

ROCKPORT SELECT BOARD
MEETING MINUTES
TUESDAY NOVEMBER 12, 2013
7:00 P.M.
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; Department Heads: Ann Filley, Interim Library Director, Virginia Lindsey, Finance Director, Bill Najpauer, Community Development Director and Planner: Abbie Leonard, Harbor Master; Mike Young, Assistant Public Works Director, the press (Dwight Collins) 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, October 7, 2013 Executive Session of the Select Board

Tracy Murphy moved to approve the minutes of the Monday, October 7, 2013 Executive Session of the Select Board. Kenneth McKinley seconded the motion. VOTE: 5 – FOR – 0 OPPOSED

- Tuesday, October 15, 2013 meeting of the Select Board

Charlton Ames moved to approve the minutes of the Tuesday, October 15, 2013 meeting of the Select Board with the following corrections. (Pg. 3, 1st paragraph, “round outs” to “roundabouts”; pg. 3e., 2nd paragraph beginning of the sentence add “Kathleen” and delete the “to” after the word “faces”; pg. 3f, 2nd paragraph, 2nd sentence “add quotation marks at the beginning of the sentence and the end of the sentence and delete the one before the word special”; pg. 4g 1st sentence change the word “for” to “by”; pg. 6 last sentence, change the word “Committee” to “Commission” and delete the word “am” and add the words “Charlton is”. It should also be noted in the record that Kenneth McKinley stepped down from the Select Board during the discussion of PBMC’s request regarding their new Hospice Center. Kenneth McKinley seconded the motion. VOTE: 4 – FOR – 0 OPPOSED – 1 ABSTAINED (MURPHY)

b. Next Regular Select Board Meeting on Monday, December 9, 2013, 7:00 P.M.

c. Announcements

d. Upcoming Select Board Workshops: None scheduled

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- e. Committee Openings
- f. Agenda Changes – move one item

Charlton Ames moved to move item VI b., Wastewater abatement to be discussed after Harbor fee schedule, V j. Geoffrey Parker the motion. VOTE: 5 FOR – 0 OPPOSED

- h. Public Comment - None

II. TOWN MANAGER'S REPORT – see attached

III. UNFINISHED BUSINESS

- a. Recognition of the Rockport Garden Club's contributions to the Town of Rockport

Bill Chapman presented Melody Schubert with a certificate of appreciation for the Rockport Garden Club. He thanked them for their dedication and pride in making Rockport beautiful.

- b. Request by Penobscot Bay Medical Center (PBMC) for Community Development Block Grant (CDBG)

Kenneth McKinley stepped down from the Select Board during this discussion. His wife is employed by PBMC as a doctor.

Holly Miller of PBMC and Ken Rich, Director of Kno-Wal-Lin was in attendance as well as Chris Shrum. Chris spoke on behalf of PBMC & Kno-Wal-Lin regarding the process of a Community Development Block Grant (CDBG) for operating costs and the creation of seven jobs at the new Hospice House.

The funds will not be used for construction costs. The grant will create full-time jobs for low to moderate income residents. They will create 15 new positions with 51 percent going to potential employees that fall within the low to moderate income guidelines. Funds will also be used for working capital – salaries, operating costs and equipment.

The total amount of monies being applied for is \$390,000. Kno-Wal-Lin will have to provide a match of the same dollar amount.

There will be a "Claw back" to protect the town. The money will be drawn down as jobs are created. The town will never be exposed.

Chris had previously presented requests for Avena Institute and Famers Fare.

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We will have a Special Town Meeting on Tuesday, February 12th. Bill Chapman reported that we may have several other items at that time to include on the warrant.

Ken Rich from Kno-Wal-Lin presented the Select Board (The Town) with a purple hard hat that represents the Hospice. He stated that the door of the facility will be purple as that is the color associated with hospice.

Ken back to his seat at 8:07 p.m.

Charlton Ames moved that the Select Board approve the request from the Pen Bay Foundation and Kno-Wal –Lin that the Town submit their request for funding and submit the letter of intent for CDBG funding on their behalf. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (MCKINLEY, cited a conflict of interest.)

IV. PUBLIC HEARING

- a. Public Hearing regarding the updated General Assistance Ordinance

Geoffrey Parker motioned to approve that the Select Board open the Public Hearing at 8:09 p.m. to hear comment on the proposed changes to the General Assistance Ordinance as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Bill - In favor – None
- In opposition – None
- Neither for or against – None

Kenneth McKinley moved that the Select Board close the Public Hearing at 8:11 p.m. to hear comment on proposed changes to the General Assistance Ordinance as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VII. NEW BUSINESS

- a. Adoption of updated 2013 General Assistance Ordinance

Kenneth McKinley moved that the Select Board adopt the Revised General Assistance Ordinance as presented. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Committee Resignation(s) – None this month
c. Committee Application(s):

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Fred Ribeck – Conservation Commission

Charlton Ames moved to appoint Fred Ribeck to the Conservation Commission with a term to expire on June 30, 2016. Tracy Murphy seconded the motion.

VOTE: 5 FOR – 0 OPPOSED

- d. Presentation by John Anders regarding hiking trails and walking paths in the Camden-Rockport area

John stated that he was glad the Recreation Committee has started up again. He works with the towns and local homeowners building trails. Some of the trails have been hand built and some are elaborate trails. He has volunteered over 3,000 hours to these projects. There is a 6 week program at the Snow Bowl that goes up the mountain. This program helps to build self-confidence and is used by 5 year olds to 70 years old individuals.

They have about twenty people who are trail builders and have volunteered over 100,000 hours. They are working on a map to show the trails. There is a vast network of over 100 miles.

In the future they would like to connect MidCoast Recreation Center to the High School and RES West, through the woods.

They have a budget of about \$1,500 balance. They need to do some fund raisers such as charging dues and having pancake breakfasts.

The hope is to have a network of trails modeled after the Kingdom Trail system in Northern Vermont, which is considered to be the top trail network.

- e. School Board financial issues, goals and impacts – Elaine Nutter, Superintendent of Five Town CSD/MSAD 28 - Gretchen Richards was also there as the Chairman of the Board.

Elaine talked about their annual goals. SAD 28 and the CSD have shared goals. They plan to develop a system for new programs.

They are considering outsourcing custodial services. She remarked that the staff does a terrific job. They have put out a Request for Proposals. Three companies have responded. A committee will review the proposals and make a recommendation to the Board and then they will make a decision.

They have been approached by St George to allow their students to attend the CSD as tuition students. They will be looking into an agreement.

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They are in the process of gathering information about the efficiency of the use of space at the Middle School on Knowlton Street in Camden. The building has been well maintained. They will investigate what renovations are warranted. There is a lot of unused space in the building. They talked about moving the superintendent's offices to that building. They are presently located in the bus barn.

She also updated the Board on the issue of reimbursement for education for the students from the Harbor School. All of the students are presently identified as needing special education services.

- f. Recommendation from the Investment Committee to handle the cash, cash equivalent, mutual fund and fixed income monies through standard bank account or CD (roughly 40% of the Cemetery and General Assistance funds)

Bill Freeman, chairman of the Investment Committee made the presentation.

Bill F. recommended that the Board approve investing \$300,000 in CDs or money market accounts at the First.

Ginny reported that the town can get a muni now account that pays a rate of 0.85%.

Charlton Ames moved to approve the withdrawal of cash and liquidated bonds from the town's investment account held by the Bar Harbor Trust Services in the amount of \$299,553 (as of October 31, 2013) and to reinvest those funds to be managed by the town treasurer or his designee. Tracy Murphy seconded the motion.

Kenneth McKinley moved to amend the motion to add the words after designee "to reinvest those funds as outlined by the Investment Committee." Tracy Murphy seconded the motion.

VOTE: 5 FOR - 0 OPPOSED for the amendment

VOTE: 5 FOR – 0 OPPOSED for the motion

- g. Discussion of the recommendation from the Investment Committee to look into requesting a change to the purpose of the Marion Weidman fund to reflect the realities of our current times

Bill Freeman explained the family gave the Town \$50,000 that has grown to \$382,000. The way the agreement is written it is very limited to how it can be used to help a resident with medical needs. We need to go back to the heirs to see if we can

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get them to expand the qualifications. Another solution would be to go to probate court to get it changed. This process would involve legal costs.

There was discussion about having the Town Manager contacting the heirs and to have a conversation with them.

Geoff – this needs to be carefully thought out and we should discuss a plan.

Tracy – we should sit on this because of the legal expenses we have already had this year.

Ken – we should ask them if they are open to change as the funds are not doing what they are intended to do.

Charlton – Said that he would like to volunteer to assist the Town Manager and he suggested that Ken help as well.

- h. Holiday on the Harbor – Harbor Master Abbie Leonard and the Rockport Business Group

Abbie – there will be a Concert by Bay Chamber, at the Opera House, at 3:00 p.m., pictures with Santa, tree lightening, caroling, fireworks, horse carriage rides, Luminaries along Pascal Avenue, wine tasting at Rayr's, hot cider, hot chocolate and cookies. This will be a home town community event.

- i. Harbor Committee presentation

Joel Powers, Vice-chair of the Harbor Committee gave a report on the Committee. He talked about the BIG Grant Project, more power to the park, eliminating overhead wiring and having it wired underground. Improvements made at the harbor are removing the flag pole and moving it to a spot by the river, the island has been shrunk and the stairway on the opposite side of the bridge has been rebuilt and looks great. The next project will be to revise the floats for the lobstermen on the commercial side of the harbor. The Committee approved increasing the fee for the river dinghy space to \$100 from \$75.00.

Bill – requested that they incorporate a mission statement in their bylaws.

- j. Consideration of the 2014 Harbor Fee Schedule

Kenneth McKinley moved to approve the 2014 harbor fee schedule as recommended by the Harbor Committee and Harbor Master. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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Tracy Murphy moved to stop being the Select Board and start being Wastewater Commissioners. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Wastewater Abatement Request – Black Bros. Builders, Inc., 1126 Commercial Street

Geoffrey Parker moved to table this item until the Town Manager gets back to us on December the 9th with an amount of money to be abated. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- a. Commitment of Commercial Sewer User Rates for the period of September 2013

Kenneth McKinley moved to commit the September 2013 Sewer User Rates, pages 1 through 8, totaling \$100,826.88 to the Treasurer for collection. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- c. Enact Wastewater Rules and Regulations

Kenneth McKinley moved that the Select Board adopt the Town of Rockport Sewer Regulations as presented in our packets with the exception that Chapter 4 from the previous ordinance will be adopted for the regulations in addition to what is shown here. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Bill – this is something that we can change at any time without having to go to the voters.

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

- k. Street Closing Policy

Discussion – The Board would like to see how much the security costs should be, would like to see a letter to be given to the residents concerning the closure of their street and it should have a specified time frame.

Kenneth McKinley moved to approve the closing of Pascal Avenue from West Street to the entrance of Harbor Park to through traffic on Saturday, December 14th at the times as designed by the Town Manager. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- l. Confirm appointment of Ann Filley as Interim Library Director

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Charlton Ames moved to confirm the Town Manager's appointment of Anne Filley as Interim Director of the Rockport Public Library. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

m. Presentation of a 5-year plan regarding the Reserve Funds

Ginny – Reserve Plan should be a part of the 5 year Capital Improvement Plan. This would become a part of the budget. We never had a true Capital Improvement Plan. Therefore, we do not have a full plan or picture. We should look at the limits imposed in the reserve policy. We may want to remove some of them. We need to look at this as a whole packet.

Bill – we should give the Town Manager and Finance Director a nod of support.

Ginny and Rick agreed that there should be a policy before budget time.

Rick – this is a big undertaking.

Ken – asked about the line of accrued benefits being budgeted for.

Ginny – this budget line is used when someone leaves and we need to pay them their accrued benefits.

Tracy - We have taken a huge hit this year with Tom, Bruce and Molly leaving.

Bill - We were also hit by the Town Manager's departure.

n. Set February 24, 2014, as a workshop to discuss and give guidance regarding the town website

Geoff- we need to know how much money is needed and what we want for a Town website.

Ken – there are a lot of technological issues.

Rick – the website needs changing, but we need someone to populate it. Do we need someone for this project?

o. MRC Ballot Voting

Tracy Murphy moved to approve James Guerra to serve on the Municipal Review Committee from December 1, 2014 to December 31, 2016. Bill Chapman seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VI. WASTEWATER COMMISSIONERS

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These items moved to after #j, New Business, Harbor Fees.

- a. Commitment of Commercial Sewer User Rates for the period of September 2013
- b. Wastewater Abatement Request – Black Bros. Builders, Inc., 1126 Commercial Street
- c. Enact Wastewater Rules and Regulations

VII. LIAISON REPORTS

Charlton – The Conservation Commission conducted an excellent smoke test. This worked and showed the storm water system and sewer system. There was no cross over. Next, we may need to use dye. Testing will continue because there is a serious violation. They have applied for a grant for tree planting. It will be for \$8,000 to plant trees along the streets and in public areas. It would be excellent to use for improving the site at the old RES. The Commission will make a recommendation regarding dog waste.

Tracy – the Planning Board heard a proposal regarding a new subdivision next to the Villages on Commercial Street.

Ken – the Cemetery Committee did not meet this past month. The Sewer Committee worked on the Regulations for the sewer. The Pathways met and discussed the Master Plan.

Geoff – nothing to say on his committees.

Bill – The Library is continuing with their Listening Tours. The Investment Committee has reported to you this evening. Mid Coast Solid Waste is working on their 2014-15 budget.

VIII. EXECUTIVE SESSION

- a. No Executive Session

IX. ADJOURNMENT

Geoffrey Parker moved to adjourn the meeting at 10:55 p.m. Tracy Murphy seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY