

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
MONDAY, FEBRUARY 10, 2020  
6:30 P.M.**

**GEOFFREY C. PARKER COMMUNITY MEETING ROOM  
ROCKPORT OPERA HOUSE**

Present: Chair Debra Hall, Vice Chair Denise Kennedy Munger, Douglas Cole, Jeffrey Hamilton and Mark Kelley. Also, present: William Post, Town Manager, Linda M. Greenlaw, Town Clerk; Jason Peasley, Fire Chief; Eric Winters, Paul Charbonneau, Jan Rosenbaum, Sandra Fabian, Amanda Roberson Austin, 2A Architects, Bill Lane, Gartley and Dorsky, the press and members of the public.

**I. CALL MEETING TO ORDER – Chair Hall called the meeting to order at 6:30 p.m.**

**II. SPECIAL RECOGNITION (ROCKPORT PARKS AND BEAUTIFICATION COMMITTEE) – This item was deferred to April**

**III. EMERAD ASH BORER PRESENTATION**

This item was presented by Jan Santerre, Program Director, Project Canopy (Urban & Community Forestry), Maine Forest Service and Department of Agriculture Conservation and Forestry and Colleen Teerling, Forestry Entomologist.

Ms. Santerre stated that the Emerald Ash Borer (EAB) is spreading slowly north. It is spreading quickly in the York area. The EAB affects ash trees and destroys them. Ms. Santerre also discussed the brown tail moths stating that there are fifty to four hundred in each little nest that are visible in the treetops. The webs should be cut out of the trees and burned or put in soapy water. Citizens can call 211 or visit the state's website for answers about brown tail moth and emerald ash borer. There is a list of licensed arborists that will handle these pests and grants that are available through Project Canopy for municipalities.

Select Board Member Hamilton asked what the Town should be doing to inform residents or to help control these pests.

Ms. Teerling suggested using pesticides. EAB spreads a half mile a year on its own. There are downloads available on the state's website to get more information and they have brought materials for the Town to distribute.

**IV. TOWN MANAGER'S REPORT/UPDATE**

Town Manager Post stated that the website for the Town Office and the Opera House both need to be redesigned.

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The Town is currently working with a local arborist regarding the brown tail moths in the trees at Walker Park and the Marge Jones Recreation Fields. He will provide an update when he has it on this project

The Town received five bids for the Seawall Reconstruction at Walker Park ranging from \$39,000 to \$74,500. The engineer is reviewing the bids and the bidders to determine a recommendation.

Select Board Member Kelley asked if there were any bids from any Rockport businesses.

Town Manager Post stated that there was one. There will not be any increase in cost if we put off the work until the fall and so the project funds can be included in the FY21 budget.

Town Manager Post stated that Police Officer Jonathan Poole resigned effective today.

Chair Hall asked for a listing of the legislative bills affecting municipalities.

**V. PUBLIC INPUT ON NON-AGENDA ITEMS – None this meeting**

**VI. AMENDMENTS TO THE AGENDA – None this meeting.**

**VII. CONSENT AGENDA**

- a. Opera House Committee Bylaws
- b. Budget Committee Resignation
- c. Meeting Minutes
  - January 27, 2020

**Board Member Cole moved that the Board approve the consent agenda as presented. Board Member Kelley seconded the motion. VOTE: 5 FOR - 0 OPPOSED**

**VI. ACTION ITEMS**

**a. Act on Rockport Parks and Beautification Committee Application**

Applicant, Eric Winters gave a few statements regarding his application for the Parks and Beautification Committee. Mr. Winters stated that he has lived in Rockport for 20 years, has a six-year-old daughter and works at Cedar Works. He was approached by Haunani Wallace, Chair of the Rockport Parks and Beautification Committee and she recommended that he apply for the opening that they have on the committee. Mr. Winter stated that he loves being outside and has an interest in open space and would like to see the revitalization or replacement of playground equipment at Walker Park.

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**Board Member Kelley moved that the Board appoint Eric Winters to the Parks and Beautification Committee with a term ending June 30, 2021. Board Member Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED.**

**b. Act on Comprehensive Plan Committee Application**

The Manager stated that there is one opening on the Comprehensive Plan Committee for a resident and there are three applicants.

Chair Hall stated that Jerod Cronkite was not able to attend the meeting tonight. He does currently serve on the Budget Committee and the Investment Committee.

Applicant Paul Charbonneau stated that he has a long history with dispute resolution, mediation, collaboration and cooperation. He believes that it is important to be impartial and neutral. Mr. Charbonneau has served on the Library Committee and the Friends of the Rockport Library, and has been a resident for 45 years.

Select Board Kelley stated that Mr. Charbonneau has lived in Rockport a long time and he asked him to help with the Comprehensive Plan.

Applicant Jan Rosenbaum stated that he has lived in Town for 22 years. He has served on the Friends of the Rockport Library and the Budget Committee as chair. Mr. Rosenbaum stated that the current comprehensive plan is six years out of date and should have been redone in 2014. He stated climate change is an issue that needs to be reviewed. The Town should reevaluate long-term plans for the harbor and real estate. He stated that he is interested in a plan that finds the right balance between growth and the present.

Board Member Hamilton stated that he had recruited Jerod Cronkite.

Board Member Cole stated that he is pleased with all the applicants.

Vice-Chair Munger stated that she is struck with Mr. Rosenbaum's thoughtfulness on climate change.

**Board Member Kelley moved that the Board appoint Paul Charbonneau to the Comprehensive Plan Committee. Board Member Hamilton seconded the motion. VOTE: 3 (KELLEY, HAMILTON AND HALL) FOR – 2 OPPOSED (MUNGER AND COLE)**

Chair Hall asked Mr. Rosenbaum if he would be willing to play a role in assisting the committee. He responded that he is available if asked.

**c. Act on Pesticide Advisory Board Application**

Applicant Sandra Fabian stated that she is a relatively new resident. She has lived in Rockport for four years and is a member of the Rockport Garden Club. She stated that

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she has a master's degree in public health with an environmental focus and she is interested in protecting public health, managing pests and to do so with respect to the environment. She stated that she believes her education and background will be of value.

**Board Member Cole moved to appoint Sandra Fabian to the Pesticide Advisory Board. Board Member Hamilton seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**d. Act on Request for Speed Limit Study for Rockland Street (Route 17)**

Town Manager Post stated that he had received a request of a speed reduction for Route 17 (Rockland Street) near the Route 90 intersection. The resident requests that the speed limit be 35 miles per hour by the West Rockport Post Office, increase to 45 miles per hour before Vinal Street and then to 50 miles per hour at Meadow Street to the Rockland city line. The Manager stated that this would match the speed limits on the west side of the Route 17/90 intersection.

Board Member Kelley stated the speed was supposed to be the same on both sections of Route 17. People travel faster than they are supposed to.

Town Manager Post stated the State of Maine Department of Transportation said that they will do a study if requested at this location but may look at both sides of the intersection.

**Board Member Hamilton moved that the Board direct the Town Manager to ask the State to conduct a speed study on Rockland Street near the Route 90 intersection as requested by a resident. Board Member Cole seconded the motion. VOTE: 5 FOR - 0 OPPOSED**

**e. Act on Town of Rockport Emergency Operations Plan**

Town Manager Post stated that this is the annual approval of the Emergency Operations Plan by the Select Board. The plan has been reviewed by the Safety Committee.

Board Member Hamilton stated that often in the plans it refers to a position and not a person.

Board Member Cole stated that he would like to see the ham amateur radios memorialized in the plan. The equipment is at the Town Office and he would like to see the equipment used during drills.

Town Manager Post stated that the radios are ready to go. Someone on staff will be trained to operate the ham radio as well as utilizing local ham radio operators.

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**Vice-Chair Munger moved that the Board approve the Town of Rockport Emergency Operations Plan, as amended on February 10, 2020. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**IX. DISCUSSION ITEMS**

**a. 2A Architects presentation (and discussion) regarding West Rockport Fire Station with Amanda Roberson Austin**

Amanda Roberson Austin, 2A Architects LLC stated that she has been involved for two years with this project. She gave an overview of the services that will be provided, but they need the Select Board's approval in order to proceed forward. William Lane from Gartley and Dorsky will serve as the engineer on the project and was available to answer questions.

There was discussion on the process, including costs, schematic design and when to bring a new West Rockport Fire Station to the voters. Approvals will be needed by the Select Board, the voters of the Town and the Planning Board.

Board Member Kelley asked if there had been any funding allocated in the budget for engineering fees.

Town Manager Post stated that he has identified funding in the Town Manager's Office Budget. \$5,000 will come out of the contingency line to get the process started and he will budget the remainder in the FY21 budget.

Board Member Cole stated that he has seen comments questioning if Rockport really needs to build a new fire station in West Rockport, or if one station combining the two stations would be an option.

Bill Lane stated that the lot at 17 and 90 is not a big enough space for a large enough combined station. It would have to move to another location.

Fire Chief Peasley talked about the ISO rating and how it affects the resident's homeowner's insurance rates. In order to preserve the current ISO rating we need the two stations.

Bill Lane stated that the Maine Department of Transportation would not approve a bigger station at the 17 and 90 location. MDOT's access standards would preclude the Town from building a larger station in the present location under the current set of rules.

Vice-Chair Munger asked what the cost would be. Town Manager Post stated that would be determined as part of the first two tasks as outlined by 2A Architects.

There was discussion about the timeline for the project. Town Manager Post stated that there are two options for a vote: November 2020 and June 2021. He believes that it

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would be better to have the vote on the bond in June 2021 so that there is enough time for the architects as well as ensuring the process is transparent and enough information is presented to the public. He also pointed out that 2A Architects have given the town a 30% discount on their fees.

By consensus, the Board agreed to move forward with the design with 2A Architects. The Board's consensus was to target a June 2021 ballot measure.

**b. Discuss Short-Term Rental Regulation Timeline and Process**

The Manager presented a timeline for staff to research the issue of short-term rentals, develop draft ordinances and/or regulations, present to the Select Board and public for feedback, and return with revised documents for a potential vote in November 2020.

See attached timeline.

**X. ANNOUNCE FUTURE MEETINGS, OFFICE CLOSURES, ETC.**

- February 17, 2020 – Town Office Closed – President's Day
- February 19, 2020 – Budget Review Meeting – 5:30
- February 24, 2020 – Budget Review Meeting - 5:30 (in place of Select Board Meeting)
- February 27, 2020 – Budget Review Meeting – 5:30 (Richardson Room if Planning Board Meeting)
- March 2, 2020 – Candidate Nomination Papers Available at the Town Office
- March 3, 2020 – Presidential Primary Special Referendum Election

**XI. SELECT BOARD LIAISON REPORTS**

Board Member Cole stated the Planning Board will meet on February 27<sup>th</sup> and will have a hotel parking discussion with the ZBA ruling as reference. The Investment Committee did not meet. The Parks and Beautification Committee will meet Wednesday with a preliminary design from the landscape architect. On March 10<sup>th</sup> the landscape architect will finalize the plan and then it will go to the Select Board for approval.

There was a Board discussion about the present mowing contracts, the change to the intersection by the library and parking issues.

Board Member Hamilton stated that the Harbor Committee met and discussed leases and online mooring issues with boat registrations. The Capital Improvement Plan Committee will meet in April and the CR Pathways Committee will meet on the 6<sup>th</sup>.

Board Member Kelley stated that the Conservation Commission is discussing Brown Tail Moths and the Emerald Ash Borer.

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Board Member Kelley would like to see a resolution for the salting and sanding of the sidewalks. Town Manager Post stated that he and Public Works Director Young are working on a resolution for maintenance of the sidewalks as only snow removal is covered under the current contract.

Vice-Chair Munger stated that the ZBA will be meeting on Wednesday at 5:30 p.m. The Opera House Committee will meet on Thursday. Legacy Rockport will meet on February 18<sup>th</sup> and have a presentation about the Lime Kilns.

Chair Hall stated that the RES Development Committee met on January 30<sup>th</sup>. She was not able to attend that meeting, but they will be meeting again on March 19<sup>th</sup>. The EMS Performance Review Committee's meeting was postponed because of weather and has not been rescheduled. Midcoast Solid Waste Corporation Board will meet tomorrow night in Executive Session to discuss personnel.

**XI. ADJOURNMENT**

**At 8:30 p.m., Board Member Cole moved to adjourn the meeting. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED.**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY

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**Short-Term Rental Regulations  
Process & Timeline**

<u>Date</u>	<u>Item</u>
March to May regulations,	Staff Research other municipalities permit structure, ordinances
May 11 receive	Staff present research to Select Board and direction
May 12 – June 1	Staff prepare draft regulations
June 8 SB	Staff present draft regulations/ordinance to SB
July 13 regulations	Workshop/public hearing on draft
July 14 – August 1 further	Staff make changes after public comments, SB direction
August 10	2 <sup>nd</sup> and final workshop/public hearing
August 10	Select Board vote to approve regulations/ordinance and place on November ballot
August 11	Ballots ordered
October 3	Absentee ballots available
November 3	Election/Special town meeting