

NAME	ATTEND
Michelle Hannan, Chair	
Mark Kelley, Vice-Chair	
Eric Boucher	
Jim Annis	
Denise Munger	
Jonathan Duke, Town Manager	
Rockport AV Staff	
General Public	



May 8, 2023 – 6:00 p.m.

Rockport Room - Library

- PUBLIC MEETING -

Rockport Select Board

Monday, May 8, 2023

Rockport Room at the Library - 6:00 p.m.

https://www.youtube.com/playlist?list=PLa_oEsFzrKUU4-MMNdCIVf-1-7HXDeqF

AGENDA

I. Call Meeting to Order

II. Public Hearing

Receive public comments on the Annual Town Meeting Warrant Articles that will be voted upon by referendum vote on June 13, 2023.

III. Town Manager's Report/Update

IV. Public Input on Non-Agenda Items

V. Amendments to the Agenda

VI. Consent Agenda

- a. Approve School Warrants
- b. Approve Meeting Minute(s):
 - April 10, 2023
 - April 14, 2023

VII. Action Items

- a. Act on Election Ballot Clerk Appointments
- b. Act on Quitclaim Deed Map 026-Lot 122
- c. Act on Donut Festival Traffic Control Plan

VIII. Discussion Items

- a. Marine Park Space Lease for Mast Stepping/Rigging Discussion – Skyhook
- b. 280 Rockland Road Bid Process Discussion

IX. Select Board Liaison Reports

X. Adjourn

Future Meetings, Office Closures, Etc.

Monday, May 29, 2023 – Town Offices Closed – Memorial Day

Tuesday, June 13, 2023 – Election Day – Town Office Closed

Wednesday, June 14, 2023 – Organizational Meeting

Monday, June 19, 2023 – Town Offices Closed - Juneteenth

Monday, June 26, 2023 – New Board SB Meeting – Tentative

Monday, July 3rd and Tuesday, July 4th – Town Offices Closed

Monday, July 10, 2023- Select Board Meeting

Friday, July 21, 2023 – Employee Barbeque

Public Hearing

Receive public comments on the Annual Town Meeting Warrant Articles that will be voted upon by referendum vote on June 13, 2023.

Town of Rockport
Public Hearing Notice

The Town of Rockport Select Board will hold a Public Hearing on Monday, May 08, 2023, at 6:00 p.m. in the Rockport Room at the Library, to receive public comments on the Annual Town Meeting Warrant Articles.

A copy of the proposed Annual Town Meeting Warrant may be viewed at the Rockport Town Office during normal business hours and can be viewed on the Town of Rockport website.

TOWN OF ROCKPORT

ANNUAL TOWN MEETING WARRANT

Tuesday, June 13, 2023

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 13th day of June, 2023 at 8:00am to 8:00pm to vote on Articles 2 through 25, at which time the meeting will adjourn.

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

Article 2. To elect:

- a. Two 3-year terms for Select Board and Overseers;
- b. Three 3-year terms for the Budget Committee;
- c. One 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.

Explanation: Nomination papers for elected positions were due in mid-April, the following will be on the ballot in June.

Select Board: Two individuals submitted nomination papers to serve on the Select Board: Kimberlee Graffam and Michael Thompson. The top two receiving votes win.

Write ins are also accepted, however, in order for a write in candidate to accept the position, they must declare in writing with the Town Clerk that if written in they will accept the position. Such declarations must be received by the Town Clerk prior to the opening of the polls at 8 a.m. on June 13th, 2023.

Budget Committee: One individual, Geoffrey Parker, submitted nomination papers to serve. With three spots open, write-in candidates would be required to fill these openings using the process outlined above.

Library Committee: One individual, Lee Goss, submitted nomination papers to serve in the single open seat. Write in candidates are possible using the process noted above.

School Committee: One individual, Sarah Bradley-Prindiville, submitted nomination papers to serve in the single open seat. Write in candidates are possible using the process noted above.

2023 Annual Town Meeting Warrant – continued

Article 3. Shall the Town authorize the Select Board to enter into an agreement with the Lesher Family Foundation that addresses the future use of the former Rockport Elementary School site and includes the following key provisions:

The Town shall accept a donation in the amount of \$1 million from the Lesher Family Foundation to be used by the Town to fund a project or projects that the Town, in its sole discretion, determines should be funded by the donated funds.

The Town agrees to retain title to and dedicate the former Rockport Elementary School site for use as a public park and recreation area.

The Lesher Family Foundation will fund the design and construction of a public park and recreation area, with input from community members, expending an amount of \$3 million for such design and construction.

The Lesher Family Foundation will oversee fundraising to fund an endowment for the future operation and maintenance costs of the public park and recreation area. The Lesher Family Foundation will cover any shortfall in donated monies to ensure that annual operating and maintenance costs are paid by the endowment and not by the Town.

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND
Budget Committee Votes: 6 For, 0 Against, 0 Against RECOMMEND

Explanation: The long-standing matter on the future of the former Rockport Elementary School site has been a town wide concern for well over a decade. Recent efforts to gauge community sentiment regarding this site were met with desires for more recreation opportunities which blend within the existing neighborhood and an ever-increasing need for affordable housing in Rockport. The Town's Economic Development committee explored the feasibility of the New Height Group's effort discussed last June and found it was not economically viable.

This past winter, the Select Board was engaged by the Lesher Family Foundation, who followed the Town's efforts to re-use the RES site and proposed to construct a \$3 million park at that location. Further, the Lesher Family Foundation would establish an endowment to cover all future maintenance and upkeep costs for this new park. Lastly, to reflect the "purchase price" of the parcel, the Lesher Family Foundation would gift \$1 million to the Town of Rockport to be used toward a forthcoming major capital expense. The Select Board determined the West Rockport Fire Station project outlined in Article 4 below is an ideal candidate for this gift.

Though further details will be required to be ironed out between the Town and the Lesher Family Foundation, this article sets the boundaries of the discussion and authorizes the Select Board to complete those negotiations.

Article 4. Shall the Town: **(1) approve** a capital project consisting of the construction of a new fire station in West Rockport on the property which currently contains the existing West Rockport Fire Station, including engineering and design costs, transaction costs and other expenses reasonably related thereto (the “Project”); **(2) appropriate** the sum of \$3,758,675, plus any additional premium, to provide for the costs of the Project; **(3) if in the event** the Town approves Article 3 above, then **authorizes** the Select Board to apply the grant of \$1,000,000 from the Leshner Foundation to the cost of the Project and reduce the amount required to be borrowed; **(4) authorize** the Town Treasurer and the Chair of the Select Board to issue general obligation securities of the Town (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$3,758,675, plus any additional premium, to fund the Project; and **(5) delegate** to the Treasurer and the Chair of the Select Board the authority and discretion to fix the dates, maturities, interest rates, denominations, calls for redemption (with or without premium), form, refundings, and other details of said securities, including authority to execute and deliver the securities on behalf of the Town?

FINANCIAL STATEMENT

1. TOTAL BOND INDEBTEDNESS

a. Bonds outstanding and unpaid:	\$ 6,228,570
b. Bonds authorized and unissued (other than this loan):	\$ 4,500,000
c. Maximum amount to be issued if approved:	\$ 3,758,675

2. COSTS

At an estimated maximum interest rate of 4.27% for a thirty (30) year maturity, the estimated cost of this bond will be:

Principal	\$ 3,758,675
Interest	\$ 3,231,453
Total:	\$ 6,990,128

3. VALIDITY

The validity of the bonds and the voter's ratification of the bonds may not be affected by any error in the above estimates. If the actual amount of the total debt service varies from the estimates, the ratification by the voters nevertheless is conclusive, and the validity of the bond issue is not affected by reason of the variance.

Town Treasurer

Select Board Votes:	3 For, 0 Against, 0 Abstain	RECOMMEND
Budget Committee Votes:	5 For, 1 Against, 0 Abstain	RECOMMEND

Explanation: This would approve the final engineering, construction, and

2023 Annual Town Meeting Warrant – continued

other related expenses to remove and construct a new fire station in West Rockport. Rockport's size requires multiple fire stations to ensure homeowners receive reasonable home insurance rates and adequate response times to emergencies. The current building, constructed in 1973, is beyond repair, too small to house modern fire trucks and located too close to Routes 17 and 90 for expansion or renovation.

The proposed building will meet the needs of an evolving situation for the fire service and emergency medical needs in Rockport, including sleeping quarters and room to house an ambulance. Further, most of the members of the volunteer department live near the new station, which will improve response times and services provided to residents throughout the town.

Article 5. Shall the Town adopt the amendments to the Rockport Land Use Ordinance Zoning Map to simplify the 906 and 907 zone districts, and amend the corresponding 906 and 907 sections of the Land Use Ordinance for clarity purposes: (copy of proposed zoning map amendment is available on the Town Website and at the Town Office)

Planning Board Votes: 5 For, 0 Against, 1 Abstain RECOMMEND

Explanation: This proposal is to take our zoning map and consolidate the two 906 Mixed Business Residential zone districts into one 906 Mixed Business Residential zone district, and to consolidate the three 907 Mixed Business Residential zone districts into one 907 Mixed Business Residential zone district. This will result in a change from five total zone districts to two total zone districts between these zones. The uses already approved for the 906 Mixed Business Residential and 907 Mixed Business Residential zones will not change. This amendment will simplify the zoning map, which is the overruling factor for determining which zone district is which. Both 906 and 907 are named similarly, but the differences are the allowed uses and size of development in each.

Article 6. Shall the Town adopt the amendments to the Rockport Land Use Ordinance Zoning Map to change a parcel's zone located at Map 007 Lot 087 from 904 to 902: (copy of proposed zoning map amendment is available on the Town Website and at the Town Office)

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This proposal to amend the Zoning map is to change the zoning district over the parcel identified as Map 007 Lot 087. This parcel's owners have a farm wanting to sell products out of their barn, which currently they cannot do because of the limiting factors in the current 904 Residential zone district. The abutting 902 Village zone district allows them this ability.

2023 Annual Town Meeting Warrant – continued

Article 7. Shall the Town adopt amendments to the Town of Rockport Land Use Ordinance to place the Solar Farm Ordinance within, and to be known as section 815 Large Solar Energy Systems, and with proposed amendments pertaining to Large Solar Energy Systems: (copy of proposed amendments are available on the Town Website and at the Town Office)

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This proposed amendment is moving a land use-based stand-alone ordinance into the Land Use Ordinance, for ease of access to the public interested in such an ordinance. Further, this ordinance is changing the name of the ordinance from Solar Farm Ordinance to Large Solar Energy Systems and providing more structure to this existing ordinance.

Article 8. Shall the Town adopt amendments to the Town of Rockport Land Use Ordinance language pertaining to certain requirements of State Legislation LD2003- Title 30-A §4364, Title 30-A §4364-A, and Title 30-A §4364-B:

**Note – only a portion of LD2003 is being proposed. The remainder will be on the November 2023 ballot. (copy of proposed amendments are available on the Town Website and at the Town Office)*

Planning Board Votes: 6 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This proposed amendment is to comply with the State Legislation LD2003 to accommodate for more housing opportunities. The legislation currently will be in effect starting July 1, 2023. This amendment is to help make our Ordinance compliant with the State requirement. This proposed amendment does not fully comply with the State Requirements, so we will have additional amendment proposed for the November 2023 ballot as well.

Article 9. To see if the Town will vote to raise and appropriate the following expenditures for the 2023/2024 fiscal year:

A.	Administration.....	\$41,440
B.	Town Manager.....	\$368,690
C.	Town Clerk.....	\$328,480
D.	Planning & Community Development	\$412,018
E.	Finance	\$302,405
F.	Assessing.....	\$229,367
G.	Insurance.....	\$82,961
H.	General Assistance	\$11,320
I.	Police Department	\$866,090
J.	Fire Department.....	\$875,339
K.	Other Public Safety Services	\$343,240
L.	Animal Control.....	\$5,900
M.	Harbormaster	\$263,420

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N.	Emergency Management	\$4,490
O.	Public Works	\$2,549,666
P.	Sanitation.....	\$172,812
Q.	Library	\$576,380
R.	Conservation Commission.....	\$13,046
S.	Parks	\$79,961
T.	Opera House	\$188,598
U.	Recreation.....	\$64,919
V.	Buildings and Grounds Administration.....	\$282,777
W.	Town Office Building.....	\$185,374
X.	Public Safety Building.....	\$24,980
Y.	West Rockport Fire Station	\$8,090
Z.	Debt	\$408,550
AA.	County Service, E-911.....	\$88,954
AB.	County Service, Dispatch.....	\$43,830
AC.	Cemeteries.....	\$161,720
AD.	Special Assessments	\$6,800
	Total.....	\$8,991,617

Budget Committee recommendation:

A. Add \$5,000 to Assessing Select Board: Approved

**Note: Select Board Approved, means that it was added to the budget proposed above.*

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This year instead of having an open Town Meeting to approve the annual town budget, the budget will be decided by written ballot after requests from voters who liked this option during the pandemic. In an effort to make it easier for voters, the Select Board decided to combine all the appropriation articles into one article, which is seen here. This article asks to approve the expenses for the 2023/2024 fiscal year.

Through the budget process, the Budget Committee made one recommendation to the Select Board, and that was to add \$5,000 to the Assessing budget, which the Select Board agreed to do, and is included in the numbers above.

Some high-level highlights of the budget presented are the following:

- 1. Overall, the budget is an increase to taxpayers of 7.34%, which includes a 16.3% increase from the county and a 4.1% increase from the schools. Even with the increases we saw from the County and the School, we were able to keep the increase to the overall budget under the 7.8% cost-of-living adjustment to Social Security, and the average of 8.3% consumer price index increases for 2022.*
- 2. We were able to increase the allocation to paving, to account for the increased cost of materials.*
- 3. We completed and dealt with the results of the wage and benefit study completed this past fall.*

2023 Annual Town Meeting Warrant – continued

4. *We have budgeted for the addition of three staff members to assist in the functions of the Town. Two positions in the fire department, which will be for full-time firefighter/EMT's, so that we can institute a First Responders program so that we can get to those in need faster and start providing life saving care, while we wait for the ambulance staff to get on scene.
We have also taken a position that was shared between the Assessing and Finance Department, and created the equivalent of one full-time position, so that each department can have the support it needs. With not having a full-time Assessor in Rockport, we felt it was incredibly important to have someone in the office that can help customers with Assessing related questions 40 hours week. Also, the needs of each department are continually increasing as Town functions, and projects increase.*
5. *We renegotiated our two Union contracts, which resulted in changes to the budget for both the Police Department and Public Works Departments.*
6. *We increased the allocations to maintaining our existing buildings, and providing the staff responsible for overseeing those tasks the tools they need to ensure that our buildings are being taken care of.*

Article 10. 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 2023/2024 fiscal year:

A.	General Government	\$1,420,742
B.	Public Assistance.....	\$9,000
C.	Public Safety.....	\$439,425
D.	Public Works	\$76,879
E.	Culture and Recreation	\$195,845
F.	Buildings and Grounds	\$14,470
G.	All Other – Cemeteries.....	\$112,500
H.	Schools	\$93,750
I.	Unassigned Fund Balance	\$380,000
J.	Special Assessments.....	\$517,500
	Total.....	\$3,260,111

Budget Committee recommendation:

A. No recommended changes Select Board: Approved

**Note: Select Board Approved, means no action was necessary.*

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This article is to approve all the non-tax revenues that are collected by the Town, and to approve the use of the Unassigned Fund Balance, to lessen the burden felt by taxpayers. We were able to increase our non-tax revenues by 14.1% over the current fiscal year. The Budget Committee had no recommended changes to the Select Board in this category.

2023 Annual Town Meeting Warrant – continued

Article 11. 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 2023/2024 budget to be taken from fund balance and to see if the Town will vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?

Select Board Votes: 3 For, 0 Against, 0 Abstain RECOMMEND
Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This is an annual “housekeeping” article and is voted on every year. It moves unexpended balances to the Unassigned Fund Balance and authorizes the Select Board to use monies from the Unassigned Fund Balance to pay for deficits in the upcoming fiscal year, if needed.

Article 12. 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 and/or wastewater charges thereon, on such terms as they deem advisable, and to execute quit claim deeds without covenants 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: 4 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This is an annual “housekeeping” article that allows the Select Board to sell any property that becomes owned by the town because of non-payment of taxes and/or wastewater fees.

Article 13. To see if the Town will vote to set October 16, 2023, and April 16, 2024, as the tax installment due dates, to set October 17, 2023, and April 17, 2024, as the tax delinquency dates and to fix the rate of interest on delinquent taxes at 8.00% interest per year, and to fix the rate of interest on delinquent wastewater charges at 8.00% interest per year.

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

Explanation: This is an annual “housekeeping” article that sets the tax dues dates, and the interest start dates for tax payments, and wastewater charges.

Article 14. 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

2023 Annual Town Meeting Warrant – continued

be given or left to the Town.

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

Explanation: This is an annual “housekeeping” article that allows the Select Board to accept donations that are given or left to the Town.

Article 15. 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 and for 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: 4 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This is an annual “housekeeping” article that allows the Select Board to accept conservation easements that are given or left to the Town.

Article 16. 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: 4 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This is an annual “housekeeping” article that allows the Select Board to waive the foreclosure of a given property if it is deemed to not be in the best interest of the Town.

Article 17. 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 the taxpayer then becomes subject to the same due date(s) and interest date(s) and

2023 Annual Town Meeting Warrant – continued

- 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: 4 For, 0 Against, 0 Abstain RECOMMEND

Explanation: This is an annual “housekeeping” article that allows the Tax Collector to enter into standard payment agreements for taxes.

Date: April 14, 2023 _____
Delores Michelle Hannan, Chair

Mark Kelley, Vice-Chair

Eric Boucher

Denise Munger

James Annis

ROCKPORT SELECT BOARD

2023 Annual Town Meeting Warrant – *continued*

Attest:

Elizabeth M. Lowe, Town Clerk

Consent Agenda

- a. Approve School Warrants
- b. Approve Meeting Minute(s):
 - April 10, 2023
 - April 14, 2023

Manager's Comments: Action item

The school warrants require Board approval but ultimately this is a “rubber stamping” of a process the school districts already possess.

Suggested Motion:

I move the Board Approve the Consent Agenda as presented (or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

**WARRANT AND NOTICE OF ELECTION
CALLING FIVE TOWN COMMUNITY SCHOOL DISTRICT
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. § 1486)**

TO: Robin Fagan, a resident Five Town Community School District (the "District") composed of the Towns of Appleton, Camden, Hope, Lincolnville, and Rockport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the District, namely, the Towns of Appleton, Camden, Hope, Lincolnville, and Rockport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective Municipal Officers. The Municipal Officers shall meet forthwith and countersign this warrant and notice of election. The Municipal Officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF ROCKPORT
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Knox County, ss.

State of Maine

TO: Randy Gagne, Constable of Rockport: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF ROCKPORT: You are hereby notified that a District budget validation referendum election will be held at the Town Office, 101 Main Street in the Town of Rockport on Tuesday, June 13, 2023 for the purpose of determining the following articles:

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

Article 1: Do you favor approving the Five Town Community School District budget for the upcoming school year that was adopted at the latest District budget meeting?

The voting on Article 1 shall be by secret ballot referendum. The polls will be opened immediately after election of the moderator following commencement of the meeting at 8:00 A.M. and closed at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, April 5, 2023 at Camden, Maine.

Recky Ebragan, Chair
Marcus Mrowka, Vice-Chair
Sarah Bradley Pinnellville
Marcia Dietrich
Amelia Grant
Isabella Gutierrez

Ramona Larsen
Patrick McCafferty
Lori Poyez
Than Porter
Rick Thackeray
Taylor Pohlman (Alternate)

A majority of the School Board of Five Town Community School District

A true copy of the Warrant and Notice of Election, attest:

Robin Fagan
 Robin Fagan
 Resident of
 Five Town Community School District

Countersigned this 6th day of April, 2023 at Rockport, Maine.

A majority of the Municipal Officers of Rockport, Maine

A true copy of the Warrant and Notice of Election, attest:

 Liz Lowe, Municipal Clerk
 Rockport, Maine

RETURN

Knox County, ss.

State of Maine

TO: The School Board of Five Town Community School District
April 6, 2023

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of Rockport, an attested copy of this warrant and notice of election, directing the Municipal Officers of said municipality to call a Five Town Community School District budget validation referendum at said time and place and for the purposes therein stated.

Robin Fagan
Robin Fagan
Resident of
Five Town Community School District

RETURN

Knox County, ss.

State of Maine

TO: The Municipal Officers of the Town of Rockport

I certify that I have notified the voters of the Town of Rockport of the time and place of the Five Town Community School District budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at Rockport, Maine: _____, 2023

Randy Gagne, Constable
Rockport, Maine

**WARRANT AND NOTICE OF ELECTION
CALLING MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 28
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. § 1486)**

TO: Robin Fagan, a resident Maine School Administrative District No. 28 (the "District") composed of the Towns of Camden and Rockport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the District, namely, the Towns of Camden and Rockport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective Municipal Officers. The Municipal Officers shall meet forthwith and countersign this warrant and notice of election. The Municipal Officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF ROCKPORT
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Knox County, ss.

State of Maine

TO: Randy Gagne, Constable of Rockport: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF ROCKPORT: You are hereby notified that a District budget validation referendum election will be held at Town Office, 101 Main Street in the Town of Rockport on Tuesday, June 13, 2023 for the purpose of determining the following articles:

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

Article 1: Do you favor approving the Maine School Administrative District No. 28 budget for the upcoming school year that was adopted at the latest District budget meeting?

The voting on Article 1 shall be by secret ballot referendum. The polls will be opened immediately after election of the moderator following commencement of the meeting at 8:00 A.M. and closed at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, April 5, 2023 at Camden, Maine.

[Signature]

[Signature]

[Signature]
RS Manager

[Signature]

A majority of the School Board of Maine School Administrative District No. 28

A true copy of the Warrant and Notice of Election, attest:

[Signature]

Robin Fagan
Resident of
Maine School Administrative District No. 28

Countersigned this 6th day of April, 2023 at Rockport, Maine.

A majority of the Municipal Officers of Rockport, Maine

A true copy of the Warrant and Notice of Election, attest:

Liz Lowe, Municipal Clerk
Rockport, Maine

RETURN

Knox County, ss.

State of Maine

TO: The School Board of Maine School Administrative District No. 28
4/6, 2023

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of Rockport, an attested copy of this warrant and notice of election, directing the Municipal Officers of said municipality to call a Maine School Administrative District No. 28 budget validation referendum at said time and place and for the purposes therein stated.

Robin Fagan
Robin Fagan
Resident of
Maine School Administrative District No. 28

RETURN

Knox County, ss.

State of Maine

TO: The Municipal Officers of the Town of Rockport

I certify that I have notified the voters of the Town of Rockport of the time and place of the Maine School Administrative District No. 28 budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at Rockport, Maine: _____, 2023

Randy Gagne, Constable
Rockport, Maine

NAME	ATTEND
Michelle Hannan, Chair	✓
Mark Kelley, Vice-Chair	✓
Eric Boucher	✓
Jim Annis	
Denise Munger	
Jonathan Duke, Town Manager	✓
Rockport AV Staff	✓
General Public	✓
Susan Hamel – West Street Farmers Market	
Zachary Kuras – Brother Shucker	
Abbie Leonard	
Sara Jenkins – Nina June	



April 10, 2023 – 6:00 p.m.

Rockport Room - Library

Public Hearing(s)

RENEWAL FOR EXTENSION OF LICENSE PRIVILEGES for INSOMMA, LLC d.b.a.
Nina June located at 24 Central St Rockport, ME

Additional Comments:

No public Comments

Consent Agenda

- a. Accept Donations for Marge Jones Field Capital Campaign
- b. Approve Meeting Minute(s):
March 13, 2023

Managers Comments:

Rather than submit individual approvals each time a donation is received and present it to the board at each meeting, it would make more sense for the Town to be able to accept all donations when received. Attached is a current list of donations received to date.

Suggested Motion:

I move the Board approve the Consent Agenda as presented (or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:22
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger	✓			✓		

Note: Invite Economic Dev. to May meeting to discuss workforce housing update

Amendment to Agenda: Accepting Bid for West Rockport Fire Station

Action Items

- a. Act on Public Hearing

Renewal for Extension of License Privileges for Insomnia, LLC. d.b.a. Nina June located at 24 Central St Rockport, ME

Motion:

I move the board accept the renewal of the liquor license for Insomma, LLC d.b.a. Nina June as presented (or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:22 p.m.
Mark Kelley, Vice-Chair	✓			✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger				✓		

Action Items

- b. Act to Affirm the Bag Fee Increase – MCSWC

Manager's Comments: Action item

A discussion on the cost associated with purchasing yellow bags was held by the MCSWC Board of Directors. Facility Manager David St. Laurent is researching other systems and processes to use on site to reduce or maybe eliminate the costs of working with the yellow bag system. The MCSWC Board of Directors have proposed a bag increase in FY24, small bags will increase from \$1.50 per bag to \$2.00 per/bag, and large bags will increase from \$2.50 to 3.00. This is a per ton rate fee of \$225.00.

The MCWSC Board has asked to have this approved by May 1 to implement the fee changes for budget reasons.

Suggested Motion:

I move the Board to affirm the bag change fee.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:24
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger	✓			✓		

Action Item

- c. Act on West Street Farmer's Market Agreement on 40 West Street

Manager's Comments: Action item

Susan Hamel, Dogpatch Farm, LLC is interested in starting a new farmer's market on 40 West Street (old school site) and call it West Street Farmers Market. Susan has been in contact with the Leshner Family Foundation and they are excited at the prospects of the farmer's market operating on the RES site now and under a potential park construction.

Included in your packet is a letter from Susan, drawing and drafted agreement for consideration.

Suggested Motion:

I move the Board approve the agreement with West Street Farmers Market to be held on 40 West Street, with agreement ending on September 30, 2023.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:28
Mark Kelley, Vice-Chair	✓			✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger		✓		✓		

Additional Comments:

Action Item

d. Act on QuitClaim Deed Map T01, Lot C01-041

Manager's Comments: Action item

The Town received payment on timeshare unit accounts to return ownership back to their original owners.

2014 Tax Lien, Book 4943 Page 106

2015 Tax Lien, Book 5089 Page 219

Suggested Motion:

I move the Board approve the QuitClaim Deed Map T01, Lot C01-041

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6.31
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

e. Act on QuitClaim Deed Map T03, Lot B04-002

Manager's Comments: Action item

The Town received payment on timeshare unit accounts to return ownership back to their original owners.

2017 Tax Lien, Book 5325 Page 47

2018 Tax Lien, Book 5461 Page 268

Suggested Motion:

I move the Board approve the QuitClaim Deed Map T03, Lot B04-002

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:32
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

f. Act on QuitClaim Deed Map T02, Lot A10-016

Manager's Comments: Action item

The Town received payment on timeshare unit accounts to return ownership back to their original owners.

2019 Tax Lien, Book 5618 Page 276

2020 Tax Lien, Book 5792 Page 251

Suggested Motion:

I move the Board the QuitClaim Deed Map T02, Lot A10-016

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:32
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

g. Act on QuitClaim Deed Map T03, Lot A06-015

Manager's Comments: Action item

The Town received payment on timeshare unit accounts to return ownership back to their original owners.

2012 Tax Lien, Book 4718 Page 60

2013 Tax Lien, Book 4832 Page 227

Suggested Motion:

I move the Board the QuitClaim Deed Map T03, Lot A06-015

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:32
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger	✓			✓		

Action Item

h. Act on QuitClaim Deed Map T02, Lot B03-004

Manager's Comments: Action item

The Town received payment on timeshare unit accounts to return ownership back to their original owners.

2019 Tax Lien, Book 5618 Page 267

2020 Tax Lien, Book 5792 Page 243

Suggested Motion:

I move the Board the QuitClaim Deed Map T02, Lot B03-004

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:33 pm
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger	✓			✓		

Action Item

- i. Act on Brother Shucker Peddler's Permit

Manager's Comments: Action item

Attached in your packet is a memo recommendation from Abbie – Harbormaster stating that Brother Shuckers operated at the Marine Park last season and would like to return again this season.

Suggested Motion:

I move the Board approve the Brother Shucker Peddler's Permit to operate a food truck in Marine Park as presented. (Or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		6:34 P.M.
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

j. Act on Annual Town Meeting Warrant June 2023

Manager's Comments: Action item

There are two warrant drafts for your consideration. Both are identical in terms of content, but the format is dramatically different. The first draft places all of the warrant articles on the ballot as we've framed them over the years with distinct warrant articles for each budget section (which often consists of several departments). The second draft consolidates all of our expenditure articles into a single budget article for the Town to consider. The reasoning of the combination is merely to make it easier for the voter to vote on 16 articles instead of 24. The downside to this method is that if there were areas voters did not agree with in the budget it may be challenging to discern what the voters disagreed with from an overall vote on a singular article.

Beyond the format, the warrant consists of a series of important decisions for the Town to consider which have been discussed by the Board frequently over the past several months.

Article 3 would set the stage for the Town to engage with the Lesher Family Foundation and to construct a park at RES with the Leshers funding the construction and the ongoing maintenance. In addition the Town would accept a gift in the amount of \$ 1million which would be used for a major capital expense. This is a generational level gift for the Town that is on par with transformative gifts like those given by the Boks, the Cramers, and others who've invested in our community.

Article 4 concerns the construction of the West Rockport Fire Station. The amount identified in the article consists of the low bid from Maine Coast Construction of \$ 3,223,971 plus the "soft costs" which include permitting, owner testing, construction administration, water connections, the security system, and a contingency on the project which total \$512,670. While this cost is much higher than estimates received just two years ago from builders at the outset of planning and design, it reflects a construction market where per square foot prices have grown exponentially in the aftermath of the pandemic. It does not appear these costs are a bubble which will burst anytime soon and waiting on this project will only see the overall price increase.

Article 5 consolidates the 906 and 907 sub districts into a single 906 and single 907 zoning district.

Article 6 changes the zoning of a single parcel from the 904 to the 902 zoning district the parcel borders.

Article 7 consolidates the solar farm ordinance within the larger land use ordinance.

Article 8 amends the land use ordinance to address LD 2003.

Article 9 is either the first expenditure article or the single expenditure article depending upon which format of the warrant the Board wishes to utilize. If approved, taxpayers are projected to see a 7.3% increase in taxes from the municipal, school, and county budgets impacted within. The largest portion of this increase on the municipal side is related to salary and benefit adjustments made post-pandemic to reflect the salary survey conducted by the Town last fall and the signing of two new union contracts.

The remaining articles reflect the same language as in years past to allow the Select Board to manage the Town over the next year. It may make sense to formally adopt these items into the charter whereas they are non-controversial items.

