

TOWN OF ROCKPORT
ANNUAL TOWN MEETING WARRANT
Tuesday, June 14, 2022 and
Wednesday, June 15, 2022

To: Randy Gagne, Constable of the Town of Rockport, in the County of Knox, State of Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 14th day of June, 2022 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 10 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 15th day of June 2022 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant.

Article 1. To elect a moderator to preside at said meeting.

Article 2. To elect:

- a. One 3-year terms for Select Board and overseer;
- b. Three 3-year terms for the Budget Committee;
- c. Two 3 -year term for the Library Committee;
- d. One 3-year term for Director of SAD #28 and to also serve concurrently on the Five Town CSD School Board.

Article 3. Shall the following amendments to the Town of Rockport Land Use Ordinance, Section 809.4 be enacted:

1. Location. A wireless telecommunications facility may be permitted only in the following locations:
 - a. Within 1,000 feet of the top of Ragged Mountain or within a Rural District;
 - b. Co-located on an existing facility;
 - c. Placed onto an existing structure when they are designed to blend harmoniously into the existing architecture and appearance of the original structure. Examples include, but are not limited to, a facility using a steeple which has the appearance of being part of the existing steeple or a facility atop a building which has the appearance of a chimney, vent, or other traditional appurtenance to the existing building.
 - d. Where there is no adverse effect on the health and safety of the public.

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

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Article 4. Shall the following amendments to the Town of Rockport Land Use Ordinance, Section 301 be enacted:

Structure: Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, foundation drains, poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks, patios, wind turbines, wireless telecommunication facilities and satellite dishes.

Food Cart or Truck: A movable vehicle from which food and/or beverages are sold to the public who walk or drive up to the food cart.

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Article 5. Shall the following clean up amendments to the Town of Rockport Land Use Ordinance be enacted:

Section 503 to correct subsection references.

Section 505 to correct referencing that no longer exists.

Section 1304 to amend language from his to her and/or his

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Article 6. Shall the following clean up amendment to the Town of Rockport Land Use Ordinance be enacted:

Section 907.3 to be amended for clarity:

~~(A) All fully enclosed, private sport facilities (for example, hockey rinks and tennis or basketball courts) in excess of 10,000 sq. ft. that are more than 500 feet back from Routes 1, 17, and 90.~~

(A) Fully-enclosed, private sport/recreational facilities (for example, hockey rinks and tennis, gymnastics or basketball courts) with frontage on Routes 1, 17, and 90, may have a maximum building footprint larger than 10,000 Sq.ft., with front set back from the road of at least 200 feet, maximum footprint and side and rear setbacks subject to the approval of the Planning Board.

And,

To move 907.3(B) to section 907.2 for clarity.

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

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Article 7. Shall the following amendments to the Town of Rockport Land Use Ordinance, Section 1302 be enacted:

Every applicant applying for site plan review should submit two (2) hard copies and one (1) digital copy ~~thirteen copies (13)~~ of the application and supporting documentation to the Planning Office All copies shall be prepared in accordance with Section 1304 and accompanied by ~~a fee as determined by the Select Board~~ the associated cost included in the Fee Schedule.

And to add the following for abutter notices for Site Plan review applications:

For any application requiring Planning Board review, the Town will send notice to all abutters and abutting property owners, as currently listed by the Town Tax Assessor, by priority mail seven (7) days prior to submission of Application to the Planning Board. The applicant will be responsible for all associated costs included in the Fee Schedule.

Such notice shall include:

1. the address and map-lot number where the construction is proposed,
2. a general description of the proposed construction,
3. and instructions on how to obtain additional information regarding the project.

A list of all abutters notified will be supplied by the Town seven (7) days before the scheduled Planning Board meeting.

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Article 8. Shall the following amendments to the Town of Rockport Zoning Board of Appeals Ordinance be enacted:

II. Appointment

- A. Rockport Zoning Board of Appeals members shall be appointed by the ~~(Municipal Officers)~~ Select Board and sworn into office by the Town Clerk or other person authorized to administer oaths.
- E. When there is a permanent vacancy on the Rockport Zoning Board of Appeals, ~~the (Municipal Officers)~~ Select Board shall, within 60 days of a vacancy occurring, appoint a person to serve for the unexpired term. . . .
- F. A ~~(Municipal Officer)~~ member of the Select Board or spouse of a ~~(Municipal Officer)~~ member of the Select Board may not be a member of the Zoning Board of Appeals. *

*Note: Subsection F mirrors state law on point.

III. Organization and Rules

C. The Chairperson shall call at least one meeting of the Board each ~~(month)~~ year and such other meetings as may be necessary to conduct the business of the Board.

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Article 9. Shall the Town enact the amendments to the Town of Rockport Land Use Ordinance as proposed by the Maine Department of Environmental Protection for sections 301 Definitions and 1400 Shoreland Zoning:

Planning Board Votes: 4 For, 0 Against, 0 Abstain RECOMMEND

Article 10. Shall the following amendment to the Town of Rockport Sewer Ordinance be enacted:

401. Required Use of Public Sewers

The owners of all houses, buildings, or other structures ~~(properties)~~ used for human occupancy, employment, commerce or recreation, situated within the Town and abutting on any street, alley, or right-of-way in which there is located a public sewer are hereby required, at their own expense, to connect to the public sewer in accordance with the provisions of this Ordinance, except that:

1. Any such existing houses, buildings, or other structures ~~(properties)~~ serviced by a private subsurface wastewater disposal system, shall not be required to connect to the public sewer until 90 days after the date when the subsurface wastewater disposal system fails to ~~(adequately treat the wastewater)~~ function in a satisfactory and sanitary manner in accordance with applicable law or ordinance as determined by the Local Plumbing Inspector; and
2. Owners shall not be required to connect to a public sewer if such houses, buildings or other structures ~~(at a location)~~ are more than ~~(100)~~ 200 feet from the property line.

Wastewater Commissioners Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Articles 11 through 33 shall be considered at the Annual Town Meeting held on June 15, 2022 at 7:00pm at the Rockport Opera House.

Article 11. To see if the Town will vote to:

(1) Approve certain road and sidewalk repair, reconstruction, and improvement projects, including all engineering, construction and site work as well as other

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reasonably related costs thereto (the “Projects”), as a result of October 31st, 2021 storm as determined by the Treasurer and Chair of the Select Board;

(2) Appropriate a sum not to exceed \$1,500,000 for the cost of the Projects.

(3) To fund the Projects, authorize the Treasurer and the Chairman of the Select Board to issue, at one time or from time to time, general obligation securities of the Town of Rockport, Maine, including temporary notes in anticipation of the sale thereof and future refunding obligations, in an aggregate principal amount not to exceed \$1,500,000, and to delegate to the Treasurer and Chairman of the Select Board the authority and discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, current or advance refunding(s) of the securities, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, execution of certificates, loan agreements and any other documents reasonably related thereto, and to provide for the sale thereof.

FINANCIAL STATEMENT

Total Town Indebtedness:

A. Bonds outstanding and unpaid:	\$ 5,300,647
B. Bonds authorized and unissued:	\$ 4,500,000
C. Bonds to be issued if this Article is approved:	<u>\$ 1,500,000</u>
Total:	\$ 11,300,647

Costs:

At an estimated interest rate of 2% for an estimated 5-year maturity, the estimated costs of this bond issue will be:

Principal:	\$ 1,500,000
Interest:	<u>\$ 81,993</u>
Total Debt Service:	\$ 1,581,993

Note: The above estimate of costs may be impacted by reimbursement from the Federal Emergency Management Agency (FEMA) for these Projects, however, the Town will likely not know if such FEMA reimbursement will materialize and to what extent until after the Projects are undertaken.

Validity: The validity of the bonds and the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ _____, Town Treasurer

Budget Committee Votes:	6 For, 0 Against, 0 Abstain	RECOMMEND
Select Board Votes:	5 For, 0 Against, 0 Abstain	RECOMMEND

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Article 12. To see if the Town will vote to raise and appropriate the following for General Government for the 2022/2023 fiscal year:

A.	Administration.....	\$46,470
B.	Town Manager.....	\$340,210
C.	Town Clerk.....	\$288,453
D.	Planning & Community Development.....	\$383,100
E.	Finance.....	\$172,415
F.	Assessing.....	\$235,897
G.	Insurance.....	\$79,129
	Total.....	\$1,545,674

Budget Committee Votes: 2 For, 3 Against, 1 Abstain NOT RECOMMEND
Select Board Votes: 4 For, 1 Against, 0 Abstain RECOMMEND

Article 13. To see if the Town will vote to raise and appropriate the following for Public Assistance for the 2022/2023 fiscal year:

A.	General Assistance.....	\$23,560
	Total.....	\$23,560

Budget Committee Votes: 5 For, 0 Against, 1 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 14. To see if the Town will vote to raise and appropriate the following for Public Safety for the 2022/2023 fiscal year:

A.	Police Department.....	\$716,668
B.	Fire Department.....	\$616,845
C.	Other Public Safety Services.....	\$334,640
D.	Animal Control.....	\$6,690
E.	Harbormaster.....	\$238,449
F.	Emergency Management.....	\$3,473
	Total.....	\$1,916,765

Budget Committee Votes: 4 For, 1 Against, 1 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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Article 15. To see if the Town will vote to raise and appropriate the following for Public Works for the 2022/2023 fiscal year:

A.	Public Works	\$2,338,536
B.	Sanitation.....	\$172,812
	Total.....	\$2,511,348

Budget Committee Votes: 5 For, 0 Against, 1 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 16. To see if the Town will vote to raise and appropriate the following for Culture and Recreation for the 2022/2023 fiscal year:

A.	Library	\$499,360
B.	Conservation Commission.....	\$8,575
C.	Parks	\$77,180
D.	Opera House	\$159,111
E.	Recreation.....	\$62,719
	Total.....	\$806,945

Budget Committee Votes: 2 For, 3 Against, 1 Abstain NOT RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 17. To see if the Town will vote to raise and appropriate the following for Buildings and Grounds for the 2022/2023 fiscal year:

A.	Buildings and Grounds Administration.....	\$168,820
B.	Town Office Building.....	\$208,585
C.	Public Safety Building.....	\$39,265
D.	West Rockport Fire Station	\$59,997
	Total.....	\$476,667

Budget Committee Votes: 1 For, 4 Against, 1 Abstain NOT RECOMMEND
Select Board Votes: 4 For, 1 Against, 0 Abstain RECOMMEND

Article 18. To see if the Town will vote to raise and appropriate the following for Long Term Debt (Debt Payments) for the 2022/2023 fiscal year:

A.	Debt	\$403,456
	Total.....	\$403,456

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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Article 19. To see if the Town will vote to raise and appropriate the following for County Fees for the 2022/2023 fiscal year:

A.	County Service, E-911.....	\$76,149
B.	County Service, Dispatch	\$37,521
	Total.....	\$113,670

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 20. To see if the Town will vote to raise and appropriate the following for Cemeteries and Special Assessments for the 2022/2023 fiscal year:

A.	Cemeteries	\$135,887
B.	Special Assessments	\$6,800
	Total.....	\$142,687

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 21. To see if the Town will vote to raise and appropriate the following as Revenue from the following sources to be used in reducing the property tax assessment for the 2022/2023 fiscal year:

A.	General Government	\$1,255,541
B.	Public Assistance.....	\$14,950
C.	Public Safety.....	\$347,750
D.	Public Works	\$69,919
E.	Culture and Recreation	\$175,095
F.	Buildings and Grounds	\$20,270
F.	All Other – Cemeteries	\$88,500
G.	Schools	\$93,750
H.	Unassigned Fund Balance	\$350,000
I.	Special Assessments	\$477,500
	Total.....	\$2,893,275

Budget Committee Votes: 4 For, 2 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 22. To see if the Town will vote to authorize the transfer of all unexpended balances to fund balance and to authorize the overdrafts that may occur in the Town operations in the 2022/2023 budget to be taken from fund balance?

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 23. To see if the Town will vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 24. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner or in the case of time-share units, reconveyance back to the original owner or the time-share estates association of unit owners; property to be disposed of by written policy and on terms the Select Board deem advisable.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 25. To see if the Town will vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of wastewater thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property. The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner. Property to be disposed of by written policy and on terms the Select Board deem advisable.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 26. To see if the Town will vote to set October 17, 2022 and April 17, 2023 as the tax installment due dates.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 27. To see if the Town will vote to set October 18, 2022 and April 18, 2023 as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 4.00% interest per year.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

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Article 28. To see if the Town will vote to fix the rate of interest on delinquent wastewater charges at 4.00% interest per year.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 29. To see if the Town will authorize the Select Board and Treasurer, on behalf of the Town, to accept gifts, real estate, and certain funds, including trust funds, that may be given or left to the Town.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 30. To see if the Town will vote to authorize the Select Board to accept those conservation easements which the Select Board deem appropriate in the name of the Town of Rockport, provided however, said conservation easements are first considered by the Conservation Commission and Planning Board.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 31. To see if the Town will authorize the Treasurer to waive the foreclosure of tax lien mortgages pursuant to 36 M.R.S.A. sec. 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 32. To see if the Town will authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Article 33. To see if the Town will vote to authorize the Tax Collector to enter into a standard agreement with taxpayers establishing a "tax club" payment plan for commercial and/or residential real estate property taxes, whereby:

- (1) The taxpayer agrees to pay specified monthly payments to the Town based on his/her estimated and actual tax obligation for current year real estate property taxes;
- (2) The Town agrees not to charge interest on timely payments made pursuant to the tax club agreement;
- (3) The Town authorizes the collector to accept tax club payments for current year taxes which may be due prior to the commitment of those taxes;
- (4) The agreement is automatically terminated if a scheduled payment is late, and

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the taxpayer then becomes subject to the same due date(s) and interest date(s) and rate as other taxpayers who are not participating in the tax club;

(5) Only taxpayers who do not have outstanding tax obligations for prior tax years are eligible to participate in the tax club program; and

(6) Taxpayers wishing to participate in the tax club for a particular property tax year shall enter an agreement with the Town by a publicly-advertised deadline determined by the Tax Collector.

Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

Date: April 11, 2022 _____
Delores Michelle Hannan, Chair

Mark Kelley, Vice-Chair

Eric Boucher

Denise Munger

John Strand

ROCKPORT SELECT BOARD

Attest:

Linda M. Greenlaw, Town Clerk