- PUBLIC MEETING -
Rockport Select Board
Thursday, December 7, 2017
7:00 p.m.
Geoffrey C. Parker Community Meeting Room, Rockport Opera House
Streamed at http://livestream.com/Rockportmaine

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. Public Hearing
None this meeting

III. 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
      ➢ Tuesday, October 10, 2017, meeting of the Select Board
      ➢ Thursday, November 9, 2017, executive session of the Select Board
      ➢ Monday, November 13, 2017, meeting of the Select Board
   b. Announcements of upcoming Select Board meeting(s):
      ➢ Special Select Board meeting with the Library committee Tuesday, December 12, 2017, 7:00 p.m.
      Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at http://livestream.com/Rockportmaine
      ➢ Regular Select Board meeting on Monday, January 8, 2018, 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):
      ➢ none at this time.
   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
The Annual Holiday on the Harbor Celebration will be held on Saturday December 9th.

The Town Office will be closing at 12:00 PM on Friday December 22nd and will be closed on Monday December 25th for the Christmas Holiday.

The Town Office will be closed on Monday January 1, 2018 for the New Years Holiday.

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 – no vacant seats
➢ Conservation Commission – no vacant seats
➢ Harbor Committee – no vacant seats
➢ Investment Committee – 1 vacant seat
➢ Opera House Committee – 2 vacant seats
➢ 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.

IV. Town Manager’s Report

V. Unfinished Business

None this meeting
VI. **New Business**
   a. **Acknowledgment of Gifts to the Town:**
      ➢ Donation of $400 from Lakeview Orthodox Presbyterian Church for Police and Fire Departments
   b. **Committee Resignation(s):**
      ➢ Linda Posson, Opera House Committee
   c. **Committee Application(s):**
      ➢ Steve Smith, Keep Rockport Beautiful Committee
      ➢ Gretchen Leone, Keep Rockport Beautiful Committee
      ➢ Richard Remsen, Keep Rockport Beautiful Committee
   d. **Committee Presentation(s):**
      ➢ None this meeting
   e. **Hear a report on the status of Mt. Pleasant St.**
   f. **Consider letter from Maggie Timmerman regarding concerns with SAD 28 vote this past June.**
   g. **Discuss status of Select Board representation on the Middle School Building Committee**
   h. **Set a date for a meeting with the Library committee to discuss next steps**
   i. **Vote to remove the requirement for provider agencies to circulate petitions in order to be eligible for consideration of funding.**
   j. **MRC Board of Directors Election Ballot**

VII. **Wastewater Commissioners**
   None this meeting

VIII. **Liaison Reports**

IX. **Executive Session**
   None this meeting

X. **Adjournment**
ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, SEPTEMBER 11, 2017
7:00 P.M.
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE

Present: Vice-Chair Owen Casas, Douglas Cole, Thomas Gray and Mark G. Kelley. Absent was Chair Kenneth McKinley. Also present: Richard C. Bates, Town Manager, Department Head: Megan Brackett, Finance Director; Jason Peasley, Fire Chief; Randy Gagne, Chief of Police; Stacey Parra, Employee; Louis Bettcher, the press; and members of the public

I. CALL MEETING TO ORDER – Owen Casas, Vice-Chair called the meeting to order at 7:00 P.M.

II. PUBLIC HEARING

a. Public Hearing on the warrant articles for the November 7, 2107 Special Town Meeting Warrant

Owen opened the public hearing at 7:02 p.m.

Article 2 - In favor – None
Opposed – None
Neither for nor against – None

Public Hearing closed at 7:05 p.m.

Public Hearing opened at 7:05 p.m.

Article 3 - In favor –

Bill Chapman. – “I heartedly endorse this article.”

Opposed – None
Neither for nor against -

Mark – I need some clarification on whether or not have a three year contract with the auditors.

Public Hearing closed at 7:09 p.m.

Public Hearing opened at 7:09 p.m.

Article 4 - In favor – None
Opposed – None
Neither for nor against - None

Public Hearing closed at 7:10 p.m.

Public Hearing opened at 7:10 p.m.

Article 5 - In favor –

Patrick Mellor, Attorney at Strout, Payson Law Firm, and representing Kenny Dodge – Kenny is a Commercial Fisherman who is seeking more than fifty feet for his new boat. It is clear to Abbie that it would be problematic. He and Kenny met with the Harbor Committee and felt that the meeting went well. They are asking for a special exception.

Owen – we will discuss that a little later.

Patrick – Kenny and Mr. Whitman, a local Thomaston guy, agree that today’s fishing vessels need to be bigger and faster. Rockport does value fishing vessels. Kenny needs to be granted a special exception.

Mr. Whitman – I have been in business for thirty years and the business is changing. We need to diversify our fishing vessels. It is important to maintain the fishing industry (lobster) in Rockport.

Opposed -

Bill Chapman – you are putting the cart before the horse. You should have come to the Board before building and launching the vessel. I was told that the attorney advised Kenny “to go ahead and see what the Town does.” We are breaking the law by changing the ordinance after the fact. The boat is seven feet over what is allowed. When the vessel was launched, the Town should have gone down to the harbor and told them to stop the launching instead of trying to change the ordinance to fit the needs of one individual. He talked about the previous changes that are blue lined. It is time for the Town to enforce the present ordinance.

Owen – there was a recommendation from the Harbor Committee for later.

Neither for nor against –

Jan Rosenbaum – I don’t want to get into whether or not we support the fishing industry. We should not set a precedence for other commercial boats coming into the harbor.

Public Hearing closed at 7:27 pm.

III. MINUTES, MEETINGS AND ANNOUNCEMENTS
   a. Approval of the minutes of previous meetings:
Monday, August 14, 2017, meeting of the Select Board

Doug Cole moved to approve the minutes of the Monday, August 14, 2017 Select Board Meeting. Mark Kelley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Tuesday, August 15, 2017, special meeting of the Select Board - tabled

b. Announcements of upcoming Select Board meeting(s):
   • Regular Select Board Meeting and Public Hearing on Dangerous Building on Monday, September 25, 2017, 6:30 p.m. Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at http://livestream.com/Rockportmaine
   • Regular Select Board meeting on Tuesday, October 10, 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) – see agenda

d. Announcements - see agenda

e. Committee Openings – see agenda

f. Agenda Changes –

   Owen Casas moved to hear item g before the Town Manager’s Report and item h following Unfinished Business. Doug Cole seconded the motion. VOTE: 4 FOR – 0 OPPOSED

g. Public Comment – None this meeting

See New Business g as it was presented here.

IV. TOWN MANAGER’S REPORT – see attached

V. UNFINISHED BUSINESS

   a. Appoint a representative to serve on the board of the Midcoast Economic Development District (MCEDD)

Bill Chapman – I am interested in serving on this board and have presented my application. Originally I declined, thinking that it should be one of you or a member of the Planning Board. I will have a different point of view as a citizen representing the Town.

Doug – it would be an honor to have you on this committee.
Doug Cole move to appoint William Chapman to serve on the board of the Midcoast Economic Development District (MCEDD). Mark Kelly seconded the motion. VOTE: 4 FOR – 0 OPPOSED

b. Consider a request to accept a donation of a bench in Marine Park

Owen – I feel bad denying this request.

Abbie – I met with David Jackson and we want to get away from granite benches. I do have one more spot next to Andre’ to place a bench. Moving forward we need to have a design for any future request. Wooden benches are a nightmare.

Doug – what about a bench at the Sea View Cemetery?

Abbie – he is a Thomaston resident.

Rick – we should have a policy.

Bill Chapman – we already have a number of benches. We also have several benches at Walker Park. There is one granite bench at the library in memory of Marianne Lehmann.

The Board – before spring we need some good guidance from the Parks Committee

Owen Casas moved to table the request to accept the donation of the bench for Marine Park until a policy can be developed by the Parks Committee and approved by the Board to handle requests like this in the future and to send a letter to Reverend Williams with gratitude for his offer and that we are working on a policy. Mark Kelley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

See New Business h as it was presented here.

V. NEW BUSINESS

a. Acknowledgement 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.

Break 9:00 – 9:07 p.m.

e. Vote to place articles on the Special Town Meeting Warrant for the November 7, 2017
Thomas Gray moved to place article 2 on the ballot as presented. Mark Kelley seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Thomas Gray moved to place article 3 on the ballot as presented. Douglas Cole seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Thomas Gray moved to place article 4 on the ballot as presented. Douglas Cole seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Article 5 –

Patrick – Mr. Chapman’s scuttlebutt statement is 100% inaccurate. It would be better if you listened to Mr. Whitman’s statement. He talked about the land use ordinances and special exceptions. One year ago we came before the Harbor Committee. Kenny and Mr. Whitman were interested in the Timberwind. Mr. Whitman was on the agenda for the Harbor Committee last October or November. He was building a boat and wanted to change the ordinance to fit his new boat. He talked about the swing. In the eight to ten weeks that Kenny’s boat has been there, there have not been any problems. They told us that they would move the boat to another mooring. Kenny shortened the chain and there have been “no problems.”

Owen – there is a value in a bit of historical record. We need to recognize where we currently are. It is a beautiful boat although it is in violation.

Mr. Whitman – I offered Kenny to pay for it if he had to change the location.

Owen – we should look at the language.

Patrick – we have been in contact with Abbie Leonard. The modifications on his proposal are red lined. The Harbor recommended not to carry out the ordinance.

Owen – is anyone happy putting this article on the warrant?

Tom – I would like to know why the committee voted unanimously against the change.

Parker Hackett, Harbor Committee Member – they (the Harbor Committee) liked a lot of what it does, but it is too specific and it is only taking care of one problem with the change.

Mark -- why not offer him to stay on the Timberwind’s float? Where did this fall through the cracks?

Rick – we were hoping to get someone to replace the Timberwind. The problem is a challenge. We need to provide some means, so that it can move forward in an appropriate way. Because of the timing, the wording needs to be specific. I think that it is a reasonable solution.
Kenny – shrimping season these years are so short that I will not be taking my boat out.

Tom – it is important that we are not all driven by the situation created by Mr. Dodge’s boat. We should not be reacting out in sympathy or in a way to penalize him.

Mark – is there an opportunity that he use the float previously used by the Timberwind? We could charge him tie up fees.

Rick – the docks have been taken out of the water and they belonged to the Timberwind owners and not the Town.

Owen – we don’t want your boat to leave the harbor. We need to see if we can find another place for your boat that is appropriate.

Abbie – I am concerned about using the middle harbor as it is a safety issue. The floats come out in November. There is no discretion or gray area in the rules. It is black and white.

Owen – after we make any motions, certain things will happen. Can you work with Kenny to find a solution?

Rick – technically we have started the clock ticking. It is a complicated situation. We don’t want to fine a long time good person. We should have started charging him fines the day he put the vessel in the water.

Tom – it sounds like you put the boat in the water because your boat broke down and you needed to make money.

Mark – what are the fines?

Rick - $150.00 a day.

Abbie - $100 - $2,500 a day.

Owen – this is a difficult position to be in. It is hard to say that we had an ordinance and didn’t fine you and then came up with a change to the ordinance to make it right.

Patrick – according to your Comprehensive Plan, commercial fisherman are supposed to be given priority in the harbor. We know that there will be a fine and repercussions, that discretion is given to this Board. We have a solution that make it so that he can at least comply with the ordinance. We ask to have this article placed on the warrant for the November election.

Doug – asked for clarification on which document they should be looking at. There is one red-lined by the attorney and one that is blue-lined by the Harbor Committee.
Owen – Abbie, have you been thinking about this. Have you thought about a way to keep Kenney’s boat in the harbor so he can keep fishing, as we do what we need to do?

Abbie – since this issue came up, we have been trying to find a solution. We were hoping for a loophole. The boat does fit where it is and I don’t have a safer place for it to be moored.

Rick – if it doesn’t go on the ballot and get accepted, then it will start the action that is necessary to be taken.

**Douglas Cole moved to instruct the Town Manager to not take any enforcement action against Kenny Dodge and have something ready for the June ballot. Mark Kelley seconded the motion.**

Patrick – we could move the vessel from mid-November to March.

Tom – the biggest problem is that there is not enough time to get this on the ballot. We don’t want you to suffer a consequence.

Bill Chapman – why don’t you put the vessel in the middle harbor as a temporary solution?

Abbie – we need to be careful what we order someone to do.

Doug – we are trying to buy time for Kenney.

Owen – I thought that was what we are doing. It keeps him fishing and keeps daily fines from happening. He could make a charitable contribution to the Town.

Doug – I don’t that it would be appropriate.

Mark and Tom agreed.

**VOTE: 4 FOR – 0 OPPOSED**

Owen Casas moved to not place article 5 on the November 7th ballot. Mark Kelley seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Owen – would like to see all three components of this issue on the ballot.

The Board had a discussion on breaking the article into three articles and having a moratorium for the time being.

f. Make recommendation votes for articles placed on the Special Town Meeting Warrant for November 7, 2017
Thomas Gray moved to recommend article 2 as placed on the ballot. Owen Casas seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Thomas Gray moved to recommend article 3 as placed on the ballot. Owen Casas seconded the motion. **VOTE: 4 FOR – 0 OPPOSED**

Thomas Gray moved to recommend article 4 as placed on the ballot. Owen Casas seconded the motion. **VOTE: 3 FOR (Douglas Cole, Thomas Gray & Mark Kelley) – 1 OPPOSED (Owen Casas)**

g. Hear a report from the ad hoc committee for the upgrading of the West Rockport Fire Station – this item was presented before the Town Manager’s report.

Chief Jason Peasley, Bill Lane and Brian Austin, architect

Jason - the committee meet in August and then again last Wednesday. With what the needs of the department are, we came up with four options (see attachment.) Option #3 received the most support. Option #1 has a ten foot bump out to accommodate one truck and option #2 has a forty foot bump out to accommodate two trucks. One truck would be in front of the other which is not a safe option. Option # 4 would be a tear down of the old station. No one really wants that to happen.

Currently none of the Rockport trucks will fit in the West Rockport station.

Bill Lane – there is a drop off at the back of the building so we can’t expand there. Option #3 is the best option in my opinion.

Owen – would all of the trucks fit in there with ease? Would the new building serve our needs for the foreseeable future, 30 – 40 years? These are good numbers for us to make a comparison to what option is best. We can make a decision on which one at a later time.

Doug – I need someone to clarify why we need four options. It seems like plan 1 was already approved in theory.

Jason – it was before the truck was ordered, but there is only four feet in the back and four feet in the front for that truck. It would not allow for a new truck.

Doug – what is the cost for option 3?

Bill Lane – considerably more.

Bill Chapman – the infrastructure bond that was approved was for a new roof and to expand the bay, not a major expansion.
Owen – if we shifted some monies form the Mt, Pleasant project, we would have $125,000.

Doug – how does this project escape the Capital Improvement Plan?

Rick – there was a snag with the addition. We were negotiating with Linwood Thorndike before he passed away. The Town then was able to purchase that property. Option 3 makes the most sense.

Megan – we have been waiting for further direction from the committee. It will be two weeks before the next CIP meeting will be held. We have eighteen months to spend the money from the General Obligation Bond and if not then it goes back to the Bond Bank.

Tom – this is a critical issue. The truck we have is built to fit the bay today, but what about the next one.

Jason – it would have to be customized to fit.

Tom – to what degree could we go forward without customizing a truck?

Owen – we have a range of options that have opened up with the purchase of that property.

Mark – the committee did want we asked of them and they think that option 3 is the best one. I suggest that we charge the CIP with option 3.

Jason – we have four volunteers from this side of town and thirty-three volunteers, with the majority of them in the West Rockport corridor. Our department has the fastest response in the county when we receive a call.

Rick – we have no idea what it will cost at this point in time.

Bill Lane – Allen will put his pen to his paper and come up with a dollar amount.

Doug – I feel that we should go with plan 1 if we already have the money.

Tom – what about the possibility of selling part of the Thorndike land to the other abutter?

Rick – that would only give us a small amount of money.

Owen – we should explore option 1 and 3 with Allen.

h. Provide Guidance to the Budget Committee regarding provider agency funding – this item was presented after unfinished business.
Jan Rosenbaum, Chair of the Budget Committee – the request used to be with the tax bill and last year and was changed back to being part of the budget. The providers needed to fill out an application and were interviewed. #1 - We need some direction from the Select Board regarding how much money we should use as a “cap.” We will put out ads in the local media asking agencies to apply for money. #2 – we need the blessing of the Board for a process to be followed. #3 – should they fill out a petition like in the past? I feel that the clients will sign the petition and that this will breach their confidentially. It provides nothing that we need and I am asking for a change from that process. #4 – we also need the Select Board’s assistance, clarification, on what Mark’s role is on the Budget Committee.

Owen – as a point of order #4 is not an agenda item.

Doug – I would like to see the Town got out of the charitable position and for us not decide where residents donate their money. Why should this be part of the tax dollars? What about the people who disagree?

Jan – many town’s give money to these organizations. They can vote it down at town meeting.

Owen – these agencies have to operate in our town and provide a service to our residents.

Jan – one of them provides heating assistance. Another provides nursing assistance if they are not able to go to the Emergency Room.

Owen – I would agree with the removal of the petition process.

Jan – no one on our committee wants to keep it.

Owen – advertising opens it up to more folks. You are not spending money on advertising?

Jan – No,

Tom – do you think that it is time we have to have a concern about where we spend money?

Jan – “no.” We just want to set up some criteria (guidelines).

Doug – plan B could be that the Select Board pick a number and give the money to MidCoast Charities to disburse. This would take a load off the Budget Committee.

Jan – it is valuable that we know where our money is going. It will be simpler if we choose who to give the money to and what services they supply to our residents. I would like to have the five of you think about this and I would like to see some guidelines by November.
Owen – we will work on a policy and provide you with a first draft. We should ignore doing the petition.

VII. WASTEWATER COMMISSIONERS – None this meeting

VIII. LIAISON REPORTS

Owen – the Pathways Committee, we pushed back the date to November when they will give their presentation. We had the ribbon cutting for the high sidewalk on Pascal Avenue. There will also foot race from Goodie’s beach to Beech Hill. The Recreation Committee has been in hiatus.

The Board – talked about having a business forum. There has been a lot of interest received from the businesses in Town. Doug wondered where this item is on their goals list.

They also discussed the Rockport to Rockport plans. The firefighters will not be paid for their time as they will be volunteering. Jet Blue is giving them free tickets for their trip. The mayor and the fire chief want our guys there, but it is on the back burner for the moment. There will be a fund raiser this weekend to get more money to donate to them.

Tom – the Library Committee met and is was an education of their history on how they are funded. They are hopeful that the survey moves us forward with plans for a new library. The Opera House Committee talked about having a folk festival possibly in June.

Mark – there is a lot of work to be done for the renewal agreement with Northeast Ambulance Services. The Parks Committee will be meeting on September 13th. I missed the last Conservation Meeting. The Capital Improvement Committee will be meeting on the 26th. The Fire Department request have already been heard and they will be covering others items.

Doug – none of my committees have met, so I have nothing to report. We are starting a Steering Committee “Making Rockport Beautiful”. The members will be Maggie Timmerman, Joe Ryan, Gretchen Leone, Steve Smith and Jason Peasley.

IX ADJOURNMENT

Mark Kelley moved to adjourn the meeting at 11:23 p.m. Owen Casas seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY
ROCKPORT SELECT BOARD  
EXECUTIVE SESSION MEETING MINUTES  
FRIDAY, NOVEMBER 9, 2017 at 5:30 p.m.  
ROCKPORT TOWN OFFICE  
TOWN MANAGER’S CONFERENCE ROOM

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

I. CALL MEETING TO ORDER – Kenneth McKinley, Chair called the meeting to order at 5:30 p.m.

II. EXECUTIVE SESSION

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

At 5:30 p.m., Thomas Gray moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6) (A). Owen Casas seconded the motion.  **VOTE: 5 FOR – 0 OPPOSED**

At 6:35 p.m., Thomas Gray moved to exit executive session. Owen Casas seconded the motion.  **VOTE: 5 FOR – 0 OPPOSED**

III. ADJOURN

Thomas Gray moved to adjourn the meeting at 6:35 p.m. Mark Kelley seconded the motion.  **VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK AS RECORDING SECRETARY
Manager’s Report – November 13, 2017

Dangerous Building Update

The building has been removed and the lot has been cleaned up. The work was completed in one day and involved the rental of an excavator, our time at PWD and costs of disposal. The total cost of the removal is $4,599.50 (less that the original estimate) and will be added to the taxes which was part of the agreement.

Safety Training

Staff has received Social Styles training and preventing slips, trips and falls which are by far, the most cost claims made to our insurance carrier. We are not alone in this as it is the number 1 claim that MMA receives, another preventable claim is claims arising from backing up equipment particularly, fire equipment. Jason is working on a backing policy, as recommended by MMA, that will help alleviate that kind of preventable accident.

Finally, we will have our required annual training for all mandatory topics to be covered on an annual basis on January 11th. We moved the sexual harassment training up from February, to the January 11th meeting as well. Given the national attention and public awareness to this subject, we wanted to get it done as quickly as possible and do the best job possible. The training is broken down into two sections a general training for all employees with a discussion, questions and answers period. There will also be an additional section for all department heads, to deal with the specifics of reporting requirements.
Will Gartley has been working with the owners of the dam with possible alternatives and annual maintenance costs which will be brought forward at another meeting once they have completed.

West Rockport Fire Station

At the last meeting the planning committee presented a plan that exceeded the original idea for a small addition to the current building, and an original cost estimate of $85,000 ($125,000.00 allocated) the project is on hold for, in my estimation at least 3 years or more. Possibly adding it to another bond request (Mt Pleasant street).
**Architect responses**

I sent a letter and e-mail out to the 5 architects that responded to the last request to see if they were interested in being considered for the library design in the next round. As of December 1st, the deadline I set for response, we had four back.

**Harbor**

The Harbor Committee has been working on the Harbor Ordinance revision. They had one meeting cancelled and the next meeting they were scheduled for, they did not have a quorum but they met in a workshop and spent nearly three hours on the revisions. They are attempting to have it ready for February.

Abbie has made numerous attempts to have the owner of the boat in the harbor with the sail flapping, take care of it. She receives calls almost daily on it and it is a nuisance in the harbor.

Remember Holiday in the Harbor is Saturday, December 9th with fireworks at 5:30 pm.

**Fire Department**

The fire department has been plagued with a number of traffic accidents over the past month. In the last month they have had 20 calls for accidents after hours. There have been 28 accidents since September 1st where the vehicle was totaled in each accident. Several accidents were in the vicinity of the Green Thumb on Route 17. The investment that were made in the new rescue truck have been very worthwhile and in spite of all of the calls, the Chief reports they are still getting an amazing turnout to all calls.

**Public Works**

Public Works has been taking an opportunity with the good weather to clean up around town and prepare for winter. They have done a lot of work on the trucks getting them all set for the first real snow. They have also been able to do some minor culvert repairs on route 1 and on Gurney Street.

**Finance**

Megan has been working on many of the policy revisions recommended by the auditors and on Budgets she has been receiving. We will have the draft audit report for the January meeting.

Budgets are Due Friday December 8th.
Police

It has been fairly quiet over the past month with nothing really unusual.

Chris Taylor is graduating from the Police Academy on December 15th and we have hired a new Police Officer, Jacob Powers who is a Camden Hills Graduate will be starting on December 18th. At that point we will be back up to our full compliment of officers.

Thank you to the Rockport Police officers for taking on so much extra work and to the Camden Police Department for the back up and support.

Assessing

We have implemented the new Vision software for assessing that Kerry has been waiting for. Kerry was part of the Beta Testing team and as such we received a $5,000 discount on the new product.

Planning

Jamie is back from leave and working with Ordinance Review Committee on their fall work plan. He reports that November was one of our slowest months with only $500 in new permit fees.

TC/TX Collector

All staff in the Town Clerks office participated in a Motor Vehicle training put on by the State.
Other Notes

We had the annual holiday staff Christmas party at the Opera House. This year’s event was put on and catered by staff members. Thank you to Diane, Megan, Hannah and Molli for all the work they did pulling it all together.

The highlights of the event beyond the food was the ugly Christmas sweater contest won by Jimmy Aldus from Public Works. A well deserve award where employees had to work for prizes that were wrapped in a big ball of saran wrap.
The Town Office Employees helped decorated out front.

Finally, I will be on vacation beginning Sunday and will return on January 2, 2018!
November 11, 2017

Richard Bates, Town Manager
Town of Rockport
PO Box 10
Rockport, ME 04856

Dear Mr. Bates:

The congregation of Lakeview Orthodox Presbyterian Church is grateful for the services provided to our community by both the Police and Fire Departments.

As a token of our appreciation please find enclosed check for $400.00 with a request that each department receive $200.00 to further advance safety and security in our community.

Sincerely,

[Signature]

Kevin F. Washburn
Co-Treasurer

closure
Hi Terri and Larry,

I won't be able to attend the meeting. Also, I've thought it over and will resign as I had previously planned and will send the resignation letter to the SB.

I hope you'll be able to find a replacement quickly, and I wish you all the best and hope to see you at Opera House events! It's been a pleasure serving with you!

Best,
Linda
APPLICATION FOR COMMITTEE SERVICE
Town of Rockport • P.O. Box 10 • Rockport, ME 04856

Name: Steve Smith

Home Address: 12 Summer St
Mailing Address (if different): ______________________________

Phone Number: (Home) 236-3030 (Work) 236-3332

E-mail Address: ajsmith@ajsmitharchitects.com

Committee you wish to serve on: Make Rockport Beautiful

Why do you want to serve on this committee?

To help provide assistance

for any projects that need to be completed for the benefit of the community

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

Design & Construction background

Land Use philosophy: (if applicable)

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________
APPLICATION FOR COMMITTEE SERVICE
Town of Rockport • P.O. Box 10 • Rockport, ME 04856

Name: Gretchen Leone

Home Address: 33 Spear St.
Mailing Address (if different)

Work Address: 207-236-8717

Phone Number: (Home) __________ (Work) __________

E-mail Address: jgl344@msn.com

Committee you wish to serve on: Keep Rockport Beautiful

Why do you want to serve on this committee?

I think the town has many opportunities to enhance the beauty it already has naturally with little or no cost to the town by use of volunteers, businesses, neighborhoods. Paying attention to the small details can be as important as larger projects.

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

Member Rockport Garden Club
Liaison to Parks Committee for the Garden Club

Land Use philosophy: (if applicable)

__________________________________________________________
__________________________________________________________
__________________________________________________________
__________________________________________________________
APPLICATION FOR COMMITTEE SERVICE
Town of Rockport • P.O. Box 10 • Rockport, ME 04856

Name: Richard Remsen

Home Address: P.O. Box 7 West Rockport
Mailing Address (if different): ________
Phone Number: (Home) ________ (Work) 207 236-3200

E-mail Address: ________

Committee you wish to serve on: MAKE ROCKPORT BEAUTIFUL

Why do you want to serve on this committee?

I was asked

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

Yes

Land Use philosophy: (if applicable)
Good morning Rick,

From my understanding of our prior conversations, the Mary E. Taylor Building in Camden is owned and operated by the school district and discussions concerning the demolition or reuse of the building have been part of the development planning process for the new middle school project approved by the voters earlier this year. That process and any decisions on the development of the new middle school project fall under the jurisdiction of the School Board. If the Select Board would like to express their view on the process or the disposition of the Mary E. Taylor Building, however, they can certainly weigh in with the School Board either directly to the full Board or through the members on the Board from Rockport.

Let me know if you have any further questions about this.

-Phil
Dear Camden and Rockport Select Board Members,

This letter was composed to formally request a review of the attached document by the Select Boards and Town Managers in the communities of Camden and Rockport. After becoming concerned about conflicting statements by school leadership before and after the Camden-Rockport Middle School (CRMS) bond referendum in June of this year, a request was submitted pursuant to the Freedom of Access Act requesting emails pertaining to discussions about the project, and the Mary E. Taylor (MET) Building. Reviewing these emails, as well as other publically available information, has led to the compilation and submission of this document. In addition to the aforementioned concerns, the fact that the MET building has recently been placed on Maine Preservation’s 2017 list of Maine’s Most Endangered Buildings, further illustrates the importance of exercising extreme prudence in assessing the consequence of decisions surrounding the fate of the building.

After the initial vote on the middle school failed in February 2015, residents expressed a number of concerns about the project, including timing of the vote, cost, and transparency of the process.

The School Board along with community volunteers and school district staff responded with a public outreach campaign outlining what they viewed as the options moving forward, and ultimately recommended forging ahead with a project that was virtually identical to the previous proposal, but lower in cost. They accomplished this reduction by eliminating the cost of renovating the Mary E. Taylor wing and conversion of the bus barn from the bond, allowing the school board to come back to voters with a lower number.

Despite significant outreach efforts, school officials and volunteers failed to adequately explain to the community two major differences between the first failed bond referendum and the second that succeeded at the polls in June of this year:

1. MET would not be part of the middle school building project, as it would be demolished along with the rest of the facility, and leasing or selling of MET to other entity was not an option.

2. The fact that the 2017 bond proposal would leave unresolved the need for school district administrative offices and space for the Zenith program.

Neither of these departures from the 2015 referendum were addressed in any promotional material ahead of the vote, and it was not until the end of April that a site plan for the new project became available that showed MET removed and replaced with a practice field. All previously available site plans and renderings depicted MET as remaining standing.

As these details became more widely known, community members began to express greater concerns, but because the wording for the bond question had already been finalized, it was too late to make changes. Efforts shifted to a focus on how best to rhetorically separate the issue of the middle school bond from demolition of MET. Rather than consulting legal counsel ahead of the vote to make sure that voters had correct information on the particulars of what they would be voting on, Superintendent Maria Libby issued a statement a week before the vote telling
residents that demolition was a separate issue and that the referendum contained additional language that allowed them to do only what was necessary for the building of a new school.

“Regarding the middle school bond, the ballot question asks for your approval for the MSAD28 school board to borrow $25.2 million dollars. Many have asked if approval of this bond necessarily results in the demolition of the Mary E. Taylor wing in the existing facility. It does not. The ballot question includes additional language which places specific limits on how the school board may use the bonded money. Specifically, it is limited to actions which may be necessary to construct a new middle school and then demolish the existing facility once the new one is constructed. This language does not require demolition of the entire middle school facility, it only permits the money to be used for demolition. Determining what to do with the Mary E. Taylor wing is a separate issue.” Wrote Superintendent Libby in a statement published in local newspapers a week before the vote, and on the school district’s website where it remains to date.

The emails acquired through the FOAA reveal troubling details behind the successful public relations campaign that bolstered the successful June vote. Through the use of student and parent emails, staff time, taxpayer funds, and social media, efforts were made to stay just inside the confines of the law with regard to campaign management, spending, transparency of process, and distribution information to voters.

If the Select Board feels that the information compiled from the FOAA casts doubt on the process that led to approval of the $25.2 million Middle School project at the polls on June 13, 2017, the following courses of action are recommended:

1. Have the respective town legal counsel for each municipality review the material collected in the aforementioned FOAA request pertaining to the Middle School bond, specifically the fate of the Mary E. Taylor Building, and provide a recommendation to their respective Select Boards.

2. Strongly encourage full transparency of the MSAD 28 and CSD 15 School Boards, including recording and/or livestreaming of meetings.

It is the duty of our elected public officials to protect the interests of our residents, and ensure that all elected boards practice transparency in all conduct. Additionally, it is the duty of these elected boards to protect the financial interests of all residents by ensuring proper allocation and use of taxpayer funds and resources.

The FOAA in its entirety is available for full review at your town office via your administrative assistant. Attached is an abridged version of the FOAA (65 pages, down from 873) that has been recreated in chronological order with additional pertinent public documents.

Thank you for considering this important community issue.

Respectfully,

Maggie Timmermann
Abridged FOAA

November 2, 2015

CRMS Building Project

Strategic Planning for Second Referendum

November 2, 2015

Present: Maria Libby, Jaime Stone, Nikki Castellano, Rob Tillotson, Tyler Barter, Lynda Chilton, Kristin Collins, Marcia Dietrich

The purpose of this meeting is to establish a plan for the middle school building project with new time line, redesign and alterations to the original referendum package and to discuss marketing strategies prior to forming a new building committee.

- Group agreed that the MET needs to be taken out of the proposal. The two options would be to sell the building to the CSD for $1 or take down the building with the cost of demo to be included in the final price. The work on the bus barn to make it into a bus barn again will also be taken out of the proposal. These 2 projects will be reserved for the CSD to make decisions on.
- Important for the public to know that we will not consider renting out the MET. We do not want another group use in the middle of a school campus.
- Group reviewed why the school was proposed at the top of Knowlton further

First Building Visioning Committee Meeting – June 8, 2016

From their minutes:

The MET building is a decision still to be made

a. It was pointed out that renovating the MET building is expensive because of the age of the building. There is nostalgic value to MET but not clear if there is interest in keeping it if there is significant cost attached. (There was a suggestion to keep the façade)

b. Removing the MET building would save money and expand layout options for a new building

c. Other uses for the MET building such as returning it to the town or making it private may not be good options

Building Visioning Committee Meeting - July 20, 2016

Reminder: MET would remain with patching and renovation options; if the decision is to go with new, then the School Board would need to decide what to do with MET
Building Visioning Committee Meeting – August 24, 2016

  c. List of what needs to be done under patching
     i. Comes from Oak Point’s facilities assessment report; include that
        reference in packet
     ii. Add a paragraph at the top explaining how the list came about
     iii. Describe the ages of the various building components
     iv. Provide equal descriptions of what renovation and new entail/provide
     v. The new option has not been fully designed as yet; the price is based
        on square footage and general program needs
     vi. If the new option is selected the committee will be reviewing needs
        and plans
     vii. Add MET statement to these pages

Building Visioning Committee Meeting – September 14, 2016

No mention of MET in the minutes.

The Building Committee was presenting to numerous venues this month. Marc Ratner (pg 4 – Sept 14) suggest clearer wording for MET on presentation material. MET was mentioned only once throughout the entire presentation on the NEW slide (Attachment pg 45):

“The future of the Mary E Taylor building will be evaluated throughout the process and a final decision will be made by the school board”
A new Camden Rockport Middle School would be a 83,400 square foot building. The proposed facility would be built on the existing CRMS site. Additional information can be found in the Facilities Assessment Report prepared by Oak Point Associates on June 18, 2014.

Site improvements include the construction of a new parent drop off, separate bus loop and new parking lot. Existing athletic fields would be used for contractor laydown and staging. These fields would be reconstructed through the project with improved drainage, new play surfaces and proper orientation.

The new building will follow the Maine Department of Education’s space allocation requirements. A number of programs however will require additional square footage based on the robust attendance in the school. These programs include Band and Chorus. In addition, community supported programs such as Family Consumer Sciences would be included.

The existing school would remain in operation throughout the construction process. This would be the least disruptive option to the educational programs on the campus.

The future of the Mary E. Taylor building will be evaluated through the process and a final decision will be made by the School Board.
Building Visioning Committee Meeting – November 2, 2016

2. Additional comments on presentations and discussions
   a. In many discussions people mentioned a change of opinion toward favoring a new school
   b. It was helpful to have committee members mention their own change of mind
   c. Public forums were sparsely attended
      i. Need to go where people already are such as a booth at the Post Office
      ii. Possibly something like a Pecha Kucha with informational and entertainment value
   d. Good conversations at the teacher conferences
   e. Important to resolve MET, perhaps keeping the façade or at least a “nod” to the architectural character
   f. Emphasis on the committee’s process, potential for cost increases over time, the capital campaign and the value of a new building were helpful points in presentations

3. For future website and information
   a. New packet should keep the patch and renovation options
   b. Financials should be clearer if possible
   c. Comparison costs of other schools should be more prominent
   d. Feedback opportunity should be easier to find

4. The committee voted unanimously to recommend to the School Board to move forward on new construction.

   School Board meeting is Wednesday November 16 at 7pm at the Elementary

The MET building was not mentioned on the CRMS Community Outreach Feedback form. See attachment pg 55. Only one feedback form was provided in the FOAA request from YMCA on Sept 20, 2016.

Building Visioning Committee Meeting – December 14, 2016

The date and time was posted on the November minutes, but no record of this meeting exist.
11. CRMS Building Vision Committee Recommendation

In its November 2 meeting, the CRMS Building Vision Committee voted unanimously to recommend that the Board pursue building a new middle school. The committee looked at three options: To patch, renovate or build new. To arrive at the best decision, the committee thoroughly explored the financial and educational impact of each option. Additionally the committee sought expert analysis, met with town select boards, conducted outreach and held public forums to ensure that the voice of the community was heard. The select boards were very positive and once people are informed the community overwhelmingly supports the option to build new.

Upon motion by Marcia Dietrich and Second by Kristin Collins the Board voted to accept the CRMS Building Vision Committee recommendation to pursue building a new Camden-Rockport Middle School.

Vote: 6 – 0  Passed

The next step is to form a committee to oversee the design process of the new building. The School Board-approved design will go out to bond for Camden-Rockport voter approval in November of 2017.

Because the recommendation is to build a new school, the Mary E. Taylor Building will not be a part of that project. However, components of the building, such as wood floors, windows and/or parts of the façade could possibly be used in the interior of a new building. Other options for the MET building include turning it over to the town of Camden or leasing it to another organization. The School Board requested that administration explore the options and their educational and financial implications and provide the Board with a recommendation. Consideration of the disposition of the MET building will be on December’s School Board meeting Agenda.
An article appeared in the Penbay Pilot on 12/12/16

The Future of Camden’s Mary E Taylor School. Tear it down? Lease it to another entity?


MSAD School Board Meeting – December 14, 2016

It’s important to note that the December minutes are not available. When you click on the December minutes on the MSAD 28 website it takes you to the Nov 14th minutes. This info was found in the Jan agenda packet.

December 14th School Board Decision to demolish MET:

http://www.fivetowns.net/sad/schoolBoardMinutes.cfm

7. MET Building Discussion

Maria reported on the Building Vision Committee’s final decision to not include the MET building in the CRMS project. Therefore, the Board needs to determine whether to demolish that part of the facility along with the rest of the school, officially offer it back to the Town of Camden, or to sell it. Maria strongly recommended that the Board plan to salvage key parts of the MET building (façade, wood, bricks) before demolishing along with the rest of the facility.

The rationale for the recommendation is:

• A vast majority of the community does not favor restoring the building given its cost.
• There may be unintended consequences of losing control of the building/space to the town or a private party as it will be very costly to renovate. It would need a heating and electrical system at minimum.
• Removing the structure would provide flexibility to the CRMS project in terms of building location and field location.

Maria also reported that she spoke with Camden Town Manager Pat Finnegan who said that, while there was no official vote, the expense of renovation to make the building usable is likely too cost-prohibitive for the Town to want to take it on. It was also noted that the Town had not actively shown interest in obtaining the building.

Upon Marcia by Marcia Dietrich and second by Faith Vautour the Board voted to pursue a design for the CRMS project that does not include the MET building but, if practicable, incorporates salvaged components of the building in the design.

Vote: 7 – 0 Passed
CRMS Building & Design Committee - January 11, 2017

2. MET Building
   a. Consideration of MET Building was not included in the vision committee’s charter
   b. Having recommended a new building to the School Board and the School Board choosing to recommend a new building; the School Board was charged with the decision about the MET
      i. Some of the public has expressed nostalgia for the building
      ii. However, it would be very expensive to renovate; the school department is not in the business of historic renovation
      iii. It is not needed for school use with a new building
   c. The School Board made the decision to tear down the MET
      i. Use of some building components in the new building will be explored
      ii. It is important to emphasize to the public that this was a School Board decision
8. Consideration of a June 2017 CRMS Project Vote

Maria provided a brief benefit/cost summary of the impact of a June vote:

Benefits:
- There is momentum now based on recent outreach.

- A school construction surge is expected in the next few years which will increase prices and make it difficult to find contractors if we delay.
- A June vote would give architects more time to prepare for construction and carry out the bid process.

Costs
- Would prevent a major capital campaign before the vote, but we could do a targeted campaign for individual aspects of the project; additionally the fundraising climate is tough now.
- Shorter design phase of the project, but architects can adapt.
- Could potentially conflict with the Rockport Library vote.

Upon motion by Kristin Collins and second by Betsy Saltonstall the Board voted to approve a June 2017 vote for the Camden-Rockport Middle School Project

Vote: 8 – 0   Passed
The bond for the June ballot was drafted sometime between January and April 2017. Information and discussions leading up to the finalization of this were not disclosed in the Freedom of Access Act (FOAA) request. Other than the vote to approve the construction bond, no discussion of the bond or bond wording appear in any school board minutes.

**April 2017 School Board minutes**

http://www.fivetowns.net/content/041217%20MSAD%2028%20Board%20DRAFT%20Minutes%20(1).pdf

11. Votes to be Adopted for the CRMS Construction Bond

*Upon motion by Matt Dailey and second by Pete Orne the Board VOTED: That the warrant and notice of election of Maine School Administrative District no. 28 presented to the meeting be approved and that a referendum election for the District be called for June 13, 2017 for the purpose of approving the issuance of bonds or notes of the District for school construction project purposes as described therein.*

*Vote: 8 – 0    Passed*

*Upon motion by Matt Dailey and second by Marcia Dietrich the Board FURTHER VOTED: That the Notice of Public Hearing presented to the meeting be approved and that public hearings on the issuance of bonds or notes for school construction project purposes be held on May 11, 2017 at 7:30 p.m. and May 22, 2017 at 7:00 p.m. as provided therein.*

*Vote: 8 – 0    Passed.*
Pursuant to sections 1352 of Title 20-A of the Maine Revised Statute:

“A district referendum shall be initiated by a warrant prepared and signed by a majority of the board of directors. The warrant shall be countersigned by the municipal officers in the municipality where the warrants are posted.”

The wording of the referendum item that appeared on the June 13 ballot reads:

Do you favor authorizing the School Board of MSAD 28 to issue bonds or notes in the name of the district for school construction purposes in the amount not to exceed 25,200,000 to construct and equip a grade 5 through 8 middle school on the site of the existing Camden Rockport Middle School, as described below?

The Project budget includes the following elements:

a. New construction.

b. Demolition of the existing middle school facility.

c. To the extent, if any, needed for the development of the Project on the existing site, acquisition and conveyance of easements and other interest in real property.
Superintendent Libby writes to Tyler at Oak Point about revised site plan for school not including MET. This email includes a forward from Stuart Smith inquiring about keeping the MET building.

From: stuart & marianne smith <stuartmarianne@yahoo.com>
Date: March 24, 2017 at 8:02:13 AM EDT
To: Maria Libby <maria.libby@fivepoints.net>
Cc: William Gartley <wgartley@gartleydorsky.com>, Tyler Smith <tyler@bayviewmanagement.net>, Elizabeth Noble <enoble@gmail.com>
Subject: Mary Taylor building renovation
Reply-To: stuart & marianne smith <stuartmarianne@yahoo.com>

Good Morning Maria,

Tyler has been keeping me up to speed on the Middle School project and it sounds like things are moving ahead.

One concern that I have shared with him is about keeping the Mary Taylor School building.

I feel very strongly that this building should be preserved and I think the majority of the community does too. Announcing to the voters that are outside of the school board’s sphere of discussion that the plan is to demolish this building will become one of those hot button issues that kills the project on voting day.

There is significant value in this building that should be and could be preserved. This should be just like the yellow schoolhouse that has a great tenant and reuse in the Montessori School and provides a great service to the community.

There are ways to work with the private sector to accomplish the renovation work and preservation of Mary Taylor School building so that this could be taken off the school board’s plate and turned in to a very positive and supportive marketing position for getting voter approval for the project this fall.

The Middle Matters website had no mention of MET, but did have a site plan showing MET still standing.
6. What will happen to students and programming during construction? Fortunately, school will remain in session during construction, with minimal disruption if the new option is selected. If the Building Vision Committee decides to proceed with the same site location at the back upper corner of Knowlton as the last time, the one wing impacted by construction will be the former “Freshman” wing of the old high school. The committee has proposed that the MET not be a part of the project, by either removing or demolishing, which would allow the group to look at other locations for the new facility on the property. Either way, the goal would be to have the least amount of disruption to education by building behind and to the side of the existing facility.

The final copy that made the new Middle Matters website has no mention of MET, yet the only site plan available has MET still standing.

https://crmsmiddlematters.wixsite.com/crms-middle-matters/faq

Pg 50 – April 3 – Another email was composed to Tyler at Oak Point for updated site plan that doesn’t include MET.
Rumors start circulating on Facebook about saving MET

----- Forwarded Message -----
From: Kerin Sigsbee Lindahl <notification+kde4meete2ym@facebookmail.com>
To: Camden & Rockport Need A New Middle School <833563343151025@groups.facebook.com>
Sent: Thursday, April 6, 2017 7:11 AM
Subject: [Camden & Rockport Need A New Middle School] I have been hearing rumors that people are...

Kerin Sigsbee Lindahl posted in Camden & Rockport Need A New Middle School.

I have been hearing rumors that people are interested in developing MET. Is there any truth to that? I don't want a business on school property! My understanding was that if the school board did not want the building and the town did not want it, then it would be taken down.
Elizabeth Noble asks Superintendent Libby for updated site plans for the new Middle Matters website.

From: Maria Libby maria.libby@fivetowns.net
Subject: Re: MET meeting
Date: April 8, 2017 at 3:18 PM
To: Elizabeth Noble enoble@gmail.com

I forgot where you went. I'm in DC. Tour the White House this am. Glad Trump is in Florida! Harpers Ferry tomorrow and maybe a baseball game. Good to get away.

I talked to Tyfer and told him how desperately I needed the new site plan but he can't get it done any faster. Said they ran into some complications that Alison is trying to work out with the slope. Very frustrating. As long as we show the original site plan there will be more questions about MET.

Meeting went pretty well. No strong emotions on any issue which was good. I think he is interested in partnering with others to buy it, renovate it, and lease it back to the school in 7 years (legal timeframe for current tax breaks). He is going to ask around about that. I don't think the board is interested in that option. He did like the idea of putting the facade of MET as the entry to the academic wing. (Marcia is attributing that idea to John Scholtz, but for the record, it was mine - LOL.)

Sent from my iPhone

On Apr 8, 2017, at 9:45 AM Elizabeth Noble enoble@gmail.com wrote:

Hey there,

Just checking in to see how the meeting with Stuart went. Hopefully ok.

And we need to get the new site rendering from Tyfer - there have been a few questions online about the MET and why it's still showing. Obviously I understand he hasn't been responsive. Did you cc he bess (whose name is escaping me at the moment) I find that hape expedite things sometimes.

Hope you're having a relaxing Sat! I'm starting to acclimate to being at 8000 feet. It's like being slightly drunk all the time - a little dizzy and uncoordinated.

Elizabeth

Marcia Dietrich to Superintendent Libby concerned about misrepresenting. The new Middle Matters website is live and being circulated.

On Wed, Apr 19, 2017 at 9:23 AM, Marcia Dietrich marcia.dietrich@fivetowns.net wrote:

Hi Maria. With the Snowball audit in the news, I think we need our material, including the website, to prominently emphasize how costs are managed for school construction, perhaps noting the previous two building projects. Also, I think it's a big mistake to have a site plan on our website that still shows the MET building. I realize that we have been waiting to get an update but I feel no site plan is better than one that misrepresents.

The MET discussion continues to gain momentum on social media. Oak Point provided the new site plan showing a practice field in place of the MET building on April 18. From the emails it is hard to determine when the new site plan went live. The best estimate is May 1.
Pg 123 – May 15 – Superintendent Maria Libby composed a letter to seniors asking them to register to vote and vote to support the middle school project.

From: Maria Libby
To: Class of 2017

Hello Seniors!

Most of you are 18 and this June may be your first election where you can vote. I would encourage you to go to your town halls and register this week. The school district would love your support to approve next year’s budget!

In addition, those of you who live in Camden and Rockport, we would love your support to try to pass the Middle School Bond for a new CRMS. This was voted down in February 2015 and we are hoping for a different outcome this time. Your vote counts!

It is a great kick-off to your newfound independence as an adult - become a voting member of our democratic society!

Best of luck your last few weeks - looking forward to seeing you on the stage,

Maria

Pg 134 – Letter to community member Gerritsen on May 16 from Superintendent Libby

From: Maria Libby
To: Josh Gerritsen

Thanks for reaching out Josh. You are correct - the original plan kept the MET building to be renovated for the Central Office and Zenith program (HS alternative education). However, when that was voted down, there was a lot of pushback on that part of the plan due to cost ($3.4 m) and not being associated with the middle school needs. When we went out a second time, we worked hard to gauge community interest in the building. While some people (a handful out of 100's) expressed a strong interest in preserving it, we concluded that there was not strong interest in renovating it and keeping it, particularly not in light of economic feasibility. After much community discussion and discussion with the town, the building committee determined that it would not be a part of the recommended project this time. The board approved that recommendation and eventually decided to take MET down along with the rest of the facility. Its removal enables the entire building to move about 30 feet away from the tree line on the north side of the building which gives the architects much needed breathing room. It also enables a delivery area for the kitchen, as well as a practice field. Knowing that there is some nostalgic value to the community in that building, we plan to use its entrance (pillars, granite sign, etc) as the entrance to the academic wing of the new building. It will be in the interior space, 2 stories high. If possible, we will try to repurpose other parts as well, like some of the wooden floors or windows. Cost will determine what we can salvage beyond the entry.

I hope that helps and I would certainly appreciate your vote on June 13!

I am in Boston and it was beautiful here today, too. I was outside every moment I could be!

Maria
It's coming back to bite us.

I think that the school board jumped the gun on their vote. We should have just left it an open issue until after the bond vote. Keep them as unrelated as possible.

I think we (building committee and school board) should agree to reconsider the MET decision. Leave it open ended and try to extract it from the bond issue.

On the current plans it's a playing field - easily changed if we keep it.

I know that you're adamantly opposed to keeping it - but just allow it to remain an open question until after the vote. Say that we are still considering all options and we look forward to working with the community to find the best solution. It's not a battle that's worth having now.

I would be willing to bring it up tonight at the board meeting.

Hi Matt,

There's an issue that is percolating about the Met building. A chorus of voices (led by Allison McKeller and Lowrie Sargent) is getting louder that the MET decision was hastily made and should be reconsidered. The easiest way to appease them, and to keep it from derailing the middle school bond issue – is to just agree to revisit the decision. There is no harm in that, that I can see. Just agree that that the school board looks forward to revisiting the issue after the vote and working with the community to come to the best solution.
If you go on Allison Mckellar's FB page – you can see the conversation that’s happening and why I think we should revisit this issue.

I don’t feel passionate about the MET issue either way. I do feel very passionate about the bond issue and it seems like it’s going to be close – so I would hate to see it derailed by this.

I would be happy to bring it up at the board meeting tonight and discuss.

Thanks so much,
Elizabeth

Elizabeth Noble

Harmon, Jones & Sanford, LLP
17 Sea St.
Camden, ME 04843

On Thu, May 18, 2017 at 11:14 AM, Wyatt McConnell <wmconnell@gmail.com> wrote:

Alison Mckellar is getting very motivated about the idea of keeping MET standing and is talking to folks on the planning board about how to make that happen (see two private messages I received from her below). We need to develop a strategy to deal with this because I get the sense that she may be talking about it at, say, next candidates forum. More so than any other issue, I think how we deal with this will determine whether we win or lose the vote. There are two things we can do and a third side thought re: messaging on this issue:

(1) We REALLY need to clearly delineate MET from the bond. I honestly think -- if this turns into a referendum on MET instead of a referendum on 16.5 million vs. 26 million, we lose. It seems that this may be a conversation that could get Lowrie on board with the bond, too, which would be a huge win. We need to be clear that (a) vote for the bond is not a vote to demolish MET -- Alison/Lowrie/whoever is free to approach the school board and have more discussions re: MET, and (b) we are actually willing to listen to them (even if after listening we absolutely intend to demo MET). Delay those conversations until after the vote unless humanly impossible.

(2) In the longer term, it's important to have data to back up any conversations about what the usefulness of MET actually is - hopefully those conversations start up after the vote, but if before this becomes even more critical. To win that conversation without looking like bullshitters, we need market data on (a) how much office space is empty in the area and (b) how many commercial sites have been for sale for a long time. The idea that the town could sell (or donate, for that matter), MET to a private entity and that entity turn the space into office space that is sufficiently affordable to satisfy an unmet need without the private person being either massively subsidized by the town, state, or wealthy benefactor is very, very, very unlikely supported by the market data. My understanding is Lincoln Street (which Alison is using as her model) is losing money hand over fist. The point of low-rent office space is not to make profit but to stimulate business growth. You can't have your cake and eat it too. You either get tax revenue from a property, or you get low-rent office space, but the two don't go hand-in-hand. Perhaps Tyler Smith can help us gather this data, but I'm not completely sure where he stands on MET and/or whether they ever made an offer on it. If not, do we know anyone else that knows the market for commercial space in this area well?

(3) The most important point on all of this is to appear that we are listening, considering others opinions, and not rushing. The reality is that most people have no idea that the middle school and MET has been part of our public discourse for many years. If our position is simply "its important to us that MET goes" then I imagine we again look like a group that failed at communication. Its very easy to vote "no" on spending $25 million. People need to trust that they're giving that money to people that are listening, that have considered every option, etc.
From the May 18 School Board Meeting Minutes later that evening

MSAD #28 School Board Meeting
May 18, 2017

Public Comment on Items not on the Agenda
•Elizabeth Noble, Camden resident and member of the CRMS Building Design Committee, requested that the Board revisit its decision regarding the use of the MET building in the CRMS project. The Board agreed to put this issue on its June meeting agenda.
On Mon, May 22, 2017 at 10:07 PM, Maria Libby <maria.libby@fivetowns.net> wrote:
As you may know, our board voted to reconsider MET options in order to open that door before the vote so that doesn’t become a make or break voting issue. We plan to do that in June.

In the meantime, Will Gartley, our building committee co-chair had a great idea tonight. If there is such a push in the town to keep MET, then let’s get the support of all those people to keep it for Zenith and the Central Office. The school system still needs space for these purposes. Why not direct all that energy to our favor and call their “bluff” so to speak. I still think that is the best use of the MET building. Will suggested maybe there is a way to do a long term lease with a private owner for the school. Who knows - maybe this could be a win all the way around!

Keep that thought in mind and start suggesting that vision when people ask about MET. “Yes, we’d love to save it. And we have the perfect idea.....” It will be hard to argue NOT to use it for the school but to use it for commercial purposes instead!

Thanks,
Maria

On Tue, May 23, 2017 at 8:45 AM, Marcia Dietrich <marcia.dietrich@fivetowns.net> wrote:
The current site plan does not include any parking for MET

On Tue, May 23, 2017 at 8:43 AM, Marcia Dietrich <marcia.dietrich@fivetowns.net> wrote:
So perhaps the board could throw out the challenge to MET lovers. You have 18 months to establish a fully financed plan which restores the building and makes it suitable for our use.

On Tue, May 23, 2017 at 8:35 AM, Maria Libby <maria.libby@fivetowns.net> wrote:
I couldn’t agree with you more, actually. All I am saying is that if people want to preserve it, then make that happen for us in a way that works with this project. I am not at all in favor of selling it, giving it to the town, etc. I think people will back down once we say the only use we'd consider is for our own purposes since we need it more than anyone. Since we can't afford it, and no one is likely to step forward to pay for it, I think it will not go anywhere.

If you look closely at the plan, it seems we can still move the building away from the woods and have space for expansion. The current plan doesn’t overlap with the current location of MET at all.

I am not opposed to simply deciding again we are going to demolish it, but I thought this might be a way out of the potentially ugly politics of it. Alison McKellar is going to be the biggest thorn in our side about this....

Maria Libby
Superintendent
MSAD28/Five Town CSD
7 Lions Lane
Camden, ME 04843
Pg 193 – June 5th – Superintendent Libby to Lynda Clancy about transferring MET to the town of Camden.

Hi Lynda,

I did have a verbal conversation with Pat Finnegan in the spring after that letter following up regarding the MET building. She indicated to me that there was not interest by the Select Board taking ownership of the building. The reason was cost. The town couldn't afford to take this on. She also noted that if there was interest, I certainly would have heard about it. At that point, I hadn't heard any interest from any party.

The building committee discussed the issue numerous times between March and November, livestream from the Town of Camden. We had one selectboard member on the committee and another graciously operating the livestreaming for us. We were transparent about that decision being left to the School Board if the committee’s option didn’t incorporate the MET building. In November, the board voted on the committee’s recommendation to go with a new building, thus not requiring the MET building. The board recognized that, had it on a public agenda, discussed the options, and then determined to demolish it along with the rest of the building. We have been very transparent about the whole process and at least two of the selectboard were present for many of the discussions. I did several (3?) presentations to the Select Board this school year keeping them updated on our progress. There have been innumerable opportunities for the select board to consider the MET building if they had been interested.

We have had some informal interest expressed by private parties (for an Oz Museum and for private development), but no concrete proposals. The board considered numerous potential options, including those, but determined that it was in the school’s best interest to demolish the entire building and salvage what we could from MET. In May, the board indicated its willingness to reconsider options for MET.

Hope that helps,
Maria

Pg 200 – June 6 – Elizabeth Noble to Superintendent Libby “Stuart was right about MET – it has become a divisive issue. I hope that we can keep it from tipping the apple cart.”

On Tue, Jun 6, 2017 at 1:49 PM, Elizabeth Noble <enoble@gmail.com> wrote:

Hi Maria,

I’ve attached the letter that Wyatt and I put together for the Penbay Pilot. The sooner we can get it out there the better.

Stuart was right about MET - it has become a divisive issue. I hope that we can keep it from tipping the apple cart.

Also the way the bond is written is terrible - I'm not sure what the process is for that but it really seems like voting yes is voting to tear down the MET.
Busy day (graduation week and all...)  
Was just working on it.  
I edited only very slightly and added the last paragraph. What do you think?

Maria Libby  
Superintendent

Pg 418 (attachments) June 7 - Public letter in the Penbay Pilot from Superintendent Libby stating that voting for the new middle school was not vote to demolish MET.


As you may know, the MSAD#28 school board initially voted in December 2015 to demolish MET if the bond passes. However at the recent May 18 board meeting the school board unanimously voted to reconsider options for MET. In 2015, voters indicated that they were unwilling to spend the amount of money it would take to renovate MET for district needs. During the course of this project, the town of Camden expressed little no interest in the building. Without a viable use for the building on the table and not having the resources to renovate it, the school board voted to demolish it along with the rest of the facility if the middle school bond vote passed allowing a new building to move away from the tree line and enabling construction of a useful practice field.

Some members of the community have since made it known that there is a strong interest in preserving the MET building. As such, the school board voted unanimously to reconsider the issue and allow for more community input on the MET issue. Discussion about the future of the MET building is on the agenda for the June 15 school board meeting. I assure you those discussions will continue in earnest and all viable options for the MET wing will be considered again. We appreciate all the feedback you as a community have provided throughout the process of bringing this bond to a vote, and look forward to your continued input as we seek to improve the facility for our middle schoolers.
Letter to CRES Parents from Principal Chris Walker Spencer June 9, 2017

Subject: Friday "Flash" News, June 9
Reply-To: Camden-Rockport Elementary School <cres.announcements@livelowns.net>

Greetings CRES families,

As we approach voting day on Tuesday the 13th, it's important to remember that we have an important decision before us as a community as we vote on a bond issue to support the proposed new middle school.

It's likely that you've seen a steady increase in activity around the topic. Whether it's letters to the editor, lawn signs or social media posts, it's clear that the community is engaged and thinking deeply about the choice before us.

I had the opportunity to work in the new high school for years and I so appreciate the benefits of our new elementary school. As a parent, I'm glad both of my daughters had, or will have, opportunities to learn in both CRES and CRHS. We live in a community that consistently prioritizes our students and their education.

With the vote on the 13th looming, I ask that you get involved in the process:

- Educate yourself about the issues. One great source of information is the following website: www.crmsschooldistrict.info
- Vote. Let your voice be heard.

Thank you for your ongoing support! Best, Chris

Letter to CRMS Parents from Principal Jamie Stone June 12, 2017

From: Jaime Stone jaime.stone@livelowns.net
Subject: Fwd: Tuesday Vote!
Date: June 12, 2017 2:45 PM
To: Maria Libby maria.libby@livelowns.net, Chris Walker Spencer chris.walker-spencer@livelowns.net, Robert Sampson robert.sampson@livelowns.net

FYI

----------- Forwarded message ----------
From: Camden-Rockport Middle School <crms.announcements@livelowns.net>
Date: Mon, Jun 12, 2017 1:52 PM
Subject: Tuesday Vote!
To: "jaime.stone@livelowns.net" <jaime.stone@livelowns.net>

Dear Schooner Families,

As you're planning your calendar for this week please make time to VOTE on June 13th! We need your support in planning for the future of our school community.

I am so proud of the work we do each day to provide a quality education our children. Show your support for the work we do by going to the polls!

Sincerely,

Jaime --
Jaime Stone
Principal
Camden-Rockport Middle School

The vote occurred on Tuesday, June 13, 2017. It passed. 1947 to 897
Pg 233 – June 14 Estimate for MET renovations from Oak Point

Good afternoon Maria,

Fantastic news yesterday, we’re excited to begin the next phase of the project.

I will spend a little more time going through the details, but with the current construction market and time, you are looking at the MET being between 3.9 and 4.1 million dollars for the total project cost including all of the design fees, contingency etc. The building is roughly 24,000 sf counting all 3 floors so about $168/sf +/- total. This is a fairly modest renovation. We would leave the lower level and second floor largely as classroom space. The first floor would be converted to the central office space under this plan.

Let me know if this is what you need for tomorrow night. As always, please feel free to call with questions.

Tyler

TYLER G. BARTER | Senior Architect, AIA, LEED AP BD+C

Pg 237 – June 19th – Superintendent Libby and newly elected school board member Elizabeth Noble continue MET discussion:

Thank you
3 messages

Elizabeth Noble <enoble@gmail.com>  Mon, Jun 19, 2017 at 9:06 PM
To: Maria Libby <maria.libby@fivetowns.net>

So I am thinking maybe we should write a thank you to the community for supporting the bond. It might make sense to wait until after the Wed meeting - and also use it to give a little information on the process going forward. And maybe not mention MET . . .

What do you think?

Maria Libby <maria.libby@fivetowns.net>  Mon, Jun 19, 2017 at 9:23 PM
To: Elizabeth Noble <enoble@gmail.com>

I think that sounds like a grand idea and the timing is perfect after our meeting Wednesday. I put it on my calendar for Friday. It can be from me and the school board or just the school board. Either way I am happy to draft and you can review!

Maria Libby
Superintendent
MSAD28/FiveTown CSD
~ Tyler
From the Thank you letter – June 23 attachment pg 422


On that note, the board is having a special meeting on Thursday, July 13, at 6pm in the CRMS cafeteria to further consider the future of the MET building. If you are interested in that discussion, I urge you to attend. Under consideration will be the needs of the district, the needs of the new project, the historic nature of the building, costs of saving it (monetary and otherwise), the potential of town ownership, the potential of private ownership, and the timeframe for decision-making. We do know that any option other than the originally planned and approved demolition will require another vote.

Pg 240 – School Board member Elizabeth Noble again brings up concerns about Oak Point:

Elizabeth Noble <enoble@gmail.com>  
To: Maria Libby <maria.libby@fivetowns.net>  
Wed, Jun 21, 2017 at 12:58 PM

Hey Maria

Sounds good. I had a conversation with a Lincolnville school board member last night. She warned me against Oak Point - or at least suggested that they don't oversee construction. They are having serious issues with their relatively new building.

I also have serious reservations about working with Tyler. He is not responsive and very difficult to get in touch with. I'm not sure if there is someone else - or if we would even be working with Tyler. I think that isiborough is having some issues as well. Can you imagine if we build the new school but then have to put a new roof on it in 10 years. Yikes.

[Quoted text hidden]

Maria Libby <maria.libby@fivetowns.net>  
To: Elizabeth Noble <enoble@gmail.com>  
Wed, Jun 21, 2017 at 3:12 PM

We would be working with Tyler; fortunately, he has been very responsive to me. I talked to Paul Russo who has been principal at Lincolnville for the past 20 years or so. This is basically what he said. No current board member has had anything to do with OakPoint and they are simply wrong. The issues they are currently having are with the builder, not the designer (OakPoint). Windows weren't flashed properly by builder and a local builder missed diagnosing the issue 7 years ago as well. They had a fine experience with OakPoint.

OakPoint has been a fantastic company to work with for the past 3 years!
MET discussion between school board members and Superintendent Libby:

Elizabeth Noble <enoble@gmail.com>  Thu, Jun 22, 2017 at 10:50 AM
To: Matt Dailey <matt.dailey@fivetowns.net>, Maria Libby <maria.libby@fivetowns.net>

I am a little unclear where we left the public outreach re MET and the meeting on July 13? Matt, I know you were not in favor of any kind of poll. But I do think we should have some outreach to make sure we properly vet any actual interest.

I like the idea of a short, simple poll - but I also understand that anything we learn is potentially muddled at best and wrong at worst. So maybe not worth it. I do think that a few boosted FB posts will get the word out and make July 13th more productive.

If you both are ok with it - I can also post some information about what the school board is willing to consider, what they are not, and the time line. Obviously, I would run it past you both first. I also think we should post several times - people tend to live under rocks. Now that I'm actually on the board - maybe this would be better coming from Wyatt? I don't want to be the "voice" of the board - I don't speak for everyone. I'm sure he would be fine posting on MM with some

Newspaper outreach? Maybe just put it on the calendars in the newspaper?

I think it's important to get the word out about the practical issues and the timeline. That the Board isn't willing to consider just any proposal. Parking etc.

Maria Libby <maria.libby@fivetowns.net>  Thu, Jun 22, 2017 at 5:02 PM
To: Elizabeth Noble <enoble@gmail.com>
Cc: Matt Dailey <matt.dailey@fivetowns.net>

Hi Elizabeth,

I will plan to advertise the workshop and we can make sure to spread that via FB and local press.
Matt, Lynda, and I are planning to meet prior to June 13 to plan that workshop and potentially draft some parameters for the board to consider at the beginning of the workshop night.

It would be premature to post any information about what the school board is willing to consider, what they are not, and the time line because the board has not articulated that yet and can't conduct business outside of a board meeting. I expect this will be clarified and determined at the beginning of the workshop. We may be able to include some basic information about timing. I need to review all my notes from the last board meeting and get together with board leadership. I hope to do some of this work tomorrow and get at least a save the date out to people. I am on vacation next week.

Hope that helps to clarify process,

Maria
Yes, totally understand about it being premature. And that we can't do anything outside of the Board, if need be - there's a bad live stream of the meeting out there we can direct people to watch.

Is there a Board introduction book? Most boards have something to help new board members get up to speed on their new role: what's expected of them, their fiduciary duties, protocol for meetings, what is inappropriate and appropriate to talk about outside of board meeting etc.

Do you want me to keep middle matters FB page to boost this meeting? To boost FB posts you have to have a sponsored site. I think that's the best way to reach people. We can make it completely neutral - time and date. And only do it once. Not the massive onslaught of the election obviously. I would recommend it - it would be a good way to hear some comments and get a good read on what kind of support there is out there. I know that you would likely want it to be not well known or attended - but I think that would be a mistake. I think as a board we want to be able to say that we were open, we made sure people knew what was going on, we considered our options and this was the decision.

And just so you know where I stand, I am personally not inclined to support saving MET - I agree with everything that you have said. I don't think it's a particularly nice building. And it's just another headache if we renovate. But if there is a feasible way to do it and support - then I can change my mind. I'm also likely to go with what you both think is best since I opened this can of worms. And I stand by it - I have since spoke to a number of people who said they would not have voted for it if MET was definitely being demolished.

I know you are both very busy and I appreciate you taking the time to go over this with me. This much communication is not my usual - I promise you won't get this much ex parte communication from me on all the issues. Like I said - I feel somewhat responsible for this issue.

---

Maria Libby <maria.libby@fivetowns.net>  
To: Elizabeth Noble <enoble@gmail.com>  
Cc: Matt Dailey <matt.dailey@fivetowns.net>  
Fri, Jun 23, 2017 at 1:43 PM

No worries.  
Yes on FB boost once we get the agenda out or once the thank you is published (that has time and date and location info as well).  
Board Handbook. Yes. This exists. We can get you one.  

Have a great weekend,  
Maria
Pg 242 – June 23 – School board member Elizabeth Noble to Superintendent Libby

Elizabeth Noble <enoble@gmail.com>
To: Maria Libby <maria.libby@fivetowns.net>
Fri, Jun 23, 2017 at 1:27 PM

Obviously I would be disappointed, but in the spectrum of disappointment I would get over it. Also - since I am on the board, it’s not like I don’t have a voice. I just love the idea of being involved in the process.

Have a GREAT week off!!

And again - sorry for all the emails about MET. I feel responsible. If you think it would be helpful, I am happy join the meeting with Matt and Lynda but obviously if it’s not appropriate or helpful, no worries.

I think it’s going to fizzle - no one is going to step forward and take responsibility for the MET like we did for the middle school. It would take a huge community effort and I just don’t see it getting traction.

[Quoted text hidden]

Maria Libby <maria.libby@fivetowns.net>
To: Elizabeth Noble <enoble@gmail.com>
Fri, Jun 23, 2017 at 1:41 PM

Nor do I. Here is the thank you I drafted to send today. Any feedback?

Maria Libby

Page 245 – From Superintendent Libby to attorney:

prep for July 6
1 message

Maria Libby <maria.libby@fivetowns.net>
To: “E. William Stockmeyer” <bilstockmeyer@dwmlaw.com>
Cc: Cathy Murphy <cathy.murphy@fivetowns.net>
Thu, Jun 22, 2017 at 5:53 PM

Hi Bill,

To help prepare for our July 6 phone call:

1) I understand that after our June 13 vote that included demolition of the facility, the district would be legally obligated to go back to referendum if we decided NOT to tear the building down. That would include the option of keeping it ourselves, giving it to the town or selling it to any other entity. Is that correct?

2) Is there a way for the MET building to be transferred to the town yet have the school district retain any control over its use?

3) If the district were to transfer ownership, how much land would need to go along with it? And would space for parking be a required part of that transfer?

4) It doesn't seem wise to me to lose control over that building because it is essentially "on" our campus. Are there any legal considerations (arguments) that would support this feeling?

5) Is it true that if we sold the building to someone who received historic tax credits that we could not lease the building back from them for 7 years?

6) Given this line of questions, I would appreciate any other insight you might have to help think about this situation.

Thanks,
Maria
Hi, Maria,

I have responded to your questions below in red.

Sincerely,

Bill

1) I understand that after our June 13 vote that included demolition of the facility, the district would be legally obligated to go back to referendum if we decided NOT to tear the building down. That would include the option of keeping it ourselves, giving it to the town or selling it to any other entity. Is that correct? Answer: Under these circumstances, yes. The demolition was expressly made part of the second referendum and was a fundamental change from the first referendum that failed. It seems a major element of the project, as conceived and approved. This is not a situation where, as happens not infrequently, project details must be changed or cut or value engineered from the project because bids came in high.

2) Is there a way for the MET building to be transferred to the town yet have the school district retain any control over its use? Answer: Yes, if agreeable to the Town, the MSAD could retain certain rights of access and use, or impose limitations and restrictions on the town's use. Also, and as further discussed in our answer to question 4 below, the layout is such that some sort of reciprocal joint operating agreement would need to be put in place to define rights and duties of each party with respect to the building, particularly shared elements if any, of the building, and shared outside space such as parking, sidewalks, drives, and lawn areas.

3) If the district were to transfer ownership, how much land would need to go along with it? And would space for parking be a required part of that transfer? Answer: As you surmise, some investigation would be needed of applicable land use and zoning requirements, as they would apply to the new concept. The zoning ordinance would require additional space for parking for the new owner's proposed use. We need to be concerned about how much land and parking we need, and the other owner with how much it needs (which would depend on the other owner's proposed use). It might be helpful to have Oak Point comment on this question, since the architect by now has familiarity with the applicable municipal zoning and land use requirements, including lot size and buildable area, setbacks, dimensions, frontage, parking requirements, etc. Other legal requirements of government authorities might also be affected. For example, fire safety, including emergency access, and (possibly) state DEP (site location of development) and wetlands limitations. As also described in our answers to questions 2 and 4, some sort of joint use agreement with the private owner is likely to be necessary.

4) It doesn't seem wise to me to lose control over that building because it is essentially "on" our campus. Are there any legal considerations (arguments) that would support this feeling? Answer: Yes. Based on a cursory review of the site plan, this does not appear to be a situation where the existing lot could be divided into two separate ownerships, one for the existing building and associated improvements, and the other for the new building and associated improvements. The buildings would either be connected or extremely close together, and it appears there likely would be shared parking, entrances, drives, and other areas. If so, some sort of reciprocal joint operating agreement would probably be needed to
establish the parties rights and duties with respect to shared areas, including maintenance, repair, and improvement/replacement. In fact, it looks like the building itself would have two owner/occupants unless the site plan was substantially re-envisioned and drawn (as currently conceived, the new building is situated partially on the footprint of the old building). If there is a single building with two “wings,” there might also be shared building systems and shared structural elements.

In any case, given this close proximity and likelihood of shared outdoor areas, the school also would want/need to place use restrictions on the old building and on outside areas (parking, drives, ancillary). These might include smoking restrictions, cannabis restrictions, possibly alcohol restrictions, weapon restrictions, noise restrictions, restrictions on certain commercial “adult” uses of the building (these might be restricted by local ordinance to some extent), hazardous uses (likewise, these might be restricted by ordinance). Keep in mind that the school’s control needs/issues result in limitations on the other owner’s use/control. This would affect the potential pool of developers with an interest in the site. So, for example, let’s say a residential use for the current building was proposed. Would a developer be interested in a project where residents could not smoke outside in the parking lot?

Security is another big concern with another owner in such close proximity.

Such an agreement requires consideration of the new owner’s tenants and secured lenders, who would be directly affected by the agreement. For example, in the event of foreclosure of the new owner by its secured lender, the district would need the agreement to be binding upon the secured lender. The new owner will need to see that the proposed agreement is acceptable by its secured lender.

The parties would also need to consider how to unwind the relationship if one party or the other did not wish to continue it. There might be first refusal rights to control any successor owner. But refusal rights are only helpful when practicable to exercise. So the potential of a successor, non-government, owner, must be taken into account.

In our experience, these reciprocal joint operating agreements can be drafted, but can get quite detailed. Unlike a simple sale or transfer of property where the parties go their own ways after closing, what you would have here is a long term business/operational relationship.

6) Given this line of questions, I would appreciate any other insight you might have to help think about this situation.

Answer. Here are some additional concerns to consider:

- It looks to me like the preservation of the existing building means substantial re-design of the new school. For example, the existing building lies where the architect has placed the new bus drop off area, new building main entrance, and new parking area. If these must be moved, depending on how much of the old school is preserved, a new bus drop off area as well as parking might further cut into available playfields. You also might lose the current proposed segregation of bus and car traffic. Simply put, you need to explore the design impacts.

- If it is important to hold the next referendum on the November statewide voting date, the architect must determine whether sufficient time exists for the architect to determine the additional project costs for that referendum question, remembering that warrants need to be signed in late September or very early October for a November referendum.
In any case, redesign work could delay the project, and extend the completion time. It looks like a minimum 5 months delay just to get to a November referendum on a revised project and revised cost. For the revised project, the subsequent design work (most of the design work occurs after the referendum) and the subsequent construction work might also take longer.

- A revised project could add to the total project cost.
- The delay necessary for another referendum and any other necessary extension of completion time could add to the project cost.
- The issuance of bonds for project funding would be delayed, which would increase the financing costs (the bond payments) if interest rates continue to go up over that time period.
- Until the existing building has a new owner, the district would have increased operating costs to maintain the existing structure along with the new school.

Finally, and I think this is very significant, my experience with school construction suggests that over the long term, there could well be a need for additional real estate for school purposes. These needs include, most obviously, growth in student numbers. But there have also been changes in the past affecting programming needs (such as technology rooms and special education rooms), as well as co-curricular needs (such as new sports and Title IX impacts on playing field needs). Assuming our societal expectations for schools continues to evolve, there are likely to be new demands for additional space. The board should consider this when considering having to give up and/or share some of its real estate with a third party.

E. William Stockmeyer

Attorney
9/5/2017

Five Towns School Districts Mail - MET building

Bill,
I called your office to get a special board meeting on July 13 on your calendar. The focus will be the MET building and there will be members of the public with a keen interest in a variety of potential options for how they envision future use. We think it would be incredibly helpful to us to have a knowledgeable attorney present. Are you the lawyer best suited to for a situation like this? (Real estate matters)

Thanks and I look forward to talking on Thursday the 6th.

Maria

Maria Libby
Superintendent
MSAD25/Five Town CSD
7 Lions Lane
Camden, ME 04843
(207)236-3358 ext. 4302
http://www.fivetowns.net/

When a great ship is in harbor and moored, it is safe, there can be no doubt. But that is not what great ships are built for.

[Quoted text hidden]

E. William Stockmeyer <billstockmeyer@dwlw.com>  Fri, Jun 30, 2017 at 3:55 PM
To: Maria Libby <maria.libby@fivetowns.net>

Hi, Maria,
I’d be happy to attend this meeting. Talk to you next week, and have a great 4th.

Bill

Page 263 – Camden Interim Town Manager Roberta Smith to Superintendent Libby

MET Building
3 messages

Roberta Smith <smith@camdenmaine.gov>  Tue, Jun 27, 2017 at 1:37 PM
To: Maria Libby <maria.libby@fivetowns.net>

Hi Maria,

I assume at some point the Town maybe signed the MET building over to the school district. If so, are there documents that show that, or anything in writing that specifies what can happen to the building should it no longer be used for education purposes? I seem to recall a similar provision for the Elm St School when you moved out.

FYI, just trying to side-step conjecture and go right to the source documents.

Roberta

Roberta Smith
Camden Interim Town Manager
Hi Roberta,
Not sure about documentation from the town. Not only was it built in 1625, but I don't think we have anything for the new HS or ES indicating that the town gave the buildings to the district. I'd think they "belong" to the school district as a matter of course. There is a law that I have read numerous times and can refer you to when I get back to work. It states that the school can offer the building to the town (but doesn't need to). If the town declines it, the school could then sell it for private sale. Our lawyers have suggested that if we did anything, it would come with restrictions that we would impose however. In any case, the Board will likely try to determine which options are even feasible from their standpoint at the July 13 special meeting. We will likely have our lawyer there. If you or Audra want to talk about this, let me know.

Thanks,
Maria

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Pg 272 – Superintendent Libby to Assistant Superintendent Gary Gonyar:

Hi. Email went the other way!

MET is heating up like you can’t believe. The weird thing is that all of the talk is happening with the town, both the manager and the slack forward. Not a single person has contacted me through email or telephone. But the town managers said that they are getting nonstop calls. The town is having a workshop on Tuesday, two days before our special board meeting, for them to discuss the MET building! They might be forgetting that they don’t control it. It’s going to be a long journey!
Select Board Workshop July 11th at 5:30pm to Discuss MET

Audra Caler-Bell <ACaler-Bell@camdenmaine.gov>

To: "John R. French Jr." <jfrrench@camdenmaine.gov>, Robert Falciani <RFalciani@camdenmaine.gov>, Alison McKellar <AMcKellar@camdenmaine.gov>, Jenna Lookner <JLookner@camdenmaine.gov>, Marc Ratner <MRatner@camdenmaine.gov>, Maria Libby <maria.libby@fivetowns.net>, "Matt.Dailey@fivetowns.net"

Cc: Janice Easery <jesancy@camdenmaine.gov>, John Arnold <arnold2149@sbcglobal.net>, Martin Cates <martin@catesre.com>, Paul Cavalli <pcavalli@gmail.com>, Ellis Cohn <ecohn@jaretohn.com>, Steve Matteo <smatteo@camdenational.com>, Robin McIntosh <appledore.drm@gmail.com>, Tom Peaco <tom@penbaychamber.com>, Meg Gujano <meggujano@gmail.com>, Jeff Senders <sendersjeff@gmail.com>, "kbrace@camdenmaine.gov" <kbrace@camdenmaine.gov>, "lsargent@midcoast.com" <lsargent@midcoast.com>
Hi,
See the info below regarding Tuesday’s select board workshop (top email from Bob F.). Numerous points are worthy of note:

1) I am not receiving a hint of this peripheral activity. No phone calls, no emails. It is all going to the town. Maybe it is being generated from within the town - selectboard, CEDAC, etc.??

2) I appreciate that the town is trying to stuntsome of this activity/discussion that they feel is getting out of control. Again, I haven’t heard a thing since the June 13 meeting.

3) Audra has said numerous times that she realizes, and has told the people who are incessantly contacting her, that if there are a million different ideas, she is sure the school board will back away. They need to control the ideas and streamline the discussion so that it is more likely the board will be willing to take some action in the direction of trying to save MET.

4) My only real concern is potentially what is in red below. Sounds like the town, on Tuesday, may determine they want to form a work plan before the school board has had a chance to determine what we want to do. We all have to remember the school board determines what happens with this building (even if that means forming a working group of the same people suggested below).

Thanks,
Maria

P.S. Stuart Smith emailed me a couple of weeks ago saying he wanted to meet. I responded but never heard back. Then he was on the field behind MET filming and talking into a mic. Sounds like something is stirring there....
Pg 280 – Camden Select Board member Bob Falciani email to Superintendent Libby referenced above

Robert Falciani <RFalciani@camdenmaine.gov>  Fri, Jul 7, 2017 at 9:25 AM
To: Maria Libby <maria.libby@fivetowns.net>

Hi Maria:

Good to hear from you. I am aware of the your meeting on the 13th. I felt strongly that we (The Town)
need to sturt some of the peripheral activity that has been occurring re: MET. I felt is was getting a little out of hand.
My objective was to get the town to state its preference re MET and to begin a rationale process, of course, including
the scool board, to;
1. Allow the design process for CRMS to proceed without delay
2. Determine how (if) this asset could be of value to the school board, the Town (financial asset), etc., without
interfering with the design process
3. Discuss and implement a small team with representation of the select board, town manager and school board to
create a work plan re MET and its future.

Anyway I could go on and on but hopefully we will be able to develop a forum in which we can discuss this issue and
create logical steps going forward.

I look forward to see you soon,

Bob

Pg 282 – School Board member Marcia Dietrich’s response:

Marcia Dietrich <marcia.dietrich@fivetowns.net>  Mon, Jul 10, 2017 at 10:16 AM
To: Maria Libby <maria.libby@fivetowns.net>

Hi Maria. I am not able to attend Tuesday night but appreciate your efforts to be proactive about MET. Seems to be a lot of
thinking with hearts instead of logic going on. Once I saw the parking numbers I felt most ideas we've heard were
unrealistic.

Pg 285 – Superintendent Libby’s response to FB video that Stuart & Tyler Smith participated in:

article
4 messages

Maria Libby <maria.libby@fivetowns.net>  Sat, Jul 8, 2017 at 3:26 PM
To: Kim Lincoln <KLincoln@courierpublicationslinc.com>

Hi Kim,

My next installment is due this Monday, and I have attached a really important one about MET. It is long, but I am hoping
you can run it. I have gone back and tried to shorten it, but what remains is really important. Let me know what you think.
The sooner it can be published online the better!

Thank you,
Maria
Superintendent Libby composes op-ed about MET


Truth Be Told About MET
Marla Libby
Superintendent of Schools
July 8, 2017

Within the school district, we consistently referenced a couple of common operating principles: "Seek first to understand, then to be understood," and "Assume best intentions." They are not only important tenets for the adults in our school community, but also for our students as they learn to collaborate and work with others in our democratic and civilized society. I would urge anyone who is interested in the future of the MET building to work hard to seek clarification before making assumptions and accusations.

Here is what has happened regarding the MET building's fate over the past two years.

The 2015 middle school referendum included the renovation of MET for the functions currently in the Bus Barn but that were never intended to be there, namely the Central Office and the Zenith Program. We have been desperately trying to relocate those functions so that the Bus Barn can serve its namesake purpose. We thought the middle school project was a great vehicle to address that issue and preserve the MET building at the same time. In the two public forums we had in 2014-15 (approximately 12 members of the public attended), we concluded that saving the MET building was important to people. Including MET in the project felt like a win-win situation — we could address the middle school issues, the Bus Barn issues, and preserve the MET building. As you know, however, that vote failed by a wide margin.

We held a couple of focus groups and went on a listening tour between July 2015 and May 2016, talking to about 250 residents. During that time we heard that the price tag was too high. We also heard that while people appreciated the nostalgic value of MET, it was too expensive an endeavor for taxpayers. Therefore, the board chose to take that part out of the project when they decided to try again - the middle school was the priority after all. In January, 2016 I sent a letter to the Camden Select Board to determine if the town would have any interest in the MET building should the school not need it. They chose to table that question and did not return to it, despite the numerous opportunities they had as I continued to provide updates to them about the project. I personally presented about the CRMS Middle Matters project eight times between public forums and town select board meetings during the past school year. We asked for input about MET all along the way. We had many live-streamed building committee meetings and public board meetings where MET was discussed.

In December of 2016, the school board voted to demolish the MET building along with the rest of the facility, but made sure the architects knew we intended to repurpose some of the building, such as the iconic entrance. Nearly everyone we talked to felt that was a reasonable compromise — to salvage some parts of the building for use in the new facility.

Five months passed. One private developer met with us in April to discuss the MET building.
After hearing about possible uses and considering them, the board let the investor know that they were not interested in pursuing them further. An idea for an O2 Museum surfaced a few times, but not in conjunction with the owners of the O2 memorabilia. The board was comfortable with its previous decision to demolish the building. At the May 18 board meeting, less than a month before the vote, a building committee member requested that the board revisit the decision regarding the use of the MET building based upon rumbles that were beginning to surface in the community. The board agreed to reconsider that decision and placed it on the next board meeting agenda, slated for June 15, two days after the vote.

Prior to the June 15 meeting, we contacted our lawyers to determine what legal issues we needed to be aware of regarding any possible future use of MET. One of the things we learned was that given the language of the referendum question (which was penned by legal counsel in early May) we would legally need to go back to referendum to do anything but demolish the building. When the referendum question was drafted, we weren't thinking about whether the language bound us to demolition because we were unaware that the MET building would become a "rallying cry" at the last minute. The proposal we put forth to referendum included demolishing the entire facility. It was after the question went to print but before the vote that the board agreed to reconsider MET. We certainly were not trying to mislead anyone. We could not foresee the course of events that would follow.

At the June 15 meeting, the board discussed the MET building among themselves and with about half dozen community members engaged in the conversation. That was the first opportunity for the board to begin reconsidering the possibilities. Recognizing that the topic deserved more time than could be allotted that night, and recognizing that many citizens may not have known it was on the agenda, the board decided to have a meeting devoted entirely to the MET building that was more widely publicized. That is the special meeting scheduled for July 13 at 8pm in the middle school cafeteria.

Many of the people throwing our ideas and seeming to go "on the attack" about this issue have no idea of the complexity of the situation the school district is facing. There is a lot at stake for the new middle school project. Ideally, we will have an answer to the MET building by October. That is when the architects need to know the exact layout of the current campus. It matters whether the MET building remains standing. We have oriented our athletic fields on the proper axis regarding the sun without the MET building on site, but that would likely need to change if the MET building stands. That is also when the architects need to know how close the new building needs to be to the tree line, affecting the loading dock area. Whether MET stands or not is likely to impact the location and layout of the playground area.

We don't want to compromise this project by not knowing the fate of the MET building and building around it, only to have all best intentions fall through. Can we be assured it would have an appropriate use secured by October? I don't know. What are the risks of the unknown? It is only prudent for the board to consider all these questions, and more.
In addition to timing issues, the board needs to consider whether it should hand it over to the town, not knowing what may happen to the building. (Think Tanney, old RES site - the school district doesn't want a building falling into disrepair on its campus.) Is there realistically enough parking for commercial use of the building? Would the town or a private investor still be interested given the numerous conditions and restrictions the school district would need to place upon any transfer (according to our lawyers)? Should the district go back to referendum to renovate it for its own use? What are the potential risks of doing that?

It is not a simple matter of "wouldn't it be great to save the MET building?" It is complex and there is a lot for the school district to consider. Most "historic" school buildings that are repurposed are on sites that were vacated by the school district. In fact, I can't find any examples of situations where the vacated building is repurposed on the site of the new school facility. That is where the tension lies in this situation. It is because the MET building is on the same campus as the new school. If the desire to preserve MET included moving it to a different location, then it would be a very different conversation and there likely would be no concern by the district other than timing.

This is a complex situation and the school board will consider the options carefully and critically. Critical thought about this topic is consideration. "Consideration" doesn't equate to jumping on board with the first interesting idea that comes along. That would be foolish and the board would not be doing its job. As it stands, I only ask that those who want to preserve the building demonstrate some understanding of the complexity of this issue for the school district, in part due to the last minute timing of having this topic back on the table.
review proposed middle school site plan

2 messages

stuart & marianne smith <stuartmarianne@yahoo.com> Sun, Jul 9, 2017 at 6:34 AM

To: William Garthley <wgarthley@gartleydorsky.com>, Tyler Smith <tyler@bayviewmanagement.net>, Elizabeth Noble <enobie@hjsoffice.com>, Maria Libby <maria.libby@fivetowns.net>

Cc: Stuart & marianne Smith <stuartmarianne@yahoo.com>

Will, Tyler, Elizabeth & Maria,

I am concerned about two things with the direction that things are moving with the Middle School project:

1) Misinformation and presentation coming from the School administration / school board that is very obviously stemming from a strong desire to squash the concept of keeping the MET building as part of a long term plan instead of an open minded view of having a potentially very valuable asset for both the school and community;

2) The need for a carefully selected dedicated school building committee/team made up of community members and one or two board members with a hired project manager to oversee the project design and implementation, the committee would report to the board. This project is five times the size of the Snow Bowl fiasco and 1.5 times the CSD building project and needs a paid staff person supporting the building committee ASAP. (that is probably what should have been on the special board agenda!)

My big concern is that we do not lose the positive momentum that was created for the vote. The grumblings I am hearing around town and the response & attitude coming from the school administration and BOD is not good for the success of the project. This needs to be addressed very quickly in an inclusive positive manner. The "MET BUILDING KNOWN FACTS" document that came with special board agenda is a terrible presentation that is quite obviously coming from the perspective of a group that is not looking at MET as a positive asset.

Will be an interesting week of discussion and I hope that the school board and select boards can recognize the need to create an unbiased group to review the future use of MET. Keep things moving in a POSITIVE manner and don't alienate your support group!!

Would be happy to discuss at any time

st
Eric Kangas – other members of the community express concern about being mislead

Maria Libby <maria.libby@fivetowns.net>
To: Eric Kangas <ekangas@kangascpas.com>

Sun, Jul 9, 2017 at 10:46 PM

Eric,
What facts did you feel were false and which ones did you feel were misleading?

Maria Libby
Superintendent
MSAD28/FiveTown CSD
7 Lions Lane
Camden, ME 04843
(207)236-3358 ext. 4302
http://www.fivetowns.net/

When a great ship is in harbor and moored, it is safe, there can be no doubt. But that is not what great ships are built for.

[Quoted text hidden]

Eric Kangas <ekangas@kangascpas.com>
To: Maria Libby <maria.libby@fivetowns.net>

Mon, Jul 10, 2017 at 2:20 PM

Maria,

Based on feedback from community members, such as Stu Smith, it appears that cost of demolition and re landscaping have been grossly understated. Also, the feedback of closing off the MET and providing it with utilities are far less than the $1 million estimate. Parking spaces I have also heard could be worked on with the town. Camden is pro business and I've known first hand that they will work with businesses.

Eric
Hi Maria, from Marc Ratner

3 messages

Marcrescue@aol.com <Marcrescue@aol.com>
To: maria.libby@fivetowns.net

Mon, Jul 10, 2017 at 9:07 PM

Hi Maria,

Great letter in Village Soup - laying out the facts - instead of the "wishes".

Tomorrow will be interesting.

I'm having breakfast with Jenna Lookner tomorrow - and will make sure she reads your letter before the meeting.

I'm finding that Alison McKellar and Bob Falciani are looking at MET with blinders on - all they see is the building.

Still trying to figure out how to address the gathering and get them to focus on the big picture - it's about the school and the students... instead of a building.

The one idea that I've been knocking around is to include the "Oz" learning center / museum as part of the MET plan.

If the school board was to go back to the voters and ask for funds to renovate... for the school uses and to include Oz - then it might make sense for people to vote affirmatively.

From my understanding - the Oz people are thinking "learning center" not just museum. If you're a fan of the Oz books then you know that they were written as political commentary at the turn of the 20th century.

It's way more about that - the film is just the hook.

I'm meeting with Tom Wilhilte - one of the Oz principles next week - we couldn't work out a meeting before this week's meetings - and then I'll get to see if there's genuine interest there - not just second hand response that I've had before.

To my thinking - if it works - a positive vote to renovate would be because the school board needs and can use half the space - and still maintain ownership - and the museum / learning center in much of the other half would produce rental income and also a big financial tourist reward for the town.

Spend money to make money. Something easier to sell to the voters.

A long shot for sure - but the only way I can see to have a positive outcome to make MET worth saving.

Otherwise I'm voting for the wrecking ball.

And as it always works out - the new middle school will open the year my son moves to the high school.

So I've got no skin in the game except doing the right thing.

Marc
Thanks Marc. Tomorrow will be very interesting. Neither the board leadership (Matt/Lynda) nor Marcia can be there. I hope the town realizes that the school board has the jurisdiction to determine the fate of the building. I wish the town had waited to meet until after the school board's previously planned special meeting about MET. It feels like the town is trying to pre-empt the school board. A lot of people are wondering why the town is having a meeting about MET at all, let alone before the school board has had a chance to discuss it in depth and determine how best to proceed.

I will be there but won't be in a position to engage very deeply if the conversation is the one the school board intends to have on Thursday.

Anyway, I appreciate your input and consistent rationale approach. It is desperately needed in this situation!

See you tomorrow.

Maria

Sent from my iPhone

[Quoted text hidden]

It's not the "town" it's a handful of people that speak before they think...and unfortunately one of them is on the SB now. I'll do what I can.

M
Hi,

I am torn about tomorrow night and wish we had more time to process and discuss. Marcia and Matt can not be there. I don’t know if any of us should go. By going, will we be pre-empting our own meeting on Thursday by being “dragged” into the discussion we are planning to have on Thursday? By not going, do we send a negative message about our openness or intent or willingness to collaborate?

My gut tells me the best course of action is to go and listen, but not really engage, since I can’t speak of behalf of the board and I can just keep reminding people that this is really a school board issue and we have a meeting scheduled for Thursday.

This is turning into an incredible Pandora’s box.

I tried to address a lot of what is happening on social media with this article in VS. https://knox.village.soup.com/p/truth-be-told-about-me/16676789

Lynda also shared a video that says a lot, particularly the role Stuart and Tyler have in it. Stuart stopped by today to talk to me but I was in a meeting so he is coming tomorrow...

https://www.facebook.com/groups/1177503952249985/? multi_permalinks=475246992808355&notif_t=group_activity&notif_id=1498700298027495

Any input welcomed!

Maria Libby
Pg 301 – School Board chair Matt Dailey and board members Marcia Dietrich and Lynda Chilton’s responses:

Marcia Dietrich <marcia.dietrich@fivetowns.net>  
To: Maria Libby <maria.libby@fivetowns.net>  
Cc: Matt Dailey <matt.dailey@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>  

Mon, Jul 10, 2017 at 3:11 PM

Wow there are many inaccuracies in Stuart and Tyler’s narrative, the most concerning of which is Tyler’s notion that there is lots of time to decide. Demolishing will cost a third of what it would cost to renovate (500k demo & 1.5M renovate)

Maria, perhaps tomorrow night you should just clarify time frame and perhaps parking needs to provide a framework for people’s ideas.

[Quoted text hidden]

Matt Dailey <matt.dailey@fivetowns.net>  
To: Maria Libby <maria.libby@fivetowns.net>  
Cc: Marcia Dietrich <marcia.dietrich@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>  

Mon, Jul 10, 2017 at 3:20 PM

Hi Maria,

The angel sitting on my right shoulder says go to the meeting because being present and part of the discussion is a good thing. The devil sitting on my left shoulder says that going to the meeting will be nothing but involving yourself in a migraine inducing goat rodeo with no good outcome. What are they going to talk about? How will the discussion have any direction? How can you avoid getting dragged into the conversation especially considering the likely lack of information about the MET building and the plan for the new middle school? According to the agenda, the meeting will neither be broadcast nor livestreamed so the option to be involved at a sanity protecting remove not an option. I want to say avoid it at all costs but in the end, if I could. I would go to the meeting because being there does matter in terms of both optics and the dissemination of facts. So my advice is go if you feel up to it but sit as far away from the podium as you can.

That video verges on propaganda. What motivated Stuart and Tyler to create/participate in it? Tyler was aware of the fate of the MET building for a loooong time and could have started the process of evaluating alternative outcomes well before now. There is a lot of factual baloney in that video. Also, Stuart’s statement that the building could renovated for a very reasonable $150 per square foot cleverly avoids declaring that the total cost of renovation would be a not so reasonable $3.6 million.

Thanks

Matt

Pg 296

Lynda Chilton <lynda.chilton@fivetowns.net>  
To: Maria Libby <maria.libby@fivetowns.net>  
Cc: Marcia Dietrich <marcia.dietrich@fivetowns.net>, Matt Dailey <matt.dailey@fivetowns.net>  

Mon, Jul 10, 2017 at 3:27 PM

Maria, I agree with you gut. And I do think its important to be present at the town meeting to correct any misinformation (which there was a bit of in the Josh Gerritson video posted today in Camden forward. Stuart seeks so confidently as to the cost of renovating the MET building but does not seem to know that there are no systems in place for heating etc. I find it annoying that all these people are coming to the forefront now, when renovating the MET building was in our original scope of work. But we came to the realization that its not fiscally responsible to pursue a MET renovation.

I am a little unclear why the town is even hosting this meeting. Perhaps its to bring the new folks up to speed on the issue.

Both my daughters are in town and we have many things planned for the next couple of days but if you really feel like you need more of a show of force, I can come tomorrow as well.

Thanks Lynda
Marcia Dietrich <marcia.dietrich@fivetowns.net>  
To: Matt Dailey <matt.dailey@fivetowns.net>  
Cc: Maria Libby <maria.libby@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>  

Mon, Jul 10, 2017 at 3:33 PM

Matt, I agree with your frustration with Tyler, not to mention he lives in Hope! I have included some info on the federal tax credit. First the building must be determined to be “historical” no mention of how long that takes. (is anything in Washington working these days.) It must also be the occupied by a for profit business - not us or the town.

https://www.nps.gov/tbS/tax-incentives.htm

[Quote text hidden]

Maria Libby <maria.libby@fivetowns.net>  
To: Marcia Dietrich <marcia.dietrich@fivetowns.net>  
Cc: Matt Dailey <matt.dailey@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>  

Mon, Jul 10, 2017 at 5:09 PM

Stuart just stopped by again and I had a decent conversation with him. I clarified a lot for him that was helpful.

He feels the board should form a committee, including some select board representation (I think we should avoid Alison at all costs if we do this), and simply take a good hard look at options, with the priority being the school’s purposes. His reasoning is to take a more positive spin to avoid this totally blowing up.

He feels a vote to renovate, potentially at a lower cost (skip the basement and if it is deemed “historical” get some waivers), could succeed in a year or two. Even if the outcome is to tear it down in a couple of years. The only risk in that is needing to design with it in place, but maybe we design assuming it will be used for school purposes in the future and maybe we won’t have to compromise much other than a practice field.

The town should absolutely not be having that meeting.

Stuart also had some other points that I thought were helpful.
1) Because of this project, the SAD board should probably be meeting this summer.
2) He felt we should get a project manager/owners rep on board by mid-August at the latest, and I tend to agree with him. This is a huge project and there is much that person could begin doing.

Are you OK with me moving forward to advertise for this position and forming a small committee to interview? I will look at what was done in the past and send you a draft advertisement or RFP if it needs to be that. Will Garley also said he’d look at it and help with interviews.

Thanks,
Maria

Matt Dailey <matt.dailey@fivetowns.net>  
To: Maria Libby <maria.libby@fivetowns.net>  
Cc: Marcia Dietrich <marcia.dietrich@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>  

Mon, Jul 10, 2017 at 5:46 PM

Hi Maria,

We can talk about forming a committee but I would need to be convinced that we have the resources necessary to make the committee worthwhile. There is just not that much time left to decide what to do about the MET building and we need to focus on building the new school. If MET is going to be renovated, then the contractors need to be ready to go when the rest of the building is demolished. How much lead time is needed for to get that in place. 12 months. 16 months? Also no one seems to have any idea who is going to fund this other than the citizens of Camden and Rockport.

In terms of the owner’s representative, I would support hiring the owner’s representative relatively early in the process but what has been budgeted for?

In terms of the SAD meeting this summer, what would be the purpose of additional meetings?

Thanks
Marcia Dietrich <marcia.dietrich@fivetowns.net>  
To: Maria Libby <maria.libby@fivetowns.net>  

Mon, Jul 10, 2017 at 8:01 PM

I don’t have a problem with moving forward with the owner’s rep. I assumed we would hire this summer. First we need to determine the scope of work and OAP can help with this. For CRES this position was an engineer in a local firm working on a contract basis. OAP may also have some leads on candidates. As I remember, they knew Mary Beth who worked on CRES. Getting a good person is very important. For the high school, Friends of CSD hired for this position and that person was mediocre at best which, in part, is why we were taking legal action years later to resolve design and construction issues.

I don’t think this project will require the board to meet this summer unless it is to deal with MET.

Before we complicate this project by building around a big unknown and perhaps spend a million closing up, installing heating, etc. on a building which may be torn down in a year or two, I’d like to explore what we have to lose by publicly examining time frames, costs and project compromises and being open to coming to the conclusion – it’s just too late.

I have a lot of respect for Su and must say I still do not understand the video. Your conversation with him was private and perhaps he has gained some insights, but meanwhile that video is public and is out there stirring the pot.

Lynda Chilton <lynda.chilton@fivetowns.net>  
To: Matt Dailey <matt.dailey@fivetowns.net>, Marcia Dietrich <marcia.dietrich@fivetowns.net>  
Cc: Maria Libby <maria.libby@fivetowns.net>, Marcia Dietrich <marcia.dietrich@fivetowns.net>  

Tue, Jul 11, 2017 at 9:44 AM

The funding is the most critical part for me. I feel as representatives of our towns we should be looking at the money first, not the worthiness of saving a “historic” building. I have talked to a few people who agree that while saving the building for an education-related purpose would be nice, its not how we should be spending tax-payers money.

My accountant who lived in Rockport until two weeks ago, is very financially conservative and was not in favor of the last couple of school building projects, but did vote for MET saying (ironically!) “its time”. But she was not at all for spending millions to bring MET up to usable space. I have heard that sentiment from a few other people as well.

As to advertising for the rep position right now, I am fine with that.

It will be interesting to see who shows up for the workshop. I really hope Alex is there and some more of the sort of silent majority.

Thanks all, Lynda

--

Lynda Chilton  
Five Town CSD and MSAD 28 School Board Member

Marcia Dietrich <marcia.dietrich@fivetowns.net>  
To: Lynda Chilton <lynda.chilton@fivetowns.net>  
Cc: Matt Dailey <matt.dailey@fivetowns.net>, Maria Libby <maria.libby@fivetowns.net>  

https://mail.google.com/mail/u/0/?ui=2&ik=cb6f9e89%26rj=1&ei=9WGXiBvAStenJw_buZc4&pli=1&sa=m&source=maria.libby%40fivetowns.net&us_has=%22MH%22&us_size...  

Tue, Jul 11, 2017 at 10:28 AM

9/5/2017

Five Towns School Districts Mail - tomorrow night

Maria. If possible perhaps you should urge the town group tonight to attempt to gather wide spread input about MET - perhaps a survey. Like Lynda, I am not hearing support.

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Maria Libby <maria.libby@fivetowns.net>  
To: Marcia Dietrich <marcia.dietrich@fivetowns.net>  
Cc: Lynda Chilton <lynda.chilton@fivetowns.net>, Matt Dailey <matt.dailey@fivetowns.net>  

Tue, Jul 11, 2017 at 10:32 AM

I worry about the town gathering the feedback because there is a lot of bias there. It might be better for us to try to do that, but I think the only way to reasonably do that is at the November election like they did with marijuana. An electronic survey would allow people to answer multiple times and I believe some individuals would answer 100’s of times! I had a communication from one of the select board indicating that two of the select board members have binders on.

Maria Libby
MET
2 messages

Elizabeth Noble <enoble@gmail.com>  Tue, Jul 11, 2017 at 9:20 AM
To: Maria Libby <maria.libby@fivetowns.net>

Oh boy - it just keeps getting interesting.

Wyatt called shortly after our conversation - which was funny considering I mentioned not hearing from him anymore. He wanted to give a heads up that there is grumbling about some public comments from you and Matt re MET. Mainly that just prior to the vote, you stated publicly that a vote for the bond is not a vote to destroy MET. And that since then, you both have stated that the voters voted to tear down MET. There is concern voters were misled. And a vague threat about a law suit was made.

I'm not worried about a law suit - unless it's someone w very deep pockets that will likely stop once they consult a lawyer and the lawyer asks for a 5-10k retainer.

But I do think it would make sense to just take that piece out of the rhetoric about the issue - that the voters voted to tear it down. Even just to say that the voters voted to give the school board the final say in MET. . .

Anyway - just another thing to keep in mind.

Have fun tonight!

Maria Libby <maria.libby@fivetowns.net>  Tue, Jul 11, 2017 at 10:25 AM
To: Elizabeth Noble <enoble@gmail.com>

you both have stated that the voters voted to tear down MET.

That is people putting words into our mouths. What we have said is that our lawyers have told us that to do anything other than demolish it will require another vote, something we didn't know at the time. nor did we need to because we had no way of knowing this would blow up, which happened after the referendum question had gone to print! We can't take it out of the rhetoric because it isn't in our rhetoric - it is in theirs. Dear God.

There is an alternate reality being created by people out there. On some level, it doesn't really matter what we say because they create their own version. However, I trust that most people in this town know better. It is amazing to me that the only person who has bothered to ask me a single question about this is Stuart.

The irony is, we stated that we would reconsider it, and we will. There are avenues not to tear down MET if enough people in town support that. It is not like we can't tear it down unless the town forces that decision. People need to take a chill pill!

Have you seen my article? Read it if not. Also the comments. . .

Maria Libby
Comments on the Villagesoup story:

**RE: Matt Dailey**
Thanks, Matt. I do think there's a big difference between saying that MET will not be part of the new Middle School project and saying that it will be demolished even if there's a private party interested in taking ownership and repurposing it.
I keep going back to the comments from Maria a week before the vote, as published on Pen Bay Pilot.

"Regarding the middle school bond, the ballot question asks for your approval for the MSAD26 school board to borrow $25.2 million dollars. Many have asked if approval of this bond necessarily results in the demolition of the Mary E. Taylor wing in the existing facility. It does not. The ballot question includes additional language which places specific limits on how the school board may use the bonded money. Specifically, it is limited to actions which may be necessary to construct a new middle school and then demolish the existing facility once the new one is constructed. This language does not require demolition of the entire middle school facility, it only permits the money to be used for demolition. Determining what to do with the Mary E. Taylor wing is a separate issue." 

**POSTED BY: MATTHEW DAILEY | Jul 13, 2017 09:55**

While I wish that the media coverage of the middle school project was more extensive and exacting, mentions that the Mary E. Taylor building would not be part of the new middle school project are mentioned in at least the following articles:

**POSTED BY: DALE E. LANDRITH SR. | Jul 13, 2017 07:56**
The key to this is in the second paragraph of Maria's letter. If there is any change to the project that differs from the June vote, then it must go back to the voters. If the results of this controversy is another vote and increased costs there will be severe opposition.
It is so unfortunate that we are in this place, especially because everyone involved clearly has the very best intentions. All of us are working for what we think is the common good and I don't think any of us, on any side of it, have anything to gain personally. We are all just trying to make our community and our schools as strong as they can be.

We are going to have an amazing new school that we can all be proud of and one of the greatest things about it is that it's right in town, integrated with the community, just like it has always been.

I followed the project, attended meetings, actively engaged with the communications subcommittee, and helped to explain to people why I had come to support the Middle School bond. There was a lot to learn and I had concerns but decided that I would ultimately put my faith in the decisions of many school officials and staff whom I respect very much, for any number of reasons, including you, Maria.

It was not common knowledge that MET would be demolished. That decision was not made until December, and the decision to move the vote up from November to June did create a time crunch for those of us trying to learn about this issue and many others. It's a busy time for municipal government, as you know. The decision to demolish MET was not covered by any paper that I can find and it was not mentioned any of the websites promoting the Middle School bond.

I did not learn about this until I attended a tour a couple months later, and I found it alarming, especially after being in the building, which looked to be in good working order. I thought about changing my vote, but assumed that all possibilities must have already been explored and exhausted and that there must have been serious issues with it structurally that were not visible to me.

Slowly, I began going back over the Oak Point Survey, Select Board minutes, etc. trying to understand why the teardown was necessary, and I was surprised to learn that the building remains in good structural condition and that the footprint doesn't overlap with the new design. I talked to a few people before the vote who were concerned about the demolition of MET, but with most people. I never brought it up because I preferred to exchange emails with you and members of the various committees promoting the project. I chose to have the conversations mostly privately before the vote because I did not wish to alarm people into not voting for the school project.

Meanwhile, I learned about the countless buildings that have been renovated in Maine using historic tax credits and I learned that some of the middle school's biggest supporters, including members of the building committee, also did not wish to see MET demolished and did not feel it was necessary.

Most of the general public I spoke with before the vote had no idea that the historic MET building was slated for demolition and others had no idea of the relatively good structural condition that this part of the facility is in. I cannot speak for everyone else, but I very intentionally waited until after the vote to be vocal about this because I had listened to you and everyone else when you said the vote was not binding for the MET building and that we could still have the conversation. We were assured that the language authorizing the bond referred only to any demolition that was necessary to build a new building, and that it did not require MET to be demolished. We all celebrated along with you when the vote passed, but when it came time to have the conversation that we were promised, we were accused of being troublemakers.

The building footprints don't overlap and the new site plan differs in only minor details with the site plan that was proposed when MET was to be left standing. If someone wants to buy the MET building and renovate it, potentially leasing half of it back to the school district for use as the admin offices and zenith program, why would that not be worth considering?

I can only speak for myself, but I did my best to "cook first to understand" and I also absolutely think you and everyone else have the best intentions. I hope you'll assume that those who question the need to tear down MET also are doing so with the best of intentions.
With accusations flying all over FB, it sure does feel like an attack at times! The bond issue passed because 1,947 people in our two communities voted in favor and 897 voted against. With all due respect, I don't think the knowledge that the school board would reconsider the fate of the MET building represented the tipping point for the vote. Voters supported the project by a huge margin. Until mid-May, the intent of that project included the demolition of MET and that was public knowledge. As the article states, there were numerous public presentations and events. I trust that it made a difference for some people, such as you, but not the numbers that would have changed the outcome of the vote. Ironically enough, when the 2015 vote explicitly included a renovation of MET, the vote actually failed by a wide margin. I agree, it is time to move forward and allow the board, with input from the community, to reconsider the future of MET.

Maria, no one is going on the attack. I for one voted YES based on what I was told by you that the vote was for the bond issue and not for destroying the historic MET. I don't believe you intentionally mislead myself and many others, but that's why the bond issue passed. Now it's time to move forward and save MET.

Pg 304 – Superintendent Libby’s summary of Camden Select Board meeting:

Maria Libby <maria.libby@fivetowns.net>  
To: William Gartley <WGartley@gartleydorsky.com>  
Wed, Jul 12, 2017 at 9:45 AM

Interesting.

The driver seems to be economics for Alison M, Bob F, and CEDAC. They think it can generate $50,000 - $60,000 tax revenue for the town. They all seem to be supportive of having a developer renovate, then rent it back to the school for the Central Office, Zenith, adult ed., and share space with private entities. They don't want taxpayers paying for it. I don't know how much that rent for the school would be or if the economics would work for someone to develop. They want to form a committee, allowing a seat for a school board member (!), to determine how to use it. I encouraged them not to form that committee yet and allow the school board to meet on Thursday since the town doesn't have the authority to determine its future use - the school board does. They think a committee can come up with a solution by September 1. They agreed to wait.

Stuart spoke about slowing the whole thing down - no need to rush. See if it works out and the school can use the building for the functions in the Bus Barn along with some other uses, and if not, then tear it down.

There were only 6 people there not on a town committee. Three women over 60 who I didn't know and who didn't speak. Eric Kansas, Stuart, and John Lewis who said that we should listen to voters. When MET was included in the vote, it was voted down; when MET was not included, it was approved. Why go against the will of the voters. He is also a neighbor and said he absolutely doesn't want commercial use there and that would constitute an illegal taking (his property values would go down)!
comment on Pen Bay Pilot article

5 messages

Maria Libby <maria.libby@fivetowns.net> Wed, Jul 12, 2017 at 3:34 PM
To: Matt Dailey <matt.dailey@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>, Marcia Dietrich <marcia.dietrich@fivetowns.net>

SB52 - a day ago

Not to sound like a broken record, but town citizens - including the Community and Economic Development Committee - have had a year and a half to address MET options. Those for whom this is a vital interest could have been working with the town, the school board and interested parties during this time to identify and nail down any feasible options prior to the June 13 vote. Those options could then have been addressed in the referendum vote.

But...they didn't do this. They had their opportunity, but they didn't act. Now after the vote - which included the demolition of MET - they want to hold everything up, void the town vote, complicate the path forward. This may be well-intentioned, but it is irresponsible. It's not the way to do town business. Let's put this one in the "lessons learned" column and move forward as voted.

Maria Libby

Marcia Dietrich <marcia.dietrich@fivetowns.net> Wed, Jul 12, 2017 at 5:08 PM
To: Maria Libby <maria.libby@fivetowns.net>
Cc: Matt Dailey <matt.dailey@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>

That's also what people are saying to me.

[Quoted text hidden]

Maria Libby <maria.libby@fivetowns.net> Wed, Jul 12, 2017 at 5:48 PM
To: Marcia Dietrich <marcia.dietrich@fivetowns.net>, Lynda Chilton <lynda.chilton@fivetowns.net>
Cc: Matt Dailey <matt.dailey@fivetowns.net>

That perspective likely needs to be shared tomorrow night. The town officials and committee members pushing for development say they are speaking for many but I am only hearing their voices - about 8 people that I can see. There were 6 members of the public at the meeting last night. Stuart Smith, Eric Kangas, John Lewis, and three women I didn't recognize and who didn't speak. 2 of the public spoke in support of saving MET (Stu and Eric). I think they are living in a bubble, grossly overestimating the support for saving MET.

Maria Libby
**MET**
3 messages

Don White <upie@myfairpoint.net>  Thu, Jul 13, 2017 at 5:48 PM
To: maria.libby@livetowns.net

Maria, I'm staying on the sidelines during this heated discussion. Your article in the CH sums it up. Where were these voices, opinions from 215 until recently. Where's the plan, show me the money.

This is being driven by AM and a few others. None of them have a plan, plan of action, or the interested money people. If your SB holds to demolishing the MET the decision will come to the town SB.

I do not want to see it demolished, however, private money needs to be raised to save that school building.

Those are my thoughts.

Keep up your excellent leadership.

Don

Maria Libby <maria.libby@livetowns.net> Thu, Jul 13, 2017 at 10:52 PM
To: Don White <upie@myfairpoint.net>

Thanks Don. Most of the school board holds that opinion. If the school board continues as planned (demolish), it actually won't go to the town. The school board can decide to offer it to the town, but they have a legal right (and some would say obligation after the vote) to demolish it. I think the board will be open to consider concrete plans (committed investors and legally vetted) within the next two months - who knows, maybe something amazing will arise. Until it does, the school board needs to proceed as planned and approved by voters.

Hope your summer is going well. I am sure JF is missing you on that board! :)

Maria Libby

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**MET meeting....**
4 messages

Keith Rose <keith.rose@livetowns.net> Thu, Jul 13, 2017 at 10:07 PM
To: Maria Libby <maria.libby@livetowns.net>

Thought I would get this down before I forgot!

No one mentioned moving the building. As we discussed, moving to the bus barn site could solve several problems.

First, it could probably be done without restrictions (except for a fence).

We'd have to double check, but I think that the bus barn site was purchased by the MSAD, not gifted to the district from the Town. That would mean the district could give the building back to the Town (or the Town could say no and the district could sell it with restriction that it be moved) and sell the bus barn site to whomever wants to relocate the building. If the Town agrees to let the district dispose of the building, then the district could also put a price on the building. Could the package provide enough cash to fund a new CO and bus barn? Good question, but one that I think should be put out there.
To: Keith Rose <keith.rose@fivetowns.net>

I agree with that as a solution - we'd happily give it away. But Stuart, Tyler B, and Will all are saying that it really can't be moved - not a brick building.

Maria Libby
Superintendent
MSAD29/FiveTown CSD
7 Lions Lane
Camden, ME 04843
(207)236-3358 ext. 4302
http://www.fivetowns.net/

When a great ship is in harbor and moored, it is safe, there can be no doubt. But that is not what great ships are built for.

[Quoted text hidden]

Keith Rose <keith.rose@fivetowns.net>
To: Maria Libby <maria.libby@fivetowns.net>
Thu, Jul 13, 2017 at 11:04 PM
https://mail.google.com/mail/u/0/?ui=2&ik=cb6f33902& ivew=vfWgXQyASk.ca&view=pt&as_from=maria.libby%40fivetowns.net&as_mie=%32MET%32&eas_iid=...

They're wrong. They've just never done it.

[Quoted text hidden]

Maria Libby <maria.libby@fivetowns.net>
To: Keith Rose <keith.rose@fivetowns.net>
Fri, Jul 14, 2017 at 7:10 AM

So good to know. I think that is the BEST solution.
Moving the MET
2 messages

Maria Libby <maria.libby@fivetowns.net>  Fri, Jul 14, 2017 at 7:19 AM
To: sad.board@fivetowns.net

Hi,
Another thing we had discussed over the past year was moving the MET building. That actually resolves so many
problems for us. One idea has been for it to be moved to the Tannery, another for it to be moved to the Bus Barn location
if part of the overall plan included relocating ALL Bus Barn functions. Transportation could go to the former Libby
Chevrolet! Anyway, recently, folks like Will Gartley, the architects, and Stuart have said that is impossible. However, Keith
just sent me this link. https://www.wolfhousebuildingmovers.com/services/house-building-moving/historic-building-
moving/

This is a option to consider as well. If it was moved, I would imagine our only concern would be timing and a plan worked
out for all other functions. We would be far less concerned with use if the entrance was on Lions Lane.

Sent from my iPhone

Betsy Saltonstall <betsy.saltonstall@gmail.com>  Fri, Jul 14, 2017 at 9:05 AM
To: Maria Libby <maria.libby@fivetowns.net>
Cc: sad.board@fivetowns.net

Hi Maria,
Very interesting idea. Is it worthwhile to get an estimate? Demolishing the bus barn and moving MET to that site would
solve a number of issues, though there are still renovation costs.
Would the RES or Tannery sites be viable for a bus barn, rather than buying more property?
Just wondering...
Betsy
[Quoted text hidden]

July 13, 2017 Special School Board Meeting to discuss MET

A professional video of this meeting exists created by Geoff Parker.

School Board Special Meeting
June 13, 2017

1. Adjustments to Agenda
2. Review of Known Facts
3. Consideration of Possible Options — Pros/Cons
   a. Renovate building for District (and possible other) use – November
      Referendum
   b. Transfer to ownership to town with restrictions
   c. Sale to private entity with restrictions
   d. Salvage parts of MET, but demolish the building
4. Possible Next Steps
5. Adjourn
**Known Facts Sheet:**


**KNOWN FACTS**

a. MET does not have heating source
b. MET does not have electric source
c. Leaving MET standing results in one side being open to environment
d. School is responsible for maintaining building until ownership is transferred
e. The cost to secure it as a standing building with no renovation is approximately $1 million.
f. The cost to renovate for district use is $3.8 - $4 million
g. District non-negotiables include: Spring 2018 ground breaking, significant alteration of the new CRMS building
h. School District will need to go to referendum to have voters approve ANY use other than demolition
i. The building is 24,000 sq feet
j. Current Zoning is “Traditional Village”
   i. Residential neighborhood including:
      1. Single family homes
      2. Small scale multifamily structures
      3. Compatible residential scale businesses
      4. Distinct village design
   ii. Special Exceptions (require permit from Zoning board) include:
      1. Congregate Housing
      2. Nursing Homes
      3. Public Schools
      4. Community Buildings
      5. Municipal Use
      6. Quasi public facilities
   iii. Allowed Commercial Uses
      1. Boat Storage
      2. Barn Storage
      3. Small hotels
      4. Special Exception “Low Impact” uses
         a. No more than 2000 sq ft
         b. No more than 5 parking spaces
         c. Among other requirements
k. Zoning setbacks
   i. Front, Back – 15’
   ii. Sides – 10-15’
l. Parking Requirements
   i. Professional Office space
      1. 1 space/250 sq ft = 96 spaces for MET
   ii. Medical Office space
      1. 1 space/150 sq ft = 160 spaces for MET

iii. Current parking
    1. Approx. 25 spaces
Good morning Maria,
Thank you for the meeting last night. Realize it is frustrating to you and to the BOD to revisit this issue, but I can not emphasize enough how important this open discussion is to to the success of the new school project and to maintaining credibility and support from the community. Believe me I have sat through many school board meetings where issues that we thought were well publicized and that we as board members thought were settled only to have a group reappear to rehash the issue again.

In this case you are looking at a decision on a major asset that should be given all consideration (further consideration) to preserve and reuse. You should stick with the original 2015 site plan which allows this to happen. The costs involved to the district are insignificant as a portion of the total project budget and if taken out of the bid process for the new building and site work may actually produce a savings to the project.

Removing the demolition from the planning process and bid process will have virtually no impact on the budget, the site plan or the final timeline. The architect’s vision that a contractor would use the demo from MET onsite is ridiculous, it will all go into a landfill after the school is built at a cost as it is much too expensive to sort through and separate good demo from bad. There will be too much material from the entire facility demolition and it will happen at a time much too late to use onsite. You can not keep using the facility and build a new one at the same time and expect to bury the material onsite.
With regards to the idea of saving some portion like the front entrance of the MET building the board is getting very poor advice from the architect and I question if they have really given any thought or have any experience in costing out that scope of work. Believe me as nice as that sounds it will be a significant cost to reuse the front entrance facade, probably upward of $500,000. They obviously have done no work on this at all.

The board really needs to get an active building committee with a full time project manager (not a owners representative) to oversee the project if this project is going to be successful both financially, on time and as a well designed facility. You can not rely on the architect for this. The school board needs and you need other eyes and input on the project and design than school board members with no building experience relying only on the architects for their input and estimating. Architects are terrible cost estimators.

On a more positive note (I think) I am going to look into some of the possibilities for preserving and renovating the MET building and would like to discuss possible space needs that you envision needing for SAD 28 and CSD and any other "out of the box" thoughts you have for reusing the building.

If you have time today in your schedule could you please give me a call and I will come right up to meet with you. 15 minutes.

I am sorry that I do not have Matt's email address so could you please forward this on to him and to the entire school board. Thanks to all of you for having the meeting last night and hopefully there can be a positive outcome to the open discussions.

Much appreciated,
Stu Smith

Matt Dailey <matt.dailey@fivetowns.net> Fri, Jul 14, 2017 at 7:19 AM
To: Maria Libby <maria.libby@fivetowns.net> Cc: SAD Board <sad.board@fivetowns.net>

Hi Maria,

I think that it would be a terrible idea to revert to the 2015 site plan. If Stuart thinks that we need to get various oversight entities in place to control costs, then he should also not be suggesting unilateral changes to the plan that have an unknown cost and time impact on the project.

Thanks
Matt

[M[Quoted text hidden]

Maria Libby <maria.libby@fivetowns.net> Fri, Jul 14, 2017 at 8:41 AM
To: Matt Dailey <matt.dailey@fivetowns.net>

Agreed. I don't think there is any reason for us to revert to the 2015 site plan.
Hi Maria,

My recollection is that Tyler was not selected for the new building committee. If not, we should seriously consider replacing him.

Thanks
Matt

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Will and I had been thinking it might be better to keep him close but I'm not sure.

Also just spoke to Scott Brown, DOE construction guy. He said we do not want a project manager and we don't need someone full time. He said he'd be happy to talk to you and me and others at DOE (conference call) to help better understand the situation. Let me know if that would be helpful to you in the next two weeks. Stuart and Tyler will put a lot of pressure on us and will continue to doubt Oakpoint (and us) so it may be helpful for us to have info from other experts to back our decisions.

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Hi Maria,

My initial concern with including Tyler on the new building committee is that he does not seem to be able to do one of the key things that we need him to do which is to keep his dad and others in that circle up to date about the project. We could have had a conversation about the MET with Stuart last October if Tyler had given his dad an update on the project at any time. Ellis Cohn failed to do that with CEDAC and he did not get asked back. There are lots of people we can recruit that will show up at all the meetings and have an opinion if that is all we want them to do.

Now I am concerned that the new school will not be Tyler's top priority if he is on the new building committee. It would be disappointing if the committee spends any real time talking about the disposition of MET. I am OK with keeping him on the committee because he would be one of many. If Stuart is the principle behind a credible proposal for the MET building, then Tyler will have to be replaced on the committee because he would then have a conflict of interest.

I believe that we have the example of the CRES construction to use as a model for the middle school project. That was a school construction project that occurred on a site while school was in session and I do not think that project had a project manager. Talking to Scott is a good idea because that conversation has some intrinsic value in itself. I would be interested to know what he thinks of our particular situation and how our project would progress if it was state funded. I have a feeling that no amount of evidence is going to dissuade Stuart from doing whatever he wants. Please schedule a call with the DOE people at your convenience. I will be out of town the week of July 31 to August 4.

I find Stuart's undermining of Oak Point curious. Oak Point does have a good track record building schools and other municipal buildings. If their work was crappy in terms of estimating costs, then it would be right out in public for anyone to see. Stuart is right that we should be vigilant about the project but declaring Oak Point's work as completely suspect only seems to serve the idea that he knows better.

Thanks
For over 4 years, the MSAD 28 board has been working on a new middle school construction project. On ____ the board engaged the project architect. One of the first tasks was to consider various design alternatives for the project.

On February ____ the Board submitted a selected project to the voters that included new construction, “demolition of portions of the middle school facility,” and “renovations to the Mary E. Tyler building,” to be financed through bonding of up to $28,000,000. The voters rejected that project by a vote of ____ No and ____ Yes.

On June 13, 2017, the Board submitted a revised project concept to the voters that included “new construction” and “demolition of the existing middle school facility,” to be financed through bonding of up to $25,000,000. The voters approved that project by a vote of 1,947 Yes to 897 No.

Our legal counsel advises that Maine law has strict requirements on voter petitions to reconsider a referendum vote. Pursuant to sections 1354 and 1504 of Title 20-A, a qualifying petition to reconsider an MSAD or RSU referendum must be received within 7 days, and be signed by at least 10% of the number of voters voting in the last gubernatorial election. Additionally, petitioners must post a bond when the voting margin exceeded 25%. Also, the reconsideration referendum is valid only if the number of persons voting in at least equal to the number voting in the prior referendum. No petition to reconsider the June 13, 2017 referendum vote was received.

In the board’s judgment, the June 13 referendum question clearly stated that the project would include authority for “demolition of the existing middle school facility.” This was also in contrast to the earlier referendum question which included “renovations to the Mary E. Tyler building.” Nonetheless, shortly before the approved referendum, the superintendent wrote a public letter that the referendum would not preclude the board from considering options that would preserve the MET building. Following the referendum, our legal counsel advised that an amendment to the project that preserved the MET building should be submitted to referendum approval. In summary, the board is authorized to demolish the building, but may consider an alternative, which would need to be resubmitted to and approved by an amending referendum.

The board has received extensive input from voters and non-voters on this question, including written comments as well as comments at its meeting held July 13, 2017. The board has received comments in favor of preserving the MET building and comments in favor of proceeding as currently authorized. The board has also received advice from administration, from the architect and from legal counsel. To date, no firm proposal for an alternative project has been submitted by any party.

The Board is willing to review firm proposals but will not permit interference with the current project as currently authorized by a greater than 2:1 vote in favor.
Based on all this, the board will consider proposals involving preservation and development of the MET building, but only if the following conditions and requirements are satisfied:

- The board will only consider a developer’s (or donor’s) firm, detailed written proposal.
- Any commitment or acceptance of a proposal that changes the June 13, 2017 referendum authorization (including proposals that the middle school not be demolished) will be subject to referendum authorization of the amended project, in form and content as determined by the board and approved by bond counsel.
- To be considered, a proposal must be submitted no later than November 30, 2017 so that the MSAD 28 board has adequate time to review the proposal and negotiate terms of a binding commitment, subject to referendum approval. No proposal received after that date will be considered.
- To be placed out to referendum, a binding commitment must be acceptable to the MSAD 28 board in form and content. In the case of a development proposal, this will include, but not be limited to, submission of supporting documentation by the developer demonstrating adequate evidence of legal compliance (including land use zoning/land use/land use and fire safety), cost (construction proposals and existing cost by quantity, price), the developer’s technical capacity (experience) and financial capacity (loan commitment letters or other funding sources) for the project. In case of a donation, only a cash gift, not pledges, will be considered, and any conditions or requirements of the gift must be acceptable to the board.
- The latest the MSAD 28 board will place a proposal out to referendum is April 12, 2018 for the statewide June 2018 voting date. A proposal not developed into and approved as a binding written commitment by that date will not be put out to referendum and any further discussions or negotiations will be discontinued.
- The board will not consider a proposal which would delay the scheduled completion date of the current project, and/or increase the cost of the current project to MSAD 28 taxpayers.
- MSAD 28 is a single purpose unit of government with one function: public education. MSAD 28 is not a real estate developer. Our legal counsel advises that MSAD 28 does not have broad home rule authority like a town to engage in economic development.
- Because the MET building would be in close proximity to the new middle school, the proposal must permit MSAD 28 to place reasonable use activity restrictions on the MET property. This is an even greater concern if the proposal would have MSAD 28 occupy the redeveloped building with other users. In this regard, the proposal must take into consideration legal requirements and best practices for controlling and restricting public access to elementary school buildings during school, as well as uses that would be inappropriate or offensive in proximity to an elementary school.
- A proposal involving historic tax credits and a lease back to MSAD 28 of all or any portion of the MET building must be supported by a tax opinion of developer’s counsel.
- Our legal counsel advises that a proposal involving a lease of space to MSAD 28, as tenant, may be limited by Maine statute to a term of four years.
- Our legal counsel advises that proposals involving a lease of the building by MSAD 28, as landlord, to a developer may be problematic because a lease by MSAD 28, as landlord, may be limited by Maine statute to a term of ten years.

- MSAD 28 will not consider proposals involving a foreign student tuition program. The private school (including “05-40” academy) model for foreign student programs does not apply. Questions exist about whether such a program constitutes a “valid public purpose” for local Maine school units. In any case, our legal counsel advises that, unlike visas for private school attendance, visas for foreign students attending public schools are limited to 12 months. See https://maine.gov/content/dam/mec/education/foreign-students-in-the-public-schools.html. This impacts the economic viability of a project, since the student and parent have no assurance of enrollment beyond a single year. Additionally, such programs seem better suited for school providing secondary education.
- A proposal including a lease to MSAD 28 must demonstrate to the board’s satisfaction that the relative costs to taxpayers and benefits to students are preferable to other space options.
- In considering the costs and benefits of a proposal, the MSAD 28 board will consider the loss benefit of the additional land area for its middle school, including its possible future need for additional space should its school population grow or should its curricular or extracurricular needs change over the long term.
- The Board notes that Knowlton Street residents have expressed significant concerns about the parking impact of various suggestions for the MET building. Immediate neighborhood impacts will be a consideration of the Board in reviewing a proposal.
Pg 355 – Superintendent Libby to Oak Point representative

urgent
3 messages

Maria Libby <maria.libby@fivetowns.net>  Mon, Jul 24, 2017 at 6:42 AM
To: Tyler Barter <tbarter@oakpoint.com>

Hi Tyler,
Can you read over the attached public statement about MET and make sure it is copacetic from your point of view. Also check the dates. Again, we would plan to move forward with the site plan exactly as last designed, so what would be the implications of we didn't make a decision until next spring. It would need to be a referendum vote. Can we wait on that or do we need to advance the timeline to October 1 with a February referendum?

Thanks,
Maria

The school board publicly releases final draft of requirements for MET proposals July 25, 2017
https://knox.villagesoup.com/p/sad-28-board-outlines-conditions-for-met-proposals/1671247

Pg 357 Superintendent Libby to attorney

Maria Libby <maria.libby@fivetowns.net>  Wed, Aug 2, 2017 at 6:21 PM
To: "E. William Stockmeyer" <billstockmeyer@dwmlaw.com>

Hi Bill,
I was straight out in meetings all day. The public statement was helpful. I attached what we ended up sending out. Thanks for your help on this. Some felt the tone was overly negative, but honestly, I think that is their own bias about the project and somewhat irrational. I thought it was well written and helpful.

We are meeting with the town selectboard next Wednesday night at their request, despite our board’s hesitation. It would have been politically difficult to say no. The purpose is “An opportunity for the two boards to discuss the relevant issues regarding the potential preservation and/or repurposing of the MET building.” We are hoping it is not simply another

https://mail.google.com/mail/u/0/?ui=2&ik=cb66f33092&javer=EjwGX3byASk=en&view=pt&as_from=maria.libby%40fivetowns.net&as_hl=en%22MET%22&as_ses=... 6/7

5/2017

Five Towns School Districts Mail - CRMS Draft contract

opportunity for Alison McKellar to let us know what she thinks. We know that Stuart Smith is looking into it, but other than that, we haven’t heard anything. I don’t know if the town will form a committee to come up with a solution.

I am sure we will talk soon, and yes. Cathy is working on the bond advisor. Interviews are next week.

Thanks,
Maria
Hi Chris,

Shortly before the June 2017 vote, the board did vote to reconsider the demolition of the MET building given the community interest that surfaced. Thus far, there have been two public board meetings for residents to provide input into the MET decision. We certainly heard support for saving the MET building at those meetings and we have also heard from residents about not wanting to save it. During the first meeting, there were about 20 minutes devoted to discussion, and about 2.5 hours at the second meeting. In addition, we recently met with the town Select Board to discuss further. These meetings are part of the School Board’s reconsideration of the MET building. They are listening to the public, processing what they are hearing, and considering the options forward. That to me represents what anyone would consider an open mind.

The board has shared publicly that neither they nor the administration has the capacity to be the entity that initiates a way to save the building. Clearly, with the building project before us, that is where our attention needs to be. As they had previously set a course to demolish it, they are expecting the effort to save it to come from the people in town who are interested in saving it. The board will give due consideration to the options that eventually materialize.

Unfortunately, there are not two years to determine the building’s fate. The board gave until the end of November, which is twice as long a time frame as people had requested at the July public meeting, to come up with a viable plan. Both the guidelines that the board set for proposed uses and videos of the meetings are publicly available if you are interested.

Hope this helps further clarify the board’s approach to this situation,
Maria
Mary E. Taylor School
4 messages

Sarah Hansen <sarah@mainepreservation.org>
To: "maria.libby@fivetowns.net" <maria.libby@fivetowns.net>
Cc: Greg Paxton <greg@mainepreservation.org>

Mon, Sep 4, 2017 at 9:12 PM

Ms. Libby:

Maine Preservation, founded in 1972, is an independent 501(c)(3) nonprofit member-based statewide historic preservation organization. Our Mission is to promote and preserve historic places, buildings, downtowns and neighborhoods, strengthening the cultural and economic vitality of Maine communities.

Since 1996, Maine Preservation has published Maine’s Most Endangered Places List. A statewide press release is sent with the goal of finding new owners, uses or other interested parties to help preserve these at-risk, but valuable resources. As a result of the list, we have helped save nearly fifty properties, with an additional 25 in motion. We would like to inform you that this year, the Mary E. Taylor School was nominated and selected by our Board of Trustees to be included in our list. This list will be released September 5, 2017 on WCHS6’s 207 program at 7pm as well as on our website.

If you have any questions or concerns, we encourage you to get in touch with either Greg Paxton, our Executive Director, or myself using the contact information provided below. More information about Maine Preservation and our other programs can also be found at our website at mainepreservation.org. Our Field Services Program in particular can provide suggestions for next steps on how properties might be preserved for its continued use and service to its local and greater communities.

We look forward to the opportunity to work with you.

Cordially,

Sarah

Sarah Hansen
Real Estate Manager
Maine Preservation

Pg 389 School Board member Marcia Dietrich

Marcia Dietrich <marcia.dietrich@fivetowns.net>
To: Maria Libby <maria.libby@fivetowns.net>

Tue, Sep 5, 2017 at 8:48 AM

Hi Maria, Just wondering whether Matt did agree that we need a meeting of the board before 9/20. I hope the board will agree not to let go of the land MET sits on. One scenario that occurred to me was if in say 20 years the middle school is over crowded and we need to build the additional classrooms incorporated into our design. The design, approval and building process will take several years. Without our practice field I don’t think we would have any space to place temporary classrooms.

On Mon, Sep 4, 2017 at 9:26 PM, Maria Libby <maria.libby@fivetowns.net> wrote:

[Quoted text hidden]
Hi Ken,

I am sending you this email to let you know that I am revoking Owen Casas's membership on the CRMS Building Committee. Owen has demonstrated that he does not trust the school board's statements, processes and actions. Serving on any committee requires a level of trust in the committee's sponsoring organization, the committee's work and the committee membership. Under these circumstances, I have determined that it is in the best interest of the school board for Owen to no longer serve on the CRMS Building Committee.

You are welcome to nominate a different Rockport Select Board member to serve on the committee. The next committee meeting is on December 4th at 6 PM in the Camden Opera House's Washington Street conference room.

I am willing to meet in person to discuss this if you like.

Thanks

Matt Dailey
MSAD 28 Board Chair
To: MRC Membership  
From: Greg Lounder, MRC Clerk  
Date: November 1, 2017  
RE: MRC Board of Directors Election Ballot

Please find enclosed a MRC Board of Directors election ballot. Ballots cast in this election will determine the election of three (3) Directors to serve on the MRC Board of Directors for three-year terms from January 1, 2018 through December 31, 2020. Biographical descriptions of the candidates, as provided by the candidates, are also enclosed for your information.

Ballots must be returned to MRC before 5:00 pm, December 12, 2017.

The election results will be read at the MRC Annual Meeting held at 3:00 P.M. in the afternoon on December 13, 2017 at the Town of Hampden Public Safety Building on 106 Western Avenue in Hampden.

Note: Vote must be cast for one candidate only.

Please contact Greg Lounder at 664-1700 or 866-254-3507 with any questions.
Voting Ballot

- To fill three positions for a three year term from January 1, 2018 to December 31, 2020
  (3 highest vote totals)

The Charter Municipality of ___________________________ casts its vote for the following individual to serve on the Municipal Review Committee Board of Directors for the above stated term.

Note: Candidates are listed alphabetically. Biographies provided by each candidate are attached.

VOTE FOR ONE INDIVIDUAL ONLY

→ More than one checked box will invalidate the ballot ←

☐ Kevin Howell – Carmel

☐ Ralph Saucier – Millinocket

☐ Sophie Wilson – Orono

☐

Please return this ballot no later than 5:00 p.m., DECEMBER 12, 2017 to:

Municipal Review Committee, Inc.
395 State Street
Ellsworth, Maine 04605
Or
FAX: (207) 667-2099 EMAIL ATTACHMENT: glounder@mrcmaine.org

RESULTS OF THIS ELECTION WILL BE READ AT THE MRC ANNUAL MEETING TO BE HELD DECEMBER 12, 2017
Kevin Howell

Kevin is the Town Manager, Road Commissioner, Code Enforcement Officer, Plumbing Inspector, Treasurer, Tax Collector, Town Clerk, and GA Administrator for the town of Carmel. After spending 20 years in the private financial sector, Kevin entered the public sector and hasn’t looked back. Under his administration, he has been able to reduce the municipal budget appropriation and at the same time, significantly improve efficiency and infrastructure. In 2017 Kevin implemented a complete overhaul of the town recycling program by over 30%. His broad knowledge base and experience would be a valued addition to the MRC Board of Directors.

Ralph Saucier

Ralph has over (10) ten years of experience employed by the Town of Millinocket as a Director of Public Works which include responsibilities at The Millinocket Cemetery as the Sexton, Airport Manager, and Solid Waste Facility Director.

I believe my strengths are being able to recognize diversity and acknowledge the need for change.

Accomplishments have been working with Penobscot County as a partnership to provide a much better solution for MSW disposal for areas surrounding the Millinocket Region. These areas are now able to use the Town's MSW disposal and Recycling Facility instead of the need for containers which are hard to manage, and are not environmentally friendly.

My job at Millinocket has been a challenge working with my fellow employees to find new ways of doing the same thing. I hope to find that same opportunity working with the board at The MRC.

Sophie Wilson

Sophie Wilson has served as Town Manager for a total of 17 years – the last 6 in Orono, Maine and the previous 11 in Brownville, Maine. She is finishing up her fourth term on the MRC Board of Directors and currently serves at the MRC Treasurer. In Brownville, she served on various regional boards including the Penquis Solid Waste Board of Directors in the roles of both President and Treasurer. She has also served on the Maine Workers Compensation Board of Directors as well as a member, President, and Past President of the Maine Municipal Association Executive Committee. While family and work in Orono keeps Sophie quite busy, she currently serves as a Public Member of the Maine Board of Overseers of the Bar Grievance Commission.
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. Public Hearing
   None this meeting
III. 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
   ➢ Tuesday, October 10, 2017, meeting of the Select Board
   ➢ Thursday, November 9, 2017, executive session of the Select Board
   ➢ Monday, November 13, 2017, meeting of the Select Board

b. Announcements of upcoming Select Board meeting(s):
   ➢ Special Select Board meeting with the Library committee Tuesday, December 12, 2017, 7:00 p.m.
     Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at http://livestream.com/Rockportmaine

   ➢ Regular Select Board meeting on Monday, January 8, 2018, 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):
   ➢ none at this time.

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

   The Annual Holiday on the Harbor Celebration will be held on Saturday December 9th.

   The Town Office will be closing at 12:00 PM on Friday December 22nd and will be closed on Monday December 25th for the Christmas Holiday.

   The Town Office will be closed on Monday January 1, 2018 for the New Year’s Holiday.

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 – no vacant seats
➢ Conservation Commission – no vacant seats
➢ Harbor Committee – no vacant seats
➢ Investment Committee – 1 vacant seat
➢ Opera House Committee – 2 vacant seats
➢ 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.
IV. Town Manager’s Report
V. Unfinished Business
None this meeting
VI. New Business

a. Acknowledgment of Gifts to the Town:
   ➢ Donation of $400 from Lakeview Orthodox Presbyterian Church for Police and Fire Departments

b. Committee Resignation(s):
   ➢ Linda Posson, Opera House Committee

c. Committee Application(s):
   ➢ Steve Smith, Keep Rockport Beautiful Committee
   ➢ Gretchen Leone, Keep Rockport Beautiful Committee
   ➢ Richard Remsen, Keep Rockport Beautiful Committee

d. Committee Presentation(s):
   ➢ None this meeting
e. Hear a report on the status of Mt. Pleasant St.

Manager’s Comments – Mike Young, Will Gartley and Bill Lane will be on hand to discuss the status of the additional improvements to Mt Pleasant Street.

Included in your packet are drawings and information from Gartley and Dorsky that was used in the bid package that will be helpful in the discussion.

Dirt roads are a maintenance nightmare. Hence, the reason we have a specific additional season called “mud” season in Maine. Unfortunately, there may be times that certain sections of dirt roads are impassable at certain time of the year.

The work we have done on Mt Pleasant over the past two years is an attempt to keep the road passable and get it to the point where it can be paved. We have spent several hundred thousand dollars with the goal of paving the road in the near future.

The first phase added drainage culverts, better ditch lines, dealt with some material issues and ledge removal, on what was the worst part of the road in the past and paved the worst section of the hill from the Rockport end of the road.

In this, the second phase of the project, we had another, more specific look at the underlying subsurface materials and did additional geotechnical studies, to establish the viability of the material beneath the roadbed. We did this on specific problem areas on the road that were established during the thaw, last winter. The conditions last winter during this time was the worst in anyone’s memory.

We went back and removed unsuitable materials and replaced it with a layer of crushed 3inch stone and filter fabric to improve the drainage on those parts of the road where the problems were the worst. Once that was placed and compacted, we put in a 4inch lift of inch minus to cover the stone, as we could not really plow the base as it was and it was difficult on vehicles.

All this was done to bring the road up to a condition that was ready to pave. The estimated cost of the paving is in the vicinity of $500,000.00. Ultimately, this is what will be necessary to ensure that the road is passable in all but the most extreme winter conditions.

We have approximately $20,000 left in the bond to continue with improvements that we utilized from saving on other bond projects to put towards this one. We originally held out $125,000 for repairs and renovations to the West Rockport Fire Station. Where this project has been put on hold this money could be used towards one of the other projects approved in the bond. This money could be put into Mt. Pleasant for further improvements on the road including paving a portion of the road.

The funds in the bond would have to be spent by the middle of next year, Megan has emailed the Maine Bond bank to get exact dates but has not heard back yet. It is our presumption that any unused funds would need to be used to reduce the principal of the bond, we are also waiting on this response. The work we have done thus far has all been in the interest of paving the road in the next 3-5 years. If we do not pave the road we will likely continue to have problems with the road and the money we are spending now will largely be wasted and the work will likely have to get redone at some point.

My comments are merely to give you some back up for the conversation on Thursday at the meeting.

No recommended motion
f. Consider letter from Maggie Timmerman regarding concerns with SAD 28 vote this past June.

**Manager’s Comments** – – included in your packet is a copy of the e-mail received from Maggie Timmerman as well as an abridged PDF of all of the FOAA requested documents. It is 65 pages in length. At the heart of her e-mail is the following:

“If the Select Board feels that the information compiled from the FOAA casts doubt on the process that led to approval of the $25.2 million Middle School project at the polls on June 13, 2017, the following courses of action are recommended:

1. Have the respective town legal counsel for each municipality review the material collected in the aforementioned FOAA request pertaining to the Middle School bond, specifically the fate of the Mary E. Taylor Building, and provide a recommendation to their respective Select Boards.
2. Strongly encourage full transparency of the MSAD 28 and CSD 15 School Boards, including recording and/or livestreaming of meetings.”

The e-mail and attachments were sent to Town Counsel, Phil Saucier for his review, for no other reason, than to get a determination of does the “Town” have any “standing” in this question?

Included in your packet is a brief opinion from our lawyer which basically says that the School Board and decisions surrounding school issues are entirely separate from Town functions as they are a duly elected body and separate from the functions of town government.

That said, you could weigh in on an advisory basis, if you had concerns, but as such there is no legal requirement that the School Board follow them.

*No recommended motion.*
g. Discuss status of Select Board representation on the Middle School Building Committee

Manager’s Comments- Included in your packet is a copy of an e-mail received from Matt Dailey the School Board Chair notifying Ken that he (Matt) was revoking Select Board member Owen Casas’ membership on the Middle School Building Committee.

After consultation with Town Counsel, who conferred with the School District lawyer, it appears that the authority to remove a member of an ad-hoc committee of the School Board rests solely with the School Board itself and not with the chair.

The School Board will be discussing the proposal for removal, at their regularly scheduled meeting on December 20th. At which point, if the decision is to remove him from the committee, they would likely be asking for another representative to serve which you would be asked to submit another name at the January 8th meeting of the Select Board.

No suggested motion
h. Set a date for a meeting with the Library committee to discuss next steps

Manager’s Comments - in my opinion the sooner this meeting is scheduled, the better. I will not be able to attend the meeting as I will be on vacation, but at this point, I am not necessary for the decisions that you have to make. I will provide a memo with further details about the topic, for the meeting.

In my opinion, it is critical that you put the location question to bed, once and for all. It has been lingering for years. There have been numerous attempts to settle this and ultimately it is a board decision. The Board has made a decision on the location at a previous meeting. That vote stands, unless you vote to change it.

Nothing in the research shows that there is a clear preference of, one over the other. When asked to choose, 19% of those responding, were firmly in favor of Limerock, 19% firmly in favor of RES and 16% were neutral. The other 46%, showed varying levels of support for one site over the other (2%-3%), with the slight edge in favor of Limerock Street. Given the outcome of the research there is not strong support for on site or another so my recommendation is to reaffirm the vote of the previous board.

The second question, that is critical is the decision on the architect. If that decision lingers until the first of the year, you may very well have missed the opportunity to have the initiative on the June ballot. If it is not on the June ballot, there is a significant risk that we will be less successful in November. This is the most important issue facing the town and has to be settled.

The first step is to set a date for the next meeting.

Suggested Motion – I move to hold a special Select Board meeting to discuss the Rockport Public Library on __________________ at 7 pm in the Parker Meeting room at the Rockport Opera House.
i. Vote to remove the requirement for provider agencies to circulate petitions in order to be eligible for consideration of funding.

Manager’s comments- As was part of the pre-budget workshop discussion held on ??????? with members of the Budget Committee, the committee was recommending that the petition requirements for provider agencies to be considered for funding be removed. The rational being that many of the people on the petition would be recipients of service from those very agencies and it was unfair to have their names become part of the public record.

Suggested Motion - I move to remove the requirement for provider agencies to circulate petitions in order to be eligible for consideration of funding as part of the Town’s budget process.
j. MRC Board of Directors Election Ballot

Manager’s Comments - included in your packet is a copy of the ballot for the MRC Board of Directors. While we will no longer be members after June 30, 2018 we still should submit a ballot. Where there are just 3 names presented for three positions, unless there is objection to any of the names the Board should just approve the slate as presented.

Suggested Motion - I move to approve the slate of Director candidates as presented.
VII. Wastewater Commissioners

None this meeting
VIII. Liaison Reports
IX. Executive Session

None this meeting
X. Adjournment