

**ROCKPORT SELECT BOARD
MEETING MINUTES
MONDAY, MARCH 23, 2020
SELECT BOARD WORKSHOP - 5:30 P.M.
REGULAR SELECT BOARD MEETING IMMEDIATELY FOLLOWING WORKSHOP
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE**

Please note: Due to pandemic, the Select Board has been authorized by the state to meet remotely. At this meeting, a conference line has been set up and can/will be used by members that wish to call in and participate. Public comments or questions should be sent to the Town Manager at wpost@rockportmaine.gov or can be provided remotely through the livestream of the meeting.

Present: Chair Debra Hall, Vice Chair Denise Munger, Douglas Cole, Mark Kelley and Jeffrey Hamilton (Remotely). Also, present: William Post, Town Manager and the camera person.

I. CALL MEETING TO ORDER – Chair Hall called the meeting to order at 5:57p.m.

II. TOWN MANAGER’S REPORT/UPDATE

Town Manager Post stated that Finance Director Brackett is available by phone during this meeting. The Manager has two different shifts working on alternate days at the Town Office and Public Works and he is working to keep everyone well. Everything is being sanitized in between the two shifts.

The emergency legislation recently approved allows for the postponement of the Town Meeting date. This will allow for holding public hearing on ordinance amendments and the two citizens’ petition and he recommended that the Board does postpone Town Meeting to a date uncertain. He stated that the Board does not have to vote on this as the Town has not posted the warrant yet, but it would be helpful.

Town Manager Post stated that there have been many questions on postponing the real estate tax due date of April 15th or deferring interest on property taxes. The legislation did not address this issue, so the Town is tied to the Town Meeting vote that set the tax due dates with interest to accrue the next day. He stated that counsel said that a way around that would be to have the Board move to delay the due date and the interest date and then having an article on the Town Meeting Warrant simply to ratify that decision so that the legislative body at Town Meeting could ratify that decision.

Vice Chair Munger asked if the Town needs the tax money to pay the bills. Town Manager Post replied that the Town needs the money and that is one reason the Town needs to increase the unassigned fund balance. The Town’s cash flow would be hampered if collecting taxes is delayed. The mortgage companies have been sending in tax money for their mortgage holders.

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Vice Chair Munger asked if this could be handled on a case-by-case basis. Town Manger Post replied that he would not recommend that tactic as it could cause concerns.

Board Member Kelley stated that the dates are set at Town Meeting by the voters.

There was Board discussion on the fact that the school payment of almost a million dollars needs to be paid each month.

Board Member Cole stated that he knows it is important to keep the cash flow moving and that he understands that some people may be strapped, and they could approach the Town. He feels that the Town should try to keep our finances going as planned.

Chair Hall stated that she has been approached by several business that have been really strapped, and close to bankruptcy. Her heart goes out to them, but the Board needs to continue to fund the Town's financial obligations. It would be great if this could be done on a case-by-case basis.

Town Manager Post stated that there is always the poverty abatement process. It is difficult not knowing what is going to happen with the federal and state government. He feels that it is best that the Town continue as normal for now so the Town bills can be paid. Hopefully, there will be help from the federal or state government for those people who need the help. He stated that he will continue to monitor the situation.

Town Manager Post stated that the Town has received the Government Finance Officer's Association's Distinguished Budget Presentation Award again. This is the third year. Congratulations to Megan Brackett and Molli Bennett in the Finance Department.

The Police Department's Administrative Assistant, Craig Cooley, resigned on March 10th. The position was posted internally for the Administrative Assistant for the Code Office, Assessing and Police Department and after a thorough vetting, Mandy Marriner-Everett has been hired for that position. That decision was affective last Friday.

Board Member Kelley asked if there was going to be recognition for a twenty plus year employee.

Town Manager Post stated that yes, the Police Department would be doing something in conjunction with the Town.

Board Member Cole asked if there a way that we can make the Manager's Report more efficient by not having the Manager's Report read since it is in writing and is on the web.

Board Member Hamilton stated that he appreciates the Town Manger reading the report and that the Town Manager adds to them in the meeting, so he personally appreciates the report at the meeting.

III. PUBLIC INPUT ON NON-AGENDA ITEMS

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Town Manager Post stated that there are no comments on the livestream or by email at this point.

IV. AMENDMENTS TO THE AGENDA

Chair Hall suggested the following be added under action items: Board ratify the votes taken in the workshop, Board postpone the Secret Ballot and Town Meeting and to remove from the consent agenda the ORC Bylaws because she thinks they need to be edited from what is presented.

Vice Chair Munger moved we amend the agenda along the lines that Chair Hall just proposed. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

V. CONSENT AGENDA

- a. Committee Bylaws Ordinance Review Committee
- b. Quit Claim Deeds
- c. Resignation MCSWC Board – Owen Casas

Board Member Cole moved that the Board approve the consent agenda with the exception of the Committee Bylaws of the Ordinance Review Committee. Board Member Kelley seconded the motion. VOTE: 5 FOR - 0 OPPOSED

Chair Hall stated that she proposes that the Board vote on these three items first on the agenda. The first is to ratify the votes that were taken during the budget workshop.

Vice Chair Munger moved that the Board ratify the votes taken by the Board at the Budget Workshop. Board Member Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Chair Hall moved that the Board postpone the Secret Ballot and Town Meeting from June to an undesignated date. Board Member Kelley seconded the motion.

Board Member Cole wondered if he and Board Member Kelley could vote on the motion because it keeps them in office longer than their term.

Town Manager Post stated that there is a date in the emergency legislation that the Town must hold a Town Meeting by, which he believes is January 2021 and the Town Charter states that all officers are to stay in their offices until a successor is elected.

Board Member Hamilton stated that he feels it should have been in the motion to include extending the workshops and the public meetings associated with town meeting.

Chair Hall made a motion to amend the motion to postpone the Secret Ballot and the Town Meeting and all the associated public hearings for committees that are necessary thereto, to a date uncertain. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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Chair Hall stated that the Ordinance Review Committee Bylaws should be edited in her opinion. She recommended edits as follows:

- Page one, last paragraph under membership, the bylaws state that committee members may attend meetings in person or by conference call. This should be clarified as those members on conference calls do not count toward a quorum or voting.
- Page two, section 6, bylaws state a quorum shall consist of a majority and that any action by the committee shall require the affirmative vote of a majority but it doesn't refer to the number that constitutes a quorum, but the bylaws do state in the first sentence, "physically present". The bylaws discuss a quorum but do not state a quorum is a number of those members voting unless you are physically present. She noted that the Parks & Beautification Committee Bylaws in section 5, second paragraph states that members may participate in a meeting by electronic means but not vote or be considered part of the quorum unless physically present. Chair Hall proposed that sentence be added under section 6 as a second paragraph of the ORC Bylaws and then under membership the third paragraph, delete the first sentence that states that "committee members may attend meetings in person or by conference call."

Vice Chair Munger asked if they should edit the first sentence under section 6 that would say that a quorum shall consist of a majority of the Committee.

Chair Hall stated that the word "physically" could just be deleted.

Board Member Cole moved the Board adopt the language as recommended by Chair Hall. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VI. ACTION ITEMS

a. Act on Rockport Parks and Beautification Committee Bylaw Changes

Board Member Kelley questioned section two, membership and section five, participation, voting and decisions.

Board Member Hamilton stated that under the bylaws alternate members are non-voting.

The Board discussed how many members are required for a vote and asked about alternate members.

Board Member Hamilton stated that maybe this is a good point in time to change section two where it states that the committee shall consist of nine members to stating membership with nine sitting members and up to five alternates. Then have section five state when alternates are allowed to vote.

Vice Chair Munger wondered if the bylaws already say that.

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The Board expressed concern regarding inconsistencies with other bylaws that have already been approved.

Board Member Cole stated that it is critical to pass the bylaws in order for the Committee to be able to conduct business. They have been having a problem with having a quorum at the meetings and therefore they cannot conduct business.

There was more Board discussion about alternates being able to participate in the meetings, but they don't get to vote unless one of the standing members is missing.

Board Member Cole moved that the Board approve the Parks and Beautification Bylaws be amended to state in Section 5, the second paragraph to “members, including alternates, may participate in a meeting by electronic means, but not vote or be considered part of a quorum unless physically present. Alternates may participate in any meeting but shall not be included for a quorum or voting purposed except in the absence of a regular member.” Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED.

b. Act on Committee Application(s)

- **William Frohlich – Rockport Parks and Beautification Regular Member**
- **Sally Cook – Rockport Parks and Beautification Alternate Member**
- **Amy Jenner – Rockport Parks and Beautification Alternate Member**
- **Gretchen Leone – Rockport Parks and Beautification Regular to Alternate Member**

Board Member Cole moved that the Board appoint William Frohlich to the Parks and Beautification Committee as a regular member for a term ending June 30, 2023. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Board Member Hamilton moved that the Board appoint Sally Cook to the Parks and Beautification Committee as an alternate member for a term ending June 30, 2023. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Board Member Kelley moved that the Board appoint Amy Jenner to the Parks and Beautification Committee as an alternate member for a term ending June 30, 2023. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Board Member Hamilton moved that the Board appoint Gretchen Leone to the Parks and Beautification Committee as an alternate member for a term ending June 30, 2021. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Chair Hall explained that the applicants are not present tonight which is not our usual procedure. Town Manager Post stated that they were asked to not attend because of the virus.

c. Act on Approval of FY 2021 Municipal Budget

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Town Manager reminded the Board that they had already approved this item at the end of the consent agenda by ratifying the votes that were taken on the budget in the workshop prior to this meeting.

d. Act on Appointment of Select Board Representative to MCSWC Board

Chair Hall stated that she had asked Vice Chair Munger to join the MCSWC as she has a lot of knowledge and background on the subject.

Chair Hall moved that the Board appoint Denise Munger to the Midcoast Solid Waste Corporation Board of Directors for a term ending June 30, 2020. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

e. Consideration of Appointment of Additional Comprehensive Plan Committee (from prior committee)

Chair Hall stated that she had been contacted by Richard Remsen and he asked to be considered as an additional member to the Committee. Richard said that he had been on the committee in 2004 when the Comprehensive Plan was revised and again on the group that finished its work a couple years ago.

The Board discussed that he was superb as a member and that they are pleased that he is stepping forward again.

Board Member Kelley moved that the Board appoint Richard Remsen to the Comprehensive Plan Committee. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED

f. Act on Knox County Law Enforcement Mutual Aid Agreement

Town Manager Post stated that the Town currently has mutual aid agreements with Camden and Rockland, but not a combined agreement with Camden, Rockport, Rockland, Thomaston and Knox County. This item was developed because of the pandemic we are currently experiencing.

Vice Chair Munger moved that the Board approve the Knox County Law Enforcement Mutual Aid Agreement as presented. Board Members Kelley and Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VII. DISCUSSION ITEMS

a. Review Landscape Plan for Library Site

Board Member Cole showed a copy of the plan to the audience. (See attached.) While having technical difficulties with the livestream the Board had a discussion on general items.

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Chair Hall stated that she wanted to thank Owen Casas for his years of service on the MCSWC. He put in a lot of time and effort.

Board Member Hamilton stated that the Board needs to send a thank you card to Owen Casas.

The Board discussed the scheduled Budget Committee Meeting for tomorrow evening. There would be two members in attendance and the other members would attend the meeting telephonically.

Board Member Cole reported on the five-page report received from the landscape architect. He reviewed the 10 parts of the landscape design which includes lighting, grass areas, retaining walls, benches, and the relocation of the Weidman Monuments. He explained the intersection and proposed landscaping. There are proposed gravel pathways in the upper terrace, then grass behind the building and on either side of the entryway and two islands.

Board Member Cole next explained the main entrance on Limerock Street. The concrete area will be done by Phi. Donations will pay for a paved terrace, donor bricks will go into the program space where benches will be placed in the patio area, the retaining wall and various plantings which will hopefully be donated by local nurseries. There will be a butterfly garden, privately funded and another smaller garden where the Weidman Memorial will go. Phi is getting the price on what it will cost. Donations will be needed to pay for the rest of the work.

Board Member Cole moved that the Select Board accept in concept the landscaping plan for the new library. Vice Chair Munger seconded the motion.

Board discussion ensued on plantings, lighting and installing conduit for more lighting later. Phi is getting the prices for these items.

Town Manager post stated that it is great to have a concept approved in order to find funding.

VOTE: 5 FOR – 0 OPPOSED

VIII. ANNOUNCE FUTURE MEETINGS, OFFICE CLOSURES, ETC.

- March 24, 2020 Budget Committee Meeting 5:30 p.m. (GCPR) Consensus Votes
- April 13, 2020 Regular Select Board Meeting
- April 20, 2020 Town Offices Closed for Patriots Day

IX. SELECT BOARD LIAISON REPORTS – None this meeting

XI. ADJOURNMENT

At 7:28 p.m., Vice Chair Munger moved to adjourn the meeting. Board Member Hamilton seconded the motion. VOTE: 5 FOR – 0 OPPOSED.

Respectfully submitted,

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LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY