

**- PUBLIC MEETING -**

**Rockport Select Board**

Monday, September 11, 2017

7:00 p.m.

Geoffrey C. Parker Community Meeting Room, Rockport Opera House

Streamed at <http://livestream.com/Rockportmaine> at

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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**

- a. Public hearing on the warrant articles for the November 7, 2017 Special Town Meeting Warrant

**III. Minutes, Meetings and Announcements**

- a. Approval of the minutes of previous meetings:
  - **Monday, August 14, 2017**, meeting of the Select Board
  - **Tuesday, August 15, 2017**, special meeting of the Select Board
- b. Announcements of upcoming Select Board meeting(s):
  - Regular Select Board meeting and public hearing on Dangerous Building on **Monday, September 25, 2017, 6:30 p.m.**, Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at <http://livestream.com/Rockportmaine>
  - Regular Select Board meeting on **Tuesday, October 10, 2017, 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 non-budget Select Board workshop(s):
  - [Ordinance Review Committee workshop, Thursday, September 21, 2017, 5PM](#)
  - [Capital Improvement Committee workshop, October 12, 2017, 5PM](#)
  - [Ad Hoc Water Quality Committee workshop, Monday, October 23, 2017](#) (ROH, to be streamed) – as part of the regular meeting (tentative)
- 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 be closed on Monday October 9, 2017 for the Columbus Day Holiday.
- 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)
- Board of Assessment Review – 1 regular, 3 alternate vacancies
  - Camden-Rockport Pathways Committee – 1 regular vacancy, 3 alternate vacancies
  - Capital Improvement Committee – 1 regular, 3 alternate vacancies
  - Conservation Commission – 3 alternate vacancies
  - Harbor Committee – 2 alternate vacancies
  - Investment Committee – 1 regular vacancy, 3 alternate vacancies
  - Opera House Committee – 1 regular, 3 alternate vacancies
  - Ordinance Review Committee – 3 alternate vacancies
  - Parks Committee – 3 alternate vacancies
  - Planning Board – 1 alternate vacancy
  - Recreation Committee – 2 alternate vacancies
  - Zoning Board of Appeals – 3 alternate vacancies
- 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. Appoint a representative to serve on the board of the Midcoast Economic Development District (MCEDD)
- b. Consider a request to accept the donation of a bench in Marine Park

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

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

- None this meeting
- d. Committee Presentation(s):
  - None this meeting
- e. Vote to place articles on the Special Town Meeting Warrant for November 7, 2017.
- f. Make recommendations votes for articles placed on the Special Town Meeting Warrant for November 7, 2017.
- g. Hear a report from the ad hoc committee for the upgrading of the West Rockport Fire Station
- h. Provide Guidance to the Budget Committee regarding provider agency funding

## **VII. Wastewater Commissioners**

- a. September commitment of Sewer User/Debt Fees for the period of June 2017

## **VIII. Liaison Reports**

## **IX. Adjournment**

**Richard C. Bates**  
Town Manager  
townmanager@town.rockport.me.us



**Stacey M.Y. Parra**  
Executive Assistant & GA Administrator  
executiveassistant@town.rockport.me.us

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Rockport, Maine 04856  
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**Town of Rockport**  
**PUBLIC HEARING NOTICE**  
**Monday, September 11, 2017**  
7:00 p.m., Rockport Opera House

Notice is published that the Select Board of the Town of Rockport will hold a public hearing as part of the Select Board meeting on **Monday, September 11, 2017, at the Rockport Opera House at 7:00 p.m.** to obtain public comments on the following proposed warrant articles for the Tuesday, November 7, 2017 Special Town Meeting:

**Article 2.** Shall the Town approve the Charter amendment reprinted below?

Article II, Section 7 of the Town of Rockport Charter, which enumerates the powers of the Select Board, is amended by inserting the underscored language in a new subsection I related to managing reserve accounts, as shown below:

**Section 7 Powers and Duties**

I. Manage all reserve accounts established by town meeting vote, supplement those accounts with non-budgeted revenue, including but not limited to income from the sale of Town property and donations, and make expenditures from those accounts in order to accomplish the purposes for which the accounts, were established, all in accordance with the Rockport Reserve Account Policy, as amended.

**Article 3.** Shall the Town approve the Charter amendment reprinted below?

Article VI, Section 12 of the Town of Rockport Charter, which requires an annual audit, is amended by deleting the language in strikeover type and inserting the underscored related to the Select Board's appointment authority, as shown below:

**Section 12 Annual Audit**

~~The Town Manager Select Board~~ shall each year appoint a certified public accountant or accountants ~~with the approval of the Select Board~~ for the purpose of conducting the annual audit of the prior fiscal year municipal finances as authorized by law.

State Law Reference: Title 30-A, MRSA, Section 5823

**Article 4.** Shall an Ordinance entitled “Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Municipality of Rockport” be enacted?”

**Article 5.** Shall an ordinance entitled "Coastal Waters & Harbors Ordinance" be amended by adding the underlined language to Section 502.3.1 as shown below?

A. Currently, pursuant to Section 502.3, “[v]essels of forty feet (40’ LOA) or greater will not be assigned a mooring location in the Inner Harbor.” The purpose of this Special Exception Ordinance is to permit owners of commercial vessels seeking to have a mooring in Rockport’s Inner Harbor to apply to a town body – the Harbor Committee – for a special exception permitting boats up to 50 feet in length to be moored in the Inner Harbor.

To that end, the Harbor Committee shall be authorized as follows:

To hear and decide special exception applications for moorings in the Inner Harbor; to decide such questions as are involved in determining whether such special exceptions should be granted; and by majority vote to grant such special exceptions with such conditions and safeguards as are appropriate under this Ordinance, or to deny such special exceptions when not in harmony with the purposes and intent of this Ordinance. An exception may be granted only if the petitioner has established to the satisfaction of the Harbor Committee that the following criteria are met:

1. That the proposed use will not have an adverse effect on the natural environment and/or that the site for that use does not have unusual physical characteristics such as size or shape which would have an adverse effect on surrounding moorings.
2. That the proposed use will not create an unreasonable demand for public services, including, but not limited to, public access to Rockport Harbor, fire protection, police protection, and recreational programs and facilities.
3. That the proposed use would not result in an inordinate amount of boat traffic at or surrounding the site and/or cause any problems regarding emergency access.
4. That the proposed use will not have an adverse effect on the use of surrounding moorings. The applicant shall provide sufficient information and documentation to assure that the use will meet all other applicable requirements. Before granting any special exceptions, the Harbor Committee may refer the application to the Harbormaster for an informational report concerning the effect of the request on the surrounding moorings and any other pertinent data with respect to the Comprehensive Plan of the Town of Rockport.

B. To the extent necessary, the applicant shall be responsible for costs associated with moving any moorings belonging to neighboring boat owners. These moorings shall only be moved with the consent of the individuals whose moorings would be impacted.

C. The Harbor Committee shall consider the degree to which modifying mooring locations in the vicinity of the applicant’s mooring have been incorporated to mitigate adverse effects on surrounding moorings.

D. Appeals of decisions made by the Harbor Committee for special exception permits shall be made to the Select Board.

**A COPY OF THE PROPOSED SPECIAL TOWN MEETING ARTICLES AND SUPPORTING DOCUMENTATION IS ON FILE WITH THE TOWN CLERK AND MAY BE REVIEWED AT THE OFFICE OF THE TOWN CLERK DURING NORMAL BUSINESS HOURS (8 A.M. - 5 P.M., MONDAY - FRIDAY, ROCKPORT TOWN OFFICE).**

**ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE PUBLIC HEARING AND WILL BE GIVEN AN OPPORTUNITY TO BE HEARD AT THAT TIME.**

**OFFICER'S RETURN**

State of Maine

County of Knox, ss

I certify that I have notified the voters of the Town of Rockport of the time and place of the Public Hearing by posting a copy of the within Public Notice at:

Rockport Post Office, West Rockport Post Office, the Rockport Town Office, and the Rockport Public Library, being conspicuous public places within Rockport.

Dated at Rockport, Maine on August \_\_\_\_, 2017.

A True Copy, Attest:

\_\_\_\_\_  
Constable  
Town of Rockport, Maine

**SPECIAL EXCEPTION – ROCKPORT COASTAL WATERS AND HARBOR ORDINANCE**

A. Currently, pursuant to Section 502.3, “~~V~~essels of forty feet (40’ LOA) or greater will not be assigned a mooring location in the Inner Harbor.” The purpose of this Special Exception Ordinance is to permit owners of commercial vessels seeking to have a mooring in Rockport’s Inner Harbor to apply to a town body – the Harbor Committee – for a special exception permitting boats up to 50 feet in length to be moored in the Inner Harbor. [The Harbor Committee would then submit a recommendation to the Town Select Board for final vote.](#)

To that end, the Harbor Committee shall be authorized as follows:

- 1) To hear and ~~decide~~ [provide appropriate recommendation to the Town- the Select Board](#) all special exception applications ~~for regarding boat length and mooring assignments~~ in the Inner Harbor;
- 2) to decide such questions as are involved in determining whether such special exceptions should be ~~granted~~ [presented to the Select Board](#); and
- 3) by majority vote to ~~grant~~ [recommend](#) such special exceptions with such conditions and safeguards as are appropriate under this Ordinance, ~~or to deny~~ [not recommend](#) such special exceptions when not in harmony with the purposes and intent of this Ordinance ~~and conditions below~~—

An exception may be [recommended by the Harbor Committee and subsequently granted submitted to the Select Board](#) only if the petitioner has:

- 1) [submitted the request for special exception prior to mooring any vessel in the harbor not in compliance with existing language in Section 502.3 \(limiting vessels to 40 feet LOA\)](#)
- 2) [complied with Section 502.3 while the special exception application outcome is being determined, and](#)
- 3) ~~has~~ established to the satisfaction of the Harbor Committee that the following criteria are met:
  - a) That the proposed use will not have an adverse effect on the natural environment and/or that the site for that use does not have unusual physical characteristics such as size or shape which would have an adverse effect on surrounding moorings.
  - b) That the proposed use will not create an unreasonable demand for public services, including, but not limited to, public access to Rockport Harbor, fire protection, police protection, and recreational programs and facilities.
  - c) That the proposed use would not result in an inordinate amount of boat traffic at or surrounding the site and/or cause any problems regarding emergency access.

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d4. That the proposed use will not have an adverse effect on the use of surrounding moorings, docks, or navigable channels.

4) The applicant shall have provided sufficient information and documentation to assure that the use will meet all other applicable requirements.

5) The proposed use would not have an adverse impact on other commercial or recreational use.

B. Before granting any special exceptions, the Harbor Committee may refer the application to the Harbormaster for an informational report concerning the effect of the request on the surrounding moorings and any other pertinent data with respect to the Comprehensive Plan of the Town of Rockport.

CB. To the extent necessary, the applicant shall be responsible for costs associated with moving any moorings belonging to neighboring boat owners if required.

D. These Neighboring moorings shall only be moved with the written consent of the owners of the impacted moorings, individuals whose moorings would be impacted.

C. The Harbor Committee shall consider the degree to which modifying mooring locations in the vicinity of the applicant's mooring have been incorporated to mitigate adverse effects on surrounding moorings. THIS SENTENCE DOES NOT PASS THE 'UNDERSTANDABILITY' TEST AS WRITTEN – ie what does it mean???

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Diane,

The proposed changes would work fine. I noticed there is a question on the last provision, it is also not clear to me what is the intent of that sentence. Perhaps it could be eliminated since there is already a provision that relates to adverse impacts above.

Finally, this should be an amendment to the existing ordinance and not as a standalone ordinance.

Take care,  
Phil

**Philip Saucier**

**Shareholder**

**Municipal & Governmental Services Practice Group Leader**

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

**BERNSTEIN SHUR**

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**Harbor Committee Meeting Minutes  
Rockport Town Office - Richardson Room**

**Tuesday, September 5, 2017  
5:15 p.m.**

**Abbie Leonard  
Jeff Hamilton**

**Parker Hackett**

**Sam Temple**

**Guest: Scott Bickford, Town of Rockport Code Enforcement Officer**

**The meeting was called to order at 5:30 pm by Sam Temple, Chair**

**1. Review of proposed Ordinance change amendment revised draft:**

**Feedback from the town attorney was to strike out the last sentence, everything else is acceptable.**

**Motion made to approve the language of the revised draft amendment to the ordinance as it reviewed and approved by the town lawyer.**

**Parker motioned the above, Jeff seconded, 3 in favor. 0 against.**

**Motion to vote to recommend or not recommend to the town Select Board the amendment as written.**

**Parker seconded. 0 in favor, 3 against recommending this amendment as written.**

**The current situation in the harbor is in the hands of the Town and for the town leadership to address.**

**Going forward:**

**Jeff suggested the harbor committee work on a general special exception procedure amendment this winter similar to the town land use ordinance procedure such that it would apply to any issue outlined in the ordinance.**

**Scott Bickford- described the land use ordinance procedure.**

**He discussed the difference between a special exception and a permanent variance in the process**

**Sam – we are creating an exception process**

**Scott –A variance is permanent and has to be recorded. Can you do a variance on the water?**

## **2. Harbormaster's Report:**

**Weather monitor is on top of the building. Rain gauge and in-depth information. Webcam will be the next step.**

**72 hours before a hurricane – protocol. Discuss with Camden.**

**Recommendations to haul out of the water or not at the 72-hour mark.**

## **3. Other Business:**

**Floating pot warp continues to be an issue in the harbor. Props and shafts are getting fouled.**

## **4. Approval of Minutes:**

**Everyone reviewed the minutes from August 29, 2017.**

**Parker motioned to approve. Jeff seconded. 3-0 in favor.**

**5. Next Meeting:**

**The next Harbor Committee meeting will be on Thursday, October 5<sup>th</sup> at 5:15 in the Richardson Room.**

**6. Adjourn:**

**The meeting was adjourned at 6:10 p.m.**

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
MONDAY, AUGUST 14, 2017  
EXECUTIVE SESSION 6:30 P.M.  
REGULAR AGENDA 7:00 P.M.  
ROCKPORT OPERA HOUSE  
MEETING ROOM**

Present: Chair Kenneth McKinley, Vice-Chair Owen Casas, Douglas Cole, Mark G. Kelley and Thomas Gray. Also present: Richard C. Bates, Town Manager; Department Heads: Jamie Francomano, Director of Community Development & Planning, Megan Brackett, Finance Director; Abbie Leonard Harbormaster, Mike Young, Public Works Director; Jason Peasley, Fire Chief; Employees, Stacey Parra, Susan Dates and Terri Lea Smith; the press, Lynda Clancy and Louis Bettcher and members of the public

I. CALL MEETING TO ORDER – Chair Kenneth McKinley called the meeting to order at 6:32 p.m.

II. EXECUTIVE SESSION

a. Discussion of Labor Contracts pursuant to 1 M.R.S.A. Section 504 (6)(D)

**At 6:33 p.m., Doug Cole moved to go into Executive Session pursuant to 1 M.R.S.A. Section 504 (6) (D). Owen Casas seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**Owen Casas moved to exit the executive Session at 6:46 p.m. Mark Kelley seconded the motion. 4 FOR – 0 OPPOSED**

b. Discussion of a Confidential Matter pursuant to 1 M.R.S.A. Section 405 (6)(A)

**At 6:46 p.m., Doug Cole moved to go back into Executive Session pursuant to 1 M.R.S.A. Section 504 (6) (A). Owen Casas seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

**At 6: 50 p.m. Owen Casas moved to exit Executive Session. Tom Gray seconded the motion. (He arrived late at 6:47 p.m. after they had gone into session.) VOTE: 5 FOR – 0 OPPOSED**

At 7:00 p.m. the Chair Ken McKinley called the regular meeting to order.

**Doug Cole moved that the Select Board direct the Town Manger to sign the Police Department Labor Contract for 2017 to 2020. Owen Casas seconded the motion. VOTE: 4 FOR – 0 OPPOSED – 1 ABSTAINED (Tom Gray was not present at the Executive Session.)**

II. PUBLIC HEARING – None this meeting

**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

a. Approval of the minutes of the previous meetings:

- Monday, July 10, 2017, meeting of the Select Board

**Doug Cole moved to approve the minutes of the July 10<sup>th</sup> meeting with an amendment to “Owen and Tom being absent at the meeting.” Tom Gray seconded the motion. VOTE: 3 FOR – 0 OPPOSED – 2 ABSTAINED (Tom Gray and Owen Casas**

b. Announcements of upcoming Select Board meeting(s)

- Special Select Board meeting on Tuesday, August 15<sup>th</sup>, 2017, 4:00 PM to discuss and approve the survey developed by Portland Research Group as part of the research on the future of the Rockport Public Library
- Regular Select Board Meeting and Public Hearing on Monday, September 11, 2017, 7:00 p.m., Rockport Opera House Meeting Room, to be streamed at <http://livestream.com/Rockportmaine>,

c. Announcements of upcoming non-budget Select Board workshop(s): - None

d. Announcements: - See agenda

e. Committee Openings: – See agenda

f. Agenda Changes

g. Public Comments

Helen Shaw – wanted to inform the new Select Board of a dangerous problem on Pascal Avenue. When the gallery has events people park with their cars hanging over onto the road, and they block the mailboxes. There has been at least one accident near Ship Street because the site visibility was blocked by cars parking too close to the entrance. She has made numerous complaints and PD never shows up. She talked to Rick and he assured her that the lines would be painted tomorrow.

She stated that she wants the neighbors to be notified 48 hours in advance of any events taking place in that area. She wants an ordinance to be drawn up.

Mark – how did you make out the other day when you called?

Helen – I called and talked to the sergeant and he said that he was going off duty.

Owen Casas asked to have item n. moved to be near item k since several firemen are present for those items.

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IV. TOWN MANAGER'S REPORT – See attached

Ken – asked Bill Chapman and Geoff Parker to step forward. He presented Bill with a print done by Peter Ralston, thanking him for his nine years of service with eight of them being the chair. He then presented Geoff with a different print done by Peter Ralston, thanking him for his previous six years on the Board with serving a total of fifteen years on the Select Board.

Ken – also presented Bill with a plaque and gavel for his service. Geoff was presented with a proclamation thanking him for his service on the Select Board, Planning Board, Zoning Board of Appeals and the School Board. The Board also made a presentation of a sign stating that the Select Board Meeting Room is now “The Geoffrey C. Parker Community Meeting Room,” thanking him for the countless hours he has put in making the sound system exceptional.

Rick – the work in this room is largely not noticed. The livestream is very nice. You can watch your set at home and interact in the meeting by sending a message. Geoff has put in a ton of hours.

Owen – thanked both Bill and Geoff for their many hours of service to the Town.

Rick – reported that Sue Dates of Public Works will be retiring as soon as we find a replacement for her. She has worked for the Town since 2005.

Stacey Parra has worked here since June of 1998 and is leaving to be the Clerk in Union. It is a mixed blessing and is something that is an improvement. She is the most talented executive assistant that he has had in forty years. It has been an honor to have worked with her.

There will be a party for them on August the 31<sup>st</sup> at 5:30 p.m. to 7:00 p.m.

Ken – Stacey has done a lot of work helping the Select Board crossing the t's and dotting the i's.

Rick – Assessing and Planning has a new employee, Hannah Sisk.

Rick – gave his report – see attached.

V. UNFINISHED BUSINESS

- a. Appoint a representative to serve on the board of the Midcoast Economic Development District (MCEDD)

The Board – asked the former chair of the Board, Bill Chapman if he wanted to serve on this committee and he declined saying that he was enjoying his retirement.

Bill – in regard to time commitment the board meets once a year in June to go over their bylaws and to elect a director. The directors meet four times a year and then if you are on the executive committee, they meet monthly.

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Ken – we should hold off until next month and ask if a member of the Planning Board would like to be on the board.

It was agreed to move the fire department items to after the committee applications.

V. NEW BUSINESS

a. Acknowledgement of Gifts to the Town:

- An anonymous donation to General Assistance in the amount of \$1,000
- 

**Doug Cole moved to accept the generous donation from an anonymous donor in the amount of \$1,000 for General Assistance. Tom Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- Donation of a scrap metal rack to the Harbor from Seth Palmiter

**Owen Casas moved to accept the generous donation of a scrap metal kayak rack to the Harbor from Seth Palmiter and to send him a letter of thanks. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

b. Committee Resignation(s): - None this meeting

c. Committee Application(s):

- William Kelly – Opera House Committee

He was not present at the meeting.

Owen – has had interactions with him from the Opera House 125<sup>th</sup> Celebration. He highly recommends that he be appointed. He was at the event serving food and pitching in to help with the event.

Mark – I thought that we had talked about having the applicant present when they are on the agenda. We keep going back and forth.

Ken – it is different for the Planning Board.

Owen – I admit that I have waffled on it.

**Doug Cole moved to approve the appointment of William Kelly to the Opera House Committee with a term expiration of June 30, 2020. Owen Casas seconded the motion. VOTE: 4 FOR – 1 OPPOSED (Mark Kelley)**

- William Leone – Capital Improvement Committee



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William – I have experience in business and will bring good decision making. I have observed the last CIP meeting and was impressed with the detail supplied by Megan. I have experience with building, construction and real estate.

Owen – how many members are there?

Allen Mitchell – five

**Tom Gray moved to approve the appointment of William Leone to the Capital Improvement Committee with a term expiration of June 30, 2018. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- n. Discussion regarding the request by Nelson Tolman to purchase a portion of the 647 Rockland Street property.

Rick – we do not need all of the property that we purchased. Mr. Tolman came to me requesting permission to purchase some of the land. Would you like me to explore the possibility and come back to you later with a recommendation?

Owen – it seems to me that it would be logical to sell any land we don't need to the abutter. What is the plan?

Rick – we are only saying yes we are interested in the possibility.

Owen – where are we with the Ad Hoc Committee?

Jason – we have been working with Bill Lane and he has done some design work for us. There is no need for a massive redesign. We need a small bump out for an addition allowing us to put in the new truck.

Bill Lane – he has identified what is needed for an expansion to the West Rockport Fire Station. A sideline adjust is appropriate. We can put on an addition and make sure that it will not affect the sideline.

Mark – that piece of property would only be good to Mr. Tolman.

Bill Lane – we have not made an assessment to make that definitive.

Jason – what do you want from the committee?

Owen – I am waiting on a recommendation. We have money sitting there.

Jason – we have \$125,000. Do you want to wait until we have all of the funding that we need before moving ahead?

Doug – we are getting off topic. Do we want Rick to talk to Nelson?

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Ken – let's get back to the question.

The Board responded that they do want Rick to explore it.

Owen – I would encourage the committee to come back to the Board with a plan.

Ken – at a future meeting can you come back to us with something? Next month?

Jason – yes.

Ken – I will put it on the agenda for the September 11<sup>th</sup> meeting.

k. Approval to allow the Town Manager to sign the contract with Greenwood Emergency Vehicles, Inc, for a new fire truck

Ken – we need to sign the contract early to save about \$30,000 to \$35,000.

Megan – the fire truck replacement plan fell behind. Therefore, we will need to purchase two trucks within five years. This will be part of a lease purchase arrangement. It will save us money to pre-buy a new truck now.

Ken – we will be replacing two trucks.

Jason – it will be beneficial to leave number 25 at the West Rockport station. It will affect our ISO rating if we have two trucks there. Next month on September 7<sup>th</sup> we will be going through a rating.

Mark – what is the current rating?

Jason - six or seven.

**Owen Casas moved to approve the request from the Town Manager and the Fire Chief to order the new E-One Typhoon Pumper Fire Truck in the amount of \$584,227 from Greenwood Emergency Vehicles, Inc. for delivery on or about July 1 – July 15, 2018. Tom Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

d. Committee Presentation(s): - None this meeting

e. Vote to establish an Ad Hoc Comprehensive Plan Review Committee

**Doug Cole moved to establish an Ad Hoc Comprehensive Plan Review Committee made up of 7 – 9 members and to ask interested residents to submit an application by September 5, 2017 for consideration at the September 11, 2017 meeting of the Select Board. Mark Kelley seconded the motion.**

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Ken – we already have some applications. We need to think about a charge and the number of members that we want on the committee.

Owen – do we usually give a range?

The Board discussed what dates to have the applications back to them and decided on the ones that are in the motion. They felt a range was fine.

Owen – can we ramp up getting members?

Ken – we already have four.

Owen – in Jamie’s memo, paragraph 3, why isolate the Harbor Village?

Jamie – there is a give and take to make the village a downtown.

Ken – last time the plan was a good product. The committee was made up of mostly Rockport residents.

Owen – should we give this more time and change the dates.

Doug withdrew his motion and Mark withdrew his second.

**Doug Cole moved to establish an Ad Hoc Comprehensive Plan Review Committee made up of 7 – 9 members and to ask interested residents to submit an application by September 18, 2017 for consideration at the September 25, 2017 meeting of the Select Board. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

f. Presentation by Intern Peter Huntington

Peter – I am a student in Vermont and did this work for the Margaret Chase Policy Center at the University of Maine. I did an assessment of the culverts, an analysis of the roads and pavement and the street lights. I mostly worked on the culverts. They are under driveways and roads. They are used to “move water through.” I took several photos on my laptop and used a GIS database and local roads software to record it all.

We have a total of 734 culverts – 255 (34.6%) are in good condition; 383 (52%) are in fair condition; 95 (12.9%) are in poor condition; and .5% unknown condition. The Road surface is cracking in some places and there are pot holes and drainage issues. There are 165 storm drain in town and are mostly in the harbor and village area. I recorded 284 streetlights in the daytime and therefore, have no accounting if there all work or not.

I will provide you with a binder with all of the information as well as it being entered into the program that was used.

Rick – the goal is to help Peter for the next several months by keeping the information up to date.

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Peter – I will be carrying the information over into my academics and will record the potential damage of weather conditions.

Doug – asked how the tropical storm Irene’s effect was on Vermont.

Peter – we found that it created problems with the culverts in Vermont and Massachusetts.

Rick – we are interested in putting in the location of all of the stop signs and the street signs. It is important to keep it current. Peter’s work has been a huge pay off.

Ken – it seems like we hit the jackpot with our intern.

Rick – he has been here all summer working.

Peter – it has been a valuable experience for me and I would like to thank the Town of Rockport and the Public Works Department.

Owen – if we know there is going to be some extreme weather, I will free up my couch and have you spend a day or two to search the effects of it on our culverts.

Peter – I would love to.

Mark – how does the 95 poor condition culverts get treated?

Mike – I am always looking at them to make sure there aren’t any problem.

g. Consider a request to accept the donation of a bench in Marine Park

Ken – we need to make sure that the bench fits in with the Harbor Plan.

Abbie – Rev. Williams is still alive and wants to sit on the bench. I will put the bench under the tree by the river side. Should we charge the Harbor Committee or the Parks Committee to make a decision on having benches at the Harbor Park? There shouldn’t be any more in my opinion.

Mark – should we develop a policy?

Ken – that is something that we should think about.

Owen – you should contact David Jackson and let him know about it.

Mike – you could have the Parks Committee come up with some guidelines regarding the style, material and plaques that are allowed.

Ken – should the plaques be carved or sand lasted?

Tom – it should be handled in a sensitive way.

**Rockport Select Board Minutes  
Monday, August 14, 2017**

The Board decided to table this item until the September meeting.

- h. Discuss and approve the proposed warrant items and wording of the warrant articles for the November 7, 2017 Special Town Meeting Warrant

Ken – the charter items in Article 2 and 3 are pretty straight forward. Does anyone have any issues with them? No issues were heard.

**Owen Casas moved to approve the proposed warrant articles 2 and 3 for inclusion on the November 7, 2017 Special Town Meeting Warrant, which wording could be changed at the Monday, September 11<sup>th</sup> Public Hearing. Doug Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Article 4 is a new ordinance and will be ready for review at the September meeting.

Owen – does it cover retail sales, cultivation and inspections? I have no problem with the cultivation or inspections. I know that the voters were against it.

Jamie – the ordinance is straight forward and requires a minimum of response.

Rick – the attorney says that it covers all retail cultivation. The ordinance will prohibit it.

Ken – we need to vote to put it on the warrant so that the residents can vote on it.

Rick – we need to start the train moving as this sets up the public hearing date.

**Mark Kelley moved to approve the proposed warrant article 4 for inclusion on the November 7, 2017 Special Town Meeting Warrant, which wording could be changed at the Monday, September 11<sup>th</sup> Public Hearing. Doug Cole seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

Ken – I have an issue with Article 5. I don't like special exceptions. It has the potential of opening us up to legal issues. I am not excited about it.

Rick – it is the recommendation of town counsel caused by a being owner feeling that he is not being heard.

Owen – I would like to see a recommendation from the Harbor Committee.

Abbie – the chair and vice-chair have looked at it and made some edits. We haven't been able to get a meeting together.

Doug – as the liaison, I have seen this go back and forth. I am undecided how to vote on this matter. He has been building this boat for three to five years and no one anticipated a problem with it? Kenny has a reputation and bucks the trend.

**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

Tom – I admit that my reaction is similar to Doug’s. He has been building the boat for a long time.

Abbie – I knew about it and went out to Kenny a year and a half ago and that is why we are trying to get an exception. The present ordinance is voted on by the town’s people, we cannot change it. He did not inform her that he was launching the boat and she found out on the day he launched it. I talked to Rick and that is when we went the litigation route.

Tom – was there an attempt to change the ordinance?

Abbie – I would like to see it changed. Instead of giving him a notice of violation and taking him to court, we are doing a pre-notice of violation.

Rick – Kenny’s attorney came up with the response and we have made some changes to it.

Owen – it doesn’t take many changes until it ruins your plan.

Tom – it doesn’t make me feel good because I feel that we are being backed into a corner.

Ken – we realize that it is a working harbor, so we need to come up with a plan. We should up the fee if someone has a bigger boat than the ordinance currently allows. I don’t like someone going against the rules. It rubs me the wrong way. I will not recommend the special exception.

Mark – is there room elsewhere that the boat can go?

Abbie – if I move some boats around it might be possible. We would be looking at the middle harbor.

Mark – you need a designated space for boats 50’.

Abbie – the Harbor Committee feels the same way. Kenny made a formal request. There isn’t another mooring available. I will have to move some around.

Owen – is this a trend we should anticipate?

Ken – we need to talk about moorings in the inner harbor for 50’ boats.

Abbie – it is based on the swing tide.

Ken – we could identify a few, make it a rule and charge more money. I prefer not putting this on the Harbor Committee to make that judgement. They are not a quasi-judicial committee.

Abbie – I would have to reassign some moorings. Nobody is waiting for a place for bigger boats.

**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

Rick – we cannot create space where we don't have it. The attorney say that the special exception is a reasonable approach.

Ken – the Harbor Committee is not a quasi-judicial Board. We could give it to the Planning Board to decide. We will need a recommendation by September 11<sup>th</sup>.

Abbie – yes, I will get one from the Harbor Committee.

Owen – they can come in for the September 11<sup>th</sup> Board discussion. I am mostly not comfortable with the language.

Ken – we can approve it being placed on the warrant for a public hearing and cancel the article then. You can kill it now or agree to put it on.

Owen – can you work up a second opinion for us before the next meeting?

Ken I would entertain a motion.

**Owen Casas moved to approve the proposed warrant Article 5 for inclusion on the November 7, 2017 special Town Meeting Warrant, which wording could be changed at the Monday, September 11<sup>th</sup> Public Hearing. Tom Gray seconded the motion. VOTE: 4 FOR – 1 OPPOSED (Doug Cole)**

- i. Vote to hold a public hearing on warrant articles for the November 7, 2017 Special Town Meeting Warrant on Monday, September 11, 2017, 7:00 p.m. Rockport Opera House Meeting Room

**Owen Casa moved to hold a public hearing on the proposed warrant articles 2-5 for the November 7, 2017 Special Town Meeting Warrant on Monday, September 11, 2017, 7:00 p.m., Rockport Opera House. Tom Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

BREAK: 9:50 – 9:55 p.m.

- j. Vote to hold a public hearing and set a meeting date regarding the removal of a dangerous building at 479 Rockland Street (Map 17/Lot 79)

**Tom Gray moved to hold a public hearing and set a meeting date of Monday, September 25, 2017 regarding the removal of a dangerous building at 479 Rockland Street (Map 17/Lot 79). Doug Cole seconded the motion.**

Jamie – she has been in violation for more than two years.

Owen – we need to reassess fees for violations.

**VOTE: 5 FOR – 0 OPPOSED**

**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

k. This item was heard earlier.

l. Appoint an Auditor for FYE June 30, 2018 and authorize the Town Manager to sign a three-year contract with an auditor

Ken – we have chosen RHR Smith & Company as our auditor for the next three years. It is a good practice to see what is out there so we went out to bid. All of the firms that applied were qualified firms.

Megan – we picked the middle bidder.

Mark – the previous firm left on good terms?

Ken – there were some issues and Megan was not happy with them.

Owen – Ken and I met with RHR and were very impressed. RHR has a policy on returning emails immediately. They are very aggressive. Their clients all have the certifications. There are also grant opportunities available if we receive our certification. Megan is working on that certification. RHR already has the portal online. The old firm did not and were not prompt at answering emails.

Mark – shouldn't we have something done by now regarding the audit for last year?

Ken – we didn't get the completed audit until April this year, which was well beyond the deadline of December 31<sup>st</sup>.

Owen – RHR is ready to start.

Doug – according to the MMA, the Select Board should be the one to make the decision. I would have liked to see the list of applicants and looked at them.

Owen – we talked to Camden and they spoke highly of them. They did the audit for the forensic audit of the Snow Bowl and they audit the books for Midcoast Solid Waste.

Mark – we were not given the option to sit in on the interviews or were we given any information on the bids.

**Doug Cole moved to appoint RHR Smith & Company as the Town's Auditor for the fiscal year ending June 30, 2017 and authorize the Town Manager to sign a three-year contract. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

m. Discussion and Approval of 2017-2018 Goals



**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

The Board discussed the goals that they had talked about in a workshop. There are three goals that were given a top priority status and six that were given a very worthy status. The top three are the Library, Comprehensive Plan and the Capital Improvement Plan.

Doug – let them happen.

Owen – we decided to let the Route 1 sewer expansion be deferred because of all the other stuff we have to do.

Rick – that is a three to five year plan, so we have time.

See list.

- n. This item was discussed previously in the agenda
- o. Review and approval of the Restricting Vehicle Weight on Posted Ways Ordinance

Mike – there was a plan in 1974 according to Linda, Town Clerk and it was never adopted.

**Doug Cole moved to approve the Restricting Vehicle Weight on Posted Ways. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- p. Consider appointing a representative from the Select Board to serve on the MSAD 28 Middle School Building Committee

Owen – I would be happy to serve on the committee

Tom – I would strongly say no to serving on this committee as it will put me in a difficult situation.

**Doug Cole moved to appoint Owen Casas from the Select Board to serve on the MSAD 28 Middle School Building Committee. Tom Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- q. Appoint a representative to serve on the board of the Mid-Coast Regional Planning Commission

**Owen Casas moved to appoint Jamie Francomano from the Select Board to serve on the board of the Mid-Coast Regional Planning Commission. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

- r. MMA Annual Election – Vice President and Executive Committee Members

**Dog Cole moved to approve all members on the voting ballot for the Maine Municipal Association. Tom Gray seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

VII. WASTEWATER COMMISSIONERS

**Rockport Select Board Minutes**  
**Monday, August 14, 2017**

**At 10:27 p.m., Owen Casas moved to leave as Select Board and enter as Wastewater Commissioners. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

a. July commitment of Sewer User/Debt Fees for the period of May 2017

**Tom Gray moved to commit the Sewer User/Debt Fees for the period of May 2017 totaling \$26,284.83 to the Treasurer for collection. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

b. August commitment of Sewer User/Debt Fees for the period of June 2017

**Tom Gray moved to commit the Sewer User/Debt Fees for the period of June 2017 totaling \$94,605.18 to the Treasurer for collection. Owen Casas seconded the motion. VOTE: 5 FOR – 0 OPPOSED**

**Owen Casas moved to exit as Wastewater Commissioners and to go back into session as Select Board. Tom Gray seconded the motion. VOTE: 4 FOR 0 – OPPOSED**

VIII. LIAISON REPORTS

Doug – I attended the Harbor Committee meeting and it was contentious about the boat. Overall the members are negative about changing the ordinance. They are looking for the path of least resistance and want to get it behind them.

Owen – Pathways are building a path from Erickson Field all the way to Beech Hill Street. The Recreation Committee is trying to figure how it works with the youth leagues and the Town. Rick and Mike have discussed the irrigation going on in the field in preparation for the soccer season. We will need to do something about the tennis court at some point. The weeds along the edges have been burnt.

Owen and Doug discussed the importance of having minutes from the various committees available on a timely basis.

Mark – I will see David Jackson tomorrow about the Harbor and placement of benches. The Ambulance Review Committee will need in the future and I missed the CIP meeting.

Tom – I have nothing to report.

Ken – the ZBA elected George Benson as the new chair. They approved a variance for a boat shop at the Corner of Union and Grove Street. It will now go for a site plan review with the Planning Board.

Doug – again, we need minutes available in an easy access form.

IX. EXECUTIVE SESSION – None this month

X. ADJOURNMENT

**Rockport Select Board Minutes  
Monday, August 14, 2017**

**Owen Casas moved to adjourn the meeting at 10:40 p.m. Doug Cole seconded the motion.  
VOTE: 5 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY

## *Manager's Report – September 11, 2017*

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### Public Works

Mt Pleasant Street is proceeding with revisions the contract has been awarded to JBI to remove material in all identified spots where we have been having problems with mud. The cost of this phase will be about \$ 155,000. This will not do the final lift of gravel in preparation for paving. We will look at that in the spring and decide then if we have enough money to do that phase or not.

Summer Street is supposed re-sloped and paved this week.

Paving has been awarded to Pike paving at a price of \$61.75 per ton. Paving should be starting in the next couple of weeks. Pike will be subcontracting that work to Performance Paving in the interest of getting the work done as quickly as possible. Performance has done the work the past couple of years and we have been very happy with the work they have done.

### Assessing

We committed taxes August 24<sup>th</sup> and tax bills were sent out.

The new mil rate is actually going to be \$ 14.75 or a \$ .14 increase, \$.26 lower than expected and less than 1%. To put it in context, at budget time, our prediction for the new mil rate was expected to be \$ 15.01. that is up \$.40 from \$ 14.61. While some taxpayers would love to see no increase or even a reduction in the mil rate, this is much better than expected.

This is very good news and is the result of several things, first the reduction you made to the budget at Town meeting, next the investment we made in hiring a utilities expert to look at values of CMP and finally the re-evaluation of time shares.

A lot of credit in getting the mil rate down has to go to Kerry and Caitlin who worked a lot chasing new value. This was time consuming and arduous, but between the two of them they legitimately found millions of dollars in new value, that was key in that 26 cents savings that all the taxpayers will enjoy.

I cannot overstate the importance of the work that the two of them have done. it is not the super cool stuff like building a new beautiful sidewalk, being the first library in the State to have Virtual Reality or rescuing someone from a car wreck .....but it is important in so many other ways.

Thank you, Kerry and Caitlin, for a job well done.

## Fire Department

The fire chief and two members of the Fire Department returned from a trip to FL to meet with the builders of the new truck that is expected to be delivered sometime after July 1, 2018. This is a preliminary meeting to be sure that we get the truck built the way that we want.

The fundraising campaign to assist the City of Rockport Texas has raised over \$17,000 so far in donations. We are still waiting to hear if our assistance will be needed in Rockport. I am planning on meeting with the City Manager in Rockport while at the ICMA convention in San Antonio.

## Police

The Police Department is still shorthanded however we have been able to maintain coverage using some of Camden's officers to cover a few shifts. Thank you to all of the Officers of Both Departments that have been holding things together.

## Personnel Changes

With Stacey leaving to take over the position as Town Clerk for the Town of Union, I have moved Diane Hamilton to move into the position as my assistant in the manager's office. We have replaced her with Hannah Sisk who has taken to the new position quite nicely. We are advertising for a person to take over with accounts payable and payroll to help in Finance. We hope to have that position filled in the next few weeks. GA is temporarily being handled by Janice in Camden and I will be working with The Camden TM to develop an agreement for shared services long term.

## Library Survey

The library survey is due to hit the mail on September 14<sup>th</sup>. The preliminary notification went out in Wednesdays mail and that notification is just asking people to be on the lookout for the survey next week.

The signs will go out very soon.

The door to door campaign could be in jeopardy based on the number of people it will take to do a complete and thorough campaign. It is estimated that it would take about 50-75 volunteers to cover the town in a weekend.

It may be that this is more than we can handle. The only way possible is to open the door to anyone that wants to help and trust that the training and statement they sign will ensure that they do not do anything other than remind people to take the survey.

Office Closed October 4<sup>th</sup> for the MMA convention. This is the annual staff training provided by MMA

Staff members participated in a water rescue training at the harbor where they got to see me be rescued and learn about drowning victims. They also attended a morning Safety Jeopardy game which focused on training we have had in the past as a refresher.

I will be out of the office late Wednesday afternoon, September 13<sup>th</sup> through Friday afternoon the 15<sup>th</sup> to attend the MMA Executive Committee meeting strategic planning session in Kennebunkport.

# Memo

**To:** Rockport Select Board  
**From:** Abbie Leonard, Harbormaster  
**Date:** 9/6/2017  
**Re:** Memorial Bench recommendation

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I met with Dave Jackson, chair of the Parks Committee, to discuss a bench donation from Mr. Vance Williams. I expressed my concern about placing too many of the granite benches in the park for fear of looking like a cemetery. He looked at the proposed placement of the bench and agreed that it would be a good spot for one more granite bench as it matched the one by Andre. Dave suggested that we bring a bench design to the Parks Committee to approve so that the process for future requests for memorial benches will be in place and the design of the bench in line with the ascetics of Marine Park.

There was a question of whether or not Mr. Williams resides in Rockport; he in fact is a resident of Thomaston.

Respectfully Submitted,

Abbie Leonard, Harbormaster

From: Jan Rosenbaum [jan.rosenbaum17@gmail.com]  
Sent: Thursday, August 31, 2017 11:11 AM  
To: SelectBoard  
Subject: Provider agencies, 2018-19

Select Board,

Good morning all. The Budget Committee met last night in our organizational meeting (I remain chair, Tom Murphy remains vice chair).

In the discussion was a revised questionnaire for potential Provider Agencies. New SB members may need to be caught up a bit: after years of having the annual budget contain donations made to selected non-profit agencies that serve Rockport residents in a variety of manners (heating assistance, visiting nurses, etc.) the SB in its wisdom decided to have the agencies' names included on property tax bills so people could write an additional check for an agency (or more) while paying taxes. After a number of years another SB realized that almost no money was donated, and so gave the responsibility to the Budget Committee last year. We simply sent questionnaires out to the charities that had appeared on the last tax bill.

This year, and going forward, we will advertise that Rockport makes such donations and that applications need to be filed by some specific date near the end of the calendar year. The Budget Committee will develop a process for narrowing the field, then interviewing the best candidates, then adding funds to the budget as a warrant article to be voted on during June's election town hall meeting.

As part of the application process we currently and in the past have mandated that an applicant agency provide a petition (provided by us) signed by 35 registered voters.

That said, we need your help:

- A. Please specify a cap amount that we can expend (last year we proposed, and the citizens approved a total of \$9,556 to 7 agencies)
- B. Removal of the petition as part of the application.
- C. Approval/Rejection of a policy we will write to guide the process of expending town money to appropriate provider agencies

Our reasoning:

On A. We are uncomfortable determining the total we should expend even though the voters have a chance to amend or reject the warrant article On B. The application asks for how and how many Rockport residents (not necessarily registered voters the agency serves. We also are afraid that the agent will simplify his/her life by having the recipient of the aid sign the petition. That worries us regarding implied coercion, having signers' names go public through a FOIA request, and that it seems like hazing to us On C. Spending town money should have clear, public, and approved guidelines for process, justification, and reporting.

Thanks

jan



**- PUBLIC MEETING -  
Rockport Select Board**

Monday, September 11, 2017  
7:00 p.m.

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

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**Managers Notes**

**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**

- a. Public hearing on the warrant articles for the November 7, 2017 Special Town Meeting Warrant

***Manager's Notes*** -The board needs to hold a public hearing to hear comments on the warrant articles that are being proposed to be placed on the ballot for the November election. There are 4 articles on the Warrant.

Articles 2 and 3 are charter amendments to clarify the role of the Select Board in managing reserve accounts and clarify the conflicting language in the charter as to who appoints the auditor, The Town Manager or the Select Board. These amendments simply memorialize, in the charter, what has been practice for many years.

Article 4 is limit the retail sale of marijuana in Rockport. This is the result of the non-binding referendum were less than 30% of Rockport voters support retail sales of marijuana in Town.

Article 5 is an amendment in the Coastal Water's and Harbor Ordinance to allow for a boat owner to apply for a special exception to the size limitations placed on boats in the inner harbor. The current limit is 40 feet.

Note – Article 1 is to elect a moderator.

***Suggested Motion – I move to open the public hearing on the warrant articles as presented at (note the time for the record).***

When all public comments have been heard, close the public hearing.

***Suggested Motion – I move to close the public hearing on the proposed warrant articles at (note the time for the record).***

### III. Minutes, Meetings and Announcements

- a. Approval of the minutes of previous meetings:
  - **Monday, August 14, 2017**, meeting of the Select Board
  - **Tuesday, August 15, 2017**, special meeting of the Select Board
- b. Announcements of upcoming Select Board meeting(s):
  - Regular Select Board meeting and public hearing on **Monday, September 25, 2017, 6:30 p.m.**, Geoffrey C. Parker Community Meeting Room, Rockport Opera House, to be streamed at <http://livestream.com/Rockportmaine>
  - Regular Select Board meeting on **Tuesday, October 10, 2017, 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 non-budget Select Board workshop(s):
  - [Ordinance Review Committee workshop, Thursday, September 21, 2017, 5PM](#)
  - [Capital Improvement Committee workshop, October 12, 2017, 5PM](#)
  - [Ad Hoc Water Quality Committee workshop, Monday, October 23, 2017 \(ROH, to be streamed\) – as part of the regular meeting \(tentative\)](#)
- 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 be closed on Monday October 9, 2017 for the Columbus Day Holiday.
- 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)

  - Board of Assessment Review – 1 regular, 3 alternate vacancies
  - Camden-Rockport Pathways Committee – 1 regular vacancy, 3 alternate vacancies
  - Capital Improvement Committee – 1 regular, 3 alternate vacancies
  - Conservation Commission – 3 alternate vacancies
  - Harbor Committee – 2 alternate vacancies
  - Investment Committee – 1 regular vacancy, 3 alternate vacancies
  - Opera House Committee – 1 regular, 3 alternate vacancies
  - Ordinance Review Committee – 3 alternate vacancies
  - Parks Committee – 3 alternate vacancies
  - Planning Board – 1 alternate vacancy

- Recreation Committee – 2 alternate vacancies
- Zoning Board of Appeals –3 alternate vacancies

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. Appoint a representative to serve on the board of the Midcoast Economic Development District (MCEDD)

*Manager's Notes* -At this point we are unable to find anyone who wants to serve in this position so I recommend that you appoint our Planning and Community Development Director to serve on the board.

*Suggested Motion – I move to appoint Planning and Community Development Director, James Francomano to serve on the board of the Midcoast Economic Development District (MCEDD)*

## V. Unfinished Business

- b. Consider a request to accept the donation of a bench in Marine Park

*Manager's Notes* -Attached is a memo from Abbie Leonard about her conversation with Dave Jackson the Chair of the Parks Committee stating that he didn't see a problem with one more granite bench.

It seems to me that there are more questions that need to be answered than we have asked and I would recommend that you table this discussion and ask the Parks Committee to recommend a new policy to deal with requests like this rather than taking action right now on this.

I believe that we can get sample policies from Camden and Rockland and revise to suit our needs over the winter that will be much better than simply reacting to requests when they come in.

*Suggested Motion – I move to table the request to accept the donation of the bench for Marine park until a policy can be developed by the Parks Committee and approved by the board, to handle requests like this in the future.*

## **VI. New Business**

- a. Acknowledgment of Gifts to the Town:
  - None this meeting
- b. Committee Resignation(s):
  - None this meeting
- c. Committee Application(s):
  - None this meeting
- d. Committee Presentation(s):
  - None this meeting
- e. Vote to place articles on the Special Town Meeting Warrant for November 7, 2017.

***Manager's Notes*** -The board will have to formally take a vote to place each of the articles on the warrant as presented or amended. You should go through them one at a time.

***Suggested Motion – I move to place article 2 on the ballot as presented (or amended)***

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

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

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



- f. Make recommendations votes for articles placed on the Special Town Meeting Warrant for November 7, 2017.

***Manager's Notes*** -The next action the board will have to take is to place your recommendations on each of the articles you have voted to place on the ballot.

***Suggested Motion – I move to recommend (or not recommend) article 2 as placed on the ballot***

***Suggested Motion – I move to recommend (or not recommend) article 3 as placed on the ballot***

***Suggested Motion – I move to recommend (or not recommend) article 4 as placed on the ballot***

***Suggested Motion – I move to recommend (or not recommend) article 5 as placed on the ballot***

- g. Hear a report from the ad hoc committee for the upgrading of the West Rockport Fire Station

**Manager's Notes** -The Ad Hoc West Rockport Fire Station Committee has been meeting and will be on hand to make a presentation with their recommendations as to what the options are for the renovations to the station.

The renovation to the station was originally proposed to be a small addition to give adequate clearance around the front and back of Truck 23 and replace the roof. The challenge was that the proposed addition (about 6 feet) was too close to the setback required on the lot. We have since purchased the adjacent property, so setback is not an issue.

Originally, we had budgeted \$85,000 to do this small amount of work. As part of the reallocation of some of the bond funds, I have upped that to \$125,000 to cover any contingencies to get the job done.

h. Provide Guidance to the Budget Committee regarding provider agency funding

**Manager's Notes** -Included in your packet you will find an e-mail from Jan Rosenbaum the chair of the Budget Committee requesting some guidance with how the Budget Committee should handle requests from provider agencies this year.

As you may or may not be aware that this was changed back last year after many years of not having these requests on the warrant.

Specifically, they are looking for guidance from the Board on three different questions.

1. Specify a cap amount that we can expend (last year we proposed, and the citizens approved a total of \$9,556 to 7 agencies)

2. Removal of the petition as part of the application.

3. Approval/Rejection of a policy we will write to guide the process of expending town money to appropriate provider agencies.

They would like the board to weigh in with your thoughts on these questions. More details are contained in the text of the e-mail. Jan will be on hand for the discussion.

No recommendations from the manager.

## **VII. Wastewater Commissioners**

- a. September commitment of Sewer User/Debt Fees for the period of June??  
2017

## **VII. Liaison Reports**

## **VIII. Adjournment**