

Board of Selectmen Meeting  
Tuesday, June 11, 2013

A Board of Selectmen meeting was held on Tuesday, June 11, 2013 at 6:15 pm in Conference Room A with four selectpersons, the Asst. to the Town Administrator and the Town Administrator (Selectperson Wilkinson was absent).

6:15 Meeting Called to Order

Executive Session – Collective Bargaining, Real Property, Negotiations with Nonunion Personnel, and Confidential Information: Selectperson Murphy 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; Exception #6: to consider the purchase, exchange, lease or value of real property; Exception #2: to discuss strategy in preparation for negotiations with nonunion personnel; and Exception #10 to discuss confidential information, Selectperson Lucas seconded, Roll call vote: Selectperson Lucas – aye, Selectperson Murphy – aye, Chairperson Battistelli – aye , all in favor.

Executive Session  
Collective Bargaining,  
Real Property,  
Negotiations with  
non-union personnel  
and Confidential  
Information

Chairperson Battistelli: “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.

7:00 Pledge of Allegiance and Moment of Silence

Election of Board Officers: Board of Selectmen Reorganization: Selectperson Sheedy moved that Pursuant to Selectmen Policy 20-05, she nominates Erin Battistelli as Chairperson of the Board of Selectmen, Selectperson Murphy seconded, Vote: 4-0.

Election of Board  
Officers  
Erin Battistelli as  
chair  
Motion Approved

Selectperson Sheedy moved to nominate Paul Murphy as Vice Chairperson of the Board of Selectmen, seconded by Selectperson Lucas, Vote: 4-0.

Paul Murphy as Vice  
Chairperson  
Motion Approved

Approval of Minutes of May 14, 2013: Selectperson Lucas moved that the Board of Selectmen approve the minutes of May 14, 2013, seconded by Selectperson Murphy, Vote: 4-0.

Approval of 5/14/13  
Minute  
Motion Approved

Clarification, page 2, second paragraph, delete portion after “...at the same table” in Senator Tarr’s comment.

Approval of Minutes of May 28, 2013: Selectperson Murphy moved that the Board of Selectmen approve the minutes of May 28, 2013, Selectperson Lucas seconded. Insufficient voting members, postponed to next meeting’s agenda.

Approval of 5/28/13  
Minutes – no vote  
taken

Interview with Robert Claypool for the Conservation Commission: Selectperson Sheedy moved that the Selectmen appoint Robert Claypool as a member of the Conservation Commission for a three year term to expire on June 30, 2016, Selectperson Murphy seconded, Vote: 4-0.

Interview of Robert  
Claypool for  
Conservation  
Commission  
Motion Approved

R. Claypool was in attendance. He has been on the Commission for approximately 12 years. He said it's a gratifying experience to give back to the town.

Interview of Paul Sena for DPW Commissioners Postponed to next mgt.

Interview with Paul Sena for the Board of DPW Commissioners: postponed to next meeting.

Selectmen Updates & Liaison Reports

Selectmen Updates and Liaison Reports: Selectperson Murphy stated that George Ramsden has completed 50 years with the fireman's band. He will be recognized during the first Board of Selectmen meeting after the 4<sup>th</sup> of July.

MBTA briefing

MBTA briefing Chairperson Battistelli and Selectperson Lucas attended; they stated they scaled down the version of what had been proposed. There are two items being considered now are the power upgrade and an information kiosk for those getting off of CATA buses on available regional transportation. Includes some work on two catch basins on the property, MBTA and J. Parisi will be meeting to discuss what these plans are and what the DPW will be doing; some paving may take place. The new location for the power station is right along the area where the ball field is, the opening that people run into. This current proposed project now doesn't rule out the larger project later on; this is not confirmed yet.

T. Arsenian, 95 Granite Street, stated that he couldn't attend the MBTA meeting. He was told by Z. Seppela that the issue of compliance was raised (court order on pollution – air or noise). The EPA has brought issues before and prevailed. He questions if they are they in compliance here. He said that electrical transformer stations and high powered lines can cause unfortunate health effects, Maybe there can be an evening meeting in the future. Selectperson Lucas stated that J. Parisi needs to prepare and review any budget issues if necessary.

4<sup>th</sup> of July

4<sup>th</sup> of July – Police readiness. Selectperson Murphy said he is sure the police are going to do a terrific job.

Public Comment Period

Public Comment Period: T. Arsenian, 95 Granite Street, commented on a large sign on the Tool company property reading, "industrial space for rent". He questioned if this is a threat that the buildings will stay. In the zoning code, Section I, D.6, Use Discontinuance, uses are not grandfathered if they have not been exercised for two years, so the sign is an idle threat. He is requesting that the Board of Selectmen affirm and reassure the neighbors. Easements were required in the approved plan previously. He said that Atty. J. Majeda, stated that the new project would bring in more income for the town than the prior project. T. Arsenian is inquiring about verification on that statement. He said that Alex Strycky, DEP/Water Ways, said that the schedule for making the decision was not going to be 60 days after the hearing, as stated in the regulations. They are regarding this as a work in process, they may require another hearing. T. Arsenian is questioning if the Board of Selectmen could contact Mr. Strycky. He is also requesting confirmation that the seabed of the harbor belongs to the Commonwealth not the property owner.

Town Administrator's Report:

The Asst. to the Town Administrator, M. Vieira highlighted some activities:

1. Thacher Island filming – a ghost/horror story has been filming.
2. Parking meters proposals are being reviewed.
3. Master building plan RFP is being reviewed.
4. The Chamber of Commerce small business award was awarded to My Place by the Sea.
5. Regional meeting with the Dept. of Conservation and Recreation and Coastal Zone Management regarding two of their big projects, updating the 20 year capital plan for coastal protection structures and identifying potential locations for ferry services. The most pertinent for Rockport at this point is the capital plan, they're in the process of soliciting proposal from engineering firms to move forward with the project. The review of the 2009 survey showed that there were approximately 22 structures that were either publicly owned that would be affected by this or have unknown ownership at this time.
6. 58 Beach Street, parking issues in front of the home. They are looking for relief from the town. The spaces have been designated as compact car spaces, but full size cars have been parking in the spaces and they are having difficulty gaining access to their driveway. Follow up with the Chief of Police on this.
7. Open Meeting and conflict of interest presentation by Kopelman & Paige is looking to schedule this. Two hours may be needed; the last time it was held at the Shalin Liu. Maybe the Peggy Brenner Room at the Library would be sufficient. How about a Tuesday when the Board of Selectmen doesn't meet, maybe 7/16/13.

7:45 Action List

Action List:

Hiring Approval for DPW Public Properties: Selectperson Lucas moved that the Board of Selectmen approve the hiring of a DPW Public Properties Laborer to fill a vacancy created as the result of a transfer, Selectperson Murphy seconded, Vote: 4-0.

Hiring Approval for DPW Public Properties  
Motion Approved

Hiring Approval for BoH Administrative Assistant: Selectperson Murphy moved that the Board of Selectmen approve the hiring of a part-time Administrative Assistant to the Board of Health to fill a vacancy created as the result of a resignation, Selectperson Sheedy seconded, Vote: 4-0.

Hiring Approval for BoH Part time Admin. Asst.  
Motion Approved

Hiring Approval for Substitute Library Assistants & a Library Page: Selectperson Sheedy moved that the Board of Selectmen approve the hiring of two substitute Library Assistants to fill in on an as needed basis and one Library Page for 5 to 10 hours per week, Selectperson Murphy seconded, Vote: 4-0.

Hiring Approval for Substitute Library Assts. & Library Page  
Motion Approved

It was stated that these are replacement positions, no additional staff. The job postings are dated 6/11.

The Town Administrator inquired if the Board of Selectmen wanted to approve positions that are already budgeted; the Board indicated that they do.

FY14 Reappointments:

Appoint Roger Lesch as representative to Action, Inc.  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Roger G. Lesch as Rockport Representative to Action, Inc. for a one year term to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint members to Beautification Committee  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Stephanie Woolf, Terry Duffy, Martha Finta, Betsy Giannoccaro, Fran Pierce, Amnon Goldman, Stephen Boyd, George Syrigos, and Christine Grenier to the Beautification Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Motion to Appoint Fire Chief, Asst Chiefs to Board of Fire Engineers  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Fire Chief James Doyle, Assistant Chief Kirk Keating and Assistant Chief Jack Porter to the Board of Fire Engineers, all for one year terms to expire on June 30, 2014, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Building Study Committee members  
Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Jack Campbell, Russell Anderson and Randy Saville to the Building Study Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint members to Economic Development Committee  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Lana Razdan, James Cox, Peter Beacham, Rollyn Hoffman, Gary DellaRocco, and Stephen Attwood to the Economic Development Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Emergency Mgmt Director and Deputy Director  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Lt. Mark Schmink as Emergency Management Director and Officer Daniel Mahoney as Emergency Management Deputy Director, each for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Forest fire Warden  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Michael Frontierro as Forest Fire Warden for a one year term to expire on June 30, 2014, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Granite Pier Committee members  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Charles Nichols, Jr., John Thompson, Frank Levesque and Eric Rask to the Granite Pier Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint MBTA Planning Advisory Committee  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Nicola Barletta, Henry Betts, Robert Krause, Sam Coulbourn, and George Robertson to the MBTA Station Planning Advisory Committee, all for one year terms to expire on June 30, 2014, Selectperson Lucas seconded, Vote: 4-0.

Appoint Memorial Day Parade Committee  
Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Claire Franklin, Brian Sullivan, Faye Anderson, June Sullivan, Keva O'Neil, and Darlene Trumbour to the Memorial Day Parade Committee, all for one year terms to expire on June 30, 2014, seconded by Selectperson Murphy, Vote: 4-0.

Selectperson Lucas moved that the Board of Selectmen appoint Sam Coulbourn, Marcia Lombardo, Shannon Mason, Charmaine Blanchard, Frederick Tarr III, Barbara Sparks, and John Sparks to the Millbrook Meadow Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Millbrook Meadow Committee Members  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Lawrence Neal, Peter Van Dermark, Frederick Tarr, and Stephanie Cunningham to the Open Space & Recreation Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Open Space & Recreation Committee  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Roger Lesch as Special Officer of Elder Affairs for a one year term to expire on June 30, 2014, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Special Officer of Elder Affairs, Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Sydney Wedmore, Seth Cutter, John Bennett, Richard Morris, Charles Allen, Lee Marr, Carol Delaney, William Braunlich, Thomas Eldridge, and William Cardani to the Thacher and Straitsmouth Islands Town Committee, all for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Thacher and Straitsmouth Islands Town Committee Members  
Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Karen Sena-Berger, Linda Cote, Bryan McMullin and Bonnie Gray to the Town Art Committee, all for one year terms to expire on June 30, 2014, Selectperson Lucas seconded, Vote: 4-0.

Appoint Town Art Committee Members  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Lars-Erik Wiberg, Joyce Fossa, Frederick Frithsen, and Michael Bace as Associate Members on the Zoning Board of Appeals, each for one year terms to expire on June 30, 2014, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Associate Members of Zoning Board of Appeals  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint John Rees and Charles Christopher as Zoning Administrators on the Zoning Board of Appeals, each for one year terms to expire on June 30, 2014, Selectperson Murphy seconded, Vote: 4-0.

Appoint Zoning Administrators  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Ruth Maassen as Poet Laureate for a two year term to expire on June 30, 2015, Selectperson Lucas seconded, Vote: 4-0.

Appoint Poet Laureate  
Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Sydney Wedmore to the Board of Health for a three year term to expire on June 30, 2016, Selectperson Murphy seconded, Vote: 4-0.

Appoint Sydney Wedmore to Board of Health, Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Michelle Talisman and Christine Marck, each for three year terms to expire on June 30, 2016, to the Council on Aging, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Council on Aging  
Motion Approved

Selectperson Lucas moved that the Board of Selectmen appoint Marie Alferi

Appoint Cultural Council Members  
Motion Approved

to the Cultural Council for a three year term to expire on June 30, 2016, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Personnel Board Member  
Motion Approved

Selectperson Murphy moved that the Board of Selectmen appoint Susan Crown to the Personnel Board for a three year to expire on June 30, 2016, Selectperson Sheedy seconded, Vote: 4-0.

Appoint Rights of Way Committee Members  
Motion Approved

Selectperson Sheedy moved that the Board of Selectmen appoint Marc Prince and Tom Kerans, each for three year terms to expire on June 30, 2016, on the Rights of Way Committee, Selectperson Lucas seconded, Vote: 4-0.

Renewal of Bond Anticipation Note (BAN)

Renewal of Bond Anticipation Note (BAN): Selectperson Sheedy moved that the Selectmen approve the sale of the \$1,225,272 1.00 percent General Obligation Bond Anticipation Notes of the Town dated June 21, 2013 and payable June 20, 2014 to Eastern Bank at a price of par and accrued interest, if any, plus a premium of \$6,866.91 and, further, in connection with the marketing and sale of these Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 28, 2013 and a final Official Statement dated June 4, 2013, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted and, further, that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes, as applicable, for the benefit of the holders of the Notes from time to time, and, further, that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes, and, further, that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be, and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of this vote, Selectperson Murphy seconded, Vote: 4-0.

Approve & Sign Federal Excess Personal Property Cooperative Agreement  
Motion Approved

Federal Excess Property/DoD Firefighting Program Agreements: Selectperson Lucas moved that the Selectmen approve and sign the Federal Excess Personal Property Cooperative Agreement and the Department of Defense Firefighting Program Cooperative Agreement for the Rockport Forest Fire Department, Selectperson Murphy seconded, Vote: 4-0.

Enrollment Audit Participation Agreement with MIIA  
Motion Approved

Health Insurance Audit Agreement: Selectperson Murphy moved that the Selectmen approve and sign the Enrollment Audit Participation Agreement with MIIA to conduct the state mandated Health Insurance Enrollment Audit, Selectperson Lucas seconded, Vote: 4-0.

Real Estate sign at Glenmore & Thatcher  
Motion Approved

Real Estate Sign at Glenmore and Thatcher: Selectperson Sheedy moved that the Board of Selectmen grant permission to Sharon L. Kling to place a "For

Sale” sign at the corner of Glenmere and Thatcher Roads, Selectperson Lucas seconded, Vote: 4-0.

Salary Adjustment for Assistant Town Clerk: Selectperson Lucas moved that the Board of Selectmen accept the recommendations of the Personnel Board and approve a salary adjustment of \$1,340 for the Assistant Town Clerk, to be effective July 1, 2013, seconded by Selectperson Murphy, Vote: 4-0.

Salary adjustment for Asst. Town Clerk, effective 7/1/13  
Motion approved

Stipend for Town Clerk: Selectperson Lucas moved that the Board of Selectmen approve the \$1,000 transfer of the Town Clerks Certification Stipend to be added to her salary, Selectperson Murphy seconded, Vote: 4-0.

Town Clerk’s Certification Stipend  
Motion Approved

FY13 Yearend Transfers: postponed to subsequent meeting.

IS&T Department Memorandum of Understanding: Selectperson Sheedy moved that the Selectmen approve and sign the Memorandum of Understanding between the Board of Selectmen and School Committee for the creation of a town-wide information Systems & Technologies Department, Selectperson Murphy seconded, Vote: 4-0.

Information Systems & Technologies Dept. MOU  
Motion Approved

The Asst. to the Town Administrator said this is the final step in consolidating these departments. He said that the Memorandum of Agreement lays out the understandings of the two boards. It lays out the departmental responsibilities, the oversight of director, resolutions of conflicting directives, the Town Moderator is the mediator. It includes the protocol for the dissolution of the department if it is deemed necessary and outlines the procedures. Monty Hitchler and his department are commended for putting this all together. The priorities are infrastructure, the school phone system, exploring options to minimize costs, fiber optic network, applications (financial mgmt., town website, e-mail upgrades, helpdesk, facilities enhancements, and compliance with accreditation). This will be reviewed at the School Committee meeting tomorrow night.

22 Old County Road Lease & Notice of Lease: Selectperson Sheedy moved that the Board approve and sign a lease and Notice of Lease with John Amendola, Christine M. Amendola and John Flaherty for 22 Old County Road to reflect a change of ownership, Selectperson Lucas seconded, Vote: 4-0.

Lease for 22 Old County Road to reflect change of ownership  
Motion Approved

Night Diving Approvals: Selectperson Lucas moved that the Board of Selectmen permit the North Shore Frogmen Club to hold night dives on Pebble Beach on June 27 and July 25, 2013, Selectperson Murphy seconded, Vote: 4-0. Selectperson Murphy stated he wants to be sure the town isn’t liable for any incidents.

Night Dives on Pebble Beach  
Motion Approved

8:30 Discussion Items

Discussion Items:

Community House Policies: Selectperson Sheedy explained the need for the policies, one of the issues is to be considerate to neighbors. She said the proposed policies did not address the security issues. Selectperson Murphy said there is some wear and tear being seen on the building. He stated that

Community House Policies

Discussion items:

Continued

Community House  
Policies – continued

someone is needed to open and close the building. He stated that when the school buildings are used, appropriate security is utilized. It was stated that the DPW is responsible for the building, and there will be a cost to cover these concerns. Selectperson Murphy said those renting the facility should pay for the cost of taking care of it. Either the DPW or those using it should pay for the costs. It was mentioned that it doesn't cost anything for residents to rent it. It was stated that the police were supposed to check the building every night. Selectperson Sheedy asked that the Board look at the policies and consider some policies around security. One option is a non-refundable deposit if the building is not left as it was found, but that doesn't address the security issue. This will be brought back to a subsequent agenda.

Parking and  
Transportation  
Committee

Parking & Transportation Committee: It was stated that a new committee is needed to research some solutions. A charge for the committee would need to be developed and to designate some residents to be on the committee. Perhaps putting something in the paper looking for committee members. Maybe some possible committee members could be someone from the Economic Development Committee, someone from the Planning Board, citizens and business owners. A possible charge for the committee: to identify the ongoing parking issues and the problem of lack of parking and suggest remedies and research possible solutions.

Other Business/Announcements: It was stated that this Saturday is Elder Abuse Day, from 9-12.

8:50 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote: 4-0.

Warrant signed:

Warrant signed for the Fiscal Year 2013 Payroll and Expenses for the week of 6/13/13 in the amounts of \$4,904,909.09 and \$605,991.02 respectively.

Items Signed:

Letter to Ruth E. Main regarding change of name Darby Way  
General Obligation Bond anticipation Note  
MOU Town-wide information Systems & Technologies (IS&T) Dept.  
Federal Excess Personal Property Cooperative Agreement, Rockport Forest Fire  
DoD firefighting Program Cooperative Agreement  
MIIA Health Benefits Trust Member  
22 Old County Road Lease  
J. R. M. Hauling and Recycling Services, James Motzkin, License for Junk Dealer's License  
Dorothy Flynn, Intique, 6 Dock Sq., License to buy and sell antiques  
Linda Marie Moquin, 6 Dock Sq, Beyond the Sea Jewelry Boutique, Transient Vendor  
Kathy Tatreau & Ben Rubinstein, 9 Bearskin Neck, Transient Vendor  
Jed Coonley, The Ice Cream Store  
Certificate of appreciation, Robert Visnick, US Air Force Reserve, Lt. Colonel