Present: Chair, William Chapman, Vice-Chair Kenneth McKinley, and Brendan Riordan. Absent were: Geoffrey Parker and Owen Casas and Richard C. Bates, Town Manager. Also present: Jamie Francomano, Planning and Development Director; Jason Peasley, Fire Chief. Lynda Clancy, press and members of the public

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

Bill – I would like to acknowledge Leonard Lookner and his passing in February. It is a great loss to the community. Let’s have a moment of silence.

II. PUBLIC HEARING

a. None this month

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

a. Approval of the minutes of previous meetings:
   - Monday, November 9, 2015, meeting of the Select Board
   - Monday, February 27, 2017, meeting of the Select Board

Bill – tabled all minutes

b. Announcements of upcoming regular Select Board meeting(s): - See Agenda  
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): - See Agenda  
e. Announcements: - 

Note: all meetings and workshops of the Select Board and Town Committees can be found on the Town website: www.town.rockport.me.us

f. Committee Openings: - See Agenda  
g. Agenda Changes: – None this evening  
h. Public Comment:

Ames Curtis – I think that the Select Board’s fair and balanced process regarding the library was anything but an adequate comparison and I hope that the citizens remember it at the ballot box.
IV. TOWN MANAGER’S REPORT – See Attached – No one read the report in the manager’s absence.

V. UNFINISHED BUSINESS

a. Consideration of a change to the Town’s Personnel Policy

Ken – I think that it is fine.

Kenneth McKinley moved to approve the recommended changes to the personnel policy Article 11 – Alcohol and Drug Abuse as presented. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 OPPOSED

VI. NEW BUSINESS

a. Acknowledgment of Gifts to the Town: None this meeting

b. Committee Resignation(s) – None this meeting

c. Committee Application(s):

- Ames Curtis – Parks Committee (Alternate Member)

Bill – you have received a glowing recommendation from the chair.

Ames - thank you for the opportunity to be on this committee. I know all of the current member except Linda Posson.

Ken – we know you well enough to know that you will let us know your opinion. You will be an alternate and it is important that you attend the meetings to know what is happening or being planned with that committee.

Ames – I am also very interested in the Parks.

Kenneth McKinley moved to appoint Ames Curtis as an alternate to the Parks Committee for a term to expire June 30, 2020. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 OPPOSED

d. Consideration of the request to pre-bid and the pre-order in November 2017 the Rockport Fire Truck for a July 1, 2018 purchase

Bill – it is clear that the prices are going up so we will be saving money in the long run.

Brendan – questioned when the first payment would be due.
Jason – we could potentially trade number unit 25. Three companies have notified us of increased prices coming up. It could be anywhere from 3% to 5.5%. The first payment would be due in July of 2018.

Ken – it seems like a no lose situation.

Jason – we can order by November with a July 1, 2018 delivery date. The money that we will save will cover the cost of the equipment that we will need to outfit the truck with.

Bill – how different will this truck be?

Jason – there are a lot of differences. It will have foam available on the truck to fight a fire with. It will fit in the middle bay at the main station.

Kenneth McKinley moved to support the Town Manager’s intent to start the bid process earlier than normal in order for the Town to take advantage of current pricing and get the truck delivered in FY 2019 as planned. Brendan Riordan seconded the motion. **VOTE: 3 FOR – 0 OPPOSED.**

e. Consideration of the Bay Ridge IV Subdivision Road Acceptance request

Jamie – this request has been in the works for a long time. In November of 2016, we had a revision to the road ordinance to accommodate this request. It involved an exception to the fifty percent threshold requirement for application acceptance when the road is between two already accepted municipal roads.

Ken – it is important to state that the qualifier is that it has to connect to two other town roads.

Jamie – there are eighteen lots with road frontage and seven of them have been developed. If this request isn’t approved then the residents may pursue a citizens’ petition. As a courtesy they are bringing it forward to you.

Bill – the fire chief and the school bus drivers have said that this will make it easier for them to do their job.

Ken – I have a problem with them renaming the road between Hawthorne Drive and Ashley Terrance to Bayberry Lane.

The map is incorrect regarding the cul-de-sac on Hawthorne Drive.

Ken – is there a renaming of the road going on?
Jamie – the E-911 person seems to be the custodian to the Town roads. Both legs are considered Hawthorne Drive. Public Works has said that it will be confusing. It wasn’t caught before because there weren’t any lots being built on. Bob Duke is lot number 5.

Brendan – the question about Hawthorne Drive and Ashley Terrace appears to be that only one person requested the change. I take issue with renaming the street.

Jamie – we asked Knox County EMA if it was okay. According to them it will be Bayberry Lane.

Ken – then it doesn’t meet the ordinance.

Brendan – the road is now a dead end.

Jamie – I am so relieved that you are only recommending the through portion of the road to be approved as it connects two roads. I will make sure that the applicants know where the road stops. This group is interested in making changes. According to their covenant, paragraph 22, all owners must make an agreement. Then he talked about combining lots.

Bill – I have a problem with that.

Ken – it is an intermediate step to approve Hawthorne to where Bayberry connects to it and to Ashley Terrace. It will not include Hawthorne above that point.

Jamie – the Select Board could put on something or let it ride.

Ken – just a minute. I don’t think that is right.

Brendan – you can look forward to approving the rest if it meets the ordinance. Isn’t that better than nothing?

Charlie Foote – lot number 6 has a concern. Is it customary to accept part of a road and not the rest of it? That will leave two of us responsible for the plowing of that section of the road. It will be a burden to two of us if it is approved.

Ken – it is according to the ordinance.

Ildiko Rab – I live on Cliffside Drive. If you don’t make that road public, I cannot see lots being developed there. It is only another 100 yards.

Ken – we understand, but we have to follow the ordinance.

Jamie – I see that if you are against approving it, it will not be a benefit.

Bob Duke – 9 Huse Street. I am building on Lot 5. The Bayberry Lane confusion is immense. On google maps it shows Ashley Terrace or Hawthorne Drive. I respect the
ordinance, but many of those lots need to be taken off the market as they are not buildable.

Brendan – I don’t like writing an ordinance around the situation. This is difficult. Can we grant a waiver?

Jamie – “short answer, NO.” By petition or warrant it can be put on the ballot. It can contravene the ordinance, the reason being it is by petition by the voters and is a difficult roadway.

Ken – we still have time. I want to contact the attorney as I think that it would be helpful to run it by him.

Brendan – the fact that we rewrote this situation, sticks in my craw that only a portion of the road can be approved.

Bob D. – previously, all of us in the association paid. Talked about Phase IV and that the developer pays for the road maintenance.

Ken – I would like to get advice for clarity from the town attorney on a citizen’s petition. Can the Town adopt something that contradicts the ordinance?

Brendan – can we do the same? I understand the economic situation we are putting on those two lot owners.

Jamie – we cannot amend it without the Planning Board approval.

Bill – a little history. A few years ago Sea Light Lane was approved. The covenants were against it and so they came back and revised it. The far end of that road was more than 6% of the grade allowed so we couldn’t approve the road and had to reverse the approval. We can wait to make a decision on March 27th.

Bob D. – by delaying your decision, I am wondering if we will have time to do a citizen’s petition.

Jamie – I would like to push for a vote tonight.

The Board, “No, not on an if and a maybe.”

f. Consideration of a request by Gregg Haining for a zoning amendment to permit residential development in the West Rockport Business Park

Gregg – in district 907 there is an existing minimum street frontage of 200’. What was proposed was a minimum of 100’. I am requesting that this be amended as I want to change my subdivision plan to go residential instead of a business park.
Jamie – there is a big problem with the table as shown. This is an important weakness in the ordinance.

Ken – the ORC, since it is a simple task can look at this item. They can recommend a change to the table.

Board – discussed that the ORC only has two more meetings to go to finish their work for the season.

Brendan – it is a significant problem. What does the “na” mean on the existing table (918.1 General Dimensional Requirements). We should ask them to look at this if it is a simple process.

Ken – in light of these two tables that are being presented to us by Mr. Haining, I believe that it would be simple to fix.

Bill – I don’t want them to take time from other tasks to do this.

Ken – we are almost at the point when we can look at this issue.

Bill – you are the liaison, so you can take it back to them for review. They will have to look at the zoning map.

“The Board decided to skip to item h and then back to item g.”

h. Request by Ronald Johnson for a payment arrangement on his property taxes (on foreclosure list and in redemption 30-day status)

The Board asked if any of these taxes have been paid.

Ronald – I don’t want to lose my home. I will agree to a payment plan and next year when I get my income taxes back, I will pay the rest of what I owe. Until that time I agree to pay $25.00 every week.

Linda – he has already paid $1,000 and two payments of $25.00 each. This leaves a balance of approximately $860.00 plus any accrued interest.

Ronald – thank you for your time and consideration.

Kenneth McKinley moved to approve the request by Ronald Johnson for a payment arrangement on his property as described. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 OPPOSED

g. Setting a date for the next Library Next-Step(s) Meetings
Bill – we need to keep moving forward if we want to put something on the warrant for a June vote. We could wait until November if we need to.

Ken – I don’t think that we should vote in June as there isn’t enough time to get prepared. We should have a workshop and discuss how to proceed.

Brendan – I think that the issue of process is at the center of this. Why was a recent meeting cancelled? I don’t understand how a group of individuals have the ability to influence the process. The meeting was scheduled about a proposal. A letter from three individuals who put up the proposal decided to not have the meeting as they felt that any further discussion was not be helpful. Thirty minutes later, after receiving the request from three people the meeting was cancelled. This was done on the same day as the meeting was to be held. The Scott property has been withdrawn for the time being. It bothers me that three members of the public asked for the meeting to be cancelled and it was. Several of our residents were planning on attending the meeting.

Bill – they are still going to be a part of the process, but at a later time.

Brendan – we have heard from them two times already. Three individuals requested that the meeting be cancelled and thirty minutes later it was cancelled on the same day. I want to hear from the people. We have a big parking problem.

Bill – it has the same number of parking spaces as the current site on Commercial Street.

Brendan – I don’t want to go back and revisit a site. When the meeting was cancelled, it was not rescheduled.

Bill – that is for us to discuss. I take responsibility for cancelling the meeting. They, the ones proposing purchasing the Scott property, were not going to be at the meeting.

Brendan – so it is effectively on hold?

Bill – they have put up $5,000 for the Scott property. They feel that things are getting too complicated. We can still hold that meeting if you want to. We do need to move this forward. We need to decide if the vote will be in June or November. If you want to, we can schedule that meeting.

Ken – I want to see where we are going. We need to address the parking problem. One member wants to move forward and may want to work with us. We need to move forward regardless of the Scott property. I feel that June is off the table. There just isn’t enough time. Moving forward is important.

Brendan – I will not be available March 23-31st.

Kenneth McKinley moved for a potential vote for a new library to be held not any earlier than November of 2017. Brendan Riordan seconded the motion.
Brendan – I wouldn’t want to do this without all of us here to make that decision. I do agree with it.

Bill – we could do a poll of the Board by email to determine a date.

Kenneth McKinley withdrew his motion. Brendan Riordan withdrew his second to the motion.

Ken – I admire Brendan’s desire to have the whole board present to make a decision.

i. Consideration of two Quit Claim Deeds for foreclosed properties:

- Michael Vincent and Mary Lemoine – Samoset Resort – Map T02, Lot a16-012
- Joshua Cabral – Samoset Resort – Map T01, Lot B04-008

Kenneth McKinley moved to approve the Quit Claim Deeds for the properties of Michael Vincent and Mary Lemoine, Samoset Resort, Map T02, Lot A16-012 and Joshua Cabral, Samoset Resort, Map T01, Lot B04-008. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 AGAINST

j. Consideration of the “Town of Rockport Safety Policy Mission Statement”

Ken – the second paragraph should be “All accidents “involving” and not “to” personnel.” The next paragraph should not be changed by the “Town Manager”, the “Select Board sets policy.”

Kenneth McKinley moved to table this item. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 OPPOSED

k. Update regarding commercial marijuana establishments

Ken – we should table this item until the 10th when Rick will be here.

VII. WASTEWATER COMMISSIONERS

a. Commitment of Sewer User Rate for the period of January 2017

We don’t have the necessary information.

VIII LIAISON REPORTS

Bill – reminders are that pictures will be taken at our next meeting on April the 10th. No cargo or camo pants. Legacy Rockport will try to have a meeting on a regular day and time each month.
Brendan – regarding the future of the harbor, we don’t have Bob Kennedy’s presence for mitigation for Goodie’s Beach. I guess that the money for a layer scale effort will not be forthcoming this year. I don’t think that the Conservation Commission is of one mind.

Ken agreed to draft this year’s Select Board report.

Bill – we need to start putting together the Town Manager’s annual review.

The Parks Committee will present to us at our April 24th meeting.

IX. EXECUTIVE SESSION

a. None this month

X ADJOURNMENT

Kenneth McKinley moved to adjourn the meeting at 8:55 p.m. Brendan Riordan seconded the motion. VOTE: 3 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY