

## **ST. GEORGE SELECT BOARD & ASSESSORS**

**St. George Town Office**

### **MEETING MINUTES**

**September 26, 2022 - 7p.m.**

The Select Board meeting was called to order at 7:00 p.m. Present were Richard Bates (Chair), Randy Elwell, Steve Cartwright, Van Thompson, Wayne Sawyer, and Finance Director Irene Ames,

Present by zoom: Town Manager Richard Erb, Kristin Falla and Loreen Meyer were present.

### **REGULAR SESSION**

#### **Public Comments**

##### **Bates**

It is now the time for public comment and since the public here consists of Loreen and Kristen, you have the floor.

##### **Loreen Meyer**

I'm good.

##### **Bates**

Okay, and Kristin, I can see your hand is up, but I don't hear anything.

##### **Kristin Falla**

I think I'm unmuted now. I can hear you. Okay, sorry. I'm in hockey practice right now. But at MRC it's hard to get a cell phone signal. I wanted to check and see if there'll be anything on the agenda tonight, following up on the noise measuring this weekend for Sunday, Funday and if anything came about from the complaints that have been called in by neighbors in the last few days about the parking lot that was constructed.

##### **Bates**

Kristin, there's currently nothing on the agenda. When we get to the regular session, the Board may want to add something. Maybe we can preempt this, does the board wants to add anything to the agenda about what's been happening at the Happy Clam?

**Elwell**

No one did any sound checks, this weekend.

**Bates**

No, there was certainly no sound checks made.

**Randy Elwell**

The cleared lot is basically a Planning Board issue.

**Bates**

Agreed. I think Kristin, the answer to your question is that tonight there will not be anything on the agenda regarding the Happy Clam.

**Kristin Falla**

Thank you very much.

**Bates**

Okay. Do you wish to say anything else?

**Kristin Falla**

Well, I just know that there was a large gathering, and it was very loud this past weekend. I know that one neighbor had been using his own decibel meter. But I wanted to see if the town had an official record regarding the music and how late it went.

**Bates**

I can comment on that Kristin. I saw the letter that one of the residents sent in about their handheld decibel meter. There's a number of technical issues and effectively, that measurement is meaningless. We don't know where the resident was standing when he took that measurement. We don't know whether it was the class A weighting. We don't know the duration of the measurement period and whether that was the standard that most towns use for considering objectionable sounds. Unfortunately, while I'm quite happy to accept that it was loud, the measurement itself did not give any factual information about the noise level because of these various things.

**Kristin Falla**

I was just checking to see if there was an official measurement that would be compared to what he had, because I was curious if there was any record with the town's equipment.

**Bates**

I have no record.

**Randy Elwell**

They just have to be calibrated to be certified, to hold up to anything.

**Bates**

Well, that's right. In addition to the other things I mentioned, it would need to be calibrated as the town's equipment was. There are a number of issues, but to the question of whether the town itself made any measurements this Sunday afternoon, the answer is no measurements were made.

**Kristin Falla**

Okay. Thank you.

## **Adjustments to the agenda**

New business action item

Letter from Mr. Brewer regarding engagement for this year ending 2022

## **Minutes Review**

A motion was made by Elwell to approve the September 12, 2022 minutes as corrected, seconded by Cartwright. After a 5-0 vote, the motion carried, and the minutes were approved.

## **Communications**

**Bates**

Do we have any communications for the board.

**Sawyer**

We do have a letter from Mr. Fisk that I had difficulty reading.

**Bates**

Rick has it. Most of the town administrative staff have received it. Rick is fully aware of the issues Mr. Fisk has, and he has it under control. It turns out that the email version that he sent the staff was formatted in a clearer fashion than the one that we received.

## **Warrant**

**Bates**

We can go on to the warrant. Irene, tell us what we've got here for these two weeks.

**Ames**

On the first week, the school payment was made. Other than that, everything is routine. On the second week, all of the items that were voted on at the town meeting for the social and community services, for the library and so forth, those checks have all been sent out. We typically wait until September when we've got the property tax money coming in. The bill for William Brewer, that entire check has been voided.

What happens when Tara enters it into the computer is that she enters each amount individually, but it will print out one check unless she tells it to do otherwise. The check for \$10,700 has been voided and

next week, you're going to see a check for \$9700 issued to the CPA firm. She inadvertently paid the \$1,000 twice, not once, but he submitted it in a way that was a little confusing, so that's been corrected.

**Thompson**

Is that the usual amount?

**Ames**

Essentially the \$8,700 was for audits 2021. The \$1,000 was extra for separating out the school numbers from the Town Office numbers to make them more understandable.

**Bates**

That was something that Jerry requested for financial year 2020. The audit we did was for 2021. 2022 is the one that we have coming up.

**Ames**

I just thought that I should point out that because you're going to see William Brewer again on the next warrant, I needed to clarify it.

**Bates**

All right. Do we have any other questions about this? Okay.

**Town Manager Report**

**Bates**

Okay, why don't we go on with the Town Manager's report.

**Erb**

Sure, thank you. I would like to make a comment on the Happy Clam just to say that the issues that we saw on Sunday, were the same as when the Hello Newman band played earlier in the summer. It is the most popular band that they bring in. They tried to manage the parking. The great majority of it was outside the white line; there were some places where cars were touching the white line. And although we did not measure it, I have no doubt that the sound level was louder. One thing that we found when we did take measurements in the past, oftentimes it is the crowd noise that creates higher decibel levels. And when you think about it, there are volume knobs on the amplifiers and on the microphones. But you don't really have much control over crowd noise. I'm not terribly surprised by that. We can put it back on the agenda and discuss again, but I will say it was the same band that created issues earlier in the summer. I have a few other things. We will begin paving tomorrow, Hart's Neck Road and Harrington Cove Road. Steve Jarrett will be out to keep an eye on it in my place, starting tomorrow. There have been quite a few comments about the speed limit signs on Glenmere Road and I understand from talking with DOT (Department of Transportation) that they will be reviewing those speed limits, potentially changing it. If you're not familiar with it, towns are not allowed to set their own speed limits. The Maine Department of Transportation does that. We did some measurements of what speeds people are actually driving at. They're going to look at it again. I was at the Legislative Policy Committee meeting at Maine Municipal Association last Thursday. It was a daylong meeting and the two biggest issues you won't be surprised by. Both were bills that passed last year. LD 2003, that is the affordable housing bill that the Maine Municipal Association and others had problems with. It's likely that there will be amendments to that. It is a complicated issue and MMA decided that they would put together a workgroup instead of trying to

solve the problems at the legislative policy committee. I don't believe I'll be serving on that, but I'll be looking at what they come up with. And the other one, LD 290, which is the senior citizen tax freeze, which has all kinds of technical problems. The consensus is it needs to be repealed and replaced. We don't believe that the legislature is going to want to just plain repeal it, but it is significantly flawed, and will need to start over again. We'll see if that happens. There were a few other issues. We talked about general assistance a couple of minutes ago. There's very little of it in St. George but that's not true for other places, if they are service center communities, general assistance is a big issue. Places like South Portland, which has many hotels, are now being used as emergency housing. They are inundated at this point. Not an issue for us, but it is for others. Another issue that we don't really have much concern for is the PFAS which is the materials that are hazardous. Much of it comes from municipal sewer districts. That's an issue for some towns; not for us. But overall, those two issues LD 2003 and 290 are the biggest ones. Richard are we scheduled to meet next Monday?

**Bates**

We are. This is a case where we have meetings back-to-back.

**Erb**

I was wondering if it might make sense to have a little discussion on that. I can give a presentation on it. We are in sort of an odd situation right now. We will need to amend our land use ordinances to comply with 2003. But we're almost certain it's going to change. I think we need to be prepared and it's complicated, but I'd like to talk about it next week, possibly with some guests.

**Bates**

That would be very relevant, and I would invite Anne Cox and Michael Jordan to attend so that they can hear what you've learned. Because the timing of how we're going to get the land use ordinance approved with changes, is going to be tricky.

**Erb**

One other thing I want to mention is I've been working with the school department on the audit requests for proposals for next year. In talking with Mike and others. I expect we'll put those out in October and then hope that some accounting firm will have to submit something.

**Bates**

Great. That's good. Thank you, Rick.

**Erb**

Okay, thank you.

## **Committee Reports**

**Bates**

### **Planning Board 7:00pm September 13 Meeting**

- The application for a change of use for the building at 967 River Road was accepted as complete; meeting the standards of Site Plan Review ordinance, it was approved, with the proviso that no sign be installed until the property line issues near the road are settled.

- The application to install a 5'x132' pier, a 3'x60' aluminum ramp and 12'x24' wood float at 24 Hoppers Island was accepted as complete. With the Army Corps and DEP permits in hand and satisfying the standards of Section 15C in the Shoreland Zoning Ordinance, the application was approved.

## **Conservation Commission**

### **Cartwright**

I have a note that Clark Island will be closed tomorrow. This note is from the Conservation Commission but originated from Maine Coast Heritage Trust and Amanda Devine; they're going to go in and try to tackle invasive species with some stuff. They're not inviting the public. There's a lot of invasive plants out there.

## **Old Business**

### **Community Resilience Partnership Grant Application**

#### **Bates**

Okay, why don't we move on then to the old business discussion items. I put on the agenda, the update on the Community Resilience Partnership and grant application. We've talked about this during the last several meetings, but I think it'll be a while before we talk about it again. This is not going to be every week. Remember, this started with Meg coming and telling us about the potential for some state assistance on some resilience, things that we could do in town. She talked to us on July 25th. I'm really pleased to say that the Resilience Committee successfully enrolled the town in the Community Resilience Partnership on Monday, last week and that means that we are eligible to some of the state money by becoming part of the partnership. That's one accomplishment. It means that we could get state money to help with things that reduce energy use, and that reduce the cost of making the community more resilient to climate change, such as flooding, extreme weather, drought and public health impacts. That was the first thing that happened last week and then the second thing that happened, also on Monday, was that the town submitted a grant application to try and get some of this money, in particular, to conduct a vulnerability assessment for critical community infrastructure. This was the issue I described a couple of weeks ago with Sebago Technics, where they were looking at roads and historic buildings, to see their vulnerability and to come up with solutions for how they might be protected and made more resilient. The grant request was for \$49,600 from the state, and it was being matched by the Sebago Technics and their partners by \$117,500, effectively, more than twice what we asked from the state. I like to think that could bode well, for the application. We had letters of support from Anne Matlack, Dave Miramont, Colby College, Marshall Point Lighthouse Museum and the state's Historic Preservation Commission, who all thought it was a good thing. We'll see how that goes. We should know about this in about three weeks from now. A lot of the credit goes to Meg Rasmusen who pulled it all together and put a lot of work into this. She's working for the Mid Coast Council of Governments. And I know that's something that has received money from the county. I think the Midcoast Council of Governments has done a lot for us this time. Any questions?

**Van Thompson**

No, I was going to say I think it's very likely they (Mid Coast Council of Government) will fund it. I think that one of the things that the ARPA funds committee is considering would be going ahead and funding it, if the grant does not come through. The ARPA funds would fit exactly.

**Bates**

Let's keep our fingers crossed.

**New Business**

**General Assistance Ordinance Rates**

**Bates**

The first thing we had on the list was the general assistance ordinance rates. As Rick mentioned, we don't generally spend very much and Irene confirmed that for the last two years, we spent nothing, and I think because the criteria are such that the applicants don't meet them. We do know that people who've received assistance from organizations like the Grange, and the Community Development Corporation have been helped, but our general assistance funds have not been touched.

**Cartwright**

That seems typical. We had these funds available in Waldoboro and nobody coming in to ask for them. I don't know if it was a lack of knowledge that they could apply because we certainly had people who were poor enough.

**Randy Elwell**

I think it is more pride than anything else. People are embarrassed of what the people in the Town Office know about their finances.

**Cartwright**

It's kind of too bad if someone really needs it, they should come for it. But there's so much other money out there.

**Ames**

It's typically temporary emergency assistance. You must be pretty desperate to qualify.

**Cartwright**

Certainly, it is not a regular check.

**Bates**

Okay. Do we want to go ahead with the proposed rates for Knox County?

A motion was made by Elwell, seconded by Thompson, to approve the general assistance ordinance rates. By a 5-0 vote, the motion carried, and the rates were approved.

## **William Brewer, CPA Engagement Letter**

### **Bates**

I mentioned to Rick this morning that in today's mail, we have a letter from William Brewer, CPA saying please find enclosed two copies of the engagement letter for the year ending June 30, 2022. We don't have an auditor for this last year and as Rick indicated, they're not sure how it's going to go with looking for an auditor for next year. But here we have an auditor I think we need to approve.

### **Bates**

Rick has identified this other company that is going to help with the process. It should make it a lot easier.

### **Ames**

Sure, because the other company is going to be doing financial statements. Brewer is going to be doing just the audit.

### **Bates**

Irene, he wants one copy sent to him and one for the town records, please.

A motion was made by Elwell, seconded by Sawyer, to approve the engagement letter for William H. Brewer, Certified Public Accountant.

### **Bates**

Rick is proposing to have an RFP for a new for a town attorney. We've had Bernstein Shur as the Town attorney for quite a while, and I know there's been some discussion. Rick, talk about why this is an appropriate thing to do at this stage, please.

### **Erb**

Well, for one thing, I did see a survey of municipalities and it wasn't a large survey, there were seventeen responses, but it gave the hourly rate, and we were one of the very highest. I think it would be a good time to look around and see what is available. There has been some concern about the timeliness of the work from Bernstein Shur. I do want to say that they are one of the most respected law firms in the state. And there definitely are some advantages to being with them but I do think it would be a good time to test the waters to see what else is out there.

### **Bates**

Do we have any comments?

### **Bates**

A motion was made by Elwell, seconded by Cartwright for the Town Manager to issue an RFP for the auditor. By a 5-0 vote, the motion carried and approval was issued for the Town Manager to issue an RFP for the auditor.



## **Community Warming Shelter**

### **Bates**

In discussion items, we had the issue Tim, Rick and Mike working on the memo of understanding for the Community Warming Shelter. If you had a chance to read it, it's pretty straightforward, allocating different responsibilities to the different parties. And it's good that you have something in writing. Do we have any other comments on this? Thank you for doing this Rick. Thank Tim and Mike for putting it all together.

### **Cartwright**

It could tie into resilience.

## **Town Wide Notification Service**

### **Bates**

The last item on the agenda is this town wide notification service. And Van and I were in the meeting with the community, a week and a half ago, and somebody that stood up and said, "You know, you don't have this system that we have in our hometown called Code Red." And it turns out, we don't, but there's a whole lot of these services. I did a little digging on this to find out. And it seems like it could be a really useful thing for the town. And you know, the more you spend, the more features you receive. We're starting from a basic "dial my calls" option, which sounds a bit like the system the school has, where you can just send out messages.

### **Elwell**

Automated recorded text messages announcing there's a snow day, etc.

### **Bates**

Right. That's a service for the town; I think it would be about \$1,000. Code Red was the service cited by the resident at the community meeting.

### **Bates**

The features that it offers are basic emergency services, notifications for downed trees, power outages, and other sorts of emergencies. It is \$2500 year, but you may add more features, like announcements for parades, etc.

### **Van Thompson**

I think just from an informational point of view that we're trying to get across to people timely information, the higher priced one offered all the things that actually ties in with Facebook with Twitter. It's comprehensive.

### **Elwell**

Since I've been on the site, we've always talked about how to better communicate to the community. I think if we're going to spend money, that's not much for a yearly fee.

**Bates**

This service that Van is alluding to is called Civic Ready and that starts at \$4000 a year. I like it. Like Van mentioned, when you compose your message, and then hit send, it will go to email, it will go to text, it will go to the phone service, it will go to Facebook, and it will go to the Twitter account, if and when the town has a Twitter account.

**Randy Elwell**

You can opt out of text messages; you don't have to receive everything.

**Bates**

The Code Red and Civic Ready allow the lists to be controlled by the end user, probably the situation the school and this other lower cost one use where the administrator has to maintain the lists. Now the advantage is of having the end user do it is that we don't have to do it.

**Bates**

People who come up here for the summer, they can sign on for the summer, and then they can drop out. People that have are using Airbnb and want to know what's going on in town.

**Elwell**

Taxpayers from out of state may want an announcement that something is going on.

**Cartwright**

Can we use this just for a routine announcement; does it have to be an emergency, such as a lobster dinner available at the town office.

**Van Thompson**

That's right. That's what I see is the advantage of it. It really gets out across the community. The community chooses to get all of this information and it could even be things that we bring up such as our minutes. It could highlight something that was not planned or provide community comment. This is a way to get the public to go to meetings.

**Bates**

You can actually construct polls.

**Bates**

I suggest that we should hand this over to Rick and have him look into it.

**Van Thompson**

If it's a matter of money, we should have a vote.

**Erb**

I'm wondering, do we have an idea of what account to use to pay for this?

**Bates**

I have not looked through the office. We have an account for communications and newsletters, don't we? I don't know how much we have in that account.

**Bates**

Van asked earlier in an email about training. I noticed that in the implementation phase for the Civic Ready package. Civic Ready does tie into the Civic website. It's all the same company. There is an implementation and training phase that Civic lays out. And another plug for this company is that their support is great. I've had Tara call regarding website issues, and they've always provided prompt service. Rick, please get back to us on that because I think it would really improve communications.

**Erb**

We'll plan to put it back on the agenda in a couple of weeks.

**Bates**

One last item, Rick, you sent out a notice regarding the Maine firms for the 10 Cold Storage Rd. RFP. Noel was proposing to send these out. I don't know if everyone's had a chance to look at that. I've certainly heard of some of them. If these are the companies that Noel believes we should solicit, I would agree.

**Erb**

There was something in the email about certain ones being certified to do marine work. There were the usual suspects and a few others that I'm not familiar with from out of state.

**Bates**

I think we must rely on Noel's expertise to find the right people.

**Cartwright**

I know Prock has a great reputation for doing work around here and they're very close by. Also, when you're looking at a bid, you might not want the lowest price but rather the one with the best reputation.

**Elwell**

With grant funds, you have to go with the lowest bid, unless you have a very good reason.

**Erb**

I would agree with that.

**Cartwright**

That might be a reason to be careful about who you send it to.

**Elwell**

My opinion is you always get what you pay for. Noel is familiar with these companies and has worked with them. We should meet with them first.

**Cartwright**

What's the timeline looking like Rick?

**Erb**

I don't have the timeline in front of me, but as I recall, completion would be roughly one year. The pressure from the federal government is that it must be done within two years, absolute maximum of five years. I don't think we'll have any trouble meeting either of those criteria.

**Elwell**

I think Rick brought it up that because of the concerns of the committee, whoever bids on it isn't always available; some of them are busy. They don't have the manpower.

**Erb**

I'm very comfortable asking the EDA for a little leniency on the start date because right from the start, they were talking about December, and I thought that's going to be tough. We're lucky. We didn't get this out quite as soon as I would have liked. It's even tighter now. I'm not concerned. I think they will understand that.

A motion to adjourn was made by Thompson, seconded by Elwell and by unanimous vote, the motion carried and the meeting adjourned.

Respectfully Submitted,

Tammy Taylor

Recording Secretary

Town of St. George, Maine