

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY JUNE 23, 2014
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Charlton Ames, Tracy Lee Murphy, Kenneth McKinley and Geoffrey Parker. Also present: Richard C. Bates, Town Manager, Department Heads: Michael (Mike) Young, Public Works Director; Abbie Leonard, Harbor Master and Virginia Lindsey, Finance Director, 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 the:

- Monday, May 12, 2014, meeting of the Select Board

Tracy Murphy moved to accept the minutes of the May 12, 2014 Select Board Meeting as amended on page five 4th sentence change to “Tracy – stated that she has no burning desire to have a day- long workshop”; page 2 IV.a. after the motion add the words “The following motion was signed by the Select Board”; page 7, 2nd paragraph change the word “done” to “down”. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Monday, May 19, 2014, Executive Session of the Select Board

Kenneth McKinley moved to accept the minutes of the May 19, 2014 Executive Session of the Select Board as amended by adding item “b. Confirmation of the Town Manager’s Appointment of the new Library Director.” Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Friday, May 30, 2014 Executive Session of the Select Board

Charlton Ames moved to accept the minutes of the May 30, 2014 Executive Session of the Select Board as amended by adding to those present “Ann Filley and members of the public”, absent Kenneth McKinley and Geoffrey Parker and changing the “VOTE to 3 FOR – 0 OPPOSED” on all the motions. Tracy Murphy seconded the motion. VOTE: 3 FOR – 0 OPPOSED – 2 ABSTAINED (MCKINLEY & PARKER)

- Wednesday, June 11, 2014, organizational meeting of the Select Board

Tracy Murphy moved to accept the minutes of the June 11, 2014 meeting of

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the Select Board as amended by changing “40 to 48” page 2, 1st sentence and change the “f after the g to h” on same page. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Next Regular Select Board Meeting on Monday, July 14, 2014, 7:00 P.M.,
Rockport Opera House, TV
 - c. Announcements:
 - d. Upcoming Workshop Dates:
 - e. Committee Openings
 - f. Agenda Changes – NONE
 - g. Public Comment - NONE
- II. TOWN MANAGER’S REPORT – see attached
- III. UNFINISHED BUSINESS
- a. Approval of the Select Board By-Laws Changes (tabled from the June 11
organizational meeting of the Select Board)

Tracy – did not feel a great need for any changes. She does not see how it would serve the Board in any way to put anything in the bylaws regarding remote participation.

Charlton – stated that he agrees with electronic communications.

Bill – said that according to MMA a person can participate remotely as long as the audience can hear the person participating and in reverse, the Board member would need to be able to hear the audience response. Remote participants (Board member) would not be able to vote on any issues on the agenda.

We do not have to give 48 hour prior notice of a meeting, or to provide an agenda. We only have to announce that a meeting will occur.

Ken – regarding his recommended changes – on meetings, it is two fold, it allows a change order of business and allows members of the public to be aware of any changes. He feels that the item on electronic communications should be kept as written.

Kenneth McKinley moved to approve the Bylaws for the Select Board as written with the changes in red to Section 5 and Section 7 with addition of the date of May 31st in the last sentence. Charlton Ames seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Adoption of an Executive Order making the National Incident Management System (NIMS) the Town of Rockport’s All-Hazard Incident Management

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System (tabled from the May 12 meeting of the Select Board)

Tracy Murphy moved to approve the adoption of an Executive Order making the National Incident Management System (NIMS) the Town of Rockport's All-Hazard Incident Management System. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- c. Select Board Approval to overdraw certain FY-14 budget lines (tabled from the May 12 meeting of the Select Board)

Charlton Ames moved to approve the total to Transfer, PO Encumber, Encumber and Overdraw the FY 14 budget in the amount of \$45,951.55 (see attached). Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

IV. PUBLIC HEARING

- a. No Public Hearing - NONE

V. NEW BUSINESS

- a. Committee Resignation(s): - NONE

- b. Committee Application(s): -

- Brendon Riordan to the Harbor Committee – not present
- Barbara Chapman to the Harbor Committee – not present

Discussion – some of the Board didn't feel that they had been notified by Stacey with all of the information necessary to make a decision. Neither applicant was present at the meeting.

Abbie – said that the Harbor Committee had interviewed all four of the applicants and they recommended the two applicants named above.

Tracy Murphy moved to table these appointments until the next meeting. The Board needs to know how many openings there are on the committee and who is leaving. We need updated information for clarification. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Alexandra Wolf Fogel to the Opera House Committee

Kenneth McKinley moved to approve the appointment of Alexandra Wolf Fogel to the Opera House Committee with a term expiration of June 30, 2015. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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- c. Vote to request the Ordinance Review Committee to review the following ordinances and report back to the Select Board with wording changes and recommendations no later than Monday, August 11, 2014:
- Signage change for medical facilities located in the Hospital and Resort Zone

Geoff - anything we can do to clarify this section of the ordinance is a plus.

Bill – our concerns at the hospital for signage is regarding signs on the external grounds.

Geoff – should this be a special exception?

Rick – Bill Najpauer will be doing some contract work for us and will work on the sign ordinance. It is confusing the way it is written now. What right do we have to control signs inside the complex? It makes sense to have the Ordinance Review Committee work on this item.

- Special Permit process for entertainment lasting later than 10:00 pm

Tracy Murphy moved to request the Ordinance Review Committee to review the above ordinances and report back to the Select Board with wording changes and recommendations no later than Monday, August 11, 2014. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- d. Approval of the revisions to the Opera House Contract

The feeling is that there are no clear expectations of how the room should be left after an event. The renter should leave the Opera House in the same condition that it was when they rented the space.

Kenneth McKinley moved to approve the revisions to the Opera House Contract and in addition to strike the next to the last paragraph on page 3 which begins with “the Town may provide”, and add a note section for further clarifications. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- e. Winter boat storage at the Harbor – change date from July 1st to June 1st for boats to be removed from the storage area

Abbie – The committee had a discussion and decided that “Harbor Master” should be one word Harbormaster. The winter Boat Storage policy needs to be revised. We need to have clarification when the boats should be removed from winter storage. That section of the parking lot is prime real estate. We need it for parking. Public Works needs to clean the area and get it ready before the summer season is in full swing.

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Ken – feels that June 1st is a little too early and that there needs to be a plan for that space.

Bill – thinks that to start storing boats on Labor Day is also too early as the harbor is still busy and we need the parking spaces.

Mike – by mid-June parking in that area is bad with the lobstermen getting started for the season and with people starting to use the harbor after a long winter.

Tracy Murphy moved to approve the changes to the Harbor Rules and Regulations as recommended by the Harbor Committee and the Harbormaster. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

f. Acceptance of gifts and donations:

- Donation of a Memorial Bench for the Harbor Park

Discussion - The van der Kieft family wants to donate a bench to be placed at the harbor by the statue of Andre´ in memory of their dear Stella Margaret Carozza who passed away in January. The Board agreed to accept this offer.

Charlton Ames moved to accept the donation of a Memorial Bench for Marine Park with specifications and placement to be determined by the Harbormaster Abbie Leonard. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED Geoffrey stepped out of the meeting room for a few minutes.

- Donation to Fire Department for replacement and upgrades to equipment

Kenneth McKinley moved to accept the donation to the Rockport Fire Department for replacement and upgrades to equipment. And to send a letter of thanks to the Cascade Foundation, signed by the Chair of the Select Board and by the Fire Chief along with the receipt. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

g. Approval of the Board of Assessment Review (BAR) By-Laws

Tracy Murphy moved to approve the change to the Board of Assessment Review (BAR) By-Laws. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

h. Discuss a possible agenda for the next joint meeting with the Camden Select Board

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Bill – possible items for the joint meeting are as follows:

Cooperation between the two recreation groups
Assessment, revaluation & sharing Assessor
Gateway intersection

The meeting will be on August 7th at 6:30 with Camden hosting the meeting. Maybe we should include and invite Hope, Appleton and Lincolnville to the meeting.

- i. Reappoint Town Officials for a term commencing July 1, 2014 and expiring June 30, 2015

Tracy Murphy moved to approve the reappointment list for town officials for a term commencing July 1, 2014 –June 30, 2015. Geoffrey Parker seconded the motion. Tracy Murphy moved to update and amend the motion to change the Public Works Director to Michael Young. Kenneth McKinley seconded the motion. VOTE ON MOTION AS AMENDED: 5 FOR – 0 OPPOSED

- j. Reappoint town committee members whose terms expire June 30, 2014 and who have volunteered to serve another term

Tracy Murphy moved to approve the reappointment list of town committee members as presented for a term commencing July 1, 2014 to June 30, 2017. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- k. Agree to Select Board liaison assignments for FY-15

Tracy Murphy moved to approve the Select Board Liaison Assignments for July 1, 2014 to June 30, 2015. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to dissolve the Ad Hoc Lime Kiln Preservation Committee with great thanks to its hard working Chair, Heaven. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- l. Confirm proposed Select Board Workshop dates for July, August and September

Discussion – the goal setting session will be held on July 9th at 3:00 p.m.; short meeting on July 16th at 4:00 p.m.; executive session with the Town Manager on August 12th at 5:30, this should be a two hour meeting; Monday August 25th the annual education on the budgeting process; town charter workshop (we have already identified some corrections that need to be done); a Comprehensive Plan Implementation Workshop once we get a new planner; October meeting on NIMS and October 27th prebudget workshop.

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- m. Discuss holding a Select Board Listening Tour of the five villages and business community

Discussion – the Board agreed to wait another year before having another Listening Tour. We need to think about what we want to ask for questions. No action is necessary on this item.

- n. Compare notes for the MMA's 2015 Legislative initiatives and prepare a single, combined list for submission

This item is well worth addressing as a Board.

Tracy – remarked that sales tax hurts the people we are trying to help.

Ken – possible local tax could be an option for sales tax.

Geoff – we should go to our local legislator with our concerns after the election.

No action is necessary on this item.

- o. Approve the Town Manager's attendance at the MTCMA New England Management Institute at Sunday River, August 13-15, 2014

Kenneth McKinley moved to approve the Town Manager's attendance at the MTCMA New England Management Institute at Sunday River, August 13-15, 2014. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- p. Approve Town Manager's attendance at the ICMA Conference in Charlotte, NC, September 14-18, 2014

Kenneth McKinley moved to approve the Town Manager's attendance at the ICMA Conference in Charlotte, NC, September 14-18, 2014. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- q. Approval of Job Descriptions:

- Opera House Manager
- Youth Services Librarian
- Director of Planning and Community Development

Kenneth McKinley moved to approve the job description for the Opera House Manager. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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Tracy Murphy moved to approve the job description for the Youth Services Librarian. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to approve the job description for the Director of Planning and Community Development. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VI WASTEWATER COMMISSIONERS

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

a. Commitment of Sewer User Rates for the period of April 2014

Kenneth McKinley moved to commit the April 2014 Wastewater User/Debt Fees totaling \$26,610.95 to the Treasurer for collection. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

b. Approval of FY-15 Wastewater Budget

Ken – wants more time to review the budget as they just received it and he needs more time.

Ginny – the difficulty would be that they would not be able to collect enough money to pay the expenses if the new rates are not approved. These need to be effective July 1st.

Tracy Murphy moved to approve the FY-15 Wastewater Budget. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 1 OPPOSED (MCKINLEY)

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

VII. LIAISON

Bill – we had a letter from Pen Bay Health Care regarding the CDBG grant. They thanked us for our effort even though it did not pass.

Library Committee met and reviewed the recommendations. There is a lot of push back from a group in town. Some residents were present at the meeting, didn't say anything, got up and left the meeting. Bill wants something on the ballot for November.

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Investment Committee is working with Bar Harbor and Trust. Even though we had recommended that we pull the cash money out of the account and put it into an account at The First, at .75%, we saw cash in the account again. We will check into this as we do not want to see cash laying around in that account.

Attended an Elected Officials Workshop – Minutes are intended to only record who is present, date and time and motions. A tape can be the record. Regarding Freedom of Access, a request does not have to be in writing only verbal. It is unenforceable to make them put a request in writing. You can charge for time and copies.

Charlton – Conservation Commission – failed to put a report in the Town Report. The Harbor Committee did not give a report either. Still working on the survey letter with Bob Kennedy. Geoff will help wordsmith it.

Parks Committee – Need to have a disclaimer form signed by volunteers who assist with the maintenance of Mary Lea Park and Veterans Park.

Tracy – did not attend the Planning Meeting.

Ken – the Cemetery Committee has not met.

Pathways have a lot of energy from the Rockport Members.

ORC has not met. Bill Najpauer would like to see changes in how it functions. They should start early this year on their work. Maybe they should work throughout the year. The Ordinances should be written by professionals.

Geoff – Opera House Committee – discussed the similarities to the Camden Opera House.

Harbor Committee will check with the schedule to see when they meet again.

VIII ADJOURNMENT

Geoffrey Parker moved to adjourn the meeting at 10:23 p.m. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY