

ST. GEORGE SELECT BOARD & ASSESSORS
MEETING MINUTES
Monday, March 19, 2018

The Select Board meeting was called to order at 7 p.m. at the St. George Town Office in Tenants Harbor, Maine. Members present were: Richard Bates, Chairman; Randy Elwell, Jerry Hall, Wayne Sawyer, and Tammy Willey. Also present: Tim Polky, Elizabeth Curtis, and Sandra Dickson Coggeshall.

PUBLIC COMMENTS:

Sandra Dickson Coggeshall: "You may all know this already, but I am the new St. George correspondent for the Courier Gazette. That comes out on Thursdays which is their only day. I have learned a lot about how we need to know information ahead of time in order to make deadlines for the following week, and I have talked with Tim (Polky) quite a bit about communication. He and I agreed that communication used to be easier back in the old days before people had internet, Facebook and all that, because there were three Couriers a week and the Bangor Daily News. The reason I took this freelance job as a columnist for the Courier is to get information about the town out there. It has been an interesting and wonderful challenge. I love doing it, but I am not sure that I can get enough out soon enough to inform people without doing a special column or letter to the editor, or something. I was wondering if you have thought about maybe having a part-time Communications Director to help Tim or whoever else has been getting the word out. Just, this is something to think about. It might even be somebody who is already on the town staff or it may not, but I am just hoping. I am just seeing the problems of people who don't know what is going on because, even with all of the resources we have now, there are still things they don't know about out there. I just wanted to bring that up as something to think about."

Chairperson Bates thanked Ms. Coggeshall. He said the Select Board would see how the meeting went tonight, and maybe it would be something they could think about and discuss next week. Board members agreed.

REGULAR SESSION:

- Adjustments to Agenda:

- Appointments to the Planning Board, Deputy Harbor Master, and Shellfish Warden will be added to the agenda under Town Manager's Report
- Liquor License for the Black Harpoon was added under New Business
- Warrant Articles under New Business was moved to Regular Session

- Review of Warrant Articles FY'2018-2019: On Monday, May 14, 2018, from 8:00 a.m. to 8:00 p.m., the town of St. George will act on Articles 1-7 by written ballot. On Tuesday, May 15, 2018, at 7 p.m. at the St. George Town Office, citizens will meet to act on Articles 1-28.

The Select Board reviewed and discussed the two draft warrants.

- Articles 1-7: Chairperson Bates commented on Article 4 and Article 5. He said the Select Board had asked the Planning Board to review the Site Plan Review Ordinance and the Shoreland Zoning Ordinance. Michael Jordan, Anne Cox, and Planning Board members revised the ordinances and forwarded a draft proposal to Attorney William Kelly, approximately three weeks ago. Attorney Kelly returned the draft proposal with a number of very significant changes. Chairperson Bates said because of Attorney Kelly's recommendations, the Planning Board would not be able to make the warrant deadline date. Selectperson Sawyer asked if Article 4 and Article 5 would then need to be removed from the warrant. Polky said the Select Board could remove the articles because it was their warrant. He said if they were removed, the record should reflect why. Selectperson Sawyer noted there could possibly be several back and forth draft changes between the Planning Board and Attorney Kelly before being finalized. The school budget will be voted on in June, so Polky believed there would be time enough to have the finalized changes written up for a June ballot.

A motion was made by Selectperson Sawyer, seconded by Elwell to remove Article 4 and Article 5 from the warrant due to time constraints and warrant publishing dates. The Planning Board and Attorney Kelly need additional time to review, amend and update the Site Plan Review Ordinance and the Shoreland Zoning Ordinance. The vote was 5-0; motion carried.

Article 7 – 10 Cold Storage Road: Mr. Polky said a Public Hearing would be held on March 29. He would be talking with Attorney Lee Bragg about bond amounts and other expense issues before the hearing date. Polky said the article would be on the warrant as written and information would be available, beforehand.

Selectperson Hall had questions regarding the proposed FY'2019 budget. He said there were some continuations of the kinds of engineering and planning expenses that we've been incurring there, and if we move forward at this, at what point do we begin incurring expenses that are covered by the bond? How do we work that transition? Do we end up adding a certain amount to what we had already said? How do we see this working?

Polky said Noel Musson felt what the town had in the budget, currently, should cover what they would need to do to get started. Selectperson Hall asked, "Before the end of FY'19?" Polky said correct, and the rest of that should come out of the bond, if there is anything. Musson seemed to think that the town was covered with what is in the budget now. Selectperson Hall said, "And there wouldn't be any payment on the bond within FY'19?" Polky said no. Hall said, "This year, there is enough to cover it, and then next year, it would be the amount of money that was budgeted for the things that are going on in FY'19 will go away, and the bond payment would appear." Polky said absolutely.

- Articles 1-28: Finance Director Curtis said she put in the "recommended by" lines, so the articles did not get lost on the page, but it did not mean they were finalized. Selectperson Sawyer said, theoretically, they had already gone through every one of the articles with the Budget Committee. Curtis said yes; the ones that contain appropriated funds but there were other articles to review.

Article 2 - delinquent tax rates and Article 3 – acceptance of prepayment of taxes not yet committed: Polky explained there is a delinquent tax rate guide published by Maine State government that they refer to.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to approve Article 2 and Article 3, as written on the 2018 town warrant.

Article 10 - Promotion of vehicle, pedestrian and bicycle safety. Chairperson Bates noted there were options – recommending it, not recommending it, no comment or remove it from the warrant. Polky said the Select Board could come up with an alternative. Chairperson Bates said it could be on the warrant or propose something else; but since it was signed and met the requirements of a state petition with the number of signatures, if it is on the ballot, this wording had to be on the warrant.

Selectperson Sawyer said, personally, when there is a statement on the warrant that says recommended by Select Board and Budget Committee, that is more likely to sway voters than not. Selectperson Sawyer felt the Select Board should stay neutral on this article. He felt it would allow the citizens to speak their own minds, to make their own decisions without any sway one way or the other, and not feel obliged to vote with the Select Board. He recommended the Select Board stay silent. Selectperson Elwell agreed. Selectperson Willey felt because the citizens had asked for this to be on the warrant, that it should be in there and agreed with Sawyer that the Select Board shouldn't try to sway anyone. She would like to try to hear what the public had to say. Coggeshall asked if she could be the public? Chairperson Bates asked the Select Board to speak first. Selectperson Willey said when Article 10 comes up at town meeting, she would like to get good feedback. She would like to let the public know what the costs might be.

Chairperson Bates asked Polky about the \$15,000 petition expenses. Polky said that amount was the approximate cost to make the crosswalks meet the standards. It would be cutting into the existing sidewalks, if necessary, make the aprons, and to make the landing zone on the other side. A small section of sidewalk may have to be built on the other side, so people can get onto the sidewalk. He said the law is very specific about crosswalks. Chairperson Bates said that amount was for that one item and did not include other items, such as maintaining the street lights.

Selectperson Hall liked Selectperson Sawyer's approach. He said there had been a lot of debate over the last year or two about does the town need to do more? The petition came about, he thought, because a

number of people felt enough had not been done. People can disagree or can have different points of view. It was not a huge amount of money that it would take to address this, so laying it out there without prejudice in either direction, seems a reasonable approach. There is a question of what you put on here (the warrant), because if you don't put anything, it might look like the Select Board is recommending against this or not for it. He said it would seem to me that something should be said that is neutral.

Chairperson Bates was not sure what the state law wording would be. Selectperson Hall suggested saying - as this was a citizen's petition, the Select Board defers to the will of the voters on this. If it has strong support, then it passes. Somebody would make a motion to want it, someone will second it and then there will be some questions, debate and a vote. Selectperson Elwell suggested removing the wording "recommended by." Selectperson Hall said it did not seem like there was anything there particularly onerous and it would not cost a huge amount of money. He said parts of it they had discussed lack specificity but felt they had come to an understanding of how they would define what it says, and that is the thing that produced the \$15,000 number for the crosswalks.

Ms. Coggeshall said she could simplify the whole thing. She said, "The petition did not ask the town to put this on the warrant for town meeting. The petition asked for action from the town, and as we all know, the town can do a lot of things on your end. The sheriff's (office) can do things, and the DOT can do things without going to town meeting to do them. You could simplify the whole Article 10 by merely summarizing where the article comes from, if they want to vote on it, which is the amount that would be required to raise for crosswalks and signage and keep it simple." Selectperson Hall said signage does not keep it simple.

Ms. Coggeshall, "The money aspect, the raising of \$15,000, it maybe that this town is able to do this without going to the town meeting, but this was not a petition to take it to town meeting. I was asked to get this petition because the town wasn't going to move forward without it. I had done it in writing, as I had been asked, and nothing happened. And, I did it in writing, again, and nothing happened; and then finally, it was if you want action, get a petition because we want to know that you are not the only person who wants this. So, close to 300 people in a day and one-half agreed, it is time to address the safety issue. But as far as getting on the town warrant, I never believed that was where this had to go because the town can do a lot right around this table, the state can do a lot and really all you may want to do is make sure people don't mind spending \$15,000 to improve the sidewalks or the signage wherever they need it. That to me, is the only part you may want to, and you may not want to put any of it on the warrant."

Selectperson Elwell felt since it was a signed petition, it should go to town meeting as written so people could understand what the petition was about. Chairperson Bates said if people were signing it thinking they were signing a petition, he was not sure what the Select Board's legal obligations were.

Ms. Coggeshall, "For action, and this Board can decide things." Selectperson Elwell believed if it would take money to proceed with the action, then it should be in the warrant. Selectperson Hall said the \$15,000 was related to Item #2 under Article 10, and clarification should be sought.

Selectperson Sawyer said during the discussion time, people could express what they wanted from the petition, and that it was made clear to everyone what they were voting for. He suggested that Coggeshall and one or two other well-informed people speak to this early on, so every person there knows what was being requested. Then it would be open for discussion. Sawyer said he wanted this issue to get a fair hearing. He suggested she present the information as she did to the Select Board. Selectperson Hall said it needed to be consistent with what they had discussed previously which produced the \$15,000 estimate.

Chairperson Bates said if the petition had not been signed by 300 people, the Select Board could have different wording which would just cover the curb cuts and some signage, and it would be different; but the Select Board needed to abide by the state process. Polky said the Select Board would have to present it the way it was written, but once it is on the floor, it could be amended.

Ms. Coggeshall asked if anyone from the town would be talking on Article 10? Polky said they would answer questions. Sawyer said everyone should be prepared to say why they decided to stay neutral on this; consistent with the discussion we have had here tonight.

Ms. Coggeshall asked if the \$15,000 had been presented to the Budget Committee. Polky said it had not been taken to the committee yet. Chairperson Bates said that would be another item for the Budget

Committee to discuss and had not yet been put in the total amounts. Chairperson Bates said the recommended requests could be changed at town meeting.

Selectperson Hall said, "This is \$15,000 that would be added into the budget approved in Article 9?" Curtis and Bates said yes. Coggeshall, "Doesn't the town have the ability to go ahead and do these things without waiting until next year's budget?" Selectperson Hall and Chairperson Bates said no. Hall said, "The things that don't cost money, sure; but the things that cost money, no." Polky said it was a little more complicated because it was a petition that was going to go on the warrant. Polky said, "If the work was done and townspeople say we don't want you to do that, what do we do?" Coggeshall, "Another year with no crosswalks and crosswalk signs? Probably."

On a motion by Selectperson Sawyer, seconded by Willey, it was voted 5-0, that the Select Board abstain from Article 10, with the intent that the article receive a fair hearing at the May 15, 2018 town meeting, without prejudice from the Select Board.

Article 18 - To see if the Town will vote to appropriate the sum of \$894,964 from estimated revenues to be used to reduce the total commitment for fiscal year 2018-2019. Finance Director Curtis said this was based on the FY'17 budget and where the town currently stood year to date. Chairperson Bates said this article also depended on the economy.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to recommend Article 18, as written.

Article 19 - To see what sum the town will vote to appropriate from overlay to pay for tax abatements and any interest due, thereon. Curtis said \$10,000 was based on past years' budgets.

On a motion by Selectperson Sawyer, seconded by Hall, it was voted 5-0 to recommend appropriating \$10,000 for tax abatements from the overlay, as written in Article 19.

Article 20 - To see if the Town will vote to appropriate the sum of \$125,000 from Fund Balance to be used to reduce the total commitment for the fiscal year 2018-2019. Curtis said \$125,000 from the fund balance was what the town withdrew last year and it went towards reducing the total commitment. Curtis said at the end of FY'17, the town had an unassigned fund balance of \$1,347,739. She said as the budget stood, currently, the town would need \$1,316,363 to cover two month's expenses. The auditor recommended between one and two months. Curtis said she was comfortable with \$125,000 coming out of the fund balance.

On a motion by Selectperson Elwell, seconded by Hall, it was voted 5-0 to recommend appropriating \$125,000 from the fund balance.

Article 21 - To see if the Town will authorize the Select Board to transfer funds up to \$50,000 within the appropriations approved for 2018-2019 in order to cover line item overdrafts. Chairperson Bates said \$50,000 had proved to be sufficient in covering the overdrafts. Curtis agreed.

On a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to recommend appropriating \$50,000 as written in Article 21.

The Select Board discussed Articles 22-25.

Article 23 - Curtis said in order to apply for grants, the town was required to vote on an article which allowed the town to accept various Federal and State reimbursements and grants. She said Article 24 was specific to grants for 10 Cold Storage Road and Polky said the article also allowed the town to apply for grants other than Federal and State reimbursements.

On a motion by Selectperson Hall, seconded by Elwell, it was voted 5-0 to recommend approving Articles 22-25, as written.

The Select Board discussed Articles 26-28: These are to sell and dispose of personal property, to authorize the Select Board to carry forward and lapse certain budget balances, and to authorize the Select Board to spend funds up to 15% unassigned fund balance.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to recommend Articles 26-28, as written.

Article 11 - Selectperson Willey asked if this article still included funds for a fourth, full-time person. Polky said yes. Willey said on Wednesday, the Solid Waste Committee would be having a discussion about composting and decide whether or not there was need for a fourth, full-time person, or rather have one or two part-time people. Polky said the money was left in the budget. This could fund a full-time person, but if it was decided not to, the money would not have to be spent. Curtis said the money would

be spent if part-time people were hired because it was the same price for three part-time employees as it is for one full-time employee with benefits. Chairperson Bates said the discussion the Board had was, if it was not cost effective, the town would not do the composting. Polky said he would get a summary from the committee and have an answer before town meeting. Chairperson Bates said he will send Budget Committee Chair Ellis the Select Board's recommendations on Tuesday and he thought Ellis would then follow up with the Budget Committee.

- Minutes: The Select Board minutes of March 5, 2018 were amended as follows:

Page 1, under Meadowbrook parking and kiosk, paragraph 2, line 2, correct to read, ... compromise and still showed.

Page 6, under Armitage Scholarship Funds, line 1, second sentence, delete the word the

On a motion by Selectperson Hall, seconded by Elwell, it was voted 3-2 (abstentions) to approve the March 5, 2018, Select Board minutes, as amended.

- Communications: There were no communications.

- Warrant: The warrant for the week of March 19, 2018 was reviewed and signed. The total expenses were \$39,606.86 and included one week's payroll, legal fees for appeals of \$1,580, Simpson Electric (hired by the Fire Department) of \$2,542 for 40 electronic ballasts and 80 LED bulbs. Polky noted that the town is gradually converting to LED bulbs.

TOWN MANAGER'S REPORT:

- Committee Appointments: Polky explained there were two new committee appointments.

- Keith Miller was named Deputy Harbor Master for the northern end of St. George. He replaced Butch Rackliff.
- Ian Clark was named as the new Shellfish Warden.
- Alan LeTourneau had already been appointed to the Planning Board and voted on.

On a motion by Selectperson Elwell, seconded by Sawyer, it was voted 5-0 to approve Keith Miller as Deputy Harbor Master for the northern end of St. George and Ian Clark as Shellfish Warden.

The Select Board signed the appointment forms for Alan LeTourneau, Keith Miller and Ian Clark.

Committee Meetings:

- Solid Waste & Recycling Committee will meet Wednesday, March 21, at 7:30 a.m.

Selectperson Willey said she would not be able to attend this meeting. Chairperson Bates said the Select Board would need to review recycling issues because recycling numbers were down. He would like to see more people attending these committee meetings and there is a need to re-energize the program. Coggeshall said she would put the recycling issue in her column. Chairperson Bates suggested that she could point out that recycling numbers were much better a few years ago and while towns like Rockland are talking about banning plastic bags, our town's recycling numbers are getting worse.

Selectperson Hall asked, "People are putting less stuff in the recycle bins or we are just not getting as much money for the recycled stuff?" Polky said the recycling percentage was down; not the revenue, but the tonnage. He said they are not recycling chips and clean demo debris. He said the town used to recycle that and send those to electric generation, but the town can no longer do that. Polky said the other part is that people are not recycling. He said there is so much press coverage in the national and local news saying recycling costs money and it is not worth it. So, a lot of people have stopped recycling.

- St. George Business Alliance Meeting: The SGBA will hold a meeting on March 20, at 5 p.m. at the town office. Robert Kelley will be speaking about the CDC.

- School Board Budget: On Wednesday, March 21 at 6:30 p.m., the School Board will be presenting the 2018-2019 school budget.

COMMITTEE REPORTS:

- Comprehensive Plan: The Comprehensive Plan Committee meeting was cancelled.

- Harbor Committee: Selectperson Elwell said the meeting held on Thursday, March 15, went very well. The committee will meet on March 21 at 6 p.m., and there will be a Public Hearing on March 29. Chairperson Bates said Dan Morris and Noel Musson did a great job.
- Planning Board: Chairperson Bates reported that the Planning Board meeting scheduled for March 20 was cancelled due to a snow storm.

OLD BUSINESS:

- Review of Investment and Trust Fund Policies: Chairperson Bates said three weeks ago, the Select Board reviewed the final draft wording to the Investment and Trust Fund Policies.

On a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to approve the amended policies, as proposed.

- Solar Project: Selectperson Hall said Nick Sampson called him and wanted to provide him with an update. "Sampson said they were pleased to let everyone know ReVision Energy had become an employee owned company under the ESOP Plan which means they no longer have Federal and State tax liabilities. These are needed to make the tax credit work which is what PPA's are based on. What ReVision has done is, they are engaging limited partners who have tax liabilities, so they can continue to make the system work, and get the tax credits and continue. They have at least two or maybe more options on how they do that, but they have investors lined up who are prepared to go in with them on this. The plan going forward is that we would still have a contract, a PPA with ReVision Energy and we would still buy electricity from them and all of the terms of the contract that has been negotiated would still apply. Even though their corporate structure has changed dramatically, the plan is to carry forward as everything stands. They are going to take care of making everything line up from the tax, with behind the scenes activities with different investment partners. Of course, they have a number of these, so this had to be a major consideration when they did this whole thing.

1. They wanted us just to be aware of the changed corporate structure because they knew that this would cause all kinds of questions. But basically, he called to say, here is what we have done; I know it is going to cause this question, here is the answer. Very proactive.

2. The PUC said that they extended the deadline from the end of 2016 to April 30, so that if the system is up and commissioned before April 30, we still would enjoy the tax credits that are built into the plan. Then we heard that the PUC changed the deadline from April 30 to March 16, last Friday. So, what is up about that? How is this going to work? (My question to him.) The answer is they had a list of systems that were not going to be commissioned by March 16 but would be commissioned before April 30. They had sent a request to the PUC to grandfather all of these, mostly towns, so they would continue until the April 30 deadline. The PUC did agree to grandfather all those towns, including the town of St. George. Everything is still okay there.

3. I asked about when is the commissioning expected? He (Sampson) was not as plugged into the details of the installation as perhaps these other things. He said he was aware that the installation was in essence complete, but he had the impression there was some testing and other things needed to be done to make sure it was really ready to go. Looking at the last Select Board minutes, I am not sure that's totally up to date, but I mentioned the event on April 9th. He said yes, he was planning to come for it. Their publicity person was going to be coming and that they were looking forward to that. I said the contact person for planning this event is not me, it is a member of the Conservation Commission. I do not know whether they are planning to have a mock switch throwing or a real switch throwing or what but if they are going to throw the switch and something is going to happen, you better have that ready to go before April 9. He said he would talk with people and make sure the ability to do whatever we want was realizable, and they would coordinate that. He had a couple of questions on wanting to make sure he understood exactly what we were looking for them to do. Did we want them to speak? What did we want them to speak about? They have some suggestions, of course, but he wanted to make sure what they were planning to do was aligned with our expectations. I said I would speak to the Town Manager about that."

Polky said he thought the CC was doing the planning and felt it was up to them to come up with the agenda. Polky said he had a conversation with Dan Verrillo and thought he was going to find out why they could not turn the switch on sooner. Chairperson Bates, Selectpersons Willey and Elwell thought

CMP had it tested, and it was ready to go. Selectperson Hall said that was what the minutes said. Chairperson Bates asked Coggeshall if she knew about this. She said she was informed weeks ago that the system was operational, not that it was on but that it had been tested and proven to work. She said Joss was on the CC, and he wondered who decides to turn the system on.

Polky said he talked with Dan Verrillo, who was going to call ReVision about getting the system turned on and had spoken with Ken Oelberger, also. Chairperson Bates said Verrillo would talk to Sampson, but Hall did not think Sampson was the one to talk with. Coggeshall said, "Let's find out by tomorrow. I have a column to write." Chairperson Bates will email Dan Verrillo after the meeting and ask if he would let everyone know, including Sandra Coggeshall.

Selectperson Hall felt it was important for Verrillo to be very clear with ReVision about the Conservation Commission's expectations of them regarding the event. Hall said it was clear to him that Sampson could benefit from more specific guidance or discussion. He said ReVision had offered to speak about the system.

Selectperson Hall asked about the electrical spiking. He was concerned about it occurring again. Polky said they are watching this situation all the time. Chairperson Bates said the usage had been comfortably below the 20kW peak. He said there had been a change to the system. Polky explained that there was now a circulator that circulates the hot water up into the loop, so there is always hot water going into the dishwasher.

NEW BUSINESS:

- Liquor License Renewal: The Select Board reviewed the liquor license renewal for the Black Harpoon. On a motion by Selectperson Sawyer, seconded by Hall, it was voted 5-0 to approve the liquor license for The Black Harpoon, LLC. The license was signed by the Select Board.

- Sound System: Selectperson Willey asked about the status of the sound system for the large meeting room. Polky said a check had been sent to Rockbound Computer. Willey thought they should be installing the system fairly soon, then.

- Safety Deposit Box: Chairperson Bates stated there was a safe deposit box at Camden National Bank. Curtis said former Town Manager John Falla has access to the safe deposit box. Curtis said Camden National Bank requested a copy of the minutes reflecting that John Falla would no longer have access to the box.

A motion was made by Selectperson Elwell, seconded by Hall, to remove John Falla's name as having access to the safe deposit box at Camden National Bank. Town employees who will be allowed access to the safe deposit box are: Timothy Polky, Cherie Yattaw and Elizabeth Curtis. A vote was taken by the Select Board on March 29, 2018. The motion carried, 5-0.

- Town Meeting: Chairperson Bates suggested that the Select Board invite Michael Mayo to town meeting on May 15th. The Town Manager will contact Mr. Mayo.

At 8:15 p.m., on a motion by Selectperson Hall, seconded by Sawyer, it was voted 5-0 to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary