

**MEETING MINUTES
TUESDAY, OCTOBER 14, 2014
7:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Vice-Chair Charlton Ames, Tracy Lee Murphy and Kenneth McKinley. Geoffrey Parker was absent. Also present: Richard C. Bates, Town Manager: Department Head: Library Director, Ann Filley and several members of the public.

I. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 7: 16 P.M.

a. Approval of the minutes of the

- Tuesday, August 5, 2014 meeting of the Select Board

These minutes were tabled until next month's meeting.

- Wednesday, September 3, 2014 executive session of the Select Board

The minutes for this meeting were approved last month.

- Monday, September 8, 2014 meeting of the Select Board

Tracy Murphy moved to table the minutes of the September 8, 2014 meeting of the Select Board. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- Monday, September 15, 2014 special meeting of the Select Board

Tracy Murphy moved to accept as presented the minutes of the September 15, 2014 special meeting of the Select Board. Charlton Ames seconded the motion. VOTE: 3 FOR – 0 OPPOSED – 1 ABSTAINED (AMES)

b. Election Day is Tuesday, November 4, 2014. Polls are open at 8:00 a.m. and close at 8:00 p.m. Polling place for Rockport is in the Richardson Room at the Town Office

c. Next Regular Select Board Meeting on Monday, November 10, 2014 at 7:00 p.m.

d. Announcements – See agenda

e. Upcoming Select Board Workshops - See agenda

f. Committee Openings – See agenda

g. Agenda Changes – NONE

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h. Public Comment –

Owen Casas’ – stated that as an Independent running for the State Representative to the Legislature, it has been an extreme pleasure meeting all of the people. Thank you to Rick and Linda, you are great!

II. TOWN MANAGER’S REPORT – see attached

a. Public Recognition of Outstanding Contribution to the Town of Rockport

Several members of the friends of the Rockport Library (Pat Messler, Martha Mitchell, and Priscilla Wood) were present. The Select Board and Town Manager thanked the Friends for the generous donation of \$15,000 to the Library and for all of their hard work.

The ladies in turn thanked the Public Works Department for all of their assistance., the Glovers for donating space for the members to sort and store the books, the people who donate the books, puzzles, dvds, etc. and the people who buy the items. They also thanked Midcoast Recreation Center for allowing them to use space for the sale.

Sally Cook said that David Barry should also be recognized for all of his hard work.

b. Appointment of the new Director of Planning and Community Development.

Jamie Francomano was introduced as the new Planner. He lives in a cohousing project in Belfast. He has worked for the City of Belfast and Presque Isle. He is presently working for the State of Maine. He is well balanced and a good listener. He will begin work on November 14th.

Kenneth McKinley moved to confirm the appointment of James Francomano as the new Director of Planning and Community Development for the Town of Rockport. Tracy Murphy seconded the motion. Vote: 4 FOR – 0 OPPOSED

III UNFINISHED BUSINESS

a. Signing of the November Warrant, for the record

The Select Board signed the Warrant for the Special Town Meeting

IV. PUBLIC HEARING –

a. Public Hearing on the sewer extension (as required by the terms of the CDBG)

Bill Chapman – opened the public hearing at 7:52 p.m. to the members of the public.

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Rick - gave a summary of the work that has been completed to date and what work is left to be done. They will be delaying the pump station on Rockville Street until the spring of 2015. The project came in \$350,000 under budget.

COMMENTS FOR – NONE

COMMENTS AGAINST – NONE

COMMENTS NEITHER FOR NOR AGAINST

Owen Casas' - wanted to know what CDBG stands for. "Community Development Block Grant"

Bill closed the public hearing at 7:58 p.m.

V. NEW BUSINESS

- a. Committee Resignation(s): - None this month
- b. Committee Application(s) – None this month
- c. Discussion regarding non-residents serving on appointed committees

Bill – we can appoint anyone we wish. We do not have to follow past practice. Municipal officers, the Budget Committee and the School Board have to be residents of the State and of the Town according to the charter. If they are in a sworn in position, the person would have to be a resident of the State. If they are not sworn, there is not any State statue or anything in our charter that applies to this type of Select Board appointment.

Ken – I would only want to see this be the exception and not the rule. It should be a Rockport resident.

Charlton – feels the same as Ken does. It can be a benefit if they have the qualifications. We should consider them if they do. It should be on a case by case basis.

Tracy – for the quasi-judicial boards such as the Planning Board, Zoning Board of Appeals and the Board of Assessment Review, we should choose Rockport residents over others from out of Town.

Owen - it feels weird to wrap my brain around someone from out of state as opposed to a resident.

Ken – I have an overwhelming desire to have Rockport residents on our committees. I do not want to populate them with non-residents.

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Charlton – we need to do a better job recruiting members for the committees. The chair of the committees should also help with recruitment of members.

Kathleen Meil - questioned what the impact would be if the members were not full time residents. She felt that it could be better filled by someone who is here full-time and is available year round.

Pat M. – wouldn't there be an expectation for someone to attend all of the meetings?

Tracy – yes. We should also look at each committee's bylaws.

Bill – we cannot skype for the Select Board meetings, but it is okay for a workshop. The members cannot vote on issues unless they are present at the meeting. He has no objection to choosing Rockport residents first.

d. Discussion regarding a letter from the Board regarding the articles on the November Town Meeting Warrant

Bill – we need a letter or letters to print for the media for the election. We need to explain the reason for the warrant articles.

Jim Ruddy - can we comment on each item? We don't know what will be said or put to the public for an explanation. Why are we doing this now after people have voted absentee? Why wasn't this done in public? Why now?

Ken – this is the first opportunity we have had at a public meeting.

Rick – you have the right to vote at any point. There is more information all the time.

Jim R. – you already voted to put the articles on the ballot and now this.

Charlton – it is for clarification.

Bill – there is always new information available after you voted if you vote early. We have the right to state our opinion as we see fit.

Jim R. – you are redefining the articles.

Bill – we are informing residents what our intent is.

Tracy – can we move forward on this?

Ken read articles 2 through 5.

Sally Cook – on article four, why now and what does it mean?

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Bill – there is really no change. The Board of Directors does not exist. That section of the charter was copied from another Town’s charter and no one noticed it during the writing of our charter. The Library Committee members are elected by the voters.

Ken – the charter was written ten years ago and it is time for some changes. They are minor changes.

Sally – I remember that some of you members said no to making changes to the charter a couple of months ago.

Bill - the Library is independent of this Board. Nowhere else in the charter is the Library Committee mentioned.

Sally – a yes vote will not affect the makeup of the Library.

The response was no.

Ken – article 5 is really no change. We are adding the Board of Assessment Review (BAR) as it was left out last time.

Rick – if we make substantive changes, we would have to form a Charter Commission.

Ken – read article 6

Tracy – the State has listed the Mill Street Bridge as poor. We need to give more background on the need for repairs.

Bill – we should ask the fire chief what it would mean to him if the bridge was closed down. They would have to go around the other way if there was a fire on the other side of the bridge.

Charlton – we should have Tracy and Ken expand on the Mill Street Bridge.

Tracy – we will have to close the bridge if the repairs are not done.

Owen – we have an extremely low debt now. What would this article bring us to?

Ken – it will still be low.

Tracy – if you look on the web, there should be an explanation.

Ken – read article 7.

Bill – it will cost about \$30,000 just for staging for the project.

Tracy – we should put in a sentence to explain that.

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Ken – we can add a sentence at the end of the explanation.

Ken – read article 8

Jennifer Ruddy – why didn't you do this before when you were crafting the article?

Jim R. – that is not how article 8 reads. It makes it look like we can renovate the library by voting yes on article 8. He read Kathleen's comments for a new library.

Charlton – if you want a complete understanding of the article that is what we are trying to do.

Jim R. – it is after the fact and you are changing your thoughts. It is unfair.

Charlton – if you feel that way vote for a new library.

Sally – Kathleen said it beautifully on the listening tour. Many people feel passionately regarding the library. There were three sites discussed, the space on the Shepherd lot, former RES site or the present site. You should leave it alone.

Break – 9:02 – 9:07 p.m. – needed to change tape.

Bill – we only have to worry about what we are saying.

Kathleen – I want to clarify your comments. You quoted my letter in the newspaper which I wrote before this group presented their proposals. She was upset that Jim Rudy had quoted her and wanted to make a statement as to what she said to the press.

Ken – the key is the word “new.”
A big renovation to the current building is a new library in my mind.

Bill – you are arguing over the word new?

Tracy – there is no issue with that.

Bill – are we good with this?

Sally – would you consider that it means improved?

Tracy – it already says that.

Richard Anderson – wish you had of used the words renovated and improved. Wished that you had not used the word “new”. You should never ever have recommended a yes vote. Remarked to a statement that Bill had made regarding people on the Eastside of the river being rich and that they have a huge interest in this question.

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Bill – when did I say that?

We should have better defined the use of the word new.

Ken – I do not regret the use of the word new. It encompasses a new building in a new location or substantial renovations.

Bill – we are going to move on.

Ken – read article 9

Bill – asked about the word “the” being used instead of an “a.”

Tracy – we need to spell out RES (Rockport Elementary School).

Jim R. - a new library means new.

Tracy – by voting against it they are also saying no to renovate.

Tom Young – that is a crime as many people want to keep the present library and to fix it. Nobody listens to us.

Charlton – a no vote means no library.

Ken – we will send one letter to the press.

Tracy – with three headlines, “Bond,” “Charter” and “Library”.

Tracy Murphy moved to approve the written explanation of Articles 2-9 with minor changes by Ken McKinley and herself. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- e. Discussion on whether or not to expand the Ordinance Review Committee by adding a second representative from the Planning Board and to urge both the Planning Board and the Zoning Board of Appeals to appoint their representative(s)

Tracy – a lot of Planning Board members cannot meet early in the day. I feel that a second representative from the Planning Board is important to assist the ORC.

Ken – should we check with Jamie on the time to hold the meetings? We would bring the number of members to nine by adding one person from the Planning Board and one person from the Zoning Board of Appeals.

Tracy – the Zoning Board of Appeals does not have the knowledge of the Planning Board.

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Ken – if morning is an issue for some members, maybe we should move the meetings to the afternoon.

Tracy Murphy moved to appoint a second person from the Planning Board to the ORC. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- f. Discussion regarding scheduling a workshop to solicit items for the Ordinance Review Committee’s winter work plan and what timeline the Ordinance Review Committee should be expected to adhere to

Ken – they will have to have a reduced work load because Jamie doesn’t start until mid-November.

Tracy – the ORC is for the purpose of Land Use issues. Bill and Tracy will reach out to them regarding the Noise Ordinance and Signs for the Hospital and “MUBEC.”

Charlton – what about landscaping? It would be a difficult ordinance.

Tracy – it is not a good idea to throw onto the new guy. We need to let him settle in first.

- g. Discussion regarding the next steps toward becoming NIMS compliant

Rick – the current policies and procedures are being updated. It is an ongoing process. It will take the next six months to one year to complete.

Ken – we need to work with the hospital training for a disaster event. Need a town wide drill at some point.

Rick – maybe possible propane tank training with the hospital. We should plan for the big one and hope that it never happens. We need to keep trained and up to date.

- h. Confirm date and time for Pre-Budget and Roads Workshop

Bill - October 29th or 30th. I will check with Geoff and see what his schedule is.

- i. Confirm the intention of continuing to show Provider Agency donation information on the 2015-16 property tax bill

Tracy – this is worth continuing and feels that we should at least continue the practice for this year.

Ken – maybe we could have a non-profit fair at Town Meeting. We should not change it at this time.

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Bill – maybe we could do something in the summer or at the Christmas event at the harbor.

VI. WASTEWATER COMMISSIONERS

Tracy Murphy moved to leave as Select Board and enter as Wastewater Commissioners. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

a. Commitment of Commercial Sewer User Rates for the period of August 2014

Tracy Murphy moved to commit the August 2014 Wastewater User/Debt Fees totaling \$30,311.68 to the Treasurer for collection. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

The Commissioners set a Wastewater Workshop date for Thursday, December 4th at 5:15 p.m. with pizza being provided.

Tracy Murphy moved to close as Wastewater Commissioners and reenter as Select Board. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

VII. LIAISON REPORTS –

Bill – MCSW reported that DEP has rejected MERC’s request – there is sufficient landfill space in the state. They need to finish their plan. MERC is continuing to move forward – “pulling out the organics.”

Tracy – there was an article in the Bangor Daily Newspaper regarding PERC and MERC.

Tracy – the Planning Board met earlier. It was a long meeting. Things are picking up as they have received 2 sub division requests.

Ken – Pathways Committee met. Rodney Lynch was in attendance and reported that he has received a grant for sidewalks and pathways. The ORC has not met this month.

Charlton – the Ad Hoc Water Committee is working on the testing and will be going into action on the results. The storm water drain at Goodie’s Beach needs to be treated. The Committee is working on their bylaws and a mission statement. The Parks Committee had a fabulous work session and had twelve participants from the committee, the Garden Club and the Parks Committee also participated. They put a lot of effort into the work. Mary Lea Park looks much better. It was very successful and they had a good time working together. Jim Sady has an incredible amount of energy.

Bill – we need another workshop for the CIP Policy. Rick and Ginny are working on it.

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Knox County Commissioners are talking about changing their fiscal year to July 1st. Bill attended their budget meeting. Presently their year is out of sync with most of the municipalities.

VIII. Executive Session – Held earlier this evening.

IX ADJOURNMENT

Tracy Murphy moved to adjourn the meeting at 10:15 p.m. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY