

MEETING MINUTES
MONDAY, MAY 11, 2020 AT 5:30 P.M.
GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE
Streamed at: <https://livestream.com.Rockportmaine>.

Please note: Due to pandemic, the Select Board has been authorized by the state to meet remotely. At this meeting, the Board will be using Zoom to meet in a videoconference format. 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.

Remotely present: Chair Debra Hall, Vice-Chair Denise Munger, Douglas Cole, Mark Kelley and Jeffrey Hamilton, Linda M. Greenlaw, Town Clerk and Haunani Wallace, Chair of the Parks and Beautification Committee. Present at Opera House: William Post, Town Manager, and the audio/visual technician.

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

II. WALKER PARK PLAQUE DEDICATION

Board Member Cole turned over the report to Haunani Wallace, Chair of the Rockport Parks and Beautification Committee.

Haunani Wallace stated that in years past, the Town commissioned the owner of Brooks Monument to make a plaque honoring Arthur Walker, First Selectman in 1929 to 1955. Apparently, the monument was to be placed at Walker Park, but the Town never claimed the plaque. The oversight was recently discovered, and the Committee wants to now place the plaque in Walker Park as originally intended.

Board Member Cole stated that in trying to find the history of the plaque, he contacted Maynard Tolman and learned that Marion Varney was his granddaughter and lived where Flatbread is located now. He had a conversation with Arlene, great granddaughter of Arthur Walker. They discussed the boulder in the park where the plaque was supposed to be attached.

Board member Kelley stated that Mr. Walker was a very well-known man and did many things for the Town. Haunani Wallace stated that he was in town politics for twenty-six years.

The question was asked whether a motion was needed and the Town Manager Post stated that it was not necessary to have a motion.

III. TOWN MANAGER’S REPORT/UPDATE

Town Manager Post stated that trimming of the trees at the Marge Jones Recreation Park and Walker Parks for the brown tail moths will occur this week. The Town has purchased the

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material to inject the trees. The Town will be using a school employee that has certification to do the work.

As of tomorrow, all the Town Office employees will be back to regular schedules. Plexiglass has been installed at the front counter by Public Works employees.

The Town has been receiving questions from the public on whether the Town is working on the projects funded by the Infrastructure Bond. Bids will be going out soon for road paving and the Manager is working on prices for the exhaust system at Public Works and the fire suppression system for the vault at the Town Office.

David Farley, Assistant Sexton for the Cemetery has resigned. Several people are interested in the position. The Manager has temporarily filled the position of grave opener so burials can occur this spring. He and Town Clerk Linda Greenlaw will meet with the individuals that are interested in the assistant sexton position and decide on filling the position.

The Memorial Day parade has been cancelled due to the pandemic. Last week, the Town Manager participated in a teleconference about the installation of the LED streetlights. The project will begin as soon as the Town finishes receiving some of the parts. A quality control report will be completed once the lights are 75% installed.

The Manager stated that he will be deferring the interest on real estate taxes for another 30 days, which is June 16th.

IV. PUBLIC INPUT ON NON-AGENDA ITEMS

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

V. AMENDMENTS TO THE AGENDA – Item VIII (a) added

- a. Discuss use of RES Site by Camden International Film Festival (CIFF)**
- b. Board Member Hamilton remarked that he had some corrections to the minutes of the March 23rd workshop and the April 22nd Select Board Meeting and therefore, moved to remove them from the consent calendar. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED. (Vote by roll call)**

VI. CONSENT AGENDA

Board Member Hamilton requested the minutes be removed from the consent calendar for edits.

- a. Committee Resignation(s): Lou Laquaglia – Planning Board**

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Board Member Cole moved that the Board approve the consent calendar as amended. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

b. Minutes of March 23, 2020 Workshop

Board Member Hamilton suggested the following amendments: March 23rd minutes, page 1, section II third paragraph, end of first sentence add the word “tax” after “real estate” and add a period “.” to the end of the sentence; page 2, third paragraph add “dollars” after million; fourth paragraph, second sentence, delete “financing “ and add “finances”; next paragraph, second sentence, delete “pay” and add “continue to fund” and between Town’s and obligations add “financial”; page 6 f. delete “one” and add “a combined agreement” and in the second line add a “,” after “Camden”; page 7 fifth paragraph fourth line add “hopefully” before the word “be”; delete “Season’s Downeast Enterprises “and add “local nurseries.”

Vice-Chair Munger moved that the Board approve the minutes of the March 23rd Workshop as amended. Board Member Kelley seconded the motion. VOTE: 5 FOR - 0 OPPOSED (Vote by roll call)

c. Minutes of April 22, 2020 Select Board Meeting

Changes to the April 22, 2020 meeting were made as follows; page 3, paragraph 7, delete the “(quotation marks) “; next paragraph scribe’s error delete “Member Cole”.

Board Member Cole moved that the Board approve the minutes of the April 22 Select Board Meeting as amended. Board Member Kelley seconded the motion. VOTE: 5 FOR - 0 OPPOSED (Vote by roll call)

VII. ACTION ITEMS

a. Act on Appointment of Election Clerks

Vice-Chair Munger moved that the Board appoint the election clerks as recommended by the Town Clerk. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

b. Act on Collective Bargaining Agreement Between Town and Teamsters Local No 340 for the Public Works Department

Town Manager Post noted that there were some changes from the contract of the last three years which ends June 30. There will be a 3% increase each year for the term of the contract. There will also be an increase of \$15 to \$30 for the stipend for cell phones. The Town requires the workers have them for use at their job. Also, the pay for working on Christmas day will increase with the employees receiving the holiday pay plus double time, which is consistent with the collective bargaining agreement with the Police Department employees.

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Board Member Cole asked about article 8 regarding comp time and stated that he knows the Public Works crew accrues comp time in the winter and understands that they are anxious to use it in the summer which in the past has made the department short staffed; he asked if there is an issue with the employees using their comp time in the summer.

Town Manager Post stated that he believes it is fine.

Board Member Hamilton stated that the Public Works Director can schedule time off as needed.

Town Manager Post stated that someone watching livestream wants to know how to get a copy of the minutes for April 22nd will be available. He stated that they will be available on the Town's website after approval and the draft minutes are on the website in the Select Board's agenda packet.

Board Member Kelley moved that the Board approve the Collective Bargaining Agreement Between the Town of Rockport and Teamster Local 340 for Public Works commencing July 1, 2020 to June 30, 2023. Board Member Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

c. Act on Appointment of Victoria Condon to the Planning Board as Regular Member

Board Member Cole moved that the Board appoint Victoria Condon to the Planning Board as a regular member for a term ending June 30, 2022. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

d. Act on Amendments to the Reserve Accounts Policy

The Reserve Account Details, item 9, Harbor Float Reserve is limited to floats and not pilings. He recommended to include pilings to the Float Reserve Account and to increase the amount for which the Town Manager has approval to spend from \$3,000 to \$5,000 to be consistent with the Purchasing Policy.

Board Member Cole moved that the Board approve amendments to the Reserve Accounts Policy as presented. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

e. Act on Approval of Repair to Pilings at Commercial Floats

Town Manager Post stated that there has been damage to the piling on the commercial side of the harbor. The piling has come out of its socket and Prock Marine has provided an estimate for repairs after two dives to evaluate the problem.

Board Member Hamilton moved that the Board approve using \$7,520.00 from the Floats and Pilings Reserve Account for the repair of pilings at the commercial floats. Board Member Cole seconded the motion. Board Member Hamilton stated that the account was set

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up for floats only and asked if the amount in the account will need to be increased if it covers pilings as well. Town Manager Post stated that we will need to review the reserve account and most likely increase funding in the future.

Board Member Hamilton stated that the account was set up for floats only and asked if the amount in the account will need to be increased if it covers pilings as well. Town Manager Post stated that we will need to review the reserve account and most likely increase funding in the future.

VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

VIII. DISCUSSION ITEMS

a. Discuss use of RES Site by Camden International Film festival (CIFF)

Chair Hall was approached by Ben Fowlie about using the parking lot at the old RES site to have a drive-in theater.

Ben Fowlie thanked Chair Hall for putting this item on the agenda at the last minute. His dad owns “Stop and GO” in Camden and he grew up here. During Phase I of the State’s re-opening plan has created a resurgence of drive-ins. He proposed using the RES site for showing films on a 30’ screen with shows two times a month this summer and fall. A structure would be built by the tree line in the back of the lot. The audio will be by satellite radio for people watching in their vehicles. There will not be a noise problem as the sound is through the individual vehicle radios. There will be some light from the projector. Ben Fowlie plans to speak with the neighbors. The projector will be on a scissor lift and moveable and he would also like to have some food trucks.

Chair Hall stated the plan is to not be late at night (8:00 p.m. to 9:30 p.m.) and creating a problem for the neighbors. They will practice social distancing.

Board Member Kelley stated that he finds the idea attractive. He had a question on the process regarding the item showing up on the agenda twelve hours before the meeting. He did not recommend taking any action at this meeting.

Chair Hall stated that she received the request on Friday, and she made the decision with Town Manager Post to add it to the agenda for discussion purposes. She received the written material on Sunday. She noted that as chair she has the responsibility of setting the agenda and that items have been included in the past after the Wednesday packet was prepared and distributed. The purpose of adding it to the agenda was for initial discussion purposes, to get feedback from the Board so that Ben could come back to the Board after working with the Town Manager with any additional items the Board wanted to have clarified. When a question was raised about the need for the public to have notice of agenda items, Chair Hall stated that having the item on the agenda at this stage provides greater notice to the public as it will be on the agenda twice.

Ben Fowlie will work with Bill Najpauer, Planning and Community Development Director for any necessary permits.

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Board Member Hamilton stated that this item should be presented at the next meeting with all the details such as portable bathrooms, food trucks and plans for social distancing.

Board Member Kelly stated that insurance is also important when using Town owned property.

Vice-Chair Munger stated that this item is a creative positive idea and a good counter balance to the many cancellations of summer events and thank the proponents for their thoughtful work and approach to something fun for the community. The idea lifts her spirit.

b. Discuss/Refer Solar Land Use Regulations to Ordinance Review Committee

Chair Hall stated that this item is on the agenda to determine if the Board wants to refer this request to the Ordinance Review Committee for potential ordinance amendments. Planning Board Chair Joe Sternowski brought this topic to the Board's attention.

Board Member Cole stated that he had once said of the various issues with solar farms. There are a lot of complexities involved and there are growing issues. He feels that it is worth sending to the ORC for review.

Board Member Hamilton stated that the Board should have the ORC look at the Land Use Ordinance to determine if there are any regulations currently, and if not, whether there should be.

Board Member Cole stated that in reviewing Joe Sternowski's letter, there are four questions he would like asked of the Select Board. Question 1, should Rockport be considering specific regulation of solar farm projects in our Land Use Ordinance, YES; question 2, should the Planning Board move forward and approve the two projects coming before is in the absence of ordinance coverage, YES; question 3, is the Rockport community comfortable with a concentration of solar farm projects along Route 1, that is a question to be answered; and question 4, should we be requiring a bond be posted for de-construction of these projects as the end of their useful life, YES.

Chair Hall noted that at least one item in the letter seems to raise the question of solar panels generally, that being the question on whether panels should be placed on the face of historical buildings. She suggested that the Board clarify whether the referral is for solar panels generally or more limited to the topic of solar farms. The Board agreed that the referral should be for the purposes of solar farms.

The Board discussed the issue and decided that no motion was necessary and that the issue should be referred to the ORC for an ordinance to be incorporated in the Land Use Ordinance.

c. Discuss Municipal Operations during Pandemic

Town Manager Post stated that he had a meeting earlier today with the Town Clerk's office employees. He reviewed the process of using face masks, gloves, hand sanitizer, etc. The Town Office is still being cleaned daily before employees arrive (door handles, light switches, counters, desks). He is working with Library Director Blackmon on the process of opening the

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library back up to the public. Books are being returned and disinfected and then the books need to be quarantined for 72 hours before being put back on the shelves. Next week, the staff will start offering curbside service. This is phase I and phase II will be released soon. The plan was to open the front office on May 18th to appointments only, but that changed with the recent order issued by the Governor's office. Only three people will be allowed in the lobby at a time, they will be required to wear a mask and encouraged to wear gloves. There will be markings on the floor, only at the front counter and outside, but not the rest of the building. Public Works still has two crews, one person per vehicle, wearing masks and gloves, and have two break rooms to do social distancing.

Board Member Hamilton asked if a press release had been done. Town Manager Post responded that a release will be done.

Chair Hall asked if he is talking about employees or residents. Town Manager Post responded both employees and residents. She said she understood the gloves for employees handling money and so forth, but she asked about the issue of gloves for visitors, noting that this is not required by the Governor's order. She has heard conflicting suggestions, with some being that they might be counterproductive. She deferred to Board Member Cole who agreed that they can create a false sense of security because touching one's face whether with gloves or not can be a problem. He also noted that most non-medical personnel do not know how to properly remove gloves.

Board Member Cole has no problem with the recommendation for gloves on the theory that we are doing the best we can. He stated it is important to wash your hands, wash your hands, wash your hands.

Town Manager Post stated that they will take off the gloves, properly and discard them in the trash.

Board Member Hamilton stated that everyone needs to keep both themselves and everyone else safe.

d. Discuss/Review Potential Budget Impacts of Pandemic

The Manager stated that he and Finance Director Brackett have been reviewing the current year's budget and believe that the Town will be under spent by \$200,000 for the year excluding a shortfall of \$80,000 for excise tax. The Government Accounting Standards Board is issuing a statement that allows excise tax to be counted as a receivable in the next fiscal year. This means that excise tax collected in July and August for vehicles that should have been registered in March, April or May can still be counted as revenue for the current fiscal year. This will help us meet our revenue projections in this fiscal year.

Board Member Hamilton asked if the due date on a registration changes to when the vehicle is actually registered. Town Manager Post stated that the answer is no, it falls back to the original date on the current registration. He stated that revenue sharing revenue looks much better than previously thought as the Town has already collected its estimated amount of revenue sharing. Vice Chair Munger stated that it is because of good managerial skills.

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Town Manager Post stated that he gives credit to the department heads.

Board Member Hamilton asked what items and projects in the current budget year will not happen because of the hold on spending. Town Manager Post stated that there is a police position that is vacant, a hold on ordering supplies, not hiring seasonal staff at the Harbor and lots of small items.

Board Member Kelley asked if the audit report is available. Town Manager Post stated that Finance Director Megan Brackett is reviewing the draft audit report.

Town Manager Post stated that he and the Finance Director have reviewed the Fiscal Year 2021 budget and expect revenues to decrease in excise tax, interests on accounts, mooring permits, revenue sharing and opera house rental fees. They have currently estimated that the Town needs to reduce revenues in the 2020-2021 budget by \$137,000. He estimates that there can be about \$200,000 in reduced expenses including cuts in several departments. He will need guidance from the Board at the next meeting. If changes are made then, the Budget Committee will need to meet and make recommendations.

There was discussion on the \$18,000,000 being given to the Owls Head Airport and if that has to be used for that purpose or could it be used to help lessen the Knox County Budget's town share for what is budgeted each year to the Town for the operation of the airport.

Board Member Cole asked when Town Manager Post would propose plan B for the Town opening back up as usual.

Town Manager Post state that it will be when he hears back from the state. It should be on the next agenda. We will hopefully have Town Meeting on August 18th. The Board has the authority to set a new date. He is hoping to have more guidance from the governor on town meetings and elections.

Board Member Cole asked if the town meeting could be held on the July 14th Primary election date. The Manager replied that the July 14th date does not work for Rockport because of the public hearings that are needed for the land use ordinance amendments and the citizen petitioned articles.

Board Member Kelley asked when the Public Works will start the bid process for paving since the cost of petroleum is down. Town Manager Post stated that the paving bids will be going out next week and back for the first meeting in June.

IX. ANNOUNCE FUTURE MEETINGS, OFFICE CLOSURE, ETC.

- a. May 25, 2020 – Town Offices Closed for Memorial Day
- b. May 26, 2020 – Regular Select Board Meeting
- c. June 8, 2020 – Regular Select Board Meeting

X. SELECT BOARD LIAISON REPORTS –

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Board Member Cole reported that the Parks and Beautification Committee will meet on May 26 for the final approval of the Memorial Park landscaping plan. There will be a big announcement at the June 8th Select Board Meeting regarding funding for the landscaping at the library.

The first bench has been delivered and is at Goodridge Park and will be paid for by the end of the year. Goodridge and Mary Lea Parks have been cleaned up, the stream by the library has also been cleaned up, Vice-Chair Munger cleaned up the kiln area and the sign base at the Opera House has been stained. Denise Munger planted the sugar maples that were donated. The Planning Board held a virtual meeting, and it went poorly, with the minutes, etc. This needs to be ironed out.

Vice-Chair Munger reported that none of her committees have met over the last month.

Chair Hall stated that the new manager at MCSWC, Michael Martunas, was previously in charge of compliance and relevant areas at Dragon for 14 years. He has started with MCSWC and hit the ground running.

Town Manager Post stated that he serves on the MCSWC strategic and capital planning committee and they met last week. They discussed hauling options for recycling and solid waste and will be recommending a new contract that will save MCSWC and the towns money for next year.

Board Member Kelley stated that there will be a Conservation Meeting on the 14th.

Board Member Hamilton stated that the Harbor Committee meeting was held by Zoom last week and included a review of a pier application as well as summer plans and a discussion was held about piling work. No other committees met.

XI. ADJOURNMENT

At 7:34 p.m., Board Member Cole moved to adjourn the meeting. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED (Vote by roll call)

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY