

- PUBLIC MEETING -
Rockport Select Board Organizational Meeting

Wednesday, June 13, 2018
Immediately following Town Meeting
Rockport Opera House Stage
Not livestreamed

AGENDA

I. Call Meeting to Order

Meeting called to order by the Town Clerk

II. New Business

- a. Elect a Chair
- b. Elect a Vice-Chair
- c. Elect an Authorized Representative and Alternate to sign Warrants for the Expenditure of Funds
- d. Vote to adopt Select Board Bylaws. According to Town Charter, Article II, Section 11 (b). "The Board shall determine, at its organization meeting its own rules and order of business for the ensuing year; such rules to be recorded and made available for public inspection and publication. In developing rules, the Board shall endeavor to establish and follow parliamentary procedures."
- e. Set the date for the next Select Board meeting as Monday, June 25, 2018, 7:00 p.m.
- f. Distribution of the past year's (2017-2018) Select Board liaison assignments; to be discussed and set at the June 25 Select Board meeting
- g. Distribution of list of committee members with indications of those who have already indicated their preference to either renew or not renew their appointment(s)

III. Adjournment

Bylaws of the Select Board of the Town of Rockport, Maine

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and/or Charter of the Town of Rockport and shall be liberally construed so as to accomplish their purpose.

Section 2. Officers; Duties

Officers of the Board shall consist of a Chairman and Vice Chairman to be chosen annually at an organizational meeting to be held within twenty-four (24) hours of the town election in June and from among Board members. The Chairman shall preside at all Board meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board to perform its duties and conduct its affairs. The Chairman also shall, together with the Town Manager, set the agenda for each meeting. In the absence of the Chairman, the Vice-Chairman shall preside and shall have the same authority as the Chairman. The Town Manager shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be a public record except as otherwise provided by law.

Section 3. Meetings

Regular meetings of the Board shall be held on the second (2nd) Monday (or the day following if Monday is a holiday) of each month (except June when the meeting shall be the fourth (4th) Monday) or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chairman or upon the request of a majority (three) of the Board, provided, however, that notice thereof shall be given to each member and to representatives of the press at least forty-eight (48) hours in advance and that no business may be conducted other than as specified in said notice. Workshops may be called at the discretion of the Chair and shall include informal discussion of the matter at hand, but will not include formal action.

Notice of all Board meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board except at a duly called and noticed meeting at which a quorum consisting of a majority of the Board is present. The order of business at regular meetings shall be as follows:

- I. Call Meeting to Order
 - a. Roll call and determination of a quorum.
 - b. Minutes of the previous meeting(s)
 - c. Announcement of next regular Select Board meeting
 - d. Announcements
 - e. Announcement of upcoming Select Board workshop(s)
 - f. Committee Openings
 - g. Agenda Changes
 - h. Public Comment
- II. Town Manager's Report
- III. Unfinished Business
- IV. Public Hearing
- V. New Business
- VI. Wastewater Commissioners
- VII. Liaisons' Reports
- VIII. Executive Session
- IX. Adjournment

Section 4. Hearings

Public hearings of the Board shall be called as required by law or on such other occasions, as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chairman shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rule of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chairman and without interruption, provided, however, that the Chairman may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or

other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided however, that the Chairman may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 5. Participation and Voting

Any action of the Board shall require the affirmative vote of a majority (three) of its membership unless otherwise provided by law or by the Parliamentary Authority

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chairman for good cause shown. If a member does abstain from a vote, other than because of a recognized conflict of interest, the abstention shall be considered an affirmative vote.

Members may participate in workshops or executive session **by phone or** remotely via electronic communications, but may not participate remotely in any meetings where votes may or will be taken.

Section 6. Decisions

All decisions of the Board shall be made within the time limits, if any, established by law. All final decisions shall be included in the official minutes, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefore. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Board, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

Section 7. Annual Performance Review of Town Manager.

The Select Board shall establish goals no later than August 31st for the coming year for the Town Manager. Additionally, the Select Board will participate in a formal, written

review of the Town Manager's performance which shall be completed no later than May 31st of each year.

Section 8. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law or the Town Charter shall be resolved in favor of the law and/or the Town Charter.

Section 9. Parliamentary Authority

The rules contained in the current edition of "Robert's Rules of Order Newly Revised" shall govern the Select Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, applicable state and federal statutes, the Charter of the Town of Rockport, and any special rules of order the Select Board may adopt.

Section 10. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Board after notice and public hearing on the proposed amendment.

Adopted by the Board on January 22, 2001

Revised by the Select Board on August 13, 2007

Revised by the Select Board on June 27, 2011

Revised by the Select Board on June 25, 2012

Revised by the Select Board on December 10, 2012

Revised by the Select Board on October 15, 2013

Revised by the Select Board on Monday, June 23, 2014.

2017-2018 Select Board Committee Liaison List

BOARD/COMMITTEE	2017-2018	2018-2019
Ad Hoc Technology Committee	Owen Casas	
Ad Hoc Water Quality Committee (subset of Conservation Committee)	Mark Kelley	
Camden-Rockport Pathways Committee	Owen Casas	
Capital Improvement Committee	Mark Kelley and (Thomas Gray)	
Cemetery Committee	Kenneth McKinley	
Conservation Commission	Mark Kelley	
Harbor Committee	Douglas Cole	
Pesticide Advisory Board (subset of Conservation Committee)	Mark Kelley	
Investment Committee	Douglas Cole	
Keep Rockport Beautiful	Douglas Cole	
Legacy Rockport ¹	Kenneth McKinley	
Library Committee	Douglas Cole (Thomas Gray)	
MCSWC Board of Directors ²	Owen Casas & Douglas Cole (Thomas Gray)	
Northeast Ambulance ³	Mark Kelley and Ken McKinley	
Opera House Committee	Owen Casas(Thomas Gray)	
Ordinance Review Committee	Kenneth McKinley	
Parks Committee	Mark Kelley	
Planning Board ⁴	Douglas Cole	
Recreation Committee	Owen Casas	
Zoning Board of Appeals ⁴	Kenneth McKinley	

¹. 501(c)3 organization; 1 member of Select Board is automatically a voting member

². MCSWC Board of Directors are elected to 3-year terms

³. Northeast Ambulance oversight committee is a 4-town cooperative venture

⁴. Planning Board and Zoning Board of Appeals are quasi-judicial entities

⁵. Voting member

2017-2018 Select Board Committee Liaison List

Breakdown by Select Board member:

Ken McKinley	Cemetery Committee Legacy Rockport Northeast Ambulance Ordinance Review Committee Zoning Board of Appeals
Owen Casas	Ad Hoc Technology Committee Camden-Rockport Pathways Committee MCSWC Board of Directors Opera House Committee Recreation Committee
Douglas Cole	Harbor Committee Investment Committee Keep Rockport Beautiful Planning Board MCSWC Board of Directors Library Committee
Mark Kelley	Capital Improvement Committee Conservation Committee (Ad Hoc Water Quality Committee & Pesticide Advisory Board) MCSWC Board of Directors Northeast Ambulance Planning Board
Thomas Gray	Capital Improvement Committee – No replacement (2 Liaisons) Library Committee – Douglas Cole – replacement MCSWC Board of Directors -Douglas Cole – replacement Opera House Committee – Owen Casas - replacement

**Committee Renewals
2018-2021
Working Copy**

NAME	COMMITTEE	YES	NO	SELECT BOARD LIAISON
Lauren A. Lehmann	Board of Assessment Review			Kerry Leichtman - Town Rep
William Freeman	Board of Assessment Review			Kerry Leichtman - Town Rep
Helen Shaw	Camden-Rockport Pathways Committee	X		Owen Casas
John Titus	Camden-Rockport Pathways Committee			Owen Casas
William J. Leone	Capital Improvement Committee			Mark Kelley
Jeffrey Charland	Capital Improvement Committee			Mark Kelley
David Farley	Cemetery Committee			Kenneth McKinley
Polly Chatfield	Cemetery Committee			Kenneth McKinley
Margaret Carleton	Cemetery Committee	X		Kenneth McKinley
Kim Kimball	Conservation Commission	X		Mark Kelley
Bob Kennedy	Conservation Commission	X		Mark Kelley
Sam Temple	Harbor Committee			Douglas Cole
Peter van der Kieft	Harbor Committee			Douglas Cole
Mark Schwarzmann	Investment Committee			Douglas Cole
Jerod Cronkite	Investment Committee			Douglas Cole
Eliza Haselton	Library Committee			Douglas Cole
Cheryl Liechty	Library Committee			Douglas Cole
David Jackson	Opera House Committee			Owen Casas
Alexandra (Sani Fogel)	Opera House Committee	X		Owen Casas
Alexander Armentrout	Ordinance Review Committee	one-year		Kenneth McKinley
David Jackson	Parks Committee			Mark Kelley
Ames Curtis	Parks Committee			Mark Kelley
John Alexander	Planning Board		X	Douglas Cole
John Viehman	Planning Board			Douglas Cole
Peter Hall	Zoning Board of Appeals		X	Kenneth McKinley
John Osgood	Zoning Board of Appeals			Kenneth McKinley

Committees, Boards and Commission Terms Expiring in June 2018

- **Board of Assessment Review:**
 - o Lauren A. Lehmann
 - o William Freeman
- **Budget Committee – (Elected)**
 - o Peter I. Johnson
 - o Helen Shaw
 - o Betsy Saltonstall
- **Camden-Rockport Pathways Committee**
 - o Helen Shaw
 - o John Titus
- **Capital Improvement Committee:**
 - o William J. Leone
 - o Jeff Charland
- **Cemetery Committee**
 - o David Farley, Assistant Sexton
 - o Polly Chatfield
 - o Margaret Carleton
- **Conservation Commission**
 - o Kimberly Kimball, Chair
 - o Bob Kennedy
- **Harbor Committee**
 - o Sam Temple, Chair
 - o Peter E. van der Kieft
- **Investment Committee**
 - o Mark Schwarzmann, Chair
 - o Jerod Cronkite
- **Library Committee**
 - o Eliza Haselton, Treasurer
 - o Cheryl Liechty
- **Opera House Committee**
 - o David Jackson, Vice-Chair
 - o Alexandra (Sani) Fogel
- **Ordinance Review Committee:**
 - o Alexander Armentrout
- **Parks Committee**
 - o David P. Jackson, Chair
 - o Ames Curtis
- **Planning Board**
 - o John Alexander, Chair
 - o John Viehman
- **Zoning Board of Appeals**
 - o Peter Hall, Chair
 - o John Osgood