

ST. GEORGE SELECT BOARD & ASSESSORS

St. George Town Office MEETING MINUTES

November 16, 2020 – 7 p.m.

The Select Board meeting was called to order at 7 p.m. via Zoom. Members present were: Richard Bates, Chair; Randy Elwell, Jerry Hall, Wayne Sawyer, and Tammy Willey. Also present: Tim Polky, Terri-Lynn Baines, Loreen Meyer, and John Falla.

PUBLIC COMMENTS: None.

REGULAR SESSION:

- Adjustments to Agenda: None.

- Minutes: The minutes of November 9, 2020 were corrected as follows:

Page 1, paragraphs 2, line 3 & 3, line 1, change to: elections

Page 1, under Warrant, change to: rock salt

Page 2, paragraph 2, line 2, delete the word either

Page 2, under Training Building, line 1, change word to concrete

Page 2, under EDA, line 3, change to read: ...and the Regional Director of the US Department of Commerce EDA were encouraging them....

Page 2, under EDA, line 5, change to: Polky said the Harbor Committee will be meeting in person at 6 p.m. on Thursday, November 12th.

Page 2, last paragraph, line 3, delete words the town and use residents

Page 3, paragraph 2, line 1, change to: Maps

Page 3, paragraph 3, line 2, change the word and to for

Page 3, paragraph 5, line 2, correct word to: set up

Page 3, under For Point Trail, line 2, change date to October 29

Page 4, 1st full paragraph, line 1, change to ...that for the October 29th meeting, ...

Page 6, paragraph 4, line 3, change to: ...the health plan for the employees.

Page 8, 1st full paragraph, line 4 change word more to less

Page 8, paragraph 3, line 2, change to read: ... a \$100,000 under the Maine Economic...

Page 8, paragraph 4, line 1, delete comma; insert that; change to read: ... key point. If...

Page 8, paragraph 6, line 3, delete words: he said

A motion was made by Selectperson Sawyer, seconded by Hall, to approve the November 9, 2020, minutes, as amended. The vote was 5-0. Motion carried.

- Communications: None.

- Warrant: The warrant for the week of November 16, 2020, was reviewed. The total expenses were \$491,987.88 and included a November school payment of \$449,279.56, a payment of \$17,530 to J.K. Kalloch for paving shoulder work on Glenmere Road, a payment of \$1,495.00 to Simpson Electric, and other regular expenses.

There were no questions regarding the warrant. Select Board members will sign the warrant by scanning to email, faxing it in, or going to the office to sign it.

TOWN MANAGER'S REPORT - Tim Polky reported the following:

Paving. The scheduled paving has been finished. Paving was done at the Tenants Harbor Town Landing and the cross culvert was installed on Horse Point Road.

Fort Point Trail. Polky has been working with MDOT regarding the Fort Point Trail. He said it looks like MDOT will give the town a limited license for part of the right of way that the town is using for parking and the spring. More information to come.

Holiday Greeting Cards. The office staff compiled a list of names of those who are eligible to receive monies from a trust fund that is dedicated to certain town residents.

COMMITTEE REPORTS:

- Harbor Committee: Selectperson Elwell reported the committee met on Thursday, November 12, 2020, and they had a good meeting. He stated Polky would be talking with Alan Brigham and would get more details on Alan's bullet points. The committee decided to move forward with the project and resubmit the application.

- Fort Point Trail Ad hoc Committee: Selectperson Hall reported on the progress made by the Fort Point Trail ad hoc committee who met on November 12th. To apply for grants, the application process requires a property survey and a PE approved plan. A Request for Proposal (RFP) regarding the survey and this work was sent to four firms. Positive RFP responses were received from two firms on November 10th. The committee reviewed the two RFP responses at their meeting on November 12th. Selectperson Hall stated there were two good quality proposals, each a little bit different. One bid was a little more, but it included a couple of things that were not included in the other bid that was a little less. Each bid was in the \$20,000 range. The committee concluded that both were good quality proposals.

Doug Beck of the Bureau of Parks and Lands and Mark DeRoche joined the ad hoc committee for a portion of the meeting to talk about the grant process; how one grant would be used to match the other. Selectperson Hall stated that the process was complicated. The committee would need to submit one application in May 2021, the other application by September of 2021, and the committee would find out in March of 2022 whether the town had received the grants or not. If the town was successful, then work could go forward in the summer of 2022.

Selectperson Hall said there was some concern expressed about the need to have the town approve \$20,000 plus at a special town meeting in December 2020, and whether the town could get the support for that. He believed the town had been reluctant to approve \$17,500 for improvements to the Fort Point Trail previously and that was going to be the town's contribution to the work that needed to be done. He said, "Whereas in this case, the committee would be asking the town to commit monies just to prepare a grant application without a guarantee of getting the grant." He noted there was some concern about the committee going to the town and asking for \$20,000 plus to support this project. Some were concerned that maybe the committee should wait until they had more time to get information out to the public about this project and to

see what community support, including financial support, existed. The committee decided that they should consider these questions and reconvene the issue at their meeting on Thursday, November 19th.

Selectperson Hall said he is supportive of this project but is worried about trying to push this project through too quickly without being sure they have good support for it, can find a way to reduce the cost to the town, and consider the abutters' concerns.

Chair Bates asked for Board input given the uncertainty whether the state would come through with both grants. He thought the Board would have to scramble between now and the end of November to get a sense of how the town felt about this; because if they got a warrant, it would have to be posted by the end of November.

Selectperson Hall thought to hold a public hearing, this project should be heavily publicized beforehand, with similar articles that John Falla published in the Historical Society newsletter. Hall also suggested publishing articles in the town newsletter and getting Georges River Land Trust (GRLT) and Maine Coast Heritage Trust (MCHT) on board to publicize it.

Selectperson Hall thought there was a possibility that GRLT and MCHT would help raise money for this project and he also thought there was a potential to raise a substantial amount of the seed money, so the committee did not have to ask the town to do that. Hall felt it would be hard to communicate all this with the public between now and December 14th and would hate to delay the project for a year, but if it improved the chances of getting it done then maybe it should be delayed.

Chair Bates stated if they were to rush through it in December, they would still not see the grant money until March 2022.

Selectperson Willey stated that with the upcoming holidays and all that was going on, there was no way the committee would get this pushed through. She also added that she would like to see more monetary support coming from the community. Selectperson Willey, "That makes me feel that people are more in support of it if they are willing to put their own money into it, rather than the town saying, 'We are going to give this money to Fort Point to fix it up' when a lot of people don't support that. And it is a lot of money."

Selectperson Hall, "And when the town says it will cover all of it if we have to, it removes the incentive for people to contribute." Selectperson Willey, "Exactly. Exactly. I would rather see a lot more private donations come in rather than have the town support it."

- Planning Board: Chair Bates reported the Planning Board met on November 10, 2020 at 7 p.m.

- The application to make alterations to the cottage at 219 Otis Point Road was accepted as complete. Satisfying the Shoreland Zone Ordinance section 12C, the project was approved.

- The application to build a new concrete slab under the existing building and expand the slab and building at 159 Cline Road was accepted as complete. The board agreed to visit the site on Saturday morning, November 14 to better appreciate the site restrictions.
- The application to carry out exterior maintenance to the cottage and storage building at 9 Mouse Island was accepted as complete and the project was approved.
- The application to install a granite-supported pier, a seasonal ramp, and float at 87 Haupt Road was accepted as complete' Satisfying the standards of Section 15C and 16D in the Shoreland Zoning Ordinance, the application was approved.
- The application to build an outdoor classroom area at 65 Main Street (St. George School) was accepted as complete. The Board determined that the project satisfied all the Performance Standards in the Site Plan Review, and thus it was approved.
- The application to create a repair business for commercial vehicles and trailers at 26 Sawmill Road was reviewed and an onsite visit was scheduled for 9:00 am November 28, 2020.

OLD BUSINESS:

- Cemetery Committee Recommendations Regarding Clark Hill Cemetery: Selectperson Hall gave an update regarding the Clark Hill Cemetery. He said, "The Clark Hill Cemetery is financially self-supporting, but there is a desire to have somebody become the custodian of it to pave a way for future care. If the town is to do that, there are some tricky issues about the title to the property."

Selectperson Hall explained that Clark Hill Cemetery started as a family cemetery. Lots started being sold off and the owner would sell not just the right to bury someone there, but they would give them the deed for the ground that they were burying that person in. Some lots may have been filed with the Registry of Deeds, some were not, and some land has been tax acquired.

Selectperson Hall, "While it is unlikely that anyone would object to the town taking title to this property and taking care of it, there needs to be some legal mechanism figured out for transferring it to the town. There is a need for some legal advice. The Board had talked about this previously and there was a question of might we not go to a local real estate attorney for advice on this matter?" He thought the committee's view was that this situation was just complicated enough and that there may be attorneys who have experience in dealing with cemetery issues like Clark Hill. John Falla recommended the attorney from Bernstein, Shur who had assisted with the acquisition of the Seaside Cemetery, and Selectperson Hall thought MMA might have some expertise in this area.

Selectperson Hall said a few months ago, there was a question asked, "How much would these legal expenses cost, and did the town have money in the budget to cover it?" He said at that time, the estimate was around \$3,000 to \$5,000, and the answer the committee got was, "We think we have money in the budget to cover it." Because this discussion was several months ago and other legal needs have arisen, the committee thinks the cost could now be around \$5,000 to

\$10,000. Selectperson Hall, “So, there is a question of whether the money is available to do this now?”

Falla recommended getting in touch with Mary Costigan of Bernstein, Shur, and send her what he had given the committee which was the title work. He said that should save on some legal fees. Falla agreed with Hall, “There are a number of questions and legal issues that need to be resolved and advice is needed on how to proceed, i.e., how can the town acquire the property and acquire the cemetery, etc.? You need to have someone (an attorney) who is familiar with the legal aspects.”

Chair Bates, “The reason the town would like to take over the responsibility of the cemetery would be to make sure it is maintained, and the grass is cut. Isn’t that principally the issue?” Falla stated the issues are the same as the Seaside Cemetery. When he first got involved with the Clark Hill Cemetery, 7 or 8 people would attend the meetings. Now the only one left is Patti St. Clair, and she has been handling all the paperwork. Falla noted that the cemetery has historical significance, and for all the same reasons the town took over the Seaside Cemetery applies to Clark Hill Cemetery.

Chair Bates, “If the total legal costs to take over all the individual plots and have them all as part of the town property, it could cost up to \$10,000 to do that but we could be spending \$10,000 on grass cutting of those areas.”

Falla stated that the amount of money the Clark Hill Cemetery Association received each year was more than enough to pay for the grass cutting. Selectperson Hall stated the cemetery was financially self-supporting and it would not represent a financial burden to the town. Falla felt the town was in a good position right now to be dealing with the acquisition of the cemetery.

Falla recommended contacting Bernstein, Shur. He said if the Select Board was concerned about the cost, get an estimate from Mary Costigan. Selectperson Hall said he thought we should contact MMA to see if anybody there had experience with this unique type of situation.

Polky, “One of the things to bear in mind is we have been talking going legal on a couple of properties that have been tax acquired for a while and this is one of them. We have been talking about throwing it at Mary to see if there is any way to avoid taking possession.

We were planning on going that route anyway to some extent.” Selectperson Hall, “So, there would be a cost there in any event?” Polky, “That is correct.”

Selectperson Elwell suggested the committee get estimates first and bring those back to the Board for a vote. Chair Bates agreed.

Falla suggested the Town Manager make the initial inquiry as he has no authority from the town to spend money. He said if he were needed for any comments or advice concerning the packet of information he put together, he would have no problem talking with Attorney Costigan.

Chair Bates asked Polky if he would get in touch with Attorney Costigan to start the process. Polky stated that between him and Falla, they would get together with Costigan.

NEW BUSINESS:

- Tilson Infrastructure Proposal: Chair Bates reported on the plan for a 150-foot tower to be installed at the Port Clyde Fire Station house. Bates said that it appeared this project satisfied the town ordinances and could have some community benefit.

Polky said one of the things that Tilson does well is broadband. “And one of the things we have a problem in town is broadband. Maybe they can do something to help the town. I don’t know but the only way to know is to ask.” Chair Bates suggested that Port Clyde may get better cell phone reception.

Selectperson Willey recommended that Polky investigate. Selectperson Hall said it did not hurt to ask.

Selectperson Hall, “It makes a lot of sense to ask about the broadband aspect. Given the work that the CDC Connect St. George Committee did and the other providers that we talked with, I don’t recall that we talked with Tilson. But basically, every one of them said was, ‘You’ve got 80% of the town covered by one provider and nobody else is going to be able to come in and run off those lines without paying through the nose for the right to do that and they may not even agree to do it at all.’ So the only company that is going to be able to build out from the infrastructure that exists is the current ISP, and they just said it is obvious that’s what you’ve got to do.”

Selectperson Hall thinks the benefit might be an improvement of cell phone service in Port Clyde. Chair Bates said with Tilson proposing to put up a 150-foot tower there could be some directional antennas put up on the tower that could provide wide-area Wi-Fi to areas down in Port Clyde. Polky said he would contact Tilson to see if a representative could meet via Zoom with the Select Board on November 30th.

Selectperson Elwell said if this is something that will benefit the town, it is a good thing. “The only way we are going to build our town is to get a good infrastructure.” Selectperson Willey agreed this should be investigated to see what Tilson had to say.

There was no further business to come before the Board. At 7:53 p.m., the Select Board adjourned the meeting.

Respectfully Submitted,

Marguerite R. Wilson
Select Board Recording Secretary