Present: Chair, William Chapman, Vice-Chair Kenneth McKinley, Geoffrey Parker, Owen Casas and Brendan Riordan. Also present: Richard C. Bates, Jr., Town Manager; Jamie (James) Francomano, Director of Planning & Community Development; Megan Brackett, Finance Director and Ben Blackmon, Library Director and members of the public.

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

II. PUBLIC HEARING – None this meeting

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

a. Approval of the minutes of the previous meetings:

   • Monday, November 9, 2015, meeting of the Select Board

   • Tuesday, November 17, 2015 meeting of the Select Board

Kenneth McKinley moved to approve the minutes as presented of the Tuesday, November 17, 2015 meeting of the Select Board. Owen Casas seconded the motion.

VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (Brendan Riordan)

• Monday, May 9, 2016, meeting of the Select Board

• Monday, June 27, 2016, special meeting of the Select Board

Geoffrey Parker moved to approve the minutes of the Monday, June 27, 2016 special meeting of the Select Board with a correction on page 2, the eighth paragraph add a “,” after the word “need.” Owen Casas seconded the motion.

VOTE: 5 FOR – 0 OPPOSED

• Monday, July 11, 2016, meeting of the Select Board

Kenneth McKinley moved to approve the minutes as presented of the Monday, July 11, 2016 meeting of the Select Board. Geoffrey Parker seconded the motion.

VOTE: 5 FOR – 0 OPPOSED

• Monday, August 22, 2016, meeting of the Select Board

• Monday, September 12, 2016, meeting of the Select Board
Geoffrey Parker moved to approve the minutes of the Monday, September 12, 2016 meeting of the Select Board with corrections on page 3, under new business fourth paragraph add “with what the police do” to end of the sentence and in the sixth paragraph add an “e” to end of the word “moral.” Kenneth McKinley seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

- Monday, December 5, 2016, meeting of the Select Board

Geoffrey Parker moved to approve the minutes of the Monday, December 5, 2016 meeting of the Select Board with an amendment to the motion on page 6, change “their” to “the Board’s”. Brendan Riordan seconded the motion. **VOTE: 5 FOR – 0 OPPOSED –**

- Monday, December 8, 2016, special meeting of the Select Board

Geoffrey Parker moved to table the minutes of the Monday, December 8, 2016, special meeting of the Select Board as the members did not receive them electronically. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

b. Announcements of upcoming regular Select Board meeting(s):


c. Announcements of upcoming Select Board Workshop(s):
   Joint meeting with the Camden Select Board, Thursday, January 12, 2017, 6:30 p.m., Washington Street Conference Room of the Camden Town Office

d. Announcements: See Agenda

e. Committee Openings: - See Agenda

f. Agenda Changes – None this evening

g. Public Comment – None

IV. TOWN MANAGER’S REPORT – see attached
Rick – the Holiday on the harbor was very cold making it difficult to light the luminaries. The lighters did not work properly as a result of the cold.

Owen – is it a fire hazard to have them on the side of the road unattended?

John Viehman – they are set by the requirements of the regulations.

Rick – thank you very much to all of the volunteers that helped with the Holiday on the Harbor events.

The Board discussed the Summer Street project and the safety of the road and if enough money was withheld to make the necessary corrections.

Megan – we withheld the retainer, which is $12,000+, we had an additional $4,000 left over from the project and $7,000 - $8,000 was withheld from the last payment request.

Brendan – was the road built to specifications?

Rick – no, it was built higher at the crown.

Brendan – is it normal to find these issues after the paving has been done?

Rick – no. We don’t know why the problem has occurred. The water is actually coming up through the road. Will Gartley is confident that we will have enough money to fix any problems.

Brendan – we just approved minutes knowing that there was a problem and that there is a safety concern.

Rick – it is safe. Mike is aware and knows that he has to stay on top of it.

Brendan – are you confident that we can keep it safe?

Rick – we are covered somewhat by our immunity as a town.

Ken – we have to be sure that it is safe.

Brendan – is it safe or not? We can’t have it both ways.

Rick – we do have a potential unsafe road.

Ken – that was when the minutes were recorded on December 5, 2016.

Geoff – is it clear who is going to make the judgement call when or if it becomes unsafe?

Rick – it is up to Mike to monitor it.
Board – discussion on how to handle closing that road if it becomes necessary.

Rick – the Tolman owners has been notified that there is a potential issue with the dam near Mill Street. MMA says that we have no liability with that dam.

The Board held a discussion.

Rick – it is not our dam. It has been there 40-50 years. The dam was put in by the Tolman’s when they built the pond.

Bill – the problem was found by the dam inspector?

Rick – yes, and it was inspected at the request of Peter Korn.

The Board discussed what the Town’s next step is.

Bill – the Holiday on the Harbor was great this year. The concert at the Opera House was by a very dynamic group.

Brendan – asked when will the Town Office start accepting credit cards as payment? It was postponed to after election and would like to know why it is not done?

Megan – I was at a funeral today and it was scheduled for today. It will be done this week.

V. UNFINISHED BUSINESS –

a. Discussion regarding “upper floor overhangs”

Jamie – this will bring the deck to the same profile as the sidewalk. In zone 913 there are no setbacks for downtown settings. The property owner has complied with our suggestions. He has signed the license agreement and furnished us with a certificate of liability insurance which additional insures the Town of Rockport.

Geoff – it seems to me that the license agreement does not go with the property if it is transferred or sold.

Jamie – it can be transferred. My question is do you want it recorded at the Registry of Deeds or not?

Ken – the attorney recommended not recording it.

Geoff – a revocable license is a bad idea.

Ken – the ORC came up with this agreement and it has been done in other towns.
Kenneth McKinley moved to approve the license agreement as presented in the attachment and signed by Richard Krementz and to authorize the Chair to sign on behalf of the Town. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED

V. NEW BUSINESS

a. Acknowledgment of Gifts to the Town

- Recognition of an anonymous donation for the General Assistance General Reserve Fund in the amount of $2,000.00
- Recognition of an anonymous donation for the General Assistance General Reserve Fund in the amount of $200.00
- Recognition of a gift from the Lakeview Presbyterian Church of $200.00 to the Rockport Fire Department
- Recognition of a gift from the Lakeview Presbyterian Church of $200.00 to the Rockport Police Department
- Recognition of a gift from the Center for Furniture Craftsmanship of $5,500.00 as a voluntary contribution in lieu of property taxes
- Recognition of a gift from Coastal Opportunities of $300.00 as a voluntary contribution in lieu of property taxes

Owen – I would encourage other non-profits to do the same.

Rick – we do receive some payments in lieu of taxes from others.

Bill – I would like to thank all of the donors for their generous donations and contributions.

Ken – we do appreciate what non-profits donate. It is very much appreciated by me.

Brendan Riordan moved to accept the donations listed and to send a letter of thanks to all of the individuals or organizations making the donations. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

b. Committee Resignation(s):

- George Haselton – Conservation Commission

Kenneth McKinley moved to accept the resignation from George Haselton from the Conservation Commission with regret and ask the Town Manager’s office to send him a letter of thanks. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

c. Committee Application(s) –
• Taylor Allen – Ordinance Review Committee

Taylor – the process piques his interest. What got him interested was the issue about hotels in the downtown area. He thinks that it is a good idea.

Ken – Taylor has been attending the meetings and will be a great addition.

Kenneth McKinley moved to appoint Taylor Allen to the Ordinance Review Committee with a term expiration of June 30, 2019. Brendan Riordan and Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

d. Approval of request by the family of Frank Ferraiolo to have a plaque in his honor placed in the vicinity of the Mill Street Bridge

Ken – this work is dangerous and we need to honor the people who do this kind of work.

Kenneth McKinley moved to approve the request in honor if Frank Ferraiolo to have a plaque mounted at the Mill Street Bridge site at a location to be approved by the Town Manager. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED

e. Presentation by the Ad Hoc Technology Committee

John Viehman – after the previously presented fiber and the failure to pass, we have taken a good look at our proposal. The vote was premature and we were not prepared. We have decided to make a new mandate. We have developed two subcommittees. One is Broadband and the other one is Services and Communications. We have had several meetings on broadband. Deb Hall will explain this to you. It is a complicated issue. We are done with phase I and am moving into phase II of getting into the costs.

Bill – what are the costs for the Town?

John – we are asking for bids to get some professional help.

Owen – was bid the word you were looking for as usually the committees don’t ask for bids, it goes through the Town Office.

John – no, I was just looking for information from professionals. There are lots of ways to get Broadband at a reasonable cost.

Brendan – the Island Institute is taking advantage of “Community Discourse.” I believe that this should be a public utility. Page Clason of Islesboro is a fount of information.

Deb Hall – the committee has been very active. The bill cost that we presented was much higher than what other companies offer. In Houlton, it is $17,000 per mile. There are
several funding options such as USD loans, USDA loans, and banks. The census tracks low to moderate income in all other towns except Rockport. In Minnesota 50% of the towns are low to moderate income. Finlay Engineers work nationally. They have option costs of $50,000 to $75,000. They will base the information off our GIS system. We may be able to get some private funding to help offset the costs.

John – the second subcommittee is not working on this one. The key is that you identify someone on staff who is going to own this. I would suggest the youngest person in the office. Usually it is the CFO or the IT person.

Owen – what about Gus?

John – he is helpful. The project is like an onion with layers.

Ken – do you have a timeline?

John – within the next two to three months.

Geoff – you know that it needs to mesh with the budget timelines.

Brendan – digital communications should be between the Board and the citizens.

John – e-Blast, web newsletters, livestream, software issues, public relations and marketing and economic development are all useful.

Owen – we are trying to take some of the ownership of the failed vote. A lot of the reason it failed is because of the Board.

John – we weren’t ready for a vote.

f. Presentation of the Capital Improvement Plan

Bill – in April or May we should hold a workshop.

Megan – gave a PowerPoint presentation.

Rick – it needs to be more user friendly for the average resident.

Megan – we will review it annually. The CIP shows the long-range plans for the next five to ten years. At the workshop, we should have the department heads, the Select Board, Rick, myself and the CIP Committee. Each department has its own cover page and back up pages explaining the funds needed for each project. We need $17,000 deposited annually for computer replacement and $19,000 for harbor floats. In the budget computers will be listed under the Town Office instead of each individual budget. The Police Department needs an ICOP system, new cameras and server.
Ken – on page 45 under infrastructure improvements, it lists a F350 truck. How is that infrastructure?

Megan – because the costs is more than $50,000 and is in use for a longer period of time.

Brendan – for computers, you have removed the request from each category and put it into Town Office. Why not have a computer tab?

Megan – I can do that. The replacement of computers will be determined by Gus and we will have a schedule.

Rick – the best time to work on the CIP is in August or September.

Break – 9:10 p.m. to 9:15 p.m.

g. Discussion and Decisions regarding:

- Listening Tour: should we or shouldn’t we; if so, when, where and what to ask?
- Will the Select Board move forward and decide the question of location, size and cost and then move forward toward a question for the June Town Meeting warrant?
- Should the Select Board place the question of location on the June Town Meeting warrant?

Bill – do we want to do the listening tours?

Owen – wants to do the listening tours, but not just because of the failed library vote. He thinks that there is a rationale to it.

Geoff – is willing to give up others things in order to do it.

Bill – we need to decide tonight.

Geoff – should we have the tours as a way to get information from the residents? It is our responsibility to present a single proposal to the voters at the June election.

The Board discussed making a proclamation that they will assume the responsibility to make the necessary decision to bring to the Town of Rockport a single proposal in June.

Ken – we don’t make decisions, we frame it and the Town makes the decision. We base our decision on what we have heard. We have to make some assumptions. Are we ready to do that?

Brendan – I have heard that people would like to have multiple proposals and that they should be able to vote on the location. Can we talk about it?
Ken – it is a little problematic. What if both questions fail or both questions pass? Multiple choice does not get a majority vote. We need to move forward and put something on the ballot in June. With the short timeframe, the 1 Limerock Street location makes more sense.

Bill – what is the fall back plan if it fails?

Ken – we have to make the assumption that it won’t fail.

Geoff – we need to look at the options. It is our duty to take the reins.

Bill – it is a multi-step process.

Geoff – it is this Board’s duty to do what the committee did last time. Don’t ask the question, do you like it? We have had twelve meetings asking what people want there and now it is our job to make a decision on what to propose to the voters. We need to do this. It is very aggressive.

Owen – if we put the question on the same ballot as the one for a new middle school, it could fail. We need to showcase leadership. There is a lack of clarity when multiple choices are given. There is the possibility of failure.

Board discussed their options. It is a very emotional topic for the Town.

Geoff – we are not building a site, we are building a library. I agree on the emotional aspect. If RES passes with no drawing, we are now off another six months before we can put it on the ballot again. We have to propose a reasonable size library at a reasonable cost.

Ken – if you cut out the site and the building, you have people who just don’t want their taxes to go up. “If we propose a question on solely a site, it will not serve us well.”

Owen – why did it fail last time? Site? Size? Design?

Board discussion.

Ben – if the library has to be smaller than I would advocate for a single-story building.

Geoff – if we talk to the architect, etc. regarding the cost, we can then take the information and make these decisions. People are saying, “Select Board do your job.”

Brendan – I feel that we are doing a disservice to our voters. I think that the five of us can come to a reasonable conclusion on how to proceed. “There is rational.” I think that it is our responsibility to put a stop to all of this. We need to do the process in front of the voters.
Ken – we need to incorporate what we have heard from the public.

Geoff – we need to make the best decision possible. We have heard the people’s position. We need to do our job.

Ken – we need to have the process in public and to be transparent.

Geoff – it will help heal the rift.

Brendan – we can’t let this go on.

Ken – it is toxic. I would suggest that we use the dates for the listening tours as workshops for the process.

Bill – we need to get this accomplished in three weeks. In March, we will meet on the budget.

Rick – you need to move or we will lose the opportunity for a June vote. You need to choose the site. It should be a very concrete and unemotional decision. We are struggling with 40-50% of the residents who don’t want the taxes to go up. You need to make a clear concise decision and to stand behind it. Some residents will be voting on their pocketbook. You need a good compelling argument to win them over to vote for a new library.

Ken – we are not going to do a survey of the residents.

Geoff – will do a matrix.

Bill – will these meetings be livestreamed?

Owen – his three cents. He doesn’t necessarily disagree with Geoff’s process. He is similar in thinking to where he was last month. There is solid rationale and he is not opposed to the process.

Bill – where are we going?

**Geoffrey Parker moved that the Rockport Select Board acknowledge and accepts the responsibility to present to the citizens a single comprehensive proposal on a library with a goal of a June vote. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Brendan – I have anxiety about the deadline.

Ben – I think that June is doable if we work with Reed. I think that you should contact them and see if they are available.
Sally Cook – I still think that you are avoiding the location (the elephant in the room). “Your first decision must be on location.”

There was more Board discussion. They discussed if they would use a matrix or a tree. Geoff will have a matrix in one week. Brendan will work on it with him. They will meet on Thursday, January the 17th at 7:00 p.m.

Kenneth McKinley moved to postpone the Listening Tours until a later time when it would be more appropriate to hear more items. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

h. Preparations for the Toboggan Challenge

Camden wants to use ringers (town staff). Tom Cox is working on a toboggan for us to use. Rockport will have the Select Board as the participants.

VII. WASTEWATER COMMISSIONERS

William Chapman moved to leave as Select Board and enter as Wastewater Commissioners. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

a. Commitment of Commercial Sewer User Rates for the period of October 2016

Kenneth McKinley moved to commit the October 2016 Wastewater User/Debt Fees totaling $30,249.03 to the Treasurer for collection. Geoffrey Parker seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

b. Commitment of Sewer User Rate for the period of November 2016

William Chapman moved to table the November 2016 Wastewater Warrant until the next meeting of the Select Board as they had not received it yet. Geoffrey Parker seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

Brendan Riordan moved to exit as Wastewater Commissioners and to reenter as Select Board. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

VIII. LIAISONS’ REPORTS – None this meeting

IX. EXECUTIVE SESSION

a. None this month

X ADJOURNMENT
Kenneth McKinley moved to adjourn the meeting at 10:30 P.M. Geoffrey Parker seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK AS RECORDING SECRETARY