

BOARD OF SELECTMEN MEETING
Tuesday, February 24, 2015

A meeting of the Rockport Board of Selectmen was held at 7:00 pm in Conference Room A in Town Hall on Tuesday, February 24, 2015 with five selectpersons, the Town Administrator, and the Asst. Town Administrator.

7:00 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Approval of Minutes of January 20, 2015: Selectperson Battistelli moved that the Board of Selectmen approve the minutes of January 20, 2015, Selectperson Lucas seconded, Vote: 3-0. Chairperson Wilkinson abstained as she was not present on January 20, 2015; Selectperson Murphy left the meeting at 7:20pm.

Approval of
1/20/15 Minutes,
Motion
Approved

Approval of Minutes of January 26, 2015: Selectperson Lucas moved that the Board of Selectmen approve the minutes of January 26, 2015, Selectperson Sheedy seconded, Vote: 3-0. Selectperson Battistelli abstained as she was not present on January 26, 2015.

Approval of
1/26/15 Minutes,
Motion
Approved

Approval of Minutes of February 3, 2015: Selectperson Battistelli moved that the Board of Selectmen approve the minutes of February 3, 2015, Selectperson Sheedy seconded, Vote: 3-0. Selectperson Lucas abstained as she was not present on 2/3/15.

Approval of
2/3/15 Minutes,
Motion
Approved

Approval of Minutes of February 9, 2015: Selectperson Sheedy moved that the Board of Selectmen approve the minutes of February 9, 2015, Selectperson Lucas seconded, Vote: 4-0.

Approval of
2/9/15 Minutes,
Motion
Approved

Selectmen Updates and Liaison Reports: Chairperson Wilkinson said she'd like to express an enormous thanks to the town employees who gave up planned vacations and those that worked even though they were sick through these storms; and a special thanks to the DPW employees for their hard work on snow removal.

Selectmen
Updates and
Liaison Reports

Public Comment Period: Toby Arsenian, 95 Granite St., said he read the proposed train station improvements in the Gloucester Times. He said he thought reading about this in the paper is a strange way to hear about this. He said Chairperson Wilkinson and Selectperson Battistelli attended a meeting in Boston a month ago about this and we didn't get a significant account of that meeting. He said the plans have been in the DPW office for over a month and the town didn't receive any word on the meeting in Boston. The \$21M plans were submitted to the town on three separate occasions, at 30% when they were conceptual, at 60% when major changes could still be made and 90% when the plans can only be tweaked. The plans haven't been distributed and no public meeting comment has been held on the plans; the process is faulty. The town, as a whole, should be voting on easements; and what about the consent order regarding noise pollution on the MBTA. This is a highly technical field, an acoustical engineer is necessary to determine what will be satisfactory. He'd like answers on the easements and on the consent order. Chairperson Wilkinson said she and Selectperson Battistelli attended a meeting about one month ago, however very few Board of Selectmen meetings have been held due to the inclement weather. Selectperson Battistelli said there was a public meeting on the original plans that weren't finalized in June of 2013, people did

Public Comment
Period

Public
Comment
Period

Continued

comment and certain changes were made based on public comments. She said the MBTA Advisory Committee had a public meeting; it just isn't accurate to state that no one has seen the plans. Chairperson Wilkinson said the plans will need to go before the Conservation Commission for the beginning of the permitting process. The MBTA doesn't even discuss easements until funding is in place. The Town Administrator said all easements must go before town meeting. The MBTA has updated their website with the plan. Chairperson Wilkinson said the plan will improve the station a little bit with the noise and with some of the drainage; the station will look different but this is not the bells and whistles initially planned. In the DEP Consent Order from 2010, Rockport was one station mentioned out of 14 communities.

Frederick Tarr, 154 Main St., said he has been the town representative on the MAPC, the MBTA has been part of this, and he was unaware of the meeting that the two Selectboard members attended. He said he hasn't been able to do anything. He submitted his resignation to the Board of Selectmen in writing tonight.

Town Administrator's Report:

- The Board received a letter from the Rockport Housing Partnership announcing their decision to terminate and dissolve the organization. They have been unsuccessful in raising funds and have been unable to recruit new board members who have the time to carry out the efforts.
- The new library director, Cindy Grove, has been hired.
- The action report from the Emergency Management Director provides great insight into the storm operations.
- Rockport's Town Clerk has received the Mass. Clerk Association (CMMC) Certification; congratulations to Pat Brown.
- A draft Inter-Municipal Agreement has been prepared to form a regional Veteran's District with Gloucester and Manchester; Town Counsel is reviewing the document.
- The new phone system is going very well, town hall phones are in, school phones have been installed, training is ongoing and voicemail is included.

Town
Administrator's
Report

Motion to add
agenda item
Motion
Approved

Selectperson Battistelli moved to add an item to tonight's agenda, to allow the town to accept a gift from the Rockport Rotary, seconded by Selectperson Sheedy, Vote: 4-0.

Motion to
accept gift from
Rotary Motion
Approved

Selectperson Battistelli moved that the Board of Selectmen accept a gift of \$6,000 from the Rockport Rotary to purchase an automatic chest compression machine for the ambulances, Selectperson Sheedy seconded, Vote: 4-0.

Action List:

7:20 Action List

- Close Special and Annual Town Meeting Warrants: Selectperson Battistelli moved that the Board close the April 4, 2015 Special and Annual Town Meeting Warrants, Selectperson Sheedy seconded, Vote: 4-0.
Selectperson Battistelli said she received a telephone call from a resident who inquired about the donation amount for SeniorCare; she thought it was \$3,100 not \$3,000. The Town Administrator said that will be reviewed.

Close STM and
ATM Warrants.
Motion
Approved

CPA Grant with
Unitarian
Church
Motion
Approved

- CPA Grant with Unitarian Church: Selectperson Lucas moved that the Board approve and sign a Grant Agreement with the Unitarian Universalist Society of Rockport authorizing a grant of \$220,000 of CPA funds as recommended by the Community Preservation Committee

and voted at the September 8, 2014 Fall Town Meeting, Selectperson Sheedy seconded, Vote: 4-0.

- Approval of New Mooring Fees: Selectperson Battistelli moved that the Board of Selectmen approve the new mooring fees as proposed by the Harbormasters, seconded by Selectperson Lucas, Vote: 4-0. This is an approximate 25% increase in the fees and increases revenue to the town by approximately \$25,000 annually.
- Acceptance of resignation of David Coyne: Selectperson Battistelli moved that the Board of Selectmen accept the resignation of David Coyne from the Finance Committee effective immediately; seconded by Selectperson Lucas, Vote: 4-0.
- Acceptance of resignation of Carl Engel: Selectperson Lucas moved that the Board of Selectmen accept the resignation of Carl Engel from the Finance Committee effective immediately; seconded by Selectperson Sheedy, Vote: 4-0.
- Acceptance of Resignation of Scott Mullen: Selectperson Sheedy moved that the Board of Selectmen accept the resignation of Scott Mullen as Technical Support Specialist effective February 20, 2015, Selectperson Lucas seconded, Vote: 4-0.

Motion for New Mooring Fees
Motion
Approved

Resignation of David Coyne
Motion
Approved

Resignation of Carl Engel
Motion
Approved

Resignation of Scott Mullen
Motion
Approved

Selectperson Sheedy left the meeting at 7:40 pm.

- Approval to Hire IS&T Technical Support Specialist: Selectperson Battistelli moved that the Board of Selectmen approve the Director of Information Systems & Technologies' request to hire a Technical Support Specialist to fill the vacancy resulting from Scott Mullen's resignation, Selectperson Lucas seconded, Vote: 3-0.
- Revisions to Renovation of 26 Old County Road: Selectperson Lucas moved that the Board approve the revisions to the renovation of 26 Old County Road to modify the elevation to accommodate the changed base elevation on the new flood maps as shown on the plan for 26 Old County Road produced by Fennel Engineering, Inc., Selectperson Battistelli seconded, Vote: 3-0. Gregory Cefalo from Fennell Engineering said this will raise the structure by one foot.
- Town Reunion at Evan's Field: Selectperson Battistelli moved that the Board grant permission to the Rockport Town Reunion group to use Evan's Field, including the electricity from the light poles, on July 11, 2015 from 12:00 pm to 11:00 pm for their second "Rockport Reunion", Selectperson Lucas seconded, Vote: 3-0.
- Resolution of Appreciation for Frank Hassler: Selectperson Lucas moved that the Board of Selectmen vote to adopt the Resolution of Appreciation in honor of Frank Hassler on behalf of the citizens of Rockport for his outstanding service to the Town, and that a copy be kept as part of our permanent government records, Selectperson Battistelli seconded, Vote: 3-0.
- Declaration of Conservation Restrictions: Selectperson Battistelli moved that the Board of Selectmen approve the acceptance of the Declaration of Restrictions by the Town of Rockport Conservation Commission, pursuant to the provisions of Chapter 40, Section 8C of the General Laws, placed on and with the 252 South Street Nominee Trust, seconded by Selectperson Lucas, Vote: 3-0.

Approval to hire IS&T Tech. Support Spec.
Motion
Approved

Revisions to 26 Old County Road Renovations
Motion
Approved

Town Reunion at Evan's Field
Motion
Approved

Resolution of Appreciation for Frank Hassler
Motion
Approved

Declaration of Conservation Restrictions
Motion
Approved

Place Special
Town Meeting
Articles on 4/4/15
Warrant
Motion Approved

- Special Town Meeting Articles: Selectperson Lucas moved that the Board of Selectmen vote to place Articles A, B, C, D, E, F, and G on the April 4, 2015 Special Town Meeting Warrant, seconded by Selectperson Battistelli; Vote: 3-0.
 - A) transfer funds from accounts that have funds to accounts that need funds to close out FY'15 budget.
 - B) pay any unpaid bills from prior year.
 - C) DPW capital account for water main generator upgrade, asking to close out an account and transfer any funds to the water main replacement account.
 - D) close out Carlson's Quarry Dam Inspection account to water dept. capital improvements.
 - E) establish a reserve for electricity \$128,538.50 from DPW miscellaneous revenue for solar generated and other electricity.
 - F) library fire escapes short about \$20,000; transfer the funds from a school roof account.
 - G) Additional Chapter 90 funds.

Place Annual
Town Meeting
Articles on 4/4/15
Warrant
Motion Approved

- Annual Town Meeting Articles: Selectperson Battistelli moved that the Board of Selectmen vote to place Articles 1, 2, 3, 4, 5, 5A, 5B, 6, 6A, and 6B on the April 4, 2015 Annual Town Meeting Warrant, seconded by Selectperson Lucas, Vote: 3-0.
 - 1) choose an agent for Trust Funds and other Town Officers.
 - 2) rescind authorization from previous borrowings.
 - 3) unpaid prior year invoices.
 - 4) amend/revise compensation schedules.
 - 5) general fund operating budget.
 - 5a) water operating budget.
 - 5b) sewer operating budget.
 - 6) capital general fund.
 - 6a) water capital.
 - 6b) sewer capital.

Place Articles on
4/4/15 Annual
Town Meeting
Motion Approved

Selectperson Lucas moved that the Board of Selectmen vote to place Articles A, B, C, D, E, F, G, H, I, J, K, L, M, O, P, Q, and R on the April 4, 2015 Annual Town Meeting Warrant, seconded by Selectperson Battistelli, Vote: 3-0.

- A) Chapter 90 funds for FY 16.
- B, C, D, and E) are charity grants given, Action, HAWC, Senior Care and Open Door.
- F) Fund the Patrol Officer's Union.
- G) Transfer \$50,357 from Financial Mgmt. System Capital Account to the IT Software and Online Services Operating Account.
- H) Annual \$75,000 assessor's re-evaluations.
- I, J, K and L) appropriate funds to the general stabilization, capital reserve stabilization fund, and OPEB Trust Fund.
- M) Stay in compliance with by-laws and renew the Board of Selectmen's authorization to dispose of two of the tax title properties.
- O) Easement – building overlapping on town property.
- P) Easement on Blue Gate Lane.
- Q) Hear ad-hoc water committee report.
- R) Accept reports of Town Officers.

8:15 Discussion Items

Discussion Items

- Sledding at Evans Field: Chairperson Wilkinson spoke on allowing the lights to stay on for sledding until 8pm. During the little league season the lights remain on as well. There needs to be a sufficient amount of snow in order not to damage the field by sleds. It was decided that this does not require a vote.
- Plowing Private Ways Confusion: There has been some confusion regarding the petition to get the plowing of private ways on the ballot - not town meeting. Some residents are asking how roads can be added to the list. This will be on the spring ballot; it has the required number of certified signatures. If it passes at the ballot, this allows the town to plow private roads; the town would define the criteria. If it doesn't pass, there will be no more plowing of private roads. It was decided that the criteria to identify which private roads could be paved should be developed before the town votes; 5/5/15 is the ballot vote. Chairperson Wilkinson said she will pull together the suggested criteria, review the list of private roads, and the board members can plan a tour.

Sledding at
Evan's Field

Plowing Private
Ways Confusion

8:30 Selectperson Sheedy returned to the meeting.

T. Arsenian, 95 Granite St., said the criteria that is developed for plowing private roads should be across the board with no exceptions.

L. Hale, 2 Chestnut Drive. inquired about grandfathered roads and said it needs to be determined where some of the physical roads end.

Other Business/Announcements: It was announced that the Police Chief Screening Committee will be discharged at the next meeting. The three candidates to be interviewed by the Board of Selectmen are Armand Boudreau, Mark Doyle, and John Horvath. The interviews will be conducted next Tuesday, March 3, 2015 at 6pm.

Other Business/
Announcements

Selectperson Lucas moved to hold a Board of Selectmen meeting next Tuesday, 3/3/15 to interview three candidates for the Police Chief of Rockport at 6pm, seconded by Selectperson Sheedy. This will be the last meeting of the screening committee, Vote: 4-0.

9:00 Selectperson Sheedy moved to adjourn, seconded by Selectperson Battistelli, Vote: 4-0.

Warrant Signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of February 26, 2015 in the amounts of \$123,050.00 and \$321,598.30 respectively.

Items Signed:

Declaration of Restrictions, 252 South Street Nominee Trust
Resolution of Appreciation, Frank Hassler
Community Preservation Act Grant for Unitarian Universalist Society of Rockport
Home Occupation Permit, Dylan Azucena-Sun Shower Studio
Transient Vendor License, Alison Landoni
Common Victualler's License, Nine Lives Café
Common Victualler's License, Molly's Sweet Tooth
Used Car Dealer, John and Cathy Porter