

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
TUESDAY APRIL 22, 2014  
7:00 P.M.  
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Charlton Ames, Tracy Lee Murphy, and Geoffrey Parker. Kenneth McKinley was absent. Also present: Richard C. Bates, Town Manager, Department Heads: Bill Najpauer, Director of Planning and Community Development; Mike Young, Public Works Director and Steve Beveridge, Assistant Public Works Director, Budget Committee Members (J. Rosenbaum, S. Stone, P. Johnson, H. Shaw, J. Viehman, T. Murphy and B. Saltonstall, 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. Next Meeting – Monday, May 12, 2014, 7:00 p.m.
  - b. Announcements
  - c. Upcoming Select Board Workshops – None
  - d. Nominating Papers
  - e. Committee Openings
  - f. Agenda Changes – None
  - g. Public Comment - None
- II. TOWN MANAGER’S REPORT - NONE
- III. UNFINISHED BUSINESS
  - a. None this evening
- IV. PUBLIC HEARING
  - a. Public Hearing on the proposed Ordinance Articles Three through Eight of the June 2014 Annual Town Meeting Warrant

**Article 3.** Shall an ordinance entitled “Ordinance repealing the Rockport Land Use Ordinance Section 900 and replacing it with an amended Section 900 which reorganizes the contents, creates a chart of permitted uses, creates dimensional charts, and makes some other minor revisions” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain

RECOMMEND

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

RECOMMEND

**Public Hearing opened at 7:02 p.m. and closed at 7:03 p.m.**

**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

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**Article 4.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance through adding new definitions and making changes to existing Section 300 Definitions” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

**Public Hearing opened at 7:03 p.m. and closed at 7:05 p.m.**  
**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

**Article 5.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 1400 Shoreland Zoning Overlay District be made in sub-section 1415.16 to clarify that a 75-foot setback is required for all waterbodies other than a great pond” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

**Public Hearing opened at 7:05 p.m. and closed at 7:06 p.m.**  
**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

**Article 6.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 1400 Shoreland Zoning Overlay District be made in sub-section 1416. 2 e to state that the provisions in Section 1415.16.2 shall not apply to the Rockport Harbor located on Map 29B Lots 091 and 309” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

**Public Hearing opened at 7:06 p.m. and closed at 7:08 p.m.**  
**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

Jan Rosenbaum asked what this ordinance means.

Bill Najpauer – it allows vegetative clearing from Harbor Park.

**Article 7.** Shall the Rockport Zoning Map be amended by changing the designation of the wetland located at West Street Extension from Resource Protection to Another Shoreland District” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

**Public Hearing opened at 7:08 p.m. and closed at 7:09 p.m.**  
**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

**Article 8.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 800 General Standards of Performance be made by creating standards for lighting in sub-section 801.7; and by placing the dimensional requirements for Cluster Subdivisions contained in Section 900 into Subsection 804.1.E” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Public Hearing opened at 7:09 p.m. and closed at 7:10 p.m.**  
**Anyone for – None - Any opposition –None- Anyone neither for or against – None**

V. NEW BUSINESS

a. Recommendation Vote by the Board on Ordinance Articles Three through Eight of the June 2014 Annual Town Meeting Warrant:

**Article 3.** Shall an ordinance entitled “Ordinance repealing the Rockport Land Use Ordinance Section 900 and replacing it with an amended Section 900 which reorganizes the contents, creates a chart of permitted uses, creates dimensional charts, and makes some other minor revisions” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Geoffrey Parker moved to approve Article 3 as proposed and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 4.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance through adding new definitions and making changes to existing Section 300 Definitions” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Geoffrey Parker moved to approve Article 4 with changes of striking the word “to” after existing and to add closed parenthesis after the word “Definitions” and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 5.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 1400 Shoreland Zoning Overlay District be made in sub-section 1415.16 to clarify that a 75-foot setback is required for all waterbodies other than a great pond” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Geoffrey Parker moved to approve Article 5 as proposed and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 6.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 1400 Shoreland Zoning Overlay District be made in sub-section 1416.2 e to state that the provisions in Section 1415.16.2 shall not apply to the Rockport Harbor located on Map 29B Lots 091 and 309” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Geoffrey Parker moved to approve Article 6 as proposed and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 7.** Shall the Rockport Zoning Map be amended “by changing the designation of the wetland located at West Street Extension from Resource Protection to Another Shoreland District” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND  
Select Board Votes: 0 For, 0 Against, 0 Abstain                      RECOMMEND

**Geoffrey Parker moved to approve and place on the warrant Article 7 as corrected by deleting the words “be enacted” and further amend the motion by adding parenthesis before and after the words “Resource Protection” and “Another Shoreland District” with a question mark outside the parenthesis. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 8.** Shall an ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 800 General Standards of Performance be made by creating standards for lighting in sub-section 801.7; and by placing the dimensional requirements for Cluster Subdivisions contained in Section 900 into Subsection 804.1.E” be enacted?

Planning Board Votes: 6 For, 0 Against, 0 Abstain                      RECOMMEND

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

RECOMMEND

**Geoffrey Parker moved to approve Article 8 as proposed and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

b. Final Discussion and Recommendation Vote by the Board on Articles Nine through Seventeen of the June 2014 Annual Town Meeting Warrant

**Article 9.** 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 2014/2015 fiscal year:

A.	General Government .....	\$920,984
B.	Public Assistance .....	\$7,725
C.	Public Safety .....	\$231,240
D.	Public Works.....	\$77,019
E.	Culture and Recreation .....	\$123,794
F.	All Other – Cemeteries .....	\$8,670
G.	All Other – RES East .....	\$100
H.	Unassessed Fund Balance .....	\$60,000
I.	Special Assessments .....	\$182,000
	Total .....	\$1,611,532

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

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

RECOMMEND

**Geoffrey Parker moved to recommend Article 9 as stated above and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 10.** To see if the Town will vote to raise and appropriate the following for General Government for the 2014/2015 fiscal year:

A.	Administration .....	\$30,920
B.	Town Manager .....	\$240,921
C.	Town Clerk .....	\$206,706
D.	Planning & Community Development.....	\$210,551
E.	Finance .....	\$128,314
F.	Assessing.....	\$154,692
G.	Town Office Building .....	\$107,815
H.	Insurance .....	\$47,876
	Total .....	\$1,127,795

Budget Committee Votes: 8 For, 0 Against, 0 Abstain

RECOMMEND

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

RECOMMEND

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**Tracy Murphy moved to recommend Article 10 as stated above and to place it on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 11.** To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2014/2015 fiscal year:

A. General Assistance.....	\$24,341
Total .....	\$24,341

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

**Charlton Ames moved to recommend Article 11 as stated above and to place it on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 12.** To see if the Town will vote to raise and appropriate the following for Public Safety for the 2014/2015 fiscal year:

A. Police Department.....	\$560,323
B. Fire Department .....	\$451,867
C. Streetlights .....	\$63,060
D. Animal Control .....	\$11,776
E. Harbor Master .....	\$171,540
F. Public Safety Building .....	\$30,154
G. Emergency Management Agency .....	\$1,850
Total .....	\$1,290,570

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

**Geoffrey Parker moved to recommend Article 12 as stated above and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 13.** To see if the Town will vote to raise and appropriate the following for Public Works for the 2014/2015 fiscal year:

A. Public Works.....	\$1,313,369	
		w/ 2 year lease \$ 1,323,869
B. Sanitation .....	\$159,145	
Total .....	\$1,472,514	
		Total w/ 2 year lease \$1,483,014

Budget Committee Votes: 5 For, 2 Against, 1 Abstain	RECOMMEND
Select Board Votes: 0 For, 0 Against, 0 Abstain	RECOMMEND

**Geoffrey Parker moved to approve Article 13 as amended and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

There was much discussion regarding a two-year lease versus a three-year lease.

Geoffrey Parker – there seems to be a difference of opinion between a three year and a two year lease. If the three year lease is used it will create a significant uptick in the third year. A two year lease would alleviate an uptick.

Bill C. – a two year lease would increase the budget by \$10,500. At the last meeting we voted 2-2 which caused the motion to fail.

Geoffrey P. – if we change our mind, the Budget Committee would need to reconvene to revote.

Bill C. – they can meet on this if they choose as there was some confusion previously.

**Geoffrey Parker moved to amend the motion and to change to a two year lease making the Public Works line item \$1,323,869 and the total for the Article \$1,483,014. Charlton Ames seconded the motion to amend.**

Bill C. – we need to look at what is best for the town. We don't have enough information to know what the budget will look like in three years.

Geoffrey P. - no we don't have a crystal ball to see the whole information. We are approaching a 180 degree turnaround from our previous meeting. Action on a two year lease will assure we don't have an uptick in the third year.

Charlton A. – this is more symbolic than anything.

Rick B. – I think that the Budget Committee was for the two year lease and against the three year lease.

John V. – the reason for us being against the three year lease is because “it is like kicking the can down the road” rather than creating a bump in the third year. We would save \$1,000 in interest if we approve the two year lease. Why would you be in favor of the three year lease? I talked to Ginny today and she gave me the number of a \$1,000 saving.

Jan R. – I think that there was a lot of talk, but I don't think that there was a lot of confusion. The only confusion is, “is it our job to do this year's budget or to look at three years down the road.” I take a small umbrage at the word confusion.

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Tom M. – explained what he thought the confusion was. Some of us recommended the three year lease and some of us recommended the two year lease.

Tracy – I am glad that this discussion is about a two year lease versus a three year lease and not to cut the lease from the budget. We have spent fifteen minutes on this one article which is more time than all the other articles put together. It is not worth fighting about. We can afford the \$10,500. We should just get it over with.

Bill C., Chairman – asked for the vote on the amended bottom line which includes the two year lease.

**VOTE: 4 FOR – 0 OPPOSED**

**Article 14.** To see if the Town will vote to raise and appropriate the following for Culture and Recreation for the 2014/2015 fiscal year:

A.	Library.....	\$412,708
B.	Conservation Commission.....	\$9,065
C.	Parks and Recreation.....	\$70,870
D.	Opera House.....	\$100,740
	Total .....	\$593,383

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

**Geoffrey Parker moved to recommend Article 14 as stated above and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 15.** To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2014/2015 fiscal year:

A.	Debt.....	\$88,158
	Total .....	\$88,158

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

**Tracy Murphy moved to recommend Article 15 as stated above and to place it on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 16.** To see if the Town will vote to raise and appropriate the following for County Fees for the 2014/2015 fiscal year:

A.	County Service E-911 .....	\$57,771
B.	County Service Dispatch.....	\$28,466
	Total .....	\$86,237

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

**Charlton Ames moved to recommend Article 16 as stated above and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 17.** To see if the Town will vote to raise and appropriate the following for Cemeteries, RES East and Special Assessments for the 2014/2015 fiscal year:

A.	Cemeteries.....	\$57,622
B.	RES East .....	\$8,535
C.	Special Assessments .....	\$5,800
	Total .....	\$71,957

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

**William Chapman moved to recommend Article 17 as stated above and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

c. Recommendation Vote by the Board on Articles 19 through 30 of the June 2014 Annual Town Meeting Warrant

This item should read Articles 18 through 30.

**Article 18.** 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 2014/2015 budget to be taken from fund balance?

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

**Tracy Murphy moved to recommend Article 18 as stated above and to place it on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 19.** 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: 0 For, 0 Against, 0 Abstain RECOMMEND

**Geoffrey Parker moved to recommend Article 19 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 20.** 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: 0 For, 0 Against, 0 Abstain RECOMMEND

**Geoffrey Parker moved to recommend Article 20 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 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 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.

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

**Article 22.** To see if the Town will vote to set October 15, 2014 and April 15, 2015 as the tax installment due dates?

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

**Geoffrey Parker moved to recommend Article 22 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 23.** To see if the Town will vote to set October 16, 2014 and April 16, 2015 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 7.00% interest per year?

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

RECOMMEND

**Geoffrey Parker moved to recommend Article 23 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 24.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 24 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 25.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 25 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 26.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 26 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 27.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 27 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 28.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 82 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Article 29.** 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: 0 For, 0 Against, 0 Abstain

RECOMMEND

**Geoffrey Parker moved to recommend Article 29 as written and to place it on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

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- d. Vote to set the town meeting times as stated in the first paragraph of the June 2014 Annual Town Meeting Warrant

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 10th day of June, 2014 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 9 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 11th day of June, 2014 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant.

**Geoffrey Parker moved to set the date and time for the Annual Town Meeting to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 10th day of June, 2014 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 8 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 11th day of June, 2014 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

- e. Vote to sign Budget Validation Referendum - MSAD #28 and Five Town CSD Warrant and Notice of Election Tuesday, June 10, 2014

**Geoffrey Parker moved to sign the Budget Validation Referendum Warrant and Notice of Election for the MSAD #28 and Five Town CSD to be held on Tuesday, June 10, 2014 . Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Tracy – reminded everyone that the School Budget Meetings will be held on May 27<sup>th</sup> at 6:00 p.m. for the MSAD #28 and at 7:00 p.m. for the Five Town CSD.

- f. Quitclaim Deed for Signature – The Inhabitants of the Municipality of Rockport to Carolyn Boothby, Map T01, Lot B1-045.

**Tracy Murphy moved to sign the Quitclaim deed for Carolyn Boothby, Map T01, Lot B1-045. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

The Budget Committee had a short meeting (7:50 p.m.-8:00 p.m.) to revote on Article 13. Jan Rosenbaum reported that the Committee **voted 7 FOR and 0 OPPOSED on Article 13 as amended and passed earlier by the Select Board.**

VI. WASTEWATER COMMISSIONERS

**Tracy Murphy moved to close as the Select Board and to reopen as Wastewater Commissioners. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

- a. Award of the bid for the Route 1/Commercial Street Sanitary Sewer Extension Project (tentative)

Steve B. – the intent is to start the construction on May 12<sup>th</sup> and to have the work completed by July 4<sup>th</sup>. The construction will be done along with work on the water pipes being done by the Water Company.

Geoffrey P. – looking at the spreadsheet with the bid results, I see where Ferraiolo's bid is \$50,000 less than the next low bidder. The biggest difference seems to be for the Rockville Pump Station. This difference is about \$100,000 less than your four competitors. Are we looking at apples to apples?

Frank Ferraiolo – spoke on behalf of his company, Ferraiolo Construction, the low bidder on the sewer project. We looked at the profiles and borings and feel that the other competitors buried their estimate for rock removal in the price for the pump station.

Geoffrey – what if your guess is wrong, what happens to the town?

Frank F. – believes that less rock will need to be removed and therefore we charged less costs for that part of the project.

Rick – the bottom line will not be more than \$574,336.90 unless there are change orders?

Steve – that is correct the total number will not be more. The number we gave for rock removal should vary very little according to the engineers. They took borings every 100' and therefore, there should be very little variance. The last time a project was done for a pump station; there was a little over 600 yards of rock removed. "I don't think we'll find much ledge."

Rick – we can wait for clarification and have another meeting with the Engineer Nate McLaughlin.

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Steve – I spoke with MDOT today. We have to take the low bidder or the project is a no go.

**Tracy Murphy moved to award the contract for the Route 1 Northern Sewer extension to Ferraiolo Construction and to authorize the Town Manager to sign the contract, once we are granted permission from the Maine DEP to do so following the completion of the public comment period as required. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Geoffrey Parker moved to exit as Wastewater Commissioners and to reconvene as the Select Board. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

VII. LIASION REPORTS – NONE

VIII. EXECUTIVE SESSION – NONE

IX. ADJOURNMENT

**Tracy Murphy moved to adjourn the meeting at 8:22 P.M. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY