

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY APRIL 11, 2016
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Kenneth McKinley, Tracy Lee Murphy, Geoffrey Parker and Owen Casas. Also present: Richard C. Bates, Town Manager; Michael Young, Public Works Director, Mark Kelley, Chief of Police; James Francomano, Planner & Community Development Director; Abbie Leonard, Harbormaster; Steve Beveridge, Public Works Assistant Director; Brenda Kurr, Deputy Town Clerk; the press, Dwight Collins and members of the public

I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7:02 P.M.

a. Approval of the minutes of

- Monday, November 9, 2015 meeting of the Select Board – Tabled
- Tuesday, November 17, 2015 meeting of the Select Board - Tabled
- Tuesday, February 9, 2016 meeting of the Select Board

Tracy Murphy moved to approve the minutes of the Tuesday, February 9, 2016 meeting of the Select Board with a correction on page 6 under e. fix spacing and 85% should be .85%. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Monday, February 29, 2016, Executive Session of the Select Board - These were approved in March
- Monday, March 14, 2016 meeting of the Select Board

Tracy Murphy moved to approve the minutes of the Monday, March 14, 2016 meeting of the Select Board with a correction on page 6, 4 paragraph after interesting add “architectural” and after building add “on the campus.” Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Wednesday, March 16, 2016 Executive Session of the Select Board

Tracy Murphy moved to approve as written the minutes of the Wednesday, March 16, 2016 Executive Session of the Select Board. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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- Wednesday, March 16, 2016 budget meeting of the Select Board

Kenneth McKinley moved to approve as presented the minutes of the Wednesday, March 16, 2016 budget meeting of the Select Board. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Thursday, March 24, 2016 special meeting of the Select Board

Tracy Murphy moved to approve as written the minutes of the Thursday, March 24, 2016 special meeting of the Select Board. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Friday, April 1, 2016 special meeting of the Select Board

Tracy Murphy moved to table the minutes of the Friday, April 1, 2016 special meeting of the Select Board. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Wednesday, April 6, 2016 special meeting of the Select Board

Tracy Murphy moved to approve as written the minutes of the Wednesday, April 6, 2016 special meeting of the Select Board. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (Parker – absent)

- Regular Select Board meeting on Monday, May 9, 2016, 7:00 p.m., Rockport Opera House Meeting Room and will be streamed at <http://livestream.com/Rockportmaine>
- Special Select Board meeting with Public Hearing on Tuesday, April 19, 2016, 7:00 p.m., Rockport Opera House Meeting Room and will be streamed at <http://livestream.com/Rockportmaine>
- Announcements – see agenda
- Upcoming Ad Hoc Library Planning Committee meetings – see agenda
- Committee Openings – see agenda
- Agenda Changes –

Kenneth McKinley moved to hear Wastewater Business after item f. New Business Fox on the Run request. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Public Comment – None this evening

II. TOWN MANAGER'S REPORT – See attached

Rick – recognized Deputy Town Clerk Brenda Kurr for her 15 years of service to the Town of Rockport by presenting her with an engraved clock.

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The Select Board also thanked her.

Rick – recognized Police Chief Mark G. Kelley for his thirty years of services to the Town of Rockport by presenting him with an engraved clock.

The Select Board also thanked him.

Rick – Mt. Pleasant Street will be closed for three weeks when construction begins.

III. UNFINISHED BUSINESS

- a. Moving the Glen Cove Veterans Memorial to the property owned by Bradford Gregory and Wanda Orr

Bill – talked about having the easement to be able to place the Veterans' Memorial fully on Bradford Gregory's property. This will authorize the Town Manager to start the move.

Owen – we intend to have a dedication and I need to know how involved we want the American Legion to be as a part of the plans. They have a plan and it is in Rosey Gerry's head.

Bill – when should it be? Please get back to us when you have an answer.

Geoff – should we give some guidance to them? At least one member of the Select Board should be there.

Owen – I will be there in full uniform.

Bill – then, we appoint you as our liaison. The Town has expended legal fees for this project. Does anyone have some money they want to donate towards the project? Has the legion been asked if this is something that they would consider?

Kenneth McKinley moved to direct the Town Manger to start the process to relocate the memorial with completion before Memorial Day. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Set the time of the rededication of the Glen Cove Veterans Memorial on Memorial Day, May 30, 2016

The Board – discussed this item and talked about setting a time mid-afternoon on Memorial Day. They will contact Commander Frank Carr.

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IV. PUBLIC HEARING

- a. None this meeting

V. NEW BUSINESS

- a. Acknowledgment of Gifts to the Town: None this month

- b. Committee Resignation(s):

- Larry Goldman – Ordinance Review Committee

Kenneth McKinley moved to accept the resignation of Larry Goldman from the Ordinance Review Committee and to have the Board sign a letter expressing thanks for his service. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Michelle Gabrielsen – Library Committee

Kenneth McKinley moved to accept the resignation of Michelle Gabrielsen from the Library Committee and to have the Board sign a letter expressing thanks for her service. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Allyson Poutasse – 125th Anniversary Committee
- Lynn Johnson – 125th Anniversary Committee
- Stephanie Kumble – 125th Anniversary Committee

Kenneth McKinley moved to accept the resignation of Allyson Poutasse, Lynn Johnson, Stephanie Kumble and Vernon Hunter from the 125th Anniversary Committee and to have the Board sign a letter expressing thanks for their service. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Bill – they did a bang up job on the first half.

Ken – this is a natural breaking point.

- c. Committee Application(s)

- George Benson – Zoning Board of Appeals

Geoffrey Parker moved to appoint George Benson to the Zoning Board of Appeals with a term expiration of June 30, 2017. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Larry Goldman – Opera House Committee

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There was discussion that Larry was not present at the meeting, but the committee would really like to have this appointment approved tonight.

Geoff – I know that he will be an asset to the Committee.

Geoffrey Parker moved to appoint Larry Goldman to the Opera House Committee with a term expiration of June 30, 2017. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

There was a discussion about having alternates on the committees

Geoff – alternates are a very important function.

- d. Presentation by Mid Coast School of Technology involving improvements to their facility

Beth Fisher – our school is for both high school students and adults. We are going to have a Bond question on the November ballot. Our programs give our students an opportunity to receive certification. We serve nineteen towns. It is essential because only one half of our young people go to college or finish high school. Our school gives them training in several fields.

Our facility is in really bad shape. It was an old boat building and desperately needs a renovation.

50% of our students continue on to higher education such as college and they can also earn college credits by attending our school. We serve 600-800 adults per year. Our programs are aligned with standards of the industry. We train our students for local jobs, such as our auto programs. We run a café in the spring for our culinary program. The students do all of the functions necessary to run the operation. We offer a firefighting program that is tested by the industry and the students have to take a test before they get 6 college credits for certification. We also have an EMT program that the students can receive 5 ½ credits for.

Again the school is old, as it was built in 1960 and we took it over in 1976. It is not ADA compliant, is overcrowded and has poor air quality.

Owen – asked several questions about dual enrollment, engineering and physics classes.

Geoff - where are you having the new building?

Beth – on the same property. Once it is built, we will tear down the old one, making parking and new green space.

Geoff – Rockport has spent a lot of money for the program and only sends a few students to attend classes.

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Tori M – explained how the funding is distributed between the five towns. They used to only take 11th and 12th graders, but can now take students from the 9th-12th grades. At the present time there isn't any cafeteria for lunches.

Bill – how do you allocate costs for adults?

Beth – it is mostly from tuition. They take courses for science credits, fine arts and physics.

Ken – what are your plans for outreach to attract more students?

Beth – we have a dynamic person for our outreach program and we also have guidance counselors.

Geoff – what capacity does the school have?

Beth – the state maximum is sixteen students in any of the programs. The new facility will be expanded by 25% and will consider adding a business program.

Bill – how much will it cost?

Staff person – it will be \$25 million. We will come back to you later this summer with a design.

Tracy – I am a big advocate for the school.

Owen – it sounds like expanding programs will bring renewable energy to the school.

Staff person – it is a revision of energy. It is a living breathing organism and we want the building to be there on that site.

e. Presentation by the Parks Committee

David Jackson – I am the chair of the Committee. Noni Ames is the vice chair and the other members are Linda Posson, Jim Sady and Sani Fogel. Gretchen Leone is the liaison from the Garden Club. We are creating a wish list of things to get accomplished. We would like to thank Mike Young, Public Works Director for the considerable amount of work his department does to help us.

We are the overseers of the cherry trees and the tall pines by the Opera House. We would like to see the pathway filled with crushed rock and would like to add some shrubs. At Marine Park, the Public Works Department and the Garden Club have exposed Andre. Mike has greatly improved the vista at the Pascal Avenue overlook area.

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We are partnered with the Garden Club to clean up Goodridge Memorial Park. The junipers are out of control. We have more work to do. We consider the traffic island at the beginning of Pascal Avenue as very important. We will buy some new plantings and Farley and Son will take care of the watering of those plants. We hope to plant some petunias. We will be meeting next Wednesday and hope that some money is available to buy some annuals.

Bill – do you have any plans for the old school site?

David – we would like to get a canopy grant for some new trees.

Rick – any advice for something to do in front of the Opera House to make it more attractive?

David – we will look at it on Wednesday.

Bill - the fabric netting is coming up at Mary Lea Park. The bench is broken. Is this on anyone's agenda?

David – we want to do the pathway at that park.

Geoff – do you look outward to other parts of the Town?

David – we really haven't thought much about the Recreation Park or the Glen Cove Rest Area.

Owen – asked about the planting program with Aldermere farm.

David – we are not involved with it.

Bill – I would like to thank Abbie, Steve and Mike for not sitting together.

BREAK: 5 minutes from 8:55 p.m. to 9:00 p.m.

f. Request of Fox on the Run to continue their operation in Harbor Park this summer

Abbie – I will answer any questions you may have.

Rick – this is their third year of doing this.

Bill – everyone is happy with it. The Chief has signed off.

Owen – I have had one complaint about selling on the harbor.

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Abbie – I haven't heard anything but positive feedback. There are a select few who believe that we shouldn't have anything there. I feel that it is a good thing.

Ken – it enhances the value of the park.

Abbie – sometimes between 11:00 a.m. and 1:00 p.m. parking is a little tricky.

Tracy Murphy moved to approve the renewal of Fox on the Run's request for a renewal of their Vendor's Permit. Owen Casas seconded the motion. VOTE: 5 – FOR – 0 OPPOSED

Tracy Murphy moved to leave as Select Board and enter as Wastewater Commissioners. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- a. Commitment of Commercial Sewer User Rates for the period of February 2016

Kenneth McKinley moved to commit the February 2016 Wastewater User/Debt Fees totaling \$33,178.64 to the Treasurer for collection. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Special Sewer Use Charge recommended for Heiwa Tofu, 201 West Street (Map 27/Lot 7-1) – former West Street Market

Jeff Wolovitz, owner of Heiwa Tofu – our site plan has been approved conditioned upon authorization to connect to public sewer.

Jamie – explained the process involved for this company. The company is moving to Rockport so that their business can grow. He explained that they will be using a lot of water. They use soybeans for their product and it creates whey water which creates a 10% waste stream. The waste water flow per day will be 540 gallons.

Steve – it is equivalent to 4 users at 1080 gallons per day. It will have to be sampled and they will have to use screens. It is similar to State of Maine Cheese.

Jeff – where should the screens be?

Steve – they are in the floor drains. We need to set a buy in fee. He is based on 4 equivalent users. It will need to be adjusted. No one knows what the costs will be, we won't know until he does it. They should sample every six months on an ongoing basis.

Ken – will they get a water bill?

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Steve –they will be charged like everyone else.

Ken – what about the buy in fee.

Jamie – explained the process.

Ken – we need to decide the buy in fee.

Geoff – we have the flexibility to say what it is. We can change it in two years or whatever. CSD gets the money.

Tracy – they have been paying the debt fee, so if they are already connected why should we charge them a buy in fee?

Steve – businesses are treated differently than residences, they are totally different.

Tracy – we should lower it to \$1,000. We need to visit the ordinance.

There was discussion about the fees by the Board, Mike and Steve.

Steve – putting in a new business, we will get a benefit from the use. There may be some wiggle room with the buy in fee.

Tracy – this has already been done.

The Board – we should charge \$1,000 and revisit it in six months.

Jeff - we will be 20% busier in the summer.

Owen – how many employees will you have?

Jeff – one full time person and two part time people. The tofu will be sent all over the region and the State.

Tracy Murphy moved to approve the special use charge for Heiwa Tofu, 201 West Street (Map 27, Lot 7-1) to the following: Equivalent users: 4 X \$48 per Quarter and for O&M and debt retirement with a buy in fee of \$1,000, with a six month revisit, that will be a one-time pass through to CSD and a special user charge of 50 gpd using WWTP formulas equals \$40/Q for pass thru to Camden. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to end as Wastewater Commissioners and to go back as Select Board. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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g. Approval of the Planning and Development Fee Schedule:

Jamie – we have cleaned up and reorganized the fees. The fee items will go into a flat fee for simplification. He talked about the \$25 service fee not being practical. We will charge a fee for return trips if they are necessary.

Owen – asked about the first paragraph of Jamie’s memo where he proposed a flat fee with a minimum of \$30.00 instead of \$20.00.

Ken – the ZBA fees are higher than other towns making it a barrier for people to make an appeal.

The Board discussed the ZBA fee.

Jamie – I did not research it.

Bill – let us do some research.

Tracy Murphy moved to approve the changes to the Planning and Community Development Fee Schedule effective April 12, 2016. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

h. Approval of the Document and Service Fee Policy

Tracy Murphy moved to approve the changes to the Document and Service Fee Policy effective April 12, 2016. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

i. Unmarked burials at 27 Amsbury

Kenneth moved to refer this item to the Cemetery Committee for a recommendation to the Board, by their July meeting. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

j. Discuss appointing non-residents to committees who come to us as part of a “good citizen” initiative by a Rockport business

Geoff – what does this mean?

Discussion by the Board.

Ken – I want the majority of members of committees to be Rockport residents.

Bill – these guidelines are for our use.

Geoffrey Parker moved to accept the Select Board Guidelines as crafted by his colleague to the left (Kenneth McKinley). Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Select Board Guidelines for appointing non-residents to advisory committees

The Select Board may appoint non-residents to advisory committees when they find that it is in the best interest of the town to do so subject to the following conditions:

1. All advisory committees shall be composed of a majority of Rockport residents.
 2. Rockport residents shall be given priority for appointment to all advisory committees.
 3. Among non-residents, priority shall be given to those who work in Rockport, or who have some other connection to Rockport (former resident, family members who are residents, etc.)
 4. While non-residents may be appointed to advisory committees based in part on their employment or association with businesses or other organizations located in Rockport, there is no requirement that such members step down from committee service should their relationship with Rockport change prior to the expiration of their term.
 5. Positions on committees will be held by individuals, and not by businesses or organizations.
- k. Approval of Town Manager's attendance at Maine Town, City and County Manager's Association (MTCMA) annual meeting and ongoing education session in August and International City Managers' Association (ICMA) meeting and ongoing education session in September

Tracy Murphy moved to approve the Town Managers' attendance at the Maine Town, City and County Manager's Association and the International City Manager's Association meeting and ongoing education session. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

1. Discuss changing the name of the Ad Hoc Technology Committee to the Technology Task Force

Board – we need more information. They need to come before us and explain why we should change the name of the committee.

Geoff – 98% of their focus in on fiber optic.

Bill - we will have this on our agenda on May 9th to revisit.

There wasn't any motion.

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m. Approve the Architectural Contract with Reed & Co. Architects

Tracy Murphy moved to approve the Architectural Contract with Reed & Co. Architects for the Library and allow the Town Manger to sign the contract. Kenneth McKinley seconded the motion.

Ken – how much are we going to pay?

Rick – it is based on the percentage, 8.8% of the total cost. It is standard and the way architects work.

Tracy – we don't have a number until they have a total cost.

Owen – on page 16, item 11.4 the percent is left blank. It would be nice to know what it would be.

Ken – I would like to see the 8.8%, the same as I do the \$150 per hour.

Bill – I agree.

Rick – it is boiler plate and standard by AIA.

Board discussion followed.

Ken – we have a responsibility to the taxpayers so I feel that we should have a cap.

Ken McKinley moved to table this item until the Tuesday, April 19th meeting. Geoffrey Parker seconded the motion.

Ken –I am looking for more information.

Bill – we need more clarity on the overall percentage if this goes forward and a total amount if it fails in November.

VOTE: 5 FOR – 0 OPPOSED

VI. WASTEWATER COMMISSIONERS

a. Moved to New Business after f.

b. Moved to New Business after f.

VII. LIAISON REPORTS

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Bill we need your forms by noon on April 30th for Rick's evaluation that will be in executive session on May 23rd.

Monday, May 23rd at 4:00 p.m. the Wastewater Commissioners Budget Workshop starts.

Owen is the Recreation Committee ready for a presentative to the Select Board? He responded "no." We need to decide if we should consider a summer session for the ORC with them working on a little more than just the Land Use Ordinance. I have not attended the Legacy Rockport meeting nor the Library Planning. We will have the 8,750 square feet on the agenda on April 19th. The Friends of the Library are moving ahead and are looking for volunteers for July 12 and 13th. The Investment Committee will meet on April 21st and the MCSWC will meet on June 22nd.

Ken – the Conservation Commission will meet on Thursday on Pesticides. The ORC has finished it work for the season. The drafts will be ready by next Tuesday. The Cemetery Committee has not met. Legacy Rockport is working on building renovations for the Simonton Corner Building. There will be a jazz concert on Saturday, July 23rd as a fundraiser for the library.

Geoff – the Ad Hoc Tech Committee has some very talented people on it and they meet every ten days. I slept through the Opera House meeting and missed it. They discussed lighting and marketing.

Tracy – the food drive went great and was on VSTV. We are talking about doing it again next year. The Planning Meeting was a public hearing last week and there were no changes to the presented information. The AHLPC made a decision the same day as their meeting. We may need three stories to be able to fit the 8,000 square feet.

Owen – talked a little about the passing of Gregg Eaton. He could have been a Bob Hope stand in. He was one of the nicest guys and the best neighbor.

He had spoken with Beth Ward of Camden regarding collaborating with the Parks and Recreation Committees. The Pathways has some great work groups. He talked about the MDOT public hearing about the Route 1 pathway south of Quarry Hill. We have one vacancy and need two alternates. The Parks committee will be meeting on the 13th.

VIII. EXECUTIVE SESSION

- a. None this month

IX. ADJOURNMENT

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Tracy Murphy moved to adjourn the meeting at 10:43 P.M. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY