

**MEETING MINUTES**  
**WEDNESDAY, JULY 23, 2014, 7:00 P.M.**  
**EMERGENCY MEETING**  
**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; Ann Filley, Library Director; members of the Library Committee; members of the Steering Committee, the press (Clancy) and several members of the public

- I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7: 00 P.M.
  - a. Discussion of the Library Warrant Article and Decision on how to proceed with the public hearings on this matter

Bill –the reason for this emergency meeting is to discuss our goals and procedures for the public hearing on August 5<sup>th</sup>; there will not be any public comments allowed tonight; we need to accomplish what we need for the hearing.

He read from an MMA article regarding legislative public hearing. The Board also received a memo from Attorney Plouffe on some guidelines to follow regarding holding a public hearing and having a proposed question on the November ballot.

Bill - we need to decide how to format our future meetings regarding “public” hearing(s) on the referendum request.

Bill – the following are the goals I think that we need to accomplish tonight. Do we want a sign-up sheet, who can speak, should we have a time limit, can they speak more than once, and can the Select Board members ask questions of the speaker? What is the role of the library and the steering committees? When should the written comments that we receive be released at the public hearing? Should we read them all? Once we receive them they become public documents. Should we have one meeting or several meetings? What time should we start the meeting? We will need our decision on the warrant article by our September 8<sup>th</sup> meeting when we will need to vote on the wording. Does anyone else have any additional goals for this evening?

Tracy – should there be a public hearing before putting the question on the ballot?

Bill – we must hold a public hearing 30 days prior to the election. Technically we do not have to take public comments at our meetings. Do we want to have time set aside for us to have an opportunity to discuss what is said at the public hearing? Do you want to reserve a date to be able to have this discussion?

Geoff – what is the “emergency” that caused this meeting? I really didn’t get a clear answer when Bill contacted me about having tonight’s meeting.

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Bill – we need to discuss how to proceed with the August 5<sup>th</sup> meeting. We need to set some guidelines.

Tracy – it is an emergency meeting because it was called without the required notice.

Geoff – we didn't meet the timing for proper notice so the meeting on August 5<sup>th</sup> cannot be held as a public hearing.

Rick – there are two types of hearing outside the statutory rules. The public can give you their comments about something you may decide to put on the ballot. There is no way for the Board to have a meeting to discuss rules unless they have a public meeting, such as this one tonight.

Geoff – expressed that he feels it is a wrong decision not to allow the public present time to make comments.

Bill – when do you think we will get out of here tonight if that happens? We have one member of the Board who needs to be out of here by 8:00 p.m.

Tracy – the State does not allow people to speak at their meetings. We five need to make the decisions tonight.

Geoff – it appears that I am in the noisy minority and am happy to be there.

Charlton – I think that the guiding principle is to hear the people on August 5<sup>th</sup>. They will have their chance to speak that night.

Ken – wants to hear from as many people as possible on August 5<sup>th</sup> but tonight is for us to make some decisions on how to conduct the meeting on that evening.

**Charlton Ames moved to honor the August 5<sup>th</sup> meeting as approved by The Board at their July 14<sup>th</sup> meeting. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Bill – do you want to set another night to continue the meeting if it gets to be too late? We will take a break at 1 hour and forty-five minutes to change the tape.

Geoff – the recorder can go for a longer period of time than the usual meeting tapes.

The Board discussed what time the meeting should start. Some suggested anywhere from 5:30 to 6:30 p.m.

**Kenneth McKinley moved to start the meeting scheduled for August 5<sup>th</sup> for 6:30 p.m. Geoffrey Parker seconded the motion. VOTE: 5 FOR 0 OPPOSED**

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Charlton proposed that all taxpayers of Rockport be allowed to speak at the hearing.

Tracy – said that not all residents are taxpayers. Some people rent and are residents and should be allowed to be heard.

Geoff – we should allow non-residents to speak later if it is not too late in the evening.

Ken – all the people who live in Rockport should be allowed to speak, not just taxpayers and registered voters.

**The Board agreed to define “resident” as broadly as possible, to include children and that all should have an opportunity to speak. Also, it was agreed that non-residents could speak but would have to do so after all “residents” had their chance.**

Bill – what order do we want to allow them to speak? For, opposed and neither for nor against? Residents and non-residents?

Geoff – thinks that the sign-up sheet is important and to have someone check off the names once they have spoken.

Tracy – they could stand in line to speak.

Ken – agrees that would work better.

Bill – in random order?

Geoff – thinks that is a good idea.

Charlton – agreed. It should be a conversation and not a litany.

Geoff – everyone gets 3 minutes.

Bill – don’t think that we can control what they say.

Geoff – we will be sitting on the stage with the lights glaring on us. We could sit on the floor in front if you want.

Tracy – that will be our decision.

Charlton – I want to be able to see the speaker.

Tracy – we should have them line up – we should check off their name and we should choose the order of speakers.

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Bill – can someone come back for a 2<sup>nd</sup> statement at the end if they want to add something to what they have already said?

Charlton – we should wait on that.

Ken – thinks that they should leave this open-ended.

Bill – should we allow us to ask questions?

Geoff – we should take our own notes and ask any questions we have at the end of the public speaking.

Ken – our primary purpose is to listen. We should hold our questions.

Charlton – agreed that the Board should hold their questions.

Bill – what time limit do you want to set – 3 minutes or 5 minutes?

Geoff – when Camden recently had a meeting on Fox Hill they had 50+ people and they spoke about 3.2 minutes each. The meeting went for 165 minutes.

**The Board agreed on 3 minutes for each speaker to finish their comments.**

Bill – the written comments – they should be placed in a box at the Town Office. The email address is [librarypublichearing@town.rockport.me.us](mailto:librarypublichearing@town.rockport.me.us)

Geoff – the written letters should be filed in the order we receive them. Can the public write a letter and also speak at the meeting?

**The Board agreed that the public can have both a written statement and can speak at the meeting. Also, speakers will be allowed to present additional documents at the August 5<sup>th</sup> meeting.**

Tracy – at the meeting we will not be responding to written comments?

Geoff – after all the speakers, we should go through and give the names of those who made written comments and if they are for or against the article.

Rick – we can do an auto reply to notify people that we have received their email.

Tracy – we should make an acknowledgement that we have received the letters/emails, but not whether they are for or against the proposed article.

Geoff – they should be recognized that they have given us information.

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Tracy – why read the names off at the meeting?

Bill – agreed that we should accept any letter, any length with any and all additions or attachments.

Charlton – thinks that we should just commit to read all the submissions, but we don't need to acknowledge them at the meeting.

Geoff – can we add this onto the agenda?

**Tracy Murphy moved to read the names and address of all the emails and comments received, at the end of the meeting and as long as Geoff reads them. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 1 OPPOSED (MURPHY)**

Bill – will the length of the meeting be until we are done and everyone has had a chance to speak?

Charlton & Ken – felt that we should set a time.

Bill we should start at 6:30 p.m. until a time certain and then call for no more testimony.

**Kenneth McKinley moved to set the time of the meeting on August 5<sup>th</sup> to start at 6:30 p.m. and to end at 10:00 p.m. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Ken wanted to have Bill put an item on the agenda to give the Board the option to continue or stop and set another date if necessary. The Board agreed.**

Bill – we have to vote on our decision no later than at our regular meeting on September 8<sup>th</sup> if we want to include the proposed article on the warrant/ballot. At some point we need to get together, discuss all the information we have received and make a decision.

Geoff – can we make a decision on August 5<sup>th</sup> and do as much of the process as we can at that meeting? We should carry through the entire process on that day if possible.

Tracy – we can put an item on the agenda and we can table it to the next meeting.

Bill – we will listen until 10:00 p.m., have discussion and possibly make a decision.

Rick – the practice has been to have an agenda and to post your meeting. My recommendation is to follow normal procedure.

Bill – the last point is what role do we want to put on the library and/or steering committee? It is now in our hands. He feels that they are citizens and they have already made their presentation as a committee.

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Tracy – no one person on either committee can speak for the committee, it is not appropriate.

Ken – we can ask them questions as they are citizens, the same as anyone else.

Bill – we can totally change the ballot question if we choose.

Tracy – we have that right, but the committee voted on the proposed article and presented it to us.

Charlton – thanked everyone for attending the meeting.

II ADJOURNMENT

**Tracy Murphy moved to adjourn the meeting at 8:05 P.M. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY