

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, AUGUST 11, 2014
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair, William Chapman, Vice-Chair Charlton Ames, Tracy Lee Murphy, Geoffrey Parker and Kenneth McKinley. Also present: Richard C. Bates, Town Manager; Department Heads Ann Filley, Library Director and Virginia Lindsey, Finance Director; Bill Najpauer, Former Director of Community Development & Planning; press Dwight Collins. Lynda Clancy and Steve Betts and members of the public

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

a. Approval of the minutes of the Monday, July 14, 2014 meeting of the Select Board

Geoffrey Parker moved to approve the minutes of the July 14, 2014 meeting as amended: page 7, first motion, strike the sentence “I know because I attended a lot of these meetings.” and page 9, the third motion should be “McKinley’ and not “Murphy”. Charlton Ames seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Approval of the minutes of the Wednesday, July 23, 2014 emergency meeting of the Select Board

Kenneth McKinley moved to approve the minutes of the July 23, 2014 meeting as presented. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Approval of the minutes of the Tuesday, August 5, 2014 special meeting of the Select Board

Tracy Murphy moved to table the minutes of the August 5, 2014 meeting. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

b. Next Regular Select Board Meeting on Monday, September 8, 2014

c. Announcements – See agenda

d. Upcoming Workshop Dates – See agenda

e. Committee Openings – See agenda

f. Agenda Changes:

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Charlton Ames moved to hear items under New Business b, c, d, e, and f to be heard after the Town Manager's report. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

g. Public Comment –

Chapman – there will not be any additional public comment on the library as we have already had a special public meeting on this item and also on the agenda is the discussion and decision for a warrant article.

II. TOWN MANAGER'S REPORT – See attached

Susan Crawford, who served as President Obama's special assistant for Science, Technology and Innovation Policy in 2009 and is a leading advocate for high speed internet access, was present at the launch for the town-owned fiber optic internet network.

Tracy – asked if the executive session scheduled for the 20th was still going to be held. Bill said that it was cancelled. The Board decided to move it to their workshop that will be held on September 3rd.

Bill – said that he was glad to hear that the Public Works Department was taking comp time earned this winter during snow plowing season. This has saved their budget a lot of money.

V. b. Committee Application(s):

- Bob Kennedy, Conservation Commission

Tracy Murphy moved to approve the appointment of Bob Kennedy to the Conservation Commission with a term expiration of June 30, 2015. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

c. Approve the changes to Sign Ordinance (reference needed) and Entertainment Ordinance (reference needed) for the November Special Town Meeting Warrant.

Kenneth McKinley moved to approve the addition to the noise ordinance portion of the Entertainment Ordinance as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoff – the sign ordinance needs some wordsmithing, portions of it are unclear. We want it to be clear to neighbors if they have any concerns. The “H” signs that stand for HOSPITAL should not be included in the 100 square foot requirement.

Geoffrey Parker moved to change the proposed wording as referenced for the Sign Ordinance. Kenneth McKinley seconded the motion. VOTE: 5 FOR- 0 OPPOSED

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d. Briefing to the Select Board regarding recommendations to improve the Ordinance Review Committee process

Bill Najpauer – my suggestions would be to increase the involvement of the Planning Board in this process. They should be in on the informational stage. Also you should increase the membership on that Board by two or three members of the Planning Board. They should be involved with the ordinance review process. Their concerns should be heard.

Ken – how many ZBA members should also be involved?

Bill N. – one member would be good. You want their expertise. If you send the list to me, I'll get you a timeline.

e. Explain what needs to be done to keep on the radar and tap the CEDS money in regards to extending/linking the sewer along Route 1 and extending the fiber optic

Bill N – you should keep these projects front and center, work with the engineering firm, get together a group of people, complete their plan and then present it to this group. There needs to be a timeline. You should then bring in more players. The price will need to be defined. This will take a month or two. Then you will need to do a quick summary to MECEC and start looking for funds with DECD and any other sources. Rockport is pushing ahead. We need to help GWI in their marketing efforts to acquire more users of the fiber optic service.

f. Discuss the “future” of the Town’s Comprehensive Plan

Bill N. – first you will need to update the demographic data. Second, you should work on policy development. You should continue it until it is done and then move on. You should concentrate on your policies and strategy. You should give a lot of attention to the Land Use Section and Economic Development.

Route 1 and Route 90 have a lot of development happening. You will need to assist the development in a more practical way.

III. UNFINISHED BUSINESS

a. Discussion regarding mission and composition of the Water Quality Committee

Bob Kennedy – this committee came about to deal with the water quality issues at Goodies’ Beach. Members on this committee are also on the Conservation Commission.

Tracy – this ad hoc committee has a very specific need regarding the knowledge of water quality. Could a member be a non-resident?

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Ken – a standing committee is very different from this one that requires specialists. Who appointed this committee? Questioned if an ad hoc committee can look to members from other communities.

Geoff – endorsed this as a policy change.

Ken – standing committees represent the citizens of Rockport and should be composed of residents.

- b. Continued discussion and decision regarding request from Library Committee for a non-binding referendum to appear on the November 4, 2014, Special Town Meeting Warrant

Ken – presented the board with a proposal that the following two questions appear on the November warrant:

“Do you agree that the Town of Rockport should develop a plan for a new library, taking into account community input on design and budget?”

“Do you agree that the Town of Rockport should primarily consider the RES site as a location for a new library, provided the current ball fields are preserved?”

Ken – stated that after the public meeting on August 5th, it became apparent that both of these questions need to be answered, and that by presenting them as separate questions, the town will gather more information, giving a stronger indication of what the residents want. He stated that the wording “primarily consider” in the RES question allows voters to express a strong sentiment for that site, while not absolutely committing to it at this time. In developing this proposal, Ken consulted with another Select Board member, members of the Library Committee, and members of the Library Steering Committee. He also stated that the Library Committee met earlier in the day and endorsed this approach.

Geoff – why are we linking the preservation of the ball fields to this article?

Ken – there is strong sentiment from the residents. The question is what the ball field means. What area of the property? What if we reversed the ball field and the open space? Is a link to the ball fields necessary? My big concern is for the townspeople.

Bill – what are we trying to say?

Ken – I don’t think that this (the two articles) would preclude moving the field.

Charlton – we are all on the bus with the Library Committee driving the bus. The Select Board is in the front seat and we own the bus. If there is a wreck it is on all of us and it would be terrible. We should use as much of their proposed wording as possible.

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Tracy – we are going in the right direction. I don't think the location of the ball field is the issue.

Geoffrey Parker moved to accept the two warrant articles as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Geoff – we are whispering in their ear and encouraging the Library Committee to increase their communications with the Town. They need to lay out the steps. The Library Committee needs to take a proactive plan to educate the public.

Ken – we are not ready to have a budgetary plan yet.

Bill – we cannot take on the cost of planning. It is not in our budget this year. We would have to hold a Special Town Meeting to do that.

Charlton – we are here to help the Library Committee.

IV. PUBLIC HEARING

None this meeting

V. NEW BUSINESS

a. Committee Resignation(s) – NONE

g. Hear a request by the Camden Hills Regional High School to waive or reduce the permit fees for the 100% community donated bleacher project at the CHRHS Athletic Fields

Bill – the parents have put in the money to purchase the bleachers. We have charged you a fee and you are asking us for a waiver.

Tracy – does this have to go through the Planning Board review process? If so I would have trouble waiving the entire fee. Scott would have to take this through the process and would have some paperwork to do.

Charlton – in terms of safety, bleachers are scary.

Steve Alex – Representing the CSD – the present ones are inadequate. The parent, students and staff have come up with a lot of the funds for the bleachers. We will be short funding if we have to come up with a fee for the permit. They are due to arrive a week from today. I have seen the kit for the bleachers and they are quality controlled.

Tracy – is it in the original plan to have these bleachers?

Steve – there are already bleachers there, but not that big. It has a slab to install them on.

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Tracy – we need to know if it was in the original plan.

Geoff & Tracy – he needs a building permit no matter whether or not these bleachers were in the original plan. This project does not take a number of inspections.

Tracy – does it need site plan review?

Bill – if it does they will have to wait until the September Planning Board. You are caught between a rock and a hard place.

Rick – the question is how much or if there is to be any fee charged.

Tracy – you will want input from the fire and police chief first. It doesn't feel right that there isn't any fee.

Charlton Ames moved to approve a reduction of fees in the amount of \$1,000 for the Camden Hills Regional High School Bleacher Project. Geoffrey Parker seconded the motion.

Steve - can we be put this item on the agenda for Wednesday night's Planning Board Meeting?

There was a consensus of the Board not to change the agenda. It has to have public notice and has to be posted. There is a set timeline for these meetings.

Ken – we support what you are doing and can revisit it later if needed.

Steve – will speak to the facilities plant manager and see if this project was in the original plans.

VOTE: 5 FOR – 0 OPPOSED

h. Discuss and approve the wording for the proposed Town Charter amendments for the November Special Town Meeting Warrant

The Board took a 10 minute break at 8:45 p.m. At 8:55 p.m., the Board resumed its business.

Bill – we can make minor changes for clarification to the Charter.

Geoff – asked a question if we should have a Board of Directors for the Library as stated in the Charter? They would have a longer term of vision.

Ken – it is a question worth asking.

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Bill – why should we create one just because there was a typo in the Charter?

Geoff – there would be a different mission statement for a board instead of a committee.

Charlton – should we have this discussion later?

Kenneth McKinley moved to approve Article III, Section 1 by adding the following to The Rockport Town Charter, “The Select Board may renew the Town Manager’s contract, for a specific term, within six months of the current contract’s expiration, or at any time after its expiration.” Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED.

Kenneth McKinley moved to approve adding the following words , “the municipal officer’s” to Article III, Section 1, paragraph 7 so it reads: “Current or former municipal officers may be appointed Town Manager even if the Town Manager’s compensation was increased during the municipal officer’s term in office.” Tracy Murphy seconded the motion. VOTE 5 FOR – 0 OPPOSED

Tracy Murphy moved to approve removing the words “and is responsible to a Board of Directors” from Article VIII, Section 10, paragraph D. 2 so it reads “The Library Committee, which is elected by Town-wide secret ballot.” Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to approve adding the words, “the Board of Assessment Review (BAR) and the Zoning Board of Appeals (ZBA)” to Article VIII, Section 10, paragraph D. 4, so it reads, “The Planning Board, the Board of Assessment Review (BAR), and the Zoning Board of Appeals (ZBA), which are quasi-judicial boards.” Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- i. Approve the wording of the Bond Warrant Articles for the November Special Town Meeting Warrant

Ginny – gave the Board a copy of the proposed warrant articles with an explanation.

Bill – asked how bonds were typically done.

Ginny – responded that they are not typically done.

Charlton and Geoff liked the fact that there are two separate articles and that all of the proposed projects for the first article are listed and have a dollar attached to the project.

Ginny – we can give the public a pamphlet explaining each of the articles. The attorney advised us to do it this way as it gives us more flexibility. If one of the projects is more money and another is less, then it all works out. We just cannot go over the total amount of \$1,397,750.

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Tracy Murphy moved to approve the Bond Articles for the Tuesday, November 4, 2014 Special Town Meeting Warrant as amended (on the first one under Costs of the Bonds, the interest rate should be 2.6%). Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- j. Set the date for the Public Hearing on all warrant articles as Monday, September 8, 2014, 7:00 p.m.

Bill – we need to set a public hearing for the 2 ordinance changes and the 2 bonds.

Kenneth McKinley moved to approve the Public Hearing on all warrant articles as Monday, September 8, 2014, 7:00 p.m., Rockport Opera House Downstairs Meeting Room. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- k. Appoint Scott Bickford as Interim Health Officer

Kenneth McKinley moved to approve the appointment of CEO/LPI Scott Bickford as the Interim Health Officer. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- l. Discussion and Vote on the Vice President and Executive Committee members for the Maine Municipal Association (MMA) Executive Committee

Tracy Murphy moved to approve the Maine Municipal Association Voting Ballot as presented. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracey Murphy moved to have Bill Chapman sign the ballot. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- m. Make recommendations regarding which town committee by-laws should be revised

Discussion – The Library Committee needs to revise their bylaws as they have not been done since 2001. The Capital Improvement Committee needs to revise their bylaws as well. Bill reported that the Investment Committee had just revised their bylaws.

Ken – the Cemetery Committee revised their bylaws last year and are in good shape.

Tracy these were well done and they hit all of the necessary points.

The Budget Committee bylaws also need revision.

Others needing revision are the Pathways, Harbor, Conservation, Ordinance Review, Parks and Recreation.

Geoff – the Opera House Committee will renew theirs at their next meeting.

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- n. Acceptance of a Harbor Donation in the amount of \$25,000 from the Cascade Foundation

Tracy Murphy moved to accept the donation from the Cascade Foundation in the amount of \$25,000 and to have the Town Manager send a letter of appreciation. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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

VI. WASTEWATER COMMISSIONERS

- a. Commitment of Sewer User Rates for the period of June 2014

Kenneth McKinley moved to commit the June 2014 Wastewater User/Debt Fees totaling \$90,704.16 to the Treasurer for collection. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Adopt a Resolution for the CWSRT loan (sewer extension)

Tracy Murphy moved to adopt a resolution for the CWSRT loan (sewer extension). Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Tracy Murphy moved to exit as Wastewater Commissioners and to reenter as Select Board. VOTE: 5 FOR 0 – 0 OPPOSED

VII. LIAISON REPORTS

Ken - The ORC has already been covered earlier this evening. Cemetery did not have a meeting this month. The Pathways Committee met a week ago.

Tracy – the Planning Board will be meeting this week for approval for an extension to a driveway.

Charlton – The Parks Committee had this month off. The Conservation Commission did not have a quorum. The Public Works put the anchor back in place at Harbor Park. It looks great.

Geoff – The Opera House did not meet this month. The Harbor Committee is doing good works.

The Investment Committee will be meeting in September.

Bill – passed out to the Board two documents – one a meeting schedule and the other proposed goals for the Town Manager.

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We need to know what items we want as priority items.

Tracy – some of the items we don't have any money to pay for them. If we want new Welcome to Rockport Signs, we will need funding.

Bill – the August 12th meeting will need to be held on September 3rd. It will be at the Town Office.

Tracy – The Library Book Sale was well done by many people. We need to thank the Public Works Department for all their help moving the books.

VIII. EXECUTIVE SESSION

a. None this meeting

IX ADJOURNMENT

Tracy Murphy moved to adjourn the meeting at 10:00 P.M. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY