

**ST. GEORGE SELECT BOARD & ASSESSORS**  
**MEETING MINUTES**  
**Monday, July 10, 2017**

The Select Board meeting was called to order at 7 p.m. Members present were: Richard Bates, Chairman, Randy Elwell, Gerald Hall, Wayne Sawyer, and Tammy Willey. Also present: Tim Polky, Elizabeth Curtis, Scott Sullivan, Steve Thomas, Wendy Carr, Bill Mroz, Bruce Buckley, Dave Schmanska, Dan Morris, Josh Miller, Michael Cushman, Randy Cushman and Suzanne Hall.

**PUBLIC HEARING:**

- Updated Regulations for the Port Clyde Public Landing and 10 Cold Storage Road Property.  
Chair Bates opened the Public Hearing to consider the updated Regulations to the Port Clyde Public Landing and 10 Cold Storage Road property. He said this was an update to the 2007 Regulation that the Harbor Master and the Harbor Committee reviewed, and it involved making adjustments for the commercial activity at 10 Cold Storage Road and for town parking. Chair Bates asked the Harbor Master to give a brief summary of what had been proposed and why.

Schmanska said for many years there had been no time limits on parking, other than, no overnight parking in Port Clyde on the town wharf. He said, as things have gotten busier, businesses have gotten bigger; everybody wants to park there to the point where they park there all day, and folks that actually have boats on moorings, can't park there. The Harbor Committee thought it would be more equitable for all the users if it were limited to four-hour parking on the parking lot, including the small expansion lot on 10 Cold Storage Road.

The Public Hearing and Public Comments are edited narratives.

Chair Bates asked for any comments on the proposed changes.

Thomas: I agree with limited parking because it is currently being used by tradesmen who work on off-lying islands and tie it up all day. When you said the expansion parking that would be under same time limits as the rest?

Schmanska: Yes. The only thing that would change would be four-hour parking on the same schedule that the outside float is in, which is from the middle of May to the middle of October, weather and tides permitting. That prohibition would not be in place between October 15<sup>th</sup> and May 15<sup>th</sup>.

Thomas: Who enforces this?

Schmanska: There will be no uniforms and no badges but you know who to talk to.

Chair Bates: I noticed that you did write in the proposed change that the cost of removal and the towing fees would be the responsibility of those people who abuse the regulations.

Schmanska: There will be no overnight parking and this is just seasonal. The idea from the committee is to run this for this year and re-examine through the course of the winter, to see if it works, needs tweaking, to see if we need to do something else, or somewhere else, etc.

Schmanska added the only addition is there will be plenty of signage, so people should be made aware. It is not going to happen over-night, so people get caught in a lurch.

Hearing no other comments, Chair Bates closed the Public Hearing. He thanked the Harbor Committee and Schmanska for the work they did and in their suggestions.

## PUBLIC COMMENTS:

Scott Sullivan: I wanted to follow up on the discussion that we had about Aqua Ventus and just clarify a couple of things, if we can. First, there has been, I think, some conflicting narratives about whether the town remains open to the possibility of landing the cables on town property or not. At the meeting that Aqua Ventus had with the fishermen, all they would go, as so far as, to say was, currently, there are no discussions going on with the town.

Selectperson Elwell: We voted to not allow them to come ashore, after that one berating meeting we had. We've decided to stop all talk with them.

Selectperson Hall: We voted to drop discussions. To prohibit them from coming ashore.

Sullivan: But not on town property.

Selectperson Hall: We voted to cease all discussions with them.

Selectperson Sawyer: It was the other way around.

On Tuesday morning, July 11, Selectperson Hall asked to have a correction made to the minutes:

"I am writing to correct a factual error I made at our Select Board meeting last night. When discussing the Aqua Ventus situation, I said that the Select Board had voted to end discussions with Aqua Ventus. That statement was not correct. In fact, it was Aqua Ventus who decided to end discussions with the town regarding the possible use of 10 Cold Storage Road as a landing site for their cable. As Chair Bates had stated in the June 26<sup>th</sup> meeting, they had concluded the town would be an unreliable partner, so had decided to pursue other options.

Given this decision on the part of Aqua Ventus, no vote on the subject was necessary nor, I believe, was any taken by the Select Board."

Chair Bates: The discussions are ceased and just to clarify this, I realize it may have appeared, prior to the last Select Board meeting, I was not talking to you guys. Well, I wasn't.

Thomas: Could you repeat that, (unintelligible) I just didn't hear you.

Chair Bates: It would have appeared and I readily admit that I did not talk to you guys before the last Select Board meeting. I was in a quandary because some of the Select Board members had a discussion with Aqua Ventus, and it was clear that was the end. However, we had not had a Select Board meeting where I could put that information to the rest of the Board, nor by you being there, to the public. So, I did not want to meet with you guys and string you along. I would have inevitably had to say things which would not be very helpful. I know Wendy, you called, and I was stuck. I didn't want to deceive you about things, but I couldn't talk to you. I hope, in retrospect, you can see the logic there. I had to wait until we could meet with the whole Board. Again, communication is important, I understand, but I was stuck. I am sorry if I gave offense there; it was not my intention.

Sullivan: One other follow-up?

Bates: Sure. Of course.

Sullivan: As we understand it, one of the things that Bristol did to deal with the potential cable landing most likely on private property was, they passed a set of ordinances related to transmission, cabling and related electrical transmission infrastructure that would require private property owners to go through the same Planning Board process that you would have to go through for any sort of structure. Our review of the St. George ordinances is that we don't have anything like that in place. So, I am just wondering, if in the interest of protecting Port Clyde from the potential for cable landings coming ashore somewhere on private property and then coming up Rt. 131, whether the Select Board is considering passing similar ordinances to what Bristol did?

Chair Bates: That's a good question. The Select Board has not discussed this. I can see off the top of my head, we have a situation where cables do come ashore at a number of points already in Port Clyde. It is something we should discuss. It is a fair comment.

Selectperson Hall: I would like to clarify my understanding of this because it is a little bit different than what you said. (Sullivan: Okay.) They passed an ordinance. The plan with the cable coming ashore in Bristol - it was going to come ashore and the project was going to supply power to come ashore for 20 years. At the end of 20 years, it was going to be removed. So, they passed an ordinance requiring that things be put back to normal. In this case here, it was different because the plan was for the power to come ashore and then at the end of 20 years when the windmills are removed from the Monhegan area, the power would run the other way. So, the ability to pass the same type of ordinance that they passed, did not apply here.

Chair Bates: That is a good point. Thank you for reminding me of that, Jerry. The modification that was made to their shoreland zoning ordinance was, as Jerry said, to make sure there was clean up. That was the issue when we went to talk to the Select Board at Bristol. That was what they pointed to.

Selectperson Hall: From the discussions with the Bristol people, it was not at all clear that was a significant deterrent to Aqua Ventus.

Sullivan: Right. Okay. Well, I think when you read their ordinances; I suggest you could do that. I brought a copy with me.

Chair Bates: Which ordinance are you talking about, Scott? Which one?

Sullivan: It's their ordinances related to just building anything and who has oversight over the approval of that, and the Planning Board has approval of cabling and transmission infrastructure. They have a section that is very elaborate and well thought out. It covers things like environment, safety, and remediation.

Chair Bates: I believe we are talking about the same thing. My recollection on that is as Jerry said, it covers clean up. Otherwise, the normal Shoreland Zoning Ordinance is what is applicable. Both towns have adopted basically the state advised ordinance.

Selectperson Hall: We met with the Planning Board, the Wind Advisory Power Committee Chair, we met with the town attorney. We did cover this ground. (Sullivan: Yes. Okay, well.)

Chair Bates: If you find something, please send it to us.

Sullivan: Okay, I will.

Chair Bates: It would be responsible for us to check it all out because that is what we need to do. Thank you, Scott.

Carr: Could I just say one quick thing. I would just note that it is not an ex post facto law if you put in place right now. It would not go back and look at the prior cabling. (Chair Bates: Right.) It would establish a permitting process or a Planning Board process. I did look at the Bristol ordinance. I think it goes a little further than you recall. I think it sets for a process for an applicant to suggest that this cabling is coming on shore. I think, at the very least, we should revisit it because it would be appropriate. If this, indeed, is happening, we should make sure that every protection is in place. Chair Bates: Thank you.

Randy Cushman: I missed what Scott said and will probably be repeating what he said. This is basically asking you guys to adopt what South Bristol did to help avert the cable from coming into a private sector.

Chair Bates: Scott raised the point that Bristol did change their shoreland zoning ordinance. Jerry's recollection and my recollection of what that change was, differs from what Scott has apparently found, and we need to clear that up. We need to check into it.

Cushman: Okay, I just also want to stress that it is so important to the fishing industry in St. George. The future generation. They have every right to fish the same fishing grounds that previous generations did. To me, if we allow this to happen, we're preventing this from happening for future generations (down there). Chair Bates: Thank you.

Michael Cushman: I was just curious as to what was going to be said. My question is, how do you all feel about it?

Chair Bates: I am sorry I made one mistake already. I am not sure if you were here at the last Select Board meeting. (Cushman: No, I wasn't. I'm a little behind.) I explained that as far as we were concerned, the discussions were over. (Cushman: Yes. I know that.) And, Scott wanted some clarification of that. (Cushman: Okay.)

Chair Bates: "Any more public comment?" Hearing none, Chair Bates closed public comment.

#### REGULAR SESSION:

- Adjustments to Agenda: The following items were placed on the agenda:

##### Under New Business

- Victualer license for Village Ice Cream, Port Clyde
- Carry Forward to FY18
- Vote on Regulation for Port Clyde Public Landing and 10 Cold Storage Road Property

- Minutes: The minutes of June 26, 2017 were amended as follows:

Page 3, last paragraph, last sentence, change to read ...is competed quickly, **the solar power system** could be up...

Page 5, last paragraph, line 4, change to read ...if it is **not a foreclosure**. As far as...

Page 6, first paragraph, line 6, correct to read ...current ratio is **now 107%**. The town would like it to be around **100%**.

On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to approve the June 26, 2017 Select Board minutes, as amended.

- Communications: Selectperson Hall said a member of the public was very surprised to hear that David Lowell had left town. Mr. Lowell had been actively involved in community affairs, for years, and it was asked whether the Select Board would like to make a statement about David's contributions and thank him for his service to the town.

On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to include in the July 10, 2017 minutes, a statement of gratitude to David Lowell for his contribution to the community. Chair Bates will also send him a thank you note.

Selectperson Sawyer, "The Select Board recognizes the vast contribution that David Lowell has made over the years to this community, and we want to express our gratitude."

- Warrant: The warrant for the week of July 10, 2017 was reviewed and signed. Curtis said the Select Board had not met since June 26, and there were checks that needed to be cut for June 30 in order to get as many expenses, as possible, into the correct year. A check run was done on July 3, as a few more invoices came in over the weekend and we had the normal expenses. The total was \$768,960.51 and

included the July school payment of \$413,417, three weeks of payroll, a payment of \$147,381 for resurfacing for this fiscal year, and a debt payment of \$96,392.00 for 10 Cold Storage Road.

Chair Bates asked about the second bill to Hager Enterprises for \$9,150. Curtis said that was our share of the Kinney Woods Road fix. He asked if we had received the last bill from Jennifer Villeneuve. Curtis said the bill was for May, so she did not know. Polky thought it probably was. The Select Board reviewed and signed the warrant.

#### TOWN MANAGER'S REPORT:

- Road Work Update: Polky said the paving was 95% done. Still to be done is Howard's Head Road. That needed to be graded, put a binder on and surfaced, and will probably be done the end of July. There are several areas in Port Clyde that still need to have work done, including the corner of Factory Road, and the area by the Barstow's A-Shop/house across the street. The Ridge Road corner will be paved as well.

- St. George Days: It will be held on July 14-16.

- Planning Board: The Board meets on July 11 at 7 p.m. Polky said the Wyeth Reading Room application will be taken up again on August 8.

- Town Office Reorganization: Peggy Black's last day of work was June 30. Changes in the workload distribution, so far:

- Cherie Yattaw will be moving into Peggy's office, taking on Peggy's workload, and will continue to do the assessing work.
- Beth Smith will be moving into the back area and taking Cherie's place.
- Polky said they have been conducting interviews for the secretary/clerk opening and will be hiring someone to fill Beth's position. Chair Bates said things seem to be going very well.

#### COMMITTEE REPORTS:

- Planning Board: Chair Bates said the Planning Board meeting was preceded by the Public Hearing on the Wyeth Reading Room and due to the length of the public hearing; the regular items on the agenda were postponed until the next meeting.

- Historical Society and Marshall Point Lighthouse: Selectperson Wiley asked Polky if the lease between the town and the historical society had been worked out. She asked if they talked with their lawyers? Polky said they did have a meeting between Willey and Skoglund from Historical Society and Bolton and Small from the Marshall Point Lighthouse group. They reviewed the lease agreement and made some suggested changes. Polky said it was sent to Attorney Bragg's office. It was reviewed, but they recommended adding a termination clause which would state "either party can terminate this agreement with a 90-day notice." Polky said they are waiting for the final agreement as the indemnification clause and a subletting clause needed to be removed. Polky will call the Attorney's office on Tuesday morning to see if the final agreement is ready.

- Conservation Commission: On August 3 from 6 pm - 9 pm, the CC will be sponsoring an education program called "Life on the Edge – Will Clamming Survive." Guest speakers will be: John Eaton, Sherm Hoyt, a State warden, clambers, and possibly a State biologist. The Dip Net offered to provide the CC with a large cooler of steamers for the event.

Selectperson Willey said the CC decided not to do the rides to High Island this year on St. George Days. Suzanne Hall thought there was a transportation issue.

#### OLD BUSINESS:

- Janitorial Service Contract: Polky said they awarded the lowest bid which was for \$125 a week. Curtis said the contract had been signed by the contractor, Hilary Murray, and she signed a one-year contract with the town.

On a motion by Selectperson Willey, seconded by Elwell, it was voted 5-0 to accept the one-year janitorial contract with Hilary Murray. The contract was signed by the Select Board.

- Revised Version of the Select Board Policy Manual: Selectperson Hall discussed additions and corrections to the revised manual.

Page 77, Appendix A: The Town Education Committee. Delete this section as it is obsolete.

Pages 77 and 78 will disappear and other page numbers will move up by two pages.

Once the deletion and updating are done, the revised Select Board Policy Manual can be voted on at the next meeting.

Chair Bates asked about the three Finance Policies that need to be renewed every year. Hall said they were written anticipating they would be approved at the beginning of this new year. He said the date in the manual needed to be corrected and the expiration date should be May 14, 2018.

Table of Contents: pages 51 – 61: Uncapitalize this section. Use same format as the rest of the Table of Contents.

Introduction: #4 Resolution: Remove amendments from footnote or change log.

Appendix B: Delete.

Appendix C: Becomes Appendix B.

Page 79: Remove section which explains it is available as a separate document.

The Select Board thanked Selectperson Hall for all the work he had done in reviewing and making suggested changes to the manual.

- Update from ad hoc solar committee: Selectperson Hall said the Attorney sent out an engagement letter to the ad hoc solar committee for their review. He said on Friday, July 7, late in the afternoon, Nick Sampson of Revision Energy sent out a draft PPA. Hall forwarded it to Attorney Kelly's office for review. Selectperson Hall is working on setting up a date and time when they can all meet. Sampson indicated in his letter, they could get the job done this year. Selectperson Hall added, as long as it did not take too long to put the agreement together. Chair Bates would like to see the agreement completed by the middle of August.

#### NEW BUSINESS:

- Liquor License Application for the Monhegan Boat Line: On a motion by Selectperson Sawyer, seconded by Elwell, it was voted 5-0 to approve the Monhegan Boat Line liquor license for the year.

- Victualers/Innkeepers Licenses for the Village Ice Cream: On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to approve the victualers license for the Village Ice Cream, Port Clyde, for the year.

- Attorney William Kelly's Engagement Letter: On a motion by Selectperson Willey, seconded by Hall, it was voted 5-0 to approve hiring William Kelly, Esq. at the rate of \$175/hr. to represent the town of St. George on the Revision Energy solar contract.

- Regulation for Port Clyde Public Landing and 10 Cold Storage Road Property: On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to approve the 2017 updated Regulation guidelines and rules for use of the Port Clyde Public Landing and 10 Cold Storage Road property, including no overnight parking and a 4-hour parking limit.

- Carry Forward to FY18: Curtis handed out copies of a financial report and said it was not the final for the year. It was what was used for this discussion. She had spoken with Vail and Schmanska about the carry forward items. They expected to have expenses in FY18 and would like to carry forward the following amounts. These amounts would not put their Departments over budget:

- Recreation  
9483 – Recreation Ballfield Improvements \$20,000.00

- Harbors
 

9643- Planning 10 Cold Storage Road	\$ 387.45
9653- Renovations 10 Cold Storage Road	2,906.54
9683-Design & Permitting 10 Cold Storage Road	<u>13,941.67</u>
	\$17,235.68

Polky said the ballfield improvements are for the dugouts and it probably would not cost that much. He said the dugouts will be patched instead of rebuilt and the roofs are in good shape.

On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to approve the Carry Forward FY18 amounts of \$20,000.00 for Recreation and \$17,235.68 for Harbors.

Curtis spoke with Maine Municipal Association who said the town's budget is set up so each Department needed to come in under budget. According to the town meeting warrants for FY17, \$25,000 can be transferred to cover expenses. Curtis said there are five Departments:

- Town Office
- Select Board/Assessors
- Planning
- Roads/Property Maintenance
- Solid Waste

(\$ 3,684.44)
(\$ 7,219.68)
(\$ 757.35)
(\$14,371.77)
(\$29,389.79)

Curtis said the good news is the entire budget for the town is \$197,920.00 under budget. It was just these five departments and none of the line items were surprising, as they had been discussed every month when they reviewed the financial reports.

Selectperson Hall wondered about the historical progression of expenses, and was the town going to be okay budget-wise, for the coming year? Curtis said the transfer station attendance line was corrected. She said they knew that was under budgeted for FY'17. She said they have been watching the tipping fees and solid waste transportation. They budgeted more for FY'18. The amounts budgeted for this year are about the same as what was actually spent in FY'17. Selectperson Hall said there was over \$20,000 of wood chipping. Polky said he did not expect that for next year, as there is almost no brush left.

Selectperson Hall said, "If things are running in a direction where we can conclude we are going to run over, I think we ought to have a discussion about that. I don't know if there is anything we can do two or three months before the end of the year, but I think we should have a discussion about that." He said he knew they held certain reserve things until the last minute to make sure there is enough money there to be able to pay them. Hall said in the past he had asked, "Where do you think we are going to wind up at the end of the year in some of these departments?" Hall said he has not been satisfied with the answers to that question. "When we get into one of these places, it would make sense to have a discussion about realistically what can we expect?"

Chair Bates said, "One of the issues in identifying potential problems ahead of time is that the amounts don't increment evenly each month. So, after three months, it is hard to tell that there is necessarily going to be a problem, which I think was one of the arguments." Selectperson Hall said, "When you are nine months into the year, though, usually you can tell if you have a problem. I will probably ask the same question nine months from now, so I hope we can have a discussion about it, at that point."

- Select Board Action Plan for 2017-18: Chair Bates compiled a list of suggestions from the Board and wrote up Proposals for Select Board Action Plan 2017-18. He said the ideas are all good and would make the town a better place. There are varying degrees of effort that will be required. He suggested each Select Board member volunteer to be in charge of an action plan.

- Marijuana in St. George – All Select Board members will work on this plan.
- Opioid Epidemic – Chair Bates and Selectperson Sawyer
- Improved Sound System for Fire House Meeting Room – Selectperson Willey
- Options for 3 Juniper Street (Map/Lot 104-083) – Selectperson Hall
- Municipal Cyber Security – Chair Bates
- Fixing and Cleaning Cemetery Stones – A cemetery committee has not been formed, although there has been discussion about forming one.

Selectperson Willey said lately, the need for a sound system is mentioned at every meeting. The Select Board discussed the costs, different types of systems, and/or perhaps having a podium with a microphone.

Selectperson Sawyer felt the entire Board would need to work on the marijuana issue. A Public Hearing would need to be held. Polky handed out copies of a moratorium ordinance on retail marijuana establishments and retail marijuana stores and retail social clubs. He said the state and many towns are not prepared to deal with this issue. Chair Bates suggested having a guest speaker talk with the Select Board. Polky said the Planning Board will start working on this issue, but first, the issue needed to come before the Select Board.

Selectperson Hall suggested parking as an option for 3 Juniper Street, as there is a need in Tenants Harbor. The sub-standard size lot cannot be split and the Recreation and Harbor Departments currently use the building for storage. The building is not in great condition, so it cannot be moved. Hall will continue to explore ideas for 3 Juniper Street.

Selectperson Hall said with regard to fixing and cleaning cemetery stones, there has been talk about forming a cemetery committee. Selectperson Elwell felt it was worth taking care of the stones and lots because there is so much history in the cemeteries. Chair Bates said this would be a responsibility of the Cemetery Committee, when formed.

The Board felt the opioid epidemic would be a more difficult issue to tackle. Selectperson Elwell suggested possibly having an information center for people to get help, as town resources are limited. Selectperson Sawyer thought they could meet with school officials and encourage them to develop a program. Chair Bates would like to see the level of awareness raised along with some training and education on this topic.

Chair Bates suggested members work on their Action Plans, get other members of the community involved, and then they will discuss their progress at a September Board meeting.

At 9:00 p.m., on a motion by Selectperson Sawyer, seconded by Willey, it was voted 5-0 to adjourn the meeting.

Respectfully submitted,

Marguerite R. Wilson  
Select Board Recording Secretary