Suggested Motion:

I move the Board approve the June 2023 Annual Town Meeting Warrant

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair	✓			✓		
Mark Kelley, Vice-Chair				✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger		✓		✓		

Additional Comments:

Change Tax due date to April 16, 2024. Delinquency date April 17, 2024
Article -4- Update callout Numbers

~~Article 3 in favor~~

Denise Motion → Accept low bid from Maine Coast construction of \$3,223,971 plus the additional soft cost of \$525,655.64 and alternate # of \$19,047.00 in conjunction with voter approval of article 4 on the town warrant

Mark 2nd—
All in Favor

Action Item

k. Act on Act on Annual Renewal of Special General Assistance Warrant Disbursement Policy

Manager’s Comments: Action item

We occasionally run into some issues with providing emergency housing to General Assistance clients. There is only one motel currently in Town that allows these individuals to stay, and they are seeking payment in advance by check or by having a credit card on file (which is not advisable). Staff have developed the Special General Assistance Warrant Disbursement Policy so that these payments can be made without a signature of a municipal official. This process shall only be used in emergency situations or when the vendor is requiring payment prior to rendering the service and shall only pertain to General Assistance issues.

When requested by the General Assistance Administrator, the Finance Director can issue and release the check without the signature of the Town Manager or Select Board designee on the warrant. The maximum amount for this process shall not exceed \$5,000 per occurrence. The request from the General Assistance Administrator to the Finance Director shall be in writing and shall be included with the warrant to be signed when the other regular warrants are signed.

This policy requires annual approval by the Board.

Suggested Motion:

I move the Board approve the annual renewal of Special General Assistance Warrant Disbursement Policy

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		7:29
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

I. Act on Establishing WRRF Exploration Task Force

Manager's Comments: Action item

Since the Select Board workshop in early February, residents have been interested in learning more about the Town's plans concerning a water resource recovery facility (WRRF). While staff and I have visited with several Town committees to answer questions and explain what information has been gathered to this point. It seems apparent a need exists for residents with an interest and desire to assist the Town in investigation the options available and supporting a need for improved dialogue. In discussing this matter with key individuals from town committees, a small group could be established to work with the Select Board, staff, and our residents to close this gap and assist the Select Board in decision making on next steps.

I would suggest the Board create a WRRF Exploration Task Force with the following mission statement:

An WRRF Exploration Task Force shall be established with the goal of facilitating communication and alignment between Rockport residents, Town Operations, and the Select Board regarding the potential construction of a Town-owned/operated Water Resource and Recovery Facility (WRRF) and expansion/re-configuration of the associated collection system. Initial responsibilities of the Task Force will include hosting community forums to:

- (i) establish a common foundation on the history and status of discussions/negotiations with Camden,
- (ii) solicit community input on potential alternatives, and
- (iii) discuss and solicit input on siting considerations, risks, and costs. The Task Force shall provide the forum results to **Rockport residents**, Town Operations, and the Select Board. Further responsibilities of the Group shall be based on the outcome of the initial community engagement forums.

Bill Bow (Conservation Commission), Bob Kennedy (Conservation Commission), and Doug Cole (Parks and Beautification) have agreed to serve on this group. By Monday evening, I hope to have commitments from two other Town committee members to round out this group.

Suggested Motion:

I move the Board establish the WRRF Exploration Task Force. to include Bill Bow, Bob Kennedy, Doug cole and two additional full time and 1 Alternate member.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair	✓			✓		
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher		✗		✓		
Jim Annis						
Denise Munger	✗			✓		

Action Item

- m. Act on Moratorium for Sea View Cemetery for 1 year

Manager's Comments: Action item

The moratorium previously approved by the Select Board on April 12, 2021, was for two years, after it was lapsed on January 23, 2021. By extending the moratorium it will enable us to save the remaining lots for our Rockport residents and hopefully we can move forward to purchase the columbarium. This would allow us to open the sale of lots at the Sea View Cemetery to our neighbors in Camden.

The Cemetery Committee recommended the first moratorium with the idea that the Town would be able to have the columbarium in place. While the committee is no longer in place, the trio of staff who work on cemetery issues (Liz Lowe, Ben Pratt, and myself) are hoping to craft changes to the cemetery rules and updated lot fees this summer. In conjunction with a plan for columbarium construction, the hope is that we can come back to the Board sooner than a year and release the moratorium.

Suggested Motion:

I move the Board approve the moratorium for Sea View Cemetery for the period of April 10, 2023, to April 30, 2024.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger	✓			✓		

Additional Comments:

Action Item

n. Act on Donut Festival Vendor Location

Manager's Comments: Action item

As the Board is well aware, plans have been underway for a Donut Festival the weekend of June 2nd and 3rd. Staff and volunteers have been meeting through the winter and a solid first step is being taken in establishing this new event. To accomplish this, we will require the Board to be engaged with the plans as they exist at the Marine Park. Attached is a rough site plan where the locations of these vendors would be located for the events on Town property.

Currently proposed is for 8 spaces for food truck type vendors with one of these set up for alcohol sales. This is not an approval for a liquor license, just the location of the vendor. In addition to the food truck vendors, under the tent will be locations for up to six additional vendors to sell donuts and/or coffee.

We have agreements from local donut bakers to participate in this event to sell donuts to the public, and they are all very much looking forward to this event. Full details of this festival can be found on the Town website under Events, and on our Facebook page. The harbor park will be the central location of this festival and we anticipate a good turnout.

Suggested Motion:

I move the Board approve the Donut Festival Vendor locations as presented.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		7:59
Mark Kelley, Vice-Chair	✓			✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger		✓		✓		

Additional Comments:

Discussion Item

- a. Discuss time and place for Organizational Meeting

Manager's Comments:

Normally the Select Board Organizational meeting is held directly after the public Town Meeting. This year, we are not having an in-person Town Meeting, so technically we can have an Organizational meeting anytime the day after Elections.

We need to discuss what time works best for everyone.

Wednesday, June 14th 9p.m. Richardson Room

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair	✓			✓		
Mark Kelley, Vice-Chair		✓		✓		
Eric Boucher				✓		
Jim Annis						
Denise Munger				✓		

Additional Comments:

Discussion Item

b. Discussion regarding June 26 Meeting

Manager's Comments: Action item

This meeting would have the new board members, and since we are not having our normal 2nd Monday of the month meeting due to Elections and the Organizational Meeting. It is recommended that we have another meeting in June. At this meeting we will need to approve and discuss items that were handed out at organizational meeting; by-laws and liaisons and approve Committee Expirations as of June 30th. This is just a tentative date, and day that works for all will work.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair	✓			✓		
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis						
Denise Munger				✓		

Additional Comments:

Adjourn

Suggested Motion:

I move the Board adjourn the meeting.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		8:04
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis				✓		
Denise Munger	✓			✓		

NAME	ATTEND
Michelle Hannan, Chair	✓
Mark Kelley, Vice-Chair	
Eric Boucher	✓
Jim Annis	
Denise Munger	✓
Jonathan Duke, Town Manager	
Megan Brackett	✓



April 14, 2023

Teams – 1:30 p.m.

Action Item

- a. Act on Annual Town Meeting Warrant June 2023

Manager’s Comments: Action item

Rescind the prior Town Meeting Warrant

Approve the updated Town Meeting warrant which includes:

- a. The Budget Committee recommendation from 3/14 considered by the Board prior to approving the final budget
- b. The Budget Committee recommendations on the West Rockport Fire Station and RES articles as well as the expenditures from overlay.

Suggested Motion:

I move the Board approve the June 2023 Annual Town Meeting Warrant as amended.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		
Mark Kelley, Vice-Chair						
Eric Boucher		✓		✓		
Jim Annis				✓		
Denise Munger	✓			✓		

Additional Comments:

Adjourn

Suggested Motion:

I move the Board adjourn the meeting.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				✓		
Mark Kelley, Vice-Chair						
Eric Boucher	✓			✓		
Jim Annis						
Denise Munger		✓		✓		

Action Item

- a. Act on Election Ballot Clerk Appointments

Manager's Comments: Action item

The Board approved a slate of ballot clerk's earlier, but this is a revised slate. State law requires municipalities to appoint ballot clerks to serve over that two-year window. The political party caucuses each March are meant to generate lists of willing members of each party willing to participate. Due to the nature of how ballots are counted, the process requires nearly equal representation from Republicans and Democrats, as it takes teams comprised of one of each party to count ballots.

Suggested Motion:

I move the Board approve the Election Ballot Clerks Appointments as presented (or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:

ELECTION/BALLOT CLERKS
MAY 1, 2023 - April 30, 2025

NAME
Andrew Lowe
Sara Rademacher

PARTY AFFILIATIONS
Republican
Republican

Action Item

- b. Act on Quitclaim Deed Map 026-Lot 122

Manager's Comments: Action item

This is a property which has been owned by Steve Thomas through his development of the Alexander Drive/Ledgewood Drive neighborhood. The property was approved through the subdivision process as one that can only be used as a non-buildable common area. Mr. Thomas plans to re-purchase the property and sell it to an abutter, Dwight Johnson, who will maintain the property.

Suggested Motion:

I move the Board approve the Quit Claim Deed on Map 26 – Lot 122 as presented.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:

Municipal
QUITCLAIM DEED
(Maine Statutory Short Form)

The Inhabitants of the Municipality of Rockport, a body corporate and politic, located at Knox County, Maine, for consideration paid, release to

Mist Associates
of Steve Thomas
88 Norton Pond Rd
Lincolntonville, ME 04849
Knox County,

the land in Rockport Knox County, Maine: (here insert Description, and Encumbrances if any)
Being the Premises described as Map 026 Lot 122 of the Tax Maps of the
Town of Rockport.

The purpose of this deed is to release any interest the Town
of Rockport may have acquired by reason of the following liens for unpaid taxes, recorded
at the Knox County Registry of Deeds:

2011 Tax Lien, Book 4553 Page 199
2012 Tax Lien, Book 4718 Page 54

The said Inhabitants of the Municipality of Rockport have caused this instrument to be signed in
its corporate name by Delores Michelle Hannan, Mark Kelley, Denise Munger, Eric Boucher and James
Annis, its duly authorized, this 8th day of May, 2023.

Delores Michelle Hannan, Chair

Mark Kelley, Vice-Chair

Denise Munger

Eric Boucher

James Annis

State of Maine County of Knox ,ss May 8, 2023.

Then personally appeared the above named Delores Michelle Hannan, Mark Kelley, Denise Munger, Eric
Boucher and James Annis of said body corporate and politic, and acknowledged the foregoing instrument
to be their free act and deed in their said capacity and free act and deed of said body corporate and politic.

Before me,

Notary Public
Elizabeth M. Lowe
Printed Name

Action Item

c. Act on Donut Festival Traffic Control Plan

Manager's Comments: Action item

After consultation with Fire Chief Jason Peasley, Police Chief Randy Gagne, Police Sergeant Jim Moore, and Harbormaster Abbie Leonard the attached traffic control plan was developed for the Donut Festival on June 2nd and 3rd. Additionally, we've included a layout of the Marine Park for how the vendors will be set up for Saturday morning's events.

We anticipate a good crowd of visitors for Friday night's Motor Booty Affair concert, the Saturday morning events where the 5k road race ends with a series of donut vendors, and then again Saturday night with the dinner on the bridge and a DJ wrapping the event up. The Saturday morning parade will also provide complexity to this traffic plan but once approved by the Board, staff will be reaching out to residents near the park to inform them of this plan.

Surely lessons will be learned from this inaugural event to improve efforts for forthcoming festivals, but I have great faith in the organization established thus far with thanks to our public safety leadership and the Donut Festival committee (Director of Planning and Community Development – Orion Thomas, Finance Director Megan Brackett, Opera House Staff Kari Luehman and Nancy Albertson, and Rockport Harbor Hotel manager Sarah McLain).

Suggested Motion:

I move the Board approve the Donut Festival traffic control plan as presented (or amended)

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:

Traffic Closure Plan:

The Town of Rockport is hosting the Inaugural Rockport Donut Festival on June 2nd from 5pm to 9pm, and on June 3rd from 7am to 9pm. The Town of Rockport will be altering the traffic flow on a portion of Pascal Ave. from West St going north to High St to be one way for north-bound traffic. The south-bound traffic in this section will be additional parking for the duration of this event. Further, on June 3rd, the Town will be closing the Goose River Bridge for the duration of the day for safety concerns for this festival as well as to accommodate the Dinner on the Bridge.

Harbor Park will be closed to traffic from June 2nd at 3pm until June 4th at 9am. A police officer will be at the entrance of the Harbor Park.

No Parking will be allowed on the Ocean side of Pascal Ave.

The Emergency and Law Enforcement contacts are below:

- Police Chief – Randy Gagne – 207-691-2273
- Police Sargent – James (Jim) Moore – 207-691-7082
- Fire Chief – Jason Peasley – 207-446-8620

Plan of Action

For set up & removal of signage, how emergencies will be handled, and list of emergency vehicles that will be on site.

Changeable Message Signs

- Week of May 25th,
 - The first sign will be placed on the East side of the intersection of US-1 and Rt-90, which will indicate the Event date and bridge closure.
 - The second will be placed at the intersection of Pascal Ave and US-1, to indicate the event and bridge closure.

No Parking Sign's will be placed as appropriate along Pascal Ave.

- June 2nd, a One Way Traffic Sign will be placed North of West and Pascal Ave intersection indicating "one way traffic" and "parking on one side of Pascal".
- June 2nd by 12:00pm, "No Parking Signs" will be placed on the ocean side of pascal ave.
 - Additional "No Parking Signs" will be placed on Hi St, Pleasant St, Amsbury St, Birch St, and Pine St.
- June 2nd, at the intersection of US-1 and Pleasant/High St there will be a Detour Sign indicating change of traffic flow in this area and no parking allowed on side streets.

Emergencies will be handled

- If an emergency arises, the Police and Fire Chief will have rule. These persons will be contacted in the event of an emergency.
- 911 will be dialed in the event of an emergency.

Emergency Vehicles

- Police will be present with cruisers.
- EMA services have been notified about event and if able, they will be present.
 - A location for parking of EMA services is provided and indicated on Traffic Closure Plan.

June 4th

- Signage will be removed and any barriers will be removed.

Traffic Control Plan

June 2nd, Pascal Avenue will go from two lanes of traffic to one lane of traffic with additional parking. This will begin at West St intersection of Pascal Ave and go until High St and Pascal Ave.

Trained Personnel: Police, Fire, and Public Works, will be present at this festival.

Detour signs: will be placed at the intersection of Pascal Ave and Pleasant St, Pascal Ave and Pine St, and US-1 and High St & Pleasant St. These detour signs will indicate that no street parking is allowed.

Changeable Message Signs: Two CMS's will be placed to notify the public of the event, and the traffic flow changing for the festival.

Advance Notice

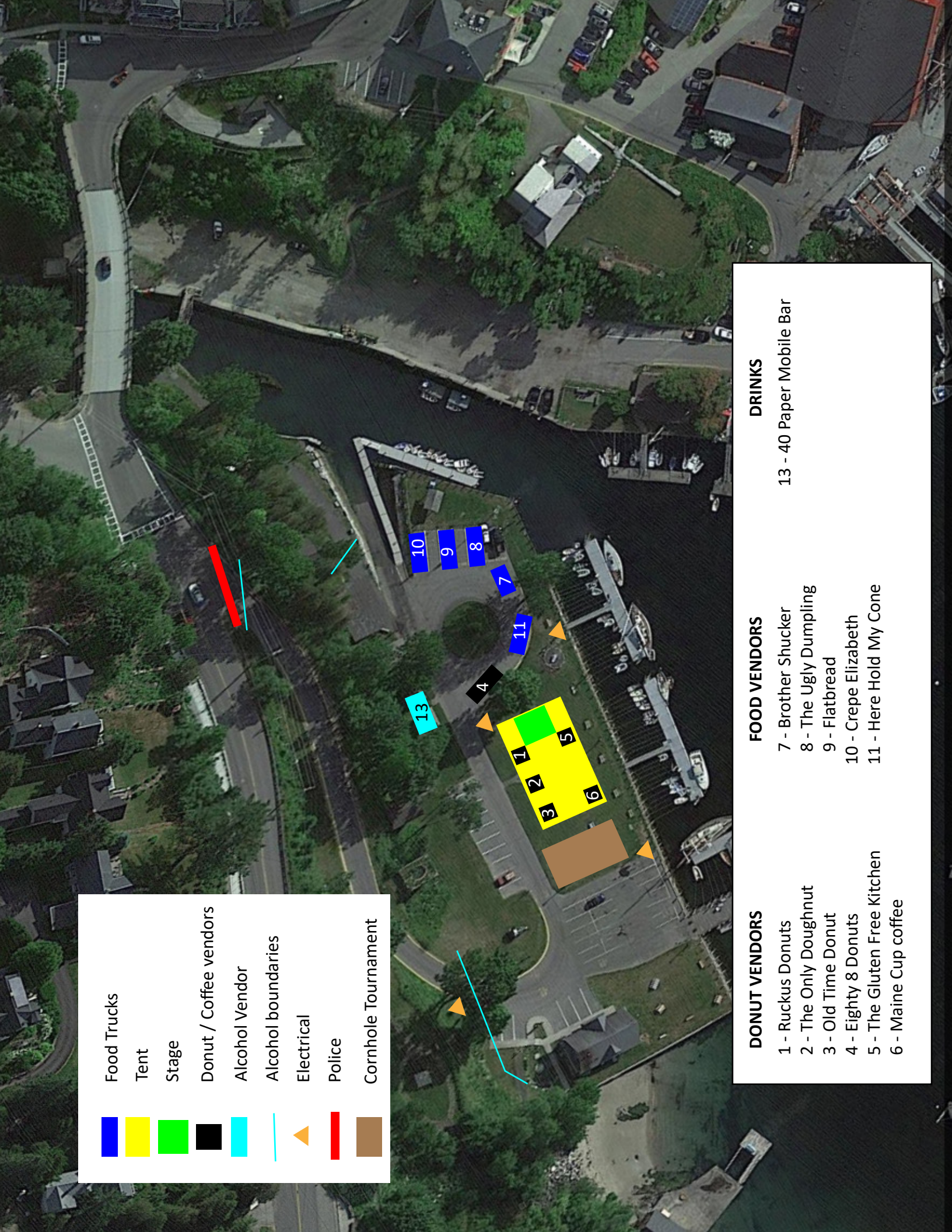
Notice to the public will be given through the following mediums: Changeable Message Signs, Civic Ready messaging system, Facebook, Town website, banners, posters, Local News papers and media.










- Changeable Message Signs
- One way traffic North Bound and parking
- Jersey Barrier
- Parking
- No Parking
- Detour Sign
- EMS services

DONUT FESTIVAL
BRDG CLSD
JUNE 2 & 3

DONUT FESTIVAL
BRDG CLSD
JUNE 2 & 3





	Food Trucks
	Tent
	Stage
	Donut / Coffee vendors
	Alcohol Vendor
	Alcohol boundaries
	Electrical
	Police
	Cornhole Tournament

DONUT VENDORS	FOOD VENDORS	DRINKS
1 - Ruckus Donuts	7 - Brother Shucker	13 - 40 Paper Mobile Bar
2 - The Only Doughnut	8 - The Ugly Dumpling	
3 - Old Time Donut	9 - Flatbread	
4 - Eighty 8 Donuts	10 - Crepe Elizabeth	
5 - The Gluten Free Kitchen	11 - Here Hold My Cone	
6 - Maine Cup coffee		

Discussion Item

- a. Marine Park Space Lease for Mast Stepping/Rigging Discussion - Skyhook

Manager's Comments:

This matter is one that comes to provide explanation of a process I'm involved in for the management of the Marine Park. Like all other leases managed around the harbor (Boat Club, Mainely Lobster, the Heron) it is my responsibility to manage those leases and approve their renewals. Over the last several years, one entity has operated in the Harbor on a regular basis and using Town property to provide service to boat owners who require their mast stepped and their boat rigged. That entity, Skyhook LLC, has evolved into a firm which works nearly every day for 3-4 hours around high tide to meet that need by boat owners. Many of these owners who launch their boats in Rockport Harbor are Rockport residents, but many are not residents and are using this service because our harbor is particularly advantageous to launch in.

I have engaged with Skyhook's owners Shane and Nate over the last several months. First, they had great concern regarding potential limitations relating to the Parks and Beautification Committees concerns in the aftermath of the sauna conversation and then again as we discussed a potential lease agreement.

The lease draft attached is my attempt to capture the cost of 3-4 hours of use of Marine Park for 4 months of our summer season. While the annual cost of \$6500 is more than the current "Commercial Service Fee" of \$850 charged for other commercial services operating at the harbor, the impact Skyhook has within the park is substantial. Their boom truck parked on the edge of the bulkhead and moving masts around park users and the public has caused concern among residents. I've included within the draft lease a requirement for liability insurance coverage which adds the Town as an additional insured. Lastly, this proposed increase is substantial in relation to what this entity has been paying in the past, but I don't believe its costs are outsized for the costs their customers are bearing. The average mast stepping costs between \$250-\$500 and Skyhook has stated they handle 100 masts in each half of their season, so a total of 200 service calls for the year. That works out to \$33 per service call to cover Skyhook's rent for the season, or roughly 10% of a customer's cost.

I know we all want to welcome business and commerce in Rockport Harbor. We want to welcome business owners and ensure this is a hospitable environment for them to operate. The challenge is that we must ensure our parks and our harbor remains safe and accessible to all of our residents and the boating public. The pressures faced in our harbor from growth are considerable and future planning is a necessity to ensure we maintain balance in our harbor so that all the interests we have now remain strong.

Additional Comments:



101 Main Street
Rockport, Maine 04856
207-236-0806
207-230-0112 Fax
www.town.rockport.me.us

LEASE AGREEMENT

TOWN OF ROCKPORT AND SHANE LAPRADE, D/B/A/ SKYHOOK

LEASE OF A SMALL PORTION OF THE MARINE PARK

THIS AGREEMENT is made by and between the *TOWN OF ROCKPORT*, a municipality located at 101 Main Street, in Knox County, State of Maine, hereinafter referred to as "Rockport" or "Lessor", and SHANE LAPRADE, *d/b/a SKYHOOK with a mailing address of PO Box 214, Owls Head, Maine 04854* and having a place of business in Rockport, Maine, hereinafter, referred to as "Lessee".

PURPOSE

Lessee is in the business of providing services to boat owners in Rockport harbor by stepping masts for boats launched at Marine Park. Rockport finds that support of our mooring owners which use Rockport Harbor is in the public interest and that this Agreement furthers the objective of supporting boating industry.

AGREEMENT

IN CONSIDERATION of the mutual covenants and agreements contained herein, the parties agree as follows:

1. Subject to the terms of this Agreement, Rockport grants to Lessee a right to use

those portions of the Rockport Marine Park as shown on the plan attached hereto as Exhibit A and, more specifically authorizes the Lessee to provide services to step masts on recently launched boat and allow float space for each boat with a newly stepped mast for rigging. When masts are not being stepped, the boom truck shall be moved to the location cited on Exhibit A.

2. The term of this Agreement shall commence on the date of its execution by all parties and end on December 31, 2023, subject to the right of the Lessor to terminate the Agreement at any time by giving thirty (30) days written notice of termination to Lessee, as set forth below, or by giving notice to terminate after the Lessee fails to cure a default or violation seventy-two (72) hours after notice all as set forth below.
3. A lease fee of Sixty-five Hundred Dollars (\$6,500.00) will be due on May 15, 2023.
4. The Lessee shall comply with all Federal, State and local laws, rules and regulations including without limitation, the Zoning Ordinance of the Town of Rockport, the Harbor Ordinance of the Town of Rockport, all Maine D from EP regulations, including without limitation the Natural Resources Protection Act.
5. The Lessee further agrees to abide by the following rules and regulations, which have been established by the Select Board.
6. Insurance. In addition to any other insurance required under the terms of the Lease, Lessee shall provide at its expense, and keep in force during the term of this Lease, general liability insurance with a good and solvent insurance company or companies licensed to do business in the State of Maine in the amount of at least One Million Dollars (\$2,000,000) with respect to injury or death, and One Million Dollars (\$2,000,000) with respect to damage to property, occurring in or about the leased premises. Such policy or policies shall name Lessor as an additional insured. Upon written request from Lessor, Lessee agrees to deliver certificates of such insurance to Lessor. Such insurance shall contain an agreement that such policy shall be non-cancelable without thirty (30) days' written notice to Lessor.
7. The Lessee agrees to indemnify, defend, and to save harmless the Town of Rockport, its officers, employees, and members of the general public, its and their successors and assigns from and against any injury or loss in conducting their operations, regardless of whether such injury or loss results from unauthorized uses in the vicinity of the Lessee's operations without regard to any alleged negligence of the Town. The Lessee agrees to indemnify, defend,

and to save harmless the Town of Rockport, its agents, officers, employees and subcontractors from or against any claim or loss or injury, including reimbursement for any attorney fees, arising out of the stepping of boat masts.

8. The Lessee, its agents and contractors or employees, agrees to behave in a courteous manner towards members of the general public, the Town employees and other boat captains and personnel always. The Lessee, its agents and contractors or employees, agrees to maintain the leased property in an orderly and clean manner at all times. Any damage to Town facilities, buildings or grounds shall be the responsibility of the Lessee to restore to its condition prior to the Lessee's action, to the satisfaction of the Lessor.
9. Upon termination or expiration of this Agreement, the Lessee shall cease operations from the location at the Marine Park. The Lessee shall, within seven (7) days, and the lessee shall remove the boom truck from the property and restore the property of the Town of Rockport to its original condition.
10. Every right or remedy given by Rockport and by this Agreement is cumulative and no right or remedy shall be exclusive of any other right or remedy provided by law. The exercise of one right or remedy by Rockport shall not impair the right of Rockport to exercise any other right or remedy.
11. The Lessee shall not, at any time nor in any manner, either directly or indirectly, assign or encumber this Agreement or any interest therein nor shall the Lessee assign or sublet any part of the leased premises, without first obtaining written consent of Rockport.
12. Lessee agrees that this Agreement is a lease solely of space on the Rockport wharf and pier and that no interest in real property or improvements located on the public landing is created by this Agreement.
13. This Agreement supersedes any existing agreement between the parties.
14. This Lease Agreement shall terminate on December 31, 2023.
15. Any further lease for any subsequent year shall be determined in accordance with the Rockport Harbor Ordinance and shall be subject to separate negotiations with the Rockport Town Manager.
16. Failure of the Lessee to abide by the terms and provisions of this Agreement within seventy- two (72) hours after receiving written notice of such violation from the Harbormaster, the Town Manager or the Town Code Enforcement Officer shall result in the termination of this Agreement by Rockport, at its discretion.

IN WITNESS WHEREOF, the parties have executed this Lease Agreement as a sealed instrument on April _____, 2023.

TOWN OF ROCKPORT

Witness

By: _____
Jonathan Duke
Town Manager

SHANE LAPRADE, d/b/a/ SKYHOOK

Witness

By: _____

Its: _____

Discussion Item

b. 280 Rockland Road Bid Process Discussion

Manager's Comments:

We've finally received our approvals from the Conservation Commission and Planning Board (see attached) to proceed with the sale of the 280 Rockland Road property. We've gotten a sign printed and will have that up next week. An ad will run in the newspaper and we're planning on holding a time for an inspection by prospective bidders on May 22nd. We're planning on opening bids on June 5th and the Board could act on a purchase and sale agreement with a successful bidder as soon as the organizational Board meeting on June 14th.

Additional Comments:



4/14/23

To whom it may concern,

As per the town warrant, the Rockport Conservation Commission (RCC) assessed the town's proposal to sell the foreclosed property at 280 Rockland Street and voted unanimously on April 12th, to recommend the sale with the understanding that the town will arrange for proper removal of recognizable hazardous materials, environmental concerns and asbestos.

The RCC also asked that the town develop a list of criteria they would like the RCC to use going forward in these types of assessments.

Best,

A handwritten signature in black ink, appearing to read "Meggan Dwyer", with a long, sweeping horizontal line extending to the right.

Meggan Dwyer
Chair, RCC



Town of Rockport, Maine

Planning and Development Directors Office

Town Office
101 Main Street
Rockport, Maine 04856
Telephone: 207-236-0989 x 2
rockportmaine.gov/planning_communitydevelopment

Orion Thomas, MCRP
Planning and Development Director
Email: othomas@rockportmaine.gov

Date: 5/4/2023
To: Rockport Select Board
Regarding: 280 Rockland St

Dear members of the Select Board,

This letter is in regards to our responsibilities of selling tax acquired properties, such as the 280 Rockland St. With these responsibilities, the Town has to receive consultation from the Conservation Commission and the Planning Board. Both of which have seen the property in question, and have recommended the Select Board to sell the property. The Conservation Commission supplied a letter with their recommendation to sell the property. The Planning Board, on the 27th of April 2023 recommended the sale of the property, and with further recommended suggestions of what the Town should sell the property for.

The Planning Board Recommends selling 280 Rockland St with the following items to consider before making the sale final.

- **Dividing property by stream with back being sold for conservation with the front being sold for affordable housing.**
 - **Planning Board recommends to the Select Board that while they agree with selling the 280 Rockland St property, they would like the Town to investigate other possibilities. Dividing property by stream, with back to be donated for conservation and front to be investigated for affordable housing. Options to achieve this are;**
 - **To contact Costal Mnt. land trust to make them aware and to see if they would be interested.**
 - **And to contact a builder with sufficient knowledge of housing development to see if this lot could be developed into housing.**

Recommended 7-0-0

With this extra consideration, I have taken the liberty to provide my opinion regarding these extra steps. This property is a very beautiful piece of land with Meadow Brook that runs through it. The development of it, however, is somewhat troublesome with the setbacks that have to be considered. One setback at Seventy-Five feet from the high-water mark of the brook, and then per our ordinance for the zone district 908 Rural on parcels abutting Rt 1,17 & 90 have to also have a front yard setback of seventy-five feet. Both front and stream setback requirements eliminate any possibility of new development that would have to conform to our ordinance. There could be a grandfathering situation, but that would be dependent on the type of development. Regarding a land trust acquiring this property. This is by no means any issue from an ordinance perspective.

The BID notice for sale of this parcel will be circulated through regular channels, and my office will also invite entities to submit a BID for the property. The main topic of this venture is to sell the property to recoup as much if not all back taxes and additional fees paid pertaining to settling this property.

With regards,

A handwritten signature in black ink, appearing to read "Orion Thomas". The signature is fluid and cursive, with the first name "Orion" being more prominent than the last name "Thomas".

Orion Thomas
Planning and Development Director
Town of Rockport

Adjourn

Suggested Motion:

I move the Board adjourn the meeting.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						