

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
TUESDAY, SEPTEMBER 8, 2020, 4:30 P.M.  
ROCKPORT OPERA HOUSE AUDITORIUM  
Streamed at <http://livestream.com/rockportmaine>**

Present: Chair Debra Hall, Vice-Chair Denise Munger, Jeffrey Hamilton, Mark Kelley, and D. Michelle Hannan. Also, present: William S. Post, Town Manager; Randy Gagne, Police Chief, Celjeta Bixhaku, Patrol Officer, several other Rockport and Camden Police Officers, David Pio, and Lynn Rutter.

**I. CALL MEETING TO ORDER** – Chair Hall called the meeting to order at 4:30 p.m.

**II. EXECUTIVE SESSION**

**a. Convene in Executive Session Pursuant to 1 M.R.S. 405 (6) (E) to discuss a Legal Matter**

**At 4:31 p.m., Board Member Kelley moved to enter Executive Session pursuant to 1 M.R.S. 405 (6) (E) to discuss a Legal Matter. Board Member Hamilton seconded the motion.  
VOTE: 5 FOR – 0 OPPOSED**

**At 5:17 p.m., Vice Chair Munger moved to go out of Executive Session. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Chair Hall reconvened the meeting at 5:30 p.m.

**III. PINNING CEREMONY FOR OFFICER CELJETA BIXHAKU**

Police Chief Randy Gagne introduced Officer Celjeta Bixhaku. Chief Gagne stated that Jeta came to the United States in 2015 and speaks four languages. She worked in retail sales and shortly after joined the Rockland Police Department. The Town of Rockport hired Jeta in July and she has been doing a great job and is well liked by her peers. Jeta has deescalated at least two situations. The department looks forward to a long working relationship with Jeta and hope that she will work with us for a long time.

Officer Bixhaku stepped forward and her mother pinned the badge on her uniform.

Chair Hall welcomed her to the Rockport Police Department. Officer Bixhaku thanked the Select Board for letting her be a part of the department.

Chair Hall wished her good luck and stated that she has the Board's support.

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

**IV. TOWN MANAGER'S REPORT/UPDATE**

The Town Manager stated that the Town received one bid for the vehicle exhaust removal systems at the Public Works Garage and Public Safety Building. Fire Chief Peasley and Public Works Director Young are looking into what is needed for electrical materials/additions and what the cost might be.

The Parking Task Force is looking into possible new parking areas.

The LED streetlight project should be complete in two weeks.

It looks like the Library Building is on schedule.

The Homestead Exemption increased by \$5,000 to \$25,000 this year resulting in a reduction in the Town's valuation. Even with the reduced valuation. The tax rate decreased for the first time since 2004.

The paving projects funded from the 2019 infrastructure bond for this construction season are complete. The streets that were paved include Gurney Street, Mill Street, Beech Hill Road, South Street and Park Street.

Chair Hall asked what the best way is to get the word out to the public when the roads are being paved. Town Manager Post replied that information was reported in our first newsletter. He also stated that the Town has received a lot of good feedback on the newsletter. Residents are very pleased with the information being reported.

The Town Manager stated that the Public Safety Parking lot was reconstructed with underground drainage added as well as rock and fabric placed in front of the garage bay doors to eliminate any future rutting issues. In addition, a catch basin was added in the lawn area between the parking lot and Camden Street to eliminate a water problem. The parking lot was the paved and striped. This project is also part of the infrastructure bond.

Vice Chair Munger asked if the Public Works labor and equipment was being included in the cost of the job. Town Manager Post replied that he is trying to calculate this as it has not been done in the past.

Board Member Hamilton stated that at a previous Capital Improvement Plan Committee meeting he attended with Board Member Kelley there was discussion about tracking these costs with the employee time sheets. Town Manger Post stated that they are estimating their time spent on a job.

Board Member Hamilton stated that the newsletter is exceptional and includes a great deal of information. Town Manager Post thanked his Assistant Diane Hamilton and the Finance Assistant Molli Bennett for getting the newsletter done and for all their work... "Kudos to them."

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

Board Member Hamilton stated that it makes the department heads document what they have accomplished each month and what their plans are for the upcoming month.

Board Member Hannan stated that she likes that it gives everyone including those who are not computer savvy, information on what is happening in the Town of Rockport.

Chair Hall asked about the status of gathering an email list to be able to send the newsletter in that manner in addition to paper copies, noting that those who spend their winters elsewhere will not have the benefit of the newsletter.

**V. PUBLIC INPUT ON NON-AGENDA ITEMS**

Board Member Kelley asked what is the time frame when Camden is rebuilding their new wastewater system? Town Manager Post stated that it is in the planning stage and believes it is scheduled to go out to bid this fall or winter.

Board Member Kelley discussed that the Town had gone through the budget, knowing that some residents are having trouble paying their tax bills and the Town reduced its share of the taxes. He wished that the school districts would have done the same. He stated that he would like to hear from the School Board Representatives for Rockport.

Board Member Hamilton also expressed concern that the county and school district did not appear to undertake similar emergency activities to reduce their budgets when Covid 19 hit.

Vice Chair Munger stated that we did not have the usual annual presentation by the school district due to the pandemic.

Chair Hall stated that it is in the Town Charter that the school board representatives update the Select Board. She stated that the Board should ask them for dialog and send them an invitation or request to attend a meeting. The Town Manager stated that he would do that.

**VI. AMENDMENTS TO THE AGENDA - None at this meeting**

**VII. CONSENT AGENDA**

- a. Meeting Minutes of August 19, 2020
- b. Quit Claim Deed for John & Sandra Lynch, Map T01, Lot B03-033

**Board Member Hamilton moved to approve the Consent Agenda as presented. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**VIII. ACTION ITEMS**

- a. **Act on Committee Application(s)**
  - **Planning Board – David Pio**
  - **Conservation Commission – Lynn Rutter**

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

David Pio stated that he has been a resident of Rockport for a year or so and is interested in the Planning Board. His background is applicable to that Board. He worked in Denver and Chicago with developers. He stated that he wants to be a part of the community that he lives in.

Lynn Rutter stated that it is an honor to sit in front of the Board. She stated that she has an education in Environmental Education and is interested in water quality and native plant species.

**Vice Chair Munger moved that the Board appoint Lynn Rutter to the Conservation Commission as an Associate Member for a term ending June 30, 2023 and David Pio to the Planning Board for a term ending June 30, 2023. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**b. Act to Place Solar Farm Ordinance and Fireworks Ordinance on Special Town Meeting Warrant**

Town Manager Post stated that the Solar Farm Ordinance was reviewed by the Planning Board. The Fireworks Ordinance was what was brought to the Select Board earlier on consumer fireworks regulations. The Solar Farm Ordinance is a stand-alone ordinance and not part of the Land Use Ordinance because of the hearing requirements needed if it is part of the Land Use Ordinance. If the Select Board wants the Town to vote on this ordinance in November, it must be a stand-alone ordinance. The Board could decide to incorporate it into the Land Use Ordinance for June

The Board discussed all the work that had gone into getting the ordinances ready. They reviewed some typos that need to be corrected.

**Board Member Kelley moved that the Board place the Solar Farm Ordinance on the Special Town Meeting Warrant for November 3, 2020 as amended with changes as recommended and the grammatical change that was referenced. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Board Member Hamilton stated the ordinance is to ban fireworks and not to regulate them, so the title of the ordinance may need to be changed.

Town Manager Post stated that he believes the wording as presented is what the Town needs to have in the ordinance. He also stated that he had run the proposed ordinance by the Town's Attorney.

The Board discussed definitions and, better drafting. Board Member Munger suggested that the ordinance reference, state law governing fireworks and not the federal law because the state law itself references the federal law. Chair Hall noted that the ordinances need to have a common and consistent numbering system even the two before the Board now were inconsistent, with the Solar Farm Ordinance being the preferred format.

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

Chair Hall and Board Member Munger noted that the Town should have a book of ordinances (this is even required by the Charter) that has all ordinances in one place. Those ordinances should have a consistent format and numbering system.

**Board Member Kelley moved that the Board place the Ordinance to Regulate the Use of Consumer Fireworks on the Special Town Meeting Warrant for November 3, 2020 as amended. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**c. Act on Special Town Meeting Warrant**

Town Manager Post explained how a moderator is elected and what the role of a moderator is.

**Board Member Hamilton moved to approve the Special Town Meeting Warrant for November 3, 2020 as presented. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**d. Act on Select Board Liaisons to Board and Committees**

The Board discussed who would be liaison on each Town Committee. See attached.

**e. Act on Old Rockland Street Project Award**

Town Manager Post explained the project to the Board. The sidewalk adjacent to the road by the Rockville Church down to the intersection with Gurney Street will be replaced. The sidewalk is used as observed when he and Public Works Director Mike Young were looking at the proposed project.

Board Member Kelley stated that he is pleased that a local company will be awarded the bid and that it is so much lower than the other bids.

Town Manager Post stated that Allstate Asphalt will be the paving subcontractor for Rhino Services.

**Board Member Hamilton moved that the Board award the Old Rockland Street Reconstruction Project to Rhino Services, LLC for a cost of \$389,609 to be executed in the spring of 2021. Vice Chair Munger seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**VOTE: 5 FOR – 0 OPPOSED**

**IX. DISCUSSION ITEMS**

**a. Discuss Select Board Bylaws**

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

Chair Hall stated that it was not her intent to draft new bylaws. She suggested that the current bylaws be amended to remove the reference to two specific dates. She suggested that in reviewing samples from other municipalities it would be appropriate to draft a Select Board manual to address some of the procedural details that the Select Board follows. For example, it would be helpful to list the number of days required for taking certain actions such as hearings needed on warrant articles to be placed on a ballot.

Chair Hall noted that she had received some great comments from Board Member Hannan. She asked that the Board get their comments to her and she asked Board Member Hannan to work with her on drafting a manual for the Board's review. Town Manager Post said he would appreciate this assistance.

Board Member Hamilton noted that some Towns incorporate that information in their Charter. He agrees that there should be a Select Board manual (handbook) and that the Board procedures should be transparent to the public.

Chair Hall stated that it would be helpful to have a list of what needs to be done when a resident becomes a member of the Select Board. The Town Manager stated that he and staff have developed a "new member packet" for new Select Board members as well as new members of other boards and committees.

**Vice Chair Munger moved to approve the bylaws with a change to the quorum on page 2, section 7. Board Member Hannan seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**X. SELECT BOARD LIAISON REPORTS**

Board Member Kelley reported that the Parks and Beautification Committee meets the next day.

Vice Chair Munger reported that Legacy Rockport met and reported that work is being done on the lime kilns to determine if they are moving or not.

Board Member Hamilton reported that the Harbor Committee met, but he was unavailable to attend. The Pathways Committee has not met, and the Recreation Committee is in the process of getting new members and to start up again.

**XI. EXECUTIVE SESSION**

- a. Convene in Executive Session Pursuant to 1 M.R.S. Section 405 (6) (C) for discussion of property

**At 7:43 p.m., Vice Chair Munger moved to enter Executive Session with Town Counsel pursuant to 1 M.R.S. Section 405 (6) (C) for discussion of property. Board Member Hannan seconded the motion. VOTE 5 – FOR – 0 OPPOSED**

**At 8:10 p.m., Board Member Kelley moved to exit the Executive Session. Board Member Hamilton seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

ROCKPORT SELECT BOARD  
MINUTES, SEPTEMBER 8, 2020

**Vice Chair Munger moved to put the property located on Tax Map 007, Lot 137 out to bid with a minimum bid of \$30,000 with the condition that the property is sold as is and buyer assumes all liability. Board Member Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**XII. ADJOURNMENT**

**Board Member Kelley moved to adjourn the meeting at 8:15 p.m. Board Member Hamilton seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

FUTURE MEETINGS, OFFICE CLOSURES, ETC.

- Monday, September 28, 2020 – Select Board Meeting
- Monday, October 12, 2020 – Town Offices Closed – Indigenous Peoples' Day
- Tuesday, October 13, 2020 – Select Board Meeting
- Monday, October 26, 2020 – Select Board Meeting
- Tuesday, November 3, 2020 – Election Day

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY