

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, MARCH 9, 2020 at 6:30 P.M.
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE**

Present: Chair Debra Hall, Vice Chair Denise Munger, Douglas Cole, Jeffrey Hamilton and Mark Kelley. Also, present: William Post, Town Manager, Linda M. Greenlaw, Town Clerk; Michael Young, Public Works Director, Lynda Clancy, 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. TOWN MANAGER’S REPORT/UPDATE

Town Manager Post stated that the new LED streetlights have been ordered and will be installed in April or May. Two citizen’s petitions to amend the Land Use Ordinance have been circulating and if they receive the required number of signatures, the Board will need to place the articles on the town meeting warrant and the Planning Board would need to hold a public hearing. That public hearing could be scheduled for April 2nd. The Town has received an estimate from Tree Works regarding trimming trees at the Marge Jones Recreation Fields to remove the brown tail moth nests. The house on Sea Street by Walker Park has demolished as the contractors prepare to repair the private section of the seawall. The Budget Meeting will be held tomorrow night at 5:30 p.m. in the Richardson Room at the Town Office. It will not be livestreamed.

Chair Hall read a statement, regarding the hotel being proposed for downtown, that she had prepared and stated that it was on her behalf and not that of the Select Board.

III. PUBLIC INPUT ON NON-AGENDA ITEMS

Lynda Clancy, Legacy Rockport Committee member and part of the planning committee for the Maine Bicentennial reported on the events scheduled for Sunday, March 15th. The day will start with a walk to the Beech Hut, then a luncheon at the Masonic Lodge sponsored by the Simonton Corner ,association ending with a supper at the Opera House catered by Café Miranda, music by Miner’s Creek and the High School Brass Ensemble. Kerry Hardy will speak about ancient Indians regarding Rockport history and Ed Sheridan will speak about the lime kilns. Tickets are available at the Rockport Town Office.

Board Member Cole spoke about the coronavirus. The area hospital, PBMC is ready to care for our residents. There are two great doctors that live in Rockport, Dr Liechty and Dr Eggena, both of whom specialize in infectious disease control. The best advice is to wash your hands, cough in your elbow, if you are sick stay home and if you have a fever, cough or difficulty breathing call your primary physician or the emergency department.

Chair Hall stated the there is a PAWS Clinic providing a wellness clinic for pets free of charge for those in need.

IV. AMENDMENTS TO THE AGENDA –

Board member Cole asked that a donation for the Memorial Park be added under action items.

V. CONSENT AGENDA

- a. Committee Bylaws:
 - Zoning Board of Appeals
 - Board of Assessment Review
 - Investment Committee
 - Capital Improvement Committee
- b. Committee Resignation(s)
 - Stephanie Kimble – Budget Committee
 - Richard Lermond – Rockport Parks and Beautification
- c. Meeting Minutes
 - February 10, 2020

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

VI. ACTION ITEMS

a. Act on Committee Application(s)

It was reported that Heidi Baker would not be attending the meeting as she has sick children at home.

Board Member Cole moved that the Board appoint Heidi Baker to the Camden-Rockport Pathways Committee for a term ending June 30, 2023. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED.

Vice Chair Munger moved that the Board appoint Laurie Smith to the Parks and Beautification Committee for a term ending June 30, 2022 and Janice Baldwin for a term ending June 30, 2023. Board Member Kelley seconded the motion.

Janice Baldwin stated that Board Member Cole asked her to put in her application. She said that she loves plants, gardening and landscape design.

Laurie Smith also stated the Board Member Cole asked her to put in her application. She stated that she has lived in Rockport for forty years and likes the progress that has been completed by the committee and wants to give back to the town.

Chair Wallace of the committee stated that if they are willing to roll up their sleeves and dig some holes the committee would be pleased to have them as members.

VOTE: 5 FOR – 0 OPPOSED

b. Act on Contracts Between the Town and Phi Builders and Architects for Intersection Improvements, Parking and Lower Level Upgrade

Vice Chair Munger moved that the Board approve the contracts by and between the Town and Phi Builders and Architects for the Intersection Improvements, Parking and Lower Level Upgrade as presented. Board Member Kelley seconded the motion.

Town Manager Post reported that the first contracts should have been acted on a long time ago. The contracts have been reviewed by several attorneys.

Board Member Cole stated that he had mixed feelings and assumed that we have talked about any changes that are in the contracts.

Town Manager Post stated that the contracts were based on the stream rehabilitation contracts that was previously approved by the Board. The cost of the parking project is included in the library construction contract. The intersection is a separate item.

Chair Hall stated that she agreed and that any funds left over should to go towards the parking.

VOTE: 5 FOR – 0 OPPOSED

c. Act on Use of Opera House Reserve Fund for Fire Alarm System Upgrade

Town Manager Post stated that a quote was provided in 2018 and the upgrade needs to be completed as recommended by the State Fire Marshall.

Board Member Hamilton moved that the Board approve the fire alarm system upgrade at the Opera House for the amount of \$18,949.39 with funding from the Opera House Reserve Account. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

d. Act on Use of Town Office Building Reserve Fund for Fire Alarm System Upgrade

Town Manager Post stated that the system is twenty years old and there haven't been any upgrades just repairs as needed. Quotes were provided in 2018 but the work was never completed. The funding would be from the Town Office Building Reserve Fund. The upgrade is for the safety of the public and employees.

Board Member Kelley moved that the Board approve the fire alarm system upgrade at the Town Office for the amount of \$5,693.58 with funding from that Town Office Building Reserve Account. Board Member Cole seconded the motion. VOTE: 5 FOR - 0 OPPOSED

e. Act on Addendum to Agreement by and Between the Town and Northeast Mobile Health Services

Town Manager Post stated that the addendum to the contract extends the contract one year to expire on June 30, 2021. Changes are an increase in the contract amount to a 3% cap and the response time to be defined as the total time from when calls are dispatched to the time the ambulance arrives at the scene and increasing the response time by two minutes.

Board Member Hamilton moved that the Board approve the Addendum to the Agreement by and between the Town and Northeast Mobile Health Services as presented. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

f. Act on Approval of Lease/Purchase Agreement for Streetlight Project

Town Manager Post stated that the motion needs be read and approved as provided by counsel.

Board Member Cole asked if #3 could be changed.

Town Manager Post stated that it could not be changed as we are already locked in.

Board Member Kelley moved that the Board find:

- 1. That a Capital Acquisition Project (the “Project”) consisting of the Lease Purchase of new streetlights and related equipment, is hereby approved; and**
- 2. That the financing for the Project in the principal amount of \$300,000 is awarded to Androscoggin Bank at an interest rate of 2.98%; and**
- 3. That the Town Manager is hereby authorized to execute a Lease Purchase Agreement for the Project, and all other documents reasonably necessary to accomplish the purpose of this vote in his capacity as Town Manager or in his capacity as Town Treasurer, as the documents may require; and**
- 4. That the Select Board hereby confirms its determination that the term of the Lease does not exceed 120% of the economic life of the Project; and**
- 5. That said Lease is hereby designated a “bank qualified tax-exempt obligation” of the Town for the 2020 calendar year under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. Board Member Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

g. Act on Acceptance of Donation for Memorial Park

Board Member Cole reported that a donation of \$10,000 had been made to the Town for Memorial Park. He stated that he had been worried about the funding for the project. He hopes that this will stimulate others to donate money towards the project.

Board member Cole moved that the Select Board accept the anonymous donation of \$10,000 to the Parks and Beautification Reserve Fund. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VII. DISCUSSION ITEMS

a. Discuss Infrastructure Bond Project Schedule and Timeline

Rockport Select Board Meeting Minutes
Monday, March 9, 2020

Town Manager Post handed out documents that described the projects showing a timeline and the order of priorities. Please see attached Infrastructure Bond Project List and Timeline.

Some of the road work will be handled by the Town's Public Works Department and other work will be done by contractors. For road work the following was reviewed:

Project #1 (Old Rockland Road) will be bid out as it needs engineering and includes a complete reconstruction of the road. Last October there was discussion about the sidewalk by the church in Rockville. It was determined that the sidewalk would be rebuilt from the church to Gurney Street. Depending on cost, the sidewalk may be a regular asphalt curb, raised sidewalk or it may be a paved shoulder that will be marked as a bike/ped lane. The Town of Rockport will send out letters to the neighboring residents when the work is to be done.

Project # 5 (Gurney Street/Mill Street), the Town is hoping to be working on Mill Street with Rockland where there is a section of the road near the intersection of the Bog Road that is located in Rockland

Project #6 (Camden Street), the Town will be checking with Camden to see if they will be willing to pave their section of Camden Street when Rockport's part of the street is paved.

Board Member Cole stated that he felt that it is very exciting for the Town to be able to get a huge part of the Town roads paved.

Board Member Hamilton stated that he would also like to thank the Capital Improvement Committee and the Pathways Committee for their part in the project.

Town Manager Post then reviewed the other infrastructure projects to be done.

Priority #1 (Town Pier) will take some engineering work and may be started in the late fall.

Priority #2 (Public Safety Building Parking Lot Paving) is more involved than simply repaving as the base near the bay doors at the Public Safety Building is rutted and cracked. It needs placement of under drainage to connect the building downspouts. The driveway will be repaved.

Priority #3 includes the exhaust removal system at the Public Safety Building and Public Works Building and that will be completed in 2020.

Priority #4, the fire suppression system for the Town Office Vault will also be completed in 2020.

Priority #5, the harbor paving project involves correcting drainage issues and realigning the parking area in front of the building and then repaving, and another power pedestal will be placed where a pad will be constructed for a food truck.

Priority #6, regarding sidewalks will be done next year.

Board Member Cole stated he is disappointed that this project is being kicked down the road. "Can we fast track the Main Street project?"

Town Manager Post responded that it might be possible. Engineers are working on the possibility of construction of the sidewalk from Summer Street to the Fire Station and then to the Town Office.

Priority #7 (Town Office Parking Lot Paving) will be done in 2021.

Board Member Kelley stated that he appreciates the ability of the Town Manager and Public Works Director Young to pull the projects all together.

Public Works Director Young remarked that the weather has been good, and the crew has been able to get an early start by clearing brush and trimming trees along the road projects.

b. Discuss Fireworks Draft Ordinance

Chair Hall talked about the petition that the Town received in regard to banning fireworks. There were not enough certified signatures or proper wording to place the item on a ballot. The Board tasked the Town Manager with drafting an ordinance and that is what he did.

Vice Chair Munger stated that it looks like the Board is recommending an ordinance.

Board Member Hamilton stated that the Board asked the Town Manager to draft an ordinance. He stated that he does not like the part of the ordinance that states that the Board determined that fireworks pose a threat to the public health, safety and welfare. The Manager stated that the state law dictates that language if the Board is to draft an ordinance banning fireworks.

The Board discussed what they wanted to see about a ban on fireworks.

Board Member Hamilton stated that the Town Manager had delivered what the Board had asked for.

Board Member Cole asked if they should do a straw poll.

Town Manager Post stated that it is possible to have a non-binding question on the ballot.

Board Member Kelley stated that it might be better to have the question on the November ballot as there will be a higher turnout.

Town Manager Post stated that he could draft a non-binding referendum question and have the Town Attorney review it and then have the Board discuss it.

The Board agreed to a non-binding question on the ballot regarding fireworks in Rockport.

VIII. ANNOUNCE FUTURE MEETINGS, OFFICE CLOSURES, ETC.

- March 10, 2020 Budget Review Meeting - 5:30 p.m. (RR) SB invited
- March 18, 2020 Select Board Budget Workshop 5:30 (GCPR)
- March 23, 2020 Regular Select Board Meeting (GCPR)
- March 24, 2020 Budget Committee Meeting 5:30 p.m. (GCPR) Consensus Votes
- April 10, 2020 Candidate Nomination Papers Deadline

IX. SELECT BOARD LIAISON REPORTS

Board Member Cole stated the he did not attend the Library Committee meeting. The Investment Committee report is history now. The Parks and Beautification Committee will be meeting on Wednesday with the landscape architect for discussion of landscaping of the library grounds. The Parking Working Group will be meeting on Friday the 13th at 10 a.m. The traffic at the intersection by the Library has been rerouted.

Vice-Chair Munger stated that the Opera House Committee met on Thursday. Legacy Rockport will meet next Monday, and the Board already had a report on the Maine Bicentennial Celebration from Lynda Clancy. The Zoning Board Appeals did not meet. The Ordinance Review Committee met last Wednesday and will send their recommendations to the Planning Board and then to the Select Board. The Land Use Ordinance needs work, so the committee will continue working through the summer.

Board Member Kelley stated that the Parks Committee is getting ready to go out to bid for plants and flowers. The Conservation Commission will meet later this month regarding pesticides.

Board Member Hamilton stated that the Capital Improvement Plan Committee will meet in April and the Comprehensive Plan Committee will meet on Wednesday. The Harbor Committee met last week. The Recreation Committee is still trying to generate interest in that committee and to involve new members.

Chair Hall report that the facility manager at Midcoast Solid Waste had resigned. The job has been reposted. The Committee has received two, maybe three good candidates. The deadline will end soon. Operations are running fairly well. David St Laurent is the intern manager. He worked in Rockland at their transfer station and is presently Camden's Public Works Director. MCSW employee Jim Annis is still in rehab recovering from his injuries and the Board wishes him well.

She thanked Stevie Kumble, Budget Committee and Richard Lermond, Parks Committee for their service on their respective committees.

XI. ADJOURNMENT

Rockport Select Board Meeting Minutes
Monday, March 9, 2020

At 8:08 p.m., Vice Chair Munger moved to adjourn the meeting. Board Member Hamilton seconded the motion. **VOTE: 5 FOR – 0 OPPOSED.**

Respectfully submitted,



LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY