

A Board of Selectmen Meeting was held at 7pm on Tuesday, May 28, 2013 in Conference Room A in Town Hall; present at 7pm were Selectpersons Lucas, Murphy, and Sheedy, Selectperson Wilkinson arrived at 7:15 pm, Chairperson Battistelli was not in attendance.

6:40 Meeting Called to Order

Executive Session – Collective Bargaining & Real Property: Executive Session: Selectperson Lucas moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) for Exception #3: to discuss strategy with respect to collective bargaining and Exception #6: to consider the purchase, exchange, lease or value of real property, Roll Call Vote: Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye.

Executive Session
Collective
Bargaining and Real
Property

Vice Chairperson Murphy: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s negotiating position and we will reconvene in Open Session.”

7:30 Pledge of Allegiance and Moment of Silence

Election of Board Officers

Election of Board
Officers

Approval of Minutes of April 30, 2013: Selectperson Sheedy moved that the Board of Selectmen approve the minutes of April 30, 2013, Selectperson Wilkinson seconded, Vote: 3-0. Selectperson Lucas abstained as she was not on the board on 4/30/13. Selectperson Wilkinson stated that one amendment should be made on page 3, the name should be corrected to Joe Muzio.

Approval of 4/30/13
Minutes
Motion Approved

Approval of Minutes of May 7, 2013: Selectperson Sheedy moved that the Board of Selectmen approve the minutes of May 7, 2013, Selectperson Wilkinson seconded, Vote: 3-0.

Approval of 5/7/13
Minutes
Motion Approved

Approval of Minutes of May 14, 2013 – no vote taken, there is not a quorum of members that attended the 5/14/13 meeting.

Approval of 5/14/13
Minutes
No motion taken

Selectmen Updates and Liaison Reports – Selectperson Murphy commented on the wonderful Memorial Day celebration.

Public Comment Period: Toby Arsenian, 95 Granite Street, was speaking on the Chapter 91 license for the Tool Company and the DEP public hearing. He stated that there were over 90 people in attendance at the public hearing. The meeting later at the Police Station he believed was a mistake. The hearing period closed on 5/23/13. He stated that the Board of Selectmen chose not to comment. T. Arsenian wrote and sent letters of comment; 182 signatures of residents went to the DEP. He read his letter regarding #11960, for 175 Granite Street. It strongly objects to the licensing of any floats that would displace existing moorings or encroach on areas used for navigation. The public access should be 13’ wide, be property lit and be open 24/7, and should extend the full length. There should be no storage of floats on this path. Driving pilings is an environmental concern. The 20,000 square foot waterfront park being eliminated is objectionable. He

Public Comment
Period

concluded that there are 60 days from public hearing for the DEP decision, then there is a 21 day appeal period. T. Arsenian left a copy of the petition letter with the Town Administrator.

Continued

Frederick Tarr, 154 Main Street, MAPC annual meeting is in Quincy tomorrow, their survey is underway. He stated that it would be helpful if at traffic committees and other meetings there were handouts for the public. On the Tool Company property he stated that the original submission by original owners preserved the chimney as an historic structure and an unofficial aid to navigation; it went through site review. The Board of Appeals said it wasn't of importance. This should have been reviewed at a public meeting; it may be too late now.

7:35 Action List

Action List:

Warrant for State
Election
Motion Approved

Warrant for State Election: Selectperson Lucas moved that the Board approve and sign the Warrant for the June 25, 2013 State Election to elect a Massachusetts Senator to Congress. Selectperson Sheedy seconded, Vote: 4-0.

Permission to hold
August Lobsterfest
Motion Approved

Permission to hold August Lobsterfest: Selectperson Wilkinson moved that the Board grant permission to the Rockport Rotary Club to hold its annual Lobsterfest on Saturday, August 10, 2013 at the American Legion from 3 pm to 9 pm. Selectperson Lucas seconded Vote: 3-0 (recusing Sheedy as she is on the Rotary).

One day liquor License
for Rotary Lobsterfest
Motion Approved

One-Day Liquor License for Rotary Lobsterfest: Selectperson Wilkinson moved that the Board approve and sign a One-Day Liquor License for Rockport Rotary Club for Saturday, August 10, 2013 for the Lobsterfest." Selectperson Lucas seconded, Vote: Selectperson Sheedy recused herself, Vote: 3-0.

One day Liquor License
for Rockport Music
Motion Approved

One-Day Liquor License for Rockport Music: Selectperson Lucas moved that the Board approve and sign a One-Day Liquor License for Rockport Music for June 7, 2013 for Rockport Music Gala." Selectperson Sheedy seconded, Vote: 4-0.

Permission for August
Fireworks
Motion Approved

Permission for August Fireworks: Selectperson Sheedy moved that the Board of Selectmen grant permission for a fireworks display at the end of Granite Pier on Saturday, August 10, 2013, Selectperson Wilkinson seconded, Vote: 4-0. Tim Collins, 16B South Street, said he is seeking permission to stage a fully professional fireworks show, on 8/10/13 from 9:30 to 9:50 pm off of Granite Pier. He said the Chief of Police and Fire Chief have approved, he has spoken to the Harbormaster and the Granite Pier Committee. He said this could be a regular all-day event to bring people into town. They need to raise \$15,000 to fund the show, another \$15,000 will be needed for police, fire, and DPW staff. He asked if the town would be willing to help financially, they have raised \$7,300 already. He has exchanged telephone calls with CATA to see if they will run additional hours that night. Selectperson Murphy inquired if they have spoken to the neighbors. T. Collins said the neighbors haven't been approached yet. He plans to speak to residents at the development right next to Granite Pier. The Granite Pier Committee said the few boats that need to be moved will be moved. They will be seeking input after the event. Selectperson Murphy recommended speaking to the Rowe Point neighbors.

Outdoor Display Permit for the Wicked Peacock: Selectperson Lucas moved that the Selectmen approve and sign an Outdoor Display Permit for the Wicked Peacock Boutique at 17 Dock Square, Selectperson Wilkinson seconded, Vote: 3-0. Lucas doesn't believe this is a conflict for her, she doesn't have outdoor displays. One mannequin is allowed in current regulations.

Action List:

Outdoor Display Permit for the Wicked Peacock Motion Approved

Long Beach Lease for 6 Long Beach: Selectperson Lucas moved that the Board approve and sign a lease with Mary Ellen Devine, Trustee of the Devine Family Realty Trust for 6 Long Beach to reflect a change of ownership as a result of a bequest, Selectperson Wilkinson seconded, Vote: 3-0.

Long Beach Lease for 6 Long Beach Motion Approved

Long Beach Lease for 26 Long Beach: Selectperson Wilkinson moved that the Board approve and sign a lease with Stacy Ho and Charlene Tsai for 26 Long Beach to reflect a change of ownership, Selectperson Lucas seconded, Vote: 3-0.

Long Beach Lease for 26 Long Beach Motion Approved

Long Beach Lease for 136 Long Beach: Selectperson Lucas moved that the Board approve and sign a lease with John and Kelley McCarthy for 136 Long Beach to reflect a change of ownership, Selectperson Wilkinson seconded, Vote: 3-0.

Long Beach Lease for 136 Long Beach

Permission to Modify Deck at 19 Long Beach: Selectperson Lucas moved that the Board grant permission to Gene and Pamela Gnerre to modify their deck at 19 Long Beach, seconded by Selectperson Wilkinson, Vote: 3-0. He stated that the deck is over 50 years old and is rotted. They plan to move the stairs to the front, then taking 1' off and adding 1' on another side, making a social area in one area, he said the footprint essentially stays the same. The Building Inspector wrote that the increased deck size would exceed the 20% limit of the Long Beach renovations to no more than 20% of the existing building footprint. This would be a violation of the regulations. He has no objection as long as it doesn't increase the deck size. If it could be the same size, there would be no objection. Selectperson Lucas amended the motion to grant permission to Gene and Pamela Gnerre to modify their deck at 19 Long Beach as long as it is the same square footage as the existing deck, Selectperson Wilkinson seconded, Vote: 3-0.

Permission to modify deck at 19 Long Beach Motion Approved As amended

Superior Police Officers Agreement 2010 – 2013: Selectperson Wilkinson moved that the Board of Selectmen sign the 2010 to 2013 Collective Bargaining Agreement with the Rockport Superior Police Officers' Association to reflect the incorporation of the two previously approved Memoranda of Agreement, Selectperson Lucas seconded, Vote: 3-0.

Superior Police Officers Agreement 2010 through 2013 Motion Approved

Acceptance of Resignation of Phyllis Krenn from Rights of Way Committee: Selectperson Lucas moved that the Board of Selectmen accept the resignation of Phyllis Krenn from the Rights of Way Committee effective immediately after her 24 years of service on the Committee, Selectperson Wilkinson seconded, Vote: 3-0. Selectperson Wilkinson requested that a letter be sent from the Board of Selectmen thanking her for her years of service.

Acceptance of Resignation of Phyllis Krenn from the Rights of Way Committee Motion Approved

Year End Transfers: Selectperson Lucas moved that the Selectmen approve the seven Year End Transfers that were approved by the Finance Committee on May 20, 2013, Selectperson Wilkinson seconded, Vote: 3:0.

Year End Transfers Motion Approved

Motion to approve adding an item to tonight's agenda on an 6/4/13 MBTA Mtg. Motion Approved

The Town Administrator said she received a memo from the Chair requesting that a meeting be scheduled at 2:00 or 2:30pm on Tuesday, June 4 to hear plans about the MBTA Rockport Station. Selectperson Wilkinson moved to add scheduling a 6/4/13 meeting to tonight's agenda, Selectperson Lucas seconded, Vote: 3-0.

Motion to schedule an MBTA meeting on 6/4/13 Motion Approved

Selectperson Wilkinson moved that the Board of Selectmen schedule a meeting at 2:30 pm on 6/4 for the purpose of hearing the MBTA plans, seconded by Selectperson Lucas, Vote: 3-0. T. Arsenian stated that this is during the day when most people can't be there. He inquired if documents can be on file for residents to view, the Town Administrator stated they will request hard copies.

Frederick Tarr, 154 Main Street, stated that these meetings have been held in the past and nothing happened, the other meetings were held in the evening.

Selectperson Wilkinson stated that this is a public meeting and anyone is free to attend.

Selectperson Murphy said if the meeting could be held at night, it would be rescheduled.

8:05 Selectmen Presentation

Selectmen Presentation

Long Beach Improvement Association

Long Beach Improvement Association: Richard Carbone, 29 Long Beach, President of Long Beach Improvement Association was presenting. He stated that the town would receive more revenue if the properties were mortgagable.

- Shaping vision of Future of Long Beach.
- Long Beach facts, 1.2M in annual taxes to the town.
- 56% of the families have owned for more than 33 years, family oriented. Many residents are descendants of original owners; they're not wealthy.
- Shorter leases do not provide sufficient confidence for residents to invest funds into their homes.
- Ownership continuity.

Long Beach Owner Requests of the Town:

1. Continue to have Rockport be an approachable landlord
2. 30 year lease
3. Reasonable cost of living adjustment
4. Mortgageable properties
5. Appropriately match year-round taxes with year-round living adj.
6. Establish a Long Beach capital fund

Current Lease Agreement:

Occupancy season from mid April to mid Oct
 Owners lease land - \$2,500 front row, \$1,500 second and third row
 Owners pay taxes on land for 12 months
 10 year lease term was the maximum; changes were made in 2010
 CPI index determines annual lease increase

- Dan Heffernan, mortgage banker stated that Cape Ann Savings and Rockport National are the only 2 banks that currently offer mortgages

- Removes exclusivity and implied economic discrimination
- Significant financial upside for the town
- Owners more willing to invest in required upkeep
- Provides added financial protection for elderly and those on fixed income
- A vibrant Family community

R. Carbone said to keep in mind that if owners make capital improvements, with building permits, the cottage value goes up and the tax assessment goes up. He questioned if clauses could be put into the new leases that can protect the town and that make sense for the residents. The Association would be happy to participate in more meetings to discuss this.

8:20 Discussion Items

Discussion Items:

Town Meeting Debriefing with Moderator:

Town Meeting
Briefing with Town
Moderator

Selectperson Murphy said he thought town meeting went very well and the booklet was well received. He stated that he was surprised that the vote on town meeting was to hold the meetings on Saturdays.

R. Visnick said he thought it went well and that the booklet was helpful. He stated that new technology has been added over time. He said he received several comments from T. Arsenian; he is reviewing them. The Board of Selectmen is reviewing them as well. He stated that it is a challenge with presentations, giving everyone enough information with advocating for one thing over another. He has received positive feedback on the booklets and the technology. He said people are incredibly busy, running an efficient meeting is all we can do. He said there is no longer an “insider vocabulary”; the goal is to encourage those that have never spoken at a town meeting to stand up and talk. It was recommended that perhaps having other activities on the day of town meeting might draw people in.

R. Visnick invited anyone that would like to attend his Air Force retirement, recognizing 28 years of service.

Selectperson Wilkinson stated that in her seven years on the board, she has never seen a more efficient, well run town meeting. Everything was in one place. If someone had a tablet or laptop, they could go on line and pull up the booklet. She agreed that improving attendance is needed. Residents should be encouraged to attend some portion of the meeting if they can’t attend the whole meeting. Moving the meeting to avoid holidays sometimes is necessary. Evening meetings went too fast and it was too long for people. Selectperson Murphy stated that Fall Town Meeting seems to move more quickly. Getting information on the website to make information more accessible for busy residents is critical; the last one was enjoyable.

Selectperson Murphy said that 20% is considered a good turnout. He continued that business was conducted and it moved along nicely.

P. Brown, the Town Clerk, said not everyone is aware of everything on the warrant. We need better newspaper coverage and perhaps cable TV coverage as

well. Maybe more comfortable seating would be helpful, metal chairs are not comfortable. No daycare was provided this year. She stated that the same parents come year after year with or without daycare being provided. About 350 people came this year. Quite a few folks from Long Beach attended this year, really increasing the numbers. All town offices should be closed so employees could attend town meeting.

Selectperson Lucas inquired if we can ask people for their e-mail addresses. She stated it would be helpful to send reminders of the upcoming town meetings; we could ask if they want reminders.

P. Brown, Town Clerk, said there is no place for e-mail addresses on the voter registration card. The form from the state would need to be changed. Another concern is once the town has your e-mail address; it's public information.

Mr. McNelly, 38 Old County Road, said that the meeting was professionally run and presented; the levity made the mood light and things moved along.

Selectperson Murphy inquired about the dump being open during Town Meeting: DPW Commissioner Sena said there are 4,600 sticker holders in town; the odds are they would want the dump open.

Don Campbell, 5 King Street Court, spoke on the notification and collection of e-mail addresses; he stated that he receives a notification on his cell phone regarding sports teams. We could put town meetings and all other meeting reminders as well. It was stated that individuals could subscribe to the town's Google calendar.

Toby Arsenian, 95 Granite Street, stated that Spring Town Meeting is necessarily long, with budget, etc., by-law and zoning articles would be on Fall Town Meeting; maybe consider that again. Petition articles can come any time.

9:07 Selectperson Lucas moved to adjourn, seconded by Selectperson Wilkinson,
Vote: 3-0.

Warrant signed:

Warrant signed for the Fiscal Year 2013 Payroll and Expenses for the week of 5/30/13 in the amounts of \$477,633.96 and \$560,264.95 respectively.

Items Signed:

Collective Bargaining Agreement, Superior Police Officer's Association, 7/1 - 6/30/13
Long Beach Lease, Lot 136, John and Kelley McCarthy
Long Beach Lease, Lot 6, Mary Ellen Devine, Trustee of the Devine Family Realty Trust
Long Beach Lease, Lot 26, Stacy Ho and Charlene Tsai
One Day alcohol License, Anne Lewis, 35 Eastern Point Road, Rockport Rotary Club
One Day alcohol License, Amy Rich, Rockport Music, Opening Night Gala
Wicked Peacock, Outdoor display
Warrant for state election, June 25, 2013
Street Performers License, Alek Razdan, 14 Atlantic Ave., 6/1 through 10/31
Halyard Guest House (home occupation license), 20 Atlantic Avenue
Keady Segel, 48 Main Street, License to operate a parking lot