

ST. GEORGE SELECT BOARD & ASSESSORS

St. George Town Office MEETING MINUTES

June 24, 2019 – 7 p.m.

The Select Board meeting was called to order at 7 p.m. Members present were: Richard Bates, Chair; Randy Elwell, Jerry Hall, and Tammy Willey. (Wayne Sawyer was absent.) Also present: Tim Polky, Terri-Lynn Baines, Dan Morris, Matt McCollom and Karen Rizkalla.

PUBLIC COMMENTS: None.

REGULAR SESSION:

- Adjustments to Agenda: The following adjustments were made:

- RFQ's for 10 Cold Storage Road were moved from New Business and taken up under Regular Session
- 38 Main Street Proposals were moved from New Business and taken up under Regular Session
- A Victualer and Liquor License was added to the agenda and placed under New Business
- Selectperson Hall's update on the June 18th Connect St. George meeting was added to the agenda and taken up under Communications

- RFQ's for 10 Cold Storage Road: Dan Morris, Chair of the Harbor Committee, and Harbor Master Matt McCollom reviewed the RFQ recommendation from Prock Marine with the Select Board. Mr. Morris explained that the Harbor Committee had sent the RFQ to six contractors but only received one back.

Chair Bates noted that the Harbor Committee's recommendation was to accept the RFQ from Prock Marine. Mr. Morris said Prock was a local company who had a very good reputation in the marine construction trade and was more than qualified. Mr. Morris said they had been talking with Prock who had already indicated a couple of instances where the town might be able to save money. The Harbor Committee would like the Select Board's approval to allow them to hire Prock Marine for the project. Mr. Morris said the committee would like to have a construction contract with Prock by the end of August.

Chair Bates said the DEP had issued a permit but the Harbor Committee had not received one from Army Corps of Engineers. Mr. Morris believed the Army Corps had asked a few additional questions, which the committee responded to, and thought it was just a matter of time before the committee heard back from them.

Mr. Polky said if Prock Marine was chosen for the project, Prock would work with the Harbor Committee to finalize the construction plan, but there would be some additional costs to Prock the town would have to pay for. Prock's rate is \$125 an hour; the estimate is that it will not be over \$10,000. Selectperson Hall thought the cost would be basically for design work. Mr. Morris said Greg Johnston would be the town's on-site Clerk of the Works to help oversee the

operation. Mr. Morris indicated that Noel Musson thought the proposed project was under budget, at this point.

Chair Bates said the Select Board would not sign a contract until the Army Corps of Engineers permit was received. He asked Morris and McCollom if the contract was signed by the end of August, when would the work start. Mr. Morris said Musson laid out a fairly ambitious timeline but a lot would depend on Prock. Steve Durrell from Prock Marine attended their last Harbor Committee meeting and told them he had a tremendous amount of homework to do to get the project going, but he thought it was doable. Mr. Morris thought Prock was fairly enthusiastic about the project and looking forward to working with the town.

Selectperson Elwell said Prock would have to pre-order a lot of the materials such as the steel. Mr. Morris said that Mr. Durrell indicated that if things went smoothly, he saw no reason why they (Prock) could not start construction in the fall and work through the winter.

Mr. Morris explained that the sheet steel is not inventoried on the ground for order. Morris said, "You place your order, and they make it. And, there is a lot of sheet steel in this project. Steve mentioned that there is a significant lead time between ordering that and getting it because it is actually made to order. Steve thought that was one issue but he did not think that was something that could not be overcome. The rest of it is pretty much standard marine construction issues that they (Prock) have dealt with previously and many times."

The Select Board discussed the issue of a Performance Bond. Mr. Polky said he talked with Noel Musson in the afternoon, and he (Polky) and Musson recommended the Select Board hold off on a decision until the Harbor Committee got closer to the contract. Mr. Morris suggested the Select Board check with other municipalities who have used Prock Marine to see how they handled the Performance Bond issue.

Chair Bates asked the Select Board if they agreed with the Harbor Committee and the Harbor Master's recommendation to accept Prock Marine's RFQ.

A motion was made by Selectperson Elwell, seconded by Hall to accept the Harbor Committee and Harbor Master's recommendation to accept Prock Marine's RFQ as contractor for the 10 Cold Storage Road project. The vote was 4-0. Motion carried.

- 38 Main Street Proposals: Chair Bates told Karen Rizkalla of St. George Realty the Select Board was not ready to make a decision on selecting a real estate agent at tonight's meeting. He explained that at the last meeting, Penny Read gave a presentation on how she saw the property to be used.

Ms. Rizkalla said the market analysis packet she sent to the Select Board pretty much explained everything. She said she was available should the Select Board decide they needed help to list and sell the property. Ms. Rizkalla noted she does sell a lot of property in St. George, though she does not physically live here. She stated she works seven days a week, studies a lot, is very thorough, and has a lot of business experience even before her 14 years of doing real estate

sales, having worked full-time. She would be very happy to work for the town to help with the sales.

Selectperson Elwell asked what Ms. Rizkalla foresaw the property being – commercial or residential. Rizkalla said based on whatever the code requirements were, it seemed like it could go either way. She said if it was residential, the septic system was always part of the equation. She asked if the system was for a one bedroom. Polky said all he knew was it was not malfunctioning but they had no proof it was any larger than what it needed to be for a library. Rizkalla understood and said it depended on what the town wanted to do with the property. If people wanted to keep it commercial, then so be it and that would be how she would advertise it.

Ms. Rizkalla also explained that someone might love that as a house. She said generally speaking, the more options one had for uses, the better the price would be for selling it. But it would depend on the town's goals. Rizkalla said the area had become a nice, little commercial area and the town might want to keep it more as commercial use. She also indicated that even though it was not currently set up as a residence with bedrooms, the space was there and the style of the building and the potential would be very appealing to someone for a home, but she would take the town's lead on what they preferred.

Chair Bates thought it would get more complicated as a residential sale because an easement across the street would be needed for a septic system. Mr. Polky explained when the library looked into expanding, they found the lot was not big enough. That was one of the reasons the town ended up with the property across the street. Mr. Polky stated the library did have a soil test done. Ms. Rizkalla said there were very tiny septic systems available on the market. The systems were expensive but if somebody really wanted to have a septic and pay for it themselves, that would be an option. (She said she was not pushing for the property to be residential; only if the town did not have a preference).

Mr. Polky said if the town decided to sell it as commercial, they could get a replacement system variance for what was there; whereas, if you were going to expand into a residential situation, you would have to go with the new system variance which might be more difficult to get from the state and at the local level.

Selectperson Elwell recommended selling the property, either way. Selectperson Hall said his sense was the town might get more value for commercial because of the higher costs of a septic system for residential, but he said he did not know that. He recommended letting people run the numbers, first.

Ms. Rizkalla thought if any kind of septic needed a replacement, and a system was in place, the state would try to help even if a variance was needed. Mr. Polky said the state would go by existing use and that would be commercial. Ms. Rizkalla asked if a residential septic would need to be larger because of the extra use. Polky said it depended on what the commercial use was and number of employees.

Ms. Rizkalla said she did not know but wondered if the value of the building could be lower as a commercial property. She thought it may be worth having an appraisal done and have the appraiser look at the building as purely commercial.

Selectperson Hall said an affordable, small residence in the village of Tenants Harbor could have a lot of appeal to people, so it might be worth paying what it costs to put in a septic system.

Ms. Rizkalla said in real estate, they give their best information possible based on what has sold and sometimes they just try some numbers and see how the public and buyers respond. She stated somebody might want the property as a business tomorrow. Somebody might investigate what it takes to make that a house and what is involved with the town in terms of that. Mr. Polky said the larger issue is getting a variance from the state to put the septic system in, if it is sold as residential.

Ms. Rizkalla said sometimes people make an offer subject to that all happening and people are willing to work through the challenges. But sometimes people want to start taking money off the price if the septic is expensive.

Chair Bates hoped the Select Board could make a decision on this issue sometime in July. He said the Historical Society trustees were meeting on July 22 and would be discussing whether there was any interest in purchasing the 38 Main Street property. Chair Bates noted there could be a constituency in town that says the building should be transferred to the Historical Society if they wanted it, and he thought there could be quite strong support for it on behalf of the community. Selectperson Hall said that would be terrific as long as they had a plan to fund it. Chair Bates indicated the Historical Society said they did not need another building they could not support.

Chair Bates noted that Mr. Skoglund was not at the meeting. Selectperson Willey said she should have called and reminded him again but added it would be important to have John Falla involved in the meeting, also.

- Minutes: The minutes of June 3, 2019 were amended as follows:

Page 1, under Adjustments, bullet 1, line to correct to read: **were** added under

Page 1, corrections under 38 Main Street:

Line 2, correct word to: **may be**

Paragraph 5, line 4, change to read: ... in a position to **make** a decision.

Page 2, 4th full paragraph, line 2, correct word If to **if**

Page 4, under Communications, bullet 1, line 4, change to read: ...again to see if **he** would attend...

Page 7, under Special Projects, paragraph 3, lines 3 & 4, change to read: ...to be in compliance **with** state **requirements**. So, there **was** a priority...

Page 8 corrections:

4th full paragraph, line 6, correct word to **onus**

5th paragraph, line 7, correct word to **conservation**

Page 9 corrections:

Paragraph 1, line 1, change to read: Chair Bates said **we** should...

Under #2., line 8, change to read: ...the power back on **and addressing** people who are in life-threatening situations.

Under #3., lines 1 & 2, change to read: ...review this area. He asked Selectperson Hall to discuss with the Budget Committee those the town...

Page 10 corrections:

Under #4. Paragraph 2, line 2, change to read: ...Bates said Dan Verrillo,...

Under #6., line 2, change to read: ...is adequate or whether people...

Lines 7 & 8 change to read: ...house because they did not want to see their taxes go up and they paid to have broadband connected to their house.

Page 11 corrections:

2nd paragraph, line 2, change to read: Hall added that he and Jeff Boulet attended an Island...

Line 7, change to read: ...there from the Portland area...

Line 13, change to read: ...or there are other providers...

Line 16, delete the word be

Paragraph 3, line 2, delete words to pay and insert word for

Line 3, change to read: ... you would get the same...

Page 12, 2nd full paragraph, line 1, change he to Gingras said the town...

On a motion by Selectperson Hall, seconded by Elwell, it was voted 4-0 to approve the minutes of June 3, 2019, as corrected.

- Communications: Chair Bates received a communication from Rob Kelley of the CDC regarding an article published by the National Low-Income Housing Coalition and will forward the information to the Select Board members. Chair Bates said the article discussed the affordability of housing in Knox County depending on a person's income. He said, "Looking at Knox County as a whole, there are many occupations where a person is hard pressed to afford housing." Mr. Kelley also had circulated this information to the Community Development Corporation (CDC) Housing Committee.

- Warrant: The warrant for the week of June 24, 2019 was reviewed and signed. The total expenses were \$581,775.75 and included the June school payment of \$413,092.67 and three weeks of payroll. Chair Bates asked about the \$137.50 payment to Bernstein, Shur, Sawyer & Nelson. Ms. Baines will review what the expenditure was for and get back to him. Chair Bates asked about the payment to White Sign. Mr. Polky explained the town buys all their signs and poles from this company. He said the town replaces street signs all the time and this expense was for six signs and poles.

TOWN MANAGER'S REPORT:

Mr. Polky said work was recently done on English Town Road -West (the road that goes from Long Cove to Smalley Town). A few trees were cut, pavement was taken out and the hill lowered to make it safer. A turnaround for snowplows was made at the very end of the road.

Mr. Polky reported that five mature fir trees on Church Street would be removed. Hoppe's Tree Removal Service had been down to look at the situation.

Town crosswalks are all painted.

Mr. Polky said the carpet in the downstairs meeting room would be replaced on Wednesday, June 26th due to mold issues. He said once the carpet was removed, he would investigate for any further moisture before the new carpet was laid down.

Mr. Polky said a staff meeting was held last week. Most of the staff reported they were comfortable in their jobs and getting to a point where they were cross training for office coverage.

Town Manager Polky said the town office would close at 2 p.m. on Friday, June 28th because the 28th was the end of the fiscal year and the town's computers needed to be backed up. This process takes at least two hours. He noted that Monday, July 1st would start a new fiscal year. Ms. Baines said she would like to be on-site when TRIO runs its backup in case an issue arises and she needs to contact TRIO/Harris Computer Systems for assistance.

COMMITTEE REPORTS:

- Solid Waste and Recycling Committee: Selectperson Willey reported on May 27th, the SW&RC toured the ecomaine facility and she found it very interesting to see how single sort works. She said they then visited the energy plant which burns the trash, and she found that very interesting. Ms. Willey said, "In the end, you realize that no matter how you try to get rid of the trash, you cannot get rid of it. Even with the burning, you have the ash leftover." Mr. Polky said the ash is quite concentrated; more than if you dumped the trash.

Selectperson Willey said, "It's like. What do we do?" She said she had never seen so much plastic in her life and that was only from 20 small towns in Maine. She said she cannot image how much trash is piling up from larger cities. She said she learned a lot on this visit.

Chair Bates said as long as the town was recycling at the current rate or close to that rate, it probably would not make sense to go to ecomaine. He said the towns that went to ecomaine were those which had a poor or fairly low recycling rate. Ms. Willey felt for the size of St. George and the way the town was recycling, it was the most efficient way to do it.

Selectperson Elwell asked if there was a market again for rigid plastic. Mr. Polky said no and it was not obvious, but the transfer station had been baling a bale of rigid plastic every week. He said they get it cleaned out and more rigid plastic comes right back in. He said that even if the town gave it away, it would be cheaper than sending it to Norridgewock.

Selectperson Willey added, "It is unfortunate that we have all this plastic. We are going to end up dying because of plastic. It is just going to cover the whole earth and we are not going to have any room left if we don't come up with a solution."

Chair Bates noted Governor Mills recently signed bills banning Styrofoam, and single use plastic bags, starting next year. Selectperson Elwell stated the Governor had also signed the windmill bill.

- Conservation Commission (CC): Selectperson Willey said the CC met on June 6th, and they discussed working with the Georges River Land Trust (GRLT). She said the GRLT appeared to be focusing on St. George and trying to save more property in town. Selectperson Willey said the GRLT was specifically looking at the Long Cove area and how that area could be protected.

A program on Invasive Plants of St. George was held on June 8th at Blueberry Cove. Selectperson Willey said the CC, as part of their agenda, will start discussing climate change and community solar.

The CC continues with the stream restoration and working and cleaning the trails. As of today's date, the trails were still closed due to wet conditions.

Selectperson Willey said the community garden was a joint project between the library and the CDC, but the CC wanted to promote the project, should anyone want to grow their own vegetables.

- Cemetery Committee: Selectperson Hall said the committee would meet Wednesday, June 26th and would have more information to report at the next meeting.

- Connect St. George: Selectperson Hall reported on the Connect St. George Committee meeting held June 18th to discuss broadband access. He and Kendra Jo Grindle from the Island Institute moderated a meeting between the public and a Spectrum representative. Selectperson Hall said his main takeaway from the meeting was that Spectrum expressed a willingness to look at areas that were not being served and see whether the density of homes in those areas had increased in the last years. Hall said Spectrum does not survey the areas themselves but if people believe their density has increased, ask them (Spectrum) to take a look. If the density isn't sufficient, Spectrum will make proposals.

Selectperson Hall reported that Spectrum said a big part of the cost increase to increase to extend the lines was the cost to buy the rights and make these poles ready to receive their lines. Their cost was now a little over \$50,000 a mile (previously \$35,000 a mile), so their cost of extending service had increased drastically. He noted that Spectrum said they were adding approximately 4,500 connections a year, just in Maine, but there is an issue of available resources and staffing to address all the additions that may be requested. Mr. Hall said Spectrum made the point that if a customer wanted work done, they would need to work with them (Spectrum) so they could include it in their budget in August of a current year, in order to get the service added the following year.

Selectperson Hall said Spectrum stated they had service capability to offer 1,754 homes and businesses in St. George but only approximately 40% of those homes and businesses had decided to take the access. Mr. Hall questioned that statistic.

Selectperson Hall said another surprising takeaway for him from the meeting was that the town's franchise agreement with Spectrum covered cable tv; it did not cover internet services.

The group takeaway, Selectperson Hall thought, was that an assessment of the current situation was needed to run the numbers in detail and understand in detail where the town has broadband service and where the town does not. He stated Spectrum indicated they already had a lot of information. Selectperson Hall was given a Spectrum chart which showed areas of good internet service and areas where there was not. Good service was shown for Scraggle Point,

States Point and Snows Point. Mr. Hall did not think those areas had good service and there was obviously something wrong with the data.

Selectperson Hall said there was a good mix of questions and it was a constructive meeting. Mr. Hall said Rob Kelley made a comment that where the density of homes on the road had increased, it might be feasible for Spectrum to run service to them but also cautioned about leaving other people out. Mr. Kelley also thought it might be better to bundle more people into a proposal to Spectrum so you end up getting the provider to cover more than they might otherwise without the homeowner's having to contribute significantly.

Selectperson Hall said it came back to assessing how many homes and businesses in town are connected to the internet and to better understand the gaps. He said, "Let's understand what we have before we go to Spectrum and say this is the situation."

Mr. Hall said a few of the questions and thoughts from the public were:

- If there is an underserved subdivision, what is the utility service in that subdivision?
- If it is underground, what are the different types of underground and what are different costs are associated with that?
- Are the connections to homes coaxial but the lines running down the peninsula fiber optics?
- Could Spectrum run fiber to remote home locations which has a potential to be a much cheaper way to get service to them? That question was not answered.

Chair Bates thought there were a number of data-oriented people on the Broadband Committee who would research this information then bring the recommendations to the Select Board meeting. Selectperson Hall thought the committee was on the Select Board's agenda for July 22nd.

- Harbor Committee: Selectperson Elwell noted that Dan Morris and the Harbor Master covered this topic. Mr. Elwell said their last meeting went well and the plan was moving forward.

- Planning Board: Chair Bates reported the Planning Board met at 7:00 p.m. on June 11, 2019.

- The building permit application to stabilize the shoreland at 56 Atlantic Quarry Road with rip rap was voted complete and, meeting the stabilization standards of the Shoreland Zoning ordinance and being already approved by the DEP and Army Corps, was approved.
- The building permit application to make repairs to the non-conforming structure at 180 Horse Point Road was accepted as complete; the project was then approved, as there was no change in its non-conformance.
- The application at 16 Main Street (Tenants Harbor General Store), to add two air conditioners next to the existing unit was accepted as complete; an onsite visit was scheduled for Monday June 24 at 5:00pm.

In the subsequent workshop:

- The Board requested the Select Board send the draft Sign Ordinance to the DEP for preliminary review and also the Town Attorney for review; if the Town Attorney cannot complete their review by September, then the Planning Board requested that the Select Board ask the MMA for an alternative attorney.
- The Board then discussed priorities for future ordinance work:
 - minimum lot size
 - noise limitations
 - clusters of mobile home parks, RV parks & campgrounds

- Notes from Boards, Committees, and Commissions: Chair Bates asked the Select Board to remind these groups to get their short monthly summaries to him by midnight Friday, June 28th.

Chair Bates asked the Board if they thought the summaries were useful to the public, and if they had received any positive feedback about them. Most members had not received any feedback. Mr. Polky said he had not received any and Chair Bates had not heard anything from the Boards or Committees about the summaries. Ms. Willey said she had received feedback about the website, in general, but not on anything specific.

Chair Bates asked the Select Board if they want to continue with the monthly summaries or discontinue them. He said the newsletter is published every two months, so in the on months, the CC simply double posts. Ms. Willey said she will discuss this with the CC and if they think the summaries should continue. The decision was to continue the summaries for a few more months to see if the Board receives any feedback.

OLD BUSINESS:

- April 20, 2020 Select Board Meeting: The Select Board changed their meeting date to April 13 since April 20th is Patriot's Day and a state holiday.

- Jim Skoglund Historical Society/Library: Mr. Skoglund was not at tonight's meeting. Selectperson Willey said she was a member of the Historical Society and they would discuss the 38 Main St. property issue at their next meeting.

NEW BUSINESS:

- Sign Administrative Appointments: The Select Board signed Certificates of Administrative Appointments, Title 30, M.R.S.A. 2253, as recommended by Town Manager Polky and voted on at the June 3, 2019 Select Board meeting.

- Board and Committee Appointments: Ms. Baines distributed a list of 2019 Board & Committee Appointments to the Select Board. Selectperson Willey noted the Solid Waste Committee, Conservation Commission and Board of Appeals were filled as listed except she was waiting to hear from Fred Carey. Other Select Board members will contact their respective committees to discuss volunteer appointments.

- 38 Main Street Proposals: Chair Bates said the commercial lease the town had was with Ann Klapfish and not with Stonefish, but there was a clause in the lease which stated heirs and executors could keep the business going. Mr. Polky said, at this point, he did not know what was going to happen.

- Letter to Foster & Company, LLC: Ms. Baines presented a letter written to Foster & Company thanking them for their service to the town of St. George and granting permission to W.H. Brewer, the town's new accountant, to obtain information and audit financial statements from Foster & Company, LLC.

On a motion by Selectperson Willey, seconded by Elwell, it was voted 4-0 to approve sending the letter to Foster & Company, LLC to obtain auditing and financial information, as needed.

- Monhegan – Thomaston Boat Line Liquor License: The Select Board reviewed Amy and Andrew Barstow's request for a liquor license. A motion was made by Selectperson Elwell, seconded by Hall to approve the liquor license for the Monhegan Boat Line. The vote was 4-0. Motion carried.

- Victualer License: The Select Board reviewed a request for a victualer license from Malcolm Bedell. The Board was unable to determine the type of establishment and the business's legal name. Mr. Polky said the office would contact Bedell for more information regarding his request. This request will be taken up at the next Select Board meeting.

- Draft Sign Ordinance for Legal Review: Chair Bates said the Planning Board had been working on a sign ordinance for the last year. The first sign ordinance draft done by the Planning Board turned out to be in contravention to a 2015 Supreme Court ruling.

Chair Bates felt the key issue of the sign ordinance was to maintain the attractive and inviting landscape that was consistent with the character of the town. Mr. Polky said he made several suggestions to the Planning Board's draft ordinance, and he liked this draft, and thought it would be enforceable. Chair Bates said the Planning Board felt this sign ordinance draft was constitutional and they would like to have it reviewed by the law firm of Bernstein, Shur, Sawyer & Nelson.

Selectperson Hall had questions about Section 3(a)(5) – Size Limitation on Signs Alerting the Public to a Danger or Hazardous Condition. He also asked about square footage of the Tenants Harbor General Store sign. Chair Bates thought it was more than 20 square feet, but it would be considered a pre-existing sign. The Select Board also reviewed temporary signs.

On a motion by Selectperson Elwell, seconded by Hall, it was voted 4-0 to approve the Planning Board's request to send the sign ordinance draft to Bernstein, Shur, Sawyer & Nelson for legal review.

- Replacement Truck for the St. George Fire Department: Town Manager Polky said several members of the Fire Department attended the New England Association of Fire Chiefs Conference. Mr. Polky said the St. George Fire Department is in the process of buying a

replacement fire truck for Engine 2 which is in the replacement slot for the year 2020. He said they purchased the last truck for \$500,000. He said they found a smaller truck with the same size pump for approximately \$200,000. He said they saw a truck in Nashville two years ago which they liked. Mr. Polky said it is the same truck (unintelligible) but instead of putting the contract out to bid (because that process is difficult and no one bids), many people now go on a government bid list.

Mr. Polky distributed the Interlocal Contract for Cooperative Purchasing between the Houston-Galveston Area Council (H-GAC) and the Town of St. George, Maine. He said he is scheduled for a H-GAC webinar on July 17 to review their process. Mr. Polky said he did not expect the Select Board to make a decision tonight.

Chair Bates clarified Mr. Polky's request. "The town becomes a member of the H-GACBuy and pays a fee to become part of this group. Then they buy a standard specification truck. But we still have still a question of which company is going to make it, and how do we settle on that?"

Mr. Polky stated, "All the companies that deal with this, and there are hundreds of them, they have that same truck we are looking at with their proposal." Polky said what you are doing is using their purchasing power. He said what is happening to small towns like ours is you find a truck and use someone's specs, but no one will bid on it. They will inflate their price because they cannot build it.

The Select Board will review the contract and contact Mr. Polky if they have further questions. The contract will be voted on at the July 8th Select Board meeting.

At 8:52 p.m., on a motion by Selectperson Hall, seconded by Willey, it was voted to adjourn the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary