AGENDA

I. Call Meeting to Order
Please either turn off your cell phones and other electronic devices or set them to mute while in this meeting room or the hallways. If you need to take or make a phone call, please step outdoors.

II. Executive Session
a. Discussion of a Labor Union Contract (Public Works Department) pursuant to 1 M.R.S.A. Section 405(6)(D)

III. Public Hearing
Application for a new malt, Vinous Liquor License for Tomi Sushi & Noodle Bar (Vintha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME

IV. Minutes, Meetings and Announcements
a. Approval of the minutes of previous meetings:
   ➢ Monday, September 11, 2017, meeting of the Select Board
   ➢ Monday, September 25, 2017, meeting of the Select Board
   ➢ Monday, October 2, 2017, executive session of the Select Board
b. Announcements of upcoming Select Board meeting(s):
   ➢ Regular Select Board meeting on Monday, November 13, 2017, 7:00 p.m., Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at http://livestream.com/Rockportmaine

   ➢ Pre-Budget Workshop, Wednesday November 8, 2017, 5:30 PM, Richardson Room, Rockport Town Office
   ➢ Ad Hoc Water Quality Committee workshop, TBD
d. 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

e. Committee Openings:

Application for Committee Service can be found at the Town Office and on the Town Website: www.town.rockport.me.us

NOTE: If a committee does not have any vacancies, it may still be possible to apply to join the committee as an alternate member. Alternate members can attend all meetings, participate in discussions, but may only vote in the absence of a regular member. If interested, please check with the town office to see if there are alternate member spots available for the committee of interest.

➢ Board of Assessment Review – no vacant seats
➢ Camden-Rockport Pathways Committee – 1 vacant seat
➢ Capital Improvement Committee – 1 vacant seat
➢ Conservation Commission – no vacant seats
➢ Harbor Committee – no vacant seats
➢ Investment Committee – 1 vacant seat
➢ Opera House Committee – 1 vacant seat
➢ Ordinance Review Committee – no vacant seats
➢ Parks Committee – no vacant seats
➢ Planning Board – no vacant seats
➢ Recreation Committee – no vacant seats
➢ Zoning Board of Appeals – no vacant seats

f. Agenda Changes

g. Public Comment – public comment should be directed at issues not under discussion on this evening’s agenda. Comment from the public will be welcome prior to each agenda item. Further comment will be granted only by permission from the Board. All public comment should be brief and to the point.

V. Town Manager’s Report

VI. Unfinished Business

a. Hear an update on progress toward removing the dangerous building at 479 Rockland Street (Map 17/Lot 79)

VII. New Business

a. Acknowledgment of Gifts to the Town:

➢ None this meeting
b. Committee Resignation(s):
   ➢ None this meeting

c. Committee Application(s):
   ➢ None this meeting

d. Committee Presentation(s):
   ➢ None this meeting

e. Vote on approving a new malt, Vinous Liquor License for Tomi Sushi & Noodle Bar (Vintha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME

f. Consider applications for the appointment to the SAD 28 Board of Directors to serve concurrently on the Five Town /CSD Board of Directors for the remainder of Betsy Saltonstall’s term.
   ➢ Faith Vautour
   ➢ Bob White
   ➢ Carole Gartley

g. Discuss and approve work plan for the Ordinance Review Committee for the 2017-2018 season

h. Hear a presentation from Keep Rockport Beautiful regarding expanding their program consistent with the Select Board Goal to beautify Rockport.

i. Sign warrants for Special Town Meeting on Tuesday, November 7, 2017

j. Consider using funds from the Town Office Building reserve fund for certain improvements to the town office.

k. Appoint a member of the Knox County Micro Loan Program Board

l. Vote to authorize the Town Manager and Select Board Chair to sign a new collective bargaining agreement covering employees with the Public Works Department.

VII. Wastewater Commissioners


b. Bid Award for Maine Sport Pump Station replacement project

VIII. Liaison Reports

IX. Adjournment
101 Main Street,
Rockport, Maine 04856
207-236-9648 - Ext. 1
Fax: 207-230-0112
www.town.rockport.me.us

**** PUBLIC HEARING NOTICE ****

TOWN OF ROCKPORT

On Tuesday, October 10, 2017 at 7:00 p.m. at the Rockport Opera House, the Rockport Select Board will have on their agenda a hearing on the following application:

NEW MALT, and VINOUS LIQUOR LICENSE for TOMI SUSHI & NOODLE BAR (VINTHA, INC) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME

This public hearing will be part of the Select Board’s regular meeting agenda.

Linda M. Greenlaw, Town Clerk
**Corporation Name:** Vintha, Inc.

**Business Name (D/B/A):** Tomi Sushi & Noodle Bar

**APPLICANT(S) – (Sole Proprietor):**

**DOB:**

**Physical Location:**
106 Commercial Street

**Mailing Address:**
1037 Commercial Street, Apt. #2

**City/Town:**

**State:** Maine

**Zip Code:** 04856

**Telephone Number:**

**Fax Number:**

**City/Town:**

**State:** Maine

**Zip Code:** 04856

**Business Telephone Number:** 207-230-7315

**Federal I.D. #:** 82-2686108

**Email Address:**

**Website:**

If business is NEW or under new ownership, indicate starting date: November 1, 2017

Requested inspection date: October 23, 2017

Business hours: 11:30 AM to 8:30 PM

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: N/A

2. State amount of gross income from period of last license: ROOMS $ N/A FOOD $ N/A LIQUOR $ N/A

3. Is applicant a corporation, limited liability company or limited partnership? YES ☑ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you own or have any interest in any another Maine Liquor License? ☑ Yes ☐ No

If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

**License #**

**Name of Business**

(Use an additional sheet(s) if necessary.)

**Physical Location**

**City/ Town**

On Premise Rev. 6-2017
5. Do you permit dancing or entertainment on the licensed premises? YES □ NO □

6. If manager is to be employed, give name: VEERAYOD ARAMTHIP

7. Business records are located at: 1037 COMMERCIAL STREET, ROCKPORT, ME 04856

8. Are applicants citizens of the United States? YES □ NO □

9. Are applicants residents of the State of Maine? YES □ NO □

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

<table>
<thead>
<tr>
<th>Name in Full (Print Clearly)</th>
<th>DOB</th>
<th>Place of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>VEERAYOD ARAMTHIP</td>
<td>05/03/1979</td>
<td>THAILAND</td>
</tr>
</tbody>
</table>

Residence address on all of the above for previous 5 years (Limit answer to city & state)
46A ALDRICH ROAD, WATERTOWN, MA 02472

11. Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES □ NO □

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date of Conviction:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Offense:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disposition:</td>
<td>(use additional sheet(s) if necessary)</td>
</tr>
</tbody>
</table>

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes □ No □ If Yes, give name:

13. Has applicant(s) formerly held a Maine Liquor license? YES □ NO □

14. Does applicant(s) own the premises? Yes □ No □ If No, give name and address of owner:
K & P PROPERTIES, LLC, 106 COMMERCIAL STREET, ROCKPORT, ME 04856

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) SUSHI AND NOODLES DINE-IN OR TAKE-OUT RESTAURANT

16. Does applicant(s) have all the necessary permits required by the State Department of Human Services? YES □ NO □ Applied for: APPLIED FOR CONTemporaneously

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1.8 MILES

<table>
<thead>
<tr>
<th>Which of the above is nearest?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CHURCH</td>
<td></td>
</tr>
</tbody>
</table>

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES □ NO □

If YES, give details:

On Premise Rev. 6-2017
The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: 

**September 7, 2017**

Please sign in blue ink

**Veerayod Aramthip, President**

---

**FEE SCHEDULE**

**FILING FEE:** (must be included on all applications) .................................................................................. $ 10.00

<table>
<thead>
<tr>
<th>Class</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>Spirituous, Vinous and Malt (Airlines, Civic Auditoriums, Class A Restaurants, Clubs with catering privileges, Dining Cars, Golf Clubs, Hotels, Indoor Ice Skating Clubs, Indoor Tennis Clubs, Vessels, Qualified Caterers, OTB.)</td>
<td>$ 900.00</td>
</tr>
<tr>
<td>Class I-A</td>
<td>Spirituous, Vinous and Malt, Optional Food (Hotels Only)</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>Class I-A</td>
<td>Hotels only that do not serve three meals a day.</td>
<td></td>
</tr>
<tr>
<td>Class II</td>
<td>Spirituous Only (Airlines, Civic Auditoriums, Class A Restaurants, Clubs with catering privileges, Dining Cars, Golf Clubs, Hotels, Indoor Ice Skating Clubs, Indoor Tennis Clubs, and Vessels.)</td>
<td>$ 550.00</td>
</tr>
<tr>
<td>Class III</td>
<td>Vinous Only (Airlines, Civic Auditoriums, Class A Restaurants, Clubs with catering privileges, Dining Cars, Golf Clubs, Hotels, Indoor Ice Skating Clubs, Indoor Tennis Clubs, Restaurants, Vessels, Pool Halls, and Bed and Breakfasts)</td>
<td>$ 220.00</td>
</tr>
<tr>
<td>Class IV</td>
<td>Malt Liquor Only (Airlines, Civic Auditoriums, Class A Restaurants, Clubs with catering privileges, Dining Cars, Golf Clubs, Hotels, Indoor Ice Skating Clubs, Indoor Tennis Clubs, Restaurants, Taverns, Pool Halls, and Bed and Breakfasts)</td>
<td>$ 220.00</td>
</tr>
<tr>
<td>Class V</td>
<td>Spirituous, Vinous and Malt (Clubs without Catering, Bed &amp; Breakfasts)</td>
<td>$ 495.00</td>
</tr>
<tr>
<td>Class V</td>
<td>Clubs without catering privileges.</td>
<td></td>
</tr>
<tr>
<td>Class X</td>
<td>Spirituous, Vinous and Malt – Class A Lounge</td>
<td>$2,200.00</td>
</tr>
<tr>
<td>Class X</td>
<td>Class A Lounge</td>
<td></td>
</tr>
<tr>
<td>Class XI</td>
<td>Spirituous, Vinous and Malt – Restaurant Lounge</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Class XI</td>
<td>Restaurant/Lounge; and OTB.</td>
<td></td>
</tr>
</tbody>
</table>

**UNORGANIZED TERRITORIES** $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.
All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:
Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: ___________________________ Maine ___________________________ (County)
On: ___________________________

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: Rockport, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A Maine Revised Statutes and hereby approve said application.

Chief ___

Chief _____________

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMENDMENT).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMENDMENT).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-
All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

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Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:
Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____________________________, Maine _____________________________ (County)

On: _________________________________

Date

The undersigned being: ■ Municipal Officers □ County Commissioners of the

□ City ■ Town □ Plantation □ Unincorporated Place of: Rockport, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28-A Maine Revised Statutes and hereby approve said application.

______________________________

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A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant’s prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-
cense that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD).

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1–3 (AMD).]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]

[1995, c. 140, §6 (AMD).]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP).]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau. An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee. [1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §§78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]

Please be sure to include the following with your application:
Completed the application and sign the form.
Signed check with correct license fee and filing fee.
Your local City or Towns signature(s) are on the forms.
Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).
Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.
Complete the Corporate Information sheet for all ownerships except sole proprietorships.
If you have any questions regarding your application, please contact us at (207) 624-7220.
ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.
Division of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement

Corporate Information Required for Business Entities Who Are Licensees

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Vintha, Inc.

2. Doing Business As, if any: Tomi Sushi & Noodle Bar

3. Date of filing with Secretary of State: 7/31/2017 State in which you are formed: Maine

4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: __________________________

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (5 YEARS)</th>
<th>Date of Birth</th>
<th>TITLE</th>
<th>Ownership %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veerayod Aramthip</td>
<td>46A Aldrich Road</td>
<td>5/3/1969</td>
<td>President</td>
<td>50%</td>
</tr>
<tr>
<td>Supawan Aramthip</td>
<td>46A Aldrich Road</td>
<td>2/9/1970</td>
<td>Director</td>
<td>50%</td>
</tr>
</tbody>
</table>

(Stock ownership in non-publicly traded companies must add up to 100%)

6. If Co-Op # of members: ________________ (list primary officers in the above boxes)
7. Is any principal person involved with the entity a law enforcement official?

Yes [ ] No [x] If Yes, Name: __________________________ Agency: __________________________

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes [ ] No [x]

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: ____________________________________________

Date of Conviction: ______________________________

Offense: __________________________________________

Location of Conviction: ______________________________

Disposition: _______________________________________

Signature: _________________________________________

V [ ] [Signature of Duly Authorized Person] 7/7/2017 [Date]

Veerayod Aramthip, President
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov
AMENDED AGENDA (Time change to 4:45 p.m.)

Present: Chair, Kenneth McKinley, Vice-Chair Owen Casas, Douglas Cole, Thomas Gray, Mark G. Kelley and Town Manager, Richard Bates.

I. CALL MEETING TO ORDER – Kenneth McKinley, Chair called the meeting to order at 4:45 p.m.

II. EXECUTIVE SESSION

- Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A)

At 4:45 p.m., Owen Casas moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6) (A). Thomas Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Police Chief, Randy Gagne was present for this Executive Session.

At 4:57 p.m., Owen Casas moved to exit executive session. Thomas Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Discussion of a Personnel Matter pursuant to 1 M.R.S.A. Section 405(6)(A)

At 4:58 p.m., Owen Casas moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6) (A). Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

At 5:19 p.m., Thomas Gray moved to exit executive session. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED

III. ADJOURNMENT

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

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK AS RECORDING SECRETARY
Manager’s Report – October 10, 2017

Public Works

Mt Pleasant Street - JBI has moved off of the project until later in the month to work on another project. JBI is about 2/3 done with the sections that are to be reconstructed. He installed the short section of underdrain. He has removed ledge from under the road surface at the start of the project and should not have any more to do. In addition to finishing the final 1/3 of reconstruction sections, he has to replace one culvert for completion. I understand he plans to be back on the job next week.

Summer Street - was delayed as the paving crew got stuck out on Vinalhaven with a breakdown. Paving has been delayed until October 12th when Steve is back from vacation. It is the same crew doing Summer Street, so that will be done when other roads are being completed in town. Roads to be repaved this year are Mill Street, Rockport Woods, Vinal Street and Rockport Park Center.

Available funds for Road Construction and paving (including recent encumbrance) with the amount encumbered equals $274,711.03.

- The cost of paving the roads on the list is $180,000
- Annis Lane Bridge is $50,000.00
- The remaining work on Mt Pleasant Street is $28,000
- Leaving about for work next spring $14,710

The board will be asked to look at other potential paving projects in the Spring after we have gotten through the winter and see where our budget ends up to see if there are potentially available funds in the PWD budget that can be used to get to other projects that have been delayed because of the unexpected expense of the Annis Lane bridge.

The Annis lane Bridge is scheduled to be closed this Monday beginning at 8 am through Friday morning at 8 am weather permitting.

MaineDOT plans to do curb work as well as replace the concrete joint armor on the Rockport Bridge on Pascal Avenue. To perform the work safely and efficiently the roadway will be limited to one lane alternating traffic.

The duration of the project will be 3 weeks weather permitting. The start date is scheduled for Tuesday, October 10th.
Fire Department

The Fire Department has been busy with numerous calls and as always, more training. We removed a row of trees and shrubs between the back of the West Rockport Fire Station and the abutting property. This will us to bring usable fill over to the site of the proposed addition that will be necessary with any proposed addition. There is a large area there and it is a great place to lose good material rather than simply stockpiling it over at the highway garage. It also makes it much easier to plow the station if we get any snow.

Finance

Megan attended a 3-day GFOA conference in Kennebunk.

Police

The Police Chief is off on a much-deserved vacation. We will be starting a new search due to a resignation in the department.

Library Survey

The library survey continues to come in. As of last Thursday, we have received 842 responses which equals a response rate of 24.83% of the total mailed out. The deadline to take part is Tuesday October 17, 2017.

While this percentage is not as high as I would like to see, Portland Research Group is very happy with the response thus far. They believe that a response rate of more than 15% is enough for them to have statistically significant results.

He will be making a presentation as to his findings on Monday November 6 at 6m.

Other Notes

There are two Road Races scheduled for the next two weekends in Town.

The first being the Beach to Beech 5k race on Sunday October 15th. This is to celebrate the grand opening of the Erickson Fields trail system and is being done in conjunction with the Camden-Rockport Pathways Committee and Legacy Rockport. It starts in Marine Park and ends at the top of Beech Hill. For information please contact Joells Albury at 236-2739 or at jalbury@mcht.org
The other is the Grace and Grit fundraiser to benefit Brian Fitzpatrick who is a Rockport resident who is suffering from a rare form of cancer.

Many employees attended the annual MMA convention on Wednesday and Megan and I also attended on Thursday. I also was a speaker on Wednesday.

I attended the MMA Executive Committee Planning session in Kennebunk, spoke at the Coastal Mountains Land Trust event at the Camden Opera House.
October 6, 2016

Ms. Valerie Kelly, now of formerly of 504 Camden Road
Lincolnville, ME. 04849

BY CERTIFIED MAIL and BY HAND

RE: 479 Rockland Street, Rockport ME 04856 (Map 17/Lot 79)
Dangerous Building Proceedings – Findings and Order

Ms. Kelly,

Thank you for your attendance and participation at a duly noticed public hearing on Monday, September 25, 2017, at 6:30 p.m. at the Rockport Opera House, held to determine whether a former residence owned by you and located on land at 479 Rockland Street and shown as Map 17, Lot 79 on the current tax maps of the Town of Rockport, is a dangerous building or a nuisance within the meaning of Title 17 M.R.S.A. §2851.

In addition to yourself, the following persons were present and testified:
– Scott E. Bickford, Code Enforcement Officer and Local Health Officer
– Conrad J. Heyer, next door neighbor and owner of 469 Rockland Street
– Rebecca Ripley, next door neighbor and owner of 491 Rockland Street

Based on their testimony and other evidence presented, the Municipal Officers found the following facts:

1) You are the current owner of the property but have not resided there for more than two years.
2) You have allowed the building to fall into a state of neglect and disrepair to the extent that it is uninhabitable.
3) As of September 10, 2015, Code Enforcement Officer Scott E. Bickford had begun extensive written and telephone correspondence with you detailing his concerns regarding the condition of the property. Dates of selected correspondence presented to the Municipal Officers also include: October 14, 2015; January 11, 2016 by Certified Mail; September 1, 2016; and June 20, 2017.
4) Photographs dated July 30, 2017 and May 11, 2015, taken from the front path approaching the former residence, clearly show:
   a. Portions of the structure are disintegrating and no longer enclosed;
   b. Front door has been missing or non-functioning for at least two years;
   c. Entryway is collapsed;
   d. Tree branches are resting on top of the structure;
   e. Windows are in disrepair including broken glass;
   f. Skirting around crawl space is missing or open to the outside;
   g. Animal infestation appears likely; and
   h. Further deterioration is evident between 2015 and 2017.
5) You testified that you “have no problem with removing the property,” agree that the former residence is in a dangerous condition, and that “it was not [your] intention to let things get this far.”

6) You testified that you did have correspondence with Mr. Bickford, were aware of his concerns, had “discussed…with him [your] plans to demo it,” and the possibility of corrective action.

7) Mr. Heyer testified that one of his concerns is danger of fire, that the structure “is a tinder box.”

8) Ms. Ripley testified that one of her concerns is the likely impact on property values, “it devaluates my property.”

9) Ms. Ripley testified that one of her concerns is the presence of rats, debris and unpleasant odor, which she stated that she has observed first hand.

Based on the foregoing findings, the Municipal Officers conclude that the structure is dangerous because it is structurally unsafe, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy to which it is put, constitutes a hazard to health and safety because of inadequate maintenance, dilapidation, and abandonment. The Municipal Officers recognize your right to attempt correct the dangerous conditions, but only under certain conditions and timetables.

THEREFORE IT IS ORDERED that within 30 days from the date of service of this Order all rubbish, debris, unsalvageable contents, household/human/hazardous waste, and other demolition materials associated with the former residence be removed and properly disposed. Additionally, you must take steps to ensure that the grounds of the property are maintained to a healthy and safe condition, including but not limited to the mowing of grass and removal of all accumulations of rubbish, harborage for rodents or other pests; and that any further use of the property shall conform to all local and state regulations as applicable.

AND BE IT FURTHER ORDERED that the Town Clerk record this Order and cause attested copies of this Order to be served upon the persons as required by law.

AND BE IT FURTHER ORDERED that, if this Order is not complied with by November 17, 2017, the Town Manager is hereby authorized to arrange for corrective action up to and including demolition and removal of said dangerous building and to recover all expenses, including reasonable attorney's fees, by means of a lien attached to the property, a special tax assessment, and/or civil action.

This decision may be appealed to Superior Court under the Maine Rules of Civil Procedures, Rule 808.

Municipal Officers of the Town of Rockport:

1. ___________________________________ 3. ___________________________________
2. ___________________________________ 4. ___________________________________
5. ___________________________________

STATE OF MAINE
Knox County, ss.

Personally appeared before me the above-named signatories and members of the Rockport Select Board and each acknowledged the foregoing instrument to be of his free hand and deed.

___________________________________
Linda M. Greenlaw, Town Clerk/Notary Public
Commission Expires:
Hi Rick,

It was good to see you (briefly) yesterday at the convention – thanks for coming to part of my presentation!

I thought I would just follow up on your question related to taxation of mobile homes. Mobile homes located on land owned by the landowner, as in this case, are generally assessed together with the real estate and conveyed with land via a deed. Thus, any lien for unpaid taxes would be placed on the land for the entire tax.

There are other methods than the lien process to ensure real estate tax is paid on mobile homes, particularly when a mobile home is on leased land and since it could be moved. The law requires payment of real estate tax before registration can be obtained, and it is also illegal to move a mobile home owned by an individual over the highways unless taxes are paid. If the lien process or registration/excise tax process is not satisfactory to collect real estate taxes owed, the tax collector can consider debt collection though civil action in the court system.

In the case of a dangerous building action when a mobile home is ordered to be demolished, the municipality can assess a special tax for any costs associated with the demolition against the land.

I hope this answers your questions, but please feel free to give me a call with any follow-up.

Take care,
Phil

Philip Saucier
BERNSTEIN SHUR - Shareholder
Municipal & Governmental Services Practice Group Leader
207 228-7160 direct

Confidentiality notice: If you are not the person intended to receive this email, please notify us and please do not make use of this email for any purpose. Thank you.
APPLICATION FOR COMMITTEE SERVICE  
Town of Rockport  101 Main Street  Rockport, ME 04856

Name: Faith Vautour  Home Mailing Address: PO Box 376, Rockport
Legal Address: 192 Union St  Work Address: 
Phone Number: (Home) 207-236-4299 (Work)  E-Mail Address: Faith.Vautour@Aetons.net

Committee you wish to serve on: 

Why do you want to serve on this committee?
I completed my first term on this board in June 2017 and had decided to let someone else run for the seat. I am very interested in the education in this district and have the time to fill in for the remainder of Beth’s term.

Do you have any background that would be helpful on this committee?

* 50 years teacher in this district (1969-2014)
* 1 3-year term on School Board (2014-2017)
* Currently MidCoast School of Technology Board Member

Land Use philosophy: (if applicable)

N/A
Are there objectives you wish to see accomplished?

- Completion of Middle School Project
- Positive fulfillment of newly enacted CSD Strategic Plan

Are you interested in serving on other committees?

- Not at this time

Interview comments:


Appointent Date: __________________________
APPLICATION FOR COMMITTEE SERVICE
Town of Rockport  P.O. Box 10  Rockport, ME 04856

Name:  Robert White

Home Address:  33 Shibles Lane

Mailing Address (if different):  P O Box 669 Rockport, ME 04856

Phone Number: (Home)  (781) 910-8851

E-mail Address:  preamble3761@yahoo.com

Committee you wish to serve on:  Five Town/SAD 28 School Board

Why do you want to serve on this committee?

Public education through our schools is the cornerstone of our society, and therefore it is deserving of thoughtful consideration, guidance and leadership. I would like to be part of this process here in Rockport. I believe it is the duty of a community to provide its children with the best possible educational opportunities, both academic and extracurricular. I also feel it is important to provide our schools’ faculty and staff members with support to allow them to serve our schools and students to the full extent of their skills and talents. At the same time, our schools need to operate in a manner that is fiscally responsible to all residents of our town. I believe I can serve our community to these ends.

Do you have any background that would be helpful to this committee?

I spent most of my working life in public schools, teaching high school chemistry, creating curriculum, mentoring young teachers, coaching sailing and rowing, and advising a variety of academic clubs and student organizations. I have been involved in both sides of the NEASC accreditation process: as a faculty member at my own school and as a member of the visiting team at another. I have a Master of Arts in Teaching, in addition to my B.S. in chemistry. Prior to attending college, I served in the United States Navy as a Submarine Nuclear Power Plant Operator. (It was my experience at Naval Nuclear Power School, as an 18 year old, that opened my eyes to the magic of education.) I am involved as a volunteer with a variety of local non-profit groups, and I am always looking for ways to increase my investment in our community.

Land Use philosophy: (if applicable)  N/A
APPLICATION FOR COMMITTEE SERVICE – continued

Are there objectives you wish to see accomplished?

I have no specific objectives in mind, rather a general wish to contribute toward helping our schools continue to become better as we move into the future.

Are you interested in serving on other committees?

Possibly Planning- In addition to education, I am also interested in helping the town navigate the challenges of a changing world

Interview comments:

Appointment Date:
Dear Select Board Members,

I am writing to express my interest in the recently vacated Five Town/SAD 28 School Board seat. My wife and I moved to Rockport in 2011, when the opportunity arose for her to move her practice to Pen Bay Medical Center. After years of sailing our boat up here in summer, it was an easy choice for us to pack up and move to this beautiful place. We instantly felt welcomed and at home in the community, becoming involved in a variety of ways.

As someone who spent a large chunk of my life teaching in public schools, I feel I could make a significant contribution as a member of the school board. I believe in giving our children the best opportunities in their schooling, both academic and extracurricular. I am also committed to providing our schools’ faculties and staff with the support they need to serve our schools to the full extent of their skills and talents. I don’t think it is a stretch to say that public education is the most important cornerstone of our society and therefore deserving of thoughtful consideration, guidance, and leadership. I would like to be a part of this process.

Attached please find my resume. Feel free to contact me with any questions. I thank you for your consideration.

Bob White
Robert White  
(781) 910-8851  
preamble3761@yahoo.com

33 Shibles Ln
P.O. Box 669
Rockport, ME 04856

Education

B. S. Chemistry, Bridgewater State University, Bridgewater, MA, 1996

M. A. T. High School Chemistry, Simmons College, Boston, MA 1999

Experience, Professional Educator

Hanover High School, Hanover MA 1999-2005 – Taught all levels of Chemistry, also Physics, Biology, Technology. Served as class advisor, open water rowing coach. NEASC Committee member.


Camden Hills Regional High School, Rockport, ME 2012-2013 – (One year, fill in for teacher on sabbatical) - Taught Honors Chemistry. Coached/helped found Sailing Team.

Other Experience


Member of the long coring team, R/V Knorr, Woods Hole Oceanographic Institute. Azores to Woods Hole, July 2010

Sailing Instructor/Sailing Coach, Rockland Community Sailing Rockland, ME 2011-2013

Operator/Supervisor Rockland Yacht Club Launch 2013-2015

Teaching Assistant, Center for Furniture Craftsmanship Summer 2016

Author of many magazine articles on sailing, Sail Magazine, Points East.

Proprietor/Craftsman, White Wood Craft, Building Cedar Canvas Canoes, Paddles, Furniture, Bamboo Fly Rods, Rockport, ME 2014-Present

Active volunteer at Erickson Fields Preserve, Rockport, ME, 2013-Present

Personal Info

Married to Julie White. We have one grown child, two dogs. Love to sail, hike, canoe, fish, hunt, garden, and otherwise enjoy this beautiful place we have come to call home.
APPLICATION FOR COMMITTEE SERVICE
Town of Rockport  101 Main Street  Rockport, ME 04856

Name: ______Carole Gartley___________  Home Mailing Address:133 Warrenton St. Rockport, ME

Legal Address: ______same______Work Address:__same____________________

Phone Number: (Home) __207-594-7076__ (Work) 207-596-4653_ E-Mail Address:__wcgartley@roadrunner.com

Committee you wish to serve on: School Board_____________________________

Why do you want to serve on this committee?

I would like to serve on the School Board in order to serve the families of Rockport and the teachers and students in our schools. I would have an open ear to concerns and a compassionate and thoughtful approach to solving problems. I have a depth of experience professionally in education and business and personally from raising my family in Rockport for over 25 years.

Do you have any background that would be helpful on this committee?

Owner—Gartley Management Services. I have owned and run a property management and development company of commercial and residential properties for over 12 years that range from 1 bedroom apartments to a 90,000 square foot multi-use commercial building.

Pre-K Facilitator for the REDCO foundation. I worked with the Hope, ME school to create a Pre-K program that currently serves 29 children.

Teacher—I was a teacher for over 16 years teaching High School Biology, Middle School Science and Math and Elementary Students (5th grade).

Certifications/ Recognitions/Committees:

Friends of the Rockport Library Board
Rockport Cemetery Committee
Real Estate Sales Agent
Midcoast Leadership Academy
Facilitator Level 1 and Level 2
Midcoast Regional Chamber of Commerce Board of Directors
FMC Community Advisory Board
President Camrock Women’s Network
President Camden Rockport Little League
Education Endorsements: All subjects K-8; All sciences 7-12; Assistant Principal; Principal
Master’s Degree in Education Administration
Land Use philosophy: (if applicable)

Are there objectives you wish to see accomplished?

I want to be an advocate for education for all of our students. I want to support teachers and staff in ways that help them help students reach their full potential. I want to lend my experience in education and business to strengthen our schools.

Are you interested in serving on other committees?

Interview comments:
Appointment Date:

____________________
____________________
____________________

_
<table>
<thead>
<tr>
<th>Priority Ranking</th>
<th>Subject</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>&quot;Tiny Houses&quot;</td>
<td>PB requests standards for this &quot;architectural and social trend&quot; to expand homeless shelter and other housing opportunities, but mitigate impacts of increased density.</td>
</tr>
<tr>
<td>2</td>
<td>Mini-storage Use in the 906 and/or 907 Mixed Business Residential zoning districts.</td>
<td>A property owner requests that the Town allow Mini-storage, with special standards to limit impacts. A new definition of this Use was approved by the voters in 2017.</td>
</tr>
<tr>
<td>3</td>
<td>Residential Density standards.</td>
<td>Study areas where access to sewer service or other considerations may allow expanded multifamily housing opportunities, but mitigate impacts of increased density.</td>
</tr>
<tr>
<td>4</td>
<td>703.3 Special Exception criteria.</td>
<td>Standards for ZBA Special Exceptions overlap too much with PB development review. ZBA standards should be more focused and limited to issues the PB does not address.</td>
</tr>
<tr>
<td>5</td>
<td>300 Definitions of Permitted Uses.</td>
<td>Among other defined uses, Industrial, Manufacturing, and Tradesman's Shop are ripe for review. Concerns have been raised by recent rezoning/development proposals.</td>
</tr>
<tr>
<td>6</td>
<td>1002 &amp; 1004 Landscaping standards.</td>
<td>Current standards are relatively onerous and some PB members have concerns about waivers. Overlap between current standards of 1002 and 1004 adds to the complexity.</td>
</tr>
<tr>
<td>7</td>
<td>1300 Site Plan application requirements.</td>
<td>Requirements for technical submissions are outdated. The timing is off and we don’t need 13 hard copies of everything, etc., given the increasing utility of digital formats.</td>
</tr>
<tr>
<td>8</td>
<td>Road Acceptance Ordinance.</td>
<td>Property owners request a review of Town policy. An amendment to this ordinance was approved by the voters in 2016. A request for road acceptance failed in 2017.</td>
</tr>
<tr>
<td>9</td>
<td>917 Table of Permitted Uses.</td>
<td>Continue to reduce the number of Special Exceptions in all zoning districts. May review Permitted Uses, Special Exceptions and Prohibited Uses beyond item 5 above.</td>
</tr>
<tr>
<td>10</td>
<td>918 Dimensional Tables.</td>
<td>May review Dimensional standards beyond items 2, 3 and 5 above. Many of these have not been updated properly since conversion to table format in 2013/14.</td>
</tr>
<tr>
<td>11</td>
<td>Administrative Clean-up of LUO.</td>
<td>Re-formatting/internal numbering of Chapter 900 was approved by the voters in 2017. Should be reviewed, refined and then applied to the entire Land Use Ordinance.</td>
</tr>
</tbody>
</table>
James P. Francomano

From: Jones, Allan B. (KSC-OPES0) <allan.b.jones@nasa.gov>
Sent: Wednesday, September 20, 2017 10:04 AM
To: James P. Francomano
Cc: Jones, Allan B. (KSC-OPES0); Richard C. Bates; Ken McKinley
Subject: RE: 2018 ORC Work Plan

Importance: High

James,

After reviewing the ORC Work Plan draft I would like you to make the following change/addition (in Green below) to the notes section on item 1. I believe that the change/addition will provide more information on my request and why such a business is good for Rockport. I believe that small home type businesses are the best way to allow people to live the small town lifestyle but yet be able to make a living. Large businesses and all that come with it will destroy that way of life. I live that in Florida along with 0 lot line development that destroys the countryside. Just keep that in mind.

A property owner requests that the town consider allowing Mini- or Self-storage. A new definition of this Use was approved by the voters in 2017.

To Board Members:

I grew up in Rockport on Beach Hill and understand that Rockport wants to maintain a small town feel and those things that make Rockport a great and desirable place to live. I want that also and to move back to Rockport when I retire. Much of my family still live in Rockport and has for several generations.

I put a lot of thought into the best type of business that would fit myself (property rights) and the culture I know from the 60s and 70s in Rockport to make this request for mini-storage use on my property. The following is my analysis and justification: There is a demand for mini-storage in the Rockport area; traffic to and from a mini storage business is extremely low so there would be very little impact to traffic on US 1; the noise level for this type of business is also very low (nearly non-existent); mini storage units on my property would be located several hundred feet from US 1 and would not be visible from US 1 or the public in general; the storage units would be painted different shades of green to blend into the landscape; and infrastructure usage of water, power and sewer is extremely low for mini storage facilities. In addition, flora screening can be added as a requirement.

Respectfully,
Allan Jones
Thanks,
Allan

From: James P. Francomano [mailto:Planner@town.rockport.me.us]
Sent: Monday, September 18, 2017 1:32 PM
To: Jones, Allan B. (KSC-OPES0) <allan.b.jones@nasa.gov>
Cc: Richard C. Bates <townmanager@town.rockport.me.us>; Ken McKinley <KMcKinley@town.rockport.me.us>
Subject: 2018 ORC Work Plan

Allan,

I bcc’d you on a message about this year’s kick-off meeting just now. I thought I would also write you a note separately to assure you your proposal is included in my first draft of the ORC Work Plan. See attached.

I will check in with you again in preparation for the Select Board regular agenda item (will be October or November) to review and finalize this list. I know you will want to have a written memo in the Select Board packet.

Thanks, Jamie F.

James P. Francomano
Planning and Development Director
Town of Rockport
101 Main Street
Rockport, ME 04856
207-236-0989

Email me | Visit Rockport | Town website | Livestream
These are some things that I think might be discussed with a goal of more clarity.

1. Definition of a Tradesman's Shop. A few times at the ZBA, this definition was somewhat inadequate to inform decisions. For example, the definition specifically excludes car repair facilities, but does that mean by default that any other "trade" would be acceptable? Or should more types of businesses be excluded or included. There was a vague sense at the ZBA, that a Tradesman's Shop could not include any other type of business defined in the definitions section of the LUO and I do not think that was the intent. Thus lack of clarity.

2. Nuisance 801.6. This is defined pretty vaguely without criteria or measurement. My thought is that it needs to be expanded to be more clear and include some metrics such as noise decibel levels or duration (days, hours). Such metrics would allow more effective enforcement.

3. Changes of use. My thought is that there might be some criteria for a decision on a change of use. The ZBA works with a defined list of criteria for making a decision on a special exception. It might be helpful to the decision process for a major change of use such as residential to commercial to have such a list of criteria. In parallel, it would be necessary to be clear about what constitutes a major change of use.

That's what I can think of based on ZBA and recent discussions.

Emily Lusher
Hi Ken

Regarding the upcoming workshop on the ORC agenda, I am not able to attend. I will be on my way to Europe.

However, If I were there I would be strongly encouraging, as a priority, the development of an ordinance for "tiny houses". Jamie Francomano can tell you more about the applicants from the Hospitality House and their application which just does not fit any of our ordinance. Following a pre application meeting with them and the neighbors, I strongly discouraged them from pursuing the application and encouraged them to work with the town in the development of an appropriate ordinance; one that covers their requirement and secondly one that covers others who may wish to build a Tiny House. The development of Tiny Houses is an architectural and social trend that I think Rockport should get in front of.

If this does go on the agenda and then with the approval of the select board, I will contact the applicants and the neighbors to run a workshop to figure out the broad strokes of an ordinance which can then go to the ORC for refinement and hopefully be on the June Warrant.

The other issue we have to deal with is Marijuana.

Regards

John

John Alexander
Phone: 207 837 0806
Chair, Rockport Planning Board
TOWN OF ROCKPORT
SPECIAL TOWN MEETING WARRANT
TUESDAY, NOVEMBER 7, 2017

To: Randy Gagne, Constable of the Town of Rockport, in the County of Knox, State of Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 7th day of November, 2017 at 8:00 o’clock in the forenoon to 8:00 o’clock in the evening to vote on the following articles:

Article 1. To elect a moderator to preside at said meeting.

Article 2. Shall the Town approve the Charter amendment reprinted below?

Article II, Section 7 of the Town of Rockport Charter, which enumerates the powers of the Select Board, is amended by inserting the underscored language in a new subsection I related to managing reserve accounts, as shown below:

Section 7 Powers and Duties
I. Manage all reserve accounts established by town meeting vote, supplement those accounts with non-budgeted revenue, including but not limited to income from the sale of Town property and donations, and make expenditures from those accounts in order to accomplish the purposes for which the accounts were established, all in accordance with the Rockport Reserve Account Policy, as amended.

Article 3. Shall the Town approve the Charter amendment reprinted below?

Article VI, Section 12 of the Town of Rockport Charter, which requires an annual audit, is amended by deleting the language in strikeover type and inserting the underscored related to the Select Board’s appointment authority, as shown below:

Section 12 Annual Audit
The Town Manager Select Board shall each year appoint a certified public accountant or accountants with the approval of the Select Board for the purpose of conducting the annual audit of the prior fiscal year municipal finances as authorized by law.

State Law Reference: Title 30-A, MRSA, Section 5823
Article 4. Shall an Ordinance entitled “Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Municipality of Rockport” be enacted?

Date: October 10, 2017

__________________________________________
Kenneth McKinley, Chair

__________________________________________
Owen Casas, Vice-Chair

__________________________________________
Douglas Cole

__________________________________________
Thomas Gray

__________________________________________
Mark G. Kelley

ROCKPORT SELECT BOARD

Attest:

__________________________________________
Linda M. Greenlaw, Town Clerk
Date: October 6, 2017

To: Richard C. Bates, Town Manager

Re: Safety Upgrades to the Town Office

Rick,

I have looked into what our options are with the safety upgrades that you and the Safety Committee would like to have completed at the Town Office. We have received the following quotes:

1. **Handicap Door** access to both the vestibule door, and the door to the main lobby of the town office, the quote form P.D.Q. Door is for $7,231.00. We have also received a quote from Rideout Electric to get power to the two doors, and that quote is for $650.00. Total estimated project costs are $7,881.00.

2. **Access control** to the two wing ends of the building, we have a quote from Seacoast Security for the amount of $2,988.54 and another one from Sargent’s for the locking units for the amount of $1,599.00. Total estimated project costs are $4,587.54.

3. The total estimates cost for the two projects is $12,468.54.

We could cover the electrical costs for the handicap door ($650), out of the budget, which would reduce the amount needed from the reserve to $11,818.54.

There is currently $22,351.29 in the Town Office Building Reserve account which could be used for a project like this, however it would require Select Board approval.

Thank you!

Megan Brackett
Submitted To:  
TOWN OF ROCKPORT  
101 MAIN ST  
ROCKPORT, ME 04856

Job Location:  
Rockport Town Office  
101 Main St.  
Rockport

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<td>Ventronic HA-8 Low Energy Handicapped Door Operators, Clear Aluminum Color for RH outswing doors.</td>
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<td>Electric Magnet Lock with switched remote activation.</td>
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<td>Wireless Push Button Controls</td>
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<td>Bollard Poles for Push Buttons</td>
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<tr>
<td>1</td>
<td>Commercial Door Installation 1 Man</td>
<td>0.00</td>
</tr>
<tr>
<td>1</td>
<td>Includes all materials, sales tax and labor, EXCEPT a licensed electrician's materials, sales tax and labor. All wiring (high &amp; low voltage), conduit, and electrical connection labor must be performed by a licensed electrician and is not included in this estimate.</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Total $7,231.00

Additional charges will apply if we determine there is a presence of lead paint on existing doors/openings. Testing will be done on any residential building built prior to 1978.

Trim boards must be installed prior to weatherstripping. Additional charge of $79.00 to install at a later date.

Additional charges will apply if garage floor is not poured at the time of installation.

All warranties are void if installation is required prior to roof and wall sheathing installation.

CUSTOMER IS RESPONSIBLE FOR ANY WIRING (IE. OUTLETS, HARDWIRING).

Quotes are good for 30 days. All prices are contingent upon site inspection.

*Signature below indicates that you accept the terms of the agreement. All unpaid balances in excess of 30 days will be subject to 1.5% per month late charge plus reasonable collection costs including court fees, service fees, and attorney's fees.

Printed Name: ___________________________________ Signature: ________________________________

Rockport Phone # | Rockport Fax # | Rockport Toll Free # | Representative's Email Address
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
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<tbody>
<tr>
<td>207-230-0808</td>
<td>207-230-0888</td>
<td>1-877-230-0809</td>
<td></td>
</tr>
</tbody>
</table>

Proposal Submitted By:_________________________________________
DATE 10/5/2017

To: Town of Rockport

For: Electrical

Estimate to include:

Remove and replace four emergency lights at the Harbor Masters Office.
Estimated Sum: $350.00

Feed door openers at the Town office front doors.
Estimated Sum: $650.00

Respectfully submitted,
Rideout Electric, Inc.

Tim Dutille

This proposal does not include light fixtures unless otherwise specified. The materials are warranted for one year from installation. Lamps are excluded from any warranty. This proposal does not include any utility company or excavation charges.
<table>
<thead>
<tr>
<th>Part #</th>
<th>Manufacturer</th>
<th>Description</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>IE-212MP</td>
<td>INTERNATIONAL ELECTRONICS INC.</td>
<td>0211130 ACCESS CONTROL KEYPAD W/ BACKLIGHTNG (Three Interior Admin Area Doors)</td>
<td>3</td>
</tr>
<tr>
<td>AX-SMP3</td>
<td>ALTRONIX CORP.</td>
<td>SWTG PS 6-24VDC @ 2.5A POWER SUPPLY</td>
<td>2</td>
</tr>
<tr>
<td>PW-PS1270</td>
<td>POWER-SONIC</td>
<td>12V 7AH SLA BATTERY F1</td>
<td>2</td>
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<tr>
<td>EK-TRG1640</td>
<td>ELK PRODUCTS, INC.</td>
<td>16.5VAC, 45VA TRANSFORMER</td>
<td>2</td>
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<tr>
<td>SF-EM121204</td>
<td>SAFETY TECHNOLOGY INC.</td>
<td>12X12X4&quot; INSTRUMENT BOX BEIGE</td>
<td>2</td>
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<tr>
<td>AC-7S18</td>
<td>ALARM CONTROLS CORP.</td>
<td>SPDT SURFACE MOUNT DOOR RELEASE BUTTON</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Two Admin Office Areas, Two Public Reception Desk Area)</td>
<td></td>
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<tr>
<td>AC-KR14GR</td>
<td>ALARM CONTROLS CORP.</td>
<td>EMERGENCY LATCHING KEY RESET CONTACT RED</td>
<td>2</td>
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<tr>
<td></td>
<td></td>
<td>(Two Public Reception Desk Area Vestibule Lockdown)</td>
<td></td>
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<tr>
<td>WG-11035809</td>
<td>HONEYWELL CABLE&amp;COMMUNICATIONS</td>
<td>22/4 SOL JKT CM/CL2 5C SB GRY (Control Keypad, Push Button Release)</td>
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<tr>
<td>WG-11185509</td>
<td>HONEYWELL CABLE&amp;COMMUNICATIONS</td>
<td>18/2 STR JKT 5C BX GRY (Electronic Door Strike Power)</td>
<td>1</td>
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<tr>
<td>MISC.</td>
<td>HARDWARE</td>
<td>EMT CONDUIT, FITTINGS (Front Vestibule)</td>
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</table>

**All required electronic door locking hardware to be provided & installed by others.
<table>
<thead>
<tr>
<th>Part #</th>
<th>Manufacturer</th>
<th>Description</th>
<th>Qty</th>
</tr>
</thead>
</table>

**Attach to "Alarm System Agreement" dated 3/26/2015.**

I accept the terms and conditions of this quotation.
Signed: ___________________________ Date: ____________
Name: ____________________________
Terms: 1/2 down 30 day on completion Major credit cards accepted.

This Is Schedule A
Please Note Large jobs will be Billed with Progress
Billing over $10,000.00 One Year Warranty
NOTE: This Quote is Confidential And May Not Be Shared In Anyway

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
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<tbody>
<tr>
<td>Sub-Total</td>
<td>$1,548.54</td>
<td></td>
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<tr>
<td>Labor</td>
<td>$1,440.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$2,988.54</td>
<td></td>
<td></td>
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</tbody>
</table>

In State Local Family Owned & Operated
U.L. Listed Seacoast Central Station,
IMSA Certified, NFPA Member,
First Alert & Honeywell Dealer,
Keyscan Enterprise Partner

Thank you for considering our company. If you decide not to buy from us, we would appreciate your feedback so that we can serve you better in the future!
Estimate

Date: 4/27/2017  
Estimate #: 791

Estimate For:
Town of Rockport  
PO Box 10  
Rockport, ME 04856

<table>
<thead>
<tr>
<th>Project/Job</th>
<th>Phone number</th>
<th>Fax number</th>
<th>Contact</th>
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<tbody>
<tr>
<td>push button access</td>
<td></td>
<td></td>
<td>Dianne</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Qty</th>
<th>Description</th>
<th>Cost</th>
<th>Total</th>
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<tr>
<td>Parts</td>
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<td>Estimate to provide and install hardware to allow push button access.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>157.00</td>
<td>471.00</td>
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<tr>
<td>Parts</td>
<td>2</td>
<td>CR locks</td>
<td>145.00</td>
<td>290.00</td>
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<tr>
<td>Parts</td>
<td>2</td>
<td>norton door closers</td>
<td>26.00</td>
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<tr>
<td>Parts</td>
<td>3</td>
<td>latch guards</td>
<td>162.00</td>
<td>486.00</td>
</tr>
<tr>
<td>Parts</td>
<td>3</td>
<td>ANSI strikes</td>
<td>300.00</td>
<td>300.00</td>
</tr>
<tr>
<td>Service &amp; lab...</td>
<td></td>
<td>Service call and labor to install re-emailed 06-21-17</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Estimates are active for 30 days from date. Estimate assumes that any existing hardware is in good and serviceable condition. Any additional parts and labor requested or required that are not reflected here may invalidate this estimate. All new hardware is covered under manufacturers warranty. Our labor is guaranteed for one year.

| Subtotal       | $1,599.00 |
| Sales Tax (5.5%)| $0.00     |
| Total          | $1,599.00 |
Wastewater Commitment Process

Each month the Wastewater Commissioners are asked to vote on the commitment of sewer fees (both debt and usage) that remain unpaid. The monthly commitment includes approximately 13 accounts (mostly commercial with a few larger non-commercial accounts); quarterly both commercial and residential accounts are committed.

At the end of each fiscal year the accounts that have been committed and remain unpaid are sent a Notice of Commitment requiring that all past fees be paid. The commitment gives the treasurer the authority to collect the fees. This is the beginning of the lien process.

90 days after the Notice of Commitment has been sent, and fees remain unpaid, a Notice of Lien is sent to all outstanding accounts. The Notice of Lien gives the outstanding account holders 30 days before an actual lien in placed on the property, and the lien is filed in the Registry of Deeds. The outstanding account holder then has 18 months in which to pay the outstanding balance on the account. If the account balance committed is not paid in full then a Notice of Foreclosure is sent no more than 45 days before the expiration of the 18 months.

Wastewater Commissioners Vote Required for September Commitment

Suggested motion: Move to commit the July 2017 wastewater user/debt fees totaling $31,848.77 to the Treasurer for collection.
CERTIFICATE OF COMMITMENT OF SEWER USER RATES

TO: Richard C. Bates, the treasurer of the municipality of Rockport, Maine.

We, the undersigned municipal officers of the municipality of Rockport, hereby certify and commit to you a true list of the sewer rates established by us pursuant to 30-A M.R.S.A. § 3406 for those properties, units, and structures required by local and State law to pay a sewer rate to the municipality, for the period of:

July 2017 $31,848.77

You are hereby required to collect from each person named in the attached list his or her respective amount as indicated in the list, the sum total of the list being $31,848.77. The list is comprised of the pages numbered 1 through 1, which is attached to this certificate.

You are hereby authorized to collect these rates, and accrued interest, and all costs of collections by any means legally available to you under State law.

You shall complete and make an account of your collections of the whole sum herein committed to you on October 10, 2017.

Given under our hands this 10th day of October 2017.

___________________________________________
Ken McKinley, Select Board Chair

___________________________________________
Owen Casas, Select Board Vice Chair

___________________________________________
Douglas Cole, Select Board Member

___________________________________________
Thomas Gray, Select Board Member

___________________________________________
Mark Kelley, Select Board Member

Municipal Town Officers – Town of Rockport
<table>
<thead>
<tr>
<th>CUSTOMER ID</th>
<th>NAME</th>
<th>House Number</th>
<th>Street</th>
<th>City</th>
<th>State</th>
<th>30 DAY</th>
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<tbody>
<tr>
<td>3401355103</td>
<td>CONIFER INDUSTRIES</td>
<td>1096</td>
<td>COMMERCIAL ST</td>
<td>ROCKPORT</td>
<td>ME</td>
<td>605.87</td>
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<tr>
<td>3404183001</td>
<td>COUNTRY INN</td>
<td>5</td>
<td>COUNTRY INN WAY</td>
<td>ROCKPORT</td>
<td>ME</td>
<td>966.64</td>
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<tr>
<td>3401338101</td>
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<td>COMMERCIAL ST</td>
<td>ROCKPORT</td>
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<td>1,611.07</td>
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<td>3400951111</td>
<td>GIBBONS CONSTANCE</td>
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<td>FRANKLIN ST</td>
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<td>ME</td>
<td>52.00</td>
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<tr>
<td>3401110902</td>
<td>GOOD MICHAEL &amp; KAREN</td>
<td>325</td>
<td>COMMERCIAL ST</td>
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<td>63.05</td>
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<tr>
<td>3401336503</td>
<td>GRIMMEL LOUISE</td>
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<td>434.83</td>
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<tr>
<td>3407439901</td>
<td>HAHN BILL</td>
<td>5</td>
<td>COUNTRY INN WAY</td>
<td>ROCKPORT</td>
<td>ME</td>
<td>130.72</td>
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<tr>
<td>3401322002</td>
<td>HOBOKEN SCHOOL HOUSE LLC</td>
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<td>3401337304</td>
<td>LEDGES BY THE BAY</td>
<td>930</td>
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<td>ME</td>
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<tr>
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<td>CAMDEN ST</td>
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<td>49.49</td>
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<tr>
<td>3401330601</td>
<td>PEN BAY MEDICAL CENTER</td>
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<td>GLEN COVE DR</td>
<td>ROCKPORT</td>
<td>ME</td>
<td>11,500.25</td>
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<td>PENOBSCOT BAY YMCA</td>
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<td>UNION ST</td>
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<td>3401340302</td>
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<td>ROCKPORT MARINE INC</td>
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<td>MAIN ST</td>
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<td>ME</td>
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<tr>
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<td>WEST ST</td>
<td>ROCKPORT</td>
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<td>16.34</td>
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<tr>
<td>3407629701</td>
<td>ROCKPORT TOWN OF</td>
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<td>ELWOOD AVE</td>
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<td>SAMOROCK LLC</td>
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<td>WARRENTON ST</td>
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<td>ME</td>
<td>6,642.66</td>
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<td>ME</td>
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<td>ME</td>
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<tr>
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<tr>
<td>3401361602</td>
<td>STRAWBERRY HILL MOTOR INN</td>
<td>886</td>
<td>COMMERCIAL ST</td>
<td>ROCKPORT</td>
<td>ME</td>
<td>1,180.94</td>
</tr>
</tbody>
</table>

**TOTAL** | **31,848.77**
September 19, 2017

Richard Bates, Town Manager
Town of Rockport
P.O Box 10
Rockport, ME 04856

Re: Maine Sport Pump Station Replacement Project
Contract Award Letter of Recommendation

Dear Rick:

We have reviewed the General Contractor bids submitted to the Town of Rockport on September 14, 2017 for the Maine Sport Pump Station Replacement project. The bidding Contractors were T Buck Construction and Penta Corporation. A bid tabulation is attached to this letter for your reference.

The apparent low bidder was T Buck Construction with a Base Bid of $381,614.00. T Buck’s Bid price was $4,546.00 lower than the bid submitted by Penta of $386,160.00. A copy of T Buck’s Bid has been included with this letter for your reference.

Based on our review of the T Buck Bid and previous experience with this Contractor on projects of similar scope, we are recommending the contract be awarded to T Buck Construction. The Town’s Wastewater Capital Improvement Plan (CIP) carried a budget of $400,000 for the replacement of the pump station, and funds available in the CIP are adequate to cover the cost of the project.

Attached to this letter is the Notice of Award to be executed after approval from the Select Board is obtained. Upon receipt of four (4) executed copies of the Notice of Award, we will begin work to compile the Contract Documents, and schedule the contract signing/pre-construction meeting to be attended by representatives of the Town and T Buck Construction.

If you require additional information or have any questions, please feel free to call me at 207-945-5105 or email me at nmclaughlin@woodardcurran.com. We appreciate this opportunity to have worked with you and the Town of Rockport on the design phase of the project and look forward to seeing this project through construction.

Sincerely,

WOODARD & CURRAN

Nathan T. McLaughlin, P.E.
Project Manager

NTM/JCM/jeh

Attachments
PN: 229668.02
# TOWN OF ROCKPORT, ME

**MAINE SPORT PUMP STATION REPLACEMENT PROJECT**

**PROJECT NO. 229668.02**

September 19, 2017

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Unit</th>
<th>Estimated Quantity</th>
<th>T Buck Construction Unit Price</th>
<th>Value</th>
<th>Penta Corporation Unit Price</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Administration (Mobilization/Demobilization)</td>
<td>LS</td>
<td>1</td>
<td>$15,000.00</td>
<td>$15,000.00</td>
<td>$2,000.00</td>
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<tr>
<td>2</td>
<td>Rock Excavation</td>
<td>CY</td>
<td>45</td>
<td>$10.00</td>
<td>$450.00</td>
<td>$250.00</td>
<td>$1,125.00</td>
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<tr>
<td>3</td>
<td>Excavation below Normal Grade</td>
<td>CY</td>
<td>50&quot;</td>
<td>$50.00</td>
<td>$2,500.00</td>
<td>$15.00</td>
<td>$750.00</td>
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<td>4</td>
<td>Select Backfill</td>
<td>CY</td>
<td>150&quot;</td>
<td>$30.00</td>
<td>$4,500.00</td>
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<tr>
<td>5</td>
<td>8&quot; SDR 35 PVC Sewer Main</td>
<td>LF</td>
<td>65</td>
<td>$80.00</td>
<td>$5,200.00</td>
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<td>6</td>
<td>6&quot; SDR 35 PVC Sewer Main</td>
<td>LF</td>
<td>5</td>
<td>$400.00</td>
<td>$2,000.00</td>
<td>$150.00</td>
<td>$750.00</td>
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<tr>
<td>7</td>
<td>2&quot; SDR 26 PVC Force Main</td>
<td>LF</td>
<td>45</td>
<td>$75.00</td>
<td>$3,375.00</td>
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<td>$4,500.00</td>
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<td>8</td>
<td>3&quot; SDR 26 PVC Force Main</td>
<td>LF</td>
<td>90</td>
<td>$40.00</td>
<td>$3,600.00</td>
<td>$80.00</td>
<td>$7,200.00</td>
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<tr>
<td>9</td>
<td>Provide Pump Station</td>
<td>LS</td>
<td>1</td>
<td>$308,644.00</td>
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<td>$323,000.00</td>
<td>$323,000.00</td>
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<tr>
<td>10</td>
<td>Provide 4&quot; Diameter Sewer Manhole</td>
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<td>1</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
<td>$5,300.00</td>
<td>$5,300.00</td>
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<tr>
<td>11</td>
<td>Bollards</td>
<td>EA</td>
<td>4</td>
<td>$750.00</td>
<td>$3,000.00</td>
<td>$600.00</td>
<td>$2,400.00</td>
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<tr>
<td>12</td>
<td>Bituminous Shoulder Pavement Repair</td>
<td>SY</td>
<td>35</td>
<td>$100.00</td>
<td>$3,500.00</td>
<td>$90.00</td>
<td>$3,150.00</td>
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<tr>
<td>13</td>
<td>Paved Access Drive</td>
<td>SY</td>
<td>110</td>
<td>$75.00</td>
<td>$8,250.00</td>
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<tr>
<td>14</td>
<td>Guardrail Repair</td>
<td>LS</td>
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<td>$10,000.00</td>
<td>$10,000.00</td>
<td>$4,800.00</td>
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<tr>
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<td>Test Pits</td>
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<td>$5,000.00</td>
<td>$600.00</td>
<td>$1,200.00</td>
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<tr>
<td>16</td>
<td>2&quot; Rigid Insulation</td>
<td>LF</td>
<td>85</td>
<td>$7.00</td>
<td>$595.00</td>
<td>$6.00</td>
<td>$510.00</td>
</tr>
</tbody>
</table>

**TOTAL BASE BID** $386,160.00

*Indeterminate quantity used for bid comparison*
SECTION 00 41 00
BID FORM

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

Town of Rockport
101 Main Street
Rockport, Maine 04856

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<table>
<thead>
<tr>
<th>Addendum No.</th>
<th>Addendum Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground
Facilities) that have been identified in SC-4.02 as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder’s safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

ARTICLE 4 – BIDDER’S CERTIFICATION

4.01 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Unit Price (In Words &amp; Figures)</th>
<th>Estimated Quantity</th>
<th>Price (In Numbers)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Administrative</td>
<td>LS</td>
<td>$250 per 1000 ft.</td>
<td>5,000</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>2</td>
<td>Rock Excavation</td>
<td>CY</td>
<td>Ten cubic yards per yard</td>
<td>45</td>
<td>$1,500</td>
</tr>
<tr>
<td>3</td>
<td>Excavation Below Normal Grade</td>
<td>CY</td>
<td>Eight cubic yards</td>
<td>50*</td>
<td>8500</td>
</tr>
<tr>
<td>4</td>
<td>Select Backfill</td>
<td>CY</td>
<td>Ninety cubic yards</td>
<td>150*</td>
<td>4,500</td>
</tr>
<tr>
<td>5</td>
<td>8&quot; SDR 35 PVC Sewer Main</td>
<td>LF</td>
<td>Eighty cubic yards</td>
<td>65</td>
<td>5,800</td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Unit</td>
<td>Unit Price (In Words &amp; Figures)</td>
<td>Estimated Quantity</td>
<td>Price (In Numbers)</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------</td>
<td>------</td>
<td>--------------------------------</td>
<td>--------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>6</td>
<td>6&quot; SDR 35 PVC Sewer Main</td>
<td>LF</td>
<td>$2,000</td>
<td>5</td>
<td>$10,000</td>
</tr>
<tr>
<td>7</td>
<td>2&quot; SDR 25 PVC Force Main</td>
<td>LF</td>
<td>$3,775</td>
<td>45</td>
<td>$23,175</td>
</tr>
<tr>
<td>8</td>
<td>3&quot; SDR 25 PVC Force Main</td>
<td>LF</td>
<td>$4,000</td>
<td>90</td>
<td>$40,000</td>
</tr>
<tr>
<td>9</td>
<td>Provide Pump Station</td>
<td>LS</td>
<td>Three hundred eight thousand</td>
<td></td>
<td>$308,644</td>
</tr>
<tr>
<td>10</td>
<td>Provide 4’ Diameter Sewer Manhole</td>
<td>EA</td>
<td>Six thousand</td>
<td>1</td>
<td>$6,000</td>
</tr>
<tr>
<td>11</td>
<td>Bollards</td>
<td>EA</td>
<td>Seven hundred</td>
<td>4</td>
<td>$3,300</td>
</tr>
<tr>
<td>12</td>
<td>Bituminous Shoulder Pavement</td>
<td>SY</td>
<td>One hundred</td>
<td>35</td>
<td>$3,500</td>
</tr>
<tr>
<td>13</td>
<td>Paved Access Drive</td>
<td>SY</td>
<td>Seventy five</td>
<td>110</td>
<td>$8,650</td>
</tr>
<tr>
<td>14</td>
<td>Guardrail Repair</td>
<td>LS</td>
<td>Ten thousand</td>
<td>1</td>
<td>$10,000</td>
</tr>
<tr>
<td>15</td>
<td>Test Pits</td>
<td>EA</td>
<td>Two thousand</td>
<td>2</td>
<td>$5,000</td>
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<tr>
<td>16</td>
<td>2&quot; Rigid Insulation</td>
<td>LF</td>
<td>Seven hundred</td>
<td>85</td>
<td>$5,950</td>
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</table>

**TOTAL BASE BID**: $287,214

*Indeterminate quantity listed for comparison of Bids only.*
BASE BID PRICE (Includes all items)

In Words: three hundred eighty-one thousand six hundred
dhzen dollars

In Figures: $381,616

5.02 Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

5.03 Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

5.04 Owner reserves the right to exclude or reduce the quantity of any items included in the project, if necessary, to tailor the project to available funding.

5.05 The Owner is exempt from Maine State sales and use taxes on materials and equipment to be incorporated in the work. Said taxes shall not be included in the Bid.

5.06 The basis of award will be the lowest qualified bid of the total amount of the Base Bid.

5.07 Bids received from all bidders shall remain in effect for a period 60 days after the bid opening or until the effective date of the agreement with the low bidder, whichever occurs first.

ARTICLE 6 – TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates and/or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

7.01 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security in the form of Bid Bond – Certified Check;

B. List of Proposed Subcontractors;

C. List of Proposed Suppliers;

D. Evidence of authority to do business in the State of Maine; or a written covenant to obtain such license within the time for acceptance of Bids.
ARTICLE 8 – DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.
ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): ________________________________

By: ____________________________

(Individual’s signature)

Doing business as: ________________________________

A Partnership

Partnership Name: ________________________________

By: ____________________________

(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): ________________________________

A Corporation

Corporation Name: [Handwritten: Buck Crockett (SEAL)]

State of Incorporation: New Hampshire

Type (General Business, Professional, Service, Limited Liability): ________________

By: ____________________________

(Signature -- attach evidence of authority to sign)

Name (typed or printed): Jack Rotter

Title: Vice President

(CORPORATE SEAL)

Attest: [Handwritten: June Storr]
A Joint Venture

Name of Joint Venture: ________________________________

First Joint Venturer Name: ________________________________ (SEAL)

By: ________________________________
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): ________________________________

Title: ________________________________

Second Joint Venturer Name: ________________________________ (SEAL)

By: ________________________________
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): ________________________________

Title: ________________________________

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address ________________________________

Tunxis ME 04868

Phone No. 207.783.6823 Fax No. 207.783.5700

E-mail ________________________________

SUBMITTED on 6/24/17.

State Contractor License No. ________________________________ [If applicable]

END OF SECTION
<table>
<thead>
<tr>
<th>Div.</th>
<th>Description</th>
<th>Sub / Vendor</th>
<th>Contact</th>
<th>Office</th>
<th>Cell</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-000</td>
<td>T Buck Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-000</td>
<td>Owner</td>
<td>Town of Rockport</td>
<td></td>
<td></td>
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<tr>
<td>1-200</td>
<td>Engineer</td>
<td>Woodard &amp; Curran</td>
<td>Nate McLaughlin</td>
<td>558-4231</td>
<td>745-2314</td>
<td></td>
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<tr>
<td>1-400</td>
<td>Testing</td>
<td>S.W. Cole</td>
<td>Neil / Dana</td>
<td>626-0600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-630</td>
<td>Dumpster</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-160</td>
<td>Shoring</td>
<td>T Buck</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-160</td>
<td>Shoring Design</td>
<td>Calderwood</td>
<td>Eric / Greg</td>
<td>737-2007</td>
<td>837-0540</td>
<td></td>
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<tr>
<td>2-200</td>
<td>Gravel</td>
<td></td>
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<td></td>
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<tr>
<td>2-200</td>
<td>Earth Acc's</td>
<td>EJ Prescott</td>
<td>Joe Hersom</td>
<td>582-2006</td>
<td>735-7723</td>
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<td>Precast</td>
<td>American</td>
<td>Will Eisworth</td>
<td>947-8334</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3-300</td>
<td>Concrete</td>
<td>T Buck</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3-325</td>
<td>Masonry</td>
<td>A.H. Harris</td>
<td>Darrel / Greg / Nick</td>
<td>622-0821</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-500</td>
<td>Metals</td>
<td>Global Metal Fab</td>
<td>Troy Dickie</td>
<td>753-0001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-314</td>
<td>Sewage Pumps</td>
<td>Flygt</td>
<td>Ron Orsini</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-314</td>
<td>Sewage Pumps</td>
<td>Flygt</td>
<td>Brendan Kennedy</td>
<td>(781) 970-0021</td>
<td>(617) 686-6538</td>
<td></td>
</tr>
<tr>
<td>16-100</td>
<td>Electrical</td>
<td>Express Electric</td>
<td>Jay Mitchell</td>
<td>474-4390</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16900</td>
<td>SCADA</td>
<td>Stulz Electric &amp; Motor</td>
<td>Paul Merril</td>
<td>835-3054</td>
<td>699-2501</td>
<td></td>
</tr>
<tr>
<td>16900</td>
<td>Telemetry</td>
<td>TCS</td>
<td>Dean Marengi</td>
<td>(978) 465-7932</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5|4 - Subcontracts POs [1730 - Buyout Spreadsheets.xlsx]Sub-Vendor List
BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):
T. Buck Construction, Inc.
302B Auburn Road, Turner, ME 04282

SURETY (Name and Address of Principal Place of Business):
Employers Mutual Casualty Company
P.O. Box 712, Des Moines, IA 50306-0712

OWNER (Name and Address):
Town of Rockport
101 Mair Street, Rockport, ME 04856

BID
Bid Due Date: September 14, 2017
Description (Project Name and Include Location): Maine Sport Pump Station Replacement

BOND
Bond Number: Bid Bond
Date (Not earlier than Bid due date): September 14, 2017
Penal sum Five Percent of Amount Bid

Ward

$ 5%

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER
T. Buck Construction, Inc.
Bidder's Name and Corporate Seal

By:
Signature

MARK MCPHETERS
Print Name
VICE PRESIDENT
Title

Attest:
Signature

Title

SURETY
Employers Mutual Casualty Company
Surety's Name and Corporate Seal

By:
Signature (Attach Power of Attorney)

Shelly Andrade
Print Name
Attorney-in-Fact
Title

Attest:
Signature

Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.
1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.

2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.

3. This obligation shall be null and void if:

   3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or

   3.2 All Bids are rejected by Owner, or

   3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).

4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.

5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.

6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.

7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.

8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.

9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.

10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.
POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation
4. Illinois EMCASCO Insurance Company, an Iowa Corporation
5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation
7. Hamilton Mutual Insurance Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

Shelly Andrade

Its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the following Surety Bond:

Surety Bond Number: Bid Bond
Principal: T. Buck Construction, Inc.
Oblige: Town of Rockport

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon the Company. The facsimile or mechanically reproduced signature of each officer, whether made hereof or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 1st day of April, 2017.

Seals

Bruce G. Kelley, Chairman of Companies 2, 3, 4, 5 & 6; President of Company 1; Vice Chairman and CEO of Company 7

Todd Strother, Vice President

On this 1st day of April, 2017 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the Chairman, President, Vice Chairman and CEO, and/or Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.


Kathy Loveridge
Notary Public in and for the State of Iowa

CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 1st day of April, 2017, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 14th day of September, 2017.

Vice President

7853 (4-17) "For verification of the authenticity of the Power of Attorney you may call (515) 345-2893."
SECTION 00 51 00 – NOTICE OF AWARD

Date: September 19, 2017

Project: Maine Sport Pump Station Replacement
Owner: Town of Rockport
Contract: Maine Sport Pump Station Replacement
Owner's Contract No.: 
Contract: Maine Sport Pump Station Replacement
Engineer's Project No.: 229668.02
Bidder: T Buck Construction
Bidder's Address: 302B Auburn Road
                 Turner, ME 04282

You are notified that your Bid dated September 14, 2017 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for Maine Sport Pump Station Replacement Project.

The Contract Price of your Contract is Three Hundred Eighty One Thousand Six Hundred Fourteen Dollars ($381,614.00).

0 copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within fifteen (15) days of the date you receive this Notice of Award.

1. Deliver to the Owner 0 fully executed counterparts of the Contract Documents.

2. Deliver with the executed Contract Documents the Contract security Bonds as specified in the Instructions to Bidders (Article 20), General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).

3. Other conditions precedent:

   Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

________________________________________
Owner
By: ____________________________________
Authorized Signature

Title

Copy to Engineer

END OF SECTION
This page intentionally left blank
Managers Notes

I. Call Meeting to Order

Please either turn off your cell phones and other electronic devices or set them to mute while in this meeting room or the hallways. If you need to take or make a phone call, please step outdoors.
II. Executive Session

a. Discussion of a Labor Union Contract (Public Works Department) pursuant to 1 M.R.S.A. Section 405(6)(D)
III. Public Hearing

Application for a new malt, Vinous Liquor License for Tomi Sushi & Noodle Bar (Vinha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME
IV. Minutes, Meetings and Announcements

a. Approval of the minutes of previous meetings:
   ➢ Monday, September 11, 2017, meeting of the Select Board
   ➢ Monday, September 25, 2017, meeting of the Select Board
   ➢ Monday, October 2, 2017, executive session of the Select Board

b. Announcements of upcoming Select Board meeting(s):
   ➢ Regular Select Board meeting on Monday, November 13, 2017, 7:00 p.m.,
     Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be
     streamed at http://livestream.com/Rockportmaine

c. Announcements of upcoming Select Board workshop(s):
   ➢ Capital Improvement Committee workshop, Monday October 30, 2017, 5:30 PM,
     Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be
     streamed at http://livestream.com/Rockportmaine
   ➢ Pre-Budget Workshop, Wednesday November 8, 2017, 5:30 PM,
     Richardson Room, Rockport Town Office
   ➢ Ad Hoc Water Quality Committee workshop, TBD

d. 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

e. Committee Openings:

   Application for Committee Service can be found at the Town Office and on the
   Town Website: www.town.rockport.me.us

   NOTE: If a committee does not have any vacancies, it may still be possible to
   apply to join the committee as an alternate member. Alternate members can attend
   all meetings, participate in discussions, but may only vote in the absence of a
   regular member. If interested, please check with the town office to see if there are
   alternate member spots available for the committee of interest.

   ➢ Board of Assessment Review – no vacant seats
   ➢ Camden-Rockport Pathways Committee – 1 vacant seat
   ➢ Capital Improvement Committee – 1 vacant seat
   ➢ Conservation Commission – no vacant seats
   ➢ Harbor Committee – no vacant seats
   ➢ Investment Committee – 1 vacant seat
   ➢ Opera House Committee – 1 vacant seat
   ➢ Ordinance Review Committee – no vacant seats
   ➢ Parks Committee – no vacant seats
   ➢ Planning Board – no vacant seats
➢ Recreation Committee – no vacant seats
➢ Zoning Board of Appeals – no vacant seats

f. Agenda Changes

g. Public Comment – public comment should be directed at issues not under discussion on this evening’s agenda. Comment from the public will be welcome prior to each agenda item. Further comment will be granted only by permission from the Board. All public comment should be brief and to the point.
V. Town Manager’s Report
VI. Unfinished Business

a. Hear an update on progress toward removing the dangerous building at 479 Rockland Street (Map 17/Lot 79)

Manager’s Comments –

I have met with the property owner Valerie Kelly and she is working hard to come up a concrete plan to remove the building. Included in your packet is also a memo from Jamie with findings of fact based on the vote you took at the last meeting.

According to Town Counsel, the tax issue is a non-issue in this case and is overridden by the Dangerous building ordinance. In the event the property owner opts to have the Town remove the building, we will have a signed agreement where she agrees to certain things to protect the town and the application of the special tax.

At this time, there are no concrete answers that I can share and I will have more information for the meeting on Tuesday night.
VII. New Business
   a. Acknowledgment of Gifts to the Town:
      ➢ None this meeting
   b. Committee Resignation(s):
      ➢ None this meeting
   c. Committee Application(s):
      ➢ None this meeting
   d. Committee Presentation(s):
      ➢ None this meeting
e. Vote on approving a new malt, Vinous Liquor License for Tomi Sushi & Noodle Bar (Vintha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME

Manager’s comments:

Included in your packet is all paperwork for a new malt, Vinous Liquor License for Tomi Sushi & Noodle Bar (Vintha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME (formerly Mr. Wat) Map # 030 Lot # 001

Suggested motion- “I move to approve the new malt, and vinous liquor license for Tomi Sushi & Noodle Bar (Vintha, Inc.) (Veerayod Aramthip) at 106 Commercial Street, Rockport, ME as presented.
f. Consider applications for the appointment to the SAD 28 Board of Directors to serve concurrently on the Five Town/CSD Board of Directors for the remainder of Betsy Saltonstall’s term.

➢ Faith Vautour
➢ Bob White
➢ Carole Gartley

Manager’s Comments:

As a result of the resignation of Betsey Saltonstall as Rockport’s representative to the SAD 28 Board of Directors and Five Town/CSD Board of Directors, the Select Board is now responsible for appointing a replacement. At the last Select Board meeting, the Board announced the vacancy and invited interested residents to submit letters of interest for the position with the intent of making an appointment at this meeting.

Included in this packet is a repeat of the relative information you were presented at the last meeting for your reference.

Faith Vautour, Bob White and Carole Gartley have each expressed their interest. Each candidate has been invited to be present at the meeting and you will hear from each candidate, have the opportunity to ask them questions, then will have an opportunity to appoint one of the candidates to the vacant position.

*Suggested Motion – I move to appoint ______________________ as Rockport’s representative to the SAD 28 Board of Directors and Five Town/CSD Board of Directors as a result of resignation.*
g. Discuss and approve work plan for the Ordinance Review Committee for the 2017-2018 season

Managers Comments:

Included in your packet is a memo from Jamie Francomano as well as the revised list relative to the ORC workplan discussed at a recent workshop held with members of the ORC and Select Board on September 21st.

The Board should discuss this plan and vote to approve it.

*Suggested Motion – I move to approve the work plan for the Ordinance Review Committee for the 2017-2018 season as presented (amended)*
h. Hear a presentation from Keep Rockport Beautiful regarding expanding their program consistent with the Select Board Goal to beautify Rockport.

Manager’s Comments:

This is an expansion of the work being done by the “Keep Rockport Beautiful” group that has been working on trash and litter campaigns and was mentioned at the recent goals workshop. While not one of the “top” priorities on the list, I believe that it does have the potential to get people involved and help keep and make Rockport even more beautiful than it is today.

There is already an active group of committed volunteers and they are willing to participate. They have been meeting on an informal but basis and they have had good attendance at these meetings. To me it is an easy decision to make.

You will need to be careful to not create another committee that is doing something that is the responsibility of another committee or has the expectation that we will use unbudgeted funds. That said their help in focusing budgeted funds to be more effective would be helpful.

There will be a proposal to make this group an official advisory committee to the SB. If you decide to do this, bylaws will need to be created, members will need to be appointed to staggered terms, and committee responsibilities will need to be clearly defined.
i. Sign warrants for Special Town Meeting on Tuesday, November 7, 2017

Manager’s Comments

This is the last step in the official process that was started when you approved the warrant articles to be placed on the ballot for the election on November 7, 2017
j. Consider using funds from the Town Office Building reserve fund for certain improvements to the town office.

Manager’s Comments:

As a result of the work being done by the safety committee over the past several months, there was a recommendation for some changes to entry and exit doors and to provide better security for the building.

The recommended changes include adding a pushbutton for handicapped accessibility to the front door. While they meet ADA requirements, they present a significant obstacle to some people who need to enter. I often help our elderly residents in or out of the doors. While I am pleased to do this, there is a better way in the event I happen not to be there. Reconfiguring the current doors with push button openers will solve the problem.

Additionally, the safety committee is recommending several security changes to the internal doors.

Where the total cost is greater than $2000 the Select Board needs to approve the purchases. The total cost is $12,468.54 and copies of the estimates are included in the packet. There is currently $22,351.29 in this reserve account.

*Suggested Motion – I move to authorize the expenditure of $12,468.54 from the reserve fund for accessibility and security upgrades.*
k. Appoint a member of the Knox County Micro Loan Program Board

Manager’s Comments –

The Knox County Regional Micro-Loan Program (the "Program") is funded by Community Development Block Grant (CDBG) funds and provides the participating communities of Rockland, Rockport, Thomaston, Union, Warren, Washington and Belfast with funds to create a pool of capital to loan to businesses creating jobs for Low-to-Moderate Income people. The Rockland Community Development Department administers this program for all member communities. CDBG funds any program income derived from re-payment of loans are used to make future Micro-loans to small businesses.

I. Micro-Loan Committee.

1. The Micro-Loan Committee is comprised of one representative from each participating community.

2. The Committee reviews all applications and will determine whether the financing is "necessary and appropriate" and if so, the amount of financing to be provided.

If no member of the Select board is willing to serve on this board I would be willing as it only requires two to three short meetings a year.

*Suggested Motion – I move to appoint __________ to represent the Town of Rockport on the “Micro Loan Committee”*
1. Vote to authorize the Town Manager and Select Board Chair to sign a new collective bargaining agreement covering employees with the Public Works Department.

*Suggested Motion – I move to approve the contract with the official title of the bargaining unit effective retroactive to July 1, 2018 and for a term of three years.*
VII. Wastewater Commissioners

b. Bid Award for Maine Sport Pump Station replacement project

Managers Comments:

Included in your Packet is a letter and related documents from Nate McLaughlin of Woodard and Curran, to award the Maine Sport Pump Station Replacement project to T. Buck Construction. T. Buck is a well-established General Contractor in this state focused primarily on water, sewer, and bridge maintenance projects.

The scope of this project falls well within their area of expertise. Based on my preliminary conversations with them, I understand it is their desire to get the contract awarded and start the submittal review process soon because the lead time on the pump station control panel is in the order of 12+ weeks.

This likely means they’ll actually mobilize to the site next spring to complete the project once all of their needed equipment and materials are received from their suppliers. They understand that the contract will be structured to require them to complete by June 1 to avoid the summer traffic season (and to complete the work in FY ending 6/30/18), and they have indicated to us that they have no issues with that requirement.

*Suggested Motion – I move to award the Maine Sport Pump Station Replacement project to T. Buck Construction*
VIII. Liaison Reports
IX. Adjournment