

BOARD OF SELECTMEN
Meeting Agenda
Tuesday, September 8, 2015

A meeting of the Rockport Board of Selectmen was held on Tuesday, 9/8/15 at 6pm in Conference Room A with three selectpersons, the Town Administrator and the Asst. Town Administrator. Selectperson Lucas not attending, Selectperson Murphy arrived at 6:15pm.

6:00 Meeting Called to Order

Executive Session – MGL Ch 30A §21(a)(3) Strategy with Respect to Litigation:

Selectperson Wilkinson moved that the Board of Selectmen enter into Executive Session under MGL Chapter 30A, §21(a) for exemption #3 to discuss strategy with respect to litigation, Selectperson Sheedy seconded, roll call vote: Chairperson Battistelli – aye, Selectperson Sheedy – aye, Selectperson Wilkinson – aye, all in favor.

Motion to enter
Executive Session
Motion Approved

Chairperson Battistelli: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s litigating position. The Board will re-enter Open Session”.

7:15 Pledge of Allegiance and Moment of Silence:

Public Comment Period: Frederick Tarr, spoke about the 175th birthday of Rockport and inquiring what was planned; he also commented about the visitor center being closed. He said he is seeking support from the Board of Selectmen to contact the Governor and other officials requesting that Halibut State Park be opened. He also spoke about the Atlantic Path; he said the Rights of Way Committee is working with the Hooper’s on this.

Public Comment
Period

Chairperson Battistelli said that after some storms, sections of the Atlantic Path are difficult to pass over; she said the town received a grant last year to work on it. People can walk on the rocks on the last section; she said years ago the town was unsuccessful in a lawsuit. She said state budget cuts may have affected Halibut State Park; we can certainly look into that.

T. Arsenian, 95 Granite St., said he might comment when the special sign permit and Article P comes up on the agenda. T. Arsenian said he has been surprised when he heard statements that we have always had access to Evan’s Field. He said that was not what was said at a meeting with the DPW Commissioners. He spoke on Article F returning \$95,000 that was in the hands of the DPW commissioners and the defunct water shed protection committee, funds were granted by the CPC 7-8 years ago. He said the funds were part of \$300,000, \$30,000 was given to the Conservation Commission for them to spend leaving \$270,000; \$175,000 has been spent. He questions what it was spent on, and inquired if groups went through the hoops necessary. He stated that the DPW said they were not consulted or advised on Article F. The Town Administrator said it was the CPC who proposed to take the money. He said he feels it is inappropriate to not consult with the DPW. Selectperson Wilkinson recommended he go to a CPC meeting with his concerns. He is asking that the Board not move the article. The Town Administrator said the article was requested by the CPC because they had no plans to spend it. She said they are considering lowering the request to \$70,000 because someone has property in water shed that they want to purchase.

7:30 The CIPC meeting was called to order.

7:30 Selectmen Briefing

Planning Board members Herman Lilja, Chair, Cameron Smith, Hank Betts, and Terry Duffy were in attendance. Article Q relates to zoning by-law changes for residential dwellings. The goal is to limit the scale and density to retain the charm of Rockport neighborhoods. Not affected are downtown and the general zone. On a lot of 2 acres or less, the total gross floor area of all residential dwellings and accessory buildings on the lot shall not exceed 7,000 sq. ft. total gross floor area (GFA). Gross floor area, GFA is currently used by Assessor's office for determining the area of a home, basements are excluded. Residential single, 2-family and multiples dwellings, accessory buildings, and townhouses shall have the following side setbacks, 20 ft. for buildings with 4,000 to 5,999 GFA, and 25 ft. for buildings with greater than 6,000 GFA. Selectperson Sheedy said this adds another layer of calculation for building. Selectperson Wilkinson inquired if the Planning Board looked at other communities that have similar by-law changes. H. Betts from the Planning Board said this isn't another level of beurocracy; you would know by being aware of your neighborhood. H. Lilja said the Finance and Zoning board voted; the Zoning Board is not in favor of this.

8:00 Action List

Finance Committee members L. Wessel, J. Michaels, W. Wagner, W. Hess, I. Crown, B. Dailey and M. Tingley were present.

Action List:

Detail of Articles for Fall Town Meeting

- Articles A and B on the September 14, 2015 Fall Town Meeting Warrant are to transfer monies from existing accounts to pay prior year bills in Article A and to redistribute funds within the budget to accounts that need them. Selectperson Sheedy will cover Articles A and B at Town Meeting. One of the transfers in Article B the Finance Committee wanted to change. J. Michaels said the IT amount changed, \$2,231.34 is missing from the schedule. The Town Administrator said she will correct that. Additions to Schedule B are \$4,200 from Town Accountant to the Accounting Support Specialist, from \$5,040 legal fees to court ordered Long Beach police detail wages. The town is ordered to pay police details on weekends on Long Beach. The town pays for 50% and the Long Beach cottage owners pay 50% of the cost. The Finance Committee recommended we remove next May and June's expenses from the FTM warrant and put them on the warrant for the Spring Town Meeting. Accounting Purchase of Services is due to the continuing costs for the prior Town Accountant to fill in until the Town Accountant position is filled.
- Articles C, D, and E on the September 14, 2015 Fall Town Meeting Warrant are the Community Preservation Committee's typical requests, to hear its report in Article C, appropriate expected surcharge funds into the three CPC reserve accounts in Article D, and appropriates funds from the CPC accounts to their approved projects in Article E, Selectperson Wilkinson will speak on these articles at Town Meeting.
- Article F is to transfer unused funds from the Watershed Protection account back to the CPC; Article G is to transfer money from the Parking Meter Fund to pay for parking meter collection processing (Selectperson Murphy will speak on this at town meeting); Article H is to repurpose the unused balance from the School Treads & Landings account to be used to replace School carpeting (Selectperson Murphy will speak on this article at town meeting); Article I (Chairperson Battistelli will speak on this article at town meeting) is to transfer funds to pay for Harbormaster's building repairs; Article J is to transfer funds to repair Library building leaks (Selectperson Sheedy will speak on this article at town meeting); Article M is to transfer money to pay for DPW facility ventilation improvements (Selectperson Lucas will speak on this at town meeting); and Article N is to transfer funds to

maintain and improve the sewer system, reduced to \$70,000 from \$95,000.
(Chairperson Battistelli will speak on this at town meeting).

Detail of Articles
for Fall Town
Meeting

- Board's Position on Fall Town Meeting Articles: Article O on the September 14, 2015 Fall Town Meeting Warrant is to authorize borrowing to make repairs to the Back Beach Revetment, Selectperson Lucas and Finance Committee member Bill Wagner will speak on this article at town meeting.
- Board's Position on Fall Town Meeting Articles: Article P on the September 14, 2015 Fall Town Meeting Warrant is to authorize the Board to grant applicable easements to the MBTA for their power upgrade project, Chairperson Battistelli and Finance Committee member Ian Crown will speak on this article at town meeting.
- Board's Position on Fall Town Meeting Articles: Article Q on the September 14, 2015 Fall Town Meeting Warrant to amend the Zoning By-Laws to limit the size of new or renovated residential dwellings, Selectperson Sheedy will speak on this article at town meeting.
- Appointment of Quincy Carvino as IS&T Technical Support Specialist: Selectperson Wilkinson moved that the Board of Selectmen appoint Quincy Carvino as an IS&T Technical Support Specialist effective September 9, 2015, employee at will, Selectperson Murphy seconded, Vote: 4-0.
- Thacher & Straitsmouth Island Committee Membership: Selectperson Sheedy moved that the Board increase the membership of the Thacher & Straitsmouth Island Committee from 11 to 13 members, Selectperson Murphy seconded, Vote: 4-0.
- Appointment of Raymond Moss to the Islands Committee: Selectperson Murphy moved that the board increase the membership of the Thacher & Straitsmouth Island Committee from 11 to 13 members, Selectperson Sheedy seconded, Vote:4-0.
- Permission to Hold Annual Rockport Harvestfest: Selectperson Wilkinson moved that the Board of Selectmen grant permission to the Rockport Exchange organization to hold the annual Rockport Harvestfest on Saturday, October 17, 2015 from 10 am to 6 pm with permission to utilize Dock Square and T-Wharf, erecting tents in both places, as well as further permission to close Dock Square to auto traffic and restricting T-Wharf parking to the Sandy Bay Yacht Club, festival vendors, and commercial fisherman only beginning on Friday, October 16th until Saturday, October 17th at the close of the festival, Selectperson Murphy seconded, Vote: 4-0.
- 62 Long Beach Lease Transfer: Selectperson Wilkinson moved that the Board approve and sign a lease for 62 Long Beach with Sean and Lori Brosnan to reflect a lease transfer to new cottage owners, Selectperson Murphy seconded, Vote: 4-0.
- 62 Long Beach Notice of Lease: Selectperson Sheedy moved that the Board of Selectmen approve and sign a Notice of Lease with Sean and Lori Brosnan for 62 Long Beach, Selectperson Wilkinson seconded, Vote: 4-0.
- Special Sign Permit for Institution for Savings: Selectperson Murphy moved that the Board of Selectmen approve a special sign permit for the Institution for Savings at 37 King Street, Selectperson Sheedy seconded, Vote: 4-0. The owner of the Cape Ann Sign Company was present as well as Kim Rock, Chief Operating

Continued

Appointment of
IS&T Technical
Support Specialist
Motion Approved

Thacher &
Straitsmouth Island
Committee
Membership
Motion Approved

Appointment to
Islands Committee
Motion Approved

Permission to Hold
Annual Rockport
HarvestFest
Motion Approved

62 Long Beach
Lease Transfer
Motion Approved

62 Long Beach
Lease Notice
Motion Approved

Special Sign Permit
for Institution of
Savings
Motion Approved

Officer of the bank. This is a temporary sign to hide some of the debris from the building process. K. Rock said there was some structural damage discovered during renovations, an early 2016 completion is targeted. The size of the sign is being decreased from 100' down to 45' and 45'; the color will be changed from white to green. It was decided that the size would draw more attention to it. It was also decided to limit the amount of wording on the sign.

Permission for two
Wooden Trail Kiosks
Motion Approved

- Permission for Two Wooden Trail Kiosks: Selectperson Wilkinson moved that the Board of Selectmen approve the Conservation Commission's request to withdraw \$600.00 from the wetlands filing fees account for the purchase of two wooden trail kiosks where one will be placed at the corner of South Street and Thomas Road and at the trailhead of the Pine Pit Railway, Selectperson Murphy seconded, Vote: 4-0. Larry Neal, Conservation Commission, said they've been working with C. A. Trails, in Essex County; they have been adding these kiosks. Waring Field has some kiosks with CATA bus maps and information. Walking Waring Field can be confusing with the back field and one at Pine Pit.

8:30 Discussion Item

FTM Run Through with Moderator & Finance Committee: R. Visnick, Town Moderator, is out of town and could not be present tonight.

Approval of Minutes of August 25, 2015: Selectperson Wilkinson moved to accept the minutes of the 8/25/15 Board of Selectmen meeting, seconded by Selectperson Murphy, Vote: 4-0 with one revision. Selectperson Sheedy mentioned that T. Mikus' statement regarding Penzance Road was incorrect. T. Mikus was in attendance and said that the minutes should be changed to reflect that each of the Conservation Commission members each said it was a bad idea and the Board of Selectmen should consider that in their decision.

Approval of
8/25/15 Minutes
Motion Approve

Selectmen Updates and Liaison Reports:

- Chairperson Battistelli spoke on the Tool Company property; she said the DEP has been hit hard with early retirements. She said we have not been informed of any adjudicary hearing; it was supposed to be in mid-September. She has asked town counsel to contact the DEP and the Attorney General's office and remind them that we are very interested in being aware of any activity that comes to them. Chairperson Battistelli said she spoke to the building inspector; he received some plans for a change in the plans, the plans have been denied based on a number of items. A new building permit would need to be applied for.
- Last year the town received a \$3,000 grant from fees for salt water fishing, one third of that needs to go to grants to improve public foot paths, there is a letter dated 8/28 and Chairperson Battistelli asked that Tom Mikus follow up on it to see if the town can apply again for some funds to fix some of the Atlantic Path.

Selectmen Updates
and Liaison
Reports

9:05 Selectperson Murphy moved to adjourn, seconded by Selectperson Wilkinson, Vote: 4-0. The CIPC meeting adjourned.

Items signed:
62 Long Beach Notice of Lease
62 Long Beach Lease Transfer