

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, APRIL 8, 2013
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, William (Bill) Chapman, Vice-Chair, Charlton Ames and Tracy Lee Murphy. Absent: Geoffrey Parker and Kenneth McKinley. Also present: Roger A. Moody (Interim Town Manager), Tom Ford, (Director of Planning and Community Development), Stephen Beveridge (Public Works Director), Molly Larson (Library Director), Michael Young (Public Works Department), Ann Filley (Library), the press and members of the public.

I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7:05 P.M.

a. Approval of the minutes of the:

Monday, March 11, 2013 meeting of the Select Board – Minutes are not ready and will be on the agenda for next month

Tracy Murphy moved to table the minutes of the March 11, 2013 Select Board Meeting. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Wednesday, March 20, 2013 meeting of the Select Board

Tracy Murphy moved to table the minutes of the March 20, 2013 Select Board Meeting. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Monday, April 1, 2013 meeting of the Select Board

Tracy Murphy moved to accept the minutes of the April 1, 2013 Select Board Meeting as presented. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

- b. Next Regular Select Board Meeting on Monday, May 13, 2013, 7:00 P.M., Rockport Opera House, to be televised on Channel 22
- c. Announcements
- d. Upcoming Workshop Dates:
- e. Committee Openings

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f. Candidate Nominations

g. Agenda Changes –

Move New Business items, m & n before the appointments; also h & i before item b

Table item o, until Geoff is here in May.

Item d, ordinance change for PBMC as they have withdrawn their request

h. Public Comment –

William Leone spoke about the possible Library expansion or a new library. He remarked that Molly and her staff are doing a great job, but RES is not the right site for a new library. They could expand where they are now. Towns are trying to revitalize the villages, not take away from what is already in place. A move would be contrary to a well-planned downtown.

Robert Holtzman spoke that he is in favor of the RES proposal as a new library site. The present site cannot support the current needs. There is only one restroom and a lack of parking spaces. Usage of the library is up 79% and attendees are up 119%. The library is a valuable resource. The library should be accessible to all the residents and not just the village people. The new library would also serve as a community center.

Steve reported on the work done at the RES site. The buildings are 100% torn down with the exception of three frost walls. Weather permitting they will start grading the land and remove the old basement. Demolition is ahead of schedule and under the proposed budget. We have received a number of compliments from the neighbors as to how quiet and orderly the process has happened.

II. TOWN MANAGER'S REPORT

III. LIAISON'S REPORT

IV. UNFINISHED BUSINESS

a. Request to Purchase Town-Owned Property:

Anne Perschon, 25 Warrenton Street, to purchase property owned by the Town of Rockport adjacent to her property – No Action Taken

b. Vote on proposed, revised Department Head salary recommendations – no vote necessary

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Charlton remarked that in the future we should devise a salary plan for each position; a step-grade pay scale would be more rational.

V. PUBLIC HEARING - None

VI. NEW BUSINESS

a. Committee Resignation: No Committee Resignations

m. Vote to establish an Ad Hoc Lime Kiln Preservation Study Committee; establish mission statement for the committee

Charlton Ames moved to establish an Ad Hoc Lime Kiln Preservation Study Committee. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

n. Vote to establish a Capital Improvement Committee; establish mission statement for the committee

Tracy Murphy moved to establish a Capital Improvement Committee and to establish the mission statement as presented. Charlton Ames seconded the motion. VOTE: 3 FOR - 0 OPPOSED

h. Receive and approve the proposed mission statement from the revised Recreation Committee – Steve Alex

Charlton Ames moved to approve the proposed mission statement from the Recreation Committee as presented. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

i. Receive and approve the proposed mission statement from the newly created Parks Committee – David Jackson

This item was tabled until next month.

b. Committee Application:

- John Viehman – Investment Committee
- George Haselton – Conservation Committee
- Allen Mitchell – Capital Improvement Committee
- Linda Posson – Parks Committee

Charlton Ames moved to appoint John Viehman to the Investment Committee with a term expiration of June 30, 2015. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Tracy Murphy moved to appoint George Haselton to the Conservation Commission with a term expiration of June 30, 2014. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Charlton Ames moved to appoint Allen Mitchell to the Capital Improvement Committee with a term expiration of June 30, 2016. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Charlton Ames moved to appoint Linda Posson to the Parks Committee with a term expiration of June 30, 2015. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

- c. Transfer Station fee increase presentation: Jim Guerra, Facility Manager, MCSWC

Tracy Murphy moved to allow Mid-Coast Solid Waste Corporation to increase it's per bag fee for trash from \$1.50 to \$2.00 as of May 1, 2013. The fee for small bags will rise from \$9.00 per bundle of ten to \$12.00 per bundle of ten. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

- d. Request by Pen Bay Medical Center for an ordinance change to permit a new sign to be placed at the entrance to the PBMC campus

Pen Bay Medical Center withdrew their request.

- e. Request to use Rockport Harbor as the starting point for the Lobster SUP CUP Paddle Boat Race to Belfast via Lincolnville Beach, August 10-11 – Thor Emory

Mark Benjamin gave the presentation. There will be between 30-60 racers for the event. They will launch here on the first day. They have arranged for a 15 passenger shuttle bus to help alleviate any traffic issues.

Abbie's, Harbor Master, biggest concern is parking. She stated that the "paddle boards" will be a great event and good for the town. Mike, Public Works, suggested that something be set up for parking at the old RES.

Mark said that the racers will go from Rockport to Lincolnville Beach to Belfast. It will be a 25 mile open water race. They have a back-up plan of using Megunticook Lake if necessary.

The Board requested that they provide adequate insurance for the event with the Town being shown as additionally insured.

Charlton Ames moved to approve the use of Rockport Harbor, contingent that the additional insurance be reviewed by town staff, as the starting point

for the Lobster SUP CUP Paddle Boat Race as presented. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

f. Final Discussion and vote by the Board on Articles 10 through 18 of the June 2013 Annual Town Meeting Warrant

Article 10. To see if the Town will vote to raise and appropriate the following as Revenue from the following sources to be used in reducing the property tax assessment for the 2013/2014 fiscal year:

A.	General Government.....	\$873,237
B.	Public Assistance	\$7,025
C.	Public Safety	\$133,860
D.	Public Works.....	\$76,880
E.	Culture and Recreation	\$116,233
F.	All Other – Cemeteries	\$4,000
G.	All Other – RES East	\$850
H.	Undesignated Fund Balance	\$100,000
H.	Special Assessments	\$176,053
	Total	\$1,488,138

Budget Committee Votes: 0 For, 0 Against, 0 Abstain	RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain	RECOMMEND

Tracy Murphy moved to accept Article 10 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 11. To see if the Town will vote to raise and appropriate the following for General Government for the 2013/2014 fiscal year:

A.	Administration	\$31,438
B.	Town Manager	\$215,307
C.	Town Clerk	\$197,679
D.	Planning & Community Development.....	\$194,356
E.	Finance.....	\$93,159
F.	Assessing.....	\$116,441
G.	Town Office Building.....	\$106,649
H.	Insurance	\$46,110
	Total	\$1,001,139

Budget Committee Votes: 0 For, 0 Against, 0 Abstain	RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain	RECOMMEND

Tracy Murphy moved to accept Article 11 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 12. To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2013/2014 fiscal year:

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A. General Assistance.....	\$22,383
Total	\$22,383

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
 Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 12 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 13. To see if the Town will vote to raise and appropriate the following for Public Safety for the 2013/2014 fiscal year:

A. Police Department.....	\$509,727
B. Fire Department	\$384,564
C. Streetlights	\$57,685
D. Animal Control	\$11,129
E. Harbor Master	\$209,340
F. Public Safety Building	\$18,127
G. Emergency Management Agency	\$1,850
Total	\$1,192,422

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
 Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 13 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 14. To see if the Town will vote to raise and appropriate the following for Public Works for the 2013/2014 fiscal year:

A. Public Works.....	\$1,358,675
B. Sanitation	\$157,385
Total	\$1,516,060

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
 Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 14 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 15. To see if the Town will vote to raise and appropriate the following for Culture and Recreation for the 2013/2014 fiscal year:

A. Library.....	\$361,555
B. Conservation Commission	\$5,695
C. Parks and Recreation.....	\$64,061
D. Opera House.....	\$88,674
Total	\$519,985

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Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 15 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 16. To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2013/2014 fiscal year:
Sand & Salt Shed\$42,431
Total\$42,431

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 16 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 17. To see if the Town will vote to raise and appropriate the following for County Fees for the 2013/2014 fiscal year:
A. County Service E-911\$56,319
B. County Service Dispatch.....\$27,749
Total\$84,068

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 17 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 18. To see if the Town will vote to raise and appropriate the following for Cemeteries, RES East and Special Assessments for the 2013/2014 fiscal year:
A. Cemeteries.....\$53,656
B. RES East\$7,675
C. Special Assessments\$5,500
Total\$66,831

Budget Committee Votes: 0 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 18 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

g. Vote by the Board on Articles 19 through 30 of the June 2013 Annual Town Meeting Warrant

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Article 19. To see if the Town will vote to authorize the transfer of all unexpended balances to fund balance and to authorize the overdrafts that may occur in the Town operations in the 2013/2014 budget to be taken from fund balance?

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 19 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 20. To see if the Town will vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?

Budget Committee Votes: 8 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 20 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 21. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner or in the case of time-share units, reconveyance back to the original owner or the time-share estates association of unit owners; property to be disposed of by written policy and on terms the Select Board deem advisable.

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 21 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 22. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of wastewater thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner. Property to be disposed of by written policy and on terms the Select Board deem advisable.

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Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 22 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 23. To see if the Town will vote to set October 15, 2013 and April 15, 2014 as the tax installment due dates?

Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 23 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 24. To see if the Town will vote to set October 16, 2013 and April 16, 2014 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 7.00% interest per year?

Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 24 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 25. To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 7.00% interest per year?

Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 25 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 26. To see if the Town will authorize the Select Board and Treasurer, on behalf of the Town, to accept gifts, real estate, and certain funds, including trust funds, that may be given or left to the Town?

Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 26 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 27. To see if the Town will vote to authorize the Select Board to accept those conservation easements which the Select Board deem appropriate in the name of the Town of Rockport, provided however, said conservation easements are first considered by the Rockport Conservation Commission and Planning Board?

Select Board Votes: 3 For, 0 Against, 0 Abstain

RECOMMEND

Tracy Murphy moved to accept Article 27 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 28. To see if the Town will authorize the Treasurer to waive the foreclosure of tax lien mortgages pursuant to 36 M.R.S.A. sec. 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest?

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 28 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 29. To see if the Town will authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads?

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 29 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Article 30. To see if the town will vote to authorize the tax collector to enter into a standard agreement with taxpayers establishing a "tax club" payment plan for commercial and/or residential real estate property taxes, whereby:

- (1) The taxpayer agrees to pay specified monthly payments to the town based on his/her estimated and actual tax obligation for current year real estate property taxes;
- (2) The town agrees not to charge interest on timely payments made pursuant to the tax club agreement;
- (3) The town authorizes the collector to accept tax club payments for current year taxes which may be due prior to the commitment of those taxes;
- (4) The agreement is automatically terminated if a scheduled payment is late, and the taxpayer then becomes subject to the same due date(s) and interest date(s) and rate as other taxpayers who are not participating in the tax club;
- (5) Only taxpayers who do not have outstanding tax obligations for prior tax years are eligible to participate in the tax club program; and
- (6) Taxpayers wishing to participate in the tax club for a particular property tax year shall enter an agreement with the town by a publicly-advertised deadline determined by the tax collector.

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to accept Article 30 as read. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

- j. Camden Street/Commercial Street Visioning Plan progress report – Tom Ford

Tom presented a recap of us participating with our neighbor, Rockland on this Visioning Plan. The area discussed is from MacDonald's to Warrenton Street in Glen Cove. Twenty-nine people participated regarding the RFP proposals. They had eight stations with a facilitator at each one and they discussed what their ideas are for this area. The work will be completed before fall. Each town will receive one street scape and one property design or one property with both designs. This is the gateway to our town. Charlton stated that attendance is important or Rockport will not receive as much consideration as Rockland.

- k. Vote to authorize use of the \$7,000 in the Harbor Float Reserve Fund for construction of new boat ramp floats

Charlton Ames moved to approve the use of \$7,000 in the Harbor Float Reserve Fund for construction of new boat ramp floats. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED

- l. Preparation for the Joint Workshop with the Camden Select Board – discuss ideas to be brought forward

On Monday the 29th, there will be a meeting to discuss the RFP (due on the 23rd) for Emergency Medical Services. The question was raised if Hope and Lincolnville should be invited to this meeting. This discussion may take up a large part of the evening and all towns should be represented. The Board agreed that they should invite them to attend the meeting.

- o. Town Meeting: to video tape, broadcast or stream: that is the question

This item was tabled to the May meeting as Geoffrey Parker is not present.

- p. Upcoming appointments:

- Appoint a town representative to the MC-EDD General Assembly to replace Robert A. Peabody, Jr.; General Assembly holds its annual meeting at the Skidompha Library, Damariscotta, on Thursday June 13, commencing at 4 P.M.

Tracy Murphy moved to appoint Staci Coomer to the MC-EDD General Assembly. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

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- Discuss the possible appointment of a Select Board member to replace Bob Duke as the second Rockport member to serve a three (3) year term on the Board of Directors of Mid-Coast Solid Waste Corporation effective July 1, 2013

This item was tabled to May.

q. Set a date for a person from Drummond, Woodsum to brief the Select Board on the Do's and Don'ts of Interviewing Candidates for the Town Manager position

There will be a conference call to the attorney at 4 P.M. on Wednesday, April the 24th, held at the Town Office.

An additional item is in regard to the Select Board's role in Sexual Harrassment issues.

VII. WASTEWATER COMMISSIONERS

Tracy Murphy moved to exit as Select Board and enter as Wastewater Commissioners. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

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

Tracy Murphy moved to commit the February 2013 Sewer User Rates totaling \$25,066.17 to the Treasurer for collection. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

b. Discuss and vote on authoring a “full build-out” engineering study by Woodard and Curran Review of Sewer Ordinance by the Ordinance Review Committee

Tracy Murphy moved to authorize a full build-out engineering study for the Route 1 Corridor Sewer System by Woodward and Curran to be paid from the TIF Construction Reserve Fund and not to exceed \$20,000. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Tracy Murphy moved that they are no longer Wastewater Commissioners and will go back to being the Select Board. Charlton Ames seconded the motion. VOTE: 4 FOR – 0 OPPOSED

VIII. Executive Session

At 9:48 P.M., Tracy Murphy moved to go into Executive Session pursuant to Title 1 M.R.S.A Section 405 (6)(A), re: consideration of a compensation

matter. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

a. Executive Session to discuss a personnel matter pursuant to Title 1, M.R.S.A., Section 405 (6) (A), re: consideration of a compensation matter

Tracy Murphy moved to come out of Executive Session at 10:14 P.M. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Tracy Murphy moved to authorize the Finance Director to issue a paycheck in the amount of \$4,000 to Linda Greenlaw in recognition of her service as Acting Town Manager, with great appreciation and thanks. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

IX. ADJOURNMENT

Tracy Murphy moved to adjourn the meeting at 10:15 P.M. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY