

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
MONDAY JANUARY 13, 2014  
7:00 P.M.  
ROCKPORT OPERA HOUSE**

Present: Chair, William Chapman, Vice-Chair, Charlton Ames, Tracy Lee Murphy, Geoffrey Parker and Kenneth McKinley. Also present: Richard C. Bates, Jr., Town Manager; Abbie Leonard, Harbor Master; Bill Najpauer, Planner & Economic Development Director; Mike Young, Public Works Director; Sue Dates, Public Works Secretary; Dwight Collins, the press and members of the public.

I. CALL MEETING TO ORDER – William Chapman, Chair called the meeting to order at 7:03 P.M.

a. Approval of the minutes of the Monday, December 9, 2013 meeting of the Select Board

**Tracy Murphy moved to accept the minutes of the December 9, 2013 meeting with corrections to page 4, last sentence should reflect that no vote was taken; page 5, 14<sup>th</sup> paragraph to correct “possible” to “possibility”; and page 7, change “Comprehensive Plan” to “Pathways”. Geoffrey Parker seconded the motion.  
**VOTE: 5 FOR – 0 OPPOSED****

b. Special Town Meeting, Monday, February 10, 2014, 6:30 p.m., Rockport Opera House Meeting Room, to be televised on Channel 22

c. Next Regular Select Board Meeting on Monday, February 10, 2014, televised on Channel 22

d. Announcements:

e. Upcoming Workshop Dates:

- Select Board Budget Review Meetings w/Budget Committee, Tuesday, March 11, 2014 and Wednesday, March 12, 2014, 6:00 p.m. Rockport Opera House Meeting Room, to be televised on Channel 22
- Select Board Budget Workshop, Wednesday, March 19, 2014, 5:30 p.m. Opera House Meeting Room – 7:00 p.m., Select Board short meeting
- Budget Committee Meeting, Tuesday, March 25, 2014 and Wednesday, March 26, 2014 (if necessary), 6:00 p.m., Rockport Town Office Richardson Room

f. Committee Openings:

g. Agenda Changes – None

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h. Public Comment –

Jack Lane, Mt Pleasant Road, expressed his concern about the very rutty condition of the road. He said that according to Steve Beveridge, there is no plan or allocation to repair the road. The ruts make the road nearly impassable for public safety and for an ambulance or fire trucks to get through to their property. He was before the Board, one year ago and was promised attention to the road. He wants it paved. He and the neighbors have medical conditions that make it very necessary for a better road.

Bill C. - expressed his concern and stated that he hopes that public works has at least sent up a grader. Roads are bad this year because of the extreme weather conditions we have experienced.

Jack – we have health and safety issues that make attention necessary now.

Geoff – when can we do this, in this budget cycle? We should put this item on next month's agenda for discussion.

Bill C. – if we can't do it all at once is there a specific section that requires the most immediate action.

Everyone agreed that an engineering study needs to be done. Rick and Mike will ride up there tomorrow and look over the situation.

Tom Levasseur – thanked the Board for their consideration and reiterated the concerns

II. TOWN MANAGER'S REPORT – see attached

III. UNFINISHED BUSINESS

- a. Approval of the Street Closing Policy – tabled from the December 9<sup>th</sup> Select Board Meeting.

**Kenneth McKinley moved to approve the proposed Street Closure Policy as amended by Geoffrey Parker. The amendments are page 1 exclusion change “for” to “from this”; page 1 policy D change “is” to “must be”; page 2, public notification change “effected” to “affected” and last word of sentence “noticiation” to “notification”. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- b. Presentation by the Rockport Opera House Committee (part of the annual presentations by each Select Board appointed committee) – tabled from the December 9 Select Board meeting

Dave Jackson, Vice-Chair presented the report. Susan Dates is the go to person. He talked about the fact that they are contemplating a \$25,000 improvement item. He reported an automobile accident that had damaged the marquee and the front railing. The

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individual's insurance will be paying for the damages. He thanked Geoffrey for all his work for the new sound system, etc. He also stated that they need to make some serious decisions about hiring a stage manager.

Geoff – The installation is 98% done. There will be a much better projected image and sound as a result.

David – it will make the Opera House more marketable.

Ken – the roofing and painting should be priority.

Bill – should we install new storm windows at the same time since we will already have staging in place?

Mike - yes

c. Approval of the Ordinance Review Committee 2014 work plan – tabled from the December 9 Select Board meeting

Bill Najpauer – we began our work sessions on Thursday at 8:00 a.m. This meeting was a scoping meeting. They will be working on their goals.

**Kenneth McKinley moved to approve, as presented, the Ordinance Review Committee 2014 work plan. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

IV. PUBLIC HEARING

a. Article 2 – Shall the Town of Shall the Town of Rockport vote to approve a Community Development Block Grant application in the amount of \$390,000 on behalf of Kno-Wal-Lin Homecare and Hospice in support of the Hospice House (see full wording on the public hearing notice)

The Chair, William Chapman opened the Public Hearing at 8:09 p.m. to hear comments on Article 2

- Bill - In favor – None
- In opposition – None
- Neither for or against –

Jan Rosenbaum – do we apply for another entity and administer the program?

Discussion where it was explained that there will be a “Claw Back’ making it so the taxpayers are not responsible for paying back the funds if they default. The funds will be drawn down as they are needed to pay wages.

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Chris Shrum- explained how the monies are drawn down and laid out so that there will not be any exposure to the town. Thirteen (13) jobs will be created at a grant income of \$30,000 annually.

The Chair, William Chapman closed the Public Hearing at 8:15 p.m.

- b. Article 3 - Shall the Town of Rockport vote to approve a Community Development Block Grant application in the amount of \$270,000 on behalf of Fresh Off the Farm to construct a sewer extension along Route 1 (see full wording on the public hearing notice)

The Chair, William Chapman opened the Public Hearing at 8:16 p.m. to hear comments on Article 3

- Bill - In favor – None
- In opposition – None
- Neither for or against – None

The Chair, William Chapman closed the Public Hearing at 8:17 p.m.

- c. Article 4 - Shall the Town amend the Rockport Downtown Municipal Development Tax Increment Financing District by adding item 6.a (The project will include the installation of high speed internet fiber cable and related equipment to serve the downtown with a connection to the 3-ring binder cable) to Table 1-Municipal TIF Investment Plan Projects (see full wording on the public hearing notice)

The Chair, William Chapman opened the Public Hearing at 8:17 p.m. to hear comments on Article 4.

- Bill - In favor – None
- In opposition – None
- Neither for or against – None

The Chair, William Chapman closed the Public Hearing at 8:18 p.m.

- d. Article 5 – To see if the Town will vote to authorize the Select Board to spend an amount not to exceed \$30,000 from the Downtown TIF to expand high speed (Fiber Optics) internet service in the downtown

The Chair, William Chapman opened the Public Hearing at 8:18 p.m. to hear comments on Article 5.

- Bill - In favor – None
- In opposition – None
- Neither for or against – None

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The Chair, William Chapman closed the Public Hearing at 8:19 p.m.

VI. NEW BUSINESS

- a. Vote to place the articles 2-5 on the Monday, February 10, 2014 Special Town Meeting Warrant, 6:30 p.m., Rockport Opera House, Downstairs

**William Chapman moved to address the articles separately since a Board member may have a conflict with this item. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Kenneth McKinley recused himself from voting on article 2 as his wife is a doctor at the hospital and this may be considered a conflict of interest.

**Tracy Murphy moved to place Article 2 on the warrant of the February 10, 2014 Special Town Meeting at 6:30 p.m., as read. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED- 1 ABSTAINED (MCKINLEY)**

**Geoffrey Parker moved to place Articles 3-5 on the warrant of the February 10, 2014 Special Town Meeting at 6:30 p.m., as read. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- b. Committee Resignation: None this month  
c. Committee Application(s)

Molly Sholes – Ordinance Review Committee

**Tracy Murphy moved to approve Molly Sholes to serve on the Ordinance Review Committee with a term expiration of June 30, 2016. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- d. Presentation by the Cemetery Committee (part of the annual presentations by each Select Board appointed committee)

Linda Greenlaw, Chair of the Committee gave the report. The Committee is working on reviewing and revising the Rules & Regulations of the Rockport Cemeteries. We have also revised the bylaws and added our mission statement to same. It is before you this evening for your approval. The Committee will be recommending to the Select Board and Budget Committee that we purchase a special cemetery database software program for the cemetery records, which is presently stored on index cards and maps. The group has some new members and renewed energy.

Kenneth McKinley, Select Board Liaison – the group is energetic and is doing a great job.

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e. Approval of Cemetery Committee mission statement and by-laws

**Kenneth McKinley moved to approve the revised Cemetery Committee Mission Statement and Bylaws with changes of “Chairman to Chair and Vice-Chairman to Vice-Chair”. Charlton Ames seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

f. Vote to confirm Michael Young as Public Works Director effective January 1, 2014

**Tracy Murphy moved to confirm the Town Manager’s appointment of Michael Young as the Public Works Director effective January 3, 2014. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

g. Abatement for the years 2011 and 2012 for a transfer of a timeshare unit not recorded timely

**Tracy Murphy moved to approve the abatement of \$36.63 for the years 2011 and 2012 for the transfer of a timeshare unit T01-C02-017 (Leneita Kennedy) not recorded timely. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

VI. WASTEWATER COMMISSIONERS

**Tracy Murphy moved to close as Select Board and enter as Wastewater Commissioners. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

a. Commitment of Commercial Sewer User Rates for the period of November 2013

**Tracy Murphy moved to commit the November 2013 Sewer User Rates totaling \$22,285.71 to the Treasurer for collection. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Tracy Murphy moved to leave as Wastewater Commissioners and to reenter as the Select Board. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

VII. LIAISONS’ REPORTS

Bill - Pathways and the Recreation Committee will be on the agenda next month.

Tracy – The Recreation Committee will not be ready as they still need members.

Bill – the Library Committee met today. It was a well-attended meeting. I would like to have the Listening Tour Results Meeting taped. The Library’s 100<sup>th</sup> birthday will be on May 30<sup>th</sup>. There will be a logo contest and the logo will be used to make bags, etc. The raw data from the listening tour is on the web site. Linda, Town Clerk found some stock certificates, made out to the Library.

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At this time the Investment Committee needs more members. They did not have a quorum present at their January meeting.

February 12<sup>th</sup> will be the annual meeting & dinner at the Samoset for the Chamber's Recognition Dinner.

Ken – the Pathways Committee is getting ready for their presentation next month. Cemetery Committee, Linda has already given you their report.

Geoffrey – Harbor Committee, no report. The Opera House Committee postponed their meeting.

Charlton – Conservation – talked about a grant for trees for the RES property. Merryspring sent a representative to the meeting and would like to attend on a regular basis.

Tracy – Planning Board had a subdivision application. This is the first one in a long time. It will be on Route 1 this side of the Villages at Rockport,

VIII. EXECUTIVE SESSION

a. To discuss two personnel matters pursuant to Title 1 M.R.S.A Section 405 (6)(A)

**At 9:02 P.M., Tracy Murphy moved to enter into Executive Session to discuss two personnel matters pursuant to Title 1 M.R.S.A Section 405(6) (A). Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**At 10:23 P.M., Tracy Murphy moved to exit out of Executive Session. Charlton Ames seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

IX ADJOURNMENT

**Tracy Murphy moved to adjourn the meeting at 10:24 P.M. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK AS RECORDING SECRETARY