

**ROCKPORT SELECT BOARD
MEETING MINUTES
TUESDAY OCTOBER 23, 2018
7:00 P.M.**

**GEOFFREY C. PARKER COMMUNITY MEETING ROOM
ROCKPORT OPERA HOUSE**

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

Present: Chair Douglas Cole, Vice Chair Kenneth McKinley, Debra Hall, Jeffrey Hamilton and Mark Kelley. Also present: Richard C. Bates, Town Manager; Randy Gagne, Police Chief; Ben Blackmon, Library Director; Megan Brackett, Finance Director; Scott Bickford, Code Enforcement Officer; press and members of the public

I CALL MEETING TO ORDER – Kenneth McKinley, Chair called the meeting to order at 7:00 P.M.

II. PUBLIC HEARING

- a. Public Hearing to discuss and approve Select Board By-Laws

The Chair opened the public hearing at 7:01 p.m.

For – None

Against – None

Neither for nor against – None

The public hearing was closed at 7:02 p.m.

- b. Public Hearing to give interested members of the public an opportunity to comment on the Amendments to the General Assistance Ordinance Appendices A-D effective October 1, 2018

The Chair opened the public at 7:03 p.m.

For – None

Against – None

Neither for nor against – None

The public hearing was closed at 7:04 p.m.

III. MINUTES, MEETINGS AND ANNOUNCEMENTS

- a. Approval of the minutes of previous meetings - None this meeting
b. Announcements of upcoming regular Select Board meeting(s) – See Agenda
c. Announcements of upcoming Select Board workshop(s) – See Agenda
d. Announcement(s) and or Training(s): See Agenda

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- e. Committee Openings – See Agenda
- f. Agenda Changes –

Doug – we should move Wastewater up to accommodate Scott and the requestors. It should be before New Business. The Board agreed.

- g. Public Comment – None this meeting.

IV. TOWN MANAGER’S REPORT – See attached

V. CONSENT AGENDA

- a. Approve Vehicle Use Policy
- b. Adopt General Assistance Ordinance
- c. Approve the Select Board Bylaws
- d. Acknowledge years of service on the Planning Board to John Alexander
- e. Committee Resignation(s):
 - Tim Hoffman – Harbor Committee
 - Tony Bates – Board of Assessment Review
 - Chris Farley – Budget Committee

Ken – I want to thank the committees for their service. John Alexander served on the Planning Board for nine years and I would publicly like to thank him. Also, a thank you to Tim Hoffman, Tony Bates and Chris Farley for serving on town committees.

Debra will thank Bob Hall who has donated his insurance knowledge to us with respect to the Vehicle Use Policy.

Doug – I would like to thank Debra, Linda and Diane for all their work on the Vehicle Use Policy and the General Assistance Ordinance. “A yeoman’s job.”

Jeffrey Hamilton moved to approve the Consent Agenda as presented. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

V. UNFINISHED BUSINESS

- a. None this meeting

VIII. WASTEWATER COMMISSIONERS

Jeffrey Hamilton moved to exit as Select Board and to enter as Wastewater Commissioners. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Kenneth McKinley moved to support the proposed indirect sewer line as proposed and for the administration to come back to the commissioners, at a later date, with an easement and other language for final approval by the commissioners. Jeffrey Hamilton seconded the motion. VOTE: 5 FOR – 0 OPPOSED

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Kenneth McKinley moved to exit as Wastewater Commissioners and to reenter as Select Board. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

VII. NEW BUSINESS

- a. Request to change December 10th Select Board meeting to December 3rd after ICP Workshop

Kenneth McKinley moved to change the December 10th Select Board meeting to December 3rd after the ICP workshop. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- b. Committee **Application(s)**:

- Joyce Mohr – Capital Improvement Committee

Jeffrey Hamilton moved to appoint Joyce Mohr to the Capital Improvement Committee for a term of June 30, 2021. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- Sadie Samuels – Harbor Committee

Jeffrey Hamilton moved to appoint Sadie Samuels to the Harbor Committee for a term of June 30, 2020 to finish out Tim Hoffmann's term. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

- c. Appoint Animal Control Officer Scott Entwistle

Randy - With the appointment of Mark Bennett as a Full Time Police Officer for the Town of Camden, we lost our Animal Control Officer. I am recommending that we appoint Scott Entwistle as our Animal Control Officer for the Town of Rockport. Scott has been working for the Town of Camden since the summer, doing parking enforcement and getting training. He is a volunteer Firefighter in Camden and worked previously as a dispatcher at Knox County. Randy then introduced Scott.

Mark Kelley moved to appoint Scott Entwistle as Animal Control Officer for the Town of Rockport. Jeffrey Hamilton seconded the motion. VOTER: 5 FOR – 0 OPPOSED

- d. Harbor Special Exceptions for Kenneth Dodge and Mainely Lobster (10 minutes)

Abbie - The first is a request from Kenneth Dodge for a special exception to the mooring limitation that restricts boats on inner harbor moorings to 40 feet or less. His boat is 47 feet. He built his new boat two years ago and put it in the water. At that point he was in violation of the ordinance and there was no means of remedy by way of a variance. His boat is located at a spot in the Harbor where a 47 foot would fit and not be in conflict with any other boat.

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The Harbor Committee has worked a lot on this issue over the last year and voted to recommend that the Select Board grant Kenneth Dodge a Special Exception and a copy of the recommendation from the Board Chair, Sam Temple, is included in your packet.

The Select Board had a real problem with this request for the 47' boat. They noted that this boat should never have been placed on the mooring until the variance was granted and approved.

Kenneth McKinley moved to approve the Special Exception to Section 506 of the Harbor Ordinance to allow Kenneth Dodge to keep his boat on his mooring in the inner harbor. Mark Kelley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

The next request for a special exception comes from Mainly Lobster, the lobster buyer that leases the property down next to the Boat Club to serve the commercial lobstermen. Currently Chapter 707 Section 707.4 restricts them from placing lobster crates on the commercial float for longer than one tide cycle. This appears to be focused on individual lobster fisherman storing traps on the float and prior to the advent of the lobster buyer.

This variance would allow Mainly lobster to do what they have been doing for years, without being in violation of the ordinance. These crates are used by all the lobstermen that use the commercial float and it makes it easier for them as the crates are right on the float. In addition, it means that they do not need to be stored in the parking lot on the landing. The Harbor Committee voted to recommend that the Select Board grant Mainly lobster a Special Exception and a copy of the recommendation from the Board Chair, Sam Temple, is included in your packet.

Jeffrey Hamilton moved to approve the Special Exception to Chapter 707 Section 707.1 of the Harbor Ordinance to allow Mainly Lobster to store up to 150 lobster crates on the commercial floats from June – November as recommended by the Harbor Master. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

e. Capital Campaign Report

The Rockport Library Foundation Board of Directors is made up of Ann Filley, President; John Viehman, Vice President; Joan Welsh, Secretary; Bill Leone, Treasurer; Peter Ralston and Cate Monroe.

John – we have collected \$1,018,000 in less than three months.

Ken – how do you feel about meeting the goal?

John – optimistic. We have a great team and I am confident that we can meet our goal.

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Doug – do we want to appeal to anyone to volunteer administrative support?

John – we have direct campaigns, social media, signs and a mural, that is lit up, at the old library.

Mark – the lights are on 24-7. You should have a timer on it.

John – I have requested one.

Ken – thanked them. No town resources have been used. You have a dream team working on the campaign.

The theme is “LETS BUILD IT”

f. Discussion of Glen Cove Park

The Park at Glen Cove was given to the Town by the State of Maine on May 12, 2004. The Town has been responsible for maintaining the park since that time. Included in your packet is a copy of the deed as well as an aerial photo of the site. You will note that the deed contains a “reverter” clause that says if the Town no longer wants it that it would revert to the State of Maine for ownership.

The park is used by a lot of people traveling through Rockport, as it is one of the few places along Route 1, that provides a public park with such great views of Penobscot Bay. The site is largely “out of site and out of mind” so to speak, and difficult for police to properly patrol.

Chief Randy Gagne and Mike Young will be on hand to discuss possible solutions that may help with any issues that may be happening there.

After discussion by the Board, it was recommended to put the question out to the public to comment upon.

g. Discuss job descriptions

Included in your packet are all the job descriptions we have for positions within the Town. You will see some of them have been updated more recently than others. This is because they are normally updated whenever a position is vacant and someone new is hired in a position and a change needs to be made, or a new position is created. Some positions, particularly Public Works and in the Town Clerks office have not been updated in many years because the tenure of the employees there is significant.

Mark – I am disappointed as I have been asking for this to be done since May. We need thorough research done before the upcoming budget session. Why isn't it a finished product?

Doug – because of time constraints, is it possible for the two of you to put it on a fast

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track?

Jeff – who is now involved in this project?

Debra – the Department Heads and staff should have some input in the process.

Rick – this has been going on for many years.

Debra – are we seeking out assistance from the Department Heads?

Jeff – have they had input?

Rick – no

Debra – the Department Heads know the jobs, so we need to have their input.

Rick – I agree totally.

Mark – why is the Finance Director doing them?

Jeff – it is up to the Town Manager.

Doug – we can direct the Town Manager to have them ready by December 1st.

Jeff – everyone should look at their job description, give their feedback to their Department Head and then they give it to the Town Manager for formatting by December 3rd.

The Board discussed the process for a salary survey.

h. Discuss Manager's Goals

Below is the list of Town Manager goals for 2018/19 for discussion

1. Library
2. Economic Development (RES and Broadband)
3. Performance Management (Exit Interviews)
4. Expand email list (Liaison outreach to AARP)
5. Team Building including Select Board
6. West Rockport Fire Station

i. Discuss/Approve Committee Bylaws

Diane has done a yeoman's job on getting these all together. Will send out an email to the committee chair. We should approve them all in the same month. Debra, we need consistency. Mark, we should do them in October and then in three-year intervals. The Board agreed to turn Debra loose on them.

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j. Discuss creating reserve accounts for Public Works

Included in your packet is memo from Megan Bracket explaining that this is used in a number of communities as a way of leveling off expenditures from the UFB by creating designated funds for a specific purpose.

We received a reimbursement of \$17,276.72 from FEMA for storm related reimbursements from the October 2017 storm last fall. There is also a possibility of additional funds that are pending. I am recommending that you consider placing those funds in a reserve fund created specifically for that purpose.

Creating these designated reserve funds is, it is good financial planning. Preparing for realistic events, that can impact the budget, as well as impact the UFB, is what we should do.

As you know we have been working on growing our UFB in recent years, to get to the recommended 90 day of expenditure threshold. This will help to eliminate tapping into the UFB and stopping that growth.

I am recommending that the Town consider creating a reserve account for funding emergency expenditures for snow related overages and other emergency related road repairs due to significant storm related damage. This is not to be used to make budgeted repairs, repairs that should be budgeted in the future. In addition, it is not to be used, if sand, salt and overtime lines are not fully expended in the budget. While Megan is recommending a cap of \$50,000, a cap of less, would also be very helpful and put us on the right track.

The next question is what to do with the \$25,944.75 we received from the State for the construction of our salt shed that we built in 1987. I am not quite clear why we got the money, but I am not asking a lot of questions at this point.

The old salt shed is badly in need of repairs. Where the steel roof connects to the concrete walls is rusting away, from all of the salt that was in there many years ago. We use this shed for winter storage of a lot of equipment that would normally need to get stored outside in the elements.

Repairing it sooner than later, is a lot cheaper than the alternative. While Mike does not have a firm estimate of the total cost, he believes it would be \$30-\$50,000.00 to repair the whole thing. We do not have enough money to do this now, but by using the money from the State and budgeting it next year, we can get this done and save the building for another 20+ years.

On a recent inspection by MMA, they identified it as a problem that needed to be attended to.

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There are two ways that you could approach this. One would be creating a reserve account and place the money from the state in it, the other would be to hold the money over in a separate trial balance account until next budget year and budget the money to make the repairs in the 2020-2021 budget. Carrying the money, longer would be a problem come audit time.

Mike will work on getting a better price estimate for the repair.

The Board should give us some guidance as to which direction you would like us to go with this one.

Jeffrey Hamilton moved that the \$17,276.72 that was received from FEMA be put in a temporary holding account. Debra seconded the motion. VOTE: 5 FOR -0 OPPOSED

Jeffrey Hamilton moved that the \$25,944.75 we received from the State for the construction of our salt shed that we built in 1987 be placed in a temporary holding account. Debra Hall seconded the motion. VOTE: 5 FOR – 0 OPPOSED

k. Discuss Rockport Representative to MCSWC

With Doug's resignation from the MCSW Board of Directors, there is an opening on the Board. Unless a member of the Select Board wants to step up and take the position you will need to find a new person to put in the position. Bill Chapman was on the Board for many years, was a good Board member and fully understands the work that the Board does. I reached out to him to gauge his interest and he said that he wasn't sure, that he would attend the next meeting and decide if he was interested in submitting his name.

One of the challenges that the Board has is the turnover on the MCSW Board and having a clear and consistent direction. This has been lacking for the past couple of years and is desperately needed. So, unless there is a Board member willing to step up you should actively seek a new member to represent the Town of Rockport.

Doug – Owen knows someone and is willing to seek them out and ask them if they will apply.

Rick – the challenge with that committee is that it is complex. Consistency is very helpful.

Ken- Owen is very good on that Board and he is the chair.

l. Discuss Budget Committee

With the resignation of Chris Farley from the Budget Committee as he has moved out of Town, we now have two openings on the Budget Committee. With nine members and

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two vacant seats on the committee, this will make having a quorum at meetings a problem.

The Board will need to actively pursue possible replacements to make this budget season productive.

VIII. WASTEWATER COMMISSIONERS

- a. Indirect Sewer – Dana Burton and Kenneth Thompson

This item was heard before New Business

IX.. LIAISON REPORTS

The Board each gave a report on their committees.

X. EXECUTIVE SESSION

- a. None this month

XI. ADJOURNMENT

Jeffrey Hamilton moved to adjourn the meeting at 10:00 p.m. Kenneth McKinley seconded the motion. VOTE: 5 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY