claim Deed: Polky presented a Quit Claim Deed to the Select Board for their approval. On a motion by Selectperson Willey, seconded by Elwell, it was voted 4-0 by the Select Board, to approve the deed on the property, as it had been paid.

- Transfer Declaration: Polky had the Transfer Declaration and said he could sign as the Town Manager.

- School Budget Validation Referendum Warrant and Notice: Polky said this was a legal document and Chair Bates said by law, the Select Board needed to sign it.

A motion was made by Selectperson Elwell, seconded by Sawyer to approve the School Budget Validation Referendum Warrant and Notice for Select Board signatures.
The vote was 4-0.

- Solar Energy System Referendum: On a motion by Selectperson Sawyer, seconded by Elwell, it was voted 3-1 to let the Select Board recommend Article 2 which says to vote by secret ballot on the following question as presented at the public hearing on June 13, 2017: "To see if the town will vote to authorize the Select Board to negotiate and execute any and all agreements for a solar energy system that will serve the town municipal facilities."

At 9:45 p.m., on a motion by Selectperson Sawyer, seconded by Elwell, it was voted 4-0 to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary