

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY APRIL 13, 2015
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Charlton Ames, Tracy Lee Murphy, Geoffrey Parker and Kenneth McKinley. Also present: Richard C. Bates, Town Manager, the press and members of the public

I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7:00 P.M.

a. Approval of the minutes of

- Monday, March 9, 2015 meeting of the Select Board

Kenneth McKinley moved to approve the minutes as written of the March 9, 2015 meeting. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Wednesday, March 18, 2015, special meeting of the Select Board

Geoffrey Parker moved to approve the minutes as written of the March 18, 2015 meeting. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Regular Select Board meeting on Monday, May 11, 2015, 7:00 p.m., Rockport Opera House Meeting Room, to be televised on Channel 22
- c. Announcements – see agenda
- d. Upcoming Budget Workshops and Meetings – see agenda
- e. Candidate Nominating Papers
- f. Committee Openings – see agenda
- g. Agenda Changes – None
- h. Public Comment –

David Barry – read a letter stating that the Friends of Rockport have drafted a warrant article regarding the library. They have decided to defer presenting the petitions to the Select Board until the Library Committee and Select Board give their input on what will happen. Gave the Board a copy of the letter.

Stephanie Lash – asked the question of when the Board was going to address the issue of the use of RES (Rockport Elementary School).

Bill – we will take this under advisement. Feels that it would be better for the new Select Board to address this question. He will put it on his goals for next

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year's goal. It is the gateway to the village. We need to make sure that the right thing goes there.

Stephanie - is it true that you won't do anything until after the June town meeting?

Bill – that is right, it will afterwards in July unless something drastic happens. The disposal of that property would have to go to the voters for their approval.

Ken – one of his goals is to talk about what is going to happen to that property.

Sally Cook – I recall that there was a vote in 2009-10 to allow for commercial development on that property.

Bill – that vote was about protecting the ball field into perpetuity and that vote failed.

Ken – that was a non-binding vote on that property.

Rick – the wording was not clear as to what the vote meant. It is a prime piece of land. Nothing may happen for a longtime into the future.

Larry Lehman – I am confused as to how this has all developed on RES. I recall that we had several offers on that property. What happened that it was no longer promoted for sale?

Ken – Maine Media was no longer interested in that property. The cost was too high for demolition of the building.

Bill – an ad hoc committee was formed to see what it should be used for. Yachting Solutions offered to purchase the property and allow the Town to keep the ball field.

Larry – I am missing where Maine Media backed out; something changed.

Bill – there hasn't been any active interest in selling that property.

David – as a point of clarity, last month you said that you would discuss this in April or May, what changed you mind?

Bill – this will take a lot of time.

David – the sooner we get this done the better.

II. TOWN MANAGER'S REPORT – See attached

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Ken – thanked Coastal Mountains Land Trust, Maine Coast Heritage Trust, Maine Media Workshops and Coastal Opportunities for their payment in lieu of taxes.

III. UNFINISHED BUSINESS

- a. Discuss the request by Vivienne Larmor, Mama's Boys, for a town installed street light at the entrance to the drive on Route 90 – tabled from February 9 Select Board meeting

Vivienne – her biggest concern is that people almost turn into the ditch because there is not enough light at the turn to her business.

Bill – where is the property line?

Vivienne – 20 feet away from the entrance.

Bill – suggested that better signage would help.

Ken – is not convinced that a light would help and that maybe signage would work better. He asked her to have the landlord look at any easements to the property. You need clear signs that show where the turn is.

Bill – maybe reflective signs at the entrance would help.

Rick – the Select Board has not granted any new lights in recent years. There is already a street light across the street from your business.

Vivienne – I have had customers complain and feel that I am not interested in their safety. I don't know where to go from here.

Ken – maybe painting the road differently; you will need to contact MDOT in regard to that option. I understand your concern, but don't feel that a light is the answer.

Owen Casas – what is the cost of a light?

Ken – it is an ongoing cost and the power poles are on the opposite side of the road.

Rick – it is the driveway itself that is the problem. I have a problem finding the turn even in the daytime.

Bill – you should talk to Scott, Code Enforcement Officer.

IV. PUBLIC HEARING

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- a. Please note that the Public Hearing originally scheduled for April 13, 2015, will be held on Tuesday, April 21, 2015, at 6:00 p.m. in Rockport Opera House Meeting Room and will be televised on Channel 22

V. NEW BUSINESS

- a. Committee Resignation(s):
None this month
- b. Committee Application(s)
Eliza Haselton – Camden-Rockport Pathways Committee

Eliza cannot be here tonight.

Ken – read an email expressing the chairman’s endorsement of Eliza to the Pathways Committee.

Tracy Murphy moved to approve the appointment of Eliza Haselton to the Camden-Rockport Pathways Committee for a term to expire June 30, 2016. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- c. Report from the Parks Committee – David Jackson

David – the committee is a highly qualified group of people. Sady works for the Dodge Estate. The other members are Sani Fogel, Linda Posson and Nonie Ames. Charlton Ames is the Select Board liaison. The Board has not met since last November. He read their mission statement. They accomplished a lot in 2014. They planted bayberry bushes in Mary Lea Park and cleaned it up in October. They were assisted by the Garden Club and Mike Young, Public Works Director. Veteran Memorial Park was upgraded. Planting were done by Andre’ at Harbor Park and they took down some trees that needed removal. They also applied for the Canopy Trees Grant. Some trees were lost as a result of the November 2nd snowstorm.

Bill – if you see a sumac get rid of them.

David - we want to make the pedestrian walkway friendlier. Maybe crushed rock would be nice.

Tracy – thank the team for all their effort to make the parks look so nice.

- d. Approval for Fox on the Run to have their food truck at the harbor for the 2015 season

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Bill – we have a memo from Abbie. She will be moving the truck over by the statue. There were not any problems with the service last year and would recommend their approval.

Tracy – the food was very good and I look forward to it being here again this year.

Tracy Murphy moved to approve that Lauren Jellison, Fox on the Run can operate at the Harbor for the 2015 season May 1, 2015 – October 31, 2015 under the direction of Harbormaster Abbie Leonard along with a monthly power bill charge to be determined by usage. Geoffrey Parker seconded the motion. VOTE: 5 – FOR – 0 OPPOSED

e. Discussion and vote on restricting Sea View Cemetery lot sales to just Rockport and Camden Residents

Ken – pointed out that space is running out at the Sea View Cemetery and that we need to make sure that we have space for our Rockport residents.

Linda – as stated in my memo to you, there are only 35 lots presently available in the cremation section. There is some room for expansion in that section. I feel that we need to be considerate of our residents' needs first and foremost. Sea View is very popular with non-residents. It is a beautiful, peaceful cemetery. The Committee recommends allowing our neighbors in Camden to purchase lots, but at this time I don't feel that we have the space. We have the option to make special exceptions.

Kenneth McKinley moved to approve a moratorium on the sale of lots in the Sea View Cemetery by limiting the sale to Rockport and Camden residents. Charlton Ames seconded the motion.

Kenneth McKinley moved to amend the previous motion to have the moratorium go through November 30th. Geoffrey Parker seconded the motion. VOTE ON MOTION: 5 FOR – 0 OPPOSED VOTE ON AMENDED MOTION: 1 FOR (MCKINLEY) – 4 OPPOSED (MURPHY, AMES, PARKER & CHAPMAN)

Charlton Ames moved to approve a moratorium, through November 30, 2015 on the sale of lots in the Sea View Cemetery to Rockport residents only. Tracy Murphy seconded the motion. VOTE: 4 FOR – 1 OPPOSED (MCKINLEY)

Took a recess 8:37 p.m. – 8:45 p.m. to change the tape (DVD).

f. Approve quitclaim deeds for:

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- Collins, Ramona – Map 1 Lot 30-906 (Patterson M.H. Park #6)
- Steed, Marilyn & Imel, Jerrod – Map T02 Lot C02-017 (Samoset Timeshare)
- MacClennen, Philip & MacDonald, Lori – Map 17 Lot 19 (664 West Street)
- Young, Glen & Jacqueline – Map T01 Lot A07-001 (Samoset Timeshare)
- Foote, Charles & Dorothy – Map 14 Lot 41 (8 Rockport Park Center)

Tracy Murphy moved to approve the list of quitclaims deeds as referenced in Town Clerk Linda Greenlaw's memo. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

8:37 – 8:45 p.m. recess to change tape (DVD)

- g. Final Discussion and Recommendation Vote by the Board on Articles Eight through Sixteen of the June 2015 Annual Town Meeting Warrant

Geoffrey Parker moved to place article 8 on the warrant. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 8. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 9 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to recommend as read article 9. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Bill Chapman moved to place article 10 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend as read article 10. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Charlton Ames moved to place article 11 on the warrant. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend as stated in the previous motion article 11. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Tracy Murphy moved to place article 12 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend as presented in the previous motion article 12. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Geoffrey Parker moved to place article 13 on the warrant. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to recommend as read article 13. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 14 on the warrant. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to recommend article 14 as read. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Bill Chapman moved to place article 15 on the warrant. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 15 as read. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Charlton Ames moved to place article 16 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to recommend article 16 as read. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

h. Recommendation Vote by the Board on Article Seventeen through Twenty-Eight of the June 2015 Annual Town Meeting Warrant

Geoffrey Parker moved to place article 17 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 17 as read. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Bill Chapman moved to place article 18 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 18 as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 19 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Bill Chapman moved to recommend article 19 as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Charlton Ames moved to place article 20 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 20 as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Geoffrey Parker moved to place article 21 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 21 as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 22 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 22 as read. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Bill Chapman moved to place article 23 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 23 as presented. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Charlton Ames moved to place article 24 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 24 as read. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Geoffrey Parker moved to place article 25 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 25 as read. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 26 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 26 as read. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Kenneth McKinley moved to place article 27 on the warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend article 27 as presented. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

Charlton Ames moved to place article 28 on the warrant. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoffrey Parker moved to recommend article 28 as read. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 AGAINST – 0 ABSTAINED

- i. Vote to set the town meeting times as stated in the first paragraph of the June 2015 Annual Town Meeting Warrant

Kenneth McKinley moved to set the Town Meeting times as stated and read by the chair in the first paragraph of the June 2015 Annual Town Meeting Warrant. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- j. Select Board approval to transfer budgeted funds in the Town Manager Budget to the Police and Public Works Budgets

Geoffrey Parker moved to transfer funds from budget line E0205-2565 in the amounts and to the specific budget lines as recommended by Finance Director Virginia Lindsey in her colorful memo dated April 6, 2016, page 3. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- k. Discussion and possible action regarding a feasibility study to provide fiber optic broadband to cover all of Rockport

Bill – referred to a memo dated January 19, 2015

Rick – explained not more than \$30,000 would be needed from the UFB. The first phase will be done in conjunction with Rockland and will save us eight to nine thousand dollars. There will be another \$10,000 needed for additional modeling.

Tracy – Rockport will send out notices to all Rockport residents.

Ken – it appears that the Planning and Development revenue is down this year.

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Charlton – I am amazed at Tilson’s design. Will it reach all of Rockport residents’ homes, even on Beauchamp?

Rick & Geoff – yes

Geoff – it will allow us the possibility to furnish fiber optic to all homes in Rockport.

Rick – we will need to do a bond and need to make sure that the fees charged will cover the bond.

Tracy – this is really exciting. She is thrilled that she will have fiber optic.

Ken – it will take a huge amount of work ahead for this Board.

Kenneth McKinley moved to support the Town Manager’s decision to move forward with the feasibility study to provide fiber optic, broadband connectivity to all residents and businesses in Rockport and further acknowledge that the Board will likely be called on to transfer funds from the UFB to cover any overage when we finalize the fiscal year. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- l. Appoint Rockport Town Planner and Community Development Director James Francomano and Rockport Select Board Chair William Chapman as Rockport’s General Assembly representatives to the Mid-Coast Economic Development District (MCEDD) effective immediately

Tracy Murphy moved to appoint Planning and Community Development Director James Francomano and Rockport Select Board Chair William Chapman as Rockport’s General Assembly representatives to the Mid-Coast Economic Development District effective immediately. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- m. Approval of a letter supporting Midcoast Council of Governments (MCOG) assuming the mission of Mid-Coast Economic Development District (MCEDD)

Bill – explained this item. There is the possibility of an interlocal revolving loan program with favorable interest rate, grants for specific purposes and CDS, which we could have tapped into with our Route 1 sewer project. Rockland had one with their Boardwalk.

Rick – so we will have representation through Jamie.

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Ken – there are some grammar issues that need correction. The first paragraph first sentence “were” should be changed to “was.” We should strike the second sentence in the first paragraph about Knox County.

Geoff – in the third paragraph, should strike the last part of the first sentence starting with “has stepped.”

Kenneth McKinley moved to authorize the Chair and Town Manager to sign the letter dated April 13th, with the noted corrections, to be sent to Paul Maryskila, Director of the US Economic Development Administration. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- n. Approval of Town Manager’s attendance at Maine Town, City and County Managers’ Association (MTCMA) annual meeting and ongoing education session in August and the International City Managers’ Association (ICMA) meeting and ongoing education session in September

Kenneth McKinley moved to approve the Town Manager’s attendance at the Maine Municipal City and County Mangers’ Association (MTCMA) annual meeting and ongoing education session in August and the International City Mangers’ Association (ICMA) meeting and ongoing education session in September. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- o. Set date for Maine Uniform Building and Energy Code (MUBEC) workshop

We should set the date after the new Board members have been elected. It should be a public workshop.

Bill – at the present time it is not the builder’s responsibility to pay for substandard work.

Ken – someone from Wills’ office will give us more of a presentation for initial information.

The Board directed the Town Manger to do a Doodle Poll

VI. WASTEWATER COMMISSIONERS

Tracy Murphy moved to leave as Select Board and enter as Wastewater Commissioners at 9:57 p.m. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- a. Commitment of Commercial Sewer User Rates for the period of February 2015

Tracy Murphy moved to commit the February 2015 Wastewater User/Debt Fees totaling \$23,393.20 to the Treasurer for collection. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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

VII. LIAISON REPORTS

Geoffrey P. – the Opera House Committee, John Viehman has been harassing them to populate for a specific web site. They are asking for help with this project.

The Harbor Committee met, but he did not attend the meeting.

The ZBA met with the Vice Chair conducting the meeting. Jamie did very well in that. A daycare is being planned for Old County Road and they will need a special exception for their approval.

He attended a meeting with the school board. The big issue is the Middle School. They talked about a \$400,000 expansion that must be done and they will be taking \$200,000 out of surplus. They talked about sending out a comprehensive survey with return 1st class postage being supplied. He feels that it would be a gesture of goodwill to start working better together if the two Towns pony up 1/3 of the costs. The Board did not feel that this was a good plan.

Ken – the school budget was good this year with Rockport's increase going up .84% for the CSD and .63% for MSAD #28.

The Cemetery Committee will be meeting with us next month to present their revised Rules and Regulations.

The Pathways Committee has a grant and needs a Rockport person to work on a bicycle path. Jamie also attended the meeting. A guy was there from the MDOT and they talked about replacing the signal at Route 1 and 90, soon.

Bill – Martin Cates, Camden is interested in the two towns' having cooperative services. We are presently doing that with our Assessor. Could Sue help with scheduling all of the ball fields? He talked about sewer issues and the fact that there is plenty of capacity

The Library Committee is working on revising their bylaws. They have installed door counters at the front and back doors. Usage of the library has increased by 10% since mid-March. May 16th from 9 a.m. to 12 p.m., they Friends of the Library will hold a tag sale and bake sale at the Opera House. On April 27th Steve

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Podgajny will talk about areas of interest and on the 29th at 5:30 there will be a public meeting. That will be the last day for public comments. On June the 3rd there will be a meeting upstairs with a final report. The book sale will in July at MRC. The Glovers have once again contributed another year to allow the Committee to sort and store books for the book sale. They have asked for a contribution towards the heat and electricity.

The Investment Committee met. They are seeking a fifth member. At the end of June they will take out \$15,000 from perpetual care plus another \$26,500 from the cash fund account and put it into a longer term account at Bar Harbor Trust.

He did not attend the MCSW meeting.

The Town Manager evaluation material is due by May 1st.

Charlton – the Parks Committee meets tomorrow and will discuss what they want to do for the year.

Legacy Rockport is getting their act together.

The Conservation Commission has been meeting. It is remarkable all Bob Kennedy comes up with. They will be reviewing the pipe at Goodies' Beach.

Tracy – the Recreation Committee have not met. They only have three members. Ron Howard from Aldermere does a lot of recreation events. She thinks that it would be a good idea to have him as a member of the committee.

MCSW – met last week. They will be filling the gut wall between the two quarries. They will be using concrete. They will have to do the deepest area in steps. Their long term strategic planning is ongoing. Should it be a pure single stream or a dual stream?

Alison McKeller (501(3) (C)) on Mechanic Street is collecting walkers, crutches to send to Syria.

VIII. EXECUTIVE SESSION

- a. None this month

IX. ADJOURNMENT

Tracy Murphy moved to adjourn the meeting at 10:55 P.M. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

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LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY