

**- PUBLIC MEETING -  
Rockport Select Board**

Monday, April 9, 2018  
7:00 p.m.

Geoffrey C. Parker Community Meeting Room, Rockport Opera House  
Streamed at <http://livestream.com/Rockportmaine>

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**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**

Public Hearing on the proposed Warrant Articles Three (3) through Nine (9) of the June 2018 Annual Town Meeting Warrant (Land Use Ordinance amendments)

Public Hearing on proposed Warrant Article Ten (10) of the June 2018 Annual Town Meeting Warrant (Harbor Ordinance Amendment)

**III. Minutes, Meetings and Announcements**

- a. Approval of the minutes of previous meetings:
- **Monday, September 25, 2017**, meeting of the Select Board
  - **Tuesday, October 10, 2017**, meeting of the Select Board
  - **Monday, November 13, 2017**, meeting of the Select Board
  - **Monday January 8, 2018**, meeting of the Select Board
  - **Monday January 22, 2018**, meeting of the Select Board
  - **Monday February 12, 2018**, meeting of the Select Board
  - **Monday March 12, 2018**, meeting of the Select Board
  - **Wednesday March 14, 2018**, meeting of the Select Board
  - **Monday March 26, 2018**, meeting of the Select Board
  - **Tuesday March 27, 2018**, meeting of the Select Board
  - **Wednesday April 4, 2018**, meeting of the Select Board

- b. Announcements of upcoming Select Board meeting(s):
  - Regular Select Board meeting on **Monday, May 14, 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 scheduled
- 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](http://www.town.rockport.me.us)**

The Town Office will open late (at 9 a.m.) on Tuesday, April 10th so that all staff may participate in safety training between 8 and 9 a.m.

The Town Office will be closed on Monday, April 16th in observance of Patriot's Day.

Nomination papers are available at the Town Office for the following positions:

2 Select Board members, each for a three-year term (seats currently held by K. McKinley, O. Casas)

1 Select Board member for a one-year term (to fill remainder of term vacated by the resignation of T. Gray)

1 Director for the MSAD 28 School District, to serve concurrently with the CSD for a three-year term (seat currently held by M. Dietrich)

1 Director for the MSAD 28 School District, to serve concurrently with the CSD for a one-year term (seat currently held by C. Gartley)

2 Library Committee members, each for a three-year term (seats currently held by E. Haselton, C. Liechty)

3 Budget Committee members, each for a three-year term (seats currently held by B. Saltonstall, H. Shaw, P. Johnson)

The deadline for all nomination papers is 5 p.m. on Friday, April 13th. The town election will be held on Tuesday June 12th. For more information please contact the Town Clerk's office.

- e. Committee Openings:

Application for Committee Service can be found at the Town Office and on the Town Website: [www.town.rockport.me.us](http://www.town.rockport.me.us)

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

- Board of Assessment Review – no vacant seats

- Camden-Rockport Pathways Committee – 1 vacant seat
  - Capital Improvement Committee – 1 vacant seat
  - Conservation Commission – no vacant seats
  - Harbor Committee – no vacant seats
  - Investment Committee – 1 vacant seat
  - Opera House Committee – no 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**

- a. None this meeting

#### **VI. New Business**

- a. Acknowledgment of Gifts to the Town:
- none
- b. Committee Resignation(s):
- none
- c. Committee Application(s):
- none
- d. Committee Presentation(s):
- none this meeting
- e. Vote to place Land Use Ordinance Articles Three (3) through Ten (10) on the June 2018 Annual Town Meeting Warrant

- f. Recommendation votes by the Select Board on Land Use Ordinance Articles Three (3) through Ten (10) of the June 2018 Annual Town Meeting Warrant
- g. Final discussions and decisions on Budget Articles Eleven (11) through Twenty-Three (23) and votes by the Select Board to place these Articles on the June 2018 Annual Town Meeting Warrant
- h. Recommendation votes by the Select Board on Budget Articles Eleven (11) through Twenty-Three (23) of the June 2018 Annual Town Meeting Warrant
- i. Vote to place Articles Twenty-Four (24) through Thirty-three (33) on the June 2018 Annual Town Meeting Warrant
- j. Recommendation votes by the Select Board on Articles Twenty-Four (24) through Thirty-three (33) of the June 2018 Annual Town Meeting Warrant
- k. Vote to set the town meeting times as stated in the first paragraph of the June 2018 Annual Town Meeting Warrant
- l. Vote to sign the Budget Validation Referendum - MSAD #28 and Five Town CSD Warrant and Notice of Election for Tuesday, June 12, 2018
- m. Consider a proposal for mobile food truck at the harbor
- n. Vote to execute two quitclaim deeds
- o. Set a date for the annual performance review of the Town Manager
- p. Appointment of the list of Election Clerks as presented by Town Clerk
- q. Northern Border Grant Resolution

## **VII. Wastewater Commissioners**

- a. None this meeting

## **VIII. Liaison Reports**

## **IX. Executive Session**

- a. None this meeting

## **X. Adjournment**

# TOWN of ROCKPORT

## NOTICE OF PUBLIC HEARINGS

Select Board – Monday, April 9, 2018 at 7:00 p.m.  
Planning Board – Thursday, April 12, 2018 at 6:00 p.m.

at the Rockport Opera House  
6 Central Street, Rockport ME 04856

Notice is hereby given that the Select Board of the Town of Rockport will hold a public hearing on Monday, April 9 at the Rockport Opera House at 7:00 p.m. to hear public comments on, determine which of the proposed ordinance amendments to place on the Ballot for Annual Town Meeting on June 12-13, and form the Select Board's recommendations to the voters on the same.

Notice is also hereby given that the Planning Board of the Town of Rockport will hold a public hearing on Thursday, April 12 at the Rockport Opera House at 6:00 p.m. to hear public comments and form the Planning Board's recommendations on the proposed amendments to the Land Use Ordinance. A summary of all of this year's proposed ordinance amendments is provided below:

**Article # 3 – Section 200 Zoning Map.** A change to zoning district boundaries approved by the voters at the 2017 Annual Town Meeting requires an update to the Zoning Map. This proposed amendment consists of striking the current 2013 Town of Rockport Zoning Map and replacing it with the new 2018 edition; and includes clarifications of building footprint limitations in the Section 906 and 907 Mixed Business/Residential zoning districts.

**Article # 4 – Section 300 Definitions.** This proposed amendment to the Town of Rockport Land Use Ordinance (LUO) includes: revised definitions for Industrial, Medical Office, Tradesman's Shop, and other uses in Section 300 "Definitions."

**Article # 5 – Section 917 Table of Permitted Uses.** This proposed amendment to the LUO includes: the deletion of "SE" for Special Exceptions and replacement with "P" for Permitted for several Uses in the various zoning districts, meaning those Uses are now proposed to be Permitted without a Special Exception.

**Article # 6 – Section 918 Congregate Housing.** This proposed amendment to the LUO includes: a revised definition of Congregate Housing, in Section 300 "Definitions," striking the word "elderly," so that all such housing is treated equally; and a decrease in the minimum lot area required per bedroom, in the Section 918 "Dimensional Tables," to increase maximum density for such types of housing in various zoning districts.

**Article # 7 – Section 918 Multifamily Housing.** This proposed amendment to the LUO includes: a reduction of the minimum lot area per dwelling unit, in the Section 918 "Dimensional Tables" for Multifamily uses connected to public sewer, to increase maximum density of such types of housing in various zoning districts.

**Article # 8 – Section 919 Conditional Uses.** This proposed amendment to the LUO includes: the deletion and replacement of Section 703.3 "Special Exceptions," with a new Section 919 "Conditional Uses;" the removal of jurisdiction from the Zoning Board of Appeals to the Planning Board; simplified criteria for approval; and revising "SE" to read "CU" everywhere it appears on the Section 917 Table of Permitted Uses.

**Article # 9 – Land Use Ordinance.** This proposed amendment consists of minor "clean up" editing throughout the LUO.

**Article #10 – Harbor Ordinance.** This proposed amendment to the Town of Rockport Coastal Waters and Harbor Ordinance includes: a change to allow "Special Exceptions" from certain requirements upon a recommendation from the Harbor Committee and approval by the Select Board; and minor revisions throughout.

All are welcome to attend these public hearings and/or to provide comment on the proposed amendments. Printed copies of the proposed ordinance amendments are on file in the Town Clerk's Office at the Rockport Town Office located at 101 Main Street, Rockport ME 04856 and are available for public inspection during normal business hours. Readers finding this Notice on the Town's website may also scroll down from here for a complete set of the proposed ordinance amendments.

If you require assistance to participate, please do not hesitate to contact us so that appropriate arrangements can be made on your behalf. Questions or comments may be directed to James P. Francomano, Executive Director at the Mid-Coast Regional Planning Commission by email to [mcrpc@midcoast.com](mailto:mcrpc@midcoast.com) or by phone at 594-2299.

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
TUESDAY MARCH 27, 2018  
IMMEDIATELY FOLLOWING THE BUDGET MEETING  
ROCKPORT OPERA HOUSE  
GEOFFREY C. PARKER COMMUNITY MEETING ROOM**

Present: Chair, Kenneth McKinley, Vice-Chair Owen Casas, Douglas Cole and Mark Kelley.  
Also present: Richard C. Bates, Town Manager; Megan Brackett, Finance Director; Department Heads and members of the Budget Committee.

I. Call Meeting to Order – Kenneth McKinley, Chair called the meeting to order at 8:48 p.m.

II. Consensus Vote on FYE June 30, 2019 Budget

**Kenneth McKinley moved the proposed expenditures of \$5,997,914, revenues of \$2,072,248 and a net municipal budget of \$3,925,666 for the Fiscal Year 19 (FY-19) Budget (July 1, 2018 to June 30, 2019). Douglas Cole seconded the motion. VOTE: 3 FOR – 0 OPPOSED**

III Adjournment

**Kenneth McKinley moved to adjourn the meeting at 8:48 p.m. Mark Kelley seconded the motion. VOTE: 3 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY

## **Manager's Report – April 6, 2018**

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### **Ambulance Contract**

The four town managers have been working on the revised ambulance contract and are meeting with Butch from the North East Mobile Health Services on Wednesday, April 11<sup>th</sup>. The new contract will be performance based with reporting requirements that can be easily monitored. The idea is that the towns will decide on the level of service needed and NEMHS will be expected to meet the service requirements. If they don't meet the requirements, there will be a financial penalty. This is in contrast to the current contract, requiring all trucks to be staffed with paramedics for every shift.

We are making good progress with the contract and hope to have it prepared for the review committee in the next few weeks.

### **647 Rockland St.**

I met with Dave Herrick regarding the home next to the West Rockport Fire Station and he gave a very reasonable proposal. We have advertised for proposals to other parties to see if there is any other interest in the building. The deadline for those proposals is April 13, 2018 at which point I will make a recommendation to the Select Board at the May meeting.

### **Status of Heron, Boat Club Lease**

I have reached out to both parties and have a meeting with the owner of the Heron on Tuesday, April 10. At this point in time, I have not heard back from the representatives of the Yacht club.

### **Progress on Styrofoam Ordinance**

The draft polystyrene ordinance was sent to Town Counsel for review and comment. I have not yet received any feedback. I asked Phil Saucier, Town Attorney, to comment on the possibility of our moving forward over the early summer with refinement of the ordinance and a Public Hearing in July or early August. My hopes in doing this were to allow the student working on the Ordinance to be involved before leaving for college. The Select Board would need to have this ready to place on the ballot around September 6<sup>th</sup>, with the Public Hearing being held in late July or August. This would not be a problem with statute as there is no requirement to have the Public Hearing within a specified time frame, just that it must take place *at least* 10 days prior to the election. There is no provision for an "earliest date."

## **Interlocal Agreements**

I have signed the documents for the interlocal agreements for the Assessor and Assistant Assessor and have forwarded those over to Camden for Audra's signature, as requested by the Board. As of writing this, I have not gotten them back from her.

The police agreement is a three-year agreement that is set for another two years ending on June 30, 2020.

## **Street Light Issues**

The Street Light saga continues! I have had numerous conversations with our CMP representative with no improvement. Last November I complained again about several lights that have been reported out several times on Pascal Avenue, Central Street and Russel Avenue. Randy has talked to CMP, as has Craig from the Police Department. The representative came out to meet with Craig over a month ago so that he could take her to each of the lights that are out and have her see the actual location. Mark went out with her 3 years ago. I don't understand why they can't find these lights.

The problem comes from the fact that some of the road names they use do not correspond to the current road names.

We spent a lot of time last summer gathering GPS locations for all of the poles that have lights on them. We listed them on a spread sheet with their latitude/longitude, pole number and actual street name, and sent the document to CMP. After a few hiccups, we were told to check back within a few weeks, but the issue has not yet been resolved.

It has been a frustrating process, to say the least. We are now collecting data that we can take to the Public Utilities Commission and make a formal complaint for their lack of response. We are required to pay for the lights, whether they work or not, so we want to ensure that this issue is resolved in a timely manner.

## **Update on Planning Department**

With the reduction in the Planning Budget for FY 19 I have contracted with Midcoast Economic Development District and former Planner Bill Najpauer to provide planning and economic development services. We were contracting with him to work on the sewer extension and TIF amendment project and have rolled the two into one agreement. He will be working between 16 and 20 hours per week and will be available more on an as-needed basis. We are able to continue to provide needed meeting coverage, planning and board support at a reduced cost which is well within the budget. We will re-evaluate hiring someone full-time in the future, if necessary, but are positive that we will be well-covered for the FY 18-19.



## **Public Works**

The Public Works Department has been in transition between Winter and Spring and have started brush cutting and winter clean-up. They have started dismantling some trucks in the hope that we don't get more snow but cannot finish that process for another week or so. They have started putting docks in and some piling replacements. Mike is working on a sidewalk inventory in preparation of additional sidewalk work as a result of the proposed budget.

We are also working with representatives from DOT, the county and surrounding communities in updating the roads management software to include culvert information. DOT looks like they will be making these updates, given the interest from the communities in the Mid-Coast. The good news is we have a hand in the development of the new software.

## **Keep Rockport Beautiful**

The Keep Rockport Beautiful clean-up day is scheduled for April 27<sup>th</sup> and 28<sup>th</sup>. Town staff will be cleaning Main Street.

## **Fire Department**

The Fire Department has been busy with internal training and training within other departments. The Chief will be away at the National Chief's convention beginning on April 23<sup>rd</sup>.

## **Police Department**

The Police Department has been enjoying the benefit of being fully staffed with qualified officers. New officer Chris Taylor completed a three day training to be certified as a Certified Child Passenger Safety Technician, so that he can give parents and caregivers hands-on assistance with proper use of child restraints systems and safety belts.

Both the Police and Fire Chief participated in a forum at the high school to discuss school safety.

## **Opera House**

We have advertised for the new House Manager and Rental Agent and are now collecting resumes and applications.

## **Other**

The design team for the new library has been meeting weekly to try and get the design and related costs in line with our budget and what is believed is the residents willingness to bond. While it seemed like we had an unattainable goal, we have recently made some promising breakthroughs. We believe these will help us design and price the library at a level that we can bring to the voters with a reasonable expectation that they would support.

Thankfully the budget is nearly complete and I will have some time again to focus on other things

Finally, MMA is sending me to the National League of Cities Conference from May 8<sup>th</sup> through the 12<sup>th</sup> in Santa Fe, New Mexico. There, I will be attending their RISC Conference, which covers insurance and safety concerns that effect the organization as well as the Town. MMA covers all of the costs of this program including registration, travel, meals and lodging.

# Memo

**To:** Kenneth C. McKinley, Chair, and members of the Rockport Select Board

**Cc:** Richard C. Bates, Town Manager  
Scott E. Bickford, Code Enforcement Officer  
Richard Remsen, Chair, Ordinance Review Committee  
Hannah Sisk, Administrative Assistant

**From:** James P. Francomano, MCRPC Executive Director

**Date:** April 5, 2018

**Re:** Proposed Ordinance Amendments

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The Town Attorney's comments on the proposed amendments to the Land Use Ordinance have been received today. This memo is provided to summarize key points and highlight ways this guidance could affect the language – whether in the ballot questions or in the draft amendments themselves – depending on how the Select Board determines to address the Town Attorney's comments.

The Town Attorney's comment on Article #2 requires attention in the drafting of the ballot question, by eliminating any reference to the 2017 amendment to zoning district boundaries. Most of the other issues he has raised can be addressed by updating the drafts with additional “track changes” features, etc.

His top issue of concern is with Article #8, specifically one of the criteria for granting a Conditional Use in the proposed Section 919. The draft language currently reads that the Planning Board must find: “(1) that the proposed use is consistent with a specific goal or strategy of the Town of Rockport's current Comprehensive Plan.” As the Town Attorney pointed out in our discussion, Conditional Uses are best regarded as permitted uses that can be approved only with conditions, not as prohibited uses that can be approved somehow. Therefore, he reasons, the use should already have passed a consistency test with respect the Comprehensive Plan. Otherwise the use should not have been entered in the Section 917 Land Use Table with a “P” or “CU” in the first place. The proposed subsection 919(1) could be removed (and a few other words deleted) without foiling the ORC's intentions. Even better, I think, would be to use the Town Attorney's specific suggestion for alternative language (attached).

It is important that the Select Board decide about this and any other possible changes to the language “on the public hearing floor.” After that, the packet on file for public inspection at the Town Clerk's office can be updated accordingly.

**Subject:** RE: Proposed Ordinance Amendments

**Date:** Thursday, April 5, 2018 at 11:33:09 AM Eastern Daylight Time

**From:** Philip Saucier

**To:** 'MCRPC'

**CC:** Richard C. Bates, Diane Hamilton, Ken McKinley, Hannah Sisk

Hi Jamie,

Thank you for passing these proposed amendments along. I have a few comments below that I hope are helpful:

1. **Article 3 – Rockport Zoning Map.** The zoning district boundaries approved by the voters in 2017 do not need to be reaproved. However, any other clarification or edit to the map since then would need approval.
2. **Article 4 – 300 Definitions.**
  - a. Industrial – the phrase “which will not create noise, vibration, glare, dust, heat, smoke, odor or other substance or condition which would interfere with or be incompatible with other uses permitted in the district” would likely fit better as a performance standard instead of in the definitions, since it implies there would be some sort of review of such a use or a condition that could be placed on a permit related to those standards.
3. **Article 5- 917 Draft.** The Land Use Table should clearly indicate which uses have been deleted, added, or amended through strikeout/underline or comments as in the Article 4 draft.
4. **Article 7 – 918B1 Draft** - The Table should clearly indicate what has been deleted, added, or amended through strikeout/underline or comments as in the Article 4 draft.
5. **Article 9 Conditional Uses.**
  - a. Standards for review. The required finding that the proposed use is consistent with the Comprehensive Plan is vague and not required, since by adding such a use as a permitted conditional use the Town Meeting would have already had to determine that the use was consistent with the Comprehensive Plan pursuant to 30-A M.R.S. § 4352(2). You could instead replace it with the following: “The Board shall, after review of the application, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:”
  - b. There are many references to “special exceptions” that appear in the existing Land Use Ordinance that will need to be replaced with “conditional use”. Additionally, the Board of Appeals powers should be amended to eliminate the power to grant special exceptions.
6. **Article 9 – Cleanups.** It is difficult to read the proposed handwritten amendments. The amendments should be redlined with strikeout and underline to make it clear what is being amended.
7. **Article 10. Harbor Ordinance.** Is the intent of the appeals provision in Chapter 1000 to have the Harbor Committee provide a recommendation only, with the Select Board hearing the appeal in a de novo capacity (i.e hearing the appeal afresh)? Or would the Select Board be sitting in an appellate matter simply reviewing the decision of the HC to ensure there was no error of law or not based on substantial evidence in the record? Either way it should be clarified.

I hope this is helpful, please let me know if you have any further questions.

-Phil

**Philip Saucier**

Shareholder

Municipal & Governmental Services Practice Group Leader

207 228-7160 direct

207 774-1200 main

[My Bio](#) | [LinkedIn](#) | [Twitter](#)

**BERNSTEIN SHUR**

[Portland, ME](#) | [Augusta, ME](#) | [Manchester, NH](#)

**Confidentiality notice:** This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

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**From:** MCRPC [mailto:mcrpc@midcoast.com]

**Sent:** Thursday, March 29, 2018 11:47 AM

**To:** Philip Saucier

**Cc:** Richard C. Bates; Diane Hamilton; Ken McKinley; Hannah Sisk

**Subject:** FW: Proposed Ordinance Amendments

## EXTERNAL EMAIL

Hi, Phil.

I don't want to overstep in my new consultant role, but of course it makes sense to rope you into the process for the public hearings and formal recommendations on the attached proposed amendments coming soon from the Planning Board and Select Board.

The most significant item is one that you and I have corresponded on extensively in previous ORC seasons concerning the criteria and which board has jurisdiction for Special Exceptions (proposed to be called Conditional Uses). The ORC completed its recommendation on it this year and they went for the whole enchilada: pare down criteria to the max; move the venue from the ZBA to the PB.

You commented on the Harbor Ordinance amendment in your email of Feb. 6, 2018. Looking back now at that message (from my busy final week at the Town...) I'm not sure how/whether we followed up on your suggestion to make it clear that the SB should use the same criteria in considering a special exception that the Harbor Committee used in forming its recommendation to the SB on it.

Of course the respective Boards will want to know if you have comments on any of the other proposed amendments as well. As noted below the attached drafts are now on file and available for public inspection in the Town Clerk's Office.

Thank you,  
Jamie

James P. Francomano, Executive Director  
Mid-Coast Regional Planning Commission  
639 Main Street "Steel House South"  
Rockland, Maine 04841

(207) 594-2299

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**From:** MCRPC <[mcrpc@midcoast.com](mailto:mcrpc@midcoast.com)>

**Date:** Thursday, March 29, 2018 at 10:18 AM

**To:** Linda Greenlaw <[LGreenlaw@town.rockport.me.us](mailto:LGreenlaw@town.rockport.me.us)>

**Cc:** "Richard C. Bates" <[RBates@town.rockport.me.us](mailto:RBates@town.rockport.me.us)>, Diane Hamilton <[dhamilton@town.rockport.me.us](mailto:dhamilton@town.rockport.me.us)>, Ken McKinley <[KMckinley@town.rockport.me.us](mailto:KMckinley@town.rockport.me.us)>, Abbie Leonard <[aleonard@town.rockport.me.us](mailto:aleonard@town.rockport.me.us)>, Hannah Sisk <[HSisk@town.rockport.me.us](mailto:HSisk@town.rockport.me.us)>

**Subject:** Proposed Ordinance Amendments

Linda, here are the proposed amendments, with file names showing the Article #.

I have asked Hannah to watch the printer for an opportunity to make some hard copies for your office to make available to the public. For the moment the printer only has eyes for the budget! These files are also suitable for posting on the ORC's page at the Town website.

By copy to Abbie and Diane, you will want to use something like the second paragraph on the attached ad and Art. 10 for any extra steps you have planned for notice to interested parties. As discussed, the Harbor Ord. amendment is the only one here that the Planning Board will not form a recommendation on, so Monday, April 9 at 7:00 p.m. is the only public hearing you need to provide notice of.

Either Hannah or I will follow up with final versions after the public hearings, as may be appropriate, and a final version of the Voters' Guide with hyperlinks, etc. I will also make sure a record of the PB discussion on April 4 is available for the SB to review.

Thank you,  
Jamie

James P. Francomano, Executive Director  
Mid-Coast Regional Planning Commission  
639 Main Street "Steel House South"  
Rockland, Maine 04841  
(207) 594-2299

**TOWN OF ROCKPORT**  
**ANNUAL TOWN MEETING WARRANT**  
**Tuesday, June 12, 2018 and**  
**Wednesday, June 13, 2018**

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

*Greetings:*

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 12th day of June, 2018 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 12 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 13th day of June, 2018 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant.

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

**Article 2.** To elect:

- a. Two Select Board members and overseers of the poor for three-year terms.
- b. One Select Board member and overseers of the poor for a one-year term.
- c. Three Budget Committee members for three-year terms.
- d. Two Library Committee members for three-year terms.
- e. One Director of SAD #28 and to also serve concurrently on the Five Town CSD School Board for a three-year term.
- f. One Director of SAD #28 and to also serve concurrently on the Five Town CSD School Board for a one-year term.

**Article 3.** **Section 200 Zoning Map.** A change to zoning district boundaries approved by the voters at the 2017 Annual Town Meeting requires an update to the Zoning Map. This proposed amendment consists of striking the current 2013 Town of Rockport Zoning Map and replacing it with the new 2018 edition; and includes clarifications of building footprint limitations in the Section 906 and 907 Mixed Business/Residential zoning districts.

**Suggested Motion – I move to place article 3 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**2018 Annual Town Meeting Warrant – continued**

**Article 4. Section 300 Definition.** This proposed amendment to the Town of Rockport Land Use Ordinance (LUO) includes: revised definitions for Industrial, Medical Office, Tradesman’s Shop, and other uses in Section 300 “Definitions.”

**Suggested Motion – I move to place article 4 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**Article 5. Section 917 Table of Permitted Uses.** This proposed amendment to the LUO includes: the deletion of “SE” for Special Exceptions and replacement with “P” for Permitted for several Uses in the various zoning districts, meaning those Uses are now proposed to be Permitted without a Special Exception.

**Suggested Motion – I move to place article 5 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**Article 6. Section 918 Congregate Housing.** This proposed amendment to the LUO includes: a revised definition of Congregate Housing, in Section 300 “Definitions,” striking the word “elderly,” so that all such housing is treated equally; and a decrease in the minimum lot area required per bedroom, in the Section 918 “Dimensional Tables,” to increase maximum density for such types of housing in various zoning districts.

**Suggested Motion – I move to place article 6 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain



**2018 Annual Town Meeting Warrant – continued**

**Article 7. Section 918 Multifamily Housing.** This proposed amendment to the LUO includes: a reduction of the minimum lot area per dwelling unit, in the Section 918 “Dimensional Tables” for Multifamily uses connected to public sewer, to increase maximum density of such types of housing in various zoning districts.

**Suggested Motion – I move to place article 7 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**Article 8. Section 919 Conditional Uses.** This proposed amendment to the LUO includes: the deletion and replacement of Section 703.3 “Special Exceptions,” with a new Section 919 “Conditional Uses;” the removal of jurisdiction from the Zoning Board of Appeals to the Planning Board; simplified criteria for approval; and revising “SE” to read “CU” everywhere it appears on the Section 917 Table of Permitted Uses.

**Suggested Motion – I move to place article 8 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**Article 9. Land Use Ordinance.** This proposed amendment consists of minor “clean up” editing throughout the LUO.

**Suggested Motion – I move to place article 9 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Planning Board Votes: For, Against, Abstain (vote to be taken by the Planning Board)

Select Board Votes: For, Against, Abstain

**2018 Annual Town Meeting Warrant – continued**

**Article 10. Harbor Ordinance.** This proposed amendment to the Town of Rockport Coastal Waters and Harbor Ordinance includes: a change to allow “Special Exceptions” from certain requirements upon a recommendation from the Harbor Committee and approval by the Select Board; and minor revisions throughout.

**Suggested Motion – I move to place article 10 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 11.** To see if the Town will vote to raise and appropriate the following as Revenue from the following sources to be used in reducing the property tax assessment for the 2018/2019 fiscal year:

A.	General Government.....	\$1,105,191
B.	Public Assistance.....	\$12,880
C.	Public Safety.....	\$279,753
D.	Public Works.....	\$81,450
E.	Culture and Recreation.....	\$114,859
F.	All Other – Cemeteries.....	\$5,350
G.	Unassigned Fund Balance.....	\$345,765
H.	Special Assessments.....	\$127,000
	Total.....	\$2,072,248

**Suggested Motion – I move to place article 11 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 12.** To see if the Town will vote to raise and appropriate the following for General Government for the 2018/2019 fiscal year:

A.	Administration.....	\$40,725
B.	Town Manager.....	\$321,760
C.	Town Clerk.....	\$232,980
D.	Planning & Community Development.....	\$213,710
E.	Finance.....	\$146,096
F.	Assessing.....	\$228,102
G.	Town Office Building.....	\$159,302

**2018 Annual Town Meeting Warrant – continued**

H.	Insurance.....	\$72,128
	Total.....	\$1,414,803

**Suggested Motion – I move to place article 12 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 13.** To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2018/2019 fiscal year:

A.	General Assistance .....	\$27,145
	Total.....	\$27,145

**Suggested Motion – I move to place article 13 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 14.** To see if the Town will vote to raise and appropriate the following for Public Safety for the 2018/2019 fiscal year:

A.	Police Department .....	\$631,563
B.	Fire Department.....	\$500,728
C.	West Rockport Fire Station .....	\$5,519
D.	Other Public Safety Services .....	\$318,567
E.	Animal Control.....	\$5,349
F.	Harbormaster .....	\$173,760
G.	Public Safety Building.....	\$34,755
H.	Emergency Management .....	\$3,060
	Total.....	\$1,673,301

**Suggested Motion – I move to place article 14 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by

**2018 Annual Town Meeting Warrant – continued**

charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 15.** To see if the Town will vote to raise and appropriate the following for Public Works for the 2018/2019 fiscal year:

A.	Public Works .....	\$1,739,231
B.	Sanitation.....	\$161,141
	Total.....	\$1,900,372

**Suggested Motion – I move to place article 15 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 16.** To see if the Town will vote to raise and appropriate the following for Culture and Recreation for the 2018/2019 fiscal year:

A.	Library .....	\$436,852
B.	Conservation Commission .....	\$9,041
C.	Parks .....	\$55,810
D.	Opera House .....	\$115,325
E.	Library Building (1 Limerock) .....	\$2,851
F.	Recreation.....	\$54,950
	Total.....	\$674,829

**Suggested Motion – I move to place article 16 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**2018 Annual Town Meeting Warrant – continued**

**Article 17.** To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2018/2019 fiscal year:

A. Debt .....	\$172,905
Total.....	\$172,905

**Suggested Motion – I move to place article 17 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 18.** To see if the Town will vote to raise and appropriate the following for County Fees for the 2018/2019fiscal year:

A. County Service E-911 .....	\$65,984
B. County Service Dispatch .....	\$32,512
Total.....	\$98,496

**Suggested Motion – I move to place article 18 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 19.** To see if the Town will vote to raise and appropriate the following for Cemeteries and Special Assessments for the 2018/2019fiscal year:

A. Cemeteries .....	\$75,708
B. Special Assessments .....	\$6,800
Total.....	\$82,508

**Suggested Motion – I move to place article 19 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required

**2018 Annual Town Meeting Warrant – continued**

by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 20.** To see if the Town will vote to raise and appropriate the following for Provider Agencies for the 2018/2019fiscal year:

A. Provider Agencies ..... \$3,500

Total.....\$3,500

**Suggested Motion – I move to place article 20 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 21.** To see if the Town will vote to authorize the transfer of all unexpended balances to fund balance and to authorize the overdrafts that may occur in the Town operations in the 2018/2019budget to be taken from fund balance?

**Suggested Motion – I move to place article 21 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 22.** To see if the Town will vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?

**Suggested Motion – I move to place article 22 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

**2018 Annual Town Meeting Warrant – continued**

Select Board Votes: For, Against, Abstain

**Article 23.** To see if the Town will vote to increase the property tax levy limit of \$established by State law in the event that the municipal budget approved under the previous warrant articles will result in a tax commitment that is greater than the current property tax levy limit. (By State law, the vote on this article must be by written ballot.)

**Suggested Motion – I move to place article 23 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Budget Committee Votes: For, Against, Abstain (vote yet to be taken by the Budget Committee)

Select Board Votes: For, Against, Abstain

**Article 24.** To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner or in the case of time-share units, reconveyance back to the original owner or the time-share estates association of unit owners; property to be disposed of by written policy and on terms the Select Board deem advisable.

**Suggested Motion – I move to place article 24 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 25.** To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of wastewater thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner. Property to be disposed of by written policy and on terms the Select Board deem advisable.

**Suggested Motion – I move to place article 25 on the ballot as printed (amended)**

**2018 Annual Town Meeting Warrant – continued**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 26.** To see if the Town will vote to set October 15, 2018 and April 15, 2019 as the tax installment due dates.

**Suggested Motion – I move to place article 26 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 27.** To see if the Town will vote to set October 16, 2018 and April 15, 2019 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 7.00% interest per year.

**Suggested Motion – I move to place article 27 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 28.** To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 7.00% interest per year.

**Suggested Motion – I move to place article 28 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 29.** To see if the Town will authorize the Select Board and Treasurer, on behalf of the Town, to accept gifts, real estate, and certain funds, including trust funds, that may be given or left to the Town.

**Suggested Motion – I move to place article 29 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain



**Article 30.** To see if the Town will vote to authorize the Select Board to accept those conservation easements which the Select Board deem appropriate in the name of the Town of Rockport, provided however, said conservation easements are first considered by the Rockport Conservation Commission and Planning Board.

**Suggested Motion – I move to place article 30 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 31.** To see if the Town will authorize the Treasurer to waive the foreclosure of tax lien mortgages pursuant to 36 M.R.S.A. sec. 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest.

**Suggested Motion – I move to place article 31 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 32.** To see if the Town will authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads.

**Suggested Motion – I move to place article 32 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

**Article 33.** To see if the Town will vote to authorize the Tax Collector to enter into a standard agreement with taxpayers establishing a "tax club" payment plan for commercial and/or residential real estate property taxes, whereby:

- (1) The taxpayer agrees to pay specified monthly payments to the Town based on his/her estimated and actual tax obligation for current year real estate property taxes;
- (2) The Town agrees not to charge interest on timely payments made pursuant to the tax club agreement;
- (3) The Town authorizes the collector to accept tax club payments for current year

**2018 Annual Town Meeting Warrant – continued**

taxes which may be due prior to the commitment of those taxes;

(4) The agreement is automatically terminated if a scheduled payment is late, and the taxpayer then becomes subject to the same due date(s) and interest date(s) and rate as other taxpayers who are not participating in the tax club;

(5) Only taxpayers who do not have outstanding tax obligations for prior tax years are eligible to participate in the tax club program; and

(6) Taxpayers wishing to participate in the tax club for a particular property tax year shall enter an agreement with the Town by a publicly-advertised deadline determined by the Tax Collector.

**Suggested Motion – I move to place article 33 on the ballot as printed (amended)**

The board needs to record their recommendation votes for the ballot and warrant as required by charter

Select Board Votes: For, Against, Abstain

Date: April 9, 2018

\_\_\_\_\_  
Kenneth McKinley, Chair

\_\_\_\_\_  
Owen Casas, Vice-Chair

\_\_\_\_\_  
Douglas Cole

\_\_\_\_\_  
Mark Kelley

**ROCKPORT SELECT BOARD**

Attest:

\_\_\_\_\_  
Linda M. Greenlaw, Town Clerk

please print **PEDDLERS PERMIT APPLICATION** - please print

Applicant: Robert Morgan Tel. Number: (h) (207) 653-2759 (w) same (c) same

Applicant's Mailing Address: P.O. Box 475 Rockport ME 04856

Applicant's Email Address: bobby.morgan.zuel@gmail.com

**INFORMATION REQUIRED FROM APPLICANT:**

Proposed Date of Operation: m/d/y to m/d/y: 6/15/18 to 10/30/18 inc. WEEKENDS

Proposed Location of Operation: Rockport Harbor

Proposed Hours of Operation: 11:30 AM to 6 PM

Description of Product to be Sold: Burritos, Tacos, Pizza, Beverages

Type and Size of Signage: Magnet Approx size 1" x 3"

State Licenses if Required: Caterer's license

**PLEASE ATTACH THE FOLLOWING:**

Police Chief Review and notes if any: Chit M.C.

Permission Letter if applicable: \_\_\_\_\_

Copy of Vehicle Registration: Pending WTA  
IGD 15771VJ50700

Copy of Driver's License: O.K.

Sketch Location Plan on back of this form (if operating from a specific location): \_\_\_\_\_

To the best of my knowledge, all information submitted on this application is correct. I agree to comply with the Town of Rockport's Ordinances and applicable State laws. I hereby grant permission to the Rockport Planning Office to make necessary inspections to ensure compliance.

Signature of Applicant [Signature] Date Received by Planning Office 4-5-18

**CODE OFFICER REVIEW PROCESS**

- 1.) Approved \_\_\_\_\_ Reason SELECT BOARD APPROVAL PENDING
- 2.) Denied \_\_\_\_\_ Reason \_\_\_\_\_

Code Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_ File # \_\_\_\_\_ Fee \$ \_\_\_\_\_ Paid \_\_\_\_\_

**814. Itinerant Peddlers****814.1 Purpose**

The purpose of this section is to provide reasonable rules and guidelines for the placement, conduct, and operation of itinerant peddlers within the Town of Rockport

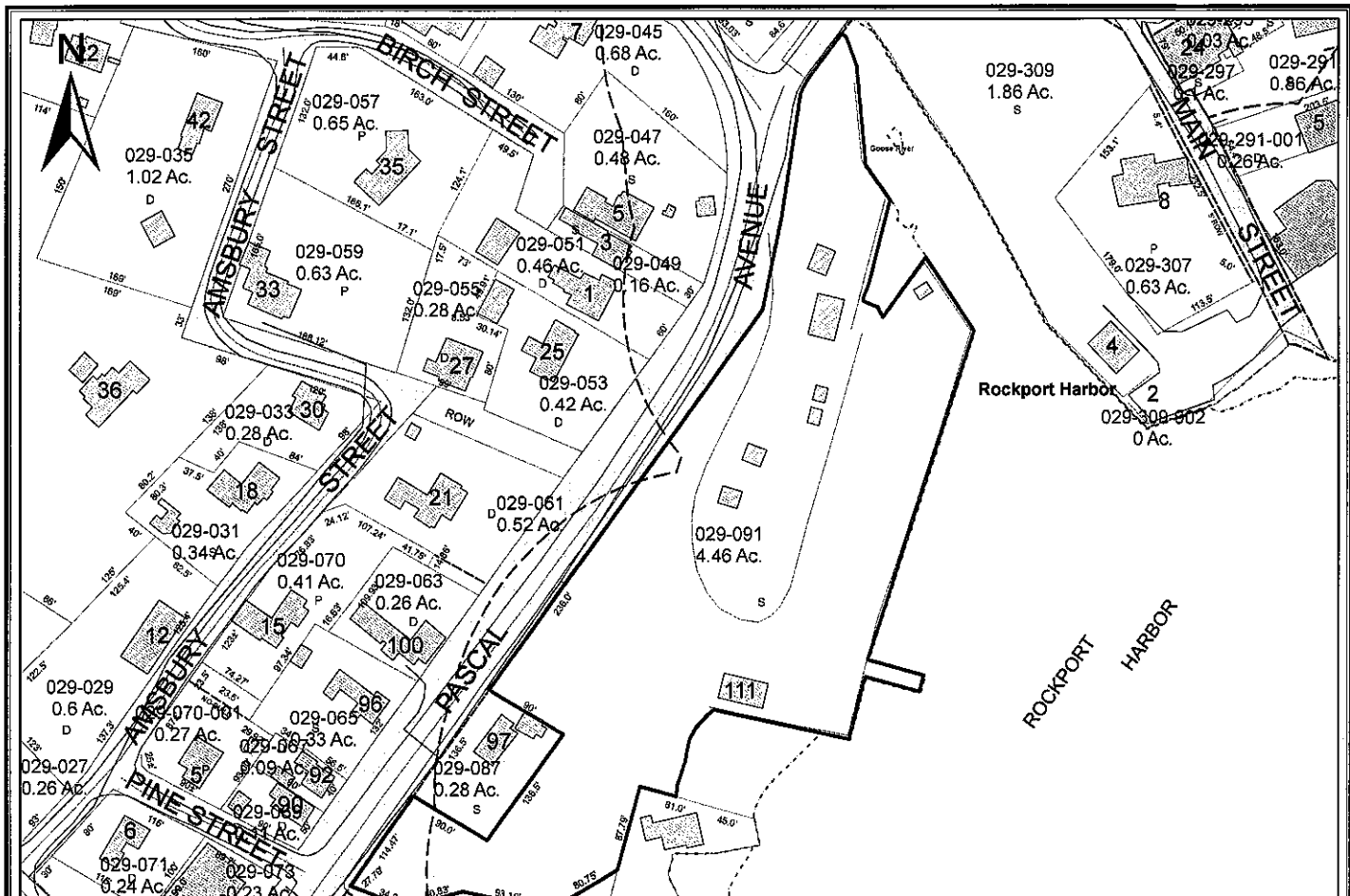
**814.2 Permitting Process and Requirements**

1. No person shall be engaged as an itinerant peddler without first obtaining a peddler's permit from the Planning Office.
2. No permit shall be issued to an itinerant peddler proposing to do business in a public way or public place until the police chief has determined that the proposed location is safe for the operation of a transient peddler's business from a vehicle.
3. In addition to the application and supporting documentation, the applicant for a peddlers permit shall provide the following information to the Planning Office with their application.
  - a. A description of the goods or product to be sold.
  - b. A site sketch of the proposed location where the peddler intends to operate.
  - c. A copy of the registration of the vehicle from which the goods or products will be peddled.
  - d. A copy of the driver's license of the peddler or other valid identification
  - e. A copy of a letter of permission from the property owner if the peddler is proposing to operate from a specific parcel.
  - f. Payment of the appropriate fee.

**814.3 Performance Standards**

The itinerant peddler must comply with the following performance standards to operate in the Town of Rockport.

1. Location of Operation: The peddler shall only occupy the location specified on the permit.
2. Duration of Operation: The peddler shall only operate during the calendar dates specified on the permit.
3. Hours of Operation: The peddler shall only conduct business from one hour after sunrise to one hour before sunset.
4. Vehicular and Pedestrian Safety: The peddler shall ensure that the operation is conducted in a safe and responsible manner for vehicular and pedestrian safety.
5. Signage: The peddler shall display all signage for goods and products on or adjacent to the peddler's vehicle. The total area of all signage shall not exceed fifty (50) square feet. All signage shall be removed at the close of business each day.
6. Closure at the End of the Business Day: The peddler shall remove from the selling location; at the close of business each day, the peddler's vehicle, all signage, and any other indicators of the peddling operation.
7. Site Appearance: The peddler shall ensure that the site is kept neat and clean and that no offensive noise, vibration, smoke, dust, glare, traffic or parking problem is created because of the peddler's operation.



**DISCLAIMER**

Parcel maps are compiled from  
2001 aerial photography and assessment information.  
They are not for legal use.

**TOWN OF  
ROCKPORT**  
KNOX COUNTY  
MAINE

Printed: 4/5/2018

Parcel: 029-091  
Owner: ROCKPORT, TOWN OF  
Address: 111 PASCAL AVE

## Scott Bickford

---

**From:** Bobby Morgan <bobbymorgansurf@gmail.com>  
**Sent:** Thursday, April 05, 2018 11:52 AM  
**To:** Scott Bickford  
**Subject:** Fwd:

Sent from my iPhone

Begin forwarded message:

**From:** Kelsea Anderson <[kelsea.anderson@gmail.com](mailto:kelsea.anderson@gmail.com)>  
**Date:** April 5, 2018 at 9:10:40 AM EDT  
**To:** [bobbymorgansurf@gmail.com](mailto:bobbymorgansurf@gmail.com)

Food Truck: A wood fired food truck will be serviced by two wood fired restaurants, I will be committing to servicing Rockport Harbor 7 days a week, serving one of two of the menus from the restaurants. Beverages will be included, i.e. sodas, lemonades, and iced tea. The hours of operation will be 11:30am - and closing times will vary due to day-to-day business.

**MAINE** DRIVER'S LICENSE USA ME  
William Dunfee, Secretary of State

**MORGAN**  
**ROBERT L**  
P.O. BOX 746  
ROCKPORT, ME 04856

**5062272**

ISSUED: 02/20/2018 EXPIRES: 03/25/2020  
16-GENDER: M 16-HEIGHT: 6'00" 17-WEIGHT: 175 18-EYES: BR 19-HAIR: BR

CLASS: C ENDS: 12-REST: 6

MORGAN ROBERT

# Memo

**To:** Rockport Select Board  
**From:** Abbie Leonard, Harbormaster  
**Date:** 4/4/2018  
**Re:** Recommendation for Bobby Morgan's food vendor permit

---

I have met with Bobby Morgan several times over the winter to discuss his proposal of a mobile food truck at the harbor. I iterated my desire for consistency from whomever takes on the vending at the harbor and he agreed that having a set and dependable schedule is key. I have reviewed his plans for the truck itself and am pleased that it will be self-sustaining and not require power.

Bobby's years of experience and reputation in the food service industry make me confident with him taking over the food vending permit at the harbor. It will be a welcome addition and it is my hope to work with Bobby to offer not only a consistent schedule but also some special events throughout the summer. It is my recommendation that the Board approve his application.

Respectfully Submitted,

Abbie Leonard, Harbormaster



Municipal  
QUITCLAIM DEED

(Maine Statutory Short Form)

The Inhabitants of the Municipality of Rockport, a body  
corporate and politic, located at Knox County,  
Maine, for consideration paid, release to Almar, Inc., c/o Cody's Farmhouse, Inc.  
of 399 Commercial Street Knox County,  
Rockport, Maine 04856  
the land in Rockport Knox County,

Maine: (here insert Description, and Encumbrances if any)  
Being the Premises described as Map 20 Lot 129 of the Tax Maps of the  
Town of Rockport.

The purpose of this deed is to release any interest the Town  
of Rockport may have acquired by reason of the following liens for unpaid taxes,  
recorded at the Knox County Registry of Deeds:

2010 Tax Lien, Book 4317 Page 185

The said Inhabitants of the Municipality of Rockport  
have caused this instrument to be signed in its corporate name by Kenneth McKinley, Owen Casás,  
Douglas Cole, Thomas Gray and Mark Kelley  
, its duly authorized, this  
9<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
Kenneth McKinley, Chair

\_\_\_\_\_  
Owen Casás, Vice-Chair

\_\_\_\_\_  
Douglas Cole

\_\_\_\_\_  
Mark Kelley

State of Maine

County of Knox, ss April 9, 2018.

Then personally appeared the above named Kenneth McKinley, Owen Casás, Douglas Cole, Thomas Gray and Mark Kelley of said body corporate and politic, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and free act and deed of said body corporate and politic.

Before me,

\_\_\_\_\_  
Notary Public  
Megan A. Brackett  
Printed Name



\*12RETTD\*

RETTD

00

MAINE REVENUE SERVICES  
REAL ESTATE TRANSFER TAX  
DECLARATION

TITLE 36, M.R.S.A. SECTIONS §§4641-4641N

1. County

KNOX

2. Municipality/Township

TOWN OF ROCKPORT

3. GRANTEE/  
PURCHASER

3a) Name LAST or BUSINESS, FIRST, MI

ALMAR, INC.

3b) SSN or Federal ID

3c) Name, LAST or BUSINESS, FIRST, MI

CODY'S FARMHOUSE, INC.

3d) SSN or Federal ID

3e) Mailing Address

399 COMMERCIAL STREET

3f) City

ROCKPORT

3g) State

ME

3h) Zip Code

04856

BOOK/PAGE—REGISTRY USE ONLY

4. GRANTOR/  
SELLER

4a) Name, LAST or BUSINESS, FIRST, MI

TOWN OF ROCKPORT

4b) SSN or Federal ID

4c) Name, LAST or BUSINESS, FIRST, MI

4d) SSN or Federal ID

4e) Mailing Address

101 MAIN STREET

4f) City

ROCKPORT

4g) State

ME

4h) Zip Code

04856

5. PROPERTY

5a) Map

20

Block

129

Lot

Sub-Lot

5b) Type of property—Enter the code number that best describes the property being sold. (See instructions)→

301

Check any that apply:

No tax maps exist

5d) Acreage

Multiple parcels

Portion of parcel

5c) Physical Location

399 COMMERCIAL STREET

6. TRANSFER TAX

6a) Purchase Price (If the transfer is a gift, enter "0")

6a

.00

6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value)

6b

4266.00

6c) Exemption claim -  Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.

Quitclaim releases a lien as a result of payment for back sewer fees.

7. DATE OF TRANSFER (MM-DD-YYYY)

04-09-2018

MONTH DAY YEAR

8. WARNING TO BUYER—If the property is classified as Farmland, Open Space, Tree Growth, or Working Water-front a substantial financial penalty could be triggered by development, subdivision, partition or change in use.

CLASSIFIED

9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:

10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:

Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

Consideration for the property is less than \$50,000

Foreclosure Sale

11. OATH

Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below:

Grantee Megan A. Brackett Date 04/02/18

Date

Grantor

Date

Grantee \_\_\_\_\_ Date \_\_\_\_\_

Grantor \_\_\_\_\_

Date \_\_\_\_\_

12. PREPARER

Name of Preparer

Megan A. Brackett

Phone Number

(207) 230-0180

Mailing Address

101 Main Street

E-Mail Address

mbrackett@town.rockport.me.us

Rockport, Maine 04856

Fax Number

(207) 230-0112

<http://www.maine.gov/revenue/propertytax/transfertax/transfertax.htm>

Municipal  
QUITCLAIM DEED

(Maine Statutory Short Form)

The Inhabitants of the Municipality of Rockport, a body  
corporate and politic, located at Knox County,

Maine, for consideration paid, release to Almar, Inc.

of 175 Main Street Knox County,  
Rockport, Maine 04856  
the land in Rockport Knox County,

Maine: (here insert Description, and Encumbrances if any)  
Being the Premises described as Map 20 Lot 129 of the Tax Maps of the  
Town of Rockport.

The purpose of this deed is to release any interest the Town  
of Rockport may have acquired by reason of the following liens for unpaid taxes,  
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have caused this instrument to be signed in its corporate name by Kenneth McKinley, Owen Casás,  
Douglas Cole, Thomas Gray and Mark Kelley

, its duly authorized, this

9<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
Kenneth McKinley, Chair

\_\_\_\_\_  
Owen Casás, Vice-Chair

\_\_\_\_\_  
Douglas Cole

\_\_\_\_\_  
Mark Kelley

State of Maine

County of Knox, ss April 9, 2018.

Then personally appeared the above named Kenneth McKinley, Owen Casás, Douglas Cole, Thomas  
Gray and Mark Kelley of said body corporate and politic, and acknowledged the foregoing  
instrument to be their free act and deed in their said capacity and free act and deed of said body  
corporate and politic.

Before me,

\_\_\_\_\_  
Notary Public

Megan A. Brackett  
Printed Name



MAINE REVENUE SERVICES  
REAL ESTATE TRANSFER TAX  
DECLARATION  
TITLE 36, M.R.S.A. SECTIONS §§4641-4641N

1. County  
KNOX

2. Municipality/Township  
TOWN OF ROCKPORT

BOOK/PAGE—REGISTRY USE ONLY

3. GRANTEE/  
PURCHASER  
3a) Name LAST or BUSINESS, FIRST, MI  
ALMAR, INC.  
3b) SSN or Federal ID  
3c) Name LAST or BUSINESS, FIRST, MI  
3d) SSN or Federal ID  
3e) Mailing Address  
175 MAIN STREET  
3f) City  
ROCKPORT  
3g) State  
ME  
3h) Zip Code  
04856

4. GRANTOR/  
SELLER  
4a) Name LAST or BUSINESS, FIRST, MI  
TOWN OF ROCKPORT  
4b) SSN or Federal ID  
4c) Name LAST or BUSINESS, FIRST, MI  
4d) SSN or Federal ID  
4e) Mailing Address  
101 MAIN STREET  
4f) City  
ROCKPORT  
4g) State  
ME  
4h) Zip Code  
04856

5. PROPERTY  
5a) Map Block Lot Sub-Lot  
20 129  
5b) Type of property—Enter the code number that best describes the property being sold. (See instructions) → 301  
Check any that apply:  
 No tax maps exist  
 Multiple parcels  
 Portion of parcel  
5c) Physical Location  
399 COMMERCIAL STREET  
5d) Acreage

6. TRANSFER TAX  
6a) Purchase Price (if the transfer is a gift, enter "0") 6a .00  
6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value 6b 686.00  
6c) Exemption claim -  Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.  
Quitclaim releases a lien as a result of payment for back sewer fees.

7. DATE OF TRANSFER (MM-DD-YYYY) 04-09-2018  
8. WARNING TO BUYER—if the property is classified as Farmland, Open Space, Tree Growth, or Working Water-front a substantial financial penalty could be triggered by development, subdivision, partition or change in use.  CLASSIFIED

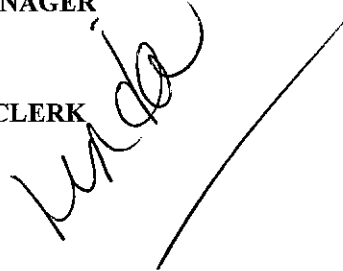
9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:   
10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:  
 Seller has qualified as a Maine resident  
 A waiver has been received from the State Tax Assessor  
 Consideration for the property is less than \$50,000  
 Foreclosure Sale

11. OATH  
Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below:  
Grantee Megan A. Brackett Date 04/02/18 Grantor \_\_\_\_\_ Date \_\_\_\_\_  
Grantee \_\_\_\_\_ Date \_\_\_\_\_ Grantor \_\_\_\_\_ Date \_\_\_\_\_

12. PREPARER  
Name of Preparer Megan A. Brackett Phone Number (207) 230-0180  
Mailing Address 101 Main Street E-Mail Address mbrackett@town.rockport.me.us  
Rockport, Maine 04856 Fax Number (207) 230-0112

# Memorandum

To: RICHARD C. BATES, TOWN MANAGER  
Cc: SELECT BOARD  
From: LINDA M. GREENLAW, TOWN CLERK  
Date: 4/5/2018  
Re: AGENDA APRIL 9, 2018

A handwritten signature in black ink, appearing to read "Linda", is written over the "From" and "Date" lines of the memorandum header. A long diagonal slash is drawn below the signature.

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I have an item that needs to be placed on the agenda for the Monday, April 9, 2018 Select Board Meeting.

Appointment of the attached list of election clerks for a period of two years as specified in Title 21-A §503.

Thank you!

## 2018 ELECTION CLERK APPOINTMENTS

NAME	PARTY AFFILIATION
AMES-CRUZ, CATHLEEN E.	DEMOCRAT
ANNIS, C. HERBERT	DEMOCRAT
BARTLETT, HEAVEN L.N.	DEMOCRAT
COLE, ANN G.	DEMOCRAT
COOK, SALLY	DEMOCRAT
DORAN, CLARK D., JR.	DEMOCRAT
DORAN, KAREN T.	DEMOCRAT
GREENIER, NANCY	DEMOCRAT
KUMBLE, STEPHANIE A.	DEMOCRAT
MURPHY, TRACY LEE	DEMOCRAT
RICHARDSON, BRENDA S.	DEMOCRAT
ROSENBAUM, JAN	DEMOCRAT
SALTONSTALL, ELIZABETH (BETSY)	DEMOCRAT
SCHROEDER, NANCY	DEMOCRAT
SHOLES, MARTHA W.	DEMOCRAT
VAUTOUR, FAITH A.	DEMOCRAT
WHEATON, MARIETA E.	DEMOCRAT
WOODWARD, JENNIFER B.	DEMOCRAT
COX, THOMAS	REPUBLICAN
DAILEY, STEVEN	REPUBLICAN
DOUCETTE, FAYE P.	REPUBLICAN
GREENLAW, WALTER G.	REPUBLICAN
HART, FRANCES C.	REPUBLICAN
HUNTER, VERNON B.	REPUBLICAN
HEALD, MICHELLE L.	REPUBLICAN
ROBINSON, CAROLYN E.	REPUBLICAN
STEWART, ROBERT M.	REPUBLICAN
STEWART, STELLA F.	REPUBLICAN
WITT, PATRICIA A.	REPUBLICAN
SHIELDS, KEVIN C.	UNENROLLED

**- PUBLIC MEETING -  
Rockport Select Board**

Monday, April 9, 2018  
7:00 p.m.

Geoffrey C. Parker Community Meeting Room, Rockport Opera House  
Streamed at <http://livestream.com/Rockportmaine>

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**Managers Comments**

**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**

Public Hearing on the proposed Warrant Articles Three (3) through Nine (9) of the June 2018 Annual Town Meeting Warrant (Land Use Ordinance amendments)

Public Hearing on proposed Warrant Article Ten (10) of the June 2018 Annual Town Meeting Warrant (Harbor Ordinance Amendment)



### III. Minutes, Meetings and Announcements

- a. Approval of the minutes of previous meetings:
  - **Monday, September 25, 2017**, meeting of the Select Board
  - **Tuesday, October 10, 2017**, meeting of the Select Board
  - **Monday, November 13, 2017**, meeting of the Select Board
  - **Monday January 8, 2018**, meeting of the Select Board
  - **Monday January 22, 2018**, meeting of the Select Board
  - **Monday February 12, 2018**, meeting of the Select Board
  - **Monday March 12, 2018**, meeting of the Select Board
  - **Wednesday March 14, 2018**, meeting of the Select Board
  - **Monday March 26, 2018**, meeting of the Select Board
  - **Tuesday March 27, 2018**, meeting of the Select Board
  - **Wednesday April 4, 2018**, meeting of the Select Board
- b. Announcements of upcoming Select Board meeting(s):
  - Regular Select Board meeting on **Monday, May 14, 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 scheduled
- 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](http://www.town.rockport.me.us)**

The Town Office will open late (at 9 a.m.) on Tuesday, April 10th so that all staff may participate in safety training between 8 and 9 a.m.

The Town Office will be closed on Monday, April 16th in observance of Patriot's Day.

Nomination papers are available at the Town Office for the following positions:

2 Select Board members, each for a three-year term (seats currently held by K. McKinley, O. Casas)

1 Select Board member for a one-year term (to fill remainder of term vacated by the resignation of T. Gray)

1 Director for the MSAD 28 School District, to serve concurrently with the CSD for a three-year term (seat currently held by M. Dietrich)

1 Director for the MSAD 28 School District, to serve concurrently with the CSD for a one-year term (seat currently held by C. Gartley)

2 Library Committee members, each for a three-year term (seats currently held by E. Haselton, C. Liechty)

3 Budget Committee members, each for a three-year term (seats currently held by B. Saltonstall, H. Shaw, P. Johnson)

The deadline for all nomination papers is 5 p.m. on Friday, April 13th. The town election will be held on Tuesday June 12th. For more information please contact the Town Clerk's office.

e. Committee Openings:

Application for Committee Service can be found at the Town Office and on the Town Website: [www.town.rockport.me.us](http://www.town.rockport.me.us)

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

- Board of Assessment Review – no vacant seats
- Camden-Rockport Pathways Committee – 1 vacant seat
- Capital Improvement Committee – 1 vacant seat
- Conservation Commission – no vacant seats
- Harbor Committee – no vacant seats
- Investment Committee – 1 vacant seat
- Opera House Committee – no 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**

- a. None this meeting

## **VI. New Business**

- a. Acknowledgment of Gifts to the Town:
  - none
- b. Committee Resignation(s):
  - none
- c. Committee Application(s):
  - none
- d. Committee Presentation(s):
  - none this meeting

**Manager's Comments:**

After a long process, the Select Board agreed at the meeting held on April 4<sup>th</sup> to the budget numbers that were to be put into the draft warrant articles for formal vote at the meeting on April 9<sup>th</sup> (tonight). Included in your packet are the draft warrant articles for consideration.

Items “e” – “j” below are all similar in that there are two actions that need to happen with each warrant article being presented on the warrant for the June Town Meeting. The first action is to approve or amend the article that has been presented in tonight’s package. The second action is to place your formal recommendations on each of the articles, as required by charter.

This is the same process for each of the articles that will appear on the warrant.

Included in your packet along with each of the articles are the two motions that will be needed for each of the articles. The article you have in your packet have been forwarded to Town Counsel and there may be some minor changes in them that we will have at the meeting on Monday.

- e. Vote to place Land Use Ordinance Articles Three (3) through Ten (10) on the June 2018 Annual Town Meeting Warrant

**Manager's Comments:**

These are the land use articles that have been developed by the ORC and gone through the Planning Board.

- f. Recommendation votes by the Select Board on Land Use Ordinance Articles Three (3) through Ten (10) of the June 2018 Annual Town Meeting Warrant

- g. Final discussions and decisions on Budget Articles Eleven (11) through Twenty-Three (23) and votes by the Select Board to place these Articles on the June 2018 Annual Town Meeting Warrant

**Manager's Comments:**

These are all of the budget warrant articles for each of the various cost centers as defined by the budget of overdrafts, authorization to pay Tax abatements out of the overlay account set up for that purpose, the LD1 override which will be unnecessary with the current budget and the authorization to sell real estate acquired for non-payment of taxes.



- h. Recommendation votes by the Select Board on Budget Articles Eleven (11) through Twenty-Three (23) of the June 2018 Annual Town Meeting Warrant

- i. Vote to place Articles Twenty-Four (24) through Thirty-three (33) on the June 2018 Annual Town Meeting Warrant

**Manager's Comments:**

These are the standard housekeeping articles we always have on the warrant.

- j. Recommendation votes by the Select Board on Articles Twenty-Four (24) through Thirty-three (33) of the June 2018 Annual Town Meeting Warrant

- k. Vote to set the town meeting times as stated in the first paragraph of the June 2018 Annual Town Meeting Warrant

**Manager's Comments:**

This is the formal function of the Board to vote to set the meeting dates and times.

**Suggested Motion:**

I move to set the Town Meeting dates and times as the Tuesday, June 12, 2018 at 8:00 o'clock a.m., until to 8:00 o'clock p.m., during which time the polls will be open to vote on Articles 1 through 12 by ballot. The meeting will adjourn after the polls close. The adjourned meeting will be reopened the following day, on Wednesday, June 13, 2018 at 7:00 o'clock p.m. at the Rockport Opera House, to act on the remaining articles in the warrant in the open Town Meeting format.

1. Vote to sign the Budget Validation Referendum - MSAD #28 and Five Town CSD Warrant and Notice of Election for Tuesday, June 12, 2018

**Manager's Comments:**

This is a standard item and is required by the board to sign off on.

**Suggested Motion:**

I move to vote to sign the Budget Validation Referendum - MSAD #28 and Five Town CSD Warrant and Notice of Election for Tuesday, June 12, 2018

m. Consider a proposal for mobile food truck at the harbor

**Manager's Comments:**

Included in your packet is a memo from Harbormaster Abbie Leonard, recommending the approval of a permit for a new food truck to operate in the Harbor during the 2018 season. This truck will be operated by Bobby Morgan of Flat Bread Pizza and will be offering food and refreshments at the Harbor from 11:30 a.m. daily throughout the season. Closing time will vary due to day-to-day business.

The food truck has been a very popular addition to the Harbor generating many new visitors every day.

What will be different about this food truck is that it will not have a need for electrical power and can be located on the west side of the park nearer to the Lime Kilns and not on the grass by the Andre statue.

Flatbread has been very active helping at a variety of community events at the Opera House and in promoting fundraising events for local charities at their facility on Route 1.

Bobby will be on hand to answer any questions that the board might have.

**Suggested Motion:**

I move to approve the permit application for Bobby Morgan to operate his food truck for the 2018 season.

n. Vote to execute two quitclaim deeds

**Manager's Comments:**

This is to execute two quit claim deeds for the same property Map 20, Lot 129. There were two sewer liens placed on the property back in 2010. Those bills were paid some time ago but the liens were never discharged at the registry and need to be released to clear the title for the property owner.

**Suggested Motion:**

I move to approve the quitclaim deeds on the property Map 20, Lot 129 under 2010 tax liens Book 4317 pages 185 and 186.

- o. Set a date for the annual performance review of the Town Manager



p. Appointment of the list of Election Clerks as presented by Town Clerk

**Manager's Comments:**

This item is an annual recurring item in preparation for Town Meeting and elections coming up in June of 2018. Included in your packet is a memo from the Town Clerk and the list of election clerks she is seeking approval for.

**Suggested Motion:**

I move to approve the appointment of the election clerks as presented by the Town Clerk

q. Northern Border Grant Resolution

**Manager's Comments:**

Bill Najpauer has been working on a Northern Border Regional Commission 2018 Economic and Infrastructure Development Investment Grant in the amount of \$500,000. This is for the proposed extension of the Route 1 sewer project. This project will be coupled with a Maine Water extension. Both, critical infrastructure needs for economic development.

Since it's founding in 2008, the NBRC Federal - State partnership has provided Federal grants to employment generating projects that have helped reduce poverty, unemployment and outmigration. This is primarily accomplished through the NBRC's Economic & Infrastructure Development Investment program.

In order to apply, we need authority from the Select Board for me to go forward with signing the application. We have applied for this grant on previous occasions, without success. Our previous applications have been for planning and design projects, but this one is for actual construction assistance. This is a two-step process, the first being this "intent" phase, which we did last month. The application is due before the next Select Board meeting. It is a long shot for us, but worth the little bit of effort.

By way of background, this project is to connect the two ends of our two sewer lines along Route 1. This is an approximately 4-million-dollar project that will be paid for with TIF funds designated for that purpose, Grant monies and new user fees. The hope is that it will spur new economic development along Route 1 and more tax value. We are working on the TIF amendment and extension language now as we have a couple of different development opportunities that need water and sewer to proceed.

**Suggested Motion:**

I move to authorize the Town Manager to apply for the Northern Border Regional Commission 2018 Economic and Infrastructure Development Investment Grant in the amount of \$500,000 to extend municipal sewer along Route 1 and to sign applicable grant application documents.

## **VII. Wastewater Commissioners**

- a. None this meeting

**VIII. Liaison Reports**

## **IX. Executive Session**

- a. None this meeting

## **X. Adjournment**