Present: Chair William Chapman, Vice-Chair Kenneth McKinley, Geoffrey Parker, Owen Casas and Brendan Riordan. Also present: Richard C. Bates, Town Manager and Megan Brackett Finance Director and members of the public

I. CALL MEETING TO ORDER – William Chapman, Chair called the meeting to order at 7:03 P.M.

II. PUBLIC HEARING

a. None this meeting

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

a. Approval of the minutes of previous meetings

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

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

Kenneth McKinley moved to accept the minutes of the May 9, 2016 meeting of the Select Board as corrected on page 2, second paragraph by changing “he” to “she.” Owen Casas seconded the motion. **VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (BRENDAN WAS NOT A MEMBER AT THAT TIME)**

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

Kenneth McKinley moved to approve the minutes of the Monday, August 22, 2016 meeting of the Select Board as corrected on page 5, last sentence by changing “council” to “counsel.” Owen Casas seconded the motion. **VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (OWEN WAS ABSENT)**

   • Tuesday, December 13, 2016, executive session of the Select Board

Kenneth McKinley moved to approve as presented the minutes of the Tuesday, December 13, 2016, executive session of the Select Board. Owen Casas seconded the motion. **VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (GEOFF WAS ABSENT)**

   • Monday, January 23, 2017, meeting of the Select Board
Kenneth McKinley moved to approve as presented the minutes of the Monday, January 23, 2017, meeting of the Select Board. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

- Monday, February 13, 2017, meeting of the Select Board

This meeting was cancelled due to snow storm.

b. Announcements of upcoming regular Select Board Meeting(s):
   - Regular Select Board Meeting on Monday, March 13 2017 at 7:00 p.m., Rockport Opera House Meeting Room, to be streamed at [http://livestream.com/Rockportmaine](http://livestream.com/Rockportmaine)
   - Regular Select Board meeting on Monday, March 27, 2017, 7:00 p.m., Rockport Opera House Meeting Room, to be streamed at [http://livestream.com/Rockportmaine](http://livestream.com/Rockportmaine)

c. Announcements regarding FY 17-18 (July 1, 2017 to June 30, 2018) budget review schedule – (See agenda)

d. Announcements of upcoming non-budget Select Board workshop(s)

e. Announcements: (See agenda)

f. Committee Openings: - See agenda

g. Agenda Changes –

Kenneth McKinley moved to shift the whole Wastewater Commissioners section to right after the Town Manager’s report. Brendan Riordan seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

h. Public Comment – None this meeting

IV. TOWN MANAGER’S REPORT – see attached

There is a problem on Mt. Pleasant Street because of the frost heaves. It is worse than we have seen in some time. The road is in very poor shape. There are ruts that are eight to ten inches deep. We have an engineer working on a solution. We may have enough money left to make some repairs. The Town has had someone up there with the grader trying to level it out. The Tolman Pond Dam is listed as a hazard and the officers of the Homeowners Association will be meeting with us.

The Town Office will be closed for an hour one day a month for safety training and for a half day to do AED training and other required training for Risk Management.

VII. WASTEWATER COMMISSIONERS

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

a. Commitment of Sewer User Rate for the period of December 2016
Kenneth McKinley moved to commit the December 2016 Wastewater User/Debt Fees totaling $113,412.06 to the Treasurer for collection. Brendan Riordan seconded the motion. **VOTE: 5 FOR - 0 OPPOSED**

b. Contract award of the Commercial Street Sewer Extension Bid

Nate McLaughlin – Woodward & Curran - I was here last October. The Commercial Street bids were opened on February 17th. We received four bids. I gave you an estimate of $232,675 and the actual bid came in lower. We threw out the highest bid of $449,590. I have talked to the low bidder and he is ready to get started. The contract states that construction should start May 1st, but he wants to start sooner. My recommendation is to award the contract to JBI. I will work with the town staff if approved and get the contract signed.

Geoff – talked about the differences in pricing, low bid of $207,827.50 and a high bid of $270,525.00. Why?

Nate – said that it is typical that they have differences of opinions. He gets nervous when they have a penny item. The range of pricing does not concern him.

Owen – do other municipalities have an item #12 for overhead?

Nate – it is considered administrative costs.

Ken – what about the outlier? Have we missed something?

Nate and others on the Board answered no.

**Kenneth McKinley moved to award the contract for the Commercial Street Sewer Extension Project to Jake Barbour Inc. for the bid price of $207,827.50 as recommended and to authorize the Town Manager to sign the contract provided. Geoffrey Parker seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

c. Confirm Wednesday, May 17, as the date for the Wastewater Budget Workshop

The Board agreed that the time is good and that they will meet at 4:00 p.m.

**At 7:35 p.m., Kenneth McKinley moved to exit as Wastewater Commissioners and to go back into session as the Select Board. Owen Casas seconded the motion. **VOTE: 5 FOR – 0 OPPOSED**

V. **UNFINISHED BUSINESS** – None this meeting.

VI. **NEW BUSINESS**

   a. Acknowledgment of Gifts to the Town: - None this meeting
b. Committee Resignation(s)

- Robert (Bob) Campbell – Investment Committee

**Kenneth McKinley moved to accept with regret the resignation of Robert Campbell from the Investment Committee and to send him a letter of thank you for his service. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

c. Committee Application(s):

- Craig Mitchell – Planning Board

Geoff – Craig has been attending the meetings and I think that it is wonderful that he wants to join the Planning Board.

Ken – he also has been attending the ORC meetings and I feel that he will make a great addition to that board.

Craig Mitchell - I want to get involved with the town and this board fits into my schedule boundaries.

**Kenneth McKinley moved to approve the appointment of Craig Mitchell to the Planning Board with a term of expiration of June 30, 2019. Geoffrey Parker seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- Ted Skowronski – Planning Board (alternate)

Ted – I would like to thank the Select Board for letting me present my case.

Bill – the board is full, but we do need alternates. You would need to attend all of the meetings to be informed of what is being planned. If the regular member was absent you would step in and sit in on that request.

Ken – attendance is very important.

**Geoffrey Parker moved to approve the appointment of Ted Skowronski to the Planning Board as an alternate member with a term expiration of June 30, 2017. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

d. Presentation by the Investment Committee

Bill – Mark has agreed to take over as chair of the Investment Committee.

Mark Schwarzmann – the committee has been discussing the potential of changing from an active management to a passive approach of management. They have shelved that
idea for the time being and will continue to have the trust managed by a trust company. (See attached memo.)

Bill – we are prohibited to go into some investments.

Mark – It is more important to keep tabs on active investments. One person dug in to stay on the active management. The others were willing to look at it objectively.

Bill – they are doing their job.

Mark – regarding the trust fund, the Cemetery Investment account has $536,000 in it, $441,000 is mandate to be held for perpetual care maintenance. $95,000 is available funds for use. The Committee has decided to recommend use of $10,000 for the current year for cemetery care. I would warn you to be cautious and not to use too much of that money. We should keep a cushion. Our earning this year was $15,000 to $20,000 on that account.

There was a lot of discussion regarding the purchase and use of a columbarium. There is some concern about whether or not people would buy into the idea. There was discussion about preselling units to guarantee a return on the money spent.

Ken - we only have a few cremation lots left for sale and there has always been a lot of interest from non-resident to purchase lots at Sea View. We will need to do something in the near future to expand and make available more lots for sale.

There was discussion of the use of the $441,000 and if it can be used. There is a perception that it must be kept and funds will continue to add up each time a lot is sold. We will need to explore if those funds for perpetual care can be used.

   e. Consider creation of a “Solar Power Reserve” account

**Kenneth McKinley moved to approve the creation of the new Solar Power Reserve Account as presented. Geoffrey Parker seconded the motion.**

There was some discussion on the word “the” before the word “new” in the motion. Kenneth McKinley retracted his motion. Geoffrey Parker retracted his second.

**Kenneth McKinley moved to approve the creation of a new Solar Power Reserve account as presented with the word “the” removed as discussed. Geoffrey Parker seconded the motion.**

Brendan – what if we don’t want to do this?

There was discussion that the Board can change their mind. They need to specify what the money is being reserved for.
Brendan – didn’t feel that enough discussion was given on this subject of the solar panels. It is the responsible thing to do.

**VOTE: 5 FOR – 0 OPPOSED**

f. Consider authorizing money to be taken from the “Town Office Reserve” account to cover certain additional expenses associated with the remodeling of the Town Clerks office and vestibule

Brendan questioned why there was an overrun of cost on the project.

It was explained that the original bid was $20,000. There was a problem with the sprinkler system. One of the components in it was flammable.

Megan – it had never been serviced. It needs to be flushed periodically.

Board – discussed the $11,250.00 cost of the overrun on the vestibule and the double windows that were required and the sprinkler.

Megan – in next year’s budget we will have monies for a new carpet and painting.

A question was asked if we don’t agree to the cost of the overrun, what would you do? The answer was that they couldn’t go back to the donor and ask for more money.

**Geoffrey Parker moved to authorize the expenditure of $18,190.07 out of the Town Office Building Reserve account G 2-3605-00, created for this purpose. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 1 OPPOSED (Brenda Riordan)**

g. Consideration and approval of the budget review workshops and meetings

This Thursday the Town Manager will present his budget overview. The other departments will be heard the following week on Wednesday or Thursday. We will have a meeting on March 27th and discuss when to hold our Public Hearing in April.

Brendan – I will not be here on March 27th.

Ken – maybe we could discuss just the warrant articles on April the 10th. Owen will not be here the 12th to the 18th. He is at graduate school.

h. Confirm Thursday, May 4, as the date for the Capital Improvement Plan workshop with the Capital Improvement Committee (Budget Committee invited)

Discussed changing the meeting to Monday May 1st and May 11th at 5:00 p.m.

Ken – it should go to the Capital Improvement Committee first and then come back to us.
i. Consideration of a change to the Town’s Personnel Policy

Rick – with Town Counsel’s assistance, we have made changes on page 27 and 28 regarding marijuana.

Board – why are the changes in section 2 and not in section #1?

Bill & Ken – both feel that the changes should be in section 1.

Brendan and Owen – ask why put it in there at all.

Rick – will take the information back to counsel.

Ken – any changes should be in paragraph 1 and not mentioned in #2.

Rick – I will bring it back.

j. Approval of an Agreement between the Maine Department of Transportation (MDOT) and the Town of Rockport regarding a sidewalk extension from Quarry Hill (in Camden) to 56 Commercial Street (in Rockport)

Geoffrey Parker moved to express this Board’s intent to contribute Rockport’s share of funds required for the Town of Rockport’s participation in a Maine Department of Transportation grant project for a sidewalk extension from Quarry Hill (in Camden) to 56 Commercial St. (in Rockport) and related improvements totaling $45,058.00. Kenneth McKinley seconded the motion.

Ken – on the motion, we cannot commit funds in future budget years.

Rick – we have $22,000 + in reserve.

Megan – we have the first payment, but not the second one.

Geoff – Roberta got the letter from MDOT. Camden is the lead and project manager and it contracts Camden for the full amount.

Ken – I am on board funding the project, but how?

Owen – Camden did not set money aside for the project.

Geoff – we cannot commit monies for the future years. This is the next hurdle as we have already supported the project.

Owen – what if the vote isn’t unanimous? What will MDOT say?

Ken – the motion has no hold as written.
Geoff withdrew his motion and Ken withdrew his second.

The Board had more discussion on the project.

**Geoffrey Parker moved to express this Board’s intent to contribute Rockport’s share of the Route 1 Pedestrian Improvements as outlined in the distribution table in the memo of February 23, 2017. Kenneth McKinley seconded the motion.**

**VOTE:** 4 FOR – 1 OPPOSED (Brendan Riordan)

VII. **WASTEWATER COMMISSIONERS**

This item was presented after the Town Manager’s Report

a. Commitment of Sewer User Rate for the period of December 2016

b. Contract award of the Commercial Street Sewer Extension Bid

c. Confirm Wednesday, May 17, as the date for the Wastewater Budget Workshop

VIII **LIAISON REPORTS**

Bill – the Library will meet next Monday. MCSWC didn’t meet in February, but will meet on March 22nd.

Ken – the ORC is making good progress. The Cemetery Meeting was postponed. The committee needs to go to the cemetery for a site visit, but was prevented from doing so because of the snow storm. Legacy Rockport will be meeting soon. We are still waiting for the Ambulance Review Committee to meet. We need to do a doodle poll.

Geoff – the Planning has had two workshops, one was on dysfunction. They have been spending time on discussing architectural structures. The Zoning Board has not met. The Tech Committee has been doing fine without me.

Brendan – the Conservation Commission had a presentation today. Their recommendation is to deal with low hanging fruit such as Goodies’ Beach. It needs to be done at a modest cost. I was not at the Harbor Committee’s meeting. They are looking at an ordinance review and an expansion of floats for dinghies.

Owen – I didn’t do anything. The Recreation Committee met without me. They are gaining new members and meeting regularly.

Bill – MCSWC are planning changes that will take place April 1, 2018. They are working on how to operate more efficiently and on traffic control.
Owen – they have to take every component, plastic and solids separately. They are working on reorganization – big trucks, single sort, etc.

The money that we will get from PERC, we will have for 0 seconds. I would prefer that it go directly to MCSWC.

Ken – I totally agree and will draft a resolution.

Bill – can we legally do that or do we have to send it to the voters for their approval.

Ken – we probably want a warrant article as long as all the towns do the same thing.

IX. EXECUTIVE SESSION

a. None this meeting

X ADJOURNMENT

Owen Casas moved to adjourn the meeting at 9:20 p.m. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